

## **CABINET**

**WEDNESDAY, 16 OCTOBER 2019**

**PRESENT:-** Councillors David Renard (Chair), Oliver Donachie, Brian Ford, Dale Heenan, Russell Holland, Mary Martin, Cathy Martyn, Maureen Penny, Gary Sumner and Keith Williams

Councillor Janine Howarth attended the meeting in respect of Minute 43

Councillor Bazil Solomon attended the meeting in respect of Minute 43

Councillor Bob Wright attended the meeting in respect of Minutes 39, 42, and 43

### **34. Apologies for Absence.**

There were no apologies.

### **35. Declarations of Interest.**

The Chair reminded members of the need to declare known interests in any matters to be considered at the meeting.

### **36. Minutes.**

Resolved – That the minutes of the meeting held on 4<sup>th</sup> September 2019 be confirmed and signed as a correct record.

### **37. Public Question Time.**

There were no public questions.

### **38. Exempt Items - Exclusion of Press and Public.**

Resolved – That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the item listed below, on the grounds that it involves the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Item Nos.	Paragraph No.	Minute Nos.
9	3	42
10	3	43

### **39. Budget Management Update**

Councillor Russell Holland, the Deputy Leader of the Council and Vice Chair of Cabinet, and the Director of Finance submitted a joint report providing Cabinet with the 2019/20 revenue budget forecast out-turn. The report also sets out the Corporate Management Team's ongoing work to mitigate any potential overspend as well as seeking Members' support for proposed virements.

Councillor Holland thanked officers for their work in reducing the projected year-end overspend but advised Cabinet that more work was required to ensure that the deficit was eliminated by then.

Councillor Wright asked questions relating to the process by which Members would know which posts were being held vacant. The Deputy Leader responded at the meeting and Councillor Dale Heenan, Cabinet Member for the Town Centre, agreed to respond to any written question from Councillor Wright that referred to specific posts within his portfolio area.

Resolved:

- 1) That the 2019/20 revenue budget forecast out-turn for each service area set out in Table 1 of the main report and Appendix 1 be noted;
- 2) That the Corporate Management Team's continued implementation of plans to mitigate the current forecast overspend be noted;
- 3) That the update on the Spending Round 2019 be noted; and
- 4) That the virements set out in Appendix 2 be approved.

The reasons for the decision and alternative options are as set out in the report to the meeting.

**40. Polling Districts and Places Review (Minute for confirmation)**

The Leader of the Council along with the Electoral Registration Officer and Returning Officer submitted a joint report requesting authorisation from Cabinet and Council to make changes to the polling station arrangement in the Mannington and Western, Ridgeway, Wroughton and Wichelstowe Wards. The report also sought authorisation to retain other polling stations without any amendment as well as to set all polling places as coterminous with the polling district.

The Leader of the Council drew Cabinet's attention to the specific changes and invited Members to note that ward councillors had been consulted. Councillor Brian Ford, Cabinet Member for Adults and Health welcomed the solution that was being proposed for the Wroughton and Wichelstowe Ward.

Resolved

That Council be requested to:

- 1) Endorse the recommendation that no changes be made to those polling stations within the borough as identified in Appendix C to the main report.
- 2) Endorse the recommendation to changes to polling within the borough as identified in Appendix C to the main report.
- 3) Endorse the recommendation to changes to polling stations within the Wroughton and Wichelstowe Ward as identified in Appendix E to the main report.
- 4) Endorse the recommendation to changes to polling stations within the Ridgeway Ward as identified in Appendix F to the main report.
- 5) Endorse the recommendation to changes to polling stations within the Mannington and Western Ward as identified in Appendix G to the main report.
- 6) Adopt the recommendation to set all polling places as coterminous with the polling district as identified in Appendix C to the main report.
- 7) Note that, subject to Council's approval any changes arising from this review would be implemented at elections held after 1st December 2019.

The reasons for the decision and alternative options are as set out in the report to the meeting.

#### **41. Health & Care Board Swindon**

The Cabinet Member for Adults and Health along with the Corporate Director Adult Social Services and Health submitted a joint report seeking approval to establish “the Health and Care sub-Committee” of Cabinet to form part of the new Health and Care Board for Swindon. The Board would progress joint commissioning arrangements between Swindon Borough Council and Swindon Clinical Commissioning Group and its successor.

Councillor Ford explained that the Board would be necessary to ensure decisions about health spending in Swindon would be taken locally once three Clinical Commissioning Groups, including the Swindon CCG, had merged. Board decisions would be taken by two separate sub-committees – one from the Council, one from the CCG – meeting at the same time and both would have to agree in order to proceed.

Councillor Wright asked how the proposal would ensure that councillors had the ability to challenge any decisions by the Board before they were implemented. Councillor Dale Heenan, Cabinet Member for the Town Centre, used the analogy that the Council’s process would be similar to that used by the Cabinet Panel on School Organisation. The Leader of the Council, Councillor Ford, and Councillor Oliver Donachie, the Cabinet Member for Economy and Growth responded at the meeting.

#### **Resolved**

- 1) That the establishment of a new Health and Care Sub-Committee, with the Leader of the Council as the Chair of the sub-Committee and with delegated decision-making powers, in accordance with Article 7.01 of the Constitution be agreed.
- 2) That the Terms of Reference for the Sub-Committee as set out in Appendix 1 to the main report be agreed and that the Leader’s scheme of delegation to the Cabinet sub-Committee in accordance with Article 7.06 of the Constitution, as set out in Appendix 2 to the main report be noted.
- 3) That the Cabinet Member for Adults and Health and the Corporate Director Adult Social Services and Health be requested to bring a report to Cabinet setting out the principles of a new Section 75 Agreement and any risk share issues to commence on the expiry of the existing agreement in March 2020.
- 4) That the Chief Legal Officer be authorised, in consultation with the Leader of the Council, the Cabinet Member for Adults and Health, the Director of Finance, and the Corporate Director Adult Social Services and Health to:
  - a) Review the existing Section 75 Agreement and determine terms for a new s75 agreement and
  - b) Subject to recommendation 3 above, be authorised to enter into a new section 75 at the expiry of the existing Agreement in light of the emerging changes.

The reasons for the decision and alternative options are as set out in the report to the meeting.

#### **42. Investment Opportunity - Industrial Premises, Stratton St Margaret.**

The Leader reminded the all those present of the importance of maintaining confidentiality for both this item and the subsequent one (Minute 43 refers).

The Deputy Leader of the Council and Cabinet Member for Finance, Education, and Skills, the Director of Finance and the Head of Property Assets submitted a joint report seeking authority to acquire the freehold interest in a property in Stratton, Swindon. The report set out how the proposed acquisition of the freehold of this property was subject to the existing occupational leases by the Council and would secure a good income stream in line with its commercial investment strategy. The report was submitted as a matter of special urgency with the consent of the Chair of Scrutiny, in accordance with Paragraph 17, Access to Information Procedure Rules, Part 4 of the Constitution.

Councillor Holland introduced the joint report and requested that Cabinet accept the updated information that was attached as addendum. Members concurred with this.

Councillor Wright asked a series of questions about how this proposal related to the Commercial Investment Strategy criteria and the business model that would apply if the acquisition took place. The Deputy Leader and the Head of Property Assets responded at the meeting.

#### **Resolved**

- 1) That the Chief Legal Officer be authorised, in consultation with the Head of Property Assets, to complete the acquisition of the freehold interest in the property identified at paragraph 3.1 of this Report on the terms outlined in paragraph 3.8 of this Report, and on such other detailed terms and conditions as she may agree in order to protect the Council's interest.

The reasons for the decision and alternative options are as set out in the report to the meeting.

#### **43. Acquisition of Property in Park South, Swindon**

The Deputy Leader of the Council and Cabinet Member for Finance, Education, and Skills, the Director of Finance and the Head of Property Assets submitted a joint report seeking authority to acquire the freehold interest in a property in Park South, Swindon. The joint report set out how the acquisition of the freehold of this property, subject to the existing occupational leases, would secure a good income stream for the Council. It would also enable the Council opportunity to address some of the long-standing maintenance and repair issues affecting the property.

Councillor Holland introduced the report and set it in the context of the agreed Commercial Investment Strategy.

Ward Councillors Janine Howarth and Basil Solomon along with Councillor Bob Wright asked questions concerning the condition of the property and actions that the Council might take should it be acquired. The Leader, the Deputy Leader, and the Head of Property Assets responded at the meeting. Councillor Dale Heenan, Cabinet Member for the Town Centre, asked colleagues to consider if there were

similar properties in the Borough that the Council might wish to acquire. The Deputy Leader responded at the meeting.

Resolved

- 1) That the Chief Legal Officer be authorised, in consultation with the Head of Property Assets, to complete the acquisition of the freehold interest in the property identified at paragraph 3.1 of this Report on the terms outlined in paragraph 3.8 of this Report, and on such other detailed terms and conditions as she may agree in order to protect the Council's interest.

The reasons for the decision and alternative options are as set out in the report to the meeting.