

CABINET

WEDNESDAY, 3 FEBRUARY 2021

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

Apologies for absence were received from Councillor Robert Jandy

The following councillors attended the meeting and spoke to the respective Minutes listed below: Councillor Emma Bushell - 47, 49 and 51; Councillor Jim Grant - 44, 45, 47 and 51; Councillor Vinay Manro - 49; Councillor Jane Milner-Barry - 51; Councillor Barbara Parry - 52; Councillor Kevin Parry - 52, and Councillor Bob Wright - 44 and 45.

40. Applause for Captain Sir Tom Moore RIP

The Chair led Cabinet as part of the national applause in recognition of Captain Sir Tom Moore RIP, the centenarian, veteran, and fund-raiser for NHS Charities Together, who had become a victim of Covid-19.

41. Declarations of Interest.

The Chair reminded Members of the need to declare known interests in any matters to be considered at the meeting. On advice from legal officers, Councillor Gary Sumner made a personal and prejudicial declaration of interest in Agenda Item 14 (Minute 53) - Transfer of Land (Clays Close) – by virtue of being a Director of the Swindon Housing Company.

42. Minutes.

Resolved – That the minutes of the meeting held on 2nd December 2020 be confirmed and signed as a correct record.

43. Public Question Time.

Mr Roy Worman submitted questions concerning the Budget report, to which written responses had been provided. Mr Worman asked a supplementary question concerning government funding to cover Covid-10, to which the Deputy Leader of the Council and the Corporate Director of Finance and Assets responded at the meeting. Mr Daniel Adams submitted questions concerning the Oasis, to which written responses had been provided.

44. Budget Management Update (February)/Draft Budget 2021/22

Councillor Russell Holland, the Cabinet Member for Commercialisation, Education and Skills along with the Corporate Director of Finance and Assets (Section 151 Officer) submitted joint report setting out the current budget management position

for the 2020/21 financial year and proposing a Budget for 2021/22. It was noted that, under the Council's Constitution, the Cabinet is required to recommend a budget to Council as part of its formal Council Tax Setting responsibilities.

Councillor Holland introduced the joint report and thanked all staff for their efforts in bringing the 2021/21 to a projected balance by the end of the financial year, having warned Cabinet at previous meetings that this might not be so. He also noted the government's financial support that had contributed towards this.

Councillor Holland added that the draft budget 2021/22 was seeking to propose to Council a Council Tax increase of 4.99%, which would include 3% permitted as the Adult Social Care precept. The Cabinet Member outlined some of the demographic and inflationary cost pressures the Council was facing. The Leader added that this proposed increase was in-line with similar councils in England.

Councillors Jim Grant and Bob Wright asked a number of questions to which Councillor Holland and Councillor Ford - the Cabinet Member for Adults and Health - responded at the meeting.

- i. How was the budget taking into account the costs of supporting the victims of 'long-Covid' as well as the additional pressures from increased domestic violence and mental health issues? Officers were aware of the budget pressures and the Council was working with the Clinical Commissioning Group and the NHS to support a 'long-Covid' treatment protocol.
- ii. How did the budget interpret the Government's concept of levelling up? This is a central government focus on regional inequalities. Swindon has received significant amounts through the Local Enterprise Partnership and the New Towns Fund.
- iii. Was the budget's focus on investment appropriate, should it address more demand issues now? The budget was continuing to focus on long-term investments that would bring tangible benefits to the Borough.

The Leader of the Council agreed to a request from Councillor Dale Heenan - Cabinet Member for the Town Centre, Culture and Heritage – to send a communication to all staff members to thank them for their efforts in balancing the budget.

Resolved: (1) That Cabinet notes the medium term financial context and impact on Swindon of the draft Local Government Finance settlement;
(2) That Cabinet notes the projected out-turn for 2020/21;
(3) That Cabinet notes the consultation feedback summarised in Appendix 3,
(4) That Cabinet notes the detailed Dedicated Schools Grant budget for 2021/22, based on a provisional funding envelope of £216.131m;
(5) That Cabinet notes that, in line with the requirements of the Local Government Act 2003, the Corporate Director of Finance and Assets, confirms the robustness of the estimates underlying the recommended Budget and adequacy of reserves, in the context of the earmarked reserves and proposed budget risk contingency.
(6) That the virements set out in Appendix 2 be approved;
(7) That the medium term financial strategy, set out in Appendix 6, be endorsed;
(8) That the specific reserves held in support of the 2021/22 Revenue Budget set out in Appendix 5 be agreed;
(9) That the Corporate Director of Finance and Assets be authorised to balance any changes between the provisional and final local government finance settlements by

adjusting the Budget Risk Contingency;

(Minute for Confirmation)

(10) That Cabinet recommends to Council, subject to any changes resulting from the Government's announcement of the final local government finance settlement for 2021/22, that:-

(a) The 2021/22 Budget be set at £153.277m;

(b) The council tax be increased by 4.99%, comprising 1.99% for the basic amount of council tax and a specific adult social care precept of 3%, and;

(c) It be determined that the proposed increase in the basic amount of Council Tax for 2020/21 is not excessive in accordance with Schedule 5 of the Localism Act 2011 and therefore does not trigger the requirement for a referendum.

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

45. Capital Programme to 2025/26

Councillor Russell Holland, the Cabinet Member for Commercialisation, Education, and Skills along with the Corporate Director of Finance and Assets, submitted joint report to provide an update to the Capital Strategy and report new capital investment requirements through to 2025/26.

Councillor Holland introduced the joint report and tabled the following additional recommendation: 'To allocate £5m to the 2021/22 Capital Programme to be used as part of a leisure opportunity in Swindon, subject to the approval of a business case by Cabinet identifying the source of funding and setting out how this can be achieved at no additional cost to the Council's revenue budget.'

Councillors Jim Grant and Bob Wright asked a range of questions to which Councillor Holland and the Leader responded at the meeting.

- i. How will this £5m be funded? This would have to be addressed in any business case. If agreed, it would form part of the Capital Financing Requirement
- ii. Is this money for the strictly for the Oasis? The Council cannot act as a 'white knight' or speculative but would continue to work with Seven Capital and GLL. The amount would be to be to facilitate leisure opportunities across Swindon.
- iii. Are the issues delaying the SnowDome related to Brexit or Covid-19? The leisure sector has been affected harshly by Covid, which has had an impact on both GLL and the SnowDome proposal.
- iv. Would the money be ring-fenced for leisure? It would be linked only to a specific business case. If that did not come forward, the money would not be borrowed.
- v. Why was the money not identified before now? This is the correct time as Council will be considering the budget for the next financial year in February 2021.
- vi. How would the Council be repaid for this money, would it be a loan or an investment? This would have to be addressed in the business case as happens with other uses of Council borrowing.
- vii. Would the Council be able to pay more? Yes if, and only if, there was a business case that justified the spending.
- viii. How was the figure of £5m reached? This was based on the Council's previous knowledge and experience.

Councillor Dale Heenan, Cabinet Member for the Town Centre, Culture, and Heritage, pointed out how Covid-19 had already delayed a listing application to Historic England. He also informed colleagues about the range of work to support leisure across the Borough.

Resolved: (1) That it be recommend that Council approves (Minute for Confirmation):

(a) The additions to the Capital Programme and funding sources for the schemes set out at Appendix 1;

(b) That the budget for the Bus Boulevard be increased to £33m following the award of £25m Future High Streets grant as detailed in paragraph 3.8;

(c) Entering into a funding agreement with the Swindon & Wiltshire Local Enterprise Partnership for £4m of Getting Building capital grant as detailed at paragraph 3.9;

(d) That further updates to the Capital Programme can be approved by Cabinet within the approved capital financing revenue budget and prudential indicators;

(e) The Capital Strategy attached at Appendix 2 and

(f) A feasibility study to help inform the Council on the development potential of the Corn Exchange and the Council's adjoining land as detailed in paragraphs 3.10 to 3.11.

(g) To allocate £5m to the 2021/22 Capital Programme to be used as part of a leisure opportunity in Swindon, subject to the approval of a business case by Cabinet identifying the source of funding and setting out how this can be achieved at no additional cost to the Council's revenue budget.

(2) That the impact on long term borrowing of the approvals sought in this report, as set out at paragraph 3.7 be noted; and

(3) That it be approved that schools capital funding is distributed as detailed in paragraph 3.18.

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

46. Treasury management strategy statement 2021/22

Councillor Russell Holland, the Cabinet Member for Commercialisation, Education, and Skills along with the Corporate Director of Finance and Assets submitted a joint report on the Treasury Management Strategy for 2021/22, including Prudential Indicators up to 2025/26, the Annual Investment Strategy, and the Minimum Revenue Provision Policy Statement.

Councillor Holland introduced the joint report and summarised the Strategy, which has an important role in delivering the Capital Programme and is subject to scrutiny through the Audit Committee.

Resolved: (1) That the Treasury Management Strategy, Minimum Revenue Provision Policy and Prudential Indicators, as set out in Appendix 1, be recommended for approval by Full Council on 18th February 2021.

(2) That the prohibition of borrowing from the Public Works Loan Board to support the purchase of "debt for yield" investments, as detailed in paragraphs 3.27 to 3.29, be noted.

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

(Councillor Dale Heenan, Cabinet Member for the Town Centre, Culture, and Heritage, left the meeting at the end of this item but returned for Agenda Item 14/Minute 53.)

47. Housing Revenue Account (HRA) - Rents and Charges 2021/22

Councillor Cathy Martyn, the Cabinet Member for Housing and Public Safety along with the Director of Housing submitted a joint report setting out the proposed rents, service charges, support charges for 2021/22 and proposed Housing Revenue Account (HRA) budget for 2021/22.

Councillor Martyn introduced the joint report setting out the outcome of the on-line consultations on a 1.5% rent increase. The Cabinet Member also informed colleagues about the impact of four years of government-mandated rent reductions, and the ongoing pressures on the maintenance and repair programme because of the loss of income. Councillor Martyn drew Members' attention to the specific modifications and improvements that were being made to homes to help meet the Council's carbon reduction targets.

Councillors Emma Bushell and Jim Grant asked the Cabinet Member about when the work on the two high-rise blocks, first put forward in 2015/16, would take place as their condition is continuing to deteriorate. Councillor Martyn responded that this would be addressed in an options report that she would bring to Cabinet in the 2021/22 financial year.

Councillor Keith Williams, the Cabinet Member for Climate Change, welcomed how the Council owned-housing was ahead of the private sector in being improved to improve energy efficiency and reduce the carbon footprint.

Resolved: (1) That Council be recommended to approve the proposed average social rent for Housing Revenue Account (HRA) dwellings for 2021/22 of £82.55 per week (52 week basis), which is an increase of 1.5% (£1.22 per week per average dwelling). The range of increases is shown in paragraph 3.7.

(2) That the Director of Housing be authorised to seek authority from the Secretary of State to extend permission to continue providing a budget of £200k within the HRA for payments to Council's tenants under the Discretionary Housing Payments scheme in 2021/22 as detailed at paragraphs 3.22.

(3) That the housing related support charges for 2021/22 and service charges for 2021/22 as outlined in Appendix 2 be approved.

(4) That the leaseholder service charges for 2021/22 as shown in Appendix 3 be approved.

(5) That both the Housing Revenue Account (HRA) proposed budget 2021/22, set out in Appendix 4, and the HRA Capital Budget and Funding as set out in Appendix 5 be approved.

(6) That the draft 5 year capital projects and planned maintenance programme at an indicative funding level of £16.0m (2020/21 prices) for 2021/22 as shown in Appendix 5 be approved.

(7) That the revision to the budget for the two bungalow schemes in the New Development Programme of £800k included in Appendix 5 be approved, reflecting additional costs associated with our commitment to delivering low carbon energy efficient homes.

(8) That the Director of Housing be authorised to undertake a new acquisition programme and approves the acquisition programme budget of £8m for 2021/22 in accordance with

paragraph 3.18, to include the purchase of 1-4 bedroom properties to help meet priority housing needs arising from homelessness and clients supported by Adult Social Care.

(9) That the increase in rents charged on General Fund properties in line with the Government's Direction on the Rent Standard 2019 also applied to Housing Revenue Account rents be authorised. This allows for rent increases of up to the Consumer Price Index (CPI) for the September of the preceding financial year, plus 1%. Increases for 2021/22 will therefore be capped at 1.5%.

(10) That the service charges for General Fund properties for 2021/22, as shown in Appendix 6, be authorised.

(11) That the charges for Private Sector Leased (PSL) accommodation for those accepted as homeless to remain at the pre-Covid 2020/21 Local Housing Allowance rates as set out in Appendix 6 be authorised.

(12) That it be noted that any underspend or overspend on the 2020/21 Housing Revenue Account be managed through the general revenue reserves.

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

48. Pay Policy Statement: April 2021 (Minute for Confirmation)

Councillor Robert Jandy, the Cabinet Member for Organisational Excellence along with the Director Human Resources & Organisational Development submitted a report as the Localism Act 2011 requires local authorities to agree and publish a Pay Policy Statement by 1st April each year. The joint report sets out the Council's Pay Policy Statement for 2021/2022 for consideration by Cabinet, prior to referral to Full Council for approval.

As Councillor Jandy was unable to be present, the Leader introduced the joint report and invited Members to note a slight reduction in the ratio of highest to lowest paid from 1:7 to 1:6.7. The Leader drew Members' attention to the fact that the increase in the number of officers paid over £50,000 was the consequence of a national pay-award benefiting existing staff, not the creation of new posts. The Deputy Leader and Cabinet Member for Commercialisation, Education and Skills advised Members to note that around two thirds of staff members were paid less than £30,000 per year, which may help to refute myths about salaries. The Deputy Leader also noted that some posts were highly specialised and hence needed appropriate pay levels to retain staff.

Resolved (1) That it is noted that Cabinet reviewed the Council's Pay Policy Statement for 2021 / 2022, as set out in Appendix 1 to the report Clear statement of what is recommended and who is to be authorised to take the actions required and by when.
(Minute for Confirmation)

(2) That Cabinet recommends the Pay Policy Statement to the Council for approval, and, if approved, authorise the Director of Human Resources & Organisational Development to update the salary information on 1st April 2021 prior to publication.

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

49. Introduction of a Permit Scheme for Roadworks

Councillor Maureen Penny, Cabinet Member for Highways, Maintenance, and Waste Services along with the Director of Strategic Development, submitted a joint report setting out details and the reasons for introduction of a street works permit scheme into Swindon to manage works on the highway network. Introduction of a permit scheme will contribute towards delivery of the Council Plan.

Councillor Penny advised Cabinet that the introduction of this scheme would give officers more authority to check and control road works on the Borough's network.

Councillors Emma Bushell and Vinay Manro asked a range of questions to which Councillor Penny and the Service Manager, Transport Planning, Development & Streetworks Management responded at the meeting.

- i. Why had the Council not introduced this sooner? The Council wished to learn from the experiences from other authorities. Additional work was needed to enhance the IT system to implement a permit scheme.
- ii. What mitigations or risks had other councils identified? None has been brought to the Council's attention requiring mitigation.
- iii. Does the Council have adequate, existing powers? Currently, the Council has fewer powers as it cannot issue permits. The new scheme would provide this as well as additional enforcement powers.
- iv. Have the software upgrade and ongoing licensing issues been taken into account? The Council has now moved on to the new software, which has the capability to manage a street works licence scheme.

Councillor Russell Holland, the Deputy Leader and Cabinet Member for Commercialisation, Education, and Skills invited the Cabinet Member and Officers to produce a suitable 'info-graphic' or equivalent to describe how the process would work.

Resolved: (1) That it be agreed in principle to the introduction of a Street Works Permit Scheme subject to consultation and to note the detail of the scheme be determined by the cabinet member for Highways, Maintenance and Waste Services
(2) That the Director of Strategic Development be authorised to proceed with a consultation, as prescribed under Regulations, to introduce a Street Works Permit Scheme into Swindon.

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

(Councillor Brian Ford, Cabinet Member for Adults and Health, left the meeting at the end of this item.)

50. School Admission Arrangements and Home to School Transport Policies 2022-23

Councillor Russell Holland, the Deputy Leader of Council and Cabinet Member for Commercialisation, Education and Skills, along with the Commissioner Education Place Planning and Admissions, submitted a joint report. This sought Cabinet's agreement to put in place co-ordinated admission arrangements for the normal point of entry (Reception, Year 3, Year 7), In-year admission arrangements for all Swindon Schools, and the Admissions Policy and Published Admission Numbers (PAN) and Catchment Areas for

Community and Voluntary Controlled Schools in Swindon for September 2022. The report also sought Cabinet's agreement on the Mainstream Home to School Transport Policy for 2022-23.

Councillor Holland tabled the joint report and thanked Officers for their work in producing the arrangements, which enabled so many children to receive a place at one of their preferred schools.

Resolved: (1) That the co-ordinated scheme of admission arrangements for the normal point of entry (Reception Year, Year 3 and Year 7) for all primary schools and secondary schools in Swindon from September 2022 (attached at Appendix 1) be approved;
(2) That the co-ordinated In Year admission arrangements for all primary schools and secondary schools in Swindon from September 2022 (attached at Appendix 4) be approved;
(3) That the admission numbers and arrangements for Community and Voluntary Controlled schools from September 2022 (attached at Appendix 2) be approved;
(4) That the Mainstream Home to School Transport Policy 2022-23 (attached at Appendix 5) be approved.

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

51. Carbon Reduction Strategy

Councillor Keith Williams, the Cabinet Member for Climate Change, along with the Director of Economy, Growth and Place, submitted a joint report seeking Cabinet's approval of the final Carbon Reduction Strategy

Councillor Williams introduced the joint report and drew Members' attention to the global impact of the climate crisis, hence the need for all to act. He advised Members about the challenge to make both the Council and the whole Borough carbon neutral; however, Swindon was already producing the power necessary for every domestic property in a sustainable manner within the Borough boundaries. The investment at Waterside had also reduced landfill, which had reduced methane emissions – a more potent 'greenhouse' gas than carbon dioxide.

Councillors Emma Bushell, Jim Grant and Jane Milner-Barry asked a number of questions to which Councillor Williams and the Leader responded at the meeting.

- i. Why was the Buildings, Industry, Economy and Planning sub-group disbanded?
There was an issue about how to maintain cross-party working if one of the parties is being openly critical. However, the aim is for this to transcend party politics. There were further issues about the large size of the sub-group.
- ii. How can the Council retain the specialist knowledge that was making a contribution through the sub-group? The Cabinet Member has sought to contact them and make them aware of how to engage with the new structure. The new structure will include members of the public and there will be cross-party membership and no councillors will be excluded.
- iii. Will the consultation replies be made public? Officers will make them available to Members.
- iv. Will the government's new target be included in the strategy? Achieving this target

- is likely to be dependent on additional funding from government.
- v. Will the new CMAG have representatives from both Public Health and PPS? Yes
 - vi. What training have senior officers received? There will be discussions with the Cabinet Member for Organisational Excellence and the Director of Human Resources and Learning and Development about how to implement this.
 - vii. Can there be some clarity about the terms CMAGs, cross-party, and working groups. The Leader agreed that Committee Services would provide some information and he would be willing to discuss the matter further.

Resolved: That content of the final Carbon Reduction Strategy as summarised in the body of the report and attached at Appendix 1 be approved.

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

Councillor Williams and the Leader thanked the Director of Economy, Growth, and Place, who was leaving the Council for a new appointment with another local authority.

52.

Apprenticeships

Councillor Russell Holland, the Deputy Leader of Council and Cabinet Member for Commercialisation, Education and Skills, along with the Head of Skills and Education Partnerships, submitted a joint report setting out the role that Apprenticeships play in the Inclusion Early Years, Education and Skills Strategy to provide an alternative pathway to skills, qualifications and career progression for Employers and Swindon's residents. The report provides an overview of the work overseen by the Growing the Economy Overview and Scrutiny Committee to identify the key opportunities and challenges to increase Apprenticeship numbers and to set out the key recommended activity to achieve an increase in Apprenticeships offered and taken up in Swindon.

Councillor Holland introduced the joint report and offered it as a model of how Overview and Scrutiny Committees could contribute towards policy formation. The Cabinet Member also drew Members' attention to National Apprentice week – 8th to 14th February 2021.

The Leader invited Councillor Kevin Parry, Chair of the Growing the Economy Overview and Scrutiny Committee and Councillor Barbara Parry, Chair of the Children's Health, Social Care and Education Overview and Scrutiny Committee to address the meeting. The Councillors Parry drew members to their own vocational qualifications, the positive role apprenticeships were playing to support business and innovation, the need to ensure that apprenticeships are valued as highly as degrees – especially as apprenticeships may lead to higher qualifications without the financial burden of a degree course – and the desire to support and encourage more Swindon firms to take on apprentices.

Resolved: (1) That the recommendation that Apprenticeships specifically and vocational and technical pathways more broadly are firmly positioned in the Inclusion, Early Years, Education and Skills Strategy as a clear alternative to academic pathways to enable young people and residents to gain the skills and qualifications to achieve their potential in education, employment and training be approved.

(2) That the priority activity to increase the number of Apprenticeships outlined in the

paper and in the Apprenticeship Action Plan (attached at Appendix One) be approved.

(3) That the progress that has been made by the work of the Growing the Economy Overview and Scrutiny Committee, led by Councillors Kevin and Barbara Parry, be acknowledged and that they be thanked for their significant contribution.

(4) That the Head of Skills and Education Partnerships in consultation with the Cabinet Member for Commercialisation, Education and Skills be authorised to implement the measures set out in the joint report.

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

(Councillor Dale Heenan, Cabinet Member for the Town Centre, Culture, and Heritage, returned during this item to participate fully in the remainder of the meeting.)

53. Proposed Transfer of land for Residential Development Proposal

Councillor Russell Holland, the Deputy Leader of Council and Cabinet Member for Commercialisation, Education and Skills, along with the Director of Housing presented a joint report to transfer property to the Swindon Housing Company.

The Leader invited Members to agree that Appendix Two be treated as an exempt item and, should Members wish to refer to it, he had been advised that the meeting would have to resolve to exclude the press and public. Councillor Holland introduced the joint report and requested that the document be corrected to show that the proposal affects the Penhill and Upper Stratton ward rather than St Margaret and South Marston. Councillor Holland pointed out how the proposal would preserve an historical building albeit at a lower return to the Council.

Resolved: (1) That Appendix Two to the report be treated as an exempt item as it contained commercially sensitive information under Paragraph 3, Schedule 12A, Local Government Act 1972.

(2) That the Head of Property Assets in consultation with the Director of Housing be authorised to dispose of the freehold of the land at Clays Close, Swindon shown edged red on the plan attached as Appendix 1 ('the Site') to Swindon Housing Company Ltd at a value of 75,000. This disposal to be on such detailed terms and conditions as are determined by the Head of Property Assets in consultation with the Chief Legal Officer and as are considered necessary in order to protect the Council's interests.

(3) That it be agreed to a disposal at an undervalue of between £325k and £375k in order to secure wider benefits of retaining the Victorian building.

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

(Councillor Gary Sumner, Cabinet Member for Strategic Infrastructure, Transport and Planning made a personal and prejudicial declaration of interest as a Director of the Swindon Housing Company and left the meeting at before the start of this item.)