

## **COUNCIL**

**THURSDAY, 20 SEPTEMBER 2012**

PRESENT:- The Worshipful The Mayor in the Chair; Councillors Junab Ali, Steve Allsopp, Abdul Amin, John Ballman, Ray Ballman, Rex Barnett, Mike Bawden, Andrew Bennett, Alan Bishop, Roderick Bluh, Wayne Crabbe, Doreen Dart, Mark Dempsey, Michael Dickinson, Mark Edwards, Toby Elliott, Claire Ellis, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, Jim Grant, John Haines, Peter Heaton-Jones, Neil Heavens, Dale Heenan, Russell Holland, Fay Howard, Richard Hurley, Colin Lovell, Nick Martin, Cindy Matthews, Brian Mattock, Des Moffatt, Derique Montaut, Stan Pajak, Maureen Penny, Garry Perkins, Julian Price, David Renard, Ann Richards, James Robbins, Rochelle Russell, Kevin Small, Vera Tomlinson, Joe Tray, Steve Wakefield, Nadine Watts, Peter Watts, David Wood, Robert Wright and Julie Wright.

### **38. Apologies for Absence**

Apologies for absence were received from Councillors Paul Baker, Teresa Page, Nicky Sewell and Keith Williams.

### **39. Communications**

The Chief Executive reported that no communications had been received.

### **40. Minutes**

Resolved – That the minutes of the meeting held on 19<sup>th</sup> July 2012, be confirmed and signed.

### **41. Declarations of Interest**

Councillor Ray Ballman made a personal declaration of interest in respect of Agenda Item 8(a) as she was a former member of Unison.

Councillor Michal Dickinson made a personal declaration of interest in respect of Agenda Item 8(a) as he was a member of Unison.

Councillor Jim Grant made a personal declaration of interest in respect of Agenda Item 8(a) as he was a member of Unison.

Councillor Fay Howard made a personal declaration of interest in respect of Agenda Item 8(a) as she was a member of Unison.

Councillor Brian Mattock made a personal declaration of interest in respect of Agenda Item 8(a) as he was a retired member of Unison.

Councillor Stan Pajak made a personal declaration of interest in respect of Agenda Item 8(a) as he was a member of Unite and his wife was a member of Unison.

Councillor Steve Wakefield made a personal declaration of interest in respect of Agenda Item 8(a) as he was a member of Unison.

Councillor Nadine Watts made a personal declaration of interest in respect of Agenda Item 8(a) as she was the Secretary of the Swindon Trade Union Council.

Councillor Peter Watts made a personal declaration of interest in respect of Agenda Item 8(a) as he was a former member of Unison.

Councillor Ray Ballman made a personal declaration of interest in respect of Agenda Item 8(b) as she was an allotment holder and a member of the Swindon Allotments and Leisure Gardens Association.

Councillor Cindy Matthews made a personal declaration of interest in respect of Agenda Item 8(b) as she was a Trustee of the Swindon Allotments and Leisure Gardens Association.

Councillor Des Moffatt made a personal declaration of interest in respect of Agenda Item 8(b) as he was an allotment holder.

## **42. Public Question Time**

Mr. Brian Cockbill submitted written questions relating to (a) a leaflet circulated in parts of Coleview and Nythe by Conservative Councillors, (b) adoption of roads at Oakley Park estate at Stratton St Margaret, (c) planning related issues at Oakley Park estate at Stratton St Margaret, (d) the condition of a Council owned property at Holbein Court, Grange Park, (f) allowing a ward councillor to respond to an issues at Public Question Time, (g) the receipt of a response requested by the Scrutiny Committee, and (h) the Mechanics Institutute.

Written responses were tabled at the meeting.

Mr. Brian Cockbill asked a supplementary question relating to the use of land at Colebrook for a play area.

The Cabinet Member for Strategic Planning and Sustainability responded at the meeting.

Mr. Brian Cockbill asked a supplementary question relating to whether a leaflet distributed by Conservative Group Councillors in parts of Coleview and Nythe was an official Conservative Party leaflet.

The Leader of the Council responded at the meeting.

Mr. Brian Cockbill asked a supplementary question relating to comments made by the current Cabinet Member for Strategic Planning and Sustainability when a planning application for planning permission for Oakley Park, Coleview was considered by the Planning Committee.

The Cabinet Member for Strategic Planning and Sustainability responded at the meeting.

Mr. Brian Cockbill asked a supplementary question relating to the rescheduling of the Scrutiny Committee programme of work.

The Chair of the Scrutiny Committee responded at the meeting.

Mr. Brian Cockbill asked a supplementary question relating to an individual application for welfare work.

The Leader of the Council responded at the meeting.

Mr. Brian Cockbill asked a supplementary question relating to a referendum on a Canal through Swindon Town Centre.

The Leader of the Council responded at the meeting.

Mr. Brian Cockbill asked a supplementary question relating to the future provision of bus services.

The Leader of the Council responded at the meeting.

Mr. Lancett made available to Councillors a Statement of Personal Interest and asked the Leader of the Council if he would consider the issues raised with it.

The Leader of the Council responded at the meeting.

Mr. Adye Goodenough asked the Leader of the Council a question regarding the lack of anti flood defences in the Eastern Villages and whether this was a matter of concern to the Council.

The Cabinet Member for Strategic Planning and Sustainability responded at the meeting.

Mr. Adye Goodenough asked the Leader of the Council a question about the potential development of the Large Pickards Field site.

The Cabinet Member for Strategic Planning and Sustainability responded at the meeting.

#### **43. Minutes for Confirmation**

(1) Councillor Roderick Bluh moved and Councillor David Renard seconded:

“That Minute 32 of the Cabinet (Local Government Ombudsman’s Annual Letter 2011/12) be confirmed and adopted.”

The Motion was put to the vote and declared carried.

(2) Councillor Roderick Bluh moved and Councillor Jim Grant seconded and Councillor Stan Pajak concurred:

“That Minute 36 of the Cabinet (Military Covenant – Motion at Council) be confirmed and adopted.

The Motion was put to the vote and declared carried

(3) Councillor Richard Hurley moved and Councillor Andrew Bennett seconded:

That Minute 11 of the Licensing Committee (Introduction of a Licensing Regime for Sexual Entertainment Venues) be confirmed and adopted.

The Motion was put to the vote and declared carried.

(4) Councillor Roderick Bluh moved and Councillor David Renard seconded:

That Minute 43(6) of the Cabinet (Street Lighting and Traffic Signals Review) be noted.

The Motion was put to the vote and declared carried.

**44. Appointment of Representative to Serve on the Joint Wiltshire and Swindon Police and Crime Panel**

Councillor Roderick Bluh moved and Councillor David Renard second:

“That Councillor Andrew Bennett replace Councillor Roderick Bluh as a member serving of the Joint Wiltshire and Swindon Police and Crime Panel for remainder of the Municipal Year, 2012/13.”

Councillor Jim Grant moved and Councillor Kevin Small seconded that the Motion be amended to read:

“That consideration of the appointment of a replacement representative to serve on Joint Wiltshire and Swindon Police and Crime Panel for remainder of the Municipal Year, 2012/13 be deferred until the next meeting of this Council.

The Amendment was put to the vote and declared lost.

The Substantive Motion was put to the vote and carried.

**45. Motion - Unison**

Councillor Jim Grant moved and Councillor Stan Pajak seconded:

“Swindon Borough Council recognises the role that UNISON has with regard to consultation, negotiation and representation on behalf of the Council’s employees.

Following consultation on the proposal to reduce central funding for UNISON facility time, Swindon Borough Council believes that the most efficient and effective way of meeting its responsibilities as an employer in its relationship with UNISON is to continue to centrally fund the equivalent of 1.5 full-time posts to undertake this role. Accordingly, Council urges Cabinet to request a report from the Head of People and Change as to how this can be achieved.”

The Motion was put to the vote and declared lost.

A formal division was requested in accordance with Standing Order 14(2).

Members voting for the motion were Councillors Junab Ali, Abdul Amin, Steve Allsopp, John Ballman, Ray Ballman, Mark Dempsey, Jim Grant, Neil Heavens, Fay Howard, Cindy Matthews, Des Moffatt, Derique Montaut, Stan Pajak, Julian Price, Ann Richards, James Robbins, Rochelle Russell, Kevin Small, Joe Tray, Steve Wakefield, Nadine Watts, Peter Watts, Bob Wright and Julie Wright

Members voting against the motion were Councillors Rex Barnett, Mike Bawden, Andrew Bennett, Alan Bishop, Roderick Bluh, Mick Bray, Wayne Crabbe, Doreen Dart, Michael Dickinson, Mark Edwards, Toby Elliot, Claire Ellis, Emma Faramarzi, Fionuala Foley, Mary Friend, Brian Ford, John Haines, Peter Heaton-Jones, Dale Heenan, Russell Holland, Richard Hurley, Colin Lovell, Nick Martin, Brian Mattock, Stan Pajak, Maureen Penny, Garry Perkins, David Renard and Vera Tomlinson.

(Councillor Ray Ballman made a personal declaration of interest in respect of this item as she was a former member of Unison.)

(Councillor Michal Dickinson made a personal declaration of interest in respect of this item as he was a member of Unison.)

(Councillor Jim Grant made a personal declaration of interest in respect of this item as he was a member of Unison.)

(Councillor Fay Howard made a personal declaration of interest in respect of this item as she was a member of Unison.)

(Councillor Brian Mattock made a personal declaration of interest in respect of this item as he was a retired member of Unison.

(Councillor Stan Pajak made a personal declaration of interest in respect of this item as he was a member of Unite and his wife was a member of Unison.

Councillor Steve Wakefield made a personal declaration of interest in respect of this item as he was a member of Unison.)

(Councillor Nadine Watts made a personal declaration of interest in respect of this item as she was the Secretary of the Swindon Trade Union Council.)

(Councillor Peter Watts made a personal declaration of interest in respect of this item as he was a former member of Unison.)

#### **46. Motion - Allotments**

Councillor Cindy Matthews moved and Councillor Steve Wakefield seconded:

“This Council recognizes the role its allotments play in bringing exercise, fresh food and a sense of self-sufficiency to many of its local residents.

This Council notes that there is a large waiting list for Swindon Council allotment plots, while many of Swindon Council's allotment plots have been left unused for a number of months.

This Council notes the expression of interest from the Swindon Allotment and Leisure Gardens Association, an organisation representing the views of Swindon's allotment holders, for taking over the management of Swindon Borough Council's allotments.

With this in mind, Council requests Cabinet to consider establishing an allotments cooperative organisation, which will manage and collect the rents from the users of Swindon Borough Council's allotment sites.

Prior to Cabinet considering this, this Council requests that the Lead Member establishes a cross-party working group to produce detailed recommendations to Cabinet of how this cooperative organisation will work in practice and how the users of Swindon Borough Council's allotments can play a much greater role in managing these allotments.”

Councillor Brian Ford moved and Councillor Toby Elliott seconded that the Motion be amended to read:

“This Council recognizes the role its allotments play in bringing exercise, fresh food and a sense of self-sufficiency to many of its local residents.

This Council notes that there is a large waiting list for Swindon Council allotment plots, many of which are for specific plots resulting in some plots being left unused for a number of months.

This Council notes that the Administration made an offer to start discussion on self-management on 13<sup>th</sup> June 2012 and notes the subsequent expression of interest from the Swindon Allotment and Leisure Gardens Association, an organisation representing the views of Swindon's allotment holders, for the self-management of Swindon Borough Council's allotments.

With this in mind, Council requests the Cabinet Member for Streetsmart and Corporate Services to consider establishing an allotments cooperative organisation, which will manage and collect the rents from the users of Swindon Borough Council's allotment sites. Prior to Cabinet considering this, this Council requests that the Cabinet Member invites the Economic, Environmental and Sustainability Overview and Scrutiny Committee to investigate how this cooperative organisation will work in practice and how the users of Swindon Borough Council's allotments can play a much greater role in managing these allotments.

The amendment was put to the vote and declared carried.

The Substantive Motion was put to the vote and declared carried.

(Councillor Ray Ballman made a personal declaration of interest in respect of this item as she was an allotment holder and a member of the Swindon Allotments and Leisure Gardens Association.

(Councillor Cindy Matthews made a personal declaration of interest in respect of this item as she was a Trustee of the Swindon Allotments and Leisure Gardens Association.)

(Councillor Des Moffatt made a personal declaration of interest in respect of this item as he was an allotment holder.)

#### **47. Motion - Green Waste Collections**

Councillor Mark Dempsey moved and Councillor Neil Heavens seconded:

“This Council expresses its concern at the present standard of green waste collection within the Borough and requests that the Cabinet produce a report for the next Council meeting outlining what action will be taken to improve the service”

Councillor Peter Heaton-Jones moved and Councillor Emma Faramarzi seconded that the motion be amended to read:

“This Council expresses its concern at the recent increase of green waste collection and a reduction in waste taken by residents to the household waste recycling centre.

This Council requests that the Cabinet Member for Streetsmart and Corporate Services and the Streetsmart Service Delivery Manager produce a report for Cabinet as soon as practicable outlining what action will be taken to manage future demand.”

The Amended Motion was put to the vote and carried becoming the Substantive Motion.

The Substantive Motion was put to the vote and declared carried.

#### **48. Motion - Provision of Infrastructure**

“The provision of Infrastructure in the Eastern Villages is of huge concern to local residents and local Councillors on the East of Swindon, particularly the issue of traffic.

This Council requests:

- The Head of Highways and Transport ensures that the option of an Eastern link road at either Dorcan or Commonhead is properly considered.
- The Head of Highways and Transport ensures that the White Hart junction rebuild, the Green bridge over the A419, an Eastern Link road and any other necessary projects are included in the Infrastructure Delivery Plan under the Community Infrastructure Levy.

- The Head of Planning ensures that any future Supplementary Planning Document for the Eastern Villages includes the appropriate transport links like the White Hart junction rebuild, the Green bridge over the A419 and an Eastern link road.
- The Board Directors of Service Delivery and Commissioning, and the Chief Executive review all of the available funding for the Eastern Villages infrastructure and opens talks with Government to provide any shortfall.”

With the agreement of the Council the Motion was amended to read:

“The provision of Infrastructure in the Eastern Villages is of huge concern to local residents and local Councillors on the East of Swindon, particularly the issue of traffic.

This Council recognises and values the hard work that has been carried out by local residents and Parish Councils to address these issues. This Council will continue to consult as part of the decision making process.

This Council requests:

- The Head of Highways and Transport ensures that the option of an Eastern link road at either Dorcan or Commonhead is properly considered.
- The Head of Highways and Transport ensures that the White Hart junction rebuild, the Green bridge over the A419, an Eastern Link road and any other necessary projects are included in the Infrastructure Delivery Plan under the Community Infrastructure Levy.
- The Head of Planning ensures that any future Supplementary Planning Document for the Eastern Villages includes the appropriate transport links like the White Hart junction rebuild, the Green bridge over the A419 and an Eastern link road.
- The Board Directors of Service Delivery and Commissioning, and the Chief Executive review all of the available funding for the Eastern Villages infrastructure and opens talks with Government to provide any shortfall.”

The Motion as amended was put to the vote and declared carried.

#### **49. Motion - Housing**

Councillor Steve Allsopp moved and Councillor Julie Wright seconded:

“This Council notes the local housing challenges over the next decade. These challenges include:

- The effects of Housing Benefit changes
- The need to kickstart housing developments at strategic sites in order to stimulate the local economy, with particular reference to Wichelstowe



- The increasing demand for social housing **and the need to ensure there are mixed developments**

- And the increasing numbers of families unable to afford home ownership, while there is a lack of medium-term private rented housing for families

In order to meet the increasing demand for private sector rented housing for families, Council requests its Board Director for Finance, Revenues, Benefits and Property to present a report to Cabinet detailing how the Council can use its current property portfolio to establish a joint venture vehicle with a developer, which establishes housing developments that would orientate towards long term private sector tenancies (10 years+), with an inflation linked rent review. This would unlock the value of Council land, help stimulate an ailing construction sector and bring a new model of providing market facing rented accommodation in Swindon, driving up standards and supporting social cohesion.

This Council also requests its Board Director for Service Delivery to organise a Housing Conference with all the different kinds of local housing stakeholders invited, including tenants in private and social housing, to shape how Swindon faces the specific housing challenges detailed above.”

With the agreement of the mover and seconder the Motion was amended to read:

“This Council recognises the need to assist individuals and families to secure appropriate accommodation. This Council requests that the Cabinet Member for Finance, the Cabinet Member for One Swindon, Localities and Housing and the Board Director for Finance, Revenues, Benefits and Property produce a report summarising the key issues and options for addressing those issues. It should include how the Council can use its current property portfolio to establish a joint-venture vehicle with a developer, which establishes housing developments that would orientate towards long term private sector tenancies (10 years+), with an inflation linked rent review.

This Council requests that Cabinet consider a conference in light of any issues raised by the report.”

The amended Motion was put to the vote and declared carried.

## **50. Motion - Leisure Facilities**

Councillor John Haines moved and Councillor Claire Ellis seconded:

“This Council welcomes the Administration’s commitment to promoting access to sport through a range of public and private sector providers.

This Council supports Moirai, the private sector company providing a £65m refurbishment of the Oasis and its bid to have an Olympics Basketball court re-sited in Swindon.

This Council congratulates the Administration for taking the bold step to seek a private sector option to rebuild the Oasis, and notes this would have been unaffordable if left to the Swindon Taxpayers alone.

This Council requests that the Cabinet Member for Leisure and Strategic Transport ensure that the Leisure Libraries, Culture and Parks options appraisal due for consideration by Cabinet contains full details of Swindon's Olympic legacy."

The Motion was put to the vote and declared carried.

#### **51. Minutes of Cabinet and Decisions Delegated to Cabinet Members**

The Council considered (a) the minutes of the meetings of the Cabinet held on 11<sup>th</sup> July and 5th September 2012, (b) decisions taken by Cabinet Members relating to delegated decisions taken under their portfolio responsibilities, and (c) questions to the Cabinet Members regarding their portfolio responsibilities and answers received.

#### **52. Minutes of other Council Bodies**

The Council (a) received the Minutes set out in the "Minutes of Other Council Bodies" circulated with the Agenda, and (b) considered questions to Chairs regarding the work of their Committees and other bodies and answers received.

#### **53. Councillors Question Time**

The Director of Law and Democratic Services reported that Standing Order 15 Questions have been received from Councillors Steve Allsopp, Jim Grant, Derique Montaut, Ann Richards and Bob Wright.

Councillor Steve Allsopp asked the Cabinet Member for Finance if he would agree to circulate the analysis referred to in paragraph 4 of the Cabinet Members' response to all Councillors once it was available.

The Cabinet Member for Finance agreed to circulate the analysis to all Councillors for their information.

Councillor Bob Wright queried the response given in answers 9 and 10 indicating that he believed that there was a development not accounted for.

The Cabinet Member for Strategic Planning and Sustainability indicated he was happy to discuss the sites in question with Councillor Bob Wright.

Councillor Bob Wright queried the accuracy of the response given in answers 14 and 15.

The Cabinet Member for Strategic Planning and Sustainability responded setting out the provision of new facilities to off-set any loss of playing pitches.

Councillor Bob Wright queried whether the actions set out in answers 16 and 17 were safe.

Cabinet Member for Streetsmart and Corporate Services clarified the guidance offered to dog owners.