



SWINDON BOROUGH COUNCIL
Municipal Year 2012/13

Thursday, 8 November 2012

**COUNCIL CHAMBER
CIVIC OFFICES
SWINDON**

31 October 2012

Dear Councillor,

Summons to attend Council Meeting

A MEETING of the **Council**, which you are requested to attend, is to be held at the CIVIC OFFICES, SWINDON, on **Thursday, 8 November 2012 at 7.00 p.m.**

The business to be transacted will be as follows:-

AGENDA

- 1. Apologies for Absence**
- 2. Communications**
To receive any communications or letters which the Mayor or Chief Executive may have to bring before the Council.
- 3. Minutes** (Pages 1 - 12)
To receive the minutes of the previous meeting held on 20th September 2012.
- 4. Declarations of Interest**
Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

5. Public Question Time

See explanatory note below.

6. Minutes for Confirmation (Pages 13 - 84)

Minute for Confirmation - Minute 51 of the Cabinet. The Cabinet report and Appendix 1a are attached for Members' information. All other appendices relating to the Cabinet report form Annex 1 to the Cabinet Agenda for the meeting held on 17th October 2012 which is available on the Council's website.

7. Motions

(a) Motion - Section 106 Funding

Councillor Bob Wright will move and Councillor Peter Watts will second:

"This Council recognises the need for Section 106 money from developers to both mitigate the effects of development on local communities and to assist local authorities in addressing future affordable housing, transport and education demand. Furthermore with substantial government funding cuts already taking place which has significantly reduced the Council's ability to commit to significant capital projects without increasing its borrowing levels, this Council is committed to negotiating Section 106 agreements with developers that gets the best deal for local residents.

This Council is concerned about recent government announcements, including from the Prime Minister, which have encouraged local authorities to renegotiate existing Section 106 agreements with developers in order to stimulate the economy. Indeed this Council is worried that measures are already taking place which could be reducing Section 106 income from developers.

This Council does not think that renegotiating existing Section 106 agreements with developers will have any impact on the local economy and should the administration be considering renegotiating existing Section 106 agreements, requests that this be done in the most open, democratic and transparent way. With this in mind Council requests the Lead Member for Strategic Planning to bring forward a report to the next Cabinet Meeting detailing which Section 106 agreements are currently in the process of being renegotiated and why they are being renegotiated."

(b) Motion - Use of Bailiffs

Councillor Des Moffatt will move and Councillor Stan Pajak will second:

"This Council recognises the fact that bailiffs need to be used by Swindon Borough Council in order to help the Council claw back as much money from those in arrears of Council-Tax, as possible. However Council believes that the bailiffs acting on its behalf should fully comply with the law and its intent and is concerned by allegations that this isn't always happening.

Furthermore, with recent proposals to make full council-tax benefit recipients pay 20% of their council-tax bill and the government's housing

benefit changes, this Council is concerned that such unseemly practices will become more widespread.

With this in mind, this Council instructs its Director of Finance, Revenues, Benefits and Property to present a report to Cabinet detailing ways the Council can ensure bailiffs who are acting on behalf of the Council fully comply with the law and its intent.”

(c) **Motion -Development**
Councillor Stan Pajak will move and Councillor Ann Richards will second:

“This Council wishes the Secretary of State for Communities and Local Government to note the following:

Swindon Borough Council believes that local people, through their democratically elected local authorities, are the most suitable judges of what development is acceptable in an area and the suitable level of contributions that developers need to make:

This Council opposes:

- The Secretary of State's proposals for the Planning Inspectorate to have powers to override agreements between Councils and developers over the number of affordable housing units allocated to planning applications.
- The Secretary of State's proposals for planning permission – currently required for extensions of more than three or four metres from the rear wall of any home – to only be needed for those reaching beyond 8m for detached homes and 6m for others
- The Secretary of State's intention to override Section 106 of the Town and Country Planning Act of 1990 which will allow developers to immediately appeal to the Planning Inspectorate over the allocation of affordable housing units in any scheme they maybe concerned with.
- The Secretary of State's proposals for the Planning Inspectorate to take planning powers away from local authorities which he deems to be slow or of making poor quality planning decisions in determining applications.

This Council notes that the current Coalition government did listen earlier in the year over concerns regarding the National Planning Policy Framework and revised its plans accordingly, so urges the Government to listen to the concerns being expressed by the cross-party LGA:

This Council however welcomes other parts of the stimulus package including:

- £300 million to provide 15,000 affordable homes across the country
- An extension of the refurbishment programme to bring an extra 5,000 empty homes back into use
- £280m for FirstBuy, the shared equity scheme to give a further

16,500 first time buyers the chance to own their own homes

- Up to £10bn of guarantees to housing associations, property management companies and developers which will be able to use the guarantees to secure lower borrowing costs. This will lead to hundreds of thousands of extra rental homes being built.

(d) **Motion - Future Cities**

Councillor Dale Heenan will move and Councillor Mark Dempsey will second:

“This Council notes the recent successful bid of £50k from the Technology Strategy Board to help towns and cities evaluate the potential benefits of integrating their city systems around energy, transport and ICT and to develop a full proposal for a large scale demonstrator project.

This Council notes that Swindon’s study will build on already innovative projects in the Borough and investigate the potential benefits of an integrated “smart” energy, data and transport system, and the wider economic benefits this could bring to Swindon.

This Council resolves in principle to support the Future Cities Demonstrator project to be undertaken if Swindon is the preferred proposal and is awarded the £24m to implement this project.

Council notes that the Leader of the Council along with the Leaders of the Opposition and Minority Groups will sign a joint letter to the Technology Strategy Board in support of the bid.”

(e) **Motion - Street Market**

Councillor Emma Faramarzi will move and Councillor Vera Tomlinson will second:

“The Council notes that:

- In 2008 the Licensing Committee restricted street trading in parts of the town centre including Havelock Square. This decision was ratified by full council in 2009.
- InSwindon decided to set up a weekly market in Havelock Square, and obtained planning consent but did not apply for a street trading consent licence.
- A Licensing Committee review of street trading in the town centre will be completed by the end of the current Municipal Year.

This Council believes that a town centre market is necessary and should be encouraged, and requests that Officers work with InSwindon to identify an appropriate site to enable a Christmas Market to be held in the town centre, and that any issues around a weekly market are resolved as soon as practicable.”

8. **Corporate Strategy** (Pages 85 - 94)
To consider the Council's Corporate Strategy.
9. **WG Little Trust Fund Properties** (Pages 95 - 98)
To consider a report relating to the assets held within the WG Little Trust Fund.
10. **Standards Committee Annual Report** (Pages 99 - 110)
To receive the Standards Committee Annual Report, 2011/2012.
11. **Minutes of Cabinet and Decisions Delegated to Cabinet Members** (Pages 111 - 122)
Members have the opportunity to raise questions with the relevant Cabinet Member in respect of Cabinet minutes (which are not reserved for Council for decision). There are no Cabinet Member delegated decisions for consideration.
12. **Minutes of other Council Bodies**
Members have the opportunity to raise questions with the relevant Chair in respect of all other Committee minutes (not reserved to Council for decision), as set out in the Minute Book circulated separately.
13. **Councillors Question Time**
Questions (if any) of which notice has been given by Councillors in accordance with Standing Order 15.

Yours faithfully

Director of Law and Democratic Services

Questions by Members of the Public in accordance with Standing Order 11

Swindon Borough Council is committed to increasing its accountability to the public and to promoting active citizenship. Up to 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from members of the public about the work of the Council (except for confidential matters and specific planning applications). Questions must be relevant, clear and concise. Because of time constraints Public Question Time is not an opportunity to make speeches or statements. Prior notice of a question to the Director of Law and Democratic Services is desirable - particularly if detailed background information is needed.