



SWINDON BOROUGH COUNCIL
Municipal Year 2013/14

Thursday, 7 November 2013

**COUNCIL CHAMBER
CIVIC OFFICES
SWINDON**

30 October 2013

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, 7 November 2013 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 - 10)
To receive the minutes of the previous meeting.
- 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 11 - 38)

(1) Minute for Confirmation:

To consider Minute 56(1) of the Cabinet – Public Service (Social Value) Act.

(2) Minute for Approval:

To consider Minute 56(1) of the Cabinet – Swindon's Energy Future.

A copy of the reports considered by the Cabinet are attached for Members' information.

7. Council Petition Scheme (Pages 39 - 44)

To consider the report of the Council's Petitions Officer.

8. Motions

- (a) **Motion - Council Tax Support Scheme**
Councillor Stan Pajak will move and Councillor Ann Richards will second:

"That this Council request Cabinet to reconsider its decision not to pass on the grant received from Government to mitigate the impact of changes to the council tax support scheme to parish councils. Cabinet is also requested to consider that for 2014-15, mindful of this council's and the parish councils difficult financial situation, at least fifty percent of the grant be allocated to Swindon's parish councils as part of our budget considerations."

- (b) **Motion - Maintenance of War Memorials**
Councillor David Renard will move, Councillor Jim Grant will second and Councillor Stan Pajak will endorse:

"This Council notes that August 2014 marks the Centenary of the start of the First World War.

This Council records its gratitude to those who served in this, and subsequent, conflicts.

This Council requests that the Mayor and Deputy Mayor approach InSwindon and local businesses to set up a charitable fund and work in partnership with Borough's Town and Parish councils, and the Royal British Legion. The fund will be available to help ensure that war memorials are kept in excellent condition for the four years commencing 4th August 2014, being World War One's centenary, and to continue thereafter. As well as financial contributions, this Council requests that the Mayor of the day looks to encourage volunteers and local communities, especially school children, to take an active role in keeping the Borough Council's monuments clean out of respect to the fallen."

(c) **Motion - Affordable Housing**
Steve Allsopp will move and Julie Wright will second:

“Council notes:

- That the number of affordable housing units delivered in Swindon has reduced from a peak of 395 in 2009/10, to just 141 expected to be delivered in 2013/14.
- That more than 14,000 people are now on the Council’s housing register.
- That the government has incentivised house building in Swindon through providing a New Homes Bonus grant for every home built in the Borough.
- That there are fewer one and two bedroom council homes available than there are council tenants affected by the Government policy dubbed the “Bedroom Tax”.

Council believes:

- That significantly more affordable homes need to be constructed every year in Swindon than are currently being delivered.
- That more “extra care” housing units for elderly and disabled people should be built and that these units would benefit both the aforementioned groups of people and the Council’s Adult Social Care budget, with there being a reduced need to use expensive residential care homes.

Council requests:

- The Board Director, Service Delivery, bring a report to Cabinet detailing the feasibility of the Council delivering 300 homes per year through the Housing Revenue Account.
- That the Head of Housing and the Cabinet Member for Streetsmart & Housing ensure Council’s beliefs regarding affordable and “extra care” housing units be considered when forming the Council’s forthcoming Housing Strategy.”

(d) **Motion - Credit Unions**
Councillor Jim Grant will move and Councillor Cindy Matthews will second:

“This Council:

- Condemns many of the practices used by payday lenders and the negative effect their practices have had on some of Swindon’s residents.
- Believes Credit Unions are much more appropriate lenders for helping Swindon residents in need of short-term credit and believes existing credit unions in Swindon need to be better promoted and

more Credit Unions need to be encouraged in order to counteract the proliferation of payday lender companies in Swindon and to provide proper financial advice to residents when they take out loans.

- Requests the Leader of the Council bring a report to Cabinet detailing how the Council could ban access to all websites advertising payday lenders on the Council's entire computer network, including libraries and community centres and to ban payday lenders from advertising on hoardings in the Borough.
- Requests the Leader of the Council to consider including within the Council's Corporate priority "To together, find new ways to reduce vulnerability and improve health for all", the promotion of more Credit Unions in the Borough as an alternative means of credit and financial advice to payday lenders for residents in the Borough."

(e) **Motion - Asset of Community Value**
Councillor Jim Robbins will move:

"This Council believes the County Ground Park and Sports facilities are a community-valued asset for the local community, sports users and specifically the Football Club and its fans.

This Council believes:

- Football clubs are vital community assets and cannot be viewed as normal businesses.
- Local communities, businesses and supporters have strong interests in the way in which football clubs are run and their long-term sustainability.
- The "benefactor model" of ownership has led to a number of clubs entering administration or liquidation, which results in debts to local businesses going unpaid and communities without a local club to support.
- Supporters Trusts are a vital means to provide supporters with a stake in the running of their club

This Council notes that the Swindon Town Supporters Trust are intending to seek the designation of the County Ground as an Asset of Community Value, which would mean that if at any time the Football Ground should be for sale fans would have the opportunity to bid to purchase the ground themselves. It is also important that we protect the full County Ground site and all of the leisure and sporting opportunities that it offers for the community for community benefit.

This Council resolves:

- To note that Cabinet on the 12th December 2012 approved a process for considering applications to register assets of community value
- To make clear the Council's commitment to work with Swindon Town Football Club, supporters, other users of the facilities and the community on any proposals that deliver a football ground for

Swindon fit for the 21st Century and Sporting and Park facilities that meet the needs of the local community.

- To instruct the Chief Executive to write to the Board of Swindon Town Football Club to lobby them to encourage fan influence and participation at Board level at their football club.”

9. Appointment to Swindon Commercial Services Board

At its meeting held on 23rd October 2013 the Cabinet resolved:

“That in respect of the future governance of Swindon Commercial Services Ltd, the proposals outlined in paragraph 3.8 of the joint report be approved and the Council be recommended to appoint three representatives to sit on the Board, two of whom shall come from the majority political group on the Council and one from the Opposition political group.” (Minute 57(5) refers.)

Nominations to serve on the Board will be tabled at the meeting.

10. Minutes of Cabinet and Decisions Delegated to Cabinet Members (Pages 45 - 60)

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) and in respect of individual Cabinet Member delegated decisions.

11. 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.

12. 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.

Access Arrangements - The venue is wheelchair accessible and an infrared receiver hearing system is provided. If you have any special requirements to enable you to attend the meeting or would like to receive any of the pages contained in this agenda in a larger print size, please contact the Committee Officer as soon as possible prior to the date of the meeting.

COUNCIL

THURSDAY, 26 SEPTEMBER 2013

PRESENT:- The Worshipful The Mayor in the Chair; Councillors Junab Ali, Steve Allsopp, Abdul Amin, Paul Baker, John Ballman, Ray Ballman, Mike Bawden, Andrew Bennett, Alan Bishop, Roderick Bluh, Michael Bray, Wayne Crabbe, Mark Dempsey, Michael Dickinson, Oliver Donachie, 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, Colin Lovell, Cindy Matthews, Brian Mattock, Des Moffatt, Derique Montaut, Teresa Page, Stan Pajak, Maureen Penny, Garry Perkins, Julian Price, David Renard, Ann Richards, James Robbins, Rochelle Russell, Nicky Sewell, Kevin Small, Vera Tomlinson, Joe Tray, Steve Wakefield, Nadine Watts, Peter Watts, Steve Weisinger, Keith Williams, Robert Wright and Julie Wright.

34. Apologies for Absence

Apologies for absence were received from Councillors Richard Hurley and Councillor David Wood.

35. Communications

The Chief Executive reported that no communications had been received.

36. Minutes

Resolved – That the minutes of the meeting held on 18th July 2013, be confirmed and signed.

37. Declarations of Interest

In accordance with the Code of Conduct Councillors Junab Ali, Steve Allsopp, Paul Baker, John Ballman, Ray Ballman, Mark Dempsey, Jim Grant, Neil Heavens, Fay Howard, Cindy Matthews, Des Moffatt, Derique Montaut, Teresa Page, Julian Price, Jim Robbins, Kevin Small, Joe Tray, Steve Wakefield, Peter Watts, Bob Wright and Julie Wright made personal and prejudicial declarations of interest in respect of Agenda Item 9(c) (Motion - Trade Unions) as members of a Trade Union and the Labour Party.

In accordance with the Code of Conduct Councillor Nadine Watts made personal and prejudicial declaration of interest in respect of Agenda Item 9(c) (Motion - Trade Unions) as a member of a Trade Union and the Labour Party, and an employee of a Trade Union.

In accordance with the Code of Conduct Councillor Abdul Amin made a personal and prejudicial declaration of interest in respect of Agenda Item 9(c) (Motion - Trade Unions) as a member of the Labour Party.

In accordance with the Code of Conduct Councillors Michael Dickinson, Brian Mattock, Stan Pajak, Nicky Sewell and Steve Weisinger made personal declarations

of interest in respect of Agenda Item 9(c) (Motion - Trade Unions) as members of a Trade Union.

In accordance with the Code of Conduct Councillors Andrew Bennett, John Ballman, Brian Ford, Teresa Page and Peter Watts made a personal declarations of interest in respect of Agenda Items 9(g) (Motion – Forward Swindon) as a member of the Planning Committee.

In accordance with the Code of Conduct Councillors Fionuala Foley and Ann Richards made personal declarations of interest in respect of Agenda Item 9(f) (Motion – Thames Water) as customers of Thames Water.

38. Public Question Time

Mr Paul Sanders asked for a major commercial planning application on an industrial estate what is the standard area around the development that would be sent the standard neighbour notification cards? Would nearby residents to the trading estate be notified? How far away they would have to be to still be notified?

The Chair of the Planning Committee responded at the meeting and indicated that a detailed written response would be provided to to Mr Saunders.

Mr Brian Cockbill submitted written Public Questions in respect of (a) the display of parish council vacancy notices on the Swindon Borough Council Notice Board, (b) the advertisement of legal notices for the removal of the pedestrian crossings at the intersection of Euclid Street and Theatre Square, (c) the adoption of traffic signals at Whale Bridge, (d) the Special Expenses Rate for parish councils and additional responsibilities being undertaken by parish councils and (e) the Scrutiny Committee Working Group investigating Digital City. Written answers were provided at the meeting.

Mr Brian Cockbill asked supplemental questions in respect of his written questions (a) (b)(d) and (e) and the Leader of the Council responded at the meeting.

Mr Brian Cockbill asked the Worshipful The Mayor if he was aware of any Council member or Officer had been interviewed by the Police in respect of the Wi-Fi project. The Worshipful the Mayor responded at the meeting.

39. Minutes for Confirmation

(1) Councillor David Renard moved and Councillor Brian Mattock seconded:

“That Minute 27(1) of the Cabinet (Swindon Borough Council Tenancy Strategy) be confirmed and adopted.”

The Motion was put to the vote and declared carried.

(2) Councillor David Renard moved and Councillor Jim Grant seconded:

“That Minute 47 of the Cabinet (Local Government Ombudsman Review 2013) be confirmed and adopted.”

The Motion was put to the vote and declared carried.

(3) Councillor Michael Dickinson moved and Councillor Andrew Bennett seconded:

“That Minute 17(5) of the Licensing Committee (The Establishment of Street Markets in Swindon Town Centre) be confirmed and adopted.”

The Motion was put to the vote and declared carried.

(4) Councillor Michael Dickinson moved and Councillor Andrew Bennett seconded:

“That Minute 21 of the Licensing Committee (Review of Scheme of Delegation of Functions under the Licensing Act 2003) be confirmed and adopted.”

The Motion was put to the vote and declared carried.

(5) Councillor Michael Dickinson moved and Councillor Andrew Bennett seconded:

“That Minute 22(1) of the Licensing Committee (Provision of the Scrap Metal Dealers Act 2013 and Fees) be confirmed and adopted.”

The Motion was put to the vote and declared carried.

40. Motion - Affordable Council Tax

Councillor Mike Bawden moved and Councillor Michael Dickinson seconded:

“This Council notes and welcomes the decision of residents of Haydon Wick to elect Oliver Donachie, and the positive vision he offered residents based on the Administration’s sound financial policies and record of improving and changing services without affecting the frontline delivery to residents.

Locally this Council welcomes the on-going improvements to services, Town Centre regeneration and fair and affordable Council Tax. Nationally, this Council welcomes the fall in unemployment, projected economic growth and the willingness of the Coalition Government to tackle important issues such as welfare reform.

This Council requests that the Leader of the Council continues to take all steps to ensure that this Administration continues its record of protecting the vulnerable and providing for fair and affordable Council Tax.”

Councillor Jim Grant moved and Councillor Nadine Watts seconded that the Motion be amended to read:

“This Council notes the decision of residents of Haydon Wick to elect Oliver Donachie and welcomes him to the Council.

This Council requests that the leader of the Council take all steps necessary to ensure that this administration protects the vulnerable and provides a fair and affordable Council Tax.”

The Amendment was put to the vote and declared lost.

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

41. Motion - Economic Development

At the request of the Mover and Seconder, and with the agreement of the Council this Motion was withdrawn.

42. Motion - Trade Unions

Councillor Toby Elliott moved and Councillor Oliver Donachie seconded:

“The Council notes and welcomes the Labour Leader, Ed Miliband’s, commitment in respect of reforming the relationship between trade union funding and the Labour Party. This Council notes and supports the right of employees to belong to unions and the valuable role that Trades Unions can play.

This Council notes that a consequence of his principled stand, Mr Miliband has been criticised by numerous politicians within his own Party.

This Council invites the leaders of all political Party Groups in Swindon to write to Mr Miliband to encourage him to continue his reforms.”

The Motion was put to the vote and declared carried.

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

Members voting for the motion were Councillors Mike Bawden, Andrew Bennett, Alan Bishop, Roderick Bluh, Mick Bray, Wayne Crabbe, Michael Dickinson, Oliver Donachie, Mark Edwards, Toby Elliot, Claire Ellis, Emma Faramarzi, Fionuala Foley, Mary Friend, Brian Ford, John Haines, Peter Heaton-Jones, Dale Heenan, Russell Holland, Colin Lovell, Nick Martin, Brian Mattock, Maureen Penny, Garry Perkins, David Renard, Vera Tomlinson, Steve Weisinger and Keith Williams.

Members voting against the motion were Councillor Stan Pajak and Ann Richards.

Councillor Nicky Sewell abstained from voting.

(Councillors Junab Ali, Steve Allsopp, Paul Baker, John Ballman, Ray Ballman, Mark Dempsey, Jim Grant, Neil Heavens, Fay Howard, Cindy Matthews, Des Moffatt, Derique Montaut, Teresa Page, Julian Price, Jim Robbins, Kevin Small, Joe Tray, Steve Wakefield, Peter Watts, Bob Wright and Julie Wright made personal and prejudicial declarations of interest in respect of this item as members of a Trade Union and the Labour Party and left the room during the discussion of this item.)

(Councillor Nadine Watts made a personal and prejudicial declaration of interest in respect of this item as a member of a Trade Union and the Labour Party and an employee of a Trade Union and left the room during the discussion of this item.)

(Conduct Councillor Abdul Amin made a personal and prejudicial declaration of interest in respect of this item as a member of the Labour Party and left the room during the discussion of this item.

(Councillors Michael Dickinson, Brian Mattock, Stan Pajak, Nicky Sewell and Steve Weisinger made personal declarations of interest in respect of this item as members of a Trade Union.)

(At this stage the meeting was adjourned for 60 minutes.)

43. Motion - Pot Holes

At the request of the mover and seconder and with the agreement of the Council this Motion was withdrawn.

44. Motion - Adopted Lands

Councillor Nadine Watts moved and Councillor Des Moffatt seconded:

“This Council:

- Notes with regret that residents living in the Angel Ridge estate as with other new areas of the Borough, have been left confused by Swindon Council over the ownership of a plot of land in their neighbourhood.
- Notes that since 2010 the Council’s grounds maintenance contractor had been maintaining gardens between Mistletoe and Rowan Courts in Angel Ridge, yet in recent months the management company of the aforementioned apartment blocks have maintained the gardens and have informed its apartment owners that they will bill them for the work.
- Is concerned that the Council has either been maintaining grounds that it does not own or that a property management company have been maintaining gardens on Council land and charging the apartment owners for the work.
- Affirms its commitment to properly identify and address land that has undesignated ownership at the earliest possible opportunity.

This Council therefore resolves to establish a cross-party working group to look at and make recommendations to Cabinet on how the Council can more quickly identify and address land that has undesignated ownership within the Borough, therefore making it clearer for local residents on land ownership.

This working group is also requested to report to Cabinet on whether there are any actions the Council can take to better protect residents living in new developments from being exploited due to uncertainty over land ownership.”

Councillor Nadine Watts moved and Councillor Brian mattock seconded that the Motion be amended to read:

“This Council:

- Recognises that since Swindon became a Unitary Authority area in 1997 this Council like other local authorities across the country, have found it challenging to quickly identify and address land that has undesignated ownership within the Borough.
- Notes with regret that residents living in the Angel Ridge estate as with other new areas of the Borough, have been left confused over the ownership and responsibility of a plot of land in their neighbourhood.
- Affirms its commitment to properly identify and address land that has undesignated ownership at the earliest possible opportunity.

This Council therefore resolves to establish a Cabinet Member Advisory Group with cross party membership to look at and make recommendations to Cabinet on how the Council can more quickly identify and address land that has undesignated ownership within the Borough, therefore making it clearer for local residents on land ownership.

The Cabinet Member is, therefore, requested to consider in a report to Cabinet whether there are any actions the Council can take to better protect resident living in new developments so that residents are clear over land ownership and management responsibilities.”

With the agreement of the Council the amendment was accepted becoming the Substantive Motion.

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

45. Motion - Thames Water

Councillor Mark Dempsey moved and Councillor Julian Price seconded:

“This Council notes that Thames Water posted £549m in profits last year and increased water charges of more than 5%, at a time when both Swindon businesses and residential customers are struggling to pay all bills not just water costs.

Council therefore opposes the idea of Thames Water surcharging all businesses and domestic customers £29 to pay for new Thames Water initiatives and instructs the Chief Executive to write to the Ofwat Regulator to inform them of Council’s opposition to this unfair surcharge.”

Councillor Russell Holland moved and Councillor Colin Lovell seconded that the Motion be amended to read:

“This Council notes:

- Thames Water posted £549m in profits last year and increased water charges of more than 5%.
- The regulator Ofwat sets the limit on the prices water companies can charge and these rules apply for five years. Its last price review in 2009 set limits for the 2010-15 period, and allowed an annual 1.4% above inflation increase.

- Thames Water is the only one of the 18 regulated water companies to have applied to the Regulator for a bill increase in advance of the next pricing review.

This Council welcomes that Ofwat is challenging the proposed bill increase by Thames Water, and that its decision will be published in mid-October.

Council asks the Leader of the Council and the Chief Executive to write to Ofwat to inform them of the Council's support for the Regulator actions."

With the agreement of the Mover and Seconder the amendment was accepted becoming the Substantive Motion.

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

(Councillors Fionuala Foley and Anne Richards made personal declarations of interest in respect of this item as customers of Thames Water.

46. Motion - Forward Swindon

Councillor Kevin Small moved and Councillor Des Mofatt seconded:

"This Council condemns Forward Swindon Limited's support for the establishment of a scrap wood burning plant on the Cheney Manor Industrial Estate.

This Council demands that the Forward Swindon withdraws its support for this project immediately."

Councillor Gary Perkins moved and Councillor Mike Bawden seconded that the Motion be amended to read:

"The Council reaffirms its commitment to the Corporate Objective of "rights jobs, right skills in the right places."

With the agreement of the Mover and Seconder the amendment was accepted becoming the Substantive Motion.

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

(Councillors Andrew Bennett, John Ballman, Brian Ford, Teresa Page and Peter Watts made personal declarations of interest in respect of this item as members of the Planning Committee.)

47. Appointments to Committees and Other Bodies

The Director of Law and Democratic Services submitted a setting out proposed changes to the membership of Committees and Other Bodies.

Councillor David Renard moved and Councillor Brian Mattock seconded:

(1) That the following changes be made to Councillor representation on Committees and Other bodies:

Body	Current Councillor	Councillor Appointed
Appeals Committee	Vacancy	Councillor Oliver Donachie
Children and Young People's Overview and Scrutiny Committee	Vacancy	Councillor Alan Bishop
Corporate Parenting Advisory Board	Councillor Colin Lovell	Councillor Alan Bishop
Health Overview and Scrutiny Committee	Vacancy	Councillor Oliver Donachie
Safer and Stronger Overview and Scrutiny Committee	Councillor Alan Bishop	Councillor Oliver Donachie
Scrutiny Committee	Councillor Colin Lovell	Councillor Vera Tomlinson
Standards Committee	Vacancy	Councillor Brian Ford
Standards Committee	Councillor John Haines	Councillor Roderick Bluh
Standards Committee	Councillor Roderick Bluh (Deputy)	Councillor Toby Elliott (Deputy)
Swindon Ocotal Link	Vacancy	Councillor Oliver Donachie
Wiltshire Police and Crime Panel	Vacancy	Councillor Oliver Donachie (Deputy)
Wiltshire Police and Crime Panel	Vacancy	Councillor Maureen Penny (Deputy)
Wiltshire Pension Fund	Vacancy	Councillor Oliver Donachie (Deputy)

(2) That Richard Hailstone and Mike Compton be appointed to serve on the Council's Standards Committee as Parish Council representatives."

The Motion was put to the vote and declared carried.

48. Scrutiny Committee Annual Report

Council considered (a) a report of the Chair of Scrutiny and the Director of Law and Democratic Services setting out the Overview and Scrutiny Annual Report 2012/13, and (b) an oral report from the Chair of the Scrutiny Committee on work undertaken by the Council's Overview and Scrutiny Committees during the Municipal Year 2012/13.

Councillor Kevin Small moved and Councillor Michael Dickinson seconded:

“(1) That the Overview and Scrutiny Annual Report 2012/13 be welcomed and approved.

(2) That The Director of Law and Democratic Services be authorised, in consultation with the Chair of the Scrutiny Committee, to make any necessary amendments to the Overview and Scrutiny Annual Report, 2012/13 prior to its publication.”

The Motion was put to the vote and declared carried.

49. Minutes of Cabinet and Decisions Delegated to Cabinet Members

The Council considered (a) the minutes of the meetings of the Cabinet held on 24th July and 11th September 2013, and (b) questions to the Cabinet Members regarding their portfolio responsibilities and answers received.

50. 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.

51. Councillors Question Time

The Director of Law and Democratic Services reported that Standing Order 15 Questions had been received from Councillors Jim Grant and Bob Wright.

Councillor Bob Wright asked a supplementary question regarding future support to the Mela event. The Leader of the Council responded at the meeting.

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COUNCIL

THURSDAY 7TH NOVEMBER 2013

MINUTE FOR CONFIRMATION

CABINET

WEDNESDAY, 23 OCTOBER 2013

59. Public Service (Social Value) Act (Minute for Confirmation)

The Cabinet Member for Finance and the Director of Law and Democratic Services submitted a joint report concerning (a) the Public Services (Social Value) Act 2012 that required all public bodies to consider how services over the European Union procurement threshold, which they commissioned and /or procured, might improve the economic, social and environmental well-being of the area in which they operated, and (b) proposals for the adoption by the Council of a protocol for administering its responsibilities under the Act, together with required revisions to the Council's Standing Orders relating to Contracts.

Councillor Russell Holland, Cabinet Member for Finance, commented on the implications of this new legislation for the Council. The Act would enable the Council to undertake procurement and to give weight to the social value that would be produced. He believed this would potentially enable the Council to take into account issues such as whether a company submitting a bid would directly support the Swindon Economy if that bid was selected, or if it reflected a commitment to a Council priority, such as the training and employment of young people. However, he cautioned that this was new legislation that was yet to be tested in the courts and so its true potential and implications for the Council were yet to become totally clear.

Resolved – (1) That the Council be recommended to amend Standing Orders relating to Contracts (Section 7 of Part 4 to the Council's Constitution) to reflect the requirements of the Public Services (Social Value) Act 2012 as specified in paragraph 3.5 of the joint report, and to authorise the Director of Law and Democratic Services to make the necessary changes to the Council's Constitution.

(2) That the Board Director Commissioning, in consultation with the Cabinet Member for Finance, the Director of Law and Democratic Services and relevant Service Heads, be authorised to develop and maintain an appropriate protocol and internal guidance to assist in the procurement process to ensure that Social Value is duly considered in accordance with the requirements of the Public Services (Social Value) Act 2012, and to provide a format on the Council's website for the public to view the Council's policy with appropriate links to the procurement process pages.

(3) That the Guidance on the legal requirements of the Public Services (Social Value) Act 2012 for publication on the Council's website, and as set out in Appendix 1 to the joint report, be noted and endorsed.

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

CABINET

WEDNESDAY, 23 OCTOBER 2013

MINUTE FOR APPROVAL

56. Swindon's Energy Future

The Cabinet Member for Strategic Planning and Sustainability and the Board Director, Commissioning submitted a joint report concerning the Council's future energy objectives and its potential role in the development and delivery of energy projects in Swindon.

Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, explained the Council's ambition for Swindon to be at the forefront of the provision of local, affordable and sustainable energy provision. He referred to how the Council had a number of key opportunities to help lead the development such provision and to reinforce key "low carbon" sectors of Swindon's economy to the benefit of residents and businesses. He referred to each of the initiatives within the report and highlighted the key role that the Council could play in promoting, enabling, assisting and delivering energy projects and a One Swindon low carbon economy. He commented how the report was closely linked to the earlier report on progressing the Economic Strategy and unlocking Swindon's economic potential.

Resolved – (1) That the Council approve the following energy objectives:-

- (a) Swindon Borough Council will lead the development of renewable energy projects that demonstrate clear local economic benefits, and will aim for Swindon to generate sufficient low carbon energy to power all residential properties by 2020, through the actions detailed in paragraphs 3.7 and 3.8 of the joint report;**
- (b) By 2020, Swindon will be recognised as a UK centre of excellence for hydrogen energy technologies, creating new job opportunities by building on Swindon's emerging strength in hydrogen energy storage.**

(2) That the Board Director, Resources be authorised to:-

(i) Develop a business model for investment in solar development on Council land that maximises local economic benefit.

(ii) In consultation with the Leader's Asset Management Advisory Group, to engage the relevant external expertise to prepare individual business cases for sites which conform with the business model and the design criteria at paragraph 3.12 and where the business case is positive, to submit such schemes to the Cabinet for approval.

(3) That the Head of Planning, in consultation with the Cabinet Member for

Strategic Planning and Sustainability, be authorised to investigate and, if appropriate, progress a Local Development Order that would help to facilitate new renewable and low carbon infrastructure developments.

(4) That the Swindon Hydrogen Roadmap, as set out in Appendix 1 to the joint report, and the formation of the Swindon Hydrogen Group, which will identify key projects and initiatives by Spring 2014, be approved.

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

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Public Services (Social Value) Act**Cabinet****Date: 23rd October 2013**

Author:	Cabinet Member for Finance and Director of Law and Democratic Services
Wards:	All
Locality Affected:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1 The Public Services (Social Value) Act 2012 (the “Act”) came into force on 31st January 2013. It places a requirement on public bodies to consider how services over the EU procurement threshold, which they commission and procure might improve the economic, social and environmental well-being of the area in which they operate.
- 1.2 This necessitates an urgent requirement for the Council to demonstrate compliance with the Act.
- 1.3 As a consequence of the requirements of the Act, revisions to the Council’s Contract Standing Orders are required.
- 1.4 Cabinet is asked to note the requirements of the Act and the need for the Council to adopt a protocol for administering its responsibility under the Act.
- 1.5 Cabinet is asked to note that a guidance note explaining the legal requirements will be placed on the Council’s website so that members of the public can be informed immediately of the Council’s approach to the Act.

2. RecommendationsCabinet is recommended to:

- 2.1 Seek the approval of the Council to a revision to Contract Standing Orders as specified in paragraph 3.5 below, and authorise the Director of Law and Democratic Services to make necessary changes to the Council’s Constitution.
- 2.2 Authorise the Board Director Commissioning, in consultation with the Cabinet Member for Finance, the Director of Law and Democratic Services and relevant Service Heads, to develop and maintain an appropriate protocol and internal guidance to assist in the procurement process to ensure that Social Value is duly considered, and to provide a format on the Council’s website for the public to view the Council’s policy with appropriate links to the procurement process pages.

Further information on the subject of this report can be obtained from Stephen Taylor on (01793 463012), staylor@swindon.gov.uk

Public Services (Social Value) Act**Cabinet****Date: 23rd October 2013**

- 2.3 Note the Guidance on the legal requirements attached for publication on the Council's website (Appendix 1).

3. Detail

- 3.1 The Act places a requirement on commissioners to consider how what is proposed to be procured might improve the economic, social and environmental well-being of the relevant area and to consider whether to undertake a specific consultation.
- 3.2 The Act applies to public service contracts and framework agreements to which the Public Contracts Regulations 2006 apply (the EU threshold currently stands at £173,934). It will not apply to service contracts awarded by calling- off frameworks.
- 3.3 Steps in the procurement process must be devised and included to ensure the requirements are adequately addressed early in the process, before publishing an advertisement or seeking an expression of interest. There is an exception if there is an urgent need to procure a service (provided the urgency it is not caused by undue delay by the Authority).
- 3.4 In relation to the requirement for consultation, potential service users and organisations that represent them in the community could be consulted as well as other agencies that provide or commission services.
- 3.5 The proposed changes to Contract Standing orders are as follows:
- 3.5.1 The addition of the definition: "Social Value" - the duty to consider economic, social and environmental well-being and to consider whether to undertake any consultation under The Public Services (Social Value) Act 2012 in accordance with Council policy and guidance.
- 3.5.2 The addition to paragraph 5.1 (a) of the following:- "consider Social Value before commencing procurement, take into account relevant Social Value measures and consult with the Head of Service responsible for the relevant service, the Director of Law and Democratic Services and the Board Director of Resources;
- 3.6 It could be that the method of determining Social Value to deliver the Council's priorities for each relevant procurement, be determined by the Head of Service responsible for the relevant service, in consultation with the Director of Law and Democratic Services and the Head of Commercial Services.
- 3.7 It is felt that the Council's priorities, outlined in the approved Corporate Strategy, already provide a good starting point for defining Social Value and so the
-

Further information on the subject of this report can be obtained from Stephen Taylor on (01793 463012), staylor@swindon.gov.uk

Public Services (Social Value) Act**Cabinet****Date: 23rd October 2013**

Council's definition of Social Value could be defined by the delivery of the Council's priorities.

4. Alternative Options

- 4.1 The Council is obliged to comply with the provisions of the Act.

5. Implications, Diversity Impact Assessment and Risk ManagementFinancial and Procurement Implications

- 5.1 The Council must meet any additional costs for the administration of the requirements and consultation required by the Act. Any extra cost involved in the provision of social value will be taken account of in the evaluation process before a contract is awarded.

Legal and Human Rights Implications

- 5.2 The Council has a statutory obligation to implement the provisions of the Act. Legal and Human Rights considerations have been taken fully into account in compiling this report and the recommendations of this report are compatible with convention rights.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 The Act imposes additional administration/consultation on Heads of Service.

Links to One Swindon, Strategic Objectives, Plans and Policies

- 5.4 The purpose of the Act is to improving the economic, social and environmental well-being of the area when commissioning services across the Council and with partners. It is considered that there is great potential for meeting the Public Sector Equality Duty through the process of considering Social Value under the Act.

Diversity Impact Assessment

- 5.5 A Diversity Impact Assessment will be undertaken in relation to each service being procured.

Risk Management

- 5.6 Internal resource – setting up governance and procedures to be followed.
- 5.7 Community expectations – risk of confusion as to provisions of the Act and nature or extent of consultations.

Further information on the subject of this report can be obtained from Stephen Taylor on (01793 463012), staylor@swindon.gov.uk

Public Services (Social Value) Act

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6. Consultees

- 6.1 The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1 - Draft Guidance Note.

9. Key Decision/Decision in Forward Plan

- 9.1 This is not a Key Decision and is included in the Cabinet Work Programme / Forward Plan for October 2013.

Swindon Borough Council

Guidance Note

Social Value

The Legal Requirements

The Public Services (Social Value) Act 2012 came into full effect on 31 January 2013. The Act, for the first time, places a duty on public bodies to consider Social Value in procurement and related activity. The Act applies to the provision of services or the provision of services together with the purchase or hire of goods or the carrying out of works.

This is a brief summary of the key points within the legislation, but it is not a comprehensive guide to the law.

Under the Act the Council must consider at the pre-procurement stage:

- how what is proposed to be procured might improve the economic, social and environmental well-being of the relevant area in which the Council primarily exercise its functions, and
- how, in conducting the process of procurement, it might act with a view to securing that improvement.

Notable exceptions include:-

- contracts for services below the current financial threshold
- services contracts awarded by calling-off from frameworks
- contracts for goods and works
- contracts for a mixture of services and goods or works where the value of the goods exceeds the services, or the where the works are more than incidental to the main purpose of the contract

The Council must consider Social Value during the part of the commissioning process where the services are conceived and designed, specifications are developed, and partners/stakeholders, current/potential providers are engaged.

The Council must also consider whether to undertake any consultation, for example with potential service users.

The Council must consider Social Value matters before starting the process of procurement i.e.:-

- Advertising the contract
- Contacting any person to seek an offer or expression of interest
- Responding to an unsolicited offer or expression of interest
- Entering into a contract or a framework agreement

If an urgent need to arrange the procurement arises, the Council may disregard the requirements to the extent that it is not practical to comply with them.

The Council must also consider Social Value in the context of the duty to secure Best Value under the Local Government Act 1999.

Defining Social Value

Social Value is not defined in the Act, however guidance issued by Social Enterprise UK has defined it as a concept that seeks to maximise:

“the additional benefit to the community from a commissioning/procurement process over and above the direct purchasing of goods, services and outcomes”.

The Social Value approach seeks to create maximum benefit for the community and drive up service quality. It can lead to cross-departmental savings and support community organisations to enter the market.

Applying the Social Value Principle

The Council will aim to use the opportunity the Act presents, through commissioning and other related activities, to enable communities to become more resilient and reduce demand on public services.

The Council aims to commission services which align with the Councils' Corporate Strategy priorities:

- Work with residents to create well cared for neighbourhoods
- Right skills, right jobs, in the right places
- Together, find new ways to reduce vulnerability and improve health for all
- Work with people and families to help them fulfil their potential
- Make best use of Swindon's resources inside and outside the Council

The key Social Value outcomes from the Council's strategy are:

- Helping people to help themselves and develop their own solutions, promoting independence and reducing dependency and demand on services
- Increasing community participation and residents' willingness and ability to take action e.g. through developing volunteering or peer mentoring
- Supporting the community to become more involved in caring for their environment
- Targeting support at the most vulnerable
- Encouraging healthy lifestyles and keeping people as well as they can be both mentally and physically
- Supporting parents to provide adequate levels of care for their children
- Improving educational attainment in Swindon for adults/ children /young people
- Reducing youth unemployment
- Improving the availability of jobs /quality of job opportunities in Swindon
- Supporting children and vulnerable adults to be cared for in Swindon
- Helping elderly people and / or adults with learning disabilities to live at home for longer

The Council will, where relevant, seek to achieve these key social value outcomes and the associated measures through a range of its functions and activities in addition to its duties under the Act.

In commissioning activities this will include the Council using any of its Social Value outcomes that are proportionate and relevant to the specification for the service required and evaluating tenders in accordance with those Social value outcomes and that specification.

Where appropriate, the Council will ask bidders to detail and demonstrate the Social Value outcomes and measures that they can deliver when providing the service. Where appropriate, the Council will include an appropriate weighting in our tender evaluation model to assess the Social Value offer submitted by bidders.

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Swindon's Energy Future

Cabinet

Date: 23rd October 2013

Author: Cabinet Member for Strategic Planning and Sustainability
Board Director, Commissioning

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 The report seeks approval for future energy objectives and energy projects in Swindon.
- 1.2 The Council is faced with a number of key opportunities to lead the development of a local, affordable and sustainable energy supply in Swindon, and reinforce a key "low carbon" sector of Swindon's economy.
- 1.3 The low carbon economy is one of five priority areas in the Swindon Economic Strategy and this report provides a practical way in which the Council can act to help secure local economic benefits. Such an approach will directly contribute towards supporting the local economy, the One Swindon priority "We can all benefit from a growing economy and a revitalised town centre" and the Corporate objective, "Right skills, right jobs in the right place".

2. Recommendations

Cabinet is recommended to:

- 2.1 Approve the following energy objectives:
 - 2.1.1 Swindon Borough Council will lead the development of renewable energy projects that demonstrate clear local economic benefits, and will aim for Swindon to generate sufficient low carbon energy to power all residential properties by 2020, through actions detailed in paragraphs 3.7 and 3.8.
 - 2.1.2 By 2020, Swindon will be recognised as a UK centre of excellence for hydrogen energy technologies, creating new job opportunities by building on Swindon's emerging strength in hydrogen energy storage.
- 2.2 Authorise the Board Director, Resources to:
 - 2.2.1 Develop a business model for investment in solar development on Council land that maximises local economic benefit.
 - 2.2.2 In consultation with the Leader's Asset Management Advisory Group, to engage the relevant external expertise to prepare individual business cases for sites which conform with the business model and the design

Further information on the subject of this report can be obtained from Stephen Cains, (01793) 466405, scains@swindon.gov.uk.

Swindon's Energy Future

Cabinet

Date: 23rd October 2013

criteria at paragraph 3.12 and where the business case is positive, to submit such schemes to the Cabinet for approval.

- 2.3 Authorise the Head of Planning, in consultation with the Cabinet Member for Strategic Planning and Sustainability, to investigate and, if appropriate, progress a Local Development Order that would help to facilitate new renewable and low carbon infrastructure developments.
- 2.4 Approve the Swindon Hydrogen Roadmap (**Appendix 1**) and the formation of the Swindon Hydrogen Group, which will identify key projects and initiatives by Spring 2014.

3. Detail

- 3.1 In 2011, Cabinet endorsed the Swindon Sustainable Energy Framework and Delivery Plan (Cabinet Minute 49, 2011/12 refers). The purpose of the Sustainable Energy Framework was to ensure that renewable energy projects progressed in a co-ordinated way with benefits to local businesses and communities in Swindon through new jobs and skills in the low carbon economy.
- 3.2 The commitment to sustainable energy was included in Swindon's Economic Strategy adopted in 2012, which set the low carbon economy as a priority sector for the Borough, with hydrogen technologies as a particular focus. Also in 2012, Swindon's Future Cities bid to the Technology Strategy Board presented a view of Swindon's future with hydrogen technology as a key element.
- 3.3 Since this time, Swindon has seen a significant increase in renewable energy, focussed around large scale solar Photovoltaic (PV) and combined heat and power installations. Momentum has gathered around the low carbon economy agenda with notable developments including the launch of an expanded hydrogen refuelling station and hydrogen van project at Honda, and a unique building research facility at the Science Museum in Wroughton, involving Bath University and the Building Research Establishment.
- 3.4 Looking to the future, the alignment of the low carbon technology agenda with the engineering focus of Swindon's new University Technical College presents a key opportunity to increase skills in this important growth sector.
- 3.5 The Council is now faced with a number of key opportunities to lead the development of a local, affordable and sustainable energy supply in Swindon, and reinforce a key "low carbon" sector of Swindon's economy, namely:
 - 3.5.1 Accelerating an increase in renewable energy by using Council owned assets for energy production, focussed on large scale solar PV;
 - 3.5.2 Maximising the economic benefits of energy production at the local level; and

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Swindon's Energy Future

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- 3.5.3 Creating new job opportunities by building on Swindon's emerging strength in hydrogen energy storage technology.
- 3.6 The energy objectives at paragraph 2.1 are focussed on these opportunities, with a time horizon of 2020, a key date for UK and European energy targets. The aspiration for Swindon to produce enough low carbon energy to power all residential properties amounts to around 200MW of installed capacity.
- 3.7 The Council will play a direct role in achieving this by seeking to bring forward solar development on Council owned sites, with an estimated contribution of up to 10MW per year to at least 2016. Bringing these sites forward will demand a co-ordinated approach across relevant Council departments and Swindon Commercial Services Ltd.
- 3.8 The Council can also play a wider leadership role in facilitating private energy schemes by progressing a robust but encouraging planning regime and engaging in wider discussions on crucial issues such as grid capacity with Scottish and Southern Energy (SSE). Whilst this report is focussed on solar PV, the role of wider renewable technologies is recognised and the Council will engage in discussions on how such technologies can contribute to Swindon's sustainable energy aspirations.

Utilising Council assets for energy generation

- 3.9 The Council is a major landowner in the Borough with property assets ranging from schools and homes to farms and car parks. These assets are used in the discharge of the Council's duties, but also present opportunities for the Council to take a lead in generating more local renewable energy.
- 3.10 Solar PV presents the most immediate opportunity for the Council to accelerate a programme of renewable energy projects across its property portfolio due to the comparatively low impact nature of the technology and the type of assets that the Council owns. Solar PV installations have already been designed and installed by Swindon Commercial Services Ltd (SCS) across a range of Council buildings including the Civic Offices, Thamesdown Transport Ltd's depot and schools throughout the Borough.
- 3.11 The development of larger scale solar installations on appropriate sites such as farmland, landfills and car parks represents an opportunity to scale up the level of renewable energy in the Borough. The Council's recent decision to re-focus SCS Ltd. on renewable energy offers an obvious opportunity to use the company's skills in this sector to progress any identified opportunities.
- 3.12 However, the Council is keenly aware of the importance of progressing infrastructure projects in a way that integrates with, and creates maximum benefit for local communities. It is therefore proposed that energy projects on Council owned land will be developed according to the following criteria:

Further information on the subject of this report can be obtained from Stephen Cains, (01793) 466405, scains@swindon.gov.uk.

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- Maintain the best agricultural land for productive agricultural use,
- Utilise non-productive sites such as landfills, and potentially augmenting existing use sites such as farms and car parks,
- Contribute to wider objectives around issues like biodiversity and education where appropriate,
- Comply with planning requirements and best practice community involvement,
- Contribute to the local economy by prioritising local skills and expertise,
- Provide an effective way for residents to source renewable electricity and reduce their exposure to annual above inflation energy bill increases.

Local economic benefit

- 3.13 According to RegenSW, around £204m is spent annually in Swindon by businesses, organisations and residents on energy bills. The Bloomberg New Energy Finance and Commission on Climate Change prediction estimate that this will rise to between £244m and £270m by 2020, an increase of between 20% and 32%.
- 3.14 Only 1.6% of Swindon's energy comes from local, renewable sources of energy according to RegenSW. Whilst this figure is low, it is important as it indicates the size of opportunity to retain a large proportion of current energy spend within the local economy.
- 3.15 Traditionally, renewable projects are progressed in a way where the benefits accrue mainly to the landowner, developer and large scale investors. Schemes that allow local investment are slowly becoming more popular, but to date no Council has proposed a large-scale programme with a significant local investment.
- 3.16 There are a number of different operating models for the development of solar sites, which provide for local investment. It is proposed to develop an overarching business model setting out parameters for Council and wider local investment in solar development on Council land. An individual business case will be undertaken for each potential Council site and, where the business case is positive, and the scheme reflects the criteria at paragraph 3.12, a report will be brought back to the Cabinet for approval.

Local Development Order: energy infrastructure

- 3.17 Energy development on Council land will need to be accompanied by wider development of energy infrastructure if targets are to be met. The Council seeks to encourage private investment in energy schemes to support the local economy.
- 3.18 With this in mind, and building on the existing Local Development Orders for the employment areas around Swindon and the partnership arrangements with
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companies like Honda and BMW, it is proposed that a Local Development Order which allows minor schemes / proposals for energy infrastructure for energy infrastructure in suitable locations is investigated and, if practicable, progressed.

A focus on hydrogen and fuel cell technology

- 3.19 The transition to a low carbon economy is creating demand for new industries, from the design of new large-scale energy projects, to the installation of energy saving measures in the home. Swindon is well placed to benefit from these opportunities and is developing a particular expertise around hydrogen technology.
- 3.20 In essence, hydrogen is an energy carrier which can be used to power vehicles and buildings, and could provide a vital “energy store” in smoothing out the intermittent nature of renewables such as wind and solar. The innate flexibility of hydrogen to be used across a range of applications makes it a valuable tool in the future energy solution for Swindon.
- 3.21 Whilst hydrogen technology represents a major opportunity over the longer term, projects are already happening with significant progress locally. Swindon is also home to key companies involved in this growth sector. The potential of hydrogen is recognised in Swindon's Economic Strategy as a priority focus.
- 3.22 In 2011, the first open access hydrogen refuelling station was unveiled at Honda. Plans are underway to expand this facility and launch a fleet of hydrogen-powered vehicles in Swindon during October 2013. Further projects are being planned, but the development of hydrogen technologies is not without its challenges, which makes Council involvement valuable. The challenges are detailed further in the attached hydrogen roadmap, which sets out the following key themes as a focus for future activity.
- Hydrogen-powered vehicles and associated infrastructure
 - Hydrogen production and storage
 - Stationary and early market applications
 - Education and communication.
- 3.23 The Swindon Hydrogen Roadmap at **Appendix 1** proposes the formation of a Swindon Hydrogen Group, made up of stakeholders from the public and private sector tasked with identifying key projects by spring 2014.

4. Alternative Options

- 4.1 The alternative option would be for the Council to allow renewables schemes and economic development opportunities to proceed in an ad hoc way, without the

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Swindon's Energy Future

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local benefits that would be accrued through a proactive and co-ordinated local approach.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 Investment in solar schemes will be undertaken on a site-by-site basis in accordance with an overarching business model setting out parameters for Council investment and achieving best value in the development of such schemes.
- 5.2 The financial implications of developing outline business cases for individual sites are relatively minor and are covered in the separate report on the agenda related to Swindon Commercial Services Ltd. Any further financial implications arising as projects are recommended to be taken forward will be scoped and brought back to members for decision(s).
- 5.3 There are no financial or procurement implications currently arising from the Swindon Hydrogen Strategy.

Legal and Human Rights Implications

- 5.4 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the steps taken by the Council in relation to the development of a local, affordable and sustainable energy supply in Swindon are proportionate and compatible with convention rights.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.5 Sustainability is key to this report and such implications are set out in the body of the report and in its recommendations. No other specific implications have been identified at this time.

Diversity Impact Assessment

- 5.6 The infrastructure proposals in this report do not require a Diversity Impact Assessment (DIA) as the main mechanism for assessing and coordinating proposals for new energy infrastructure is the Swindon Borough Local Plan and Development Management Policies, which have already undergone Diversity Impact Assessments. No negative impacts were identified.
- 5.7 It is proposed that a DIA will be undertaken in respect any local business model to cover how benefits, whether financial or otherwise, are realised.

Further information on the subject of this report can be obtained from Stephen Cains, (01793) 466405, scains@swindon.gov.uk.

Swindon's Energy Future

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Risk Management

- 5.8 A risk assessment will be established in respect of each project area as it is developed.

6. Consultees

- 6.1 The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports. The Board Director, Delivery, the Head of Property Assets and the Head of Planning have also been consulted.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1: Swindon Hydrogen Strategy.

9. Key Decision/Decision in Forward Plan

- 9.1 This is a Key Decision and is included in the Cabinet Work Programme and Forward Plan for October 2013.

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Swindon Hydrogen Group

Swindon Hydrogen Roadmap: 2013 - 2020

October 2013

This Swindon Hydrogen Group includes the following organisations:



1. Why Hydrogen?

- Hydrogen is an extremely high-quality and versatile form of energy with (potentially) zero carbon content. It can be produced from almost any energy source and converted to power and heat with high efficiency and zero emissions for both transport and stationary end-use applications. It has the potential to be stored in large amounts and, as such, can address issues associated with security of supply and flexibility for existing power production methods.
- As acknowledged in its 2013 Economic Strategy, Swindon already has competitive advantage in the UK's hydrogen sector with its notable demonstrator projects and related organisations / businesses. Its further development locally could present significant economic opportunities (i.e. investment, jobs, skills and innovation), in addition to environmental and quality-of-life benefits.
- A bespoke strategy is proposed to build on the momentum already gained in Swindon on its hydrogen agenda¹, with the aim of identifying, developing and delivering an integrated programme of hydrogen-based projects through a consortium of relevant stakeholders. The vision is to:

Establish Swindon as a 'Centre of Excellence' in the UK for hydrogen technologies and services.

2. Opportunities

- As an extremely versatile form of energy, potential applications for hydrogen include: road transport and materials handling vehicles; renewable energy generation; residential / industrial heat and power; energy storage; grid balancing; and, remote / portable power solutions.
- It is predicted that early adoption of hydrogen and fuel cell technologies in the UK will focus on commercial applications for distribution, including light duty vehicles and fork lift trucks (FLT's). In this respect, Swindon is well placed to benefit from its high concentration of logistics firms. However, significant progress is also being made to introduce fuel cell passenger cars to the market. UK H₂Mobility and OLEV predict a significant number of fuel cell electric vehicles (FCEVs) on the UK's roads by 2030, with associated hydrogen infrastructure opportunities. OLEV has committed £500 million of funding between 2015 and 2020 to support the delivery of this vision.
- Whilst the use of hydrogen for on-grid power generation is not anticipated to be an economic proposition for the foreseeable future, DECC has predicted a significant role for hydrogen in temporary energy storage and grid balancing. As such, BIS predicts that the UK fuel cell market might be worth around £1 billion by 2020. Swindon, potentially, is very well placed to benefit from this growth in the hydrogen fuel cell market through indigenous companies and subsequent inward investment opportunities.
- Ultimately, a future vision for Swindon would see the town benefitting from an increased share of manufacturers and employees in the hydrogen technologies sector, built on an attractive and dedicated inward investment offer, a bespoke programme of education and training opportunities, and a diverse range of related demonstrator projects. In realising elements of this vision there is a potential role for the EU's Structural and Investment Fund (£43.6 million), as administered by the SWLEP².

¹ See Appendix 1.

² Swindon and Wiltshire Local Enterprise Partnership

3. Challenges

- Contrary to common perception, the often-quoted technical obstacles to a hydrogen economy, namely the storage, safety, cost and distribution of hydrogen have already been sufficiently resolved to support its rapid deployment 'here and now'. Nevertheless, the phase-in of hydrogen technologies will require careful planning at an early stage before it is accepted as an 'everyday' fuel.
- Cost is the principal barrier to investment in hydrogen in these early years of its use. But as markets develop and the benefits of mass production bring lower costs, additional opportunities will ultimately arise for the more profitable development of hydrogen technologies. In this context, establishing a realistic market price for 'green' hydrogen (per kilogram) represents a significant challenge.
- At a relatively high level, it is anticipated that developing Swindon's early hydrogen infrastructure and economy will require the following:
 - An understanding of the political commitment and policy platform at European, national and local levels, to create stable and supportive conditions for investment;
 - The identification of opportunities to access public sector finance / support to enable maximum leverage of private sector investment;
 - The identification of potential new business / support opportunities and partner organisations;
 - Effective leadership to ensure collaboration between relevant stakeholders and the integration and co-ordination of projects and other initiatives;
 - The addressing of any social barriers (e.g. perceived safety concerns) that could influence the widespread adoption of hydrogen technologies.

4. Approach

- Acknowledging the various opportunities and challenges around hydrogen, a single body is considered necessary to address and co-ordinate these issues and actions at the local level. A **Swindon Hydrogen Group** is proposed to progress the following key themes:
 - i) Hydrogen-powered vehicles and associated infrastructure
 - ii) Hydrogen production and storage
 - iii) Stationary and early market applications
 - iv) Education, skills and communication
- As a starting point, the group will refer to the hydrogen-based projects identified in the 'Future Swindon' proposition³. The **Swindon Hydrogen Roadmap** acknowledges these projects in the individual aims and objectives identified below. By spring 2014 the group will have identified a number of priority projects and initiatives to pursue.
- It is intended that, in the main, the Swindon Hydrogen Group will operate 'virtually' (i.e. through electronic communication). On-going governance will be provided by Forward Swindon and Swindon Borough Council.

³ See Appendix 1.

5. Swindon Hydrogen Delivery Plan 2013-2020: Aims & Objectives

i) Hydrogen-powered vehicles and associated infrastructure:

- Increase the variety and through-put of hydrogen vehicles at Honda's refuelling station.
- In conjunction with the on-going SWISH₂ project, identify end users for fleet hydrogen vehicle trials (including materials handling vehicles) and subsequent commercial deployment.
- Implement a hydrogen car club.
- Investigate the feasibility of deploying a hydrogen bus and / or taxi (fleet).
- Research the types of funding mechanisms and supply / maintenance contracts available from vehicle suppliers to support hydrogen fleet vehicle procurement.
- Contribute to the UK H₂Mobility initiative (and any other relevant initiatives that arise in the period) by offering appropriate assistance and resources.
- Identify potential funding opportunities, locations and partner organisations to support the deployment of at least two additional open-access, 'green' hydrogen refuelling stations.

ii) Hydrogen production and storage:

- Achieve 100% 'green' sources of hydrogen for all fuel cell electric vehicles.
- Facilitate the delivery of at least two 'green' hydrogen production facilities with sufficient capacity to allow the achievement of commercial opportunities from distributed production.
- Investigate the potential of hydrogen to integrate into Swindon's existing energy grid through the use of alternative storage solutions (e.g. the natural gas network).

iii) Stationary and early market applications:

- Identify two projects to demonstrate the use of large-scale fuel cell systems (potentially in association with a suitable waste programme / project) in providing reliable and commercially viable heat and power (CHP) for industrial and residential needs.
- Identify potential new development schemes to demonstrate the reliability and commercial viability of micro-CHP applications for residential and SME markets.
- Ensure that local planning policies and guidance actively support and enable the installation of hydrogen infrastructure at all scales.
- Establish a shortlist of public and private end-user organisations interested in incorporating or retrofitting fuel cell technologies into their buildings.
- Promote fuel cell solutions (including backup / remote and portable power solutions) as an alternative and competitive technology option in early market applications.

iv) Education, skills and communication:

- Identify the skills and training needs of current and future hydrogen-sector organisations, linking with existing educational programmes and designing new ones where required (potentially in partnership with the forthcoming Swindon University Technical College).
- Arrange a UKHFCA event in Swindon in 2014 to raise awareness of opportunities using hydrogen.
- Raise the profile of Swindon's hydrogen programme to demonstrate commitment and intent in this sector, and to attract related opportunities, support and investment.
- Improve levels of awareness and understanding on hydrogen technologies to encourage the widespread acceptance and uptake of hydrogen as a safe, clean and viable form of energy.

Appendix 1: Swindon's Hydrogen Activity Timeline 2011 →



October 2011: The installation of the country's first open-access, state-of-the-art, 350 and 700 bar hydrogen refuelling station at the Honda plant identified Swindon as a leader in this field in the UK. The facility was delivered through a public / private partnership arrangement, involving Honda of the UK Manufacturing, BOC, Forward Swindon and the former South West Regional Development Agency.



June 2012: Building on the significant lead and momentum gained from the launch of the Honda station, a wider consortium was developed in 2012 to further Swindon's hydrogen credentials. The consortium was fortunate to secure £1.75 million from the Technology Strategy Board to produce on-site 'green' hydrogen and to trial a fleet of hybrid hydrogen / diesel powered Ford Transit vans and fuel cell FLT's. This demonstration project is scheduled to commence in November 2013 with the aim of proving the commercial application of the technology.



October 2012: Swindon hosted seven hydrogen fuel-cell cars (from Honda, Mercedes, Hyundai and Toyota) as they refuelled at the Honda station on the UK leg of the European Hydrogen Road Tour. The aim of the tour, which was part of a programme involving the European Commission and European industry stakeholders, was to increase customer acceptance for fuel cell electric vehicles (FCEVs) and associated refuelling infrastructure. The event at Swindon included a 'ride and drive' opportunity and a seminar on the merits of hydrogen technology.



November 2012: Recognising Swindon's competitive advantage in the early adoption of hydrogen technologies, the focus of the 'Future Swindon' bid to the Technology Strategy Board was on the development of additional hydrogen infrastructure allied to IT monitoring systems and an associated learning hub at the Swindon University Technical College (with its engineering-based curriculum). The focus of the hydrogen infrastructure was on the provision of an additional refuelling station to complement the existing station at Honda, with hydrogen being supplied (via a tri-generation process) as part of an on-site CHP facility for adjoining housing and commercial occupiers. A FCEV car-club was also proposed to demonstrate the robustness of these vehicles under high-load conditions. Despite an unsuccessful bid, it is considered that these projects still have considerable merit and potential.



October 2013: The Swindon Hydrogen Group is formed with the release of the Swindon Hydrogen Roadmap: 2013-2020.

Swindon Hydrogen Roadmap: 2013-2020

Swindon Hydrogen Group - Contacts

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Council Petition Scheme

Council

Date: 7th November 2013

Author: Director of Law and Democratic Services
Wards: All
Locality Affected: All
Parishes Affected: All

1. Purpose and Reasons

- 1.1 To report on Petitions received.
- 1.2 At the Annual Council meeting held on 21st May 2010, the Council formally adopted a Petition Scheme in accordance with the requirements of Sections 10 to 22 of the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act) and subsequent statutory guidance.
- 1.3 Operating the Petition Scheme helps deliver the strategic corporate priority of working with people and families to help them fulfil their potential by developing public participation in decision-making.

2. Recommendations

Council is recommended to:

- 2.1 To hear from the Lead Petitioners (or representatives) presenting the Petition headed “Repeal the ‘bedroom tax’ – No evictions” and to determine any action to be taken in respect of that Petition.
- 2.2 Note that the Petition opposing incineration in Swindon has been referred to the Head of Planning

3. Detail

- 3.1 A petition has been received which satisfies the requirements for it to be presented to Full Council for debate.

“Repeal the “Bedroom Tax”- No Evictions”

- 3.2 A petition of 2,298 signatures asking for Swindon Borough Council to lobby the Government to repeal the relevant legislation and seeking a public commitment from the Council that it will not evict tenants who suffer financial hardship arising from the changes to benefit entitlement arising from the Welfare Reform Act 2012.
- 3.3 At the Annual Council meeting, the Council resolved to adopt a petition scheme to apply to all petitions received by the Council.

Further information on the subject of this report can be obtained from Stephen Taylor on Direct Dial No. 463013 or Email staylor@swindon.gov.uk or Ian Willcox, Committee and Member Services on Direct Dial No. 463601 or Email iwillcox@swindon.gov.uk

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3.4 The Minute of Council is set out below:

”(1) That, subject to (2) below, the Swindon Borough Council Petitions Scheme, as set out in Appendix 1 of the joint report of the Leader of the Council and Director of Law and Democratic Services be adopted.

(2) That if a Petition is to be reported to and debated at a meeting of the Council it must contain at least 1,500 signatories or petitioners (this is to be reduced to 750 signatories or petitioners where the petition relates to a local issues affecting two or three wards or 350 signatories or petitioners for a single ward issue within the Council’s area.)

(3) That the Director of Law and Democratic Services be appointed as the Council’s Petitions Officer.

3.5 The Council’s Petitions Officer has determined that the Petition set out in paragraph 3.2 of the report meets the requirements to be considered by the Council.

3.6 In accordance with the Scheme:

3.6.1 The petition organiser, or their appointed deputy, will be invited to address the meeting for up to 5 minutes on the subject of the petition.

3.6.2 The petition organiser will be notified of the outcome of the debate in writing and of any follow-up actions that are agreed by the meeting.

3.7 Copies of the petitions are available for inspection by contacting Committee and Member Services.

3.8 The Lead Petitioners have been advised that their Petition will be presented to Council on 7th November 2013 and have been invited to attend.

3.9 The relevant Lead Member will respond having heard what the petitioner has said, and will make a recommendation to Council accordingly.

Opposition to incineration in Swindon

3.10 In addition, a petition of 1,707 signatures has been received opposing “incineration in Swindon, including the current application for a wood burning plant on the Cheney manor Industrial Estate.”

3.11 Under the Petition Scheme, a petition should contain a clear statement of concerns and state what the Council is being asked to do. Further, the Petition Scheme states that a petition will not be reported if in the opinion of the Petitions Officer it relates to a specific and individual planning decision.

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- 3.12 The petition relates to a specific planning application, which the Planning Committee decided to defer at its meeting on 13th August 2013 to enable the applicants to carry out further public consultation and to give members of the public further opportunity to find out more about the proposed scheme and for their feedback to be considered, before it makes a decision.
- 3.13 The Petitions Scheme stipulates that such petitions will be referred to the relevant Officer or Regulatory Committee. On that basis, this petition has been referred to the Head of Planning.

4. Alternative Options

- 4.1 No alternative options are proposed.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There are none specific to this report. However, should the Council determine that action be taken in respect of this petition this will require a report to the Cabinet, Cabinet Member or relevant Committee and any Financial and Procurement Implications will need to be addressed in that report.

Legal and Human Rights Implications

- 5.2 Legal and human rights implications have been taken into account in the body of the report. Sections 10 to 22 of the Local Democracy, Economic Development and Construction Act 2009 and the Department for Communities and Local Government Statutory Guidance on Handling Petitions have been taken into account in the development of the Council's Petition Scheme.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 None

Diversity Impact Assessment

- 5.4 Since no service changes are proposed, no diversity impact assessments were undertaken.

Risk Management

- 5.5 None

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6. Consultees

- 6.1 The Board Director, Resource (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Petition Front pages

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Repeal the 'bedroom tax' – No evictions

We the undersigned call on Swindon Borough Council to press the government to **repeal** the 'bedroom tax' which blames tenants for a housing shortage which is the responsibility of politicians. The shortage requires new Council house building not policing tenants and bedrooms. This legislation unfairly targets poor people at the same time as the government is introducing tax cuts for the rich. Whilst imposing benefit cuts on working age tenants the government is subsidising the child care of couples earning up to £300,000!

We also call on the Council to make a public commitment that they will **not** evict tenants who are thrown into financial difficulties as a result of the 'bedroom tax'.

Name	Signature	Address

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CABINET

WEDNESDAY, 23 OCTOBER 2013

PRESENT:- Councillors David Renard (Chair), Russell Holland, Mike Bawden, Fionuala Foley, Claire Ellis, Dale Heenan, Richard Hurley, Garry Perkins and Keith Williams.

An apology for absence was received from Councillor Brian Mattock (Vice-Chair).

Councillor Jim Grant attended the meeting in respect of Minutes 53 and 55.
Councillor Stan Pajak attended the meeting in respect of Minute 55.

50. Declarations of Interest

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

51. Minutes

Resolved –That the minutes of the meeting held on 11th September 2013 be confirmed and signed as a correct record.

52. Public Question Time

The following questions were asked in accordance with Standing Order 28 –

Questioner

Mr Brian Cockbill, Stratton St Margaret, Swindon

Questions

Mr Cockbill asked a series of questions concerning -

(a) attendance by Council officers or Members at a seminar on “Care of Elderly People” held in Swindon on 18th October 2013 and whether a report on this event would be made to the Council?

(b) the process and procedure adopted for responding to reported road and footpath problems by the Council’s Streetsmart team and Swindon Commercial Services Ltd (SCS) its contractor and whether the process would change when SCS returned to the Council’s direct control?

(c) the availability of information on potential traffic flows on Slade Drive, Oxford Road and Covingham Drive, Stratton St Margaret, arising from the combined effect of proposed developments in South Marston, East Swindon Development and Redlands Airfield sites?

Response

The Chair thanked Mr Cockbill for his questions and comments and advised that a response had been prepared and circulated at the meeting.

The Chair and Councillor Richard Hurley, Cabinet Member for, Public Protection, Housing and Streetsmart responded at the meeting to the questions and comments. The Chair advised that he would arrange for Mr Cockbill to receive a fuller written response to his questions referred to in (a) and (b) above.

Mr Cockbill asked a supplementary question concerning the decision of the Council not to pass funding to parish councils to offset the impact of changes in Council Tax Base calculations and whether the Council would be passporting funding for 2014/15. The Chair thanked Mr Cockbill for his question and responded at the meeting.

Mr Cockbill asked supplementary questions seeking clarity on the response to his question referred to in (b) above. The Chair noted Mr Cockbill's further questions and comments and advised that detail would be included within the proposed written response.

Questioner

Mr Tim French, Cassan Road, Swindon.

Question

Mr French asked a question seeking clarity on the nature of the business undertaken by D.W. Dunn Ltd. the company owned by Swindon Commercial Services Ltd

Response

The Chair thanked Mr French for his question and responded at the meeting.

53. **Unlocking Swindon's Economic Potential - Progressing the Economic Strategy**

The Cabinet Member for the Economy, Regeneration and Culture, the Cabinet Member for Strategic Planning and Sustainability, the Cabinet Member for Finance, the Board Director, Commissioning, the Board Director, Service Delivery and the Board Director, Resources submitted a joint report concerning the implementation of the Swindon Economic Strategy (Minute 93 of the Council 2012/13 refers) and setting out proposals that sought to help existing businesses thrive within Swindon whilst maximising the opportunity to attract new firms to the Borough all the time increasing the number of jobs.

Councillor Gary Perkins, Cabinet Member for the Economy, Regeneration and Culture, referred to how the Council's Economic Strategy aimed to support and grow the Swindon economy and explained how the measures highlighted in the report could be used to support the delivery of the Strategy to the benefit of Swindon businesses and its economy generally. Such measures would make Swindon attractive to businesses encouraging new companies to relocate to Swindon and existing companies to stay and grow.

Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, referred to the measures highlighted in the report and how each of these, in an innovative “Swindon” way, could support existing businesses and encourage new enterprises.

Councillor Jim Grant, Leader of the Opposition, advised that his Group was broadly in support of the support highlighted in the report. He asked for clarification of the procedure associated with Local Development Orders particularly in a case where the result of development might have a potential negative affect on local residents. He raised a concern over whether the use of Retained Business Rates to

attract new companies might cause disquiet to existing businesses that had not had the same opportunity to access the incentive. He asked whether the Council had consulted the business community on the proposals.

Councillor Heenan explained the role of the Planning Committee in approving the criteria for Local Development Orders and that there were specific criteria governing what development was permitted in a Local Development Order area. He believed there were significant safeguards to prevent residents being adversely affected. He agreed to arrange for Councillor Grant to receive a copy of the relevant criteria.

Councillor Perkins advised on the consultation that had already taken place with local businesses. He explained that it was intended that an innovative approach would be taken to the use of Retained Business Rates in order that this would have benefits for as many businesses as possible, including those already in Swindon. In terms of new businesses the aim was to take a tactical approach to encourage the type of enterprises that Swindon wished to see to strengthen and grow the local economy for the future.

Resolved – (1) That the Board Director, Commissioning, in consultation with Forward Swindon Ltd (FSL), and the FSL Shareholder Commissioning Panel, be authorised to discuss with the local business community how the package of measures detailed in the joint report could best be utilised to retain existing businesses and attract new employers to Swindon and to seek their views on the development of further measures for consideration where appropriate.

(2) That the Head of Planning accelerate the implementation of Local Development Orders at key employment sites within the Borough to simplify the planning process for managing non-contentious business developments and implement them at all employment sites in Swindon greater than 10 hectares by July 2015.

(3) That the Board Director, Resources and the Board Director, Commissioning, in consultation with the Cabinet Member for Finance and the Cabinet Member for the Economy, Regeneration and Culture and the Director of Law and Democratic Services, be authorised to develop, and submit to a future meeting of the Cabinet, a state aid compliant framework of financial support that can be offered to businesses to support the delivery of Swindon's Economic Strategy, leveraging the Council's prudential borrowing facilities and future growth in Retained Business Rates.

(4) That the Board Director, Commissioning be authorised to investigate the regulatory options available to develop a local energy offer and accelerate discussions with potential energy partners locally submitting a further report to a future meeting of the Cabinet should a viable proposal be identified.

(Councillor Fionuala Foley, Cabinet Member for Children's Services, made a personal declaration of interest in respect of the above item as she was the owner of property in an employment site that could be the subject of a Local Development Order.)

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

54.

Budget Management 2013/14

The Cabinet Member for Finance and the Board Director, Resources submitted a joint report setting out (a) the current forecast outturn position of the Council's Revenue Budget as at the end of August 2013, (b) issues impacting on the Council's finances including (i) Departmental and service summaries and emerging issues, (ii) the procurement of GRANTfinder software, (iii) funding of Bus Service 47 and the Local Bus Strategy, and (iv) virements, and (c) the current position of the Housing Revenue Account and Dedicated Schools Grant.

The Chair welcomed the current projected out-turn position and expressed his thanks to the Board Director, the Finance team and his Cabinet colleagues for their hard work surrounding the management of the "in-year" Budget during very challenging times.

Resolved – (1) That the current projected Revenue Budget Outturn for 2013/14, as set out in Table 1 and Appendices 1 and 2 of the joint report, be noted.

(2) That the Revenue Budget virements, as set out in Appendix 3 to the joint report, be approved.

(3) That the use of £8,835 from corporate underspends to fund the cost of subscribing to the GRANTfinder software, be approved.

(4) That the annual equivalent payments of £5,000 to West Berkshire Council and £9,000 to Wiltshire Council in order to maintain bus services to Bishopstone and Wanborough following the planned removal of Bus Service 47, be approved.

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

55.

Implementing the Corporate Strategy - Making the Best Use of Resources

The Leader of the Council, the Cabinet Member for Finance, the Cabinet Member for Public Protection, Housing and Streetsmart (Delivery), the Cabinet Member for Highways, Strategic Transport and Leisure and the Board Director, Resources submitted a joint report concerning the progress of the implementation of the Council's Corporate Strategy and Change Programmes (Minute 67 of the Council 2012/13 refers) and setting out (a) outline proposals for consultation, related to the first and last of the corporate priorities, with the overall intention of securing the best possible outcomes for residents at the lowest possible cost to Council Taxpayers and (b) a Joint Statement of Intent between the Council, One Swindon partners, and the Government's Public Service Transformation Network.

The Chair referred to the progress made by the Council in implementing its Corporate Strategy priorities and the delivery of its associated change programmes. He referred particularly to the Council's priority of "Consistently make the best use of all available resources". He highlighted the service pressures and the financial challenges the Council faced and the ways in which it had responded. He explained the background to proposed consultation on proposed changes to service provision that aimed to deliver outcomes desired by residents at an affordable cost to Council Tax payers.

The Chair drew attention to the proposed "Joint Statement of Intent" between the Council, One Swindon partners, and the Government's Public Service

Transformation Network. He referred to the support of the Government and the One Swindon Board for this innovative approach and the reputation that Swindon had gained nationally for successful partnership working. He explained how the Statement set out the objective, focus, milestones, and resources secured for One Swindon for the rest of 2013/14 and beyond.

Councillor Richard Hurley, Cabinet Member for Public Protection, Housing and Streetsmart (Delivery) referred to the proposed changes to Streetsmart services in particular to the green waste collection service. He explained that the aim of the changes was to improve the service offered to residents whilst at the same time seeking to achieve savings. He advised that the proposed changes would be subject to public consultation and the Council would listen to the feedback it received. However, the Council was facing significant financial challenges and savings would need to be identified from Council services. He emphasised that the proposed changes would not affect the current “Blue Bag Service” available to residents.

Councillor Russell Holland, Cabinet Member for Finance, referred to the well-known pressures on public finances through demographic changes and reductions in Government funding. These were challenging times and difficult decisions would need to be made by the Council. However, as a result of careful stewardship, Swindon was in a much better position to face those challenges than many other local authorities.

Councillor Jim Grant, Leader of the Opposition, asked whether the Cabinet was confident that its proposed changes to the green waste system would not simply lead to more waste going into residents’ refuse bins and therefore to landfill, creating the risk of the changes resulting in greater costs to the authority than the savings made. He noted that the green waste “four bag” collection policy had been introduced for less than twelve months. He asked why it had been decided to abandon this policy at this stage. He asked for clarification on the consultation that was proposed to take place around the changes in service, particularly in respect of the Library Service and the changes highlighted in Appendix 2 to the report.

Councillor Stan Pajak, Leader of the Minority Group on the Council, advised that his Group was not supportive of the proposed changes to the waste collection service which he believed had the potential to damage the excellent recycling and waste management reputation of the Council. He remained sceptical that the proposed savings could be made if there was an increase in green waste going to landfill and increases in fly tipping. He asked for clarification on how the consultation on the proposals would take place and whether if the plans were rejected by the public the Council would accept this. He reminded the Cabinet that once the proposed changes were implemented it was unlikely that the Council would be in a position where it could return to the previous service it offered. It was important the correct decision was made.

Councillor Hurley commented that the change to the “four bag” system had not resulted in any significant increase in green waste being placed in refuse bins or in greater amounts of fly tipping. He hoped that this would remain the position under the new policy should it be introduced. The introduction of the Waste Derived Energy plant would also mean that such waste would not go to landfill. It was believed that the new approach would make the savings required by the Council

and actually improve the green waste service for those who wished to make use of it.

The Chair commented on the consultation that was to be carried out in respect of the various proposals within the report. The Board Director, Resources referred to the consultation periods associated with changes to services “in-year” and those proposed in respect of the 2014/15 Budget, and on the difference in approach for changes to services and changes affecting Council staff. The Chair reiterated that the Council would listen to the views it received, as was indicated by its decision earlier in the meeting regarding Bus Service 47. He emphasised that it was intended to undertake consultation, not to hold a referendum.

Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, referred to the consultation on the Council's Library Strategy. He noted that much had changed since the Strategy had originally been adopted and now was an appropriate time to undertake a review. He commented on the Council's support for libraries and the services they offered and that the intention was to seek to talk to residents about how libraries could remain open and develop into the future.

Councillor Fionuala Foley, Cabinet Member for Children's Services, praised Swindon's Recycling service and commented that she did not believe that the changes proposed would have a detrimental effect on its performance. She believed the “green bag” policy had been successful, but there had also been some practical problems for residents in using the service. The new proposals would provide a better service for those residents who wished to take it up.

The Chair and Councillor Hurley reiterated the reasons why the proposals had been presented and that the consultation outcomes would be taken seriously by the Cabinet when making its decisions.

Resolved – (1) That the progress made in delivering the Corporate Strategy be noted.

(2) That the Head of Public Protection and Streetsmart be authorised to undertake consultation with residents and stakeholders on the proposals regarding Streetsmart, as set out in paragraphs 3.10 to 3.13 of the joint report, and to report on the findings to the Cabinet at its meeting on 11th December 2013 to enable formal decisions to be taken.

(3) That the Head of Leisure, Libraries, Traded Services and Culture be authorised to undertake consultation with residents and stakeholders on an updated Libraries Strategy, as set out in paragraphs 3.28 to 3.29 of the joint report, and to report the findings to the Cabinet at a later date to enable a revised Strategy to be adopted.

(4) That the Head of People and Development be authorised to undertake consultation on the proposals set out in Appendix 2 to the joint report affecting staff and to report the findings to the Cabinet at its meeting on 11th December 2013 to enable formal decisions to be taken.

(5) That the Board Director, Resources be authorised to implement as soon as practicable those proposals as set out in Appendix 2 to the joint report that do not require consultation as there is no impact on front-line services or staff.

(6) That the Board Director, Commissioning be authorised to implement the One Swindon Public Service in Transformation through Partnership Strategy as set out in the Joint Statement of Intent attached as Appendix 3 to the joint report.

(7) That the Head of Strategy and Research, in consultation with the Leader of the Council, be authorised to refine the content of the Joint Statement of Intent as further detail is negotiated between the Council, One Swindon partners and the Government.

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

56. Swindon's Energy Future

The Cabinet Member for Strategic Planning and Sustainability and the Board Director, Commissioning submitted a joint report concerning the Council's future energy objectives and its potential role in the development and delivery of energy projects in Swindon.

Councillor Dale Heenan, Cabinet Member for Strategic Planning and Sustainability, explained the Council's ambition for Swindon to be at the forefront of the provision of local, affordable and sustainable energy provision. He referred to how the Council had a number of key opportunities to help lead the development of such provision and to reinforce key "low carbon" sectors of Swindon's economy to the benefit of residents and businesses. He referred to each of the initiatives within the report and highlighted the key role that the Council could play in promoting, enabling, assisting and delivering energy projects and a One Swindon low carbon economy. He commented how the report was closely linked to the earlier report on progressing the Economic Strategy and unlocking Swindon's economic potential.

Resolved – (1) That the Council approve the following energy objectives:-

(a) Swindon Borough Council will lead the development of renewable energy projects that demonstrate clear local economic benefits, and will aim for Swindon to generate sufficient low carbon energy to power all residential properties by 2020, through the actions detailed in paragraphs 3.7 and 3.8 of the joint report;

(b) By 2020, Swindon will be recognised as a UK centre of excellence for hydrogen energy technologies, creating new job opportunities by building on Swindon's emerging strength in hydrogen energy storage.

(2) That the Board Director, Resources be authorised to:-

(i) Develop a business model for investment in solar development on Council land that maximises local economic benefit.

(ii) In consultation with the Leader's Asset Management Advisory Group, to engage the relevant external expertise to prepare individual business cases for sites which conform with the business model and the design criteria at paragraph 3.12 and where the business case is positive, to submit such schemes to the Cabinet for approval.

(3) That the Head of Planning, in consultation with the Cabinet Member for Strategic Planning and Sustainability, be authorised to investigate and, if appropriate, progress a Local Development Order that would help to facilitate new renewable and low carbon infrastructure developments.

(4) That the Swindon Hydrogen Roadmap, as set out in Appendix 1 to the joint report, and the formation of the Swindon Hydrogen Group, which will identify key projects and initiatives by Spring 2014, be approved.

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

The Cabinet Member for Strategic Projects and Transformation, the Leader of the Council and the Chief Executive submitted a joint report concerning the progress made in implementing the Council's previous decision to re-integrate many of the services being provided by Swindon Commercial Services Ltd. (SCS) into the Council and providing an update on the actions to be taken to ensure the continuing success of the company (Minute 4 of the Special Committee refers).

Councillor Mike Bawden, Cabinet Member for Strategic Projects and Transformation, referred to the background of the Council's decision in July 2013 to integrate many of the services provided by Swindon Commercial Services Ltd. (SCS) back into the Council's structure, and to the progress of the actions being undertaken and that needed to be taken to achieve this. He confirmed that the Council was on target to achieve the first phase of re-integration on 1st November 2013. He commented on the future phases that would be required to secure the future of the company and realise the savings required by the Council. He believed this was challenging but achievable. He expressed his appreciation for the hard work of the officer team from the Council and SCS and to his cross-party Advisory Group in supporting the re-integration and in meeting the 1st November 2013 timescale.

The Chair referred to the difficult decisions that the Council had made regarding the future of Swindon Commercial Services and that he wished to record his appreciation to Councillor Bawden and his cross-party Advisory Group for the work they had undertaken in delivering the first phase of the re-integration.

Resolved – (1) That the continuing progress to re-integrate many of the services being provided by Swindon Commercial Services Ltd. into the Council from 1st November 2013, including delivery of the anticipated financial benefits from April 2014, be noted.

(2) That an allocation of up to £25,000 from the Corporate Contingency be approved to cover a range of small-scale one-off costs associated with effecting the transition to the new arrangements as referred to in paragraph 3.2 of the joint report.

(3) That the objective of maintaining the momentum of the re-integration of Swindon Commercial Services Ltd. into the Council beyond April 2014, to continue streamlining service delivery arrangements while focusing on securing agreed outcomes for residents, be noted and endorsed.

(4) That the cross-party Cabinet Member Advisory Group established to monitor the transition of services from Swindon Commercial Services Ltd to Swindon Borough Council continue to meet for the remainder of the current Municipal Year.

(5) That in respect of the future governance of Swindon Commercial Services Ltd, the proposals outlined in paragraph 3.8 of the joint report be approved and the Council be recommended to appoint three representatives to sit on the Board, two of whom shall come from the majority political group on the Council and one from the Opposition political group.

(6) That the Director of Law and Democratic Services, in consultation with the Cabinet Member for Strategic Projects and Transformation, the Leader of the Council and the Board Director, Resources, be authorised to effect any necessary changes to the contracts, memorandum of understanding and any other relevant documentation between the Council and Swindon Commercial Services Ltd. on such terms as he believes best protect the Council's overall interests.

(7) That in respect of the financial arrangements between the Council and Swindon Commercial Services Ltd. approval be given to –

(a) Back-office support services being provided by the Council to the Company at a cost that represents an accurate reflection of the effort involved;

(b) The loan facility made available by the Council to the Company for cashflow purposes being extended to 31st December 2015 at a maximum level of £2.25m, with any further cash advances being subject to the submission by the Company to the Council of robust business cases;

(c) The value of the loan being provided by the Council to the Company for the build costs of a refuse-derived fuel plant be increased to £8.7m, with no change to the approved repayment period; and

(d) The Board Director, Resources be the nominated lead Swindon Borough Council officer for Swindon Commercial Services Ltd, and that he be authorised to agree financial matters between the Company and the Council within the Budget and Policy Framework, including those relating to the transfer of staff and assets between the Company and the Council on 1st November 2013 and the removal of the rebate arrangement by 31st March 2014 as previously agreed by Cabinet and endorsed by the Special Committee on 5th July 2013 (Minute 4 of the Special Committee refers).

(8) That the Board Director, Commissioning be authorised to engage Swindon Commercial Services Ltd, to advise on development of business cases for Photovoltaic (PV) arrays on Council-owned land, with such costs to being absorbed within the funding proposed in recommendation (7)(b) above, and that Standing Orders relating to Contracts be waived if necessary.

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

58. References from Other Council Bodies: Corporate Parenting Advisory Board /Health and Wellbeing Board

The Cabinet Member for Children's Services, the Leader of the Council and the Director of Law and Democratic Services submitted a joint report concerning recommendations arising from the Corporate Parenting Advisory Board held on 8th July 2013, and from the Health and Wellbeing Board held on 11th September 2013.

Councillor Fionuala Foley, Cabinet Member for Children's Services, expressed her support for the recommendations arising from the Advisory Board and drew attention to the important role that all Councillors and all Council staff played as "corporate parents". She drew attention to the definition of "corporate parent" that appeared in the Corporate Parenting Strategy and what this meant for all involved with the Council. She referred to the "Pledge to Children and Young People in Care" contained within the Strategy and how looked-after children and young people had taken a direct role in drawing up this pledge.

The Chair offered his support for the recommendations and emphasised the Council's corporate commitment to supporting the Corporate Parenting Strategy and giving its looked after children and young people the best possible start in life.

The Chair expressed his support for the recommendations arising from the Health and Wellbeing Board and explained the background to each of the decisions that the Cabinet was required to make.

Resolved – (1) That, further to Minute 5(2) of the Corporate Parenting Advisory Board, the Corporate Parenting Strategy and the Adoption Statement of Purpose, as attached as Appendix 3 to the joint report, be adopted.

(2) That, further to Minute 20(3) of the Health and Wellbeing Board, and subject to the endorsement of the Governing Body of the Swindon Clinical Commissioning Group, (a) the conditions associated with the transfer of NHS funds to Swindon Borough Council be noted and agreed; and (b) the proposed spend of £2.753 million of transferred money, as set out in paragraph 3.16 of the joint report of the Acting Director of Public Health and the Head of Commissioning, Children and Adults, be agreed.

(3) That, further to Minute 21(1) of the Health and Wellbeing Board, and subject to the endorsement of the Governing Body of the Swindon Clinical Commissioning Group, (a) the recommendations set out in Appendix 1 of the Hepatitis B and C Joint Strategic Needs Assessment Bulletin, attached to the report of the Acting Director of Public Health, be noted and approved, and (b) the development of an action plan for the implementation of the recommendations referred to in (a) above, be approved.

(4) That, further to Minute 23(1) of the Health and Wellbeing Board, and subject to (a) the endorsement of the Governing Body of the Swindon Clinical Commissioning Group, and (b) additional information on fast food outlets and planning being included within the strategy, the Healthy Weight Strategy for 2013-2015 be approved.

(5) That, further to Minute 24(1) of the Health and Wellbeing Board, and subject to the endorsement of the Governing Body of the Swindon Clinical Commissioning Group, the Leader of Swindon Borough Council's intent to sign up, on behalf of Swindon Borough Council, to the Local Government Declaration on Tobacco Control be supported and welcomed.

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

59. Public Service (Social Value) Act (Minute for Confirmation)

The Cabinet Member for Finance and the Director of Law and Democratic Services submitted a joint report concerning (a) the Public Services (Social Value) Act 2012 that required all public bodies to consider how services over the European Union procurement threshold, which they commissioned and /or procured, might improve the economic, social and environmental well-being of the area in which they operated, and (b) proposals for the adoption by the Council of a protocol for administering its responsibilities under the Act, together with required revisions to the Council's Standing Orders relating to Contracts.

Councillor Russell Holland, Cabinet Member for Finance, commented on the implications of this new legislation for the Council. The Act would enable the Council to undertake procurement and to give weight to the social value that would be produced. He believed this would potentially enable the Council to take into account issues such as whether a company submitting a bid would directly support the Swindon Economy if that bid was selected, or if it reflected a commitment to a Council priority, such as the training and employment of young people. However, he cautioned that this was new legislation that was yet to be tested in the courts and so its true potential and implications for the Council were yet to become totally clear.

Resolved – (1) That the Council be recommended to amend Standing Orders relating to Contracts (Section 7 of Part 4 to the Council's Constitution) to reflect the requirements of the Public Services (Social Value) Act 2012 as specified in paragraph 3.5 of the joint report, and to authorise the Director of Law and Democratic Services to make the necessary changes to the Council's Constitution.

(2) That the Board Director, Commissioning, in consultation with the Cabinet Member for Finance, the Director of Law and Democratic Services and relevant Service Heads, be authorised to develop and maintain an appropriate protocol and internal guidance to assist in the procurement process to ensure that Social Value is duly considered in accordance with the requirements of the Public Services (Social Value) Act 2012, and to provide a format on the Council's website for the public to view the Council's policy with appropriate links to the procurement process pages.

(3) That the Guidance on the legal requirements of the Public Services (Social Value) Act 2012 for publication on the Council's website, and as set out in Appendix 1 to the joint report, be noted and endorsed.

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

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Notice of Decisions Made

Decision Maker:	Councillor Garry Perkins, Cabinet Member for Economy, Culture and Regeneration
Subject	Appointment of a further Director to the Board of Forward Swindon Ltd
Decision(s): -	To approve the appointment of a further Director to the Board of Forward Swindon for an initial term of 2 years with membership reviewed at that time in accordance with minutes 15(2) and 15(3) from Cabinet on 12th June 2013:
Consultation:	The Leader of the Labour Group, Councillor Jim Grant was consulted on this and was happy to support the recommended action.
Date of Publication:	19 September 2013
Date for Receipt of Requests for Call-in	26 September 2013

For more details on the subject of the Decision or for a copy of the Decision Note (report) please contact: - Alan Wylde, Commissioner – Growth and Regeneration Tel 07590 991226 or e-mail awylde@swindon.gov.uk

Or from Ian Willcox, Committee and Member Services Manager, Direct Dial: 01793 463601 or Email iwillcox@swindon.gov.uk

The Decision Note (report) sets out the background to, and reasons for, the decisions referred to in the Notice above. Details of the alternative options put forward for consideration (if any) are also recorded in the Decision Note (report). Any alternative options considered that did not appear in the initial report will be recorded as part of the above Notice of Decisions. The Decision Note is available via the following link on the Council's website =
<http://www5.swindon.gov.uk/moderngov/mgListPlanItems.aspx?PlanId=440&RP=285&J=3>

Notice of Decisions Made

Decision Maker:	Councillor Mike Bawden, Cabinet Member for Strategic Projects and Transformation
Subject	Transfer of Community Asset to Local Management Roughmoor Hall, Swindon
Decision(s): -	<p>The Board Director for Service Delivery and the Head of Property Assets be authorised to agree the principal terms to be included within a lease to enable the successful transfer of the management of the Property to the Freshbrook Community Centre.</p> <p>The Director of Law and Democratic Services be authorised to complete a lease of the property to the Freshbrook Community Centre Trust at a nominal rent on such detailed terms and conditions as are agreed by the Head of Property Assets and the Board Director, Service Delivery in order to protect the Council's interests</p>
Consultation:	<p>The Shadow / Group Spokespersons - Councillor Bob Wright (Labour), Councillor David Wood (Liberal Democrat) and Shaw and Lydiard and Freshbrook Ward Councillors were consulted on the contents of the Decision Note. No adverse comments or requests for the matter to be referred to Cabinet were received by the report deadline.</p>
Date of Publication:	Thursday 3 rd October 2013
Date for Receipt of Requests for Call-in	Thursday 10 th October 2013

For more details on the subject of the Decision or for a copy of the Decision Note (report) please contact: - Paula Harrison, Direct Dial Telephone Number 01793 466418, or Email: pharrison@swindon.gov.uk.

Or from Ian Willcox, Committee and Member Services Manager, Direct Dial: 01793 463601 or Email iwillcox@swindon.gov.uk

The Decision Note (report) sets out the background to, and reasons for, the decisions referred to in the Notice above. Details of the alternative options put forward for consideration (if any) are also recorded in the Decision Note (report). Any alternative options considered that did not appear in the initial report will be recorded as part of the above Notice of Decisions. The Decision Note is available via the following link on the Council's website = <http://ww5.swindon.gov.uk/moderngov/mgListPlanItems.aspx?PlanId=440&RP=285&J=3>

Notice of Decisions Made

Decision Maker:	Councillor David Renard, Leader of the Council
Subject	Heritage Crime Memorandum of Understanding with English Heritage
Decision(s): -	The Leader of Swindon Borough Council, on behalf of the Borough Council, be authorised to sign a “Memorandum of Understanding” with the Police, Crown Prosecution Service, English Heritage and other participating local authorities, on the prevention, enforcement and prosecution of Heritage Crime”, and to take actions to tackle heritage crime.
Consultation:	The Shadow / Group Spokespersons - Councillor Junab Ali (Labour), Councillor Nicky Sewell (Liberal Democrat) were consulted on the contents of the Decision Note. Councillor Ali supported the proposal. No other adverse comments or requests for the matter to be referred to Cabinet were received by the report deadline.
Date of Publication:	Thursday 3 rd October 2013
Date for Receipt of Requests for Call-in	Thursday 10 th October 2013

For more details on the subject of the Decision or for a copy of the) Decision Note (report) please contact: - Helen Miah, Direct Dial 07766368261, hmiah@swindon.gov.uk.

Or from Ian Willcox, Committee and Member Services Manager, Direct Dial: 01793 463601 or Email iwillcox@swindon.gov.uk

The Decision Note (report) sets out the background to, and reasons for, the decisions referred to in the Notice above. Details of the alternative options put forward for consideration (if any) are also recorded in the Decision Note (report). Any alternative options considered that did not appear in the initial report will be recorded as part of the above Notice of Decisions. The Decision Note is available via the following link on the Council's website =
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