



SWINDON BOROUGH COUNCIL
Municipal Year 2013/14

Thursday, 19 December 2013

**COUNCIL CHAMBER
CIVIC OFFICES
SWINDON**

12 December 2013

Dear Councillor,

Summons to attend Council Meeting

An EXTRAORDINARY MEETING of the **Council**, which you are requested to attend, is to be held at the CIVIC OFFICES, SWINDON, on **Thursday, 19 December 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 held on 7th November 2013.
- 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. Motion

Councillor Jim Grant will move:

“That Council has no confidence in the Mayor and calls on him to resign forthwith.”

7. 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, 7 NOVEMBER 2013

PRESENT:- The Deputy 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, Richard Hurley, Colin Lovell, Cindy Matthews, Brian Mattock, Des Moffatt, Derique Montaut, Stan Pajak, Maureen Penny, Garry Perkins, Julian Price, David Renard, Ann Richards, James Robbins, Kevin Small, Vera Tomlinson, Joe Tray, Steve Wakefield, Nadine Watts, Peter Watts, Steve Weisinger, Robert Wright and Julie Wright.

52. Apologies for Absence

Apologies for absence were received from The Worshipful The Mayor and Councillors Russell Russell, Nicky Sewell, Keith Williams and David Wood.

53. Communications

The Chief Executive reported that no communications had been received.

54. Suspension of Standing Orders

Councillor Moffatt reported that a petition containing over 2,000 signatures that had been received but which didn't meet the criteria to be placed upon the Council agenda. He advised that this petition had been submitted to the Head of Planning and would be referred to the Council's Planning Committee. He asked the Deputy Mayor if she would consider suspending Standing Orders to allow the lead petitioner (Mr Paul Saunders) to be given the opportunity to address the Council.

With the agreement of the Council Standing Orders were suspended in order to allow Mr Paul Saunders to address the Council in respect of the petition "We the undersigned, oppose incineration in Swindon including the current application for a wood burning plant on the Cheney Manor Industrial Estate".

Mr Paul Saunders addressed the Council regarding the petition.

The Deputy Mayor thanked Mr Saunders for his presentation and confirmed that the petition had been forwarded to the Head of Planning and would be referred to the Council's Planning Committee.

55. Minutes

Resolved – (1) That, subject to the Declaration of Interest by Councillor Cindy Matthews being amended to reflect that she was not a member of a Trade Union, the minutes of the meeting held on 26th September 2013, be confirmed and signed.

(2) The Deputy Mayor reported that it has been brought to her attention that in the minutes of the Annual Council meeting a Public Question was incorrectly listed as having been asked by Mr Brian Cockbill. Following discussions with officers the minutes had been amended to correct this error and the Council agreed that the amended minutes be signed as a correct record.

56. Declarations of Interest

In accordance with the Code of Conduct Councillors Andrew Bennett, Teresa Page, Maureen Penny, Ann Richards, Joe Tray and Steve Weisinger made personal declarations of interest in respect of Agenda Item 8(a) (Motion – Council Tax Support Scheme) as they were parish councillors.

In accordance with the Code of Conduct Councillors Steve Allsopp, Jim Grant and Richard Hurley made personal declarations of interest in respect of Agenda Item 8(e) (Motion – Asset of Community Value) as they were season ticket holders at Swindon Town Football Club.

In accordance with the Code of Conduct Councillor Claire Ellis made a personal declaration of interest in respect of Agenda Item 8(e) (Motion – Asset of Community Value) as her family were season ticket holders at Swindon Town Football Club.

In accordance with the Code of Conduct Councillor Stan Pajak made a personal declaration of interest in respect of Agenda Item 8(d) (Motion – Credit Unions) as he was a member of a Credit Union.

In accordance with the Code of Conduct Councillor Joe Tray made a personal declaration of interest in respect of Agenda Item 8(e)) (Motion – Asset of Community Value) as he held a part-time job at Swindon Town Football Club.

57. Public Question Time

Mrs Mary Gladman submitted written questions in respect of (a) services lost as part of Children's Centre closures, (b) the likely number of staff redundancies arising from Children's Centre closures, and (c) the consultation of Children's Centres users on future service provision. Written responses were provided at the meeting.

Mrs Mary Gladman asked a supplementary question relating to the current position of the registering of children in Children's Centres. The Cabinet Member for Children's Services indicated that a written response would be provided.

Mr Eric Shaw submitted written questions in respect of (a) the consultation exercise on green waste recycling, and (b) outstanding responses to previous questions raised at Cabinet. Written responses were provided at the meeting.

Mr Eric Shaw asked a supplementary question regarding the consultation process on green waste recycling. The Cabinet member for Public Protection, Housing and Streetsmart (Delivery) responded at the meeting.

Mr Barrie Thompson submitted written questions in respect of (a) the new planning application for the next phase of the Wichelstowe project, and (b) the Council consultation on a refreshed library strategy. Written responses were provided at the meeting.

Mr Barrie Thompson thanked the Cabinet Member for Strategic Projects and Transformation for his response and offer of a meeting and asked a supplementary question regarding the mobile library service. The Leader of the Council indicated that a written response would be provided.

Mr Brian Cockbill submitted written questions in respect of (a) energy saving measures operating in the Civic Offices, (b) changes to bus services, and (c) Digital City UK. Written responses were provided at the meeting.

Mr Brian Cockbill asked supplementary questions in respect of his written questions (a), (b) and (c). The Cabinet Member for Customer Support and Corporate Services indicated that a written response would be provided in respect of the supplementary question relating to energy saving measures in the Civic Offices. The Leader of the Council indicated that a written response would be provided in respect of the supplementary question relating bus services. The supplementary question relating to Digital City UK was answered at the meeting.

Mr Reynolds asked a question relating to a planning application in Stratton St. Margaret. The Deputy Mayor advised Mr Reynolds that the question put was not permissible under Standing orders as it referred to a specific planning application.

58. Minutes for Confirmation

(1) Councillor Russell Holland moved and Councillor David Renard seconded:

“That Minute 59(1) of the Cabinet (Public Services (Social Value) Act) be confirmed and adopted.”

The Motion was put to the vote and declared carried.

(2) Councillor Dale Heenan moved and Councillor David Renard seconded:

“That Minute 56(1) of the Cabinet (Swindon’s Energy Future) be approved.”

Councillor Des Moffatt moved and Councillor Dale Heenan seconded that subject to the following amendment Minute 56(1) of the Cabinet (Swindon’s Energy Future) be approved:

“This Council resolves to amend Cabinet Minute 56(1)(a) to read as follows:

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

With the agreement of the mover and seconder and 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.

59. Council Petition Scheme

The Council considered a report of the Director of Law and Democratic Services concerning the receipt of a petition entitled “Repeal the “Bedroom Tax – No Evictions” containing 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 would not evict tenants who suffer a financial hardship arising from changes to benefit entitlement arising from the Welfare Reform Act 2012.

The Council received the comments of Mr Brian Shakespeare the petition organiser on behalf of the petitioners, introducing the petition and commenting on how the Council could most appropriately respond to the concerns raised.

Councillor Richard Hurley moved and Councillor Russell Holland seconded:

“This Council notes the concerns expressed in respect of the changes to housing benefit in respect of households deemed to have one or more spare rooms, especially in relation to people with disabilities and/or exceptional circumstances.

The Council welcomes that the Government has provided additional discretionary housing payments to councils as well as power to increase the discretionary housing payment through the General Fund and/or Housing Revenue Account.

This Council also welcomes the allocation of more than £50bn across the UK to help unblock major infrastructure projects and cover housing associations’ development debt, extend the affordable housing programme (£225m) and the First Buy scheme (£280m).

This Council notes the “Community Right to Build” scheme and the dedicated advice now available from the Homes and Communities Agency.

The Council commits to continue to monitor carefully the impact of welfare reform and to continue to make information about the impacts of benefits reform publicly available.

This Council requests that the Cabinet Member for Public Protection, Housing and StreetSmart (Delivery) write to the MPs for Swindon in order to inform them of the concerns which have been expressed.”

Councillor Steve Allsopp moved and Councillor Bob Wright seconded that the Motion be amended to read:

“This Council resolves to:

- a) Thank the petitioners for their petition.
- b) Request the Leader of the Council write to the Secretary of State for the Department for Work and Pensions urging the Government to repeal their housing benefit reforms dubbed the ‘Bedroom Tax’.”

The Amendment was put to the vote and declared lost.

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

60. Motion - Maintenance of War Memorials

Councillor David Renard moved, Councillor Jim Grant seconded and Councillor Stan Pajak endorsed:

“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 the 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.”

The Motion was put to the vote and declared carried.

61. Motion - Council Tax Support Scheme

Councillor Stan Pajak moved and Councillor Ann Richards seconded:

“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.”

Councillor Andrew Bennett moved and Councillor Brian Ford seconded that the Motion be amended to read:

“That this Council request Cabinet to reconsider Council’s 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.”

With the agreement of the mover and seconder and Council the Amendment was accepted becoming the Substantive Motion.

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

(Councillors Andrew Bennett, Teresa Page, Maureen Penny, Ann Richards, Joe Tray and Steve Weisinger made personal declarations of interest in respect this item as they were parish councillors.)

62. Motion - Affordable Housing

Councillor Steve Allsopp moved and Councillor Julie Wright seconded:

“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:

- That 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 Services and the Cabinet Member for Public Protection, Housing and StreetSmart (Delivery) ensure Council’s beliefs regarding affordable and “extra care” housing units be considered when forming the Council’s forthcoming Housing Strategy.”

The Motion was put to the vote and declared lost.

63. Motion - Credit Unions

Councillor Jim Grant moved and Councillor Cindy Matthews seconded:

“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."

Councillor Dale Heenan moved and Councillor Russell Holland seconded that the Motion be amended to read:

"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.
- Notes the work of Justin Tomlinson MP and his endorsement of the cross-party "Charter to Stop the Payday Loan Rip-Off" and requests that the Leader of the Council sign the Charter on behalf of Swindon Borough Council. Furthermore, it asks the Economic, Environment and Sustainability Overview and Scrutiny Committee and the Cabinet Member for Finance to work together to consider the issue of payday lender advertising in Swindon, and to make appropriate recommendations as part of their on-going work programme to encourage compliance with the cross party payday lender charter.
- 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."

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

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

(Councillor Stan Pajak made personal declarations of interest in respect of this item as he was a member of a Credit Union.)

64. Motion - Asset of Community Value

Councillor Jim Robbins moved and Councillor Mark Dempsey seconded:

“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.”

The Motion was put to the vote and declared carried.

(Councillors Steve Allsopp, Jim Grant and Richard Hurley made personal declarations of interest in respect of this item as they were season ticket holders at Swindon Town Football Club.)

(Councillor Claire Ellis made a personal declaration of interest in respect of this item as her family were season ticket holders at Swindon Town Football Club.)

(Councillor Joe Tray made a personal declaration of interest in respect of this item as he held a part-time job at Swindon Town Football Club.)

65. Appointment to Swindon Commercial Services Board

The Council considered Cabinet Minute 57 concerning future governance arrangements for Swindon Commercial Services Ltd.

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

“That Councillors Oliver Donachie and Garry Perkins be appointed as representatives of the Council’s Conservative Group to serve on the Swindon Commercial Services Board for the remainder of the Municipal Year 2013/14.”

The Motion was put to the vote and declared carried.

(2) Councillor Jim Grant moved and Councillor Mark Dempsey seconded:

“That Councillor Fay Howard be appointed as a representative of the Council’s Labour Group to serve on the Swindon Commercial Services Board for the remainder of the Municipal Year 2013/14.”

The Motion was put to the vote and declared carried.

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

“That Mr James Owen be appointed as a Commercial Director of the Swindon Commercial Services Board.”

The Motion was put to the vote and declared carried.

66. Minutes of Cabinet and Decisions Delegated to Cabinet Members

The Council considered (a) the minutes of the meeting of the Cabinet held on 23rd October 2013, and (b) questions to the Cabinet Members regarding their portfolio responsibilities and answers received.

67. Minutes of other Council Bodies

(1) 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 reading the work of their Committees and other bodies and answers received.

(2) Councillor Fionuala Foley moved and Councillor Fay Howard seconded:

“That, further to Minute 16(1) of SACRE (Membership Update), Council approves an increase in the representation of Group A on SACRE from 8 to 10 representations to include two additional representatives from the Buddhist and Jewish faiths.”

The Motion was put to the vote and declared carried.

68. Councillors Question Time

The Director of law and Democratic Services reported that Standing Order 15 questions had been received from Councillors Jim Grant and Fay Howard.

There were no supplementary questions.