

Swindon Borough Council

Special Committee

Monday, 24 March 2014

Committee Room 6, Civic Offices (Anticipated meeting room)

At 10.00 a.m.

Conservative Councillors

David Renard (Chair)
Fionuala Foley
Garry Perkins
Brian Mattock (Vice-Chair)
Mike Bawden

Deputies: *All other Cabinet Members*

Labour Councillors

Mark Dempsey
Jim Grant
Des Moffatt

Deputies: *All other Labour Shadow Cabinet Members*

Liberal Democrat Councillors

Stan Pajak
David Wood (Deputy)

Deputies: *All other Liberal Democrat Members*

(Copies to all other Members of the Council – For Information)

Committee Officer: Ian Willcox (Telephone: 01793 463601)

email: iwillcox@swindon.gov.uk

Swindon Borough Council can be contacted at the Civic Offices, Euclid Street, Swindon, SN1 2JH (Telephone 01793 445500)

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.

AGENDA

PART 1 (PUBLIC ITEMS)

1. Apologies for Absence.

2. 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.

3. Minutes. (Pages 1 - 4)

To receive the minutes of the meeting held on 24th February 2014.

4. Public Question Time

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

5. Swindon and Wiltshire Local Enterprise Partnership Strategic Economic Plan and Swindon's Future Infrastructure Needs - Reference from Cabinet.
(CE), DLDS (Pages 5 - 14)

To consider recommendations arising from the Cabinet meeting held on 19th March 2014 concerning the Swindon and Wiltshire Local Enterprise Partnership Strategic Economic Plan and Swindon's Future Infrastructure Needs. The minute of Cabinet is to follow. The report considered by the Cabinet is attached as a "Related Report". An oral update on views of partners and Government received following the Cabinet will be provided at the Special Committee meeting.

Date of Despatch: 14 March 2014

Key:

Officers:

CE	-	Chief Executive
BDC	-	Board Director Commissioning (DCS/ DASS)
DLDS	-	Director of Law and Democratic Services (Monitoring Officer)

Public Question Time - 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 Committee (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.

Special Committee - Terms of Reference

The Special Committee shall have delegated to it the power to act for the Council on the advice of the Chief Executive on any policy decision or any particular matter that is urgent and necessary in the best interests of the Council.

The quorum of the Committee shall be three.

Deputy Members may be appointed at the Annual or any meeting of the Council.

Minutes of any proceedings of this Committee shall be submitted to the Council.

SPECIAL COMMITTEE

MONDAY, 24 FEBRUARY 2014

PRESENT:- Councillors David Renard (Chair), Mark Dempsey, Fionuala Foley, Jim Grant, Garry Perkins, Brian Mattock (Vice-Chair), Des Moffatt, Stan Pajak and Mike Bawden.

16. Declarations of Interest

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

17. Minutes

Resolved – That the minutes of the meeting held on 5th November 2013 be confirmed and signed as a correct record.

18. Exempt Items - Exclusion of Press and Public

Resolved – That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in Agenda Item No. 8 of the Notice of the Meeting on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information concerned. (Minute 22 refers.)

19. Public Question Time

No public questions were asked under Standing Order 28.

20. Adjustments to the Council's Organisational Structure

The Chief Executive submitted a report concerning (a) proposed changes to the Council's organisational and management structure, particularly, relating to accountabilities at the "Tier 1" and "Tier 2" level, and (b) a proposal to establish a One Swindon Multi-Agency Transformation Hub to deliver public sector transformation in Swindon.

The Chief Executive presented the report setting out the reasons why the proposed changes were considered necessary at this time and detailing each proposed change to accountabilities. He referred to the significance and importance for the future of the Council and the Borough of the proposed One Swindon Transformation Hub. He explained that this report sought to gain approval for work to commence on establishing this multi-agency hub and that further reports would be made to Councillors as work progressed and the Hub developed.

Members noted the proposed changes and commented on the importance of Streetsmart services to local residents and ward councillors. They sought reassurances that in the interim period whilst structural changes were being made, there would be continuity in the delivery of these services and contact points would

remain clear and unambiguous. The Chief Executive and the Board Director, Service Delivery, confirmed that steps would be taken to ensure that there would be no significant effect on the delivery of these services and that clarity was provided to where responsibilities for services would rest in the interim period before the new structure was in place.

Reference was made to the effective operation of the localities function. The role of localities in building community capacity and resilience, particularly in respect of support for children and families and adult social care, was welcomed but it was believed there was also support from many Councillors for the current role played by localities officers in supporting Ward Councillors in responding to issues affecting local residents across a range of different Services. The proposed changes to Housing services and to Public Protection were noted and Councillors hoped that the culture and experience of the Housing team would not be diluted by the proposed changes. In particular, it was hoped that the Housing team's experience of dealing with problem tenants could be shared with officers across the Borough as a result of these changes.

Resolved – (1) That, on behalf of the Council, the changes in management accountabilities and, where appropriate, structure for the Chief Executive, Board Directors and Tier 2 posts, as referred to in paragraphs 3.4 to 3.12 of the report, including the deletion of the existing Head of Public Protection and Streetsmart post, be approved

(2) That, following formal consultation with affected staff, where required, the Chief Executive be authorised to implement the revised, interim structure as referred to in the report as soon as practicable.

(3) That the Director of Law and Democratic Services be authorised to amend the Council's Constitution to reflect the changes referred to in (1) and (2) above.

(4) That the move towards more multi-agency ways of working referred to in the report, including exploration of a collaborative and impactful approach to volunteering, be noted and the Council's participation in the development and implementation of a One Swindon Transformation Hub as referred to in paragraphs 3.13 to 3.14 of the report, be approved.

21. Employment Terms and Conditions for New Chief Officers

The Chief Executive and the Head of People and Development submitted a joint report concerning proposals for terms and conditions of employment for newly appointed Chief Officers to the Council (Minute 15(c) refers).

The Head of People and Development explained that at its last meeting the Committee had reviewed and agreed some changes to terms and conditions of employment for existing Chief Officers. The Committee had requested that a separate review of terms and conditions for new Chief Officers be undertaken. This report highlighted the findings of the review and the proposed terms and conditions of employment to be applied to newly appointed Chief Officers to the Council.

Resolved – (1) That, on behalf of the Council, the Special Committee approves that the roles within the Council with responsibility for statutory functions, as outlined in paragraph 3.2.1 of the report, and any non-statutory Board Director posts, be the only roles within the Council for which specific Chief Officer terms and conditions of employment be applied and that would be subject to appointment by Councillors.

(2) That the roles referred to in (1) above for which Chief Officer terms and conditions of employment be applied, receive the different terms and conditions of employment to other employees of the Council, as outlined in paragraph 3.9.2 of the report.

(3) That the changes referred to in (1) and (2) above be implemented with immediate effect.

(4) That existing Chief Officers retain, as protected rights, their current terms and conditions of employment, including those agreed by Minute 15 of the Special Committee on 5 November 2013.

22. Redundancy Severance

The Leader of the Council and the Chief Executive submitted a joint report concerning the redundancy severance arrangements for Employee No. 1129760B.

The Head of People and Development circulated a revised version of the original report as further analysis had resulted in a change in the Employee's length of service which affected the calculation of the severance payment.

The Chief Executive referred to the decision taken earlier in the meeting regarding the Council's future organisational structure and the reasons why he believed the proposals put forward were in the best interests of the Council. He confirmed that the exact notice period for the Employee had still to be finalised as it was linked to the implementation of the organisational changes and this could affect the actual final severance payment. The figure illustrated would be the maximum payable should the Employee leave the Council's employment.

The Head of People and Development explained the rationale that had been adopted in arriving at the financial position set out in the report and how this was comparable to the approach adopted in other similar circumstances.

Councillor Des Moffatt referred to the appendices to the report and his belief that they should specify that the calculations of redundancy pay were based on the Council's policy which reflected the local government "industry norm" and not the minimum statutory requirement.

Resolved – (1) That the redundancy severance arrangements for employee 1129760B, as set out in the revised joint report, be approved.

(2) That, in the event that no suitable, alternative employment is found, the Head of People and Development be authorised to issue notice to employee 1129760B.

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(Related Report – Submitted to the Cabinet)

**Swindon and Wiltshire
Local Enterprise Partnership Strategic Economic Plan
and Swindon's Future Infrastructure Needs**

Cabinet

Date: 19th March 2014

Author: Leader of the Council,
Chief Executive

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 To secure agreement to the submission of the Swindon and Wiltshire Local Enterprise Partnership's Strategic Economic Plan.
- 1.2 This report contributes towards the Council's priority to promote the economy as set out in the corporate objective: right skills, right jobs, in the right places. It also supports the broader financial goals stated in "Consistently make best use of all available resources."

2. Recommendations

Cabinet is recommended to:

- 2.1 Request the Special Committee, on behalf of Council, to approve the Swindon proposed areas of Investment set out in paragraphs 3.11 - 3.13 as items for inclusion in the Swindon and Wiltshire Strategic Economic Plan to be submitted by the Swindon and Wiltshire Local Economic Partnership on 31st March 2014;
- 2.2 Authorise the Chief Executive, in consultation with the Leader of the Council, to agree amendments to items related to Swindon in the Strategic Economic Plan (SEP) prior to its final submission and if required following feedback from partners and central government;
- 2.3 Request the Special Committee, on behalf of Council, to agree in principle the proposals related to the use of New Homes Bonus and the Infrastructure Fund as set out in paragraphs 3.17 – 3.21 of this report.

3. Detail

Local Enterprise Partnerships

Further information on the subject of this report can be obtained from, Paddy Bradley, Head of Commissioning - Economy /Attainment, pbradley@swindon.gov.uk, 01793 465744.

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- 3.1 The Government is committed to encouraging greater local ownership and leadership of local economic priorities, this has been affirmed by its commitment to Local Enterprise Partnership (LEPs) as the “chosen engine of local growth”; ideally placed to lead the development of long-term strategies and business plans for their local areas.
- 3.2 Consequently, the Government's emerging National Growth Strategy takes forward a number of priority themes from the original *Local Growth* White Paper (Oct 2010) and Lord Heseltine's wealth creating review *No Stone Unturned in Pursuit of Growth* (Oct 2012).

Swindon and Wiltshire Local Enterprise Partnership

- 3.3 The Swindon and Wiltshire Local Enterprise Partnership (SWLEP) was approved by the government in July 2011 and is one of 39 LEPs across the country. The current board of 14 members has a vast array of experience in private and public backgrounds.
- 3.4 The SWLEP is a business led partnership between two local authorities (Swindon Borough Council and Wiltshire Council) and the private sector, which is focused on growing our local economy, creating jobs and building sustainable communities. The Leader of the Council is a Member of the Board, the Chief Executive holds observer status, and the LEP is supported by officers from Swindon Borough Council and Wiltshire Council.
- 3.5 The SWLEP plays a central role in determining local economic priorities and undertaking activities to drive economic growth and the creation of local jobs. The SWLEP is able to access government funding, channelling investment into the region that will leverage even greater funding from private sector investors. The SWLEP provides strategic leadership and direction, by acting as a gateway for engagement with the business community. Being recognised as a factually based ‘voice for the business community’ at both local and central government levels.

Strategic Economic Plans

- 3.6 LEPs have been asked by Government to lead the development of strategic economic plans (SEPs) for local growth in line with national priorities. These five-year plans will bring together local stakeholders and include co-ordination with

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existing public programmes, whilst also demonstrating how the creativity and support of key partners in both the public and private sectors has been harnessed.

- 3.7 The timeline for the SEP's production and submission is 31st March 2014, which is challenging. The submitted SEP forms a bidding document and LEPs will then be invited to enter into a competitive 'negotiation' with government to secure a 'Growth Deal', which ultimately will enable local areas to draw down resources.
- 3.8 The concept of Growth Deals was announced as part of the 2013 Spending Review, within the context of Government proposals for "Investing in Britain's Future". Through Growth Deals, LEPs can seek freedoms, flexibilities and resources from Government and a share of the new Local Growth Fund, which totals £2bn a year from April 2015 for 5 years and can be drawn down annually to support activity enabling local growth. The Growth Deal is a competitive process and it is critical that the SWLEP stands out against the other 38 LEPs through evidencing maximum input from the private sector and support from the public sector, Higher Education and other partners. The final Growth Deal is expected to be in place around September 2014.

Swindon and Wiltshire Strategic Economic Plan

- 3.9 The SWLEP has been leading on the development of the SEP, with officers from across Swindon and Wiltshire supporting this process. Significant effort has been put into the SEP in recognition that the more compelling the offer that the LEP is able to present, the better chance we have of maximising the funding the Swindon and Wiltshire area will receive over the five year lifetime of the SEP. The Growth Deal presents the only source of capital funding of any significance for Transport, Skills and Learning, and strategic infrastructure. The Swindon and Wiltshire SEP (SWSEP) target for investment is around £300m over five years, which will be negotiated with Government through the Growth Deal process.

The SEP is in draft form at this stage and a key "Star Chamber" session will take place on 14th March that will finalise the shape of the "ask" and "offer" for Swindon and Wiltshire. Following any necessary redrafting, for which authority is sought from Cabinet for the Chief Executive, in consultation with the Leader of the Council, to agree amendments to items related to Swindon, the latest version of the document will be circulated to Members. The SWLEP has taken the decision for this to be treated as a confidential document until after its submission

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on the 31st March 2014, because it is a bidding document to government and the SWLEP is competing with 38 other LEPs.

Swindon Proposed Areas for Investment

- 3.10 The SWSEP presents strategic priorities for investment in a series of zones – Swindon; South Wiltshire; and the A350 Corridor. Each zone contains a number of packages for funding. Together, the zones describe a compelling story for investment over the next five years, as well as detailing our offer and existing financial contributions.
- 3.11 The Swindon Zone is comprised of the Town Centre, Eastern Villages, and Wichelstowe. These represent strategic priorities for Swindon as identified in the submission draft of the Local Plan. SEPs will be assessed on their ability to deliver housing numbers, bring forward employment land to the market, increase employment and make a contribution to the overall economy of the area. All proposed Swindon projects will deliver these outcomes. Table 2 shows the Swindon interventions for which investment is sought from the Local Growth Fund.

Table 2

The Swindon Zone
Swindon Town Centre <ul style="list-style-type: none">• Railway Crossing• Bus Exchange• Higher Education Centre• Development of new facilities to support digital technology, construction and high value manufacturing
Eastern Villages <ul style="list-style-type: none">• White Hart Junction• A420 Junction improvements

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<ul style="list-style-type: none">• Green Bridge• M4 Junction 15 / Commonhead Link
Wichelstowe <ul style="list-style-type: none">• M4 Junction 16 improvements• Western Access options

- 3.12 In addition to these infrastructure elements, the SWSEP will also seek to use local growth funds to provide enhanced business support and increase inward investment, improve the level of skills in the resident population and utilise additional borrowing capacity on the Housing Revenue Accounts to fund additional social housing.

Key Infrastructure Needs and Funding

- 3.13 In considering the SEP and its financial implications, Cabinet should have regard to the wider capital investment requirements that the Council will face over the period 2015 – 2020 and the resources that will be needed to fund them. It has been identified that at least £300m of additional investment will be required over the next 5 years on Swindon's infrastructure that is necessary to support the town's current growth and unlock future expansion. This includes spend on:
- Primary and secondary school expansion to address growing pupil numbers (c£70m);
 - Maintenance and enhancement of the current Highways network and operational properties (c£62m); and
 - Unlocking the strategic developments in the Eastern Villages, Wichelstowe and the Town Centre, primarily through introducing new infrastructure solutions as set out in the SEP (c£150m).
- 3.14 Only a relatively small proportion of the funding needed to support this investment can currently be regarded as likely to be in place. There is around £17m of s106 funding that can be used for these purposes and grants expected

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to be received through the Local transport Plan and Basic Needs school funding (assuming secondary school expansion qualifies for this) total around £80m. The remainder (over £200m) will need to be found from a mix of Council borrowing, private funding (e.g. for Higher Education facilities) and external grants.

- 3.15 In addition to the s106 and Community Infrastructure Levy (CIL) funding that the new developments will attract, there are two key sources of grant funding that can be used to support the strategic infrastructure that is needed to unlock the development sites that will drive Swindon's continuing economic and housing growth: Local Growth Fund (as set out above) and the New Homes Bonus.
- 3.16 Council has agreed to establish an Infrastructure Fund, using £2.9m of the 2014-15 New Homes Bonus allocation, to be used to support schemes that are directly linked to unlocking Swindon's full economic potential. Recognising the scale of the key infrastructure needs and the medium to longer-term timescales over which they will need to be taken forward, it is important to have a strategy around the use of New Homes Bonus looking beyond 2014-15, to determine whether this offers a sustainable funding source to supplement the agreed Infrastructure Fund.
- 3.17 In this respect, it is also important to recognise that the source of the New Homes Bonus is partly through a topslicing of Revenue Support Grant that would in the past have been available to support revenue expenditure. With the increasing pressure on the Council's revenue budget, it has been recognised that it is no longer possible to ignore the New Homes Bonus in setting the revenue budget. Just over £2m has been used from this source in both 2013-14 and 2014-15, representing (on average) around one half of the allocation.
- 3.18 By contrast, a large number of Councils have used their entire NHB allocation to support the revenue budget. In the view of the Board Director, Resources this would be a high risk approach for Swindon. This is because Swindon is one of the higher recipients of this source of funding, which could be changed or removed by a future Government that may put a greater emphasis on need rather than incentives as part of a review of Local Government funding.
- 3.19 Swindon is likely to receive up to around £40m in total from the New Homes Bonus in the 5 years from 2015, assuming that the grant continues in its current form. It is very difficult for the Council to commit to specific uses of the New Homes Bonus in future years, as options to balance the revenue budget have not

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yet been considered. However, reaching an “in principle” position around the balance between using it for revenue and infrastructure purposes would send a strong message around the Council's commitment to funding its priority infrastructure projects. Based on the experience of the last two years, Members are recommended to agree in principle that at least one half of New Homes Bonus received in each year beyond 2014-15 be used to top up the Infrastructure Fund agreed as part of the 2014-15 budget.

Infrastructure Fund

- 3.20 The concept of an Infrastructure Fund and its initial funding of £2.9m was agreed by Council on 24th February 2014, with its purpose being, “to support schemes that are directly linked to unlocking Swindon's full economic potential”. If the Council is to maximise its chances of success in attracting funding through the Local Growth Fund, it will be important to demonstrate a commitment to use the Infrastructure Fund as a means through which the Council will use its own resources to match those to be provided through the LEP. This means that, most particularly in the early years of the SEP's lifespan, the Infrastructure Fund will need to be seen to be used in support of the priority areas for Swindon's economic growth, as set out in the SEP.
- 3.21 However, as we move through the period from 2015 to 2020, attention will inevitably need to turn to Swindon's future infrastructure priorities. It will be necessary to start planning for these and potentially undertaking some feasibility studies and advance design work to ensure we are well placed to benefit from future funding allocations. Using a proportion of the Infrastructure Fund to support this work would be in line with its agreed purpose.
- 3.22 To ensure this work is well co-ordinated, it is recommended that a bidding process be introduced, using a similar methodology as that used to identify the current infrastructure priorities, and managed by the Head of Commissioning (Economy and Attainment) . All decisions on the use of the fund would be agreed by Cabinet, following consideration by the Leader's Asset Management Advisory Group.

4. Alternative Options

- 4.1 Not including Swindon priorities within the SWLEP SEP. Without inclusion of Swindon's strategic investment priorities to support major transport, skills and

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learning, and strategic infrastructure priorities, Swindon could miss out on significant funding opportunities from agencies and funding streams including the Department for Transport, Department for Business, Innovation & Skills and the Department for Communities and Local Government.

- 4.2 Alternative Investment Priorities: The priorities have been identified by considering skills and learning priorities identified in the Skills Strategy and strategic transport, infrastructure projects identified in the submission draft of the Local Plan.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 At this stage the SEP forms a bidding document to government. Following a negotiation with Government over the Spring/ Summer of 2014 the Swindon and Wiltshire Local Enterprise Partnership Growth Deal will be reached, by which stage we will have a full understanding of the financial implications for Swindon. In the interim, it is considered that this report relates to setting the budgetary framework of the Council over the coming years and so is a matter for Council to decide rather than Cabinet.
- 5.2 The SEP is a 5 year-plan, the Comprehensive Spending Review covers a 3-year cycle, so there is a level of unknown both in national and local public contributions that will be available for the full 5 years of the SEP lifespan. Over this period we expect the SEP to be reviewed on an appropriate basis.
- 5.3 Specific financial implications relating to decisions within the Council's control are detailed in the main body of the report.

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 recommendations of this report are compatible with Convention Rights.

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

- 5.5 No other relevant implications have been identified in the preparation of this report.

Diversity Impact Assessment

- 5.6 A Diversity Impact Assessment was undertaken. It identified no adverse effects from the report's recommendations. A copy is available on request from the report author.

Risk Management

- 5.7 No specific risk management issues were identified.

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 None.

9. Key Decision/Decision in Cabinet Work Programme/Forward Plan

- 9.1 This is not a key decision for the Cabinet as the Special Committee on behalf of the Council will determine this matter. This is an issue included in the Council's Work Programme for March 2014.

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