



**SWINDON BOROUGH COUNCIL**  
**Municipal Year 2015/16**

**Thursday, 14 April 2016**

**COUNCIL CHAMBER  
CIVIC OFFICES  
SWINDON**

6 April 2016

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, 14 April 2016 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 5 - 16)  
To receive the minutes of the previous meeting held on 25<sup>th</sup> February 2016.
- 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. Minute for Confirmation** (Pages 17 - 42)

To consider a Minute for Confirmation from the Cabinet.

- Minute 78 (Treasury Strategy Statement 2016/17).

**7. Council Petition Scheme** (Pages 43 - 48)

To consider any petition received in accordance with the Council's Petition Scheme.

**8. Motions**

(a) **Motion - Community Governance Review**  
**Councillor Steve Allsopp will move:**

"This Council notes:

- The Community Governance Review notes that the first stage of the Council's Community Governance Review has now been completed.
- That despite the efforts of the Council and Councillors to raise awareness of the Community Governance Review, many residents in the borough are still unaware of the impact the parishing of non-parished areas of the Borough would have on their Council-Tax bills and provision of local services.
- The growing number of residents who have signed petitions and expressed to councillors that they want any council decision to parish the non-parished areas of the Borough to be based on the outcome of a local poll amongst voters in the non-parished areas.

Council urges Cabinet, before the Council's Community Governance Review is concluded, to commission a poll of voters in the non-parished areas in the borough asking if they wish their area to be turned in to a parish or not to help inform the outcome of the Community Governance Review."

(b) **Motion - Public Liability Insurance**  
**Councillor Jim Grant will move:**

"This Council notes the problems community groups and charities are having obtaining Public Liability Insurance in order to provide a voluntary service on behalf of Swindon's communities.

This Council requests the Cabinet Member for Communities and Strategic Planning to bring a report to Cabinet outlining the extent to which the Council can use its Public Liability Insurance to cover community groups and charities who are providing a voluntary service to the local community."

**9. Calendar of Meetings 2016/17** (Pages 49 - 52)

To consider and recommend to Annual Council the dates for meetings of the Council, the Cabinet, Committees and other Swindon Borough Council Bodies for the Municipal Year, 2016/17.

**10. Minutes of Cabinet and Decisions Delegated to Cabinet Members** (Pages 53 - 80)

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 remains committed to increasing its accountability to the public and to promoting active citizenship. 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from the public about the work of the Committee (except for confidential matters, and matters relating to planning and licensing applications). We will give priority to those who submit questions in writing at least two days before the meeting. Questions must be relevant, clear, and concise. You may not use Public Question Time as an opportunity to make speeches or statements.

Questions in writing should be sent to the Committee Officer whose contact details appear on the agenda above or to the Director of Law and Democratic Services, we will publish it, along with the answer, alongside the Minutes. The process associated with asking a public question is set out in the "Public Question Time at Council Meetings Protocol and Guidance" available on the Council's Website (<http://ww5.swindon.gov.uk/moderngov/ecCatDisplay.aspx?sch=doc&cat=13338&path=0>) or from the Committee Officer named above.

**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.

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**COUNCIL**

**THURSDAY, 25 FEBRUARY 2016**

PRESENT:- The Worshipful The Mayor in the Chair; Councillors Junab Ali, Steve Allsopp, Abdul Amin, Ray Ballman, Alan Bishop, Michael Bray, Emma Bushell, Wayne Crabbe, Paul Dixon, Oliver Donachie, Mark Edwards, Toby Elliott, Claire Ellis, Steph Exell, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, Jim Grant, John Haines, Dale Heenan, Russell Holland, Fay Howard, Richard Hurley, Colin Lovell, Mary Martin, Nick Martin, Cathy Martyn, Brian Mattock, Gemma McCracken, Des Moffatt, Derique Montaut, Teresa Page, Stan Pajak, Kevin Parry, Maureen Penny, Garry Perkins, David Renard, James Robbins, Eric Shaw, Carol Shelley, Kevin Small, Timothy Swinyard, Caryl Sydney-Smith, Joe Tray, Chris Watts, Nadine Watts, Peter Watts, Steve Weisinger, Keith Williams, David Wood, Robert Wright and Julie Wright.

**68. Apologies for Absence**

Apologies for absence were received from Councillors John Ballman and Vera Tomlinson.

**69. Communications**

The Chief Executive Designate, reported that no communications had been received.

**70. Minutes**

Resolved – That, subject to amendment of Minute 58 "Declarations of Interest" to include a personal declaration of interest from Councillor Jim Robbins as a Foster Carer in respect of Agenda Item 6 (Minute for Confirmation – Changes to Swindon Borough Council's Fostering Agency Foster Panel Membership) and a personal declaration of Interest from Councillor Timothy Swinyard as an appointee to a Charitable Trust seeking to manage Lydiard Park and House in respect of Agenda Item 7(a) (Motion – Lydiard Park and House) the minutes of the meeting held on 21<sup>st</sup> January 2016, be confirmed and signed.

**71. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**72. Public Question Time**

Ms Kate Linnegar submitted written questions in respect of the Council's response to the Government's austerity programme. The meeting was advised that the Leader of the Council had provided a written response to the question.

Ms Kate Linnegar asked a supplemental question regarding the publishing of details of savings made by the Council, and proposed future savings, to offset reductions in its budget. The Leader of the Council responded at the meeting.

Mr Keith Simms submitted written questions regarding the future of Swindon's Library Service. The meeting was advised that the Cabinet Member for the Economy, Regeneration and Skills had provided a written response to the question.

Mr Simms asked a supplemental question regarding the financing of the Council's Library Service in the future. The Cabinet Member for the Economy, Regeneration and Skills responded at the meeting.

Mrs Alison Durrant submitted written questions regarding the future of the Council's Library Service and the forthcoming consultation on this service. The meeting was advised that the Cabinet Member for the Economy, Regeneration and Skills had had tabled a written response.

Mrs Durrant asked supplemental questions regarding the maintenance of the current standard of Library Services within the Borough. The Cabinet Member for the Economy, Regeneration and Skills responded at the meeting.

Ms Charlotte Mannings submitted written questions regarding the proposed Broadband provision in North Swindon by the Council in partnership with UK Broadband. The Cabinet Member for Corporate, Customer and Digital Services responded at the meeting.

A local resident asked a question regarding the future provision of Library Services in Penhill. The Cabinet Member for the Economy, Regeneration and Skills responded at the meeting.

Mr Ian James asked a question regarding statements made by Councillors in respect of savings being made to balance the budget in the current and future Financial Years. The Leader of the Council responded at the meeting.

Ms Jane Francis asked a question the cost of care provision in the private sector. The Cabinet Member for Adult's Health and Social Care responded at the meeting.

Ms Francis asked a supplemental question provisions within the Care Act relating to the self-funding of services. The Cabinet Member for Adult's Health and Social Care responded at the meeting.

Mr Tom Jeffrey asked a question regarding reduced funding for the Council's Library service the potential impact of any loss of service provision on children in deprived areas. The Cabinet Member for the Economy, Regeneration and Skills responded at the meeting.

Mr Terry Reynolds asked a question regarding the Council's purchase of the bus depot. Councillor Colin Lovell responded at the meeting.

Mr David Parkinson asked a question relating the use of Queen Elizabeth Drive by buses. The Cabinet Member for Sustainability and Transport and the Leader of the Council responded at the meeting.

Mr Brian McLean asked a question regarding Government Guidance on the use of roads by buses. The Cabinet Member for Transport and Sustainability responded at the meeting.

Mr McLean asked a supplemental question regarding the Council's interpretation of Government Guidance and Best Practice when allowing buses to use Queen Elizabeth Drive. The Leader of the Council responded at the meeting.

Mr Matthew Courtliff asked a public question regarding the use of garages for residential use within the Borough. The Cabinet Member for Housing and Public Safety responded at the meeting.

Mr Courtliff asked a supplemental question regarding the reduction in the number of empty homes within the Borough. The Cabinet Member for Housing and Public Safety responded at the meeting.

Mrs Kareen Boyd asked questions regarding (a) the Council Sound System, and (b) the use of electronic devices by Councillors in the Council Chamber. The Worshipful The Mayor responded at the meeting.

Mrs Boyd asked a supplemental question regarding the proposed Council Tax rise and whether a referendum was required. The Cabinet Member for Finance, People and Performance responded at the meeting.

### **73. Appointment of Chief Executive and Head of Paid Service**

The Council received Minute 5 of the Chief Officer Appointments Sub-Committee of the Appointments Committee.

Councillor David Renard moved and Councillor Jim Grant seconded and it was unanimously agreed:

"That Minute 5 of the Chief Officer Appointments Sub-Committee be adopted and Mr. John Gilbert be offered the post of Chief Executive and Head of Paid Service of Swindon Borough Council."

### **74. Council Budget 2016/17**

The Council considered joint reports of the Cabinet Member for Finance, People and Performance and the Board Director, Resources, considered by the Cabinet on 10<sup>th</sup> February 2015 relating to (i) Budget 2016/17 and Beyond, (ii) Capital Programme 2016/17, (iii) Update to Budget 2016/17, and (iv) Minute 59 of the Cabinet (Budget 2016/17 and Beyond) and Minute 60 of the Cabinet (Capital Programme 2016/17).

Councillor Russell Holland moved and Councillor David Renard seconded:

"That subject to the detailed budget proposals set out in Appendix 4 and summarised in Table 3 of the published report as amended by the proposals under paragraph 1.4 in the tabled update paper and that the £826,000 2016-17 Transition Grant is used to smooth the implementation of planned services changes, including for Libraries, as

targeted pump-priming funding to ensure that the transition to new service models is managed as effectively as possible; and to fund any shortfall in the budgeted level of savings achieved through the transfer of services to parish councils be agreed the Motions contained in Minute 59 of the Cabinet (Budget 2016/17 and Beyond) and Minute 60 of the Cabinet (Capital Programme 2016/17) be confirmed and adopted.”

Councillor Kevin Small moved and Councillor Jim Grant seconded that:

“That Council:

- (i) Resolves to amend the Cabinet’s Revenue Budget and Capital Programme proposals for 2016/17 as agreed at the February 10<sup>th</sup> Cabinet Meeting and as amended by the mover, as follows:

**Proposed Amendments to On-Going Budget**

<b>Savings</b>	<b>£</b>	<b>Expenditure</b>	<b>£</b>
Delete base budget Contingency Fund and earmark £0.5m of specific reserves to guard against unforeseen events	507k	Reinstate deleted Children Centres expenditure	600k
Delete Communications and Engagement Manager Post	56k	Reinstate Lydiard Park budget using car park revenue and deleted expenditure	100k
Insource Forward Swindon Limited and make savings by integrating with the Council’s Economic Development function	250k	Reinstate deleted Libraries expenditure	300k
Increase charges for Council services by an extra 1%	143k	Reinstate Streetsmart Services deleted expenditure	170k
Keep open Euclid Street Children’s Nursery and reinstate budgeted surplus while permanent solution is investigated (linked to proposed investment in premises below)	24k	Reinstate Bus services expenditure	100k
Move to a paperless Council (part year saving), enabled by investing £200k of the £2m of earmarked one-off resources set aside to support the budget	137k	Reinstate Community Transport expenditure	100k
Locality budgets additional	300k	The real Living wage	47k



<b>Savings</b>	<b>£</b>	<b>Expenditure</b>	<b>£</b>
reduction in base budget funding		introduction	
<b>On-going savings</b>	<b>1,417k</b>	<b>On-going expenditure</b>	<b>1,417k</b>

### **Amendments to One-Off Expenditure**

<b>Savings</b>		<b>Expenditure</b>	<b>£</b>
Savings will be made to the £2m One-Off Funds allocated to deliver the Administration's Proposed Budget as this amendment reinstates funding for Children Centres, Libraries, Buses, Lydiard etc. above		Use of transition funding for two years to allow Localities to reorganise themselves into a community engagement unit. (£300k pa from each year's transition fund)	300k
		New Parishes Advisory Referendum	100k
		Road Maintenance (pot holes)	150k
		Increase the Capital Programme 2016/17 maintenance budget to allow for the improvement works for the Euclid Street Nursery whilst plans are developed for a longer-term home for the service	250k
		Pump-prime funding of paperless office project	200k
Use of remaining Transition Grant (after shortfall in parishes saving) plus part of the £2m One-Off Resources allocated for implementing the savings in the Administration's Proposed Budget.			1,000k

- (ii) Notes the proposed amendments have been checked by officers and the Section 151 Officer has confirmed they are financially deliverable, if agreed, and the Budget would be lawful.

The amendment was put to the vote and declared lost.

In line with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 the vote on this amendment was recorded:

Councillors voting for the amendment were: Councillors Junab Ali, Steve Allsopp, Abdul Amin, Ray Ballman, Emma Bushell, Paul Dixon, Stephanie Exell, Jim Grant, Fay Howard, Des Moffatt, Derique Montaut, Teresa Page, Stan Pajak, James Robbins, Carol Shelley, Kevin Small, Joe Tray, Chris Watts, Nadine Watts, Peter Watts, David Wood, Julie Wright and Robert Wright.

Councillors voting against the amendment were: Councillors Andrew Bennett, Alan Bishop, Mick Bray, Wayne Crabbe, Oliver Donachie, Mark Edwards, Toby Elliot, Claire Ellis, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, John Haines, Dale Heenan, Russell Holland, Richard Hurley, Colin Lovell, Mary Martin, Nick Martin, Cathy Martyn, Brian Mattock, Gemma McCracken, Kevin Parry, Garry Perkins, David Renard, Eric Shaw, Tim Swinyard, Caryl Ann Sydney-Smith, Steve Weisinger and Keith Williams.

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

In line with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 the vote on Minute 59 of the Cabinet (Budget 2016/17 and Beyond) as amended was recorded:

Councillors voting for the Motion were: Councillors Andrew Bennett, Alan Bishop, Mick Bray, Wayne Crabbe, Oliver Donachie, Mark Edwards, Toby Elliot, Claire Ellis, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, John Haines, Dale Heenan, Russell Holland, Richard Hurley, Colin Lovell, Mary Martin, Nick Martin, Cathy Martyn, Brian Mattock, Gemma McCracken, Kevin Parry, Garry Perkins, David Renard, Eric Shaw, Tim Swinyard, Caryl Ann Sydney-Smith, Steve Weisinger and Keith Williams.

Councillors voting against the Motion were: Councillors Junab Ali, Steve Allsopp, Abdul Amin, Ray Ballman, Emma Bushell, Paul Dixon, Stephanie Exell, Jim Grant, Fay Howard, Des Moffatt, Derique Montaut, Teresa Page, Stan Pajak, James Robbins, Carol Shelley, Kevin Small, Joe Tray, Chris Watts, Nadine Watts, Peter Watts, David Wood, Julie Wright and Robert Wright.

In line with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 the vote on Minute 60 of the Cabinet (Capital Programme 2016/17 and Beyond), as amended was recorded:

Councillors voting for the Motion were: Councillors Andrew Bennett, Alan Bishop, Mick Bray, Wayne Crabbe, Oliver Donachie, Mark Edwards, Toby Elliot, Claire Ellis, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, John Haines, Dale Heenan, Russell Holland, Richard Hurley, Colin Lovell, Mary Martin, Nick Martin, Cathy Martyn, Brian Mattock, Gemma McCracken, Kevin Parry, Garry Perkins, David

Renard, Eric Shaw, Tim Swinyard, Caryl Ann Sydney-Smith, Steve Weisinger and Keith Williams.

Councillors voting against the Motion were: Councillors Junab Ali, Steve Allsopp, Abdul Amin, Ray Ballman, Emma Bushell, Paul Dixon, Stephanie Exell, Jim Grant, Fay Howard, Des Moffatt, Derique Montaut, Teresa Page, Stan Pajak, James Robbins, Carol Shelley, Kevin Small, Joe Tray, Chris Watts, Nadine Watts, Peter Watts, David Wood, Julie Wright and Robert Wright.

(In accordance with the Code of Conduct, Councillors Tim Swinyard and Jim Robbins made personal declarations of interest in respect of the above item on the grounds they had been appointed to a Charitable Trust seeking to run Lydiard Park and House on behalf of the Council.)

## **75. Council Tax Setting, 2016/17**

The Council considered a joint report of the Cabinet Member for Finance, People and Performance and the Board Director, Resources, concerning the amount of Council Tax for each Valuation Band for dwellings in each part of the Borough for 2016/17, and related matters including legal advice.

Councillor Russell Holland moved and Councillor David Renard seconded and the Council agreed:

“(1) That it be recorded that the advice of the Director of Law and Democratic Services’ has been taken into account when setting the level of Council Tax for 2016/17.

(2) That it be noted that the Council’s revenue budget is £135,225,635 as recommended by the Cabinet to this Council on 10<sup>th</sup> February 2016.

(3) That it be noted that in accordance with Section 31B of the Local Government Finance Act 1992 (as amended) the Council’s Tax Base for 2015/16 is 69,545.8 in total with the breakdown by Parish set out in Appendix 3 to the report.

(4) That the following amounts be calculated by the Council in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended by the Localism Act 2011:-

- (a) Borough / Parish Gross Expenditure £469,691,855 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the 1992 Act taking into account all precepts issued to it by Parish Councils.
- (b) Borough Gross Income plus Collection Fund Balance £384,582,760 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) Borough/Parish Net Expenditure £85,109,095 being the amount by which the aggregate at 4(a) above exceeds the aggregate at 4(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year.
- (d) Basic Amount of Tax (including Average Parish Precepts) £1,223.78 being the amount at 4(c) above, less the amount at 4(d) above, all divided by the amount at 3 above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year. In accordance

with Schedule 5 of the Localism Act 2011, this sum is not considered to be excessive.

- (e) Special Items £3,993,020 being the aggregate of Special Expenses and Parish Precepts and collectively known as special items and referred to in Section 34(1) of the Act.
- (f) Basic Amount of Tax (Unparished Area) £1,166.37 being the amount at 4(d) above less the result given by dividing the amount at 4(e) above by the amount at 3, calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates. (The Basic Amount of Tax (Unparished Area) of £1,166.37 comprises £1,143.45 for services generally plus £22.92 specifically relating to a 2% increase in the previous year's bill to contribute towards the increased cost of adult social care.)
- (g) Basic Amount of Tax (Special and Parished Areas) the amounts shown in Appendix 2 of the report, being the amounts given by adding to the amount at 4(f) above, the amounts of the special items relating to dwellings in the appropriate part of the Council's area - divided by the appropriate amount at 3 above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which a special item relates.
- (h) Borough/Parish Council Tax Rates the amounts shown in Appendix 1 of the report, being the amounts given by multiplying the amounts at 4(g) by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band, divided by the number which in that proportion is applicable to dwellings listed in a particular valuation band, divided by valuation D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

(5) Police and Crime Commissioner for Wiltshire and Swindon That it be noted that for the year 2015/2016 the Police and Crime Commissioner for Wiltshire and Swindon has stated the following amounts in precept issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£111.40	£129.97	£148.53	£167.10	£204.23	£241.37	£278.50	£334.20

(6) Swindon and Wiltshire Fire Authority That it be noted that for the year 2015/2016 the Swindon and Wiltshire Joint Fire Authority has stated the following amounts in precept issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£46.14	£53.83	£61.52	£69.21	£84.59	£99.97	£115.35	£138.42

(7) That this Council notes that there will an average 3.99% increase in the Council Tax levels for the Borough element of the 2016/17 Council Tax bills in accordance with the budget proposed by Cabinet on 10<sup>th</sup> February 2016.

(8) That this Council determines that the Basic Amount of Council Tax for the Financial Year, 2016/17 is not excessive within the statutory definitions set out within Part 1 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011) and that therefore no referendum is required.

The Motion was put to the vote and declared carried.

In line with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 the vote on this amendment was recorded:

Councillors voting for the Motion were: Councillors Junab Ali, Steve Allsopp, Abdul Amin, Ray Ballman, Andrew Bennett, Alan Bishop, Mick Bray, Emma Bushell, Wayne Crabbe, Paul Dixon, Oliver Donachie, Mark Edwards, Toby Elliot, Claire Ellis, Stephanie Exell, Emma Famarzi, Fionuala Foley, Brian Ford, Mary Friend, Jim Grant, John Haines, Dale Heenan, Russell Holland, Richard Hurley, Colin Lovell, Mary Martin, Nick Martin, Cathy Martyn, Brian Mattock, Gemma McCracken, Des Moffatt, Derique Montaut, Teresa Page, Stan Pajak, Kevin Parry, Maureen Penny, Garry Perkins, David Renard, James Robbins, Eric Shaw, Carol Shelley, Kevin Small, Tim Swinyard, Caryl Ann Sydney-Smith, Joe Tray, Chris Watts, Nadine Watts, Peter Watts, Steve Weisinger, Keith Williams Julie Wright and Robert Wright.

There were no Councillors voting against the Motion or abstaining.

## **76. Housing Revenue Account - Rents and Charges 2016/17**

The Council considered (a) a report of the Cabinet Member for Housing and Public Safety and the Board Director, Commissioning concerning the proposed Housing Revenue Account Housing Revenue Account – Rents and Charges 2016/17, and (b) Minute 61 of the Cabinet (Housing Revenue Account – Rents and Charges 2016/17).

Councillor Emma Famarzi moved and Councillor Russell Holland seconded:

- That the proposed average rent for Housing Revenue Account (HRA) dwellings for 2016/17, of £80.76 per week (52 week basis), which is a decrease of 1.0%, be approved, subject to confirmation from the Government as mentioned in paragraph 3.6 of the report. This would be an average decrease of £0.81 per week (52 week basis). The range of increases is shown in paragraph 3.10 of the report.
- That the Board Director, Service Delivery, be authorised to seek authority from the Secretary of State to extend the permission for the use of the Housing Revenue Account for payments to the Council's tenants under the Discretionary Housing Payments scheme, and provide a budget of £300k in 2016/17 as detailed at paragraph 3.27 of the report.
- That the housing related support charges for 2016/17 and service charges for 2016/17 as outlined in Appendix 2 to the report, be approved.
- That Leaseholder service charges are set for 2016/17, as shown in Appendix 3 to the report.
- That, based on the proposals set out within this report, the Housing Revenue Account (HRA) proposed budget 2016/17, shown in Appendix 4 to the report,

be approved and that the HRA Capital Budget and Funding be approved as shown in Appendix 5 to the report.

- That a budget of £1m be approved to acquire properties as detailed at paragraph 3.36 of the report and that the Board Director, Service Delivery, in consultation with the Board Director, Resources, be authorised to commit this expenditure.
- That the draft three year capital projects and planned maintenance programme be approved, at an indicative funding level of £15.7m (2015/16 prices) for 2016/17 onwards, as shown in Appendix 6 to the report.
- That rents charged on General Fund properties be decreased by an average increase of 0.9% and the service charges for Christopher House and the David Murray John Apartments, as shown in Appendix 7 to the report, be approved.
- That rents charged for plots at the Hay Lane Residential Gypsy Site be increased by £0.45 per week (0.9%) to £50.26 per week (52 week basis) and the rents for workpens, as shown in Appendix 7 to the report, be approved.
- That the charges for Private Sector Leased (PSL) accommodation for those accepted as homeless, outlined in Appendix 7 to the report, be approved.
- That any underspend on the 2015-16 Housing Revenue Account be added to revenue reserves.
- That Housing Revenue Account rents in supported housing be increased by 0.9% subject to a further tenant consultation to be held on 15 February 2016.

Councillor Steve Allsopp moved and Councillor Robert Wright seconded:

““That Council resolves:

- (i) To amend the Cabinet’s Housing Revenue Account proposals for 2016/17 as agreed at the February 10<sup>th</sup> Cabinet Meeting by reducing by 1% the rents for supported housing tenants, in line with the rent reductions for all other tenants in HRA properties.
- (ii) That the 2016/17 HRA capital programme be maintained in the years up to and including 2019/20 by reducing the annual self-financing debt repayments.”

The Amendment was put to the vote and declared lost.

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

**77.**

**Minute for Note**

Councillor Mary Martin moved and Councillor David Renard seconded that Minute 66(3) of the Cabinet (Superfast Broadband) be noted.

The motion was put to the vote and declared carried.

**78.**

**Motion - Self Funding Care Costs**

Councillor Ray Ballman moved and Councillor Stephanie Exell seconded:

“This Council:

Expresses its concerns about the Government’s decision to delay capping the cost of care on individuals to £72,000, leaving only those with assets below £23,250 to receive support towards their costs. The 2014 Care Act stated that the new care cap would be implemented by April 2016.

Notes that the last time Swindon Council researched the number of self-funding care users in Swindon, in 2014, it was estimated that there were 1450 service users self-funding their domiciliary care and 750 self-funding users receiving Domiciliary care.

Requests the Leader of the Council to write to the Secretary of State for Health expressing the Council’s concerns about the Government’s delay in introducing the capping of people’s funding of their own care.”

Councillor Brian Mattock moved and Councillor David Renard seconded that the Motion be amended to read:

“This Council

Recognises the concerns of many residents about the Government’s decision to delay capping the cost of care on individuals to £72,000, leaving only those with assets below £23,250 to receive support towards their costs. The 2014 Care Act stated that the new care cap would be introduced in April 2016.

Notes that the last time Swindon Council researched the number of self-funding care users in Swindon, in 2014, it was estimated that there were 1285 people or their families funding their own domiciliary care and 669 funding their residential care.

Recognises the financial challenges faced by all Councils, particularly those responsible for Adult Social Care, together with a predicted huge increases in demand from an ageing population.

Requests the Leader of the Council write to the Secretary of State for Health to:

- 1) Introduce the capping proposals within the Care Act 2014 at the earliest opportunity;
- 2) Fund fully the additional costs involved including the administrative/assessment costs imposed on local authorities; and

3) Ensure adequate funding for all the adult social care provision required of the Council by Central Government.”

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

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

#### **79. Swindon Pay Policy Statement 2016**

The Council considered (a) a report of the Cabinet Member for Finance, People and Performance and the Head of People, Performance and Engagement on the requirement, under Section 38 of the Localism Act 2011, for the Council to agree and publish a Pay Policy Statement by 1<sup>st</sup> April each year, and setting out the Council’s proposed Pay Policy Statement for consideration, (b) Minute 64 of the Cabinet (Pay Policy Statement), and (c) the Council’s draft Pay Policy Statement.

Councillor Russell Holland moved and Councillor David Renard seconded:

“That the Council’s Pay Policy Statement for 2016/17, as set out in Appendix A of the joint report be approved and adopted.”

The Motion was put to the vote and declared carried.

#### **80. Councillors' Question Time**

The Director of Law and Democratic Services reported that Standing Order 15 questions had been received from Councillors Steve Allsopp, Ray Ballman, and James Robbins.

Councillor Steve Allsopp asked a supplemental question regarding information available to the public as part of any consultation on the future of Coate Water. The Cabinet Member for the Economy, Regeneration and Skills responded at the meeting.

Councillor Steve Allsopp asked a supplemental question regarding replacement vehicles for recycling work. The Cabinet Member for Streetsmart responded at the meeting.

Councillor James Robbins asked supplemental questions regarding (a) the percentage of suppliers referred to in Question 6, and (b) the use of apprenticeships under the Social Value Act. The Cabinet Member for Finance, People and Performance indicated that he would provide a written response to these questions.



**COUNCIL**

**THURSDAY, 14<sup>TH</sup> APRIL 2016**

**MINUTE FOR CONFIRMATION**

**CABINET**

**WEDNESDAY, 16 MARCH 2016**

**78. Treasury Strategy Statement 2016/17 (Minute For Confirmation)**

Councillor Russell Holland, Cabinet Member for Finance, People and Performance, and the Board Director, Resources, submitted a joint report on the Treasury Management Strategy for 2016/17, including Prudential Indicators up to 2017/18, the Annual Investment Strategy, and the Minimum Revenue Provision Policy Statement.

Resolved – That the Treasury Management Strategy, Minimum Revenue Provision Policy and Prudential Indicators, as set out in Appendix 1 to the report, be recommended for approval by Full Council at its meeting on 14<sup>th</sup> April 2016.

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# Treasury Strategy Statement 2016/17

**Cabinet**

**Date: 16<sup>th</sup> March 2016**

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Author: Cabinet Member for Finance, People and Performance  
Board Director, Resources

Wards: All

Locality Affected: All

Parishes Affected: All

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## **1. Purpose and Reasons**

- 1.1. To report the Treasury Management Strategy for 2016/17, including Prudential Indicators up to 2017/18, the Annual Investment Strategy, and the Minimum Revenue Provision Policy Statement.
- 1.2. The effective management of financial resources through robust financial management processes underpins the Council's ability to achieve its plans and priorities.

## **2. Recommendations**

Cabinet is recommended to:

- 2.1. Recommend the Treasury Management Strategy, Minimum Revenue Provision Policy and Prudential Indicators, as set out in Appendix 1, for approval by Full Council on 14<sup>th</sup> April 2016,

## **3. Detail**

Treasury Strategy

- 3.1. The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Available cash (resulting from the Council's day-to-day cash management processes) is invested in low risk counterparties or instruments commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.
- 3.2. The second main function of the treasury management service is the funding of the Council's Capital plans. These capital plans provide a guide to the borrowing needs of the Council, essentially the longer-term cash flow planning to ensure that the Council can meet its capital spending obligations. This management of longer-term cash may involve arranging long or short-term loans, or using longer-term cash flow surpluses temporarily in lieu of new loans.
- 3.3. Treasury management is defined by the CIPFA Code of Practice for Treasury Management as the:

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Further information on the subject of this report can be obtained from Paul Smith on Direct Dial No.463976, or Email psmith2@swindon.gov.uk.

# Treasury Strategy Statement 2016/17

Cabinet

Date: 16<sup>th</sup> March 2016

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*“management of the local authority’s investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks”.*

- 3.4. The strategy for 2016/17 has not altered significantly from the 2015/16 strategy, which was reviewed and agreed by Council in February 2015 then reported to Cabinet mid-year (Council Minute .81, 2014/15 and Cabinet Minute 7, 2015/16 refer).
- 3.5. The Council is required to receive and approve, as a minimum, three main reports each year, which incorporate a variety of policies, estimates, and actuals. Under the Council’s Constitution, the Audit Committee scrutinises the treasury management activities undertaken by the Board Director Resources and his team, including compliance with agreed policies.
- 3.6. **A Treasury Management Strategy Statement** (This report) - The first, and most important report covers:
- 3.6.1. The Capital spending plans (including prudential indicators) based on Cabinet and Council decisions;
- 3.6.2. A Minimum Revenue Provision (MRP) Policy (which details how capital expenditure funded by borrowing is charged to the revenue budget over time);
- 3.6.3. The Treasury Management Strategy, as set out in **Appendix 1**, which details how the investments and borrowings are managed overall, including treasury indicators; and
- 3.6.4. An Investment Strategy, which sets the parameters around how investments are to be managed on a day-to-day basis.
- 3.7. **A Mid-Year Treasury Management Report** – This updates Members on Treasury Management performance for the first half of the financial year.
- 3.8. **An Annual Treasury Management Report** – This details the full year Treasury activity and performance.
- 3.9. The Treasury Management Strategy for 2016/17 covers three main areas:
- Capital Issues:
  - the capital plans and the prudential indicators;
  - the MRP strategy.
- 3.10. Treasury Management issues covered are:
- 

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# Treasury Strategy Statement 2016/17

Cabinet

Date: 16<sup>th</sup> March 2016

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- the current treasury position;
- the treasury indicators which will limit the treasury risk and activities of the Council;
- the prospect for interest rates;
- the borrowing strategy;
- the policy on borrowing in advance of need;
- debt rescheduling;
- the investment strategy;
- the creditworthiness policy; and
- the policy on use of external service providers.

3.11. These elements cover the requirements of the Local Government Act 2003, the CIPFA Prudential Code, the CLG MRP Guidance, the CIPFA Treasury Management Code and the CLG Investment Guidance.

## Investment Returns

3.12. The annual Investment Strategy details priorities when making Investments of surplus funds as

- security first (i.e ensuring we get our money back),
  - liquidity second (we get it back when we need it),
  - return on investment (we get the best possible return on our money).
- These priorities follow both CIPFA and DCLG guidance.

3.13. The impact of this guidance is that the potential return on investments is secondary to security and liquidity and these parameters have a significant impact on the interest rate achieved by the Council in comparison with some other bodies and individuals as it restricts both to whom the Council can lend, and for how long.

3.14. The current Investment Strategy currently restricts investments to a maximum of two years. The Policy also recommends that investments greater than 1 year are limited to £20m in total and £10m to any one Counterparty. The exact length of any investment will, as always, be based on rates available at that time, interest rate forecasts, and forward liquidity requirements.

3.15. The Council is part of a benchmarking club, which consists of around 12 to 13 other public bodies in the West and Wales, including a variety of Local

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# Treasury Strategy Statement 2016/17

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Authorities, Fire Authorities etc. Investment returns are regularly checked against the other public bodies in this group.

## **4. Alternative Options**

- 4.1. Any alternative options for specific areas are set out within the report.

## **5. Implications, Diversity Impact Assessment and Risk Management**

### Financial and Procurement Implications

- 5.1. These have been reflected in the body of the report.

### Legal and Human Rights Implications

- 5.2. All 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.

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

- 5.3. There are no such direct implications.

### Diversity Impact Assessment

- 5.4. A Diversity Impact Assessment (DIA) is not relevant to this report as this is a regulatory report, which covers the Councils treasury management processes and doesn't directly affect any services.

## **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 and Appendices**

- 7.1. Appendix 1 – Treasury Management Strategy

## **8. Key Decision/Decision in Forward Plan**

- 8.1. This is not a key decision for the Cabinet (as the approval of the full Council is required) it is included in the Cabinet Work Programme and Forward Plan for February 2016.

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## **Appendix 1- Treasury Management Strategy 2016/17**

**Cabinet**

**Date:** 16<sup>TH</sup> March 2016

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# **TREASURY MANAGEMENT STRATEGY 2016/17**

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Further information on the subject of this report can be obtained from  
Paul Smith on Direct Dial No. 463976 or Email [psmith2@swindon.gov.uk](mailto:psmith2@swindon.gov.uk)

# **Appendix 1- Treasury Management Strategy 2016/17**

**Cabinet**

**Date:** 16<sup>TH</sup> March 2016

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## **Contents:**

- 1. Current Portfolio Position**
  - 2. Prospect for Interest Rates and Economic Outlook**
  - 3. Minimum Revenue Provision Policy Statement**
  - 4. Borrowing Strategy**
  - 5. Investment Policy, Creditworthiness Policy and Investment Strategy**
- 
- **Annex 1 – Prudential Indicators**
  - **Annex 2 - Credit and Counterparty Risk Management, Specified and Non- Specified Investments**



# Appendix 1- Treasury Management Strategy 2016/17

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Date: 16<sup>TH</sup> March 2016

## 1 Current Portfolio Position

1.1 The capital expenditure plans set in Annex 1 to Appendix 1 summarises the Councils current and future plans. The treasury management function ensures that the Council's cash is organised in accordance with the relevant professional codes, so that sufficient cash is available to meet this service activity. This will involve both the organisation of the cash flow and, where capital plans require, the organisation of appropriate borrowing facilities.

1.2 The Council's actual treasury portfolio position at 31 March 2015, with forward projections are summarised below. The table shows the actual external borrowing (both relating to the general fund and the HRA), against the borrowing requirement (shown through the Capital Financing Requirement or "CFR"), highlighting any over or under borrowing. The CFR represents the amount of long term borrowing required to fund capital expenditure, but not yet taken out.

<b>Table 1 - Portfolio position forecasts</b>				
	<b>15/16</b>	<b>16/17</b>	<b>17/18</b>	<b>18/19</b>
	£'000's	£'000's	£'000's	£'000's
Gross Borrowing b/fwd	266,564	310,063	323,562	342,061
New Borrowing	50,000	20,000	20,000	20,000
Maturing Debt	- 6,501	- 6,501	- 1,501	- 11,501
<b>Gross Borrowing c/fwd</b>	<b>310,063</b>	<b>323,562</b>	<b>342,061</b>	<b>350,560</b>
Net Investments c/fwd	- 80,000	- 70,000	- 60,000	- 50,000
<b>Net Borrowing c/fwd</b>	<b>230,063</b>	<b>253,562</b>	<b>282,061</b>	<b>300,560</b>
CFR	452,062	451,133	441,855	432,332
Less PFI liabilities	- 52,810	- 51,280	- 49,555	- 47,632
<b>Net Borrowing Requirement</b>	<b>399,252</b>	<b>399,853</b>	<b>392,300</b>	<b>384,700</b>
<b>(Under)/Over borrowing</b>	<b>- 169,189</b>	<b>- 146,291</b>	<b>- 110,240</b>	<b>- 84,140</b>

## 2 Prospects for Interest Rates and Economic Outlook

2.1 The Council has appointed Capita Asset Services (formerly Sector Group) as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. The following table gives the Capita central view.

## Appendix 1- Treasury Management Strategy 2016/17

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Table 2 – Prospects for Interest Rates

	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17	Jun-17	Sep-17	Dec-17	Mar-18	Jun-18	Sep-18	Dec-18	Mar-19
Bank rate	0.50%	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.25%	1.50%	1.50%	1.75%	1.75%
5yr PWLB rate	2.00%	2.10%	2.20%	2.30%	2.40%	2.50%	2.60%	2.70%	2.80%	2.90%	3.00%	3.10%	3.20%
10yr PWLB rate	2.60%	2.70%	2.80%	2.90%	3.00%	3.10%	3.20%	3.30%	3.40%	3.50%	3.60%	3.60%	3.70%
25yr PWLB rate	3.40%	3.40%	3.50%	3.60%	3.70%	3.70%	3.80%	3.90%	4.00%	4.00%	4.10%	4.10%	4.10%
50yr PWLB rate	3.20%	3.20%	3.30%	3.40%	3.50%	3.60%	3.70%	3.80%	3.90%	3.90%	4.00%	4.00%	4.00%

2.2 UK GDP (Gross Domestic Product) growth rates in 2013 of 2.2% and 2.9% in 2014 were the strongest growth rates of any G7 country; the 2014 growth rate was also the strongest UK rate since 2006 and although the 2015 growth rate is likely to be a leading rate in the G7 again, it looks likely to disappoint previous forecasts and come in at about 2.2%. Quarter 1 of 2015 was weak at +0.4% (+2.9% year on year) though there was a slight increase in quarter 2 to +0.5% (+2.3% y/y) before weakening again to +0.4% (2.1% y/y) in quarter 3 followed by a slight recovery in quarter 4 to an initial reading of +0.5%.

2.3 The February Bank of England Inflation Report included a forecast for growth to remain around 2.2 – 2.4% over the next three years, driven mainly by strong consumer demand as the squeeze on the disposable incomes of consumers has been reversed by a recovery in wage inflation at the same time that CPI inflation has fallen to, or near to, zero since February 2015. However, these forecasts are approximately 0.2% lower than those of the November Inflation Report. Investment expenditure is also expected to support growth. However, since the second half of 2015, most worldwide economic statistics have been weak and financial markets have been particularly volatile. The November Inflation Report flagged up particular concerns for the potential impact of these factors on the UK and this theme was maintained in the February Inflation Report.

2.4 The February Inflation Report was notably subdued in respect of the forecasts for inflation in the near-term; this was expected to barely get back up to the 1% level within the next 12 months but was expected to marginally exceed the 2% target on the 2-3 year time horizon. The increase in the November Inflation Report forecast for inflation at the three year horizon was the biggest in a decade and at the two year horizon was the biggest since February 2013. However, the first round of falls in oil, gas and food prices over late 2014 and also in the first half 2015, will fall out of the 12 month calculation of CPI during late 2015 / early 2016 but a second, more recent round of falls in fuel and

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commodity prices will delay a significant tick up in inflation from around zero. There is, therefore, considerable uncertainty around how quickly pay and CPI inflation will rise in the next few years and this makes it difficult to forecast when the MPC will decide to make a start on increasing Bank Rate. There is also the uncertain impact of the EU referendum which may take place as early as June 2016.

2.5 The weakening of UK GDP growth during 2015 and the deterioration of prospects in the international scene, especially for emerging market countries, have consequently led to forecasts for when the first increase in Bank Rate would occur being pushed back to quarter 4 of 2016. There is downside risk to this forecast i.e. it could be pushed further back and the markets are currently betting on a mid 2017 increase.

2.6 In summary:

- Investment returns are likely to remain relatively low during 2016/17 and beyond;
- Borrowing interest rates have been highly volatile during 2015 as alternating bouts of good and bad news have promoted optimism, and then pessimism, in financial markets. Gilt yields have continued to remain at historically phenomenally low levels during 2015. The policy of avoiding new borrowing by running down spare cash balances, has served well over the last few years. However, this needs to be carefully reviewed to avoid incurring higher borrowing costs in later times, when authorities will not be able to avoid new borrowing to finance new capital expenditure and/or to refinance maturing debt;
- There will remain a cost of carry to any new borrowing which causes an increase in investments as this will incur a revenue loss between borrowing costs and investment returns.

## **3 Minimum Revenue Provision Policy Statement**

3.1 The Council is required to charge an element of the accumulated General Fund capital spend each year (measured through the CFR) to revenue (the minimum revenue provision or "MRP"), although it is also allowed to undertake additional voluntary payments if required.

3.2 CLG Regulations have been issued which require the full Council to approve an MRP Statement in advance of each year. A variety of options are provided to Councils, as long as there is a prudent provision. The Council is recommended to approve the following MRP Statement, which is unchanged from last year:

*"For capital expenditure incurred before 1 April 2008 or which in the future will be Supported Capital Expenditure, the MRP will be based on the CFR. This option provides for an approximate 4% reduction in*

# Appendix 1- Treasury Management Strategy 2016/17

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*the borrowing need (CFR) each year. From 1 April 2008 for all unsupported borrowing the MRP will be based on the estimated life of the assets, in accordance with the regulations.*

*MRP in relation to capital expenditure funded through borrowing incurred on the Wichelstowe project, will be deferred and the liability repaid through future capital receipts from the site. Should there be a shortfall between the debt and eventual receipts, the balance will incur an annual MRP charge.*

*This methodology will also be applied to other capital expenditure funded from borrowing where there is an intention to repay the borrowing from future receipts and where there is a strong likelihood that this will happen”*

3.3 No revenue charge is currently required for the HRA, although the existing voluntary policy is to repay £5m per annum.

## **4 Borrowing Strategy**

4.1 The Council is currently maintaining an under-borrowed position. This means that there is a shortfall between the amount of long-term loans required, and the actual level of long term loans taken out. Long term loans are required to fund capital expenditure which Cabinet has approved as “funded through borrowing”, but there is a timing difference between when the expenditure is made and when the long term loan is taken out. The timing of the taking of long term loans is part of the wider cash management strategy.

4.2 The difference between long term borrowing required and what has actually been taken out is known as “Internal Borrowing” and represents the temporary use of cash reserves and working capital to bridge the timing difference. As cash from reserves and working capital is currently invested at historically low rates, then the policy of delaying long-term borrowing and using existing cash balances as an interim measure is currently a cheaper option for the Council.

4.3 While the council will maintain an under borrowed position on the General Fund (the HRA is fully borrowed up to the CFR), future movements in interest rates will dictate the future policy and the timing of taking out long-term loans, and will be kept under careful review.

4.4 Against this background and the risks within the economic forecast, caution will continue be adopted with the 2016/17 treasury operations. The Board Director Resources will monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances:

- if it was felt that there was a significant risk of a sharp FALL in long and short term rates (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings will be postponed, and potential rescheduling

## Appendix 1- Treasury Management Strategy 2016/17

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from fixed rate funding into short term borrowing will be considered.

- if it was felt that there was a significant risk of a much sharper RISE in long and short term rates than that currently forecast, perhaps arising from an increase in world economic activity or a sudden increase in inflation risks, then the portfolio position will be re-appraised with the likely action that fixed rate funding will be drawn whilst interest rates are still lower than they will be in the next few years

### **Borrowing in Advance of Need**

4.5 The Council will not borrow more than or in advance of its needs, purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be within forward approved Capital Financing Requirement estimates, and will be considered carefully to ensure that value for money can be demonstrated and that the Council can ensure the security of such funds.

### **Loan Re-scheduling**

4.6 Opportunities from rescheduling loans to generate savings will be monitored through the year but need to be considered in the light of the current treasury position and the size of the cost of debt repayment (premiums incurred).

4.7 The reasons for any rescheduling to take place will include:

- the generation of cash savings and / or discounted cash flow savings;
- helping to fulfil the treasury strategy;
- amending the balance of the portfolio (amend the maturity profile and/or the balance of volatility).

4.8 Consideration will also be given to identify if there is any residual potential for making savings by running down investment balances to repay debt prematurely as short term rates on investments are likely to be lower than rates paid on current debt.

4.9 All rescheduling will be reported to the Cabinet at the earliest meeting following its action

## **5 Investment Policy, Creditworthiness Policy and Investment Strategy**

### **Investment Policy**

5.1 The Council's investment policy has regard to the CLG's Guidance on Local Government Investments ("the Guidance") and the revised CIPFA Treasury Management in Public Services Code of Practice and

## Appendix 1- Treasury Management Strategy 2016/17

**Cabinet**

**Date:** 16<sup>TH</sup> March 2016

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Cross Sectoral Guidance Notes (“the CIPFA TM Code”). The Council’s investment priorities will be security first, liquidity second, then return.

- 5.2 In accordance with the above guidance from the CLG and CIPFA, and in order to minimise the risk to investments, the Council applies minimum acceptable credit criteria in order to generate a list of highly creditworthy counterparties which also enables diversification and thus avoidance of concentration risk. The key ratings used to monitor counterparties are the Short Term and Long Term ratings.
- 5.3 Ratings will not be the sole determinant of the quality of an institution; it is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets. To this end the Council will engage with its advisors to maintain a monitor on market pricing such as “credit default swaps” and overlay that information on top of the credit ratings.
- 5.4 Other information sources used will include the financial press, share price and other such information pertaining to the banking sector in order to establish the most robust scrutiny process on the suitability of potential investment counterparties.
- 5.5 Investment instruments identified for use in the financial year are listed in Annex 2 under the ‘specified’ and ‘non-specified’ investments categories. Counterparty limits will be as set through the Council’s treasury management practices – schedules.

### **Creditworthiness Policy**

- 5.6 This Council applies the creditworthiness service provided by Capita Asset Services. This service employs a sophisticated modelling approach utilising credit ratings from the three main credit rating agencies - Fitch, Moody’s and Standard and Poor’s. The credit ratings of counterparties are supplemented with the following overlays:
- credit watches and credit outlooks from credit rating agencies;
  - CDS spreads to give early warning of likely changes in credit ratings;
  - sovereign ratings to select counterparties from only the most creditworthy countries.
- 5.7 This modelling approach combines credit ratings, credit Watches and credit Outlooks in a weighted scoring system which is then combined with an overlay of CDS spreads for which the end product is a series of colour coded bands which indicate the relative creditworthiness of counterparties. These colour codes are used by the Council to determine the suggested duration for investments.

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## Appendix 1- Treasury Management Strategy 2016/17

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- 5.8 The Capita Asset Services' creditworthiness service uses a wider array of information than just primary ratings. Furthermore, by using a risk weighted scoring system, it does not give undue preponderance to just one agency's ratings.
- 5.9 Typically the minimum credit ratings criteria the Council use will be a Short Term rating (Fitch or equivalents) of F1 and a Long Term rating of A-. There may be occasions when the counterparty ratings from one rating agency are marginally lower than these ratings but may still be used. In these instances consideration will be given to the whole range of ratings available, or other topical market information, to support their use.
- 5.10 All credit ratings will be monitored daily. The Council is alerted to changes to ratings of all three agencies through its use of the Capita Asset Services' creditworthiness service.
- if a downgrade results in the counterparty / investment scheme no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.
  - in addition to the use of credit ratings the Council will be advised of information in movements in credit default swap spreads against the iTraxx benchmark and other market data on a daily basis via its Passport website, provided exclusively to it by Capita Asset Services. Extreme market movements may result in downgrade of an institution or removal from the Council's lending list.
- 5.11 Sole reliance will not be placed on the use of this external service. In addition this Council will also use market data and market information, information on any external support for banks to help support its decision making process.

### Country limits

- 5.12 The Council has determined that it will only use approved counterparties from countries with a minimum sovereign credit rating of AA- from Fitch (or equivalent). This list will be amended by officers should ratings change in accordance with this policy.

### Investment Strategy

- 5.13 **In-house funds.** Investments will be made with reference to the core balance and cash flow requirements and the outlook for short-term interest rates (i.e. rates for investments up to 12 months).
- 5.14 **Investment returns expectations.** Bank Rate is forecast to remain unchanged at 0.5% before starting to rise around late 2016. Bank Rate forecasts for financial year ends (March) are:
- 2016/17 0.75%

## Appendix 1- Treasury Management Strategy 2016/17

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- 2017/18 1.25%
- 2018/19 1.75%

The estimated budgeted investment earnings rates for returns on cash investments placed for periods up to 100 days during each financial year for the next three years are as follows:

- 2016/17 0.60%
- 2017/18 1.25%
- 2018/19 1.75%

### **Investment Periods**

5.15 Investment periods are currently restricted to no longer than 24 months. Lending to counterparties is in line with the creditworthiness policy detailed above and recommended by Capita and these are limited to a total of £20m. Any investments to banks and building societies for a period in excess of 365 days would be classed as a “non-specified investment” as detailed in Annex 2 to this strategy.

## **6 Policy on the use of external service providers**

6.1 The Council uses Capita Asset Services as its external treasury management advisors. The Council recognises that responsibility for treasury management decisions remains with the Council at all times and will ensure that undue reliance is not placed upon our external service providers. It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review.

### **Annexes**

- Annex 1 - Prudential Indicators.
- Annex 2 - Credit and Counterparty Risk Management, Specified and Non- Specified Investments

### **Key Decision / Decision in Forward Plan**

This is not a key decision for the Cabinet (as the approval of the full Council is required) and is included in the Cabinet Forward Plan



# Treasury Management Strategy 2016/17 Appendix 1- Annex 1

Cabinet

Date: 16<sup>th</sup> March 2016

## Annex 1 – Prudential Indicators

### 1 Capital Indicators

1.1 The Council's capital expenditure plans are a key driver of treasury management activity. The outputs from capital expenditure plans are reflected in prudential indicators, which are designed to assist the Members overview and confirm capital expenditure plans.

**Table 1 - Capital Expenditure Projections**

Capital Expenditure	2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000
General Fund Approved	90,570			
General Fund New		8,951	7,587	7,587
HRA Approved	36,547			
HRA Estimated New		15,700	15,700	15,700
<b>Total</b>	<b>127,117</b>	<b>24,651</b>	<b>23,287</b>	<b>23,287</b>

1.2 The figures in this indicator (General Fund approved) represent the level of current scheme approvals as reported to Cabinet in December 2015 as part of the quarterly capital monitoring process. Figures in the "general fund new" row represent approvals at Cabinet in February 2016 for 2016/17 and 2017/18, and an estimate for 2018/19 assumed at the same level as 2017/18. These represent total approvals, irrespective of funding source.

1.3 The second prudential indicator is the **Council's Capital Financing Requirement (CFR)**. The CFR represents the total long term borrowing requirement (ie borrowing required to finance capital approvals), regardless of whether the borrowing has been undertaken or not.

1.4 Details of the Council's projections for actual external debt compared to the CFR are contained in table 1 of the main Strategy. Note the figures are estimates, not commitments.

# Treasury Management Strategy 2016/17 Appendix 1- Annex 1

Cabinet

Date: 16<sup>th</sup> March 2016

<b>Table 2 Capital Financing Requirement</b>				
<b>General Fund</b>	<b>15/16</b>	<b>16/17</b>	<b>17/18</b>	<b>18/19</b>
	<b>£'000's</b>			
CFR b/fwd	265,380	268,720	274,321	271,768
Spend from borrowing	8,217	10,608	2,614	2,614
Less MRP	- 4,877	- 5,006	- 5,167	- 5,215
Sub-total	268,720	274,321	271,768	269,168
Add PFI Liability	52,810	51,280	49,555	47,632
Closing CFR incl PFI	321,530	325,601	321,323	316,800
<b>HRA</b>	<b>15/16</b>	<b>16/17</b>	<b>17/18</b>	<b>18/19</b>
CFR b/fwd	135,532	130,532	125,532	120,532
Spend from borrowing	-	-	-	-
Less MRP	- 5,000	- 5,000	- 5,000	- 5,000
Closing CFR	130,532	125,532	120,532	115,532
<b>Total CFR</b>	<b>452,062</b>	<b>451,133</b>	<b>441,855</b>	<b>432,332</b>

## 2 Affordability Indicators

- 2.1 Prudential indicators are required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans and subsequent finance costs on the Council's overall finances.
- 2.2 Table 3 below shows the estimated financing costs (interest and debt repayment) as a proportion of the General Fund and HRA budgets.

<b>Table 3 - Estimate of the ratio of financing costs to net revenue stream</b>				
	<b>15/16</b>	<b>16/17</b>	<b>17/18</b>	<b>18/19</b>
General Fund	10.0%	11.0%	11.3%	11.5%
HRA	38.0%	38.0%	37.9%	37.9%

- 2.3 Table 4 calculates the impact of new approvals funded from borrowing on the tax payer, based on approvals from the February Cabinet Report. It is effectively the increase in debt charges (interest and debt repayment) divided by the estimated tax base. The 2018/19 estimate is based on the assumption that approvals are at the same level as 2017/18.

# Treasury Management Strategy 2016/17 Appendix 1- Annex 1

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Date: 16<sup>th</sup> March 2016

**Table 4 - Incremental impact of capital investment decisions on the band D Council Tax**

	2015/16 Estimate	2016/17 Estimate	2017/18 Estimate	2018/19 Estimate
Current Approved Programme	£4.31	£13.19	£13.01	£12.83
New Proposals	Nil	£0.60	£2.51	£4.49

## 3 Borrowing Indicators

**3.1 The Operational Boundary.** This is the limit beyond which external borrowing is not normally expected to exceed. This limit reflects the Councils current estimated debt position, with the assumption that internal borrowing will be reduced as new external borrowing is undertaken. Other long term liabilities represent PFI and finance leases.

**Table 5 - Operational Boundary**

Op Boundary	16/17	17/18	18/19
Debt	343,562	362,061	370,560
Other Long Term Liabilities	51,280	49,555	47,632
<b>Total</b>	<b>394,842</b>	<b>411,616</b>	<b>418,192</b>

**3.2 The Authorised Limit for external borrowing.** A further key prudential indicator, this represents a control on the maximum level of borrowing. This represents a limit beyond which external borrowing is prohibited. This has been set to reflect the Council's estimate of the Capital Financing Requirement for borrowing, and for other long term liabilities (PFI and other leases) at £5m above the Operational Boundary (i.e. the expected level)

**Table 6 - Authorised Limit**

Authorised Limit for External Debt	16/17	17/18	18/19
Borrowing	383,420	375,867	365,652
Other Long Term Liabilities	56,280	54,555	52,632
<b>TOTAL</b>	<b>439,700</b>	<b>430,422</b>	<b>418,284</b>

# Treasury Management Strategy 2016/17 Appendix 1- Annex 1

Cabinet

Date: 16<sup>th</sup> March 2016

3.3 Separately, the Council is also limited to a maximum HRA CFR through the HRA self-financing regime. This limit is currently:

HRA Debt Limit £m	2015/16 Estimate £'000's	2016/17 Estimate	2017/18 Estimate	2018/19 Estimate
HRA debt cap	172,600	172,600	172,600	172,600
HRA CFR 31 <sup>st</sup> March	130,532	125,532	120,532	115,532
HRA headroom	42,068	47,068	52,068	57,068

## 4 Activity Limit Indicators

4.1 There are three debt related treasury activity limits. The purpose of these are to restrain the activity of the treasury function within certain limits, thereby managing risk and reducing the impact of any adverse movement in interest rates. However, if these are set to be too restrictive they will impair the opportunities to reduce costs / improve performance. The indicators are:

- Upper limits on variable interest rate exposure. This identifies a maximum limit for variable interest rate loans ( based upon the debt position net of investments)
- Upper limits on fixed interest rate exposure. This is similar to the previous indicator and covers a maximum limit on fixed interest rates loans;
- Maturity structure of borrowing. These gross limits are set to reduce the Council's exposure to large fixed rate sums falling due for refinancing in a single period;

**Table 7-Treasury Management Activity Limits**

£m	2016/17	2017/18	2018/19
<b>Interest rate Exposures</b>			
	<b>Upper</b>	<b>Upper</b>	<b>Upper</b>
Limits on fixed interest rates based on net debt	100%	100%	100%
Limits on variable interest rates based on net debt	30%	30%	30%
<b>Maturity Structure of fixed interest rate borrowing 2016/17</b>			
	<b>Lower</b>	<b>Upper</b>	
Under 12 months	0%	15%	
12 months to 2 years	0%	30%	
2 years to 5 years	0%	40%	
5 years to 10 years	0%	40%	
10 years and above	0%	80%	
In any 10 year period above 10 years	0%	50%	

Further information on the subject of this report can be obtained from Paul Smith on Direct Dial No. 463976 or Email [psmith2@swindon.gov.uk](mailto:psmith2@swindon.gov.uk)

# Treasury Management Strategy 2016/17 Appendix 1- Annex 1

**Cabinet**

**Date:** 16<sup>th</sup> March 2016

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4.2 The maximum amount the council will invest for more than 1 year is set out in the table below/;

Maximum principal sums invested > 364 days			
£m	2016/17	2017/18	2018/19
Principal sums invested > 364 days	£20m	£20m	£20m

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## Annex 2 – Credit and Counterparty Risk Management, Specified and Non- Specified Investments

### 1 Treasury Management Practices

- 1.1 The CLG issued Investment Guidance in 2010, and this forms the structure of the Council's policy.
- 1.2 The key intention of the Guidance is to maintain the current requirement for councils to invest prudently, and that priority is given to security and liquidity before yield. In order to facilitate this objective the guidance requires this Council to have regard to the CIPFA publication Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes. This Council adopted the Code on the 1<sup>st</sup> April 2008 and will apply its principles to all investment activity. In accordance with the Code, the Board Director – Resources has produced its Treasury Management Practices (TMPs). This part covering investment counterparty policy requires approval each year.
- 1.3 The key requirements of both the Code and the investment guidance are to set an annual investment strategy, as part of its annual treasury strategy for the following year, covering the identification and approval of following:
  - The strategy guidelines for choosing and placing investments, particularly non-specified investments.
  - The principles to be used to determine the maximum periods for which funds can be committed.
  - Specified investments that the Council will use. These are high security (i.e. high credit rating, although this is defined by the Council, and no guidelines are given), and high liquidity investments in sterling and with a maturity of no more than a year.
  - Non-specified investments, clarifying the greater risk implications, identifying the general types of investment that may be used and a limit to the overall amount of various categories that can be held at any time.

### 2 Specified/Non-Specified Investments

- 2.1 The main Investment guidelines are contained in the body of the Treasury Strategy statement. The paragraphs below detail the Council's use of Specified and Non Specified Investments
- 2.2 **Specified Investments** – These investments are sterling investments of not more than one-year maturity, or those which could be for a

## Treasury Management Strategy 2016/17 - Appendix 1 Annex 2

Cabinet

Date: 16<sup>th</sup> March 2016

longer period but where the Council has the right to be repaid within 12 months if it wishes. These are considered low risk assets where the possibility of loss of principal or investment income is small. These would include sterling investments which would not be defined as capital expenditure with:

- The UK Government (such as the Debt Management Account deposit facility, UK Treasury Bills or Gilt with less than one year to maturity).
- Supranational bonds of less than one year's duration.
- A local authority, parish council or community council.
- Pooled investment vehicles (such as money market funds) that have been awarded a high credit rating by a credit rating agency. This covers pooled investment vehicles, such as money market funds, rated AAA by Standard and Poor's, Moody's or Fitch rating agencies.
- A body that is considered of a high credit quality (such as a bank or building society) in accordance with the Councils creditworthiness Policy.

**2.3 Non-Specified Investments** – Non-specified investments are any other type of investment (i.e. not defined as Specified above). The Council holds 2 types of non-specified investments:

- Cash deposits > 1 year (Category (e) below)
- The Local Authority Property Fund (Category (j) below).

Other Non specified investments that the Council could make would include any investments with:

Non Specified Investment Category
<b>Supranational Bonds greater than 1 year to maturity</b> <b>(a) Multilateral development bank bonds</b> - These are bonds defined as an international financial institution having as one of its objects economic development, either generally or in any region of the world (e.g. European Investment Bank etc.). <b>(b) A financial institution that is guaranteed by the United Kingdom Government</b> (e.g. The Guaranteed Export Finance Company {GEFCO}) The security of interest and principal on maturity is on a par with the Government and so very secure. These bonds usually provide returns above equivalent gilt edged securities. However the value of the bond may rise or fall before maturity and losses may accrue if the bond is sold before maturity. <b>(c) Gilt edged securities</b> with a maturity of greater than one year. These

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## Treasury Management Strategy 2016/17 - Appendix 1 Annex 2

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are Government bonds and so provide the highest security of interest and the repayment of principal on maturity. Similar to category (a) above, the value of the bond may rise or fall before maturity and losses may accrue if the bond is sold before maturity.
<b>(d) The Council's own banker if it fails to meet the basic credit criteria.</b> In this instance any balances will be maintained on an instant access basis
<b>(e) Any bank or building society</b> that complies with the Council's creditworthiness policy for deposits with a maturity of greater than one year (including forward deals in excess of one year from inception to repayment).
<b>(f) Building societies not meeting the basic security requirements under the specified investments.</b> The operation of some building societies does not require a credit rating, although in every other respect the security of the society would match similarly sized societies with ratings. The Council may use such building societies but will take specific advice before doing so.
<b>(g) Share capital</b> in a body corporate – The use of these instruments will be deemed to be capital expenditure, and as such will be an application (spending) of capital resources. Revenue resources will not be invested in corporate bodies. See note 1 below.
<b>(h) Loan capital</b> in a body corporate. See note 1 below.
<b>(i) Bond funds.</b> See note 1 below.
<b>(j) Pooled property funds</b> – The use of these instruments can be deemed to be capital expenditure, and as such will be an application (spending) of capital resources. This Authority will seek guidance on the status of any fund it may consider using.

**Note 1: This Authority will seek further advice on the appropriateness and associated risks with investments in these categories.**

*The monitoring of investment counterparties - The credit rating of counterparties will be monitored regularly. The Council receives credit rating information (changes, rating watches and rating outlooks) from Capita Asset Services as and when ratings change, and counterparties are checked promptly. On occasion ratings may be downgraded when an investment has already been made. The criteria used are such that a minor downgrading should not affect the full receipt of the principal and interest. Any counterparty failing to meet the criteria will be removed from the list immediately and if required new counterparties which meet the criteria will be added to the list.*

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## Council Petition Scheme

**Council**

**Date: 14<sup>th</sup> April 2016**

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

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### **1. Purpose and Reasons**

- 1.1 To report on a Petition received calling for Swindon's Libraries to be run by professionally trained Council Staff and funded by the Council.
- 1.2 At the Annual Council meeting held on 21<sup>st</sup> 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 Petitioner (or representative) presenting the Petition asking that for Swindon's Libraries to be run by professionally trained Council Staff and funded by the Council.
- 2.2 To consider the petition, the response to the petition from the Cabinet Member for the Economy, Regeneration and Skills and to determine any action to be taken in respect of that petition.

### **3. Detail**

- 3.1 The Council has received the following petition containing more than 1,500 signatures which satisfies the requirements for it to be presented to Full Council for debate.

"Save Swindon's Libraries

We the undersigned call on Swindon Borough Council to guarantee the future of all libraries in Swindon by ensuring that they continue to be run by professionally trained council staff and funded by the council."

- 3.2 At the Annual Council meeting, the Council resolved to adopt a petition scheme to apply to all petitions received by the Council.

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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](mailto:staylor@swindon.gov.uk) or Steve Jones, Committee and Member Services on Direct Dial No. 463602 or Email [sjones@swindon.gov.uk](mailto:sjones@swindon.gov.uk)

# Council Petition Scheme

**Council**

**Date: 14<sup>th</sup> April 2016**

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3.3 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.

3.4 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.

3.5 In accordance with the Scheme:

3.5.1 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.

3.5.2 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.

3.6 A copy of the petition is available for inspection by contacting Committee and Member Services.

3.7 A Lead Petitioner has been nominated by the petition organisers and advised that the petition will be presented to the meeting of Council to be held on 14<sup>th</sup> April 2016 and has been invited to attend.

## **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.

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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](mailto:staylor@swindon.gov.uk) or Steve Jones, Committee and Member Services on Direct Dial No. 463602 or Email [sjones@swindon.gov.uk](mailto:sjones@swindon.gov.uk)

# Council Petition Scheme

**Council**

**Date: 14<sup>th</sup> April 2016**

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## 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 No diversity impact assessments were undertaken.

## Risk Management

- 5.5 None

## **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 Wording of the Petition

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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](mailto:staylor@swindon.gov.uk) or Steve Jones, Committee and Member Services on Direct Dial No. 463602 or Email [sjones@swindon.gov.uk](mailto:sjones@swindon.gov.uk)

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# SAVE SWINDON'S LIBRARIES

"We the undersigned call on Swindon Borough Council to guarantee the future of all libraries in Swindon by ensuring that they continue to be run by professionally trained council staff and funded by the council"

FULL NAME (PLEASE PRINT)	Address Including Postcode	Email (Optional)	Signed
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## Calendar of Meetings 2016-17

**Council**

**Date: 14 April 2016**

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

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### **1. Purpose and Reasons**

- 1.1 To consider and agree dates for meetings of the Council, the Cabinet, Committees and Other Swindon Borough Council bodies for the Municipal Year 2016/17.
- 1.2 The Council Constitution requires the formal confirmation of the dates of Council meetings by Full Council at its Annual Meeting. To enable appropriate planning of meetings and nominations to Committees of the Council to take place, the Council is asked to provisionally approve the full calendar of meetings for 2016/17 in advance of the Annual Council meeting.

### **2. Recommendations**

The Council is recommended to:

- 2.1 Agree that the Timetable of Meetings for 2016/17 as set out in Appendix 1 be approved for formal adoption by Annual Council.
- 2.2 Agree that the Director of Law and Democratic Services, in consultation with the Leader of the Council, be authorised to vary the dates for meetings of the Council, the Cabinet, Committees and Other Swindon Borough Council bodies should this prove necessary for the efficient discharge of Council business.

### **3. Detail**

- 3.1 Proposed dates for meetings of Cabinet, Committees and other bodies are attached at Appendix 1.
- 3.2 Dates are included in this Appendix for the One Swindon Board, Wiltshire Police and Crime Panel, Dorset and Wiltshire Fire Authority and Safeguarding Boards for information only, as these meeting dates are arranged separately.
- 3.3 It is also proposed that the Director of Law and Democratic Services, in consultation with the Leader of the Council, should be authorised to vary the meeting dates for meetings of the Council, the Cabinet, Committees and other Swindon Borough Council bodies as set out in the Appendix should this prove necessary for the efficient discharge of Council business.

### **4. Alternative Options**

- 4.1 No alternative options are proposed.

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Further information on the subject of this report can be obtained from Vicki Yull, 01793 463603, [vyull@swindon.gov.uk](mailto:vyull@swindon.gov.uk)

**5. Implications, Diversity Impact Assessment and Risk Management**

Financial and Procurement Implications

- 5.1 There are no financial or procurement implications.

Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been taken fully into account in compiling this report.

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

- 5.3 There are no specific implications that relate to staff, sustainability, health, rural, crime and disorder within this report.

Diversity Impact Assessment

- 5.4 A Diversity Impact Assessment has not been completed for this report.

Risk Management

- 5.5 There are no risk management implications.

**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 - Proposed Council timetable 2016/2017

Please note these are not all the meetings attended by Members - see the Committee and Member Services Information Site Meetings Timetable for a fuller set of dates

# Swindon Borough Council Calendar of Meetings 2016 - 2017

[illegible]

Meeting		Day	Time	2016								2017				
				May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Advisory	Corporate Parenting Advisory Board	M	17:00		27			26		14				13		
	Housing Advisory Forum	W	18:00			20 (T)			12			11		1		
	Equalities Advisory Forum	W	12:45		22			7		2			8		5	
	Benefits Strategy & Welfare Reform Group	Tu	17:00		21			20		29		17			4	
	Member Development Advisory Group	Tu	17:30						4					28		
	Town Twinning Network	W	18:00		8				5		14				13 (Th)	
	Archaeological Advisory Body	Th	15:00			14				3			9			
	Heritage Board	Var	Var		8											
Groups	Conservative Group Meetings	M	18:00	9(AGM), 16,20(F)	6	4,11	1	5,19	3	7,22(T)		3(T),23	6,20	6	3	8,15, 19 (F)
	Labour Group Meetings	M	18:00	10(AGM), 16,20(F)	6	4,11	1	5,19	3	7	5	3(T),23	6,20	6	3	8,15, 19 (F)
	Liberal Democrat Group Meetings	-	-	Meetings arranged as required												
	Member Training	Var	Var	9,12,23, 24,25	27	19		6,20	17	2,16		31	28		24	
Dates	Bank Holidays	-	-	2,30			29				26,27	2			14,17	1,29
	Swindon School Holidays	-	-	31	1-3	25-29	1-31		24-28		19-30		13-17		10-21	30-31
	Elections	-	-	5	23											

**Key:** (M)=Monday, (Tu)=Tuesday, (W)=Wednesday, (Th)=Thursday, (F)=Friday, (B)= budget meeting, (R)=reserve date, (A)=Annual Council  
**Committee and Member Services Contacts:** SJ = Steve Jones, SB = Shaun Banks, VY = Vicki Yull, IT = Iain Tucker, SF = Stuart Figini, RGG = Rita Glen-Gallo, DC = Douglas Chanda-Campbell, MB = Matthew Bradley, Cllr SP = Cllr Stan Pajak

**CABINET**

**WEDNESDAY, 10 FEBRUARY 2016**

PRESENT:- Councillors David Renard (Chair), Brian Mattock (Vice-Chair), Toby Elliott, Emma Faramarzi, Fionuala Foley, Brian Ford, Dale Heenan, Russell Holland, Mary Martin and Garry Perkins

Councillors Jim Grant attended the meeting in respect of Minute 57 and 59.  
Councillor Stan Pajak attended the meeting in respect of Minutes 57, 58 and 59.  
Councillor Jim Robbins attended the meeting in respect of Minute 58.

**54. Declarations of Interest.**

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

Councillor Brian Mattock made a personal declaration in respect of Cabinet's consideration of agenda item no. 5 ("SEQOL contract") in that his daughter is a social worker employed by SEQOL.

**55. Minutes.**

Resolved – That the minutes of the meeting held on 9<sup>th</sup> December, 2015, be confirmed and signed as a correct record.

**56. Public Question Time**

The Reverend Linda Fletcher, Priest-in-charge, St. John's, Walcot, asked a question regarding the level and nature of the consultation undertaken by the Council in relation to its proposed changes to children's centre provision and the report's summary of that consultation.

The Chair thanked Reverend Fletcher for her question and advised that a written answer had been provided and circulated at the meeting. Councillor Fionuala Foley, Cabinet Member for Children's Services provided additional information in response to Reverend Fletcher's question at the meeting.

Reverend Fletcher took the opportunity of Public Question Time to present to Cabinet a petition of 576 signatures requesting that the Council keep children's centres open. The petition was handed to the Council's Petitions Officer.

Ms Shirley Burnham, a resident of Arundel Close, Swindon, asked questions regarding the Council's intention to achieve a reduction in its libraries budget and its engagement process for the development of a Libraries strategy.

The Chair thanked Ms Burnham for her questions and advised that a written answer had been provided and circulated at the meeting. Councillor Garry Perkins responded to supplementary questions put by Ms Burnham at the meeting on the same, general, topic and on her understanding of additional funding that had been made available to local authorities by Central Government.

Mr Tim French, a local resident, asked questions regarding (i) problems with the entry doors at the Central Library, and (ii) the future of the Liden library. The Chair thanked Mr French for his questions, both of which were answered by Councillor Perkins at the meeting.

Ms Talis Kimberley Fairbourne, a local resident, asked a question regarding the future of the Wroughton library and a supplementary question regarding libraries as a source of community access to computer facilities and the internet and for the provision of a wide range of other community benefits. The Chair thanked Mr French for his questions, both of which were answered by Councillor Perkins at the meeting.

## **57. SEQOL contract**

Councillor Brian Mattock, the Cabinet Member for Adult Health and Social Care, and the Interim Director of Adult Social Services (DASS) submitted a joint report reviewing the existing community health and social care model in Swindon, currently provided by SEQOL, in the light of national and local policies.

Councillor Mattock introduced the report, explaining that the SEQOL contract was due to end in March 2016 and that it was necessary to consider the future options for Swindon Borough Council and the Clinical Commissioning Group (CCG), successor of the Primary Care Trust, in managing future demand for adult social care and achieving financial balance. It was noted that the changes were also required in order to support reducing the demand for specialist adult social care services whilst also contributing to the Council Budget 2016/17 savings and beyond.

Councillor Mattock advised that the CCG had considered a report on the issue of future service provision and had subsequently issued the requisite 12 months' notice to SEQOL of its intention to terminate the contract. It was noted that the CCG would be considering a further report, in March, referencing NHS England's Five Year Forward View, on its proposals for a new care model for the commissioning of provider services across the acute and community health services sectors. Councillor Mattock added that both the Council and the CCG recognised the necessity for a shift in service provision from expenditure on acute services to support for preventative services and independent living and also the opportunity the proposed change in service commissioning arrangements presented for the pooling of Council and CCG health care budgets to facilitate the integration of health and social care to significantly improve the health, wellbeing and care of Swindon residents.

Following his introduction of the report, Councillor Mattock responded to questions put by Councillors Jim Grant (JG) and Stan Pajak (SP) on the following issues:

- The success of the commissioning arrangement with SEQOL in resolving the challenge of the integration of health and social care services. (JG)
- The possibility that health and social care services brought "in-house" might be de-centralised at some future time. (JG)
- The potential redundancy costs associated with the revised service commissioning proposals. (JG)
- SEQOL's sponsorship of the Swindon Half-Marathon and the implications of

the proposal for the future staging of that event. (SP)

Resolved – (1) That the approach set out in the report, to give notice to SEQOL on the contract to deliver community health and social care services and make significant savings for Swindon Borough Council through reduction in management, cost of services and control over Older People's care packages of £1m, be endorsed and that it be noted that this would also assist in managing demand for older people's care packages, which is currently predicting an overspend of £1.7m in 2015/16.

(2) That, with regard to (1) above, the Director of Law and Democratic Services, in consultation with the Cabinet Member for Adult Health and Social Care and the Interim Director of Adult Services, be authorised to issue the requisite notice to SEQOL in respect of the termination of the current contract for the delivery of community health and social care services.

(3) That Cabinet agrees with the decision of the Governing Body of the Clinical Commissioning Group for a 12-month notice period to be issued to the current provider to enable the CCG, as commissioners, to develop and implement a managed process to assess the capability of existing local providers to deliver the new model of care.

(4) That it be noted that a further paper will be presented to the CCG's March Governing Body meeting which will describe next steps required to put in place a managed process, the options for contractual models and payment mechanisms.

(5) That, for the reasons detailed in the body of the report, the Council's Head of Commissioning, Children and Adults, be authorised to:

- a) Work with the CCG to develop arrangements for a pooled budget for the commissioning of health and social care services, to maintain integration of commissioning of services in line with the intentions of the Better Care Fund (BCF) and NHS 5 Year Forward View, and to bring detailed proposals to a future meeting of the Cabinet.
- b) Insource social work services for adults and hospital social work whilst maintaining co-location of hospital social work services within Great Western Hospital, with the option of moving to a future Section 75 Agreement with a future integrated health provider.
- c) Work with SEQOL to reshape the remaining services that do not easily fit into the model of an integrated acute and community health service and retender such as Shared Lives (Adult Placement Team), day services for those with a learning disability and older people and housing support whilst achieving savings. SEQOL would be able to tender for these services.
- d) Commission and tender tele care, telehealth, equipment and Rapid Response and Reablement services as part of the commissioning of domiciliary care and community support services.
- e) Commission Single Point of Access jointly with CCG as part of the Accountable Care Organisation.
- f) Re-tender the existing residential care homes, modelling Fessey as a facility for individuals with dementia and reviewing the long-term options for Whitbourne House.
- g) Facilitate SEQOL to continue to provide supported employment and Building Futures (Supported Housing for individuals) services.

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

## **58. Securing a Sustainable Future for Swindon's Cultural Assets, Libraries and Community Services**

Councillor Garry Perkins, the Cabinet Member for the Economy, Regeneration and Skills, and the Board Director Resources, submitted a joint report that (i) provided an update on progress towards achieving a sustainable future for Lydiard House and Park, within the medium-term financial context set out in the report to Cabinet on 9th December 2015, (ii) responded to Cabinet's request to develop a draft service strategy for libraries that would achieve a reduction in the budget for that service of at least £1.5m by 2020, this in the context of a review of community-based assets and services across the Borough, and (iii) proposed the transfer of Richard Jefferies Museum to the Richard Jefferies Museum Trust and the Railway Cottage to the New Mechanics Institution Preservation Trust Limited.

Councillor Perkins introduced the report, expanding on the principles behind the proposals, to secure a sustainable future for Swindon's cultural assets, its libraries and its community services, and placed the report's recommendations in the context of the medium-term financial position set out in the report to Cabinet on 9<sup>th</sup> December 2015 (Cabinet Minute 45(3), 2015/16 refers), which authorised further work in a range of areas that would help ensure a financially sustainable position by 2020. In particular, and regarding the objective of finding an acceptable, sustainable future for Lydiard House and Park, within the Council's ownership, while reducing the annual cost to the Council Tax Payer, Councillor Perkins drew the meeting's attention to the following elements to be considered integral to any successful bid for the future operation of the House and Park, that it should:

- Secure a sustainable future for Lydiard House and Park within the Council's ownership that does not rely on an on-going Council subsidy.
- Safeguard the historical importance of the Lydiard House Museum and its collections and the Walled Garden and ensure they remain accessible to the general public.
- Protect the historic landscape and structures within the Park, which were restored as part of the £5.1m Heritage Lottery Fund Project, and reflect the long-term plans for Lydiard Park submitted to the Heritage Lottery Fund in 2005.
- Allow the continuation of public access to the park and grounds.
- Address the on-going maintenance and repair of the House and Park.

Following his introduction of the report, Councillor Perkins, with Councillor Russell Holland, Cabinet Member for Finance, People and Performance, responded to questions put by Councillors Jim Robbins (JR) and Stan Pajak (SP) on the following matters:

- The "reverse premium" proposed to be offered to any preferred bidder for the future operation of Lydiard House and Park to address current backlog maintenance issues and the options open to the bidder with regard to the application of that resource. (JR)
- The Government's announcement of the availability of "transitional funding" for local authorities, amounts that might be available for use in Swindon, and the allocation of any such funding. (JR)
- The implications of introducing car parking charges at Lydiard Park and the Council's other country parks. (SP)



- The proposed models of delivery for library and community services and the projected level of savings that might be achieved. (SP)

Resolved – (1) That the key findings from the Expressions of Interest received for the future operation of Lydiard House and Park, as set out in paragraphs 3.10 to 3.12, of the report, be noted.

(2) That potential bidders be offered a “reverse premium” of £0.85m as a contribution to current backlog maintenance needs, recognising that this was a key factor for parties who responded to the Council’s request for expressions of interest.

(3) That the Board Director, Service Delivery, in consultation with the Cabinet Member for the Economy, Regeneration and Skills, the Board Director, Resources and the Head of Property Assets, be authorised to request the submission of formal tenders from organisations that will help secure the overall objective of finding an acceptable, sustainable future for Lydiard House and Park within the Council’s ownership while reducing the annual cost to the Council Tax Payer by at least £450,000, within the clear parameters set out under paragraph 3.18 of the report.

(4) That interested parties be requested to develop and submit formal bid proposals for Lydiard House and Park by early May, as part of the delay requested by Council’s resolution of 21<sup>st</sup> January 2016, and that a further report be brought to Cabinet in June 2016 to recommend a future model for the site’s on-going operation to Council.

(5) That the Board Director, Service Delivery, be authorised to commence a consultation with users to understand any specific concerns around how they could be affected by future changes, based on the principles that successful bids for Lydiard House and Park will need to meet, so that the consultation response can inform Cabinet Members as part of their decision-making in June 2016.

(6) That the views of users, local residents and stakeholders be sought on the introduction of car parking charges at Lydiard Park and the Council’s other country parks that, once implemented, would raise at least £400,000 across all facilities in a full year and would inform the assessment of proposals to secure their sustainable future within the Council’s ownership.

(7) That, recognising the extension to the bidding process and the pressing need to reduce the subsidy for Lydiard, subject to reflecting the findings of the consultation referred to in the report and necessary statutory approvals being granted, the introduction of car parking charges for trial periods between June to September at the Council’s country parks in the short term, reducing the Council’s subsidy of Lydiard and enabling future partners to understand the scale of the contribution that income from this source can play in future plans for Lydiard, be approved.

(8) That the key findings of the Libraries Needs Assessment, attached as Appendix 1 to the report, be noted and the Council’s proposed definition of need, set out in paragraph 3.38, reflecting the focus and ambition of the Vision for Swindon and the key priorities that underpin this, be confirmed.

(9) That, within the context of the intention to achieve a reduction in the Libraries budget of at least £1.5m by 2020, and the agreed definition of need, the emerging model for the delivery of Libraries and Community Services, attached as Appendix 2 to the report, be approved as the basis for engagement.

(10) That the Board Director, Service Delivery, in consultation with the Cabinet Member for the Economy, Regeneration and Skills and the Head of Localities, Community Involvement and Volunteering, be authorised to use the Emerging Model outlined in Appendix 2 to the report as the basis to initiate engagement with Ward Members, users, residents, community groups, and other stakeholders in defining a Libraries strategy.

(11) That a further report be brought to Cabinet in June 2016 setting out a proposed Libraries and Community Services strategy for adoption by Cabinet and Council.

(12) That, as part of the engagement process, work be continued with Ward Members, community groups and other stakeholders in the six pilot areas referred to in paragraph 3.53 and 3.54 of the report, and in other areas where interest emerges, in order to develop and, where possible, implement new models of delivery for library and community services that can both test and inform the development of the strategy and, alongside other service changes, help achieve savings of at least £300,000 in Libraries and Community Services in these areas in 2016/17, noting that one-off resources are likely to be required to pump prime the service changes and cashflow, the effect of savings not being achieved from 1st April 2016.

(13) That the Head of Economy, Skills and Property Development, in consultation with the Cabinet Member for the Economy, Regeneration and Skills, be authorised to (i) agree the terms of the transfers of the Richard Jefferies Museum to the Richard Jefferies Museum Trust and the Railway Cottage to the New Mechanics Institution Preservation Trust Limited and (ii) endorse the principles of the terms of the transfers, as set out in paragraph 3.58 of the report, covering the proposed Lease: Object Loans and Monitoring Agreements.

(14) That the Director of Law and Democratic Services be authorised to enter into all necessary legal documentation to enable the transfers detailed in paragraph 2.13 of the report to be effected, on such detailed terms and conditions as are necessary in order to protect the Council's interests.

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

## **59. Budget 2016/17 and Beyond (Minute for Confirmation)**

Councillor Russell Holland, Cabinet Member for Finance, People and Performance, and the Council's Board Director, Resources, submitted a joint report proposing a Budget for 2016-17. It was noted that, in accordance with the Council's Constitution, the Cabinet was required to recommend a budget and level of Special Expenses to Council as part of its formal Council Tax Setting responsibilities.

The report specifically addressed:

- a) The Forecast Out-turn 2015-16.
- b) The 2016-17 Finance Settlement.
- c) Council Tax 2016/17.
- d) Public Power Solution Limited (PPS) (formerly Swindon Commercial Services (SCS)) Business Plan 2016-17.
- e) Specific feedback on the budget setting process received from the Scrutiny Committee.
- f) Consultation Feedback.
- g) The Proposed Budget 2016-17.
- h) Business Rates Discounts 2016-17.
- i) The relationship between Revenue and Capital Budgets.
- j) Members' Allowances.
- k) Special Expenses (charges for services provided in the non-parished area).
- l) The reflection in the budget proposals of the adoption of the motion agreed at Council on 21<sup>st</sup> January 2016 that all staff will be paid at or above the Government's National Living Wage in 2016-17.

- m) Contingencies and Risk.
- n) One-off Resources commitments.
- o) Fees and Charges.
- p) General Reserves.
- q) The Schools Budget 2016-17.
- r) The outcome of Budget consultations.

Councillor Holland introduced the report, placing the budget proposals within the financial context for 2017-18 and beyond, most particularly the projected level of savings required to be made by the Council in the period of the next three years against a background of an unprecedented reduction in the Revenue Support Grant and a reduction in New Homes Bonus. Councillor Holland commented that this significant decrease in Central Government funding was, almost inevitably, occurring at a time when inflation, particularly in relation to social care, continued to increase. He advised that there would be an increased level of funding available to the Council from changes in Business Rates but that the details remained to be confirmed.

Councillor Holland referred to the Final Local Government Finance Settlement, which was announced on 8<sup>th</sup> February 2016, sooner than expected but after the Cabinet agenda was published. He advised that, although a number of small adjustments were made to the provisional settlement announced in December, most of which did not affect Swindon, the Government had also announced £150m of additional one-off funding in the form of transitional grant, in both 2016-17 and 2017-18, for those councils most adversely affected by the change in Revenue Support Grant (RSG), and that Swindon would receive £826k and £827k respectively over the two years.

Councillor Holland commented that, in the context of the overall savings required to be made, the additional funding did not significantly change the Council's financial position but it did, however, present an opportunity to provide additional financial resource for existing programmes to achieve outcomes for the long term sustainability for the organisation and its services. Councillor Holland advised that additional recommendations, proposing how the additional funding might be utilised, had been tabled at the meeting.

The Director of Law and Democratic Services advised the meeting of members' equality duties under the Equality Act 2010 (the Act), in relation to decision making, covering the following nine protected characteristics:

Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

It was also noted that, under the Act, the Council must, when exercising its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

In concluding his advice, the Director of Law and Democratic Services advised that Cabinet must, therefore, in reaching its decision on the matter of its budget for 2016/17, consider its duties as set out above under the Equality Act. It was noted that the duty is a “have regard duty”, and the weight to be attached to it is a matter for Cabinet, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

Following Councillor Holland’s introduction of the report, members were given the opportunity to put questions on the issues raised. Councillor Holland, with the Leader of the Council, Councillor Brian Mattock, Cabinet Member for Adult Health and Social Care, Councillor Dale Heenan, Cabinet Member for Sustainability and Transport, Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills, and Councillor Fionuala Foley, Cabinet Member for Children’s Services, responded to questions put by Councillors Jim Grant (JG) and Stan Pajak (SP) on the following issues:

- The exploration of partnership opportunities to operate the Shopmobility service. (JG)
- The review of community transport service provision in order to achieve value for money whilst minimising impact on service users. (JG)
- The proposed street lighting electricity cost reductions. (JG)
- The potential net income from the introduction of car parking charges at Lydiard Park and House and Coate Water Country Park and the reduction in the overall subsidy for Lydiard Park and House. (JG)
- The proposed employment by the Council of a Communications Manager. (JG)
- The proposed use of the Government’s additional one-off funding in the form of transitional grant in both 2016-17 and 2017-18. (SP)
- Additional income from planning, licencing and car parking enforcement. (SP)
- The enforcement of the town centre public service protection order. (SP)
- One-off resources commitments. (SP)
- Members allowances. (SP)

Resolved – (1) That the Cabinet notes:

- a) The medium term financial context and impact on Swindon of the Local Government Finance settlement.
- b) The projected out-turn for 2015-16 and that savings arising from the early delivery of 2016-17 Budget Proposals will be used to partly finance one-off costs incurred in-year to deliver the 2017-18 Budget, thus helping to preserve the level of funding held in reserves for future years’ transformation.
- c) The Council does not expect to need to replenish General Reserves as part of the 2016-17 Budget Setting process.
- d) The consultation feedback set out in Appendix 11 to the report, in relation to the Budget proposals presented to Cabinet in December 2015.
- e) The minutes of a consultation meeting with business representatives from Swindon, on behalf of non-domestic rate payers, held on 27<sup>th</sup> January 2016 (Appendix 6 to the report, tabled at the meeting).
- f) That the detailed Dedicated Schools budget for 2016-17 has been set by the Interim Director of Children Services under her delegated powers, within the provisional funding envelope of £163.550m.
- g) That the proposed budget includes provision to pay all Council staff in line

with or above the Government's National Living Wage, in accordance with the resolution at Council on 21<sup>st</sup> January 2016.

- h) That in line with the requirements of the Local Government Act 2003, the Board Director, Resources, in his Section 151 capacity, confirms the robustness of the estimates underlying the recommended Budget and having reviewed the financial risks being faced by the Council concludes that the proposed level of General Reserves (£6m) is adequate in the context of the earmarked reserves held, specific contingencies and the proposed general contingency of £0.5m.

(2) That, in respect of Children Centres:

- a) The responses to the consultation carried out on the proposals to changes to children's centre provision, set out in Appendix 11 to the report, be noted.
- b) It be noted that there have been initial discussions with the providers of early years' education currently in the children's centre buildings and they would all be interested in providing additional early years' places and can also see the benefit of having protected space for parents of 0 – 5 year olds and health provision.
- c) The approach set out in this report, in relation to improving children's lives in those areas with the most vulnerable children and families, through the development of a Family Service 0 – 18 delivered out of Penhill Sure Start Children's Centre building at an investment of £672k, be endorsed.
- d) That the children's centres at Penhill & Pinehurst, Drove, Moredon, Gorse Hill and Parks & Walcot East be de-registered.
- e) It be noted that, in response to the specific consultation issues, the Council is committed to the on-going conversation with parents and carers and will be making funding available of £76k per annum for two years for staffing (£66k) and premises costs (£10k) to facilitate parent groups for parents of 0 – 3 year olds. That the staff will be working three-fifths of the time in Goddard Park (Parks and Walcot East), one-fifth in Drove (Central) and one-fifth in Swindon Academy (Pinehurst). That this will be funded from the £826k 2016-17 Transition Grant.
- f) The Board Director Commissioning (DCS/DASS) be authorised to implement the proposals after giving notice to existing providers of three months from 1<sup>st</sup> April 2016.
- g) The Director of Law and Democratic Services, in consultation with the Cabinet Member for Children's Services, the Head of Property Services and the Interim Directors of Children Services (DCS) and Adult Social Care (DASS), be authorised to agree terms and conditions on which any changes to lease arrangements would be made to protect the Council's interests and ensure continued use of children's centre buildings for services for children and families.

(3) That the 2015-16 virements set out in Appendix 5 to the report be approved.

(4) That the Medium Term Financial Strategy, set out in Appendix 9 to the report, be endorsed and that it be noted that this will be updated and presented to Cabinet before submission to the Secretary of State before the deadline of 14<sup>th</sup> October 2016.

(5) That no changes be made to the proposed fees and charges set out in Appendix 1 to the report to Cabinet on 9th December 2015 but that it be noted that the HMRC is exploring the possibility of requiring councils to charge VAT on land charges "Con29 - Standard Enquiries relating to information pending or not disclosed on LLC1".

- (6) That the Specific Reserves held in support of the 2016-17 Revenue Budget, set out in Appendix 7 to the report, be agreed.
- (7) That it be agreed that one-off funding of £2m is earmarked to support delivery of the 2016-17 Budget, as set out in paragraph 16.1 of the report.
- (8) That the detailed budget proposals set out in Appendix 4 to the report, and summarised in Table 3 of the report, as amended by the proposals under paragraph 1.4 in the tabled update Paper, that the £826k 2016-17 Transition Grant is used to smooth the implementation of planned services changes, including for Libraries, to allow more time and/or increased pump-priming capacity to ensure that the transition to new service models is managed as effectively as possible, be agreed.
- (9) That the previous decision of Cabinet to cease the business rates scheme under which small business rate discounts are doubled from 31<sup>st</sup> March 2016, be endorsed.
- (10) That the Council be recommended:
- a) That the level of Special Expenses for 2016-17 shall be £1,770,000 and that the areas of land and services that will be charged as special and general expenses be as set out in Appendix 10 to the report.
  - b) That the 2016-17 Budget be set at £135.226m and the Budget Requirement for tax setting purposes be set at £133.632m, with the difference being the Adult Social Care precept.

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

## **60. Capital Programme 2016/17 (Minute for Confirmation)**

The Cabinet Member for Finance, People and Performance and the Board Director, Resources, submitted a joint report concerning new Capital Programme requirements for the period 2016/17 to 2017/18 and beyond, including:

- a) Children's Services schemes.
- b) Local Priority Highways and Transport Schemes.
- c) Property and Assets.
- d) Older People and Other Proposals.
- e) The Waterside depot.

Resolved – That the Council be recommended:

- a) That the position and future budget requirement for the additional Children's Services schemes, referred to at paragraphs 3.7 of the report, be noted.
- b) That a budget of £2.090m for the schemes referred to at paragraph 3.8 in the report and detailed in Appendix 1 to the report, be approved.
- c) That a total budget of £3.944m for the 2016/17 local priority Highways and Transport schemes, referred to at paragraph 3.9 in the report and detailed at Appendix 2 to the report, be approved.
- d) That a total budget of £2.391m for 2016/17 for Repairs and Maintenance on Corporate Property, as referred to in paragraphs 3.11 and detailed at Appendix 3 to the report, be approved.
- e) That a total budget requirement of £1.188m for Older Peoples and other capital schemes, referred to in paragraph 3.15 and detailed at Appendix 4 to the report, be approved.
- f) That a budget of £38,507 for refurbishment work to the Highdown play area, funded from Abbey Stadium S106 monies, as detailed at paragraph 3.18 in the report, be approved.

- g) That an increase in the budget for Waterside improvement works, from £3.8m to £4.0m, as detailed at paragraphs 3.19 to 3.21 of the report, be approved.

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

#### **61. Housing Revenue Account - Rents and Charges 2016/17 (Minute for Confirmation)**

The Cabinet Member for Housing and Public Safety and the Board Director, Service Delivery, submitted a joint report presenting to Cabinet the proposed rents, service charges and support charges for 2016/17 and the proposed Housing Revenue Account (HRA) budget for 2016/17.

Resolved – That Council be recommended:

- a) That the proposed average rent for Housing Revenue Account (HRA) dwellings for 2016/17, of £80.76 per week (52 week basis), which is a decrease of 1.0%, be approved, subject to confirmation from the Government as mentioned in paragraph 3.6 of the report. This would be an average decrease of £0.81 per week (52 week basis). The range of increases is shown in paragraph 3.10 of the report.
- b) That the Board Director, Service Delivery, be authorised to seek authority from the Secretary of State to extend the permission for the use of the Housing Revenue Account for payments to the Council's tenants under the Discretionary Housing Payments scheme, and provide a budget of £300k in 2016/17 as detailed at paragraph 3.27 of the report.
- c) That the housing related support charges for 2016/17 and service charges for 2016/17 as outlined in Appendix 2 to the report, be approved.
- d) That Leaseholder service charges are set for 2016/17, as shown in Appendix 3 to the report.
- e) That, based on the proposals set out within this report, the Housing Revenue Account (HRA) proposed budget 2016/17, shown in Appendix 4 to the report, be approved and that the HRA Capital Budget and Funding be approved as shown in Appendix 5 to the report.
- f) That a budget of £1m be approved to acquire properties as detailed at paragraph 3.36 of the report and that the Board Director, Service Delivery, in consultation with the Board Director, Resources, be authorised to commit this expenditure.
- g) That the draft 3 year capital projects and planned maintenance programme be approved, at an indicative funding level of £15.7m (2015/16 prices) for 2016/17 onwards, as shown in Appendix 6 to the report.
- h) That rents charged on General Fund properties be increased by an average increase of 0.9% and the service charges for Christopher House and the David Murray John Apartments, as shown in Appendix 7 to the report, be approved.
- i) That rents charged for plots at the Hay Lane Residential Gypsy Site be increased by £0.45 per week (0.9%) to £50.26 per week (52 week basis) and the rents for workpens, as shown in Appendix 7 to the report, be approved.
- j) That the charges for Private Sector Leased (PSL) accommodation for those accepted as homeless, outlined in Appendix 7 to the report, be approved.
- k) That any underspend on the 2015-16 Housing Revenue Account be added to revenue reserves.

- l) That Housing Revenue Account rents in supported housing be increased by 0.9% subject to a further tenant consultation to be held on 15 February 2016.

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

## **62. School Place Planning Update 2016.**

The Cabinet Member for Children's Services and the Head of Education Services submitted a joint report identifying the number of school places required to meet Swindon's long-term educational place planning needs until 2026. The report addressed the expected demographic projections, proposed housing development areas, and the need to support attainment and opportunities for young people across the Town and Borough. Summarising information from a range of sources, the report set out the issues the Borough will face in meeting its statutory duties for providing school places until 2026. It was noted that the strategy includes present and predicted future pupil numbers on roll, together with information about birth rates, school capacity and new housing.

Resolved – (1) That the education place planning demand arising across the Borough for Primary and Secondary school places and changes to national legislation be noted.

(2) That the Head of Education Services be authorised to conduct a consultation on the school place planning study attached at Appendix 1 to the report, as set out in paragraphs 3.10 to 3.16 of the report.

(3) That the basic principles on new school provision, as set out in paragraph 3.35 of the report, be approved.

(4) That, in order to start meeting the demand for additional places, the Head of Education Services be authorised to commence processes for seeking a free school for the new provision, as set out in paragraphs 3.7 and 3.8 of the report, and report back on progress at the next Cabinet meeting on the 16<sup>th</sup> March 2016.

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

## **63. School Admission Arrangements 2017-18.**

The Cabinet Member for Children's Services and the Head of Education Services submitted a joint report on the establishment of co-ordinated admission arrangements for the normal point of entry (Reception, Year 3, Year 7 and Year 10 (UTC)) and In-year admission arrangements for all Swindon Schools and Published Admission Numbers (PAN) for Community and Voluntary Controlled Schools in Swindon for September 2017.

Resolved – (1) That the response to the public consultation on admission arrangements, as set out in the report and in Appendix 3 to the report, be noted.

(2) That the co-ordinated scheme of admission arrangements for the normal point of entry (Reception Year, Year 3 and Year 7 and Year 10 (University Technical College)) and In Year admissions for all primary schools and secondary schools in Swindon from September 2017, as set out at Appendix 2 to the report, be approved.

(3) That the admission numbers and arrangements for Community and Voluntary Controlled schools from September 2017, as set out in Appendix 1 to the report, be



approved.

(4) That it be noted that these proposals will be determined by 28<sup>th</sup> February 2016 and will be implemented by the Head of Education Services for admission from September 2017 for all applicants.

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

#### **64. Swindon Pay Policy Statement 2016 (Minute for Confirmation)**

The Cabinet Member for Finance, People and Performance and Head of People, Performance and Engagement, submitted a joint report concerning the proposed Swindon Borough Council Pay Policy Statement for 2016/17.

It was noted that Section 38 of the Localism Act 2011 placed a requirement on local authorities to prepare a Pay Policy Statement for each new financial year, setting out the Council's policies relating to the following:

- Remuneration of its Chief Officers;
- Remuneration of its lowest paid employees;
- The relationship between the remuneration of its Chief Officers and the remuneration of its employees who are not Chief Officers; and
- The Pay Policy Statement does not cover or include school employees and is not required to do so.

It was also noted that the Statement was required to be approved by Full Council before 31<sup>st</sup> March 2016 and to be published as soon as is reasonably practicable after approval, including being made available on the authority's website.

Resolved – That the Council be recommended that the Council's proposed Pay Policy Statement for 2016/17, as set out in Appendix 1 to the joint report, be approved.

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

#### **65. Measuring the Success of the Vision**

The Cabinet Member for Finance, People and Performance and Head of People, Performance and Engagement, submitted a joint report setting out a proposed Performance Framework, to enable Members, residents and stakeholders to measure the success of the Council's Vision, Priorities and Pledges. It was noted that the framework was required in order to provide transparency and accountability to Councillors, residents and stakeholders and that the success measures outlined in the Performance Framework would be a fundamental part of the Council's new Corporate Plan providing measurable evidence of progress.

Resolved – (1) That the implementation of the Performance Management Framework, outlined in the report, be agreed and that the success measures

detailed in Appendix 1 to the report, be adopted.

(2) That the Chief Executive Designate, in consultation with the Leader of the Council and the Cabinet Member for Finance, People and Performance, be authorised to introduce the performance framework throughout the Council.

(3) That the Head of Performance, People and Engagement, in consultation with the appropriate Cabinet Member and Head of Service, be authorised to amend specific performance measure in the event of any changes in local or national policy.

(4) That Cabinet's thanks to Sam Mowbray, the Council's Head of Performance, People and Engagement, for the significant amount of time and work she has invested in developing the Performance Framework, be recorded.

## **66. Superfast Broadband**

The Cabinet Member for Corporate, Customer and Digital Services and Board Director, Resources, submitted a joint report responding to Motions agreed by Council in March 2015 and November 2015 relating to the improvement of Superfast Broadband coverage across the Borough (Council Minutes 96 2014/15 and 48 2015/16 refer).

Resolved – (1) That the report be noted and that the Council's support for the existing contract with UK Broadband Networks (UKBN) as the best available means of securing Superfast Broadband coverage for the Borough of Swindon be confirmed.

(2) That it be agreed that the £0.5m budget previously allocated for Superfast Broadband from the New Homes Bonus remain available for this purpose.

(3) That the Cabinet Member for Corporate, Customer and Digital Services report the outcome of this report to the next meeting of Council.

## **67. Wichelstowe Joint Venture**

The Cabinet Member for Adult Health and Social Care and the Board Director, Resources, submitted a joint report providing an update on the due diligence works associated with the establishment of the Wichelstowe Joint Venture.

The report also set out the detail of a financially beneficial change being sought to be made to the current proposed Joint Venture structure, as presented to the Cabinet on 17<sup>th</sup> June 2015 (Cabinet Minute 5, 2015/16 refers).

Councillor Toby Elliott, Cabinet Member for Communities & Strategic Planning, welcomed the report and emphasised the importance of the delivery of housing in Wichelstowe in meeting the Swindon Local Plan's new homes and 5 year land supply commitments.

Resolved – (1) That the change to the proposed Joint Venture structure, from two tiers to a single tier, as detailed in paragraphs 3.6 to 3.11 of the report, be approved.

(2) That the Board Director, Resources, in consultation with the Cabinet Member for Adult Health and Social Care, be authorised to take such steps as are necessary to implement the change agreed in (1) above.

(3) That the Board Director, Resources, and his officer team, be thanked for their hard work in support of the development of the Wichelstowe Joint Venture project.

## **68. Community Investment in solar developments on Council land**

The Cabinet Member for Sustainability and Transport, the Chief Executive Designate and the Head of Economy, Skills and Property Development submitted a joint report inviting Cabinet to agree the method by which the Council would enable community investment in renewable energy projects on its land and how this function would be managed. In addition, the report provided an update on solar schemes proposed on the Barnfield and Mannington sites, a scheme to place solar panels on canopies in several Swindon Borough Council (SBC) owned car parks and the M4/A419 solar noise barriers.

Resolved – (1) That the Director of Law and Democratic Services, be authorised to undertake the necessary steps to secure ownership of the Community Interest Company (“the CIC”) currently owned by Public Power Solutions (PPS), so as to enable the Council to become the sole shareholder of the CIC.

(2) That the Director of Law and Democratic Services be authorised to present to the Special Committee of the Council a report approving the appointment of a minimum of three Council Officers as Directors of the CIC, and one Council Officer as its Company Secretary.

(3) That the Director of Law and Democratic Services, in consultation with the Cabinet Member for Communities and Strategic Planning, be authorised to agree an appropriate governance arrangement for purposes which include (but are not limited to) the involvement of elected members in the disbursement and distribution of funding from the proceeds of the CIC for the benefit of Swindon communities.

(4) That the Board Director, Resources, be authorised to facilitate, on behalf of the Council as sole shareholder of the CIC, all necessary steps to enable “Abundance” to undertake and complete the community investment offer as detailed in this report.

(5) That it be noted that, in the event that the community investment offer is unsuccessful, the Council, in its capacity as sole shareholder of the CIC, would need to make a decision as to how the required investment should be raised.

(6) That the Board Director, Resources, in consultation with the Cabinet Member for Finance, People and Performance, be authorised to invest £3m in the CIC (£2,987,500 by way of a loan to the CIC and £12,500 as minimum Equity to meet the requirement of a Public Limited Company).

(7) That the Director of Law and Democratic Services, in consultation with the Cabinet Member for Sustainability and Transport and the Head of Property Assets, be authorised to conclude all the necessary legal documentation in relation to the project at Common Farm and sites benefitting from the Local Development Order mentioned in Part 2 of this report, on such terms that are required to protect the interests of the Council.

(8) That the profits of the CIC be apportioned as follows: 65% distributed for community benefit and 35% to the Council as the sole shareholder.

(9) That this CIC model be used as a model for future community investment in Swindon renewable energy schemes, ensuring that such schemes meet Council requirements for financial viability.

## **69. References from Other Council Bodies - Streetsmart Overview and Scrutiny Committee / Health and Wellbeing Board.**

The Cabinet Member for Sustainability and Transport, the Cabinet Member for Housing and Public Safety, the Cabinet Member for Adult Health and Social Care and Director of Law and Democratic Services submitted a joint report concerning the following recommendations arising from meetings of the Streetsmart and

Highways Overview and Scrutiny Committee held on 18<sup>th</sup> November 2015 and the Health and Wellbeing Board held on 9<sup>th</sup> December 2015:

- a) That Cabinet look at options for reducing street lighting energy use by 40% (*Streetsmart Overview and Scrutiny Committee*).
- b) That Cabinet be recommended that (i) the draft Homelessness Strategy for Swindon 2016 to 2021 be approved and the Allocations Policy be amended to offer a proportion of social housing voids in a targeted way to homeless households, as set out in Priority 4 of the Draft Strategy, and (ii) the new Sexual and Reproductive Health Strategy 2015 – 2020 be adopted (*Health and Wellbeing Board*).

Resolved – (1) That, further to Minute 15 of the Streetsmart Overview and Scrutiny Committee, the Cabinet Member for Sustainability and Transport report to a future meeting on the options for reducing street lighting energy usage by 10%, 20%, 30% and 40%.

(2) That, further to Minutes 34 and 35 of the Health and Wellbeing Board, (i) the draft Homelessness Strategy for Swindon 2016 to 2021 be approved and the Allocations Policy be amended to offer a proportion of social housing voids in a targeted way to homeless households, as set out in Priority 4 of the Draft Strategy, and (ii) the new Sexual and Reproductive Health Strategy 2015 – 2020 be adopted.

## **70.**

### **Devolution - Moving Forward**

The Leader of the Council and the Chief Executive Designate submitted a joint report providing Cabinet with an update on the ongoing discussions that the Council is having with Wiltshire Council, other local authorities, and the Government in respect of the Government's devolution proposals.

Resolved – (1) That the action taken to date in furtherance of the Government's initiative to enable local authorities to explore opportunities for further devolution to groupings of local authorities, be noted and endorsed.;

(2) That the Chief Executive Designate, in consultation with the Leader of the Council, be authorised to continue discussions with other Councils and the Government in relation to the devolution agenda and to develop proposals for submission to Cabinet and Council in due course.

## **CABINET**

**WEDNESDAY, 16 MARCH 2016**

**PRESENT:-** Councillors David Renard (Chair), Brian Mattock (Vice-Chair), Toby Elliott, Fionuala Foley, Brian Ford, Dale Heenan, Russell Holland and Mary Martin

Apologies for absence were received from Councillors Emma Faramarzi and Garry Perkins

### **71. Declarations of Interest.**

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

Councillor Fionuala Foley made a personal declaration in respect of Cabinet's consideration of agenda item no. 12 ("Regionalising Adoption Agencies") with regard to her membership of the Swindon Adoption Panel.

### **72. Minutes.**

Resolved – That the minutes of the meeting held on 10<sup>th</sup> February 2016 be confirmed and signed as a correct record.

### **73. Public Question Time.**

Mr Tim French, a local resident, asked a question regarding the possibility of funding being identified for the continuation of the Swindon Users Network, which organisation was scheduled to cease operating after the end of March 2016.

The Chair thanked Mr French for his question which was answered by Councillor Brian Mattock at the meeting.

### **74. Update on Fire Combination and Fire-Police Collaboration**

Following discussions with the Leader of the Council and other Members, Mr. Darran Gunter, the Chief Fire Officer (Designate) for the new Dorset & Wiltshire Fire and Rescue Service, and Mr. Ben Ansell, the Assistant Chief Fire Officer (Designate) for the service, attended the meeting to provide an update on the new management and command arrangements and political arrangements in the Dorset and Wiltshire Fire and Rescue Service to support Swindon communities, and also to provide an overview of the current position with regard to the consultation on collaboration between emergency services and the potential enhanced role of the Police and Crime Commissioner in respect of the current legislation relating to Police/Fire collaboration and governance.

Mr. Gunter introduced the report, providing some background to the development of the new Combined Fire and Rescue Authority, and providing assurance that the level of savings anticipated through the establishment of the Combined Service, between £6m and £7m on an overall current combined budget of £50m, would not

necessitate any planned reduction in front line services.

Mr Ansell briefly outlined the new service structure, which, he explained, had been developed in response to the need to achieve economies of scale whilst recognising the importance of retaining and strengthening a local geographic focus on community risk and the services and resources to be committed to the mitigation of that risk. It was noted that the Swindon Command Area structure had been organised into two district areas that aligned with the existing locality boundaries, Swindon North (covering the West, North Central, North and North East localities) and Swindon South (taking in the Town Centre, East and South localities).

Mr. Guntar referred to concerns that had been previously expressed that the larger service might limit focus on service provision issues within the constituent areas. He assured the meeting that this would not be the case, and that, in fact, there would be a greater level of local authority representation on the Fire Authority than previously. Mr. Guntar also expanded on the arrangements in place to facilitate the public scrutiny of the Combined Authority's performance by each constituent Council.

Mr. Guntar referred to the Government's intent to enable closer collaboration between emergency services and, in particular, the proposal in its related consultation document that the powers of Police and Crime Commissioners might be enhanced with regard to future governance of fire and rescue authorities. He concluded the presentation of the report by providing the meeting with a factual summary of the (Shadow) Dorset and Wiltshire Fire and Rescue Authority's response to the Government's consultation document and the Government's own published response to the emergency services collaboration consultation.

Resolved – (1) That Mr. Darran Gunter, the Chief Fire Officer (Designate) for the new Dorset & Wiltshire Fire and Rescue Service, and Mr. Ben Ansell, the Assistant Chief Fire Officer (Designate) for the service, be thanked for attending the meeting and for their very comprehensive presentation of the issues around the new management and command arrangements and political arrangements for the Fire and Rescue Service and the position with regard to the consultation on collaboration between emergency services and the potential enhanced role of the Police and Crime Commissioner.

(2) That the report, and the assurances of the Chief Fire Officer (Designate) with regard to the Fire and Rescue Services' commitment to maintaining and improving front line service provision, be welcomed.

## **75. Free Schools Update**

Councillor Fionuala Foley, the Cabinet Member for Children's Services, and the Head of Education Services, submitted a joint report providing an update on the applications for new free schools that were submitted by 2nd March 2016 deadline and bringing together information from a range of education providers for new primary school, special school and alternative provision. It was noted that the applications had been made in accordance with the Department for Education (DfE) new presumption requiring every new school to be a Free School and its process facilitating two application "waves" per year for sponsors wishing to set up a new free school. It was also noted that the process was outside of Local Authority control and that the current Wave (Wave 11), which closed on 2nd March 2016, was for

schools opening in September 2017 at the earliest.

Resolved – (1) That the four applications submitted in Wave 11, for education provision opening from September 2017 and later, and two applications for Wave 12, for education provision opening in September 2018 and later, be noted.

(2) That the Head of Education Services be authorised to support the applications from Great Western Academy, Diocese of Bristol Academies Trust, The White Horse Federation, Uplands School and Schools Company.

(Councillor Mary Martin made a non-prejudicial declaration of interest in relation to her nomination as Chair of one of the Academies to have submitted an application.)

#### **76. Budget Management 2015/16**

Councillor Russell Holland, Cabinet Member for Finance, People and Performance, and the Board Director, Resources, submitted a joint report presenting the 2015-16 Revenue Budget forecast out-turn at the end of January 2016.

Resolved – (1) That the projected Revenue Budget out-turn position for 2015-16, set out in Table 1 and Appendices 1 and 2 to the report, be noted.

(2) That the virements set out in Appendix 3 to the report be approved.

#### **77. Capital Programme Monitoring 3rd Quarter 2015/16**

Councillor Russell Holland, Cabinet Member for Finance, People and Performance, and the Board Director, Resources, submitted a joint report setting out the 2015/16 Capital Programme position as at the end of December 2015.

Resolved – (1) That the latest 2015/16 Capital Programme position be noted.

(2) That the positions on the schemes detailed in paragraph 3.2 of the report be noted.

(3) That the additions to the Capital Programme, detailed in paragraph 3.3 of the report, be approved.

(4) That the changes to the Disabled Facilities Grant, detailed in paragraph 3.4 of the report, be noted.

#### **78. Treasury Strategy Statement 2016/17 (Minute For Confirmation)**

Councillor Russell Holland, Cabinet Member for Finance, People and Performance, and the Board Director, Resources, submitted a joint report on the Treasury Management Strategy for 2016/17, including Prudential Indicators up to 2017/18, the Annual Investment Strategy, and the Minimum Revenue Provision Policy Statement.

Resolved – That the Treasury Management Strategy, Minimum Revenue Provision Policy and Prudential Indicators, as set out in Appendix 1 to the report, be recommended for approval by Full Council at its meeting on 14<sup>th</sup> April 2016.

#### **79. Future of Swindon Borough Council Operated Nurseries**

Councillor Fionuala Foley, the Cabinet Member for Children's Services, and the Interim Director Children's Services, submitted a joint report on the consultation

process and responses received on the future provision of the Children's Nursery and Bright Start currently operated by the Council.

Resolved – (1) That the feedback obtained from service users documented in the consultation analysis (set out in Appendix 1 to the report) be noted.

(2) That the Interim Director of Children's Services be authorised:

- a) To market Bright Start Nursery to seek a new provider to operate the provision under a lease for the building from September 2016.
- b) To close the Children's Nursery by September 2016 and provide assistance to parents seeking alternative nursery places and to nursery staff to seek new positions of employment for the reasons provided in paragraph 3.4 of the report.

(3) That the Director of Law and Democratic Services, in consultation with the Interim Director of Children's Services and the Board Director Resources, be authorised to enter into a lease with the new provider on such terms as he considers necessary to protect the Council's interests.

(4) That the high quality service and professionalism shown throughout the consultation period by the staff at the Children's Nursery and at Bright Start be acknowledged and that it be recorded that the quality of the provision is not the reason for these proposals.

## **80. Swindon Cycling Framework**

Councillor Dale Heenan, the Cabinet Member for Sustainability and Transport, and the Board Director, Service Delivery, submitted a joint report outlining the conclusions and major issues arising from the recent public consultation on the Borough's draft Cycling Framework and seeking Cabinet's support for the adoption of the priority cycling "movement corridor" approach, summarised on pages 20 and 21 of the Framework (pages 146 and 147 Of the Cabinet report).

The report also summarised the recently launched Department for Transport "Sustainable Travel Transition Year revenue competition for 2016/17" and sought Cabinet's approval for submission of a bid.

Resolved – (1) That the responses to the consultation be noted and that the draft Cycling Framework be approved as a basis for development of a Delivery Plan to bring forward specific proposals emerging from the Framework, including identification of appropriate funding opportunities.

(2) That the priority corridor approach, as depicted in the plan on page 21 of the Framework (page 147 of the Cabinet report), be agreed as the basis for the next stage of the Delivery Plan process.

(3) That the Head of Highways and Transport, in consultation with the Cabinet Member for Sustainability and Transport, be authorised to submit a revenue funding bid to the Department for Transport "Sustainable Travel Transition Year revenue competition for 2016/17 by the closing date of 29 March 2016.

(4) That the Board Director Resources, as Section 151 Officer, be authorised to sign any agreed bid in accordance with the bidding requirements.

## **81. Regionalising Adoption Agencies**

Councillor Fionuala Foley, the Cabinet Member for Children's Services, and the Interim Director Children's Services, submitted a joint report on the expectation of the government to make arrangements to create Regional Adoption Agencies and



the potential options for Swindon in doing so. It was noted that Swindon Council currently operated its own adoption agency, with a very small average volume of activity and the report highlighted how Swindon might best meet the new requirement to have new regional agencies operating in a model big enough to provide for excellence and innovative in practice.

In making a recommendation to Cabinet on the options available to the Council, Councillor Foley explained that, whilst options 1 and 2 in the report were clearly the least viable, there was little to separate the options for working with South West or South East group. She advised that it was her recommendation to support Option 4 (Berkshire/South East England) on the grounds as set out in the following subsections in the main report:

- 3.18(e) The SW at the moment has some aspects of adoption provision presented as 'out of scope' (i.e. inter-country adoption, step parent adoption, adoption file access) which if maintained would mean SBC would need some sort of residual service which in turn could have practice and cost implications for Swindon. SE has these in scope at the moment.
- 3.18(f) Adoption services are already part way along the journey of 'shared' services in four of the local authorities in the SE with 2 others part engaged. Also the SE has some services already in place seen as 'good' by DfE and Ofsted that can be in theory transferred straight over to any new model. The SW would be starting from new.
- 3.18(g) There is no substantive history of joint operation of services in children's services in the SW. There is however a history of shared services in the SE area. Such as a joint family legal service, emergency duty service and adoption service
- 3.18(h) The SE would be made up of more small Unitary authorities than the SW which may give a more even balance of 'ownership'
- 3.18(i) There are no obvious expressions of interests stated as yet within the SW to lead on a SW model. SE has a natural focal point with the pre-existing services and infrastructure for some aspects already physically based in Wokingham managed through Windsor & Maidenhead.

Resolved – (1) That the establishing of a Regional Adoption Agency aligned to the Berkshire/ South East to ensure the smooth transition of Swindon's adoption agency into a new operating model be supported.

(2) That the Interim Director of Children's Services, in consultation with the Cabinet Member for Children's Services, be authorised to agree the decision about the detailed nature of the operating model in partnership with the Governance Board for the Regional Adoption Agency in due course.

Councillor Fionuala Foley made a personal declaration in respect of Cabinet's consideration of this matter, with regard to her membership of the Swindon Adoption Panel.

**82.**

**Regulation of Investigatory Powers Act 2000**

The Leader of the Council, Director of Law and Democratic Services, and Public Protection Manager submitted a joint report briefing members as to the current situation with regard to the Council's use of the Regulation of Investigatory Powers Act 2000 and to note the current policy. It was noted that Councillors should have oversight of how the Council uses its powers to undertake surveillance activities and to be assured that it uses its powers responsibly and in accordance with the Regulation of Investigatory Powers Act and associated codes of practice.

Resolved – That the report be noted and that the Council's current 'Policy and Protocol on Regulation of Investigatory Powers Act 2000' be endorsed.

## Notice of Decisions Made

<b>Decision Maker:</b>	<b>Councillor Garry Perkins, Cabinet Member for the Economy, regeneration and Skills</b>
<b>Subject</b>	<b>Consideration of objections – Introduction of Waiting Restrictions, Belmont Crescent Traffic Regulation Order</b>
<b>Decision(s): -</b>	<p>The Head of Highways and Transport be authorised to implement the advertised Traffic Regulation Order for the introduction of double yellow line waiting restrictions on Belmont Crescent, Roman Crescent, The Mall and Westlecot Road.</p> <p>The Head of Highways and Transport to notify the objectors to the proposals of the decision on this matter.</p>
<b>Consultation:</b>	The Shadow / Group Spokespersons – Councillor Jim Robbins (Labour) and Councillor Stan Pajak (Liberal Democrat) and Ward Councillors Brian Mattock, Nadine Watts and Stan Pajak were consulted on the Decision Note. No adverse comments or requests for Cabinet consideration were received.
<b>Date of Publication:</b>	Thursday 11th February 2016
<b>Date for Receipt of Requests for Call-in</b>	Friday 19 <sup>th</sup> February 2016

For more details on the subject of the Decision or for a copy of the Decision Note please contact: Suzanne Coles, 01793 466394, scoles@swindon.gov.uk.

Or from Steve Jones, Committee and Member Services Manager, Direct Dial: 01793 463602 or Email [stevejones@swindon.gov.uk](mailto:stevejones@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

<b>Decision Maker:</b>	<b>Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills</b>
<b>Subject</b>	<b>Consideration of objections – Introduction of Restricted parking Zone in East Wichel Traffic Regulation Order</b>
<b>Decision(s): -</b>	<p>The Head of Highways and Transport be authorised to implement the advertised Traffic Regulation Order for the introduction of the restricted parking zone in East Wichel on a permanent basis.</p> <p>The Head of Highways and Transport to notify the objectors to the proposals of the decision on this matter.</p>
<b>Consultation:</b>	<p>The following Shadow / Group Spokespersons and ward Councillors were consulted on the Decision note. Councillors Nadine Watts, Brian Mattock, Claire Ellis, Stand Pajak and Jim Robbins. No adverse comments or requests for Cabinet consideration were received.</p>
<b>Date of Publication:</b>	Thursday 11th February 2016
<b>Date for Receipt of Requests for Call-in</b>	Friday 19 <sup>th</sup> February 2016

For more details on the subject of the Decision or for a copy of the Decision Note please contact: Zahida Aslam, 01793 466401 [zaslam@swindon.gov.uk](mailto:zaslam@swindon.gov.uk).

Or from Steve Jones, Committee and Member Services Manager, Direct Dial: 01793 463602 or Email [stevejones@swindon.gov.uk](mailto:stevejones@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/mglListPlanItems.aspx?PlanId=440&RP=285&J=3>

## Notice of Decisions Made

**Decision Maker:** Councillor Russell Holland, Cabinet member for Finance, People and Performance and Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills

**Subject** Premises at Cheney Manor – Lease Renewal

**Decision(s): -** The Director of law and Democratic Services, in consultation with the Head of Property Assets, shall agree all necessary documents to enable the grant of a 20 year lease of premises at Cheney Manor as detailed in the main body of the report, on the basis that the Council funds work estimated a £1.5m to the premises and the current rent on the premises (£295,000) is increased by £70,000 a year to £365,000 a year over the first 10 years of the term, and then further increased to £140,000 to £435,000 a year for the final 10 years of the term, to reflect the value created by the works to be carried out, and on such detailed terms and conditions as are agreed as such detailed terms as required in order to protect the Council's interests.

**Consultation:** The following Shadow / Group Spokespersons and/or Ward members – Councillor Des Moffatt (Labour) and Councillor Stan Pajak (Liberal Democrat). No adverse comments or requests for Cabinet consideration were received.

**Date of Publication:** Thursday 18th February 2016

**Date for Receipt of Requests for Call-in** Friday 26<sup>th</sup> February 2016

For more details on the subject of the Decision or for a copy of the Decision Note please contact: Rob Richards, 01793 463521, [rrichards@swindon.gov.uk](mailto:rrichards@swindon.gov.uk).

Or from Steve Jones, Committee and Member Services Manager, Direct Dial: 01793 463602 or Email [stevejones@swindon.gov.uk](mailto:stevejones@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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## Notice of Decisions Made

<b>Decision Maker:</b>	<b>Councillor Fionuala Foley, Cabinet Member for Children's Services</b>
<b>Subject</b>	<b>Addition of a primary-aged provision at Crowdys Hill Special School</b>
<b>Decision(s): -</b>	The Head of Education to commence statutory proposals to decrease the age range at Crowdys Hill Special School from 11 to 9 to 4 to 19 in order to provide Primary aged provision by September 2016.
<b>Consultation:</b>	The following Shadow / Group Spokespersons and/or Ward members – Councillor John Ballman (Labour) (Ward), Councillor Ray Ballman (Labour)(Ward), Councillor Carol Shelley (Labour)(Spokesperson), Councillor David Wood (Liberal Democrat)(Spokesperson). No adverse comments or requests for Cabinet consideration were received.
<b>Date of Publication:</b>	Thursday 17th March 2016
<b>Date for Receipt of Requests for Call-in</b>	Friday 25 <sup>th</sup> March 2016

For more details on the subject of the Decision or for a copy of the Decision Note please contact: Peter Nathan, 01793 463067, [pnathan@swindon.gov.uk](mailto:pnathan@swindon.gov.uk).

Or from Steve Jones, Committee and Member Services Manager, Direct Dial: 01793 463602 or Email [stevejones@swindon.gov.uk](mailto:stevejones@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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## Notice of Decisions Made

**Decision Maker:** Councillor Brian Mattock, Cabinet Member for Adult Health and Social Care

**Subject** Integrated Sexual Health and Social Care

**Decision(s): -** The Director of Public Health is authorised to enter into a partnership agreement under Section 75 of the NHS Act 2006 with the Great Western Hospital NHS Foundation Trust to provide an Integrated Sexual Health Services for the period 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2020 with the option to extend for a further one year subject to performance, budget availability and market development on such terms as the Director of Law and Democratic Services considers necessary to protect the Council's interests.

**Consultation:** The following Shadow / Group Spokespersons – Councillor Ray Ballman (Labour), Councillor David Wood (Liberal Democrat). No adverse comments or requests for Cabinet consideration were received.

**Date of Publication:** Friday 18<sup>th</sup> March 2016

**Date for Receipt of Requests for Call-in** Wednesday 30<sup>th</sup> March 2016

For more details on the subject of the Decision or for a copy of the Decision Note please contact: Cherry Jones, 01793 444681, [cherryjones@swindon.gov.uk](mailto:cherryjones@swindon.gov.uk).

Or from Steve Jones, Committee and Member Services Manager, Direct Dial: 01793 463602 or Email [stevejones@swindon.gov.uk](mailto:stevejones@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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