

## **CABINET**

**WEDNESDAY, 13 JULY 2016**

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

Apologies for absence were received from Councillors Garry Perkins and Keith Williams.

Councillors Teresa Page and Jim Robbins attended the meeting in respect of Minute 25. Councillor Chris Watts attended the meeting in respect of Minute 26. Councillor Jim Grant attended the meeting in respect of Minute 27.

### **20. Declarations of Interest.**

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

### **21. Minutes.**

Resolved – That the minutes of the meeting held on 16<sup>th</sup> June, be confirmed and signed as a correct record.

### **22. Public Question Time.**

Mrs Shirley Burnham, a local resident, had submitted a written question regarding the provision of libraries but was unable to attend the meeting.

The Chair stated that the Cabinet Member for Communities had provided a written answer and that this had been made available to Mrs Burnham.

Mrs Sarah Church of “Save Swindon Libraries” had submitted a written question regarding the libraries consultation.

The Chair thanked Mrs Church for her question and advised that a written answer had been provided and also circulated at the meeting.

Mrs Church asked a supplementary question regarding the consultation process to be used by the Council in support of the library strategy. Councillor Mary Martin, the Cabinet Member for Communities, responded to the question.

Ms Talis Kimberley-Fairbourn, a Wroughton resident, had submitted a written question about the impact on services of continuing reductions in funding from Central Government as a result of austerity measures.

The Chair thanked Ms Kimberley-Fairbourn for her question and advised that a written answer had been provided and also circulated at the meeting.

Ms Kimberley-Fairbourn asked a supplementary question about the future of Community Assets in the event of closures due to reduced service provision.

Councillor Mary Martin, the Cabinet Member for Communities, and Councillor Brian Ford, the Cabinet Member for Adults' Health and Social Care, responded to the question.

### **23. Adoption of the Wroughton Neighbourhood Plan (Minute for confirmation)**

Councillor Toby Elliott, the Cabinet Member for Strategic Planning, submitted a report informing Cabinet of the process followed with regard to the successful examination of the Wroughton Neighbourhood Plan, resulting in a vast majority of participants in a referendum voting in favour of the Plan. The report also requested that, in compliance with the requirement of the Localism Act 2011 that local planning authorities 'make' (or adopt) a neighbourhood development plan as soon as was reasonably practicable following a successful referendum, Cabinet recommend to Council that the plan be adopted.

Councillor Elliott referred to the high turnout for the referendum (40% compared with the national average of 32%) and thanked officers, the Parish Council, and residents for their work in support of the Plan, which would become a material consideration in determining planning applications and aid the Borough and the Parish in managing new housing growth.

In response to a question put by Councillor Jim Grant, the Leader of the Opposition, regarding the application of Community Infrastructure Levy (CIL) in areas without a parish council, or where a plan was adopted that covered just part of a parish, Councillor Elliott advised that, in the first instance, the CIL would be allocated to the parish, otherwise it would be retained by the Borough to allocate on projects within the Plan area following consultation with the ward councillors.

Resolved – (1) That Council be recommended that the Wroughton Neighbourhood Plan is adopted formally as part of the statutory Development Plan for the Borough. (2) That the Head of Planning, Regulatory Services and Heritage be authorised to undertake a Neighbourhood Planning review exercise in order that the Council might assist other communities in progressing their Neighbourhood Plans.

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

### **24. Debt Management**

Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance and Corporate Services, the Director of Law & Democratic Services and the Head of Revenues & Benefits, submitted a joint report on the Council's Tax and debt collection performance in 2015/16 and incorporating the annual statement of debts written off, as required by Council's Debt Management Policy.

Councillor Holland referred to the reduction in the number of court summonses issued on behalf of the Council by nearly one third but also drew members' attention to the speed with which small debts could increase if collection methods were initiated and that a large number of households had still received a summons.

In response to a question put by Councillor Toby Elliott, Councillor Holland confirmed that the figure in the report for business rates collection of 98.6% referred to the value of the tax collected.

Resolved – That it be noted that:

- a) The Collection rates of all debt types, including Council Tax, Business Rates, Business Improvement District charges, Housing Rent, Parking collections, Overpaid Housing Benefits and Miscellaneous Incomes, had improved in the financial year 2015/6.
- b) Collection rates remain above average compared to other Unitary Authorities.
- c) The work being undertaken to reduce Council Tax recovery proceedings and the use of Enforcement Agents has led to a 33% reduction in the number of summonses issued (a fall of 4,608) in the last 2 years and a 24% reduction in referrals to bailiffs (a fall of 1,899 ) in the last year.

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

## **25. Securing a sustainable future for Swindon's Library Services**

Councillor Mary Martin, the Cabinet Member for Communities, and the Head of Localities, Community Involvement and Volunteering, submitted a joint report proposing a strategy for securing a sustainable future for Swindon's Library Services that would continue to deliver a comprehensive library service. The report also expanded on previous Cabinet decisions approving an emerging model for the service as the basis of public engagement. It was noted that the approval of the recommendations would initiate public consultation on the proposed Libraries Strategy and delivery model and authorise further work to support its development, including working with ward councillors, parishes, partners, community groups and other stakeholders who might provide continued access to library facilities.

In response to a question put by Councillor Teresa Page (Penhill and Upper Stratton), on behalf of the Stratton Advice Point, about whether the Council would find the advice service alternative premises from which to operate in the event that the Stratton Library was closed, Councillor Martin advised that it was the intention of the strategy to keep as many of Swindon's libraries open and available to the public as possible but that the re-location of existing users would be discussed if such a need arose.

Councillor Martin responded to questions put by Councillor Jim Robbins on the following issues:

- The strategy's effect on the delivery of the Council Vision's Priorities.
- The availability of volunteers to support library services.
- Options for the future of a mobile library service.
- The need to ensure that ward councillors are aware of proposals for their areas and how they might best participate in discussions.
- The Trust Model for the provision of library services and the view that a Trust model, in itself, would have limited impact on Council budgets overall.
- The use of the £500k transition money to meet on-going library building costs.

In response to a question put by Councillor Dale Heenan, Cabinet Member for

Sustainability, Highways, and Transport, Councillor Martin confirmed that the transitional funding would not end after one year.

Resolved – (1) That the findings of the public engagement, summarised in paragraphs 3.3 to 3.11 of the report, and set out in full in appendix 1, be noted.

(2) That it be noted that it is the proposed strategy's intent to:

- a) Sustain access to library services through the use of technology, outreach and learning.
- b) Support ward councillors, parishes, partners, and local communities to preserve or enhance local Library services.

(3) That the proposed strategy and delivery model be approved as the basis of public consultation and the Head of Localities, Community Involvement and Volunteering be authorised to carry out public consultation on the proposed strategy in accordance with the approach and timetable set out in paragraph 3.27 of the report.

(4) That, in order to encourage and support the development of viable, community-led arrangements to supplement the Council's core provision, transitional funding of £500k be made available from the Council's one-off resources to help meet the one-off costs of establishing community-led arrangements.

(5) That the Head of Localities, Community Involvement and Volunteering be authorised to:

- a) Continue, in consultation with the Cabinet Member for Communities, to engage ward councillors, parishes, partners, and stakeholders to develop options to sustain Library services, and agree the basis on which transitional funding is allocated to support the development of community-led arrangements.
- b) Use c£6k of the transitional funding to undertake a commercial options appraisal to develop strategies for generating additional income.
- c) Commence, in consultation with the Cabinet Member for Communities and the Board Director, Resources, the procurement of technology that enables Libraries to be accessible to the public beyond their staffed hours, in accordance with paragraph 5.3 of the report.

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

## **26. Budget Management 2016-17**

Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance and Corporate Services, and the Board Director, Resources, submitted a joint report setting out the 2016-17 revenue forecast out-turn at the end of May 2016 and the expected financial position for the coming years.

Councillor Holland introduced the report, reminding members of the level of acknowledged risk in the initial budget projections and summarising the key pressures, including the additional costs of extending the libraries consultation, the projected rise in the cost of adult and children's services, and the changed position at Public Power Solutions Ltd (PPS) necessitating waste disposal gate fees to be raised.

Councillor David Renard, Leader of the Council and Chair of Cabinet, updated Members on the outcome of the Swindon and Wiltshire Local Enterprise Partnership

Board meeting and the Swindon projects that it had recommended to the Government for Local Growth Fund 3 bid.

The Director of Law and Democratic Services referred to the Community Governance Review and suggested that, in order to allow members to take full account of representations received in response to the current engagement exercise, the Cabinet meeting scheduled for 4<sup>th</sup> August would be more effective if held on 17<sup>th</sup> August, with the associated Scrutiny Committee meeting moving from 8<sup>th</sup> August to 22<sup>nd</sup> August. It was noted that this suggestion had been endorsed by Councillor Bob Wright, the Chair of the Scrutiny Committee.

Councillor Holland responded to questions put by Councillor Chris Watts regarding (i) the proportion of the PPS Ltd financial pressure attributed to (a) the reduction in income from solar, and (b) the setting of waste disposal gate fees below market rates, and (ii) PPS' and/or Cabinet's prior awareness of the impact of the redirection of solar tariffs on the business model.

Resolved – (1) That the projected Revenue Budget out-turn position for 2016-17, 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.

(3) That the allocation of one-off resources of £2.6m to fund the estimated in-year cost of the waste processing and disposal service managed by PPS Ltd., that was previously funded from profit on solar schemes, be approved.

(4) That officers be authorised to progress with PPS Ltd the matters set out in paragraph 4.12 of the report.

(5) That the Cabinet Member for Finance and Corporate Services and the Board Director Resources report back to Cabinet in September 2016, setting out a plan to manage the pressures within the 2016-17 Budget.

(6) That the Swindon schemes being put forward for consideration through the Local Growth Fund 3 be endorsed and that it be noted that any requirement for match funding or additional revenue support will be reported to Cabinet in January 2017 for consideration as part of the 2017-18 Budget.

(7) That the additions to the capital programme, detailed in section 8 of the report, be approved.

(8) That, in order to allow members to take full account of representations received in response to the current engagement exercise, the Cabinet meeting scheduled for 4<sup>th</sup> August be deferred until 17<sup>th</sup> August, and the subsequent Scrutiny Committee meeting, scheduled for 8<sup>th</sup> August, be deferred to 22<sup>nd</sup> August.

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

## **27. Fixed Penalty Notice Enforcement Policy(Minute for confirmation)**

Councillor Oliver Donachie, the Cabinet Member for Housing and Homelessness, submitted a report seeking to formalise and confirm the Council's approach to issuing Fixed Penalty Notices (FPNs) for 'low level' offences covered by a range of legislation. It was noted that an adopted policy to enforce these offences through FPNs was an essential building block in implementing Public Space Protection Orders, (PSPO's) and that the policy would provide clarity over how FPNs will be used to deal with relevant public order offences.

Councillor Donachie emphasised to Cabinet that, if approved by Council, this policy would give relevant Council officers, police officers and police and community support officers better powers to carry out enforcement action.

Councillor Jim Grant, Leader of the Opposition, endorsed the approach put forward in the report and asked whether parishes would have powers to carry out similar enforcement. It was Councillor Donachie's view that parishes had no direct authority to take such action. However, the Director of Law and Democratic Services, stated that he would investigate this further, to establish whether the Borough might have the ability to commission parishes to act on its behalf.

Resolved – That the range and extent of offences that are appropriately dealt with through FPNs be noted and that the FPN policy, attached to the report at Appendix 1, be commended to Full Council for approval.

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

## **28. Education Transport Policy 2017/18**

Councillor Fionuala Foley, the Cabinet Member for Children's Services, and the Head of Education Services, submitted a joint report on the results of the consultation on the Education Transport Policy for the academic year 2017/18 and seeking Cabinet's approval of the arrangements within the Education Transport Policy for the academic year 2017/18.

Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance and Corporate Services, asked that Cabinet's recognition and thanks for the work of Councillor Foley and her officers in producing this significant policy be recorded.

Resolved – (1) That the responses to the consultation, as summarised in the body of the report and set out in full at Appendix 2, be noted.

(2) That the Education Transport Policy 2017/18, attached at Appendix 1 to the report, be approved, having regard to the responses to the consultation, set out in Appendix 2 to the report.

(3) That the Head of Education Services be authorised to implement the Transport Policy for 2017/18.

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

## **29. Council Tax Discretionary Discounts & Premiums**

Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance and Corporate Services, the Director of Law & Democratic Services and the Head of Revenues & Benefits submitted a joint report recommending the delegation of authority to the Head of Revenues and Benefits, in consultation with the Cabinet Member Finance and Corporate Services, the Director of Law and Democratic Services and the Board Director Resources, to grant Council Tax Discretionary Discounts and exemptions from the Council Tax empty homes premium.

Resolved – (1) That the Head of Revenues and Benefits in consultation with the Cabinet Member Finance and Corporate Services, the Director of Law and Democratic Services and the Board Director Resources, be authorised to:

- determine applications for Council Tax Discretionary Discounts.
- determine applications for exemption from the Council Tax Empty Homes Premium.

(2) That, further to (1) above, the Director of Law and Democratic Services be authorised to amend the Council's Constitution to include this delegation.

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

### **30. Adoption and Implementation of Financial Inclusion Policy**

Councillor Russell Holland, Deputy Leader of the Council and Cabinet Member for Finance and Corporate Services, the Director of Law & Democratic Services and the Head of Revenues & Benefits submitted a joint report seeking Cabinet's support for the adoption of the Financial Inclusion Policy. It was noted that this Policy, along with the projects being developed, would help residents maximise their income and make the most of their money, helping them to live free from the harmful effects of poverty. The report also sought support to increase the numbers of residents who are members of Credit Unions.

Councillor Russell Holland introduced Mr Andrew Hill, the Council's newly-appointed Social Inclusion & Welfare Benefits Manager. Mr Hill summarised his work with Council departments and external partners to increase financial competence and resilience amongst those most at risk of falling into Council Tax or rent arrears.

Resolved – (1) That the proposed Financial Inclusion Policy, attached to the report at Appendix 1, be adopted.

(2) That the Head of Revenues & Benefits be authorised to:

- a) Encourage residents to join Credit Unions, to ensure that if residents require financial support it is available and can be repaid, without causing hardship.
- b) Take the necessary steps to develop the projects summarised and set out in Appendix 1 to the report and to bring these back to Cabinet for adoption as may be required.

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

### **31. References from Other Council Bodies - Health and Wellbeing Board**

Councillor Brian Ford, the Cabinet Member for Adults' Health and Social Care, and the Director of Law and Democratic Services, submitted a joint report concerning a recommendation arising from a meeting of the Health and Wellbeing Board held on 25th May 2016, asking Cabinet to note and endorse the findings of the Swindon Suicide Audit and to agree that the revised Suicide Prevention Strategy be adopted (Minute 63(2) of the Health and Wellbeing Board refers).

It was noted that a "Suicide Audit", overseen by the multi-agency Swindon Suicide and Self Harm Prevention Group, had been carried out regularly in Swindon since 2009 and the findings used to review and update a Swindon suicide prevention

strategy.

Resolved – (1) That Minute 63(2) of the Health and Wellbeing Board, concerning the latest profile of suicide in Swindon, and outlining the actions being undertaken to prevent the occurrence of suicide, be noted.

(2) That the findings of the Swindon Suicide Audit be noted and endorsed and that the revised Suicide Prevention Strategy, attached to the report at Appendix 2, be adopted.

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