

## **CABINET**

**WEDNESDAY, 8 FEBRUARY 2017**

**PRESENT:-** Councillors David Renard (Chair), Russell Holland, Oliver Donachie, Toby Elliott, Fionuala Foley, Mary Martin, Garry Perkins and Keith Williams

An apology for absence was received from Councillor Brian Ford.

Councillor Jim Grant attended the meeting in respect of Minute 86.

### **82. Declarations of Interest.**

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

### **83. Minutes**

Resolved – That the minutes of the meeting held on 7<sup>th</sup> December, 2016, be confirmed and signed as a correct record, subject to the inclusion of the following amendment to the wording of the decision at Minute 65 (“2016-17 Budget Management and 2017-18 Draft Budget):

(5) That Cabinet notes:

g) The further detail about the transfer of assets between the General Fund and the Housing Revenue Account as set out in Appendix 7 to the report.

(6) That the following be agreed: *a) to f) as set out in the minutes.*

### **84. Public Question Time.**

There were no public questions.

### **85. Exempt Items - Exclusion of Press and Public.**

Resolved – That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below, on the grounds that they involve the likely disclosure of exempt information, as defined in the respective paragraphs of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Item Nos.	Paragraph No.	Minute Nos.
17, 18 and 19	3	97, 98 and 99

### **86. Budget 2017/18 and Beyond (Minute For Confirmation)**

Councillor Russell Holland, the Cabinet Member for Finance and Corporate Services, and the Interim Corporate Director of Resources, submitted a joint report

proposing a Budget for 2017/18 and setting out the financial context for 2018/19 and beyond. It was noted that, under the Council's Constitution, the Cabinet is required to recommend a budget to Council as part of its formal Council Tax Setting responsibilities.

Councillor Holland introduced the joint report, placing its recommendations in the context of continuing pressures on the Council's finances due to increased demand for services as a result of demographic factors and also Central Government's continuing policy to reduce the public expenditure, including the level of grants to local authorities. He made particular reference to the growing demand for Adult Social Care services and the importance of the Council continuing to support representations being made to Ministers concerning increased funding for Adult Social Care.

Councillor Holland commented that, in order to balance the budget, the Council was required to make some extremely challenging decisions in relation to its services provision and he specifically referred to the proposal within the report requiring staff costs to be reduced by £1.5m. He assured the meeting that that this was not a proposal that had been put forward lightly but one that was necessary in order to ensure the long-term sustainability of services that prioritised those most in need.

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, responded to questions put by Councillor Jim Grant (Leader of the Opposition Group) on the following issues:

- The level of the Council Tax increase proposed and the statutory threshold requiring a referendum to be held.
- The Labour Group's opposition to the Cabinet budget proposals and its intention to present a detailed response to these at the Full Council meeting on 23<sup>rd</sup> February.
- The regulatory guidance governing how the former Special Expenses were incorporated into the general expenses.

Resolved – (1) That the following be noted:

- a) The medium term financial context and impact on Swindon of the draft Local Government Finance settlement;
- b) The projected out-turn for 2016/17;
- c) That the Council does not foresee any need to replenish general reserves as part of the 2017/18 Budget Setting process;
- d) The consultation feedback in relation to the Budget proposals presented to Cabinet in December 2016, summarised in Appendix 3 to the report;
- e) The feedback received from a consultation meeting with business representatives from Swindon, on behalf of non-domestic rate payers, which took place on 23<sup>rd</sup> January 2017, as set out in Appendix 4 to the report;
- f) That the detailed Dedicated Schools budget for 2017/18 has been set within the provisional funding envelope of £171.115m;
- g) That, in line with the requirements of the Local Government Act 2003, the Interim Corporate Director Resources, in her 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 minimum level of general reserves (£6m) is adequate in the

context of the earmarked reserves held, specific contingencies and the proposed budget risk contingency of £4.1m.

- (2) That the 2016/17 virements, set out in Appendix 2 to the report, be agreed.
- (3) That the medium term financial strategy, set out in Appendix 8 to the report, be endorsed.
- (4) That the specific reserves held in support of the 2017/18 Revenue Budget set out in Appendix 7 to the report, be agreed.
- (5) That it be agreed that the Transformation Fund be topped up to £2.5m from General Reserves at the year end to support delivery of the 2017/18 budget.
- (6) That the Director of Law and Democratic Services, in consultation with the Cabinet Member for Adult Services, Director of Adult Social Services and the Interim Corporate Director Resources, be authorised to complete documentation required to enter into a contract under the North East Purchasing Organisation (NEPO) framework for the provision of additional staffing capacity to deliver adult social care services, on such terms he considers appropriate to protect the Council's interests.
- (7) That the Interim Corporate Director Resources be authorised to balance any changes between the provisional local government finance settlement and the final numbers expected to be released in mid-February by adjusting the Budget Risk Contingency.
- (8) That the change to the proposed fees and charges for allotment fees, as set out in paragraph 3.32 of the report, be agreed.
- (9) That Council be recommended that, subject to any changes resulting from the Government's announcement of the final local government finance settlement for 2017/18:
  - a) The 2017/18 Budget be set at £136.464m;
  - b) The council tax be increased by 4.99%, comprising 1.99% for the basic amount of council tax and a specific adult social care precept of 3%; and
  - c) It be determined that the proposed increase in the basic amount of Council Tax for 2017/18 is not excessive, in accordance with Schedule 5 of the Localism Act 2011, and therefore does not trigger the requirement for a referendum.

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

## **87. Capital Programme 2017/18 (Minute For Confirmation)**

Councillor Russell Holland, the Cabinet Member for Finance and Corporate Services, and the Interim Corporate Director Resources, submitted a joint report on new Capital Programme requirements for the period 2017/18 to 2018/19.

Councillor Holland introduced the joint report and, in particular, invited members to note the level of investment in Children's Services, highways, landscaping and transport.

**Resolved** – That the Council be recommended:

- a) That the position and budget requirement for the additional Children's Services schemes, referred to at paragraph 3.5 of the report, be noted.
- b) That a budget of £3.615m for the schemes, referred to at paragraph 3.10 of the report and detailed in Appendix 1 to the report, be approved.
- c) That a total budget of £5.191m for the 2017/18 local priority Highways and

Transport schemes, referred to in paragraphs 3.11 to 3.14 of the report and detailed at Appendix 2 to the report, be approved.

- d) That a total budget of £0.674m for 2016/17 for Repairs and Maintenance on Corporate Property, as referred to in paragraphs 3.15 of the report and detailed at Appendix 3 to the report, be approved.
- e) That a total budget requirement of £0.957m for Older Peoples and other capital schemes, referred to in paragraph 3.17 of the report and detailed at Appendix 4 to the report, be approved.
- f) That a budget of £0.750m to cover necessary replacements to vehicles used across all general fund service areas and managed by the fleet department be approved and that permission to proceed on acquiring new vehicles be delegated to the Cabinet Member for Street-Smart, Highways and Transport and the Board Director Communities & Place on approval of business cases, as detailed in paragraph 3.20 of the report.
- g) That the use of CIL receipts as detailed in paragraph 3.24 of the report, to support the existing capital programme, be approved.

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

#### **88. Treasury Strategy Statement 2017/18 (Minute For Confirmation)**

Councillor Russell Holland, the Cabinet Member for Finance and Corporate Services, and the Interim Corporate Director Resources, submitted a joint report on the Treasury Management Strategy for 2017/18, including Prudential Indicators up to 2019/20, the Annual Investment Strategy, and the Minimum Revenue Provision Policy Statement.

Resolved – That Council be recommended that the Treasury Management Strategy, Minimum Revenue Provision Policy and Prudential Indicators, as set out in Appendix 1 to the report, be approved.

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

#### **89. Housing Revenue Account (HRA) - Rents and Charges 2017/18 (Minute For Confirmation)**

Councillor Oliver Donachie, the Cabinet Member for Housing and Homelessness, and the Corporate Director, Communities and Place, submitted a joint report setting out the proposed rents, service charges, support charges for 2017/18 and the proposed Housing Revenue Account (HRA) budget for 2017/18.

Resolved – That Council be recommended:

- a) That the proposed average rent for Housing Revenue Account (HRA) dwellings for 2017/18, of £80.18 per week (52 week basis), which is a decrease of 1.0%, be approved. This will be an average decrease of £0.81 per week (52 week basis). The range of decreases is shown in paragraph 3.9 of the report.
- b) That the Head of Housing Management and Community Safety 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 2017/18, as detailed at paragraph 3.27 of the report.

- c) That the housing related support charges for 2017/18 and service charges for 2017/18, as outlined in Appendix 2 to the report, be approved.
- d) That Leaseholder service charges be set for 2017/18, 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 2017/18, shown in Appendix 4 to the report, be approved and that the HRA Capital Budget and Funding be also approved, as shown in Appendix 5 to the report.
- f) That a budget of £1m be approved to acquire properties as detailed at paragraph 3.17 of the report, and that the Corporate Director, Communities and Place, in consultation with the Interim Corporate Director Resources, be authorised to commit this expenditure.
- g) That the draft 3 year capital projects and planned maintenance programme, as set out in Appendix 6 to the report, be approved, at an indicative funding level of £16.5m (2016/17 prices) for 2017/18.
- h) That rents charged on General Fund properties be reduced by 1% for 2017/18, in line with Government guidance on Housing Revenue Account rents. That service charges for General Fund properties, as shown in Appendix 7 to the report, be approved.
- i) That the increase of rents charged for plots at the Hay Lane Residential Gypsy Site by £1.00 per week (2.0%) to £51.26 per week (52 week basis) and the rents for workpens, 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 2016/17 Housing Revenue Account be added to revenue reserves.

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

## **90. School Admission Arrangements 2018-19**

Councillor Fionuala Foley, the Cabinet Member for Children's Services, and the Head of Education Services, submitted a joint report inviting Cabinet to agree, and put in place 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 2018.

Resolved – (1) That the responses received to the consultation carried out in respect of admission arrangements, as referred to in paragraphs 3.9 to 3.16 of 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 2018 be approved.

(3) That the admission numbers and arrangements for Community and Voluntary Controlled schools from September 2018 be approved.

(4) That it be noted that these proposals will have been determined by 28th February 2017, in line with the School Admissions Code of Practice 2014, and will

be implemented by the Head of Education for Admissions from September 2018 for all applicants.

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

## **91. Youth Engagement Worker Provision Review**

Councillor Fionuala Foley, the Cabinet Member for Children's Services, and the Head of Children, Families and Community Health, submitted joint report seeking Cabinet's support to reduce the number of staff and services provided as part of the Youth Engagement Workers' (YEW) service to achieve £136.4k savings, as set out in Option One in the report. The report highlighted the context of the Youth Engagement service, the response to the consultation, and findings of the review, and outlined four options that could make savings.

Councillor Foley introduced the joint report, advising the meeting that buildings identified in the report as being no longer required for this service would be returned to the Council's Property Services Department to investigate possible alternative uses.

Resolved – (1) That the consultation responses referred to in paragraph 3.28 of the report, and as summarised at Appendix 1 to the report, be noted.

(2) That the Head of Children Family and Community Health be authorised to reduce the Youth Engagement Workers' service budget by £136k, as outlined in Option One and as set out in paragraph 3.19 of the report.

(3) That it be noted that this proposal would have the least impact on the service's ability to provide YEW services to the most vulnerable children by making the most of savings through facilities closure and existing vacancies.

(4) That Cabinet records it's thanks to the YEW service staff for their professional approach in supporting young people to make representations during the consultation and for their own comments made in a way that has demonstrated the value of the service and its impact.

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

## **92. Updated Child Sexual Exploitation Prevention Strategy (Minute For Confirmation)**

Councillor Fionuala Foley, the Cabinet Member for Children's Services, and the Director of Children's Services, submitted joint report seeking Cabinet's endorsement of the refreshed Strategy to Prevent Child Sexual Exploitation. It was noted that Child Sexual Exploitation (CSE) is among the most serious and challenging issues that any Council might face and that, since the launch of the Council's first CSE Prevention strategy in 2015, there had been a great deal of activity undertaken within Swindon Children's Services and the wider Council and that significant improvements had been made in understanding and recognising CSE. It was also recognised that there was no room for complacency and the strategy refresh reflected new national and local learning.

Councillor Foley introduced the joint report, emphasising the importance of this

issue and also the destructive and far reaching consequences for victims, their families and society. Councillor Foley and the Leader of the Council encouraged all members who had not already done so, to complete the Council's CSE training.

Councillor Oliver Donachie, Cabinet Member for Housing and Homelessness, invited the meeting to note paragraph 3.4 of the report, which identified the creation of the multi-agency OPAL Team who work directly with children who are at high risk of CSE or who have been sexually exploited, in order to combat the problem of CSE.

Resolved – That Council be recommended to (i) agree the updated Child Sexual Exploitation Prevention Strategy, as set out in Appendix 1 to the report; and (ii) note that an associated delivery plan will be developed by the Council's CSE Working Group, progress on which will be reported periodically to the Children's Health, Social Care and Education Overview and Scrutiny Committee, and the plan updated at regular intervals.

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

### **93. Swindon Pay Policy Statement 2017 (Minute For Confirmation)**

Councillor Russell Holland, the Cabinet Member for Finance and Corporate Services, and the Head of People, Performance and Engagement, submitted a joint report setting out the Council's proposed Swindon Borough Council Pay Policy Statement for 2017/18. It was noted that the Localism Act 2011 required local authorities to agree and publish a Pay Policy Statement by 1st April each year.

Resolved – That the Council be recommended that the Council's proposed Pay Policy Statement for 2017 / 2018, as set out in Appendix 1 to the report, be approved.

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

### **94. Libraries Strategy - Alternative Delivery Models**

Further to Cabinet Minute 67(7), and Cabinet's decision to approve the adoption of Swindon's Libraries Strategy, Councillor Mary Martin, the Cabinet Member for Communities, and the Head of Localities, Community Involvement and Volunteering, submitted a joint report seeking approval to undertake an options appraisal to consider alternative delivery models for the Library Service. It was noted that approval of the recommendations would initiate a formal options appraisal to be undertaken, with recommendations to be brought back to Cabinet for its meeting of 26 April 2017.

Councillor Martin introduced the joint report, informing the meeting that, since publication of the agenda, the Council had submitted a bid to Central Government which, if successful, would be used to help meet the costs of professional advisers (*Resolution (3) below refers*). Councillor Martin added that more "Expressions of Interest" to run community libraries had been received than the number of such libraries already operating.

Resolved – (1) That the update on the Libraries strategy implementation, and the preliminary work to assess the feasibility of taking forward alternative delivery models for the service, be noted.

(2) That the Head of Localities, Community Involvement and Volunteering, in consultation with the Interim Corporate Director Resources and the Director of Law and Democratic Services, be authorised to undertake an options appraisal to consider alternative delivery models for the Library Service, and to bring recommendations back to the Cabinet meeting on 26 April 2017.

(3) That the sum of £10k be allocated from Libraries transitional funding to help meet the costs of professional advisers, to be determined in consultation with the Department of Culture, Media and Sport.

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

#### **95. Commercial Investment Strategy - Governance Arrangements (Minute For Confirmation)**

Councillor Russell Holland, the Cabinet Member for Finance and Corporate Services, and the Interim Corporate Director Resources, submitted a joint report seeking Cabinet's support for governance arrangements for the decision making around the Commercial Investment Fund different to those approved by Cabinet at its meeting in December 2016 (Cabinet Minute 70, 2016/17 refers).

The report also sought to provide wider member involvement in the Council's emerging commercialisation strategy. It was noted that the Cabinet Member for Finance and Corporate Services had requested that the arrangements be reviewed in light of comments made at the Scrutiny Committee on 12th December 2016 (Scrutiny Committee Minute 45, 2016/17 refers).

Resolved – That Council be recommended that:

- 1) the governance arrangements for the Commercial Investment Fund consist of:
  - a) A Commercial Investment Strategy Board,
  - b) An all-party Cabinet Member Advisory Group, whose initial terms of reference are set out in the body of this report, which would meet to consider formal proposals, submitted as Cabinet Member Decision Notes, and give advice to the Cabinet Member;
  - c) An authorisation to the Cabinet Member for Finance and Corporate Services, in consultation with the Interim Corporate Director, Resources, to make investments subject to the report and review set out in recommendations a) and b) above.
- 2) The role of the Cabinet Member Advisory Group cited above be expanded to cover the Council's emerging commercialisation strategy.

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



**96. References from Other Council Bodies: Health and Wellbeing Board  
Swindon Community Safety Partnership**

Councillor Brian Ford, the Cabinet Member for Adults' Health and Social Care, and the Director of Law and Democratic Services, submitted a joint report inviting Cabinet to consider references from the meeting of the Health and Wellbeing Board held on 14th December 2016 that the following strategies be adopted:

- 1) Swindon Oral Health Strategy
- 2) Steady Steps to Staying Active for Life: A Falls and Bone Health Strategy for Swindon.

Resolved – That Minutes 48 and 49 of the Health and Wellbeing Board meeting held on 14th December 2016 (Appendix 1 to the report), be accepted and that the “Swindon Oral Health Strategy” and the “Steady Steps to Staying Active for Life: A Falls and Bone Health Strategy for Swindon” be adopted.

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

**97. Swindon Housing Development**

This item was withdrawn.

**98. Wichelstowe District Centre**

Councillor Toby Elliott, the Cabinet Member for Strategic Planning and Sustainability and the Corporate Director, Economy, Regeneration and Skills, submitted a joint report, setting out the business case for the development of the Wichelstowe District Centre, being progressed by the Council in advance of the establishment of the Joint Venture for the remainder of the site. It was noted that authority was provided by Cabinet in September 2016 to progress the delivery of the Wichelstowe District Centre, including schools, pub/restaurant, housing for older people and residential development, and that a budget for this element of delivery was agreed and the disposal of land parcels authorised (Cabinet Minute 51(3) 2016/17 refers).

The report sought Cabinet approval to move development of the District Centre forward by releasing funding for key enabling infrastructure works and commissioning Forward Swindon Ltd (FSL) to progress the delivery of the first housing parcels on the site, including determination of an appropriate delivery mechanism and development of a full business case.

Resolved – (1) That the progress made since the September 2016 Cabinet report be noted.

(2) That the outline business case for development of the District Centre, as summarised in Appendix C to the report and detailed in the body of the report, be noted.

(3) That the capital budget set out in paragraph 3.26 of the report, to support the delivery of the infrastructure and master development activities in relation to the Wichelstowe District Centre, be approved.

(4) That the Corporate Director Economy, Regeneration, and Skills, in consultation with the Cabinet Member for the Strategic Planning and Sustainability, be authorised to instruct Forward Swindon Ltd (FSL) to progress the design and

produce a full business case for direct development of housing on Wichelstowe parcels 2 & 3.

(5) That the capital budget set out in paragraph 3.35 of the report, to progress the design and business case for direct development of housing on Wichelstowe parcels 2&3, be approved.

(6) That it be noted that a further report will be presented to Cabinet in due course setting out the full business case for direct development of Wichelstowe parcels 2&3 and options for the appropriate delivery mechanism and associated governance.

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

## **99. Town Centre and Housing Delivery - Business Case**

Councillor Garry Perkins, the Cabinet Member for the Economy, Regeneration and Skills, and the Corporate Director Economy, Regeneration and Skills, submitted a joint report seeking Cabinet's support for proposals to develop the town centre master plan by commissioning Forward Swindon Limited to provide detailed advice on how to proceed with delivery on the Aspen House site including determination of an appropriate delivery mechanism.

Resolved – (1) That the Corporate Director Economy, Regeneration, and Skills, in consultation with the Cabinet Member for the Economy, Regeneration and Skills, be authorised to instruct Forward Swindon Ltd to:

- a) Undertake market testing regarding the current Aspen House scheme with developers/contractors and further refine detailed designs and cost/value assumptions in order to refine the viability model;
- b) Produce a full business case for the funding needed to develop the Aspen House site, with the actual means of development subject to recommendation of 2.1.3; and
- c) Bring a further report to Cabinet for determination of the appropriate delivery mechanism for development, including full cost and value options plus risk assessments of each option.

(2) That the budget set out in paragraph 3.11 of the report, to progress the recommendations as set out in paragraphs 2.1.1 to 2.1.3 of the report, be approved.

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