

COUNCIL

THURSDAY, 10 NOVEMBER 2016

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

55. Mayor's Announcements

The Worshipful The Mayor invited all Councillors to join him at the Remembrance Ceremony to be held at 11:00 am at the Cenotaph on Friday 11th November 2016.

56. Apologies for Absence

An apology for absence was received from Councillor David Wood.

57. Communications

The Chief Executive reported that no communications had been received.

58. Minutes

Resolved –That the minutes of the meeting held on 22nd September 2016, be confirmed and signed.

59. Declarations of Interest

The Mayor reminded Members of the need to declare any known interests in any matters to be considered at the meeting. Councillors Alan Bishop, Teresa Page, Maureen Penny Kevin Parry, Joe Tray, Gary Sumner and Tim Swinyard made personal declarations of interest in respect of Agenda Item No. 6(1) in their capacity as Parish Councillors.

60. Public Question Time

Mr Ian Jankinson submitted written questions regarding procedural issues in respect of the Council's proposed creation of new parish councils within the Borough. The meeting was advised that the Cabinet Member for Communities had provided written responses to Mr Jankinson's questions and that these had been circulated at the meeting.

Mr Jankinson asked a supplementary question regarding the benefits to local residents used for amending existing parish council boundaries. The Cabinet Member for Communities responded at the meeting.

Mr Richard Hayden submitted written questions regarding the Council's proposals for creating new Parish Councils within the Borough. The meeting was advised that the Cabinet Member for Communities had provided written responses to Mr Hayden's questions and that these had been circulated at the meeting.

Mr Hayden asked a supplementary question relating to the level of public support for the Council's proposals to create new parish councils within the Borough. The Cabinet Member for Communities indicated that a written response would be provided to Mr Hayden's question.

Ms Linda Brown and Mr Damon Bower submitted written questions regarding public responses Community Governance Review undertaken by the Council and the amendment of existing parish council boundaries. The meeting was advised that the Cabinet Member for Communities had provided written responses to the questions submitted by Ms Brown and Mr Bower and that these had been circulated at the meeting.

Mr Terry Reynolds submitted written questions regarding transitional payments to parish councils. The meeting was advised that the Cabinet Member for Communities had provided written responses to Mr Reynold's questions and that these had been circulated at the meeting.

Mr Brian Cockbill submitted written questions regarding police checks and training provided to staff and governors of Swindon schools. The meeting was advised that the Cabinet Member for Children's Services had provided written responses to Mr Cockbill's questions and that these had been circulated at the meeting.

Mr Cockbill asked a supplementary question regarding whether the checks and training referred to in his written questions took place prior to school's receiving academy status. The Cabinet Member for Children's Services indicated that a written response would be provided to Mr Cockbill.

Mr Colin Doubleday asked public questions regarding the establishment of parish councils and the possibility of delaying the introduction of such new parish councils. The Leader of the Council responded at the meeting.

Mr Doubleday asked a supplementary question regarding the financial risk of postponing changes to parish councils for a one year period. The Cabinet Member for Communities indicated that a written response to the question would be provided to Mr Doubleday.

The Reverend Alison Boulton asked a question seeking clarification as to why West Witchel had been included within the boundary of Wroughton Parish Council. The Cabinet Member for Communities responded at the meeting.

Ms Natasha Staniford asked a public question regarding the proposed boundary for Wroughton Parish Council within the Community Governance review. The Cabinet Member for Communities responded at the meeting.

Mr Michael Townsend asked a question regarding the appointment of parish councillors under the proposals in the Community Governance Review. The Cabinet Member for Communities responded at the meeting.

Mr Townsend asked a supplementary question regarding the future election of Parish Councillors in newly created parish councils. The Cabinet Member for Communities responded at the meeting.

Mr Daniel Rose asked a question regarding the future use of the Milton Road public baths facility. The Cabinet Member for Communities responded at the meeting.

Mr John Coe asked a question about what actions had been undertaken to open the small bath at Milton Road Baths. The Cabinet Member for Communities indicated that a written response to the question would be provided to Mr Coe.

Mr John Newman asked why the public had not been invited to vote on the establishment of the proposed new parish councils. The Cabinet Member for Communities responded at the meeting.

Mr Tom Jeffrey asked a question on tenant consultation on the proposed creation of new parish councils within the Borough. The Cabinet Member for Communities responded at the meeting.

61. Minutes for Confirmation

(1) The Council considered (a) a joint report of The Leader of the Council, Deputy Leader of the Council and Cabinet Member for Finance and Corporate Services, Cabinet Member for Streetsmart, Cabinet Member for Communities, Chief Executive, Corporate Director Resources and Director of Law and Democratic Services summarising the Community Governance Review the Council had undertaken and seeking support for amendments to existing Parishes and the creation of new parishes, (b) recommendations of the Cabinet set out as Appendix three to the report (Minute 58(5) and (6) refer), (c) supplementary papers setting out amendments to the joint report attached to the Council Agenda papers, and (d) issues raised by members of the public as part of public question time:

Councillor David Renard moved and Councillor Mary Martin seconded:

“(1) That Minute 58(5) and (6) of the Cabinet be noted.

(2) That the recommendations set out in **Error! Reference source not found.** Appendix three of the joint report and supplementary papers be adopted and given effect to in order to ensure that community governance within the Borough is effective and convenient, and reflective of the identities and interests of communities within the Borough.

(3) That it be noted that parishing the entire Borough would enable community empowerment at local level consistently throughout the Borough and extend localism to those parts of the Borough that do not currently have a local council and so do not have the full range of options for local service provision.

(4) That it be agreed that the final proposal map as set out in the supplementary papers be approved as the new boundaries of existing and new parishes with effect from the dates to be set out in the Order.

(5) That the Director of Law and Democratic services be authorised in consultation with the Cabinet Member for Communities, to;

(i) Establish Shadow Councils for each of the proposed new parishes with a membership of at least 5 in number made up from the ward members in each area;

(ii) Determine, in consultation with the Shadow Parishes, the governance arrangements for each new parish; and

(iii) In accordance with the requirements set out in Section 96 of the Local Government and Public Involvement in Health Act 2007, publish the Council's decision in relation to these recommendations together with the reasons for making this decision, and to take such steps as he considers sufficient to secure that persons who may be interested in the Community Governance Review are informed of that decision.

(6) That the Head of Streetsmart be authorised to organise the Borough Council's workforce in such a way as to facilitate any service transfer that may be agreed between the borough council and any new or existing parish or town council.

(7) That the Director of Law and Democratic Services be authorised to:

(a) prepare, in consultation with the Leader of the Council, a revised scheme and consequential Community Governance Reorganisation Order to include such provisions as he considers appropriate in relation to (inter alia) implementation dates, asset transfers, and warding arrangements;

(b) seek the agreement of the Local Government Boundary Commission to any consequential changes to the protected electoral arrangements set out in the Swindon (Electoral Changes) Order 2012; and

(c) make and implement the Reorganisation Order.

(8) That Council notes:

(a) The growth of new developments such as at Badbury Park and Wichelstowe, along with the possibility that existing communities in Eastcott, Eldene and Liden may seek to enhance their own identity, may merit a further Community Governance Review; and

(b) That under the current legislation, the Council may commence a Community Governance Review at any time. Therefore, it will therefore keep the agreed boundaries under review and may seek to commence a Community Governance Review on receipt of substantive evidence being put forward to justify this."

The Motion was put to the vote and declared carried.

A formal division was requested in accordance with Standing Order 14(2).

Members voting for the motion were Councillors Alan Bishop, Wayne Crabbe, Malcolm Davies, Oliver Donachie, Toby Elliott, Emma Famarzi, Fionuala Foley, Brian Ford, Mary Friend, John Haines, Dale Heenan, Russell Holland, Colin Lovell, Mary Martin, Nick Martin, Cathy Martyn, Gemma McCracken, Barbara Parry, Kevin Parry, Maureen Penny, Garry Perkins, David Renard, Eric Shaw, Gary Sumner, Tim Swinyard, Caryl Sydney-Smith, Vera Tomlinson, Steve Weisinger and Keith Williams.

Members voting against the motion were Junab Ali, Steve Allsopp, Abdul Amin, John Ballman, Ray Ballman, Emma Bushell, Matthew Courtliff, Mark Dempsey, Paul Dixon, Stephanie Exell, Jim Grant, Fay Howard, Jane Milner-Barry, Des Moffatt, Derique Montaut, Teresa Page, Stan Pajak, Jim Robbins, Carol Shelley, Kevin Small, Joe Tray, Chris Watts, Nadine Watts, Peter Watts, Julie Wright and Robert Wright.

Members abstaining were Councillor Claire Ellis.

(In accordance with the Code of Conduct Councillors Alan Bishop, Teresa Page, Kevin Parry, Maureen Penny, Gary Sumner, Joe Tray, Steve Weisinger personal declarations in respect of this item as they were Parish Councillors.)

(2) Councillor Fionuala Foley moved and Councillor David Renard seconded that Minute 13 of the Schools Forum (Schools Forum Membership) be confirmed and adopted.

The Motion was put to the vote and declared carried.

(3) Councillor Bob Wright moved and Councillor Claire Ellis seconded that Minute 34 of the Scrutiny Committee (Scrutiny Committee Annual Report 2015/16) be noted.

The Motion was put to the vote and declared carried.

62. Motion - Heathrow Airport Expansion

Councillor Toby Elliott moved and Councillor Garry Perkins seconded:

“This Council notes:

1. The resolution of this Council of 20th December 2012, agreed unanimously, calling for better connections between Swindon and Heathrow as this would benefit Swindon’s economy (Council Minute 84, 2012/13 refers).
2. The Conservative Government’s announcement to support the expansion of Heathrow with the provision of a third runway.
3. The vital importance of expanding Britain’s international airport capacity so that this country can take full advantage of its new global trading opportunities on leaving the EU.

This Council resolves to congratulate the Government on taking this difficult but necessary decision, which puts the needs of British people and the economy first.

This Council requests that the Cabinet Member for the Economy, Regeneration, and Skills report to Cabinet, when practicable, about how Swindon can take contribute to and take advantage of Heathrow’s expansion.”

At the request of the mover and seconder and with the agreement of the Council the Motion was amended to read:

“This Council notes:

1. The resolution of this Council of 20th December 2012, agreed unanimously, calling for better connections between Swindon and Heathrow as this would benefit Swindon's economy (Council Minute 84, 2012/13 refers).

2. The Conservative Government's announcement to support the expansion of Heathrow with the provision of a third runway.

3. The vital importance of expanding Britain's international airport capacity so that this country can take full advantage of its new global trading opportunities on leaving the EU.

This Council requests that the Cabinet Member for the Economy, Regeneration, and Skills report to Cabinet, when practicable, about how Swindon can take contribute to and take advantage of Heathrow's expansion."

(In accordance with the Code of Conduct, Councillor Tim Swinyard made a personal declaration of interest as his employer is involved in the bidding process for work at Heathrow airport.)

(In accordance with the Code of Conduct, Councillor Toby Elliott made a personal and non-prejudicial declaration of interest as his employer is involved in work at Heathrow airport.)

63. Motion - Parks Library

With the agreement of the Council Mr Martin Wicks, lead petitioner on a 1100 signature petition calling on Swindon Council to include Parks Library as part of the Council's future core library service was permitted to address the Council in respect of the petition.

Councillor Steve Allsopp moved and Councillor Fay Howard seconded:

"This Council welcomes the recent petition obtaining over 1100 signatories, calling on Swindon Council to include Parks Library as part of the Council's future core library service.

This Council urges Cabinet to give significant weight to this petition when considering its future core library service."

Councillor Mary Martin moved and Councillor Russell Holland seconded that the Motion be amended to read:

"This Council welcomes the recent petition as part of the consultation on the draft Library Strategy, containing over 1100 signatures, calling on Swindon Borough Council to include Parks Library as part of the Council's future library service and Council also welcomes all the submissions made by ward councillors and residents about all the Borough's libraries as part of that consultation.

This Council requests that Cabinet give due weight to all the submissions received as part of the consultation in developing a strategy to secure a sustainable future for the library service in the Borough."

With the agreement of the Council the Motion was amended to read:

“This Council welcomes the recent petition as part of the consultation on the draft Library Strategy containing over 1100 signatures, calling on Swindon Borough Council to include Parks Library as part of the Council’s future core library service and Council also welcomes all the submissions made by ward councillors and residents about all the Borough’s libraries as part of that consultation.

This Council requests that the Cabinet give due weight to this and all submissions received as part of the consultation in developing a strategy to secure a sustainable future for the library service in the Borough.”

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.

64. Appointments to Committees and Other Bodies

Councillor David Renard moved and Councillor Russell Holland seconded:

“That Councillor Steve Weisinger replace Councillor John Haines as a Conservative Group representative serving on the Council’s Scrutiny Committee.”

The Motion was put to the vote and declared carried.

65. Minutes of Cabinet and Decisions Delegated to Cabinet Members

The Council considered (a) the minutes of the meeting of the Cabinet held on 19th October 2016, and (b) questions to the Cabinet Members regarding their portfolio responsibilities and answers received.

66. Minutes of other Council Bodies

The Council (a) received the minutes set out in the “Minutes of Other Council Bodies” circulated with the Agenda, and (b) considered questions to Chairs relating to the work of their Committees and other bodies and answers received.

67. Councillors Question Time

The Director of Law and Democratic Services reported that Standing Order 15 questions had been received from Councillors Steve Allsopp, Fay Howard, Jim Robbins and Kevin Small.

Councillor Steve Allsopp asked a supplementary question regarding authorisation for the expenditure on refurbishing Council committee rooms. The Cabinet Member for Finance and Corporate Services responded at the meeting.

Councillor Fay Howard asked a supplementary question regarding timescales for the refurbishment of the Liden Centre. The Cabinet Member for Communities responded at the meeting.

Councillor Jim Robbins asked a supplementary question regarding the number of families in Swindon affected by the universal benefits cap. The Cabinet Member for Finance and Corporate Services responded at the meeting.

Councillor Jim Robbins asked a supplementary question regarding specialist advice available in Swindon for young asylum seekers. The Cabinet Member for Children's Services responded at the meeting.