

CABINET

WEDNESDAY, 14 JUNE 2017

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

1. Declarations of Interest.

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

2. Minutes.

Resolved – That the minutes of the meeting held on 26th April 2017 be confirmed and signed as a correct record.

3. Public Question Time.

Ms Evelyn Rider, representing Swindon Dial A Ride (SDAR), referred to the recent positive dialogue between SDAR and the former Cabinet Member for StreetSmart, Highways and Transport, on the future of the service and asked Councillor Mary Martin, the Cabinet Member for Communities and Place, as the new portfolio holder, for her assurance that this positive dialogue would continue. Councillor Martin acknowledged the work of Councillor Keith Williams, the former portfolio holder, with SDAR to secure future service provision and assured Ms Rider of her own commitment to maintaining constructive dialogue with SDAR.

4. 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 item listed below, on the grounds that it involves 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 No.	Paragraph No.	Minute No.
14	3	14

5. Budget Management 2016-17

Councillor Russell Holland, the Cabinet Member for Finance and Commercialisation, and the Corporate Director for Resources and Transformation, submitted a joint report presenting the 2016-17 Revenue Budget out-turn based on actual expenditure incurred during the Financial Year-ending 31st March 2017.

Councillor Holland referred to the significant efforts of officers and Cabinet Members in responding to unforeseen budget risks during what had been a difficult year to,

once again, bring in a balanced budget. The Leader echoed Councillor Holland's sentiment, adding his own thanks to officers and Cabinet Members for their work in managing budgetary demand in order to deliver a balanced budget for the year. Councillor Brian Ford, the Cabinet Member for Adults' Health and Social Care, referred to the unforeseen and adverse impact of an historic case on the Adult Social Care budget and advised that tribunal decisions in respect of the particular matter remained the subject of ongoing appeal.

Resolved – (1) That the 2016-17 Revenue Budget out-turn for each service area, set out in Table One and Appendix One, be noted.

(2) That the proposal to increase the planning fees and charges by 20% from 1st July 2017, in line with government guidelines, be agreed.

(3) That the extension of the remit of the work that can be delivered by Public Powers Solutions Ltd under the Teckal exemption in Regulation 12 Public Contracts Regulations 2015, as set out in paragraphs 3.19 to 3.22 of the report, be authorised.

(4) That the Corporate Director Economy, Regeneration and Skills, in consultation with the Corporate Director Resources and Transformation, be authorised to appoint PPS to deliver those works under the Teckal arrangement pursuant to Regulation 12 of the Public Contracts Regulations 2015 as it is currently Teckal compliant, and that Standing Orders relating to Contracts be waived if necessary, provided best value can be demonstrated.

(5) That the extension of the working capital loan facility to Public Power Solutions Ltd until 31st December 2018 be authorised.

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

6. Housing Revenue Account Medium Term Financial Plan

Councillor David Renard, the Leader of the Council, welcomed Councillor Cathy Martyn to the meeting, her first Cabinet meeting in her capacity as the newly-appointed Cabinet Member for Housing and Public Safety.

Councillor Martyn presented her joint report with the Corporate Director Communities and Place, setting out the Housing Revenue Account Medium Term Financial Plan over the next 30 years.

Councillor Martyn referred to the repayment of the additional debt incurred as a result of "self-financing" and the prudent strategy that had been taken to reduce the level of the outstanding debt. Councillor Martyn suggested that whilst it would not be appropriate to use any "borrowing headroom" to improve housing stock, which would place additional financial burden on the Housing Revenue Account, it might be prudent to consider using the borrowing capacity to support the housing development programme to produce more affordable homes, the rent income from which would be used to meet debt increases.

Resolved – (1) That the Medium Term Financial Plan, set out at Appendix 1 to the report, be endorsed.

(2) That it be noted that the plan will be updated annually to take into account changing policies and updated survey information.

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

7. Capital Monitoring Outturn 2016-17

Councillor Russell Holland, the Cabinet Member for Finance and Commercialisation, and the Corporate Director for Resources and Transformation, submitted a joint report presenting the final 2016/17 position for the capital programme and some proposed changes to the Council's capital programme.

Councillor Holland advised Members about the additional £897k grant match funding received to augment the disabled facilities budget.

Resolved – (1) That the latest 2016/17 Capital Programme position as at financial year end, as detailed in paragraphs 3.1 to 3.4 of the report, be noted.
(2) That the changes to the capital programme, set out in section 3.5 of the report, be approved.

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

8. Treasury Management Performance 2016/17

Councillor Russell Holland, the Cabinet Member for Finance and Commercialisation, and the Corporate Director for Resources and Transformation, submitted a joint report setting out the Treasury Management performance for 2016/17.

Resolved – That the 2016/17 Treasury Management performance, as detailed at paragraphs 3.1 to 3.17 in the report, and the Prudential Indicators shown at Appendix 1 to the report, be noted.

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

9. Swindon Dial A Ride Service Options

Councillor Mary Martin, the Cabinet Member for Communities and Place, and the Head of Highways & Transport, submitted a joint report responding to the following motion, agreed at the Council meeting on 22nd September 2016, following changes to the contract with Swindon Dial A Ride (SDAR) implemented in September 2016:

‘(a) bring a report to Cabinet detailing the different options the Council has to create new income streams for Dial a Ride to mitigate the effects of the organisation's funding cut; and
(b) set up a cross-party Cabinet Member advisory group to monitor and review the Swindon Dial a Ride contract and ensure the aims of this motion are achieved.’

Resolved – (1) That the content of the report detailing the options and discussions with SDAR be noted.
(2) That the Head of Highways and Transport, in consultation with the Cabinet

Member for Communities and Place, be authorised to further develop any options that are considered viable by SDAR.

(3) That the Head of Highways and Transport, in consultation with the Cabinet Member for Communities and Place, be authorised to implement such options as appropriate, in line with the Council's Contract Standing Orders.

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

10. School Place Planning - Tadpole Garden Village

Councillor Fionuala Foley, the Cabinet Member for Children's Services and School Attainment, and the Head of Education, submitted a joint report setting out the primary school place requirements in the North of Swindon and proposing the construction and opening of a new two form entry primary school on land north of the Tadpole Garden Village. The report also sought permission to (i) conduct a consultation on the proposed location of the primary school, to proceed with the design and planning and to seek an education provider to operate the school, and (ii) bridge the funding gap between the developer primary school contributions from Tadpole Garden Village and the cost of construction.

Councillor Foley reminded Cabinet of the Council's success in securing Free Schools that were paid for by central government but advised that this funding source was no longer available. Councillor Elliott noted that the Council had ensured that parents had a good range of schools from which to choose.

Resolved – (1) That the Head of Design and Architecture be authorised to manage the submission of a planning application and proceed with the construction of a two form of entry primary school and nursery through the SCAPE framework.

(2) That the Head of Education, in conjunction with the Cabinet Member for Children Services, be authorised to appoint an education provider for the new free school and fulfil all statutory processes to ensure the Secretary of State for Education makes an appointment.

(3) That the Head of Education, in consultation with the Cabinet Member for Children's Services and School Attainment, be authorised to conduct a local consultation on the preferred location of the primary school.

(4) That the Director of Finance (Section 151 Officer) be authorised to approve the funding for the school from existing Section 106 contributions (contributions secured from housing developers in order to provide the infrastructure required to mitigate their development) and by using up to £2m of Schools Capital Programme basic needs funding.

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

11. Swindon Housing Company Governance Arrangements

Councillor Russell Holland, the Cabinet Member for Finance and Commercialisation, and the Director of Law and Democratic Services, submitted a joint report setting out the recommended governance arrangements for the Council's wholly owned companies. This followed previous reports to Cabinet in March and April 2017, where approval was granted to take the first steps to set up

the wholly owned trading company limited by shares, through which the Council will design and construct housing on a commercial basis for sale and private market rent.

Councillor Donachie asked that his request to the meeting, that the Housing Company Board of Directors should not be single gendered exclusively, be recorded in the minutes.

Resolved – (1) That the governance arrangements set out in section 3 of the report, be approved.

(2) That the Director of Law and Democratic Services be authorised to formally agree any further governance arrangements, including the shareholder agreement, in consultation with the Cabinet Member for Finance and Commercialisation.

(3) That it be noted that specific funding requests by the wholly owned company will be referred to Cabinet if above £10m and that those requests for funding of less than £10m will be considered by the Corporate Investment Strategy Board and the associated Cabinet Member Advisory Group. (Cabinet Minute 70 (c), 2016/17 refers).

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

12. Councillors' Allowances 2018/19 - Recommendations of the Independent Remuneration Panel

Councillor David Renard, the Leader of the Council, and the Director of Law and Democratic Services, submitted a joint report inviting Cabinet to consider recommendations arising from a meeting of the Independent Remuneration Panel on the level of Councillors' Allowances in Swindon for 2018/2019.

Resolved – (1) That the recommendations of the Independent Remuneration Panel on Councillors' Allowances for 2018/2019, as set out in paragraph 3.14 of the report, be endorsed and referred to the Council for approval.

(2) That the Director of Law and Democratic Services be authorised to introduce a revised Councillors' Allowances Scheme for 2018/2019 based on the recommendations of the Independent Remuneration Panel, as approved and adopted by the Council.

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

13. Condolences

The Leader of the Council referred to the shocking and tragic events that had occurred in West London overnight and the sad loss of lives in the Grenfell Tower block fire. On behalf of the meeting, Councillor Renard offered his condolences to the families and friends of the unfortunate victims and also to the Leader and members of the Borough of Kensington and Chelsea.

The Leader added that he had discussed the tragedy with the Council's Head of Property Services and had been assured regarding the issue of fire safety in council-owned high rise buildings.

Councillor Toby Elliott, the Cabinet Member for Strategic Planning and Sustainability, and the Corporate Director, Economy, Regeneration and Skills, submitted a joint report seeking approval to progress the delivery of residential development at Wichelstowe on land known as parcels 2 and 3 (“the Wichelstowe parcels 2 and 3 residential scheme”) by Swindon Housing Company Limited, which was incorporated by the Council on 12th May 2017 (“the Housing Company”). It was noted that the Housing Company is wholly owned by the Council and that its governance arrangements had been approved earlier in this meeting (Minute ?? above refers).

Cabinet noted that approval of the business case for the Wichelstowe parcels 2 and 3 residential scheme was required following the February 2017 Cabinet, at which funding to progress initial design and feasibility work for this project had been approved as part of the wider District Centre business case, with additional project funding subject to the receipt of a specific business case for parcels 2 and 3 (Cabinet Minute 98 (4) 2016/17 refers).

The meeting was advised that approval of the business case would enable the Council to progress to the next stage of detailed design, planning and procurement for the Wichelstowe parcels 2 and 3 residential scheme with a view to selecting a contractor at the end of 2017 and a construction start on site at the beginning of 2018.

Resolved – (1) That the Corporate Director, Resources and Transformation, be authorised to allocate a loan facility to the Housing Company of up to the amount specified in the report, towards the delivery of the Wichelstowe parcels 2 and 3 residential scheme.

(2) That the Director of Law and Democratic Services, in consultation with the Head of Property and Assets, be authorised to transfer of the land comprising parcels 2 and 3, Wichelstowe, to the Housing Company at a time in the future which he considers to be appropriate and on such terms as he considers necessary to protect the Council’s interests.

(3) That the Director of Law and Democratic Services be authorised to agree and carry out any necessary legal processes, including the novation to the Housing Company of any contracts already entered into by the Council in respect of the Wichelstowe parcels 2 and 3 residential scheme as well as the completion of a loan agreement to the Housing Company, on such terms as he considers necessary to protect the Council’s interests.

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