

COUNCIL

THURSDAY, 21 FEBRUARY 2013

PRESENT:- The Worshipful The Mayor in the Chair; Councillors Junab Ali, Steve Allsopp, Abdul Amin, Paul Baker, John Ballman, Ray Ballman, Rex Barnett, Mike Bawden, Andrew Bennett, Alan Bishop, Roderick Bluh, Michael Bray, Wayne Crabbe, Mark Dempsey, Michael Dickinson, Mark Edwards, Toby Elliott, Claire Ellis, Emma Faramarzi, Fionuala Foley, Brian Ford, Mary Friend, Jim Grant, John Haines, Neil Heavens, Dale Heenan, Russell Holland, Fay Howard, Richard Hurley, Colin Lovell, Nick Martin, Cindy Matthews, Brian Mattock, Des Moffatt, Derique Montaut, Teresa Page, Stan Pajak, Maureen Penny, Garry Perkins, Julian Price, David Renard, Ann Richards, James Robbins, Rochelle Russell, Nicky Sewell, Kevin Small, Vera Tomlinson, Joe Tray, Steve Wakefield, Nadine Watts, Peter Watts, Steve Weisinger, Keith Williams, David Wood, Robert Wright and Julie Wright.

103. Apologies for Absence

An apology for absence was received from Councillor Peter Heaton-Jones.

104. Communications

The Chief Executive reported that no communications had been received.

105. Minutes

Resolved – That the minutes of the meeting held on 17th January 2013, be confirmed and signed.

106. Declarations of Interest

The Director of Law and Democratic Services reported that all Members had dispensations under Section 33 of the Localism Act 2011 in respect of the setting of the Council Tax.

(Councillor Fionuala Foley made a personal declaration of interest in respect of Agenda Item 8d (Motion – No. 11 Bus Service) as she was a Council appointed Director of Thamesdown Transport Ltd.)

(Councillor Colin Lovell made a personal declaration of interest in respect of Agenda Item 8d (Motion – No. 11 Bus Service) as he was a Council appointed Director of Thamesdown Transport Ltd.)

(Councillor Keith Williams made a personal declaration of interest in respect of Agenda Item 8d (Motion – No. 11 Bus Service) as he was a Council appointed Director of Thamesdown Transport Ltd.)

107. Public Question Time

Mrs Shirely Burham submitted a written question asking if the Mayor would receive two petitions opposing the reduction of staffed hours for the Old Town Library and the opening hours of Penhill Library. A written response was tabled.

The Mayor responded that he would receive the petitions and that Members would take Mrs. Burnham's questions into account when deciding the Council Budget.

Mr Brian Cockbill submitted written questions regarding (a) the removal of redundant bus shelters, (b) the lighting of bus shelters, (c) the No.21 bus service, (d) the status of part of Stratton Road, (e) the layout of Stratton Road, the markings at the eastbound bus stop in Stratton Road, (f) numbers painted on street lamp columns, (g) the status of street lights currently not in operation, (h) Home Repair Assistance Grants, and (i) budgetary issues relating to Home Repair Assistance Grants. Written responses were tabled.

Mr Brian Cockbill asked a supplementary question regarding the removal of redundant bus shelters.

The Leader of the Council responded at the meeting.

Mr Brian Cockbill asked a supplementary question regarding the No.21 bus service.

The Cabinet Member for Leisure and Strategic Services responded at the meeting.

Mr Brian Cockbill asked a supplementary question regarding the roadway status of part of Stratton Road.

The Cabinet Member for Leisure and Strategic Services responded at the meeting.

Mr Brian Cockbill asked a supplementary question regarding Home Repair Assistance Grants.

The Cabinet Member for One Swindon, Localities and Housing responded at the meeting.

Mr. Tim French asked the Cabinet Member for Health and Adult Social Care about the status of the Clapham Hobbs Care Centre site.

The Cabinet Member for Health and Adult Social Care responded at the meeting.

108. Council Budget 2013/14

Council considered (a) joint reports of the Cabinet Member for Finance and Board Director, Resources, considered by the Cabinet on 6th February 2013 relating to (i) Special Expenses, (ii) Budget 2013/14 and Beyond, and (iii) Capital Programme and Treasury Management Strategy Statement 2013/14, and (b) Minute 93 of the

Cabinet (Special Expenses), Minute 94 of the Cabinet (Budget 2013/14 and Beyond) and 95 of the Cabinet (Capital Programme and Treasury Management Strategy Statement 2013/14).

Councillor Mark Edwards moved and Councillor Roderick Bluh seconded:

“(1) That Minute 93 of the Cabinet (Special Expenses) be noted.

(2) That Minute 94(6) of the Cabinet (Budget 2013/14 and Beyond) be confirmed and adopted.

(3) That Minute 95(3) of the Cabinet Capital Programme and Treasury Management Strategy Statement 2013/14) be confirmed and adopted.”

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

“(1) That Minute 93 of the Cabinet (Special Expenses) be noted.

Following consultation with residents and Councillors Minute 94(6) of the Cabinet (Budget 2013/14 and Beyond) be confirmed and adopted subject to:

(i) Increasing funding to small libraries by £99,000 to allow one year to develop sustainable, community-based options, and

(ii) Restoring £20,000 of funding to Threshold Housing.

(Total cost £119,000)

To be funded by further use of £119,000 of New Homes Bonus monies.”

Councillor Jim Grant moved and Councillor Des Moffatt seconded that:

- i) That Council welcomes Cabinet’s announcement that it will no longer propose to cut £20,000 from Threshold Housing Link’s homelessness service.
- ii) That Council resolves to amend the Council Revenue Budget for 2013/14 as proposed at the February 6th Cabinet Meeting, as follows:

Additional Savings and Reallocation of the New Homes Bonus

1. Management Savings through restructuring senior responsibilities (£100,000)
2. Forward Swindon Ltd (A further £250,000 savings in addition to the £200,000 already proposed)

- £50,000 saved by moving Forward Swindon's Offices back within Council Premises
 - The remaining savings will be found from joining up functions provided by Forward Swindon Ltd with the Council's Economy and Attainment department and an in-house review will take place to assess what current Forward Swindon functions could be delivered by the Swindon & Wiltshire Local Enterprise Partnership
3. Saving from reduced spend on Consultants (£163,000)
 4. Cuts in the Communications and Insight Budget (£100,000)
 - Savings to be made from staffing costs
 5. Law and Democratic Services (£100,000)
 - £16,000 saved from the start of the 2013/14 Municipal Year, by reducing the maximum number of fully-funded Cabinet Member posts by 2 to leave a maximum of 8 available
 - The rest of the savings to be found from a reduction in dedicated scrutiny support for Council committees
 - This staffing saving is intended to be accompanied with the reduction of the number of committees of the Council for the 2013/14 Municipal Year
 6. Other Savings (£100,000)
 - £83,000 cut in Corporate Training Budget
 - Complete cut in refreshments and bottled water costs, leading to a £17,000 saving
 7. Further New Homes Bonus (£367,000)
 - £167,000 of the New Homes Bonus to be reallocated back to the Revenue Budget
 - The remaining £200,000 to be reallocated to cover the one-off transition costs of reordering of Forward Swindon

Total sum reallocated: £1.18million (£200,000 of this total used as one-off money and therefore would not be part of the base budget)

Areas in the 2013/14 Budget Proposals to be saved or will be new spend

1. £220,000 to increase the Road Maintenance Budget, specifically to address potholes
2. £100,000 to be increased in the Adult Learning Budget to provide additional retraining opportunities for the unemployed
3. £100,000 to be added to the Plan 500 budget specifically for extra apprenticeship opportunities to unemployed young people

4. £200,000 to retain the 2012/13 level of Bus subsidy for 2013/14
5. £190,000 Children's Centres Cuts - To ensure that any money saved from a management reorganisation of Swindon's Children's Centres is reinvested back in to those centres for the benefit of Swindon's children
6. £100,000 Council-Tax Hardship Fund - to provide early support to the identified households who are struggling to pay their Council-Tax bill as a result of the Council Tax Benefit changes, in order to prevent the use of bailiffs
7. £70,000 to ensure that the Dial a Ride service receives no funding cuts in the 2013/14 year

(Total: £980,000)

- iii) Council acknowledges the assistance provided to the mover and seconder of this motion by the Board Director Resources and Change Leader and by the Head of Finance."

The Amendment was put to the vote and declared lost.

Councilor Stan Pajak moved and Councillor Anne Richards seconded that the Motion be amended as follows:

This Council notes the proposed decrease in the Localities Budget from £800,000 to £400,000. It is acknowledged there is a consultation process currently underway around the structure of Localities.

This Council believes that the introduction of Locality Leads has led to a considerable and tangible benefit to the lives of residents of the Borough of Swindon.

This Council further believes that maintaining one locality lead per Locality and maintaining the current number of Localities, whilst retaining the link between Lead and Locality, will further benefit the residents of the Borough.

This Council resolves to amend the Substantive Motion to read:

"(1) That Minute 93 of the Cabinet (Special Expenses) be noted.

Following consultation with residents and Councillors Minute 94(6) of the Cabinet (Budget 2013/14 and Beyond) be confirmed and adopted subject to:

(i) Increasing funding to small libraries by £99,000 to allow one year to develop sustainable, community-based options, and

(ii) Restoring £20,000 of funding to Threshold Housing.

(iii) Reduce the proposed cut to the Locality Budget by £61,000 through the relocation of these funds from the New Homes Bonus.

(Total cost £180,000)

To be funded by further use of £180,000 of New Homes Bonus monies.

(iv) Ensure 7 Locality Lead posts remain and that these posts are linked to the existing Localities whilst allowing Locality Leads to also drive the Change Projects.

(v) Ensure that the Locality Leads retain their “trouble shooting” role, supporting Members on request.”

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

Councillor Stan Pajak moved and and Councillor Anne Richards second:

“To ensure that social and environmental factors continue to be considered as factors in determining the ideal Bus network should be this Council resolves no to take a £200,000 saving from the Bus Subsidy Budget in 2013/14 and to fund this money from the New Homes Budget.”

The amendment was put to the vote and declared lost.

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

109. Council Tax Setting 2013/14

The Council considered a joint report of the Cabinet Member for Finance and the Board Director, Resources concerning the amount of Council Tax for each Valuation Band for dwellings in each part of the Borough for 2013/14, and related matters including legal advice.

Councillor Mark Edwards moved and Councillor Roderick Bluh 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 2013/14.

(2) That it be noted that there will be no increase in the Council Tax levels for the Borough Council element of the 2013/14 bills in accordance with the Council’s Revenue Budget is as agreed by the Council 6th February 2013(Minute 94(6) as amended by Minute 108 refers).

(3) That the following amounts be calculated by the Council in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-

Whole of the Council’s Area – In accordance with Section 31B of the Local Government Finance Act 1992 (as amended) the Council’s Tax Base for 2013/14 is 65,420.8 in total with a breakdown by parish as set out in Appendix 1 to these minutes.

(4) That the following amounts be calculated by the Council in accordance with Sections 32 to 36 of the Local Government Act 1992:-

- (a) Borough / Parish Gross Expenditure £449,896 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) Income £375,512,719 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 £74,383,661 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) £1,174.47 being the amount at 4(c) above, less the amount at 4(b) 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 £2,858,168 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) £1,130.79 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.
- (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) Wiltshire Joint Police Authority That it be noted that for the year 2013/2014 the Wiltshire Joint Police 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
£105.18	£122.71	£140.24	£157.77	£192.83	£227.89	£262.95	£315.54

(6) Swindon and Wiltshire Fire Authority That it be noted that for the year 2013/2014 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
£41.59	£48.52	£55.45	£62.38	£76.24	£90.10	£103.97	£124.76

(7) That this Council determines that the Basic Amount of Council Tax for the Financial Year, 2013/14 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.

110. Housing Revenue Account - Rents and Charges 2013/14

The Council considered (a) a report of the Cabinet Member for One Swindon, Localities and Housing and the Board Director, Service Delivery concerning the proposed Housing Revenue Account Revenue and Capital Investment Budgets 2013/14, (b) Minute 96 of the Cabinet, and (c) the views of the Housing Advisory Forum as considered by the Cabinet at its meeting 6th February 2013.

Councillor Russell Holland moved and Councillor Mark Edwards seconded:

- Council rents for 2013/14 are increased in line with convergence targets of Retail Price Index (RPI) plus 0.5% plus maximum of £2.00, which will increase average rents for Housing Revenue Account (HRA) dwellings to £77.82 per week (52 week basis), an increase of 4.8%. This will be an average increase of £3.59 per week.
- The housing related support charges for 2013/14 and service charges for 2013/14, as outlined in Appendix 2(revised) of the joint report of the Cabinet Member for One Swindon, Localities and Housing and the Board Director, Service Delivery, be approved.
- Leaseholder service charges set for 2013/14 as shown in Appendix 3(revised) of the joint report, be approved.
- Based on the proposals set out within the joint report the Housing Revenue Account (HRA) proposed budget for 2013/14, as shown in Appendix 4 (revised) to the joint report, be approved and that the HRA Repairs Budget and Funding be approved as shown in Appendix 5 (revised) to the joint report.
- The provision for debt repayment in 2013/14 of £5m, as detailed in Appendix 1(revised) to the joint report, be approved.
- The Council include within its Constitution's Scheme of Delegations an authority enabling the Board Director, Service Delivery in consultation with the Board Director, Resources, Head of Housing Services and the Cabinet Member with portfolio responsibility for Housing, to use the Regeneration and Acquisition fund of up to £1m, to purchase 1 and 2 Bedroom accommodation to enable these properties to be included with the Council's housing stock.
- Rents charged on General Fund properties be on the same basis as HRA properties resulting in an average increase of 4.4% and the service charges as shown in Appendix 6(revised) to the joint report, be approved.

- Rents charged for plots at the Hay Lane Residential Gypsy Site be increased by £2.00 per week to £47.00 per week (52 week basis) and the rents for work-pens (small lock-ups), as shown in Appendix 6 (revised) to the joint report, be approved.
- The homelessness contribution, as outlined in Appendix 6 (revised) to the joint report, be approved.
- The budgeted 2012/13 Debt repayment of £7,977,300 be reduced to £5m, and the additional funding be transferred to HRA reserves at year end, subsequently to be allocated towards increasing the capital programme for 2013/14 as detailed at paragraph 3.45 of the joint report.

Councillor Russell Holland moved and Councillor Des Moffatt seconded:

“That this Council resolves to amend the Housing Revenue Account Rent Setting Budget set out in Cabinet Minute 96 to relocate surplus revenue income for the following purpose:

1. To increase tenants weekly rents by RPI only for 2013/14, rather than the proposed RPI + 0.5% per + £2.
2. That the programme of renewals of kitchens and bathrooms for 2013/14 be reinstated to 2010/11 levels with immediate effect.

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.

111. Motion - Housing

Councillor Des Moffatt moved and Councillor Ray Ballman seconded:

“That this Council instructs the Board Director of Service Delivery to present a report to Cabinet detailing how the HRA could lease a parcel of land from the general fund in The Hawthorns, Pinehurst and use HRA capital resources to build an “extra support” housing scheme of not less than 40 units, and advise on whether this housing provision should be managed by the Housing Department and additional accommodation let under advisement by the Adult Social Care Team.”

Councillor Brian Mattock moved and Councillor Russell Holland seconded that the Motion be amended to read:

“That this Council requests the Cabinet Member for One Swindon, Communities and Housing, to include within the report to Cabinet already being drafted in response to a previous Council motion, identifying how the Housing Revenue Account could assist with the development of supported housing, including those with learning disabilities, on the Hawthorn site at Pinehurst in addition to other suitable sites across the Borough and to advise whether this housing provision should be managed and commissioned by the Housing Department with input from Adult Social Care Teams.”

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.

112. Motion - Groundwell Park and Ride

Councillor Joe Tray moved and Councillor Teresa Page seconded:

“That this Council notes that the former Groundwell Park and Ride site remains unused since it was closed by this Council in 2009. This Council further notes that Ward Councillors, residents and community groups have proposed ideas about a future use for this site, which at present the Council has not followed up.

Penhill and Upper Stratton Ward Councillors believe that this site should be urgently put back in to use in order for it not to be left derelict.

The Council requests:

- (i) The Cabinet Member for Finance to present a report to Cabinet detailing the options available to restore this site
- (ii) The Cabinet Member for Finance to consult with the Penhill and Upper Stratton Ward Councillors before presenting this report.”

Councillor Garry Perkins moved and Councillor Keith Williams seconded that the Motion be amended to read:

“That this Council notes that the former Groundwell Park and Ride site remains unused since it was closed by this Council in 2009. This Council further notes that Ward Councillors, residents and community groups have proposed ideas about a future use for this site, which at present the Council has not followed up.

Penhill and Upper Stratton Ward Councillors believe that this site should be urgently put back in to use in order for it not to be left derelict.

The Council requests:

The Cabinet Member for Finance to present a report to Cabinet detailing the options available to restore this site.”

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.

113. Motion - Number 11 Bus Service

Councillor Peter Watts moved and Councillor John Ballman seconded:

“That this Council notes:

(i) That Thamesdown Transport has re-routed the Number 11 Bus Service without consultation with the Ward Councillors in the area affected.

(ii) That the Ward Councillors in the affected area have been contacted by many residents who have said this re-routing will prohibit them from being able to use public transport.

In light of this, Council requests that the Cabinet Member for Leisure and Strategic Transport write to the Managing Director of Thamesdown Transport to urge him to put the Number 11 Bus Service back to its original route until proper consultation with Ward Councillors and affected residents has happened.”

Councillor David Renard moved and Councillor Claire Ellis seconded that the Motion be amended to read:

“That this Council notes:

(i) That Thamesdown Transport has re-routed the Number 11 Bus Service without consultation with the Ward Councillors in the area affected.

(ii) That the Ward Councillors in the affected area have been contacted by many residents who have said this re-routing will prohibit them from being able to use public transport.

In light of this, Council requests that the Cabinet Member for Leisure and Strategic Transport write to the Managing Director of Thamesdown Transport to request him to put the Number 11 Bus Service back to its original route.”

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.

Councillor Fionuala Foley, Colin Lovell and Keith Williams made personal declarations of interest in respect of this item as they were Council appointed Directors of Thamesdown Transport Ltd.

114. Pay Policy Statement 2013/14

The Council considered (a) a report of the Cabinet Member for Streetsmart and Corporate Services and the Head of People and Change on the requirement, under Section 38 of the Localism Act 2011, for the Council to agree and publish a Pay Policy Statement by 1st April each year, and setting out the Council’s proposed Pay Policy Statement for consideration, and (b) Minute 101 of the Cabinet (Pay Policy Statement 2013/14).

Councillor Roderick Bluh moved and Councillor David Renard seconded:

“That the Council’s Pay Policy Statement for 2013/14, as set out in Appendix A of the report be approved and adopted.”

Councillor Mark Dempsey moved and Councillor Jim Grant seconded that the final sentence of the penultimate paragraph of page three of the Council's Pay Policy Statement be amended to read "If any national pay award is agreed for 2103/14, this figure will be adjusted accordingly, regardless the Living Wage should be adopted."

The amendment was put to the vote and was declared lost.

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

115. Minute to Note - Motion

Councillor Fionuala Foley moved and Councillor Roderick Bluh seconded:

"That Minute 103 of the Cabinet (Motion at Council – Green Waste Collections) be noted."

The Motion was put to the vote and declared carried.

116. Councillors Question Time

The Director of Law and Democratic Services reported that Standing Order 15 Questions have been received from Councillors Fay Howard, Cindy Matthews and Bob Wright.

Councillor Fay Howard asked the Cabinet Member for Strategic Planning and Sustainability if he would keep her informed on progress made regarding Cavendish Square.

The Cabinet Member agreed that he would keep Councillor Howard informed of progress on the scheme referred to in her question.

Councillor Cindy Matthews asked when the Economic, Environmental and Sustainability Overview Committee would consider the issue of allotments as agreed previously at Council.

In the absence of the Chair of the Economic, Environmental and Sustainability Overview Committee, the Leader of the Council indicated that Councillor Peter Heaton-Jones would be asked to provide a written response

Councillor Bob Wright asked if the Cabinet Member for Leisure and Strategic Transport was aware of the problems being experienced at the Whale Bridge junction.

The Cabinet Member for Leisure and Strategic Transport thanked Councillor Bob Wright for his comments and noted that the issues raised should be addressed in a report to Cabinet that was expected in March 2013.