

CABINET

WEDNESDAY, 5 FEBRUARY 2014

PRESENT:- Councillors David Renard (Chair), Russell Holland, Fionuala Foley, Claire Ellis, Dale Heenan, Richard Hurley and Garry Perkins.

Apologies for absence were received from Councillors Brian Mattock (Vice-Chair), Mike Bawden and Keith Williams.

Councillor Jim Grant attended the meeting in respect of Minute 85. Councillor Des Moffatt attended the meeting in respect of Minutes 86, 88 and 93. Councillor Kevin Small attended the meeting in respect of Minutes 87, 90 and 93.

80. Declarations of Interest

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

81. Minutes

Resolved –That, subject to the amendment of Minute 78 (Public Question Time – Mr Ray Fisher) by the deletion of the words “such as young children” in the fourth paragraph, the minutes of the meeting held on 2nd January 2014 be confirmed and signed as a correct record.

82. Public Question Time

Questioner

Mr Peter Gallagher, Folkestone Road, Swindon

Question

Mr Gallagher asked questions regarding the Council’s “Draft Updated Library Strategy” and its Appendix “Swindon Libraries Contextual Data”, in particular, relating to how data was collected, the future operation of Old Town Library, and costs and usage associated with Walcot library.

Response

The Chair thanked Mr Gallagher for his questions and comments and advised that a response had been prepared and circulated at the meeting.

Mr Gallagher asked supplementary questions relating to the written response.

The Chair explained that, as the Cabinet Member for Highways, Strategic Transport and Leisure was absent, he would arrange for a written response to be provided to the supplementary questions seeking clarification on Council funding of premises costs associated with the Old Town Library located at the Swindon Arts Centre, and on the undertaking of research to learn more on why Walcot residents chose to use other libraries in order to inform the Council’s proposals.

Questioner

Mr Brian Cockbill, Stratton St Margaret, Swindon

Questions

Mr Cockbill asked a series of questions concerning the -

- (a) Availability of an Agenda on the Council's Website;
- (b) Value and origin of the Council's Corporate Contingency Fund;
- (c) Appointments procedure for the Council's Independent Remuneration Panel;
- (d) Progress of the Council's response to complaints relating to the Mayor of Swindon and the process involved; and
- (e) Cabinet's consideration of the recommendations of the Scrutiny Committee on the Wi Fi Task Group's report.

Response

The Chair thanked Mr Cockbill for his questions and comments and advised that a response had been prepared and circulated at the meeting.

Mr Cockbill asked supplementary questions relating to the written responses he had received to his questions and relating to portfolio responsibilities in Councillor Mike Bawden's absence.

The Chair, the Director of Law and Democratic Services and the Committee and Member Services Manager responded at the meeting to the questions and comments.

Questioner

Mrs Martha Parry, Swindon Civic Trust

Question

Mrs Parry asked that, further to Agenda Item 11 concerning the Draft Consultation Policy 2014-2017, would the Cabinet authorise a consultation exercise on the proposed policy prior to its adoption by the Council, as many active community organisations had not had an opportunity to contribute to its preparation?

Response

The Chair thanked Mrs Parry for her question and comments. The Chair responded at the meeting to the question and to comments arising.

83. Budget Management 2013/14

The Cabinet Member for Finance and the Board Director, Resources submitted a joint report setting out (a) the current forecast outturn position of the Council's Revenue Budget as at the end of December 2013, (b) issues impacting on the Council's finances, including the Corporate Contingency Fund, and (c) the current forecast position for the Housing Revenue Account and the Dedicated Schools Grant.

Councillor Russell Holland, Cabinet Member for Finance, introduced the report and highlighted how the effective financial management of the current year's budget would enable the Council to be well placed to meet the challenges of the next Financial Year.

Resolved – (1) That the Cabinet notes the projected out-turn position for the Council's Budget in 2013/14, as set out in Table 1 and Appendices 1 and 2 to the joint report.

(2) That the unspent Corporate Contingency Fund of £1.2m be carried forward to mitigate risks in future years' Budgets and to support some one-off investment in services.

(3) That any Financial Year-end underspend be put towards the one-off costs associated with the transfer of Golf and Leisure assets to the private sector, as referred to in paragraph 3.6 of the joint report.

(4) That the proposed budget virements, as set out in Appendix 3 to the joint report, be approved.

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

84. Special Expenses 2014/15 (Minute for Confirmation)

The Cabinet Member for Finance and the Board Director, Resources submitted a joint report concerning the amounts to be charged as Special Expenses within the non-parished areas of the Borough for the Financial Year 2013/14.

Councillor Russell Holland, Cabinet Member for Finance, commented on the complexity for Swindon resulting from its mix of services and provision for parished and un-parished areas. He referred to the methodology used for the calculation of Special Expenses for 2014 and to the implications for Council Tax Bills. He explained that there were no significant changes in levels for 2014/15.

Resolved – (1) That it be noted that Borough Members and officers met with representatives from a range of parish councils in Swindon on 16th January 2014 and that the Leader of the Council and the Board Director Resources have agreed to periodically review the list of sites charged as General and Special Expenses with them.

(2) That the level of Special Expenses for the Financial Year 2014/15 be £1,004,978 as referred to in the joint report of the Cabinet Member for Finance and the Board Director, Resources.

(3) That it be noted that the charge per household is unchanged from that for the 2011/12 Financial Year.

(4) That it be noted that the list of open spaces and recreation areas to be charged as Special Expenses in 2014/15 will be as set out in Appendix 1(a&b) to the joint report of the Cabinet Member for Finance and the Board Director, Resources.

(5) That it be noted that the expenses listed in Appendix 2 to the joint report of the Cabinet Member for Finance and the Board Director, Resources shall be charged to all households of the Borough and shall not be Special Expenses.

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

85. Budget 2014/15 and Beyond (Minute for Confirmation)

The Cabinet Member for Finance and the Board Director, Resources submitted a joint report setting out (a) the medium term position for the Council's finances, (b) the provisional Local Government Finance Settlement 2014/15, (c) the

forecast outturn for the Council's Budget 2013/14, (d) Council Tax 2014/15, (e) the Tax Base and Collection Fund position, (f) the Council Tax Support Scheme changes and the impact on parish and town councils, (g) New Homes Bonus 2014/15, (h) proposed one-off investment in service improvements, (i) the proposed Budget for the Council for 2014/15 and contingencies, risks, Special Expenses, fees and charges, equalities and diversity, and Reserves, and (j) the outcome of the Budget consultation process.

Councillor Russell Holland, Cabinet Member for Finance, explained that the final Local Government Finance Settlement 2014/15 for Swindon had been received earlier in the day and was £8,000 better than the provisional announcement and that therefore an amended recommendation had been tabled for Cabinet's consideration.

Councillor Holland referred to the Budget proposals for 2014/15, and how these differed from those submitted to the Council in December 2013. He commented on the national economic situation and the Council's commitment to providing quality services and protecting the most vulnerable. He advised that Swindon was both a low tax and a low funded local authority and this together with the service pressures it faced particularly in relation to demand in Adult Social Care and in services for Children and Families heightened the financial challenges the Council faced year on year. He referred to the Council's determination to offer quality services to the most vulnerable in Swindon, but that this came at a significant cost with the majority of the Council's Budget being allocated in these areas. He highlighted that many of Swindon's residents would not see or come into regular contact with these areas of provision where significant amounts of their Council Tax and of the Council's budget was spent. He commented on how the Council, through its Economic Strategy, was seeking to support and develop the local economy and how a successful Swindon business and commercial sector, by way of job creation and increasing Business Rates, would support future Council budgets. The Council was proud of the services it offered and its commitment to the most vulnerable and to encouraging economic growth in Swindon. He hoped that residents could be made more aware of this.

Councillor Holland made reference to the proposed level of Council Tax for 2014/15. He explained changes that had occurred since the Cabinet's meeting in December 2013 that resulted in him being able to recommend that there should be no increase in Swindon's Council Tax.

Councillor Holland referred to the consultation that had taken place on the Budget, and advised that Appendices 5 and 6, setting out the outcome of the Consultation process and the minutes of a meeting held with Non-Domestic ratepayers on 28th January 2014 had been circulated at the meeting for consideration.

The Board Director Resources referred to the number of posts that would be deleted from the Council's establishment as a result of the Budget proposals. It was anticipated this would result in approximately twenty staff being made redundant.

Councillor Jim Grant, Leader of the Opposition, commented on the budget proposals and asked what criteria had been used to determine the priority for schemes to be funded by way of one-off investments.

The Chair and Cabinet Members explained how schemes had been identified and emphasised that schemes had been chosen by identified need rather than by any party political motivation.

Councillor Grant drew attention to the identified savings in the Budget proposals relating to Leisure and Culture. He noted that consultation on proposals was still being undertaken and this appeared to indicate that decisions had already been made. The Chair commented that it was necessary to identify a budget for the service in advance of the conclusion of the consultation. If subsequent decisions were made by the Council that impacted on the projected level of savings, then any shortfall would have to be identified from elsewhere in the agreed Budget. It reflected the requirements of budgeting not the pre-empting of decisions.

Councillor Fionuala Foley, Cabinet Member for Children's Services, and on behalf of Councillor Brian Mattock, Cabinet Member for Health and Adult Social Care, referred to the service challenges in their portfolio areas and the excellent work done by the officer team and with partners to both reduce costs and deliver quality services to vulnerable older people, people with disabilities and vulnerable children and families. She gave examples of some of the excellent work being undertaken with troubled families and in adoption and fostering. She noted that the Adult Social Care Budget had been delivered on-target which was a tremendous achievement given the nationwide challenges affecting these services.

Councillor Holland commented that he believed the Budget as proposed was robust and would ensure that the Council would continue to deliver its objectives and the outcomes residents wanted. It would continue to protect the most vulnerable, promote economic growth and ensure the resilience of Swindon and its residents.

The Chair noted the difficulties the Council had faced in reaching a Budget for 2014/15 and the difficult decisions that had to be made. He reiterated the on-going challenges the Council would face and the continued pressure on services. He thanked all those who had been involved in the Budget process both from within the Council and outside.

Resolved – (1) That it be noted that –

- (i) The Council does not expect to need to replenish General Reserves as part of the 2014/15 Budget Setting process;
- (ii) The feedback received to the Borough-wide consultation process on the Draft Budget, as set out in Appendix 5 to the joint report, had been taken into account in the Budget Setting process;
- (iii) The outcome of the consultation meeting with business representatives from Swindon, on behalf of non-domestic rate payers that took place on 28th January 2014, as set out in Appendix 6 to the joint report, had been taken into account in the Budget Setting process;
- (iv) In line with the requirements of the Local Government Act 2003, the Board Director, Resources, in his Section 151 capacity, had confirmed the robustness of the estimates underlying the recommended Budget and having reviewed the financial risks being faced by the Council had concluded that the proposed level of General Reserves (£6m) was adequate in the context of the earmarked reserves held, specific contingencies and the proposed general contingency of £0.509m.

(2) That the proposed changes in fees and charges, as set out in Appendix 1 to the joint report, that fall outside of the assumed Council-wide 3% increase be approved.

(3) That the Specific Reserves held in support of the 2014/15 Revenue Budget, as set out in Appendix 7 to the joint report, be approved.

(4) That £150,000 be passed from the Borough Council to Swindon's parish councils to mitigate the impact of changes to the Council Tax Base implemented in 2013/14, linked to changes to the Council Tax Support Scheme.

(5) That £845,000 of one-off resources be invested in the activities set out in Table 3 of the joint report and commenced as soon as possible.

(6) That, subject to any changes resulting from the Government's announcement of the final Local Government Finance Settlement for 2014/15 the Council be recommended that:-

- the 2014/15 Budget be set at £142,667,544;
- there be no increase in Council Tax for 2014/15, and
- it be determined that the proposed increase in the basic amount of Council Tax for 2014/15 is not excessive in accordance with Schedule 5 of the Localism Act 2011.

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

86. Capital Programme 2014/15 to 2016/17 (Minute for Confirmation)

The Cabinet Member for Finance and the Board Director, Resources submitted a joint report concerning new Capital Programme requirements for the period 2014/15 to 2016/17 and including schemes for (a) Children's Services, (b) Highways, (c) Property and Assets, and (d) Older People.

Councillor Russell Holland, Cabinet Member for Finance, referred to the contents and purpose of the report and, in particular, to the proposed changes to the Capital Programme that reflected the Council's commitment and priorities in support of Children, Older People, and Highways.

The Board Director, Resources referred to the funding of the Capital Programme and that detail of the level of grant funding available to the Council for the period beyond 2014/15 was still awaited. He referred to the likely pressures on the delivery of future programmes, particularly relating to the provision of additional secondary school places.

Councillor Des Moffatt commented on the Capital Programme and to the Council's spending on capital schemes that had resulted in it borrowing £119m that had an annual impact of £10m for the Council's Revenue Budget.

Councillor Holland referred to the success of the Council's financial management and of the investment it had made in improving schools and other infrastructure essential for maintaining a successful economy and growing Borough.

Resolved –(1) That the Council be recommended to approve -

- an overall budget of £8.680m for the Children's Services capital schemes identified in Appendix 1 of the joint report as 2014/2015 starts for approval;
- a total budget of £12.142m for the 2014/15 Highways capital schemes

detailed at Appendix 2 of the joint report;

- a total budget of £6.515m for the 2014/15 Assets and Property capital schemes detailed at Appendix 3 of the joint report and highlighted “For Approval”.

(2) That the Council note the Council’s future capital requirements as detailed in Appendices 1, 2 and 3 of the joint report.

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

87. Treasury Strategy Statement 2014/15 (Minute for Confirmation)

The Cabinet Member for Finance and the Board Director, Resources submitted a joint report concerning the Council's proposed Treasury Management Strategy for 2014/15 including the (a) Annual Investment Strategy, (b) Minimum Revenue Provision Policy Statement, and (c) Prudential Indicators for the Financial Years up to 2015/16.

Councillor Russell Holland, Cabinet Member for Finance, referred to the contents of the Treasury Management Strategy for 2014/15. He explained that the Statement was a statutory requirement. The Statement had also been considered by the Council’s Audit Committee.

Councillor Kevin Small, Chair of the Scrutiny Committee, referred to the procurement process for the Council’s banking arrangements.

The Board Director, Resources explained the process adopted and that the Co-operative Bank, the Council’s current banker, was withdrawing from the local authority market. He referred to the steps the Council had taken to ensure that it was protected in the unlikely event that its current bank should fail or run into difficulties.

Resolved – (1) That the Council be recommended to approve:

- the Prudential Indicators for the Financial Years up to 2015/16;
- the Minimum Revenue Provision Policy Statement for 2014/15 and;
- the Treasury Management Strategy for 2014/15, all as set out in Appendix 1 to the joint report.

(2) That the position with regard to the Council’s bankers, the Co-Operative Bank, as detailed within Section 4 of the joint report, be noted.

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

88. Housing Revenue Account - Rents and Charges 2014/15 (Minute for Confirmation)

The Cabinet Member for Public Protection, Housing and Streetsmart (Delivery), and the Board Director, Service Delivery submitted a joint report concerning the proposed budget for the Housing Revenue Account (HRA) for 2014/15, including proposals for rents, service charges and support charges for 2014/15.

Councillor Richard Hurley, Cabinet Member for Public Protection, Housing

and Streetsmart (Delivery), presented the report and explained how the report set out the context and background to the proposed Housing Revenue Account Budget for 2014/15, and the reasons for the proposed changes in the levels of rents and services charges. He explained how the likely underspend on the HRA this Financial Year would be used to mitigate damage to tenants' homes and estate infrastructure resulting from the recent adverse weather.

The Head of Housing Services referred to the outcome of the consultation that had taken place with tenants groups, the Housing Advisory Forum and other stakeholders on the proposals for the HRA and rents and charges.

Councillor Des Moffatt referred to the Labour Group's view on the proposed HRA Budget and on what it believed was a more appropriate level of increase for Council rents.

Councillor Russell Holland, Cabinet Member for Finance, referred to the financing of the HRA and on how the level of Council rent affected the amount that the Council had available to invest in improvements to the Housing stock and tenants' homes. He commented on the position of Housing Debt and the effect of this for investment in Swindon's Housing stock. He advised that those tenants in receipt of Benefits would have any increase met through an increased Benefit payment.

Councillor Hurley explained the reasons why he supported the recommended increases in rents and service charges. He reiterated the importance for tenants of the Council seeking to invest in the Council's housing stock. He believed the proposed recommendations offered the best outcomes for both the Council and its tenants.

Resolved – That, subject to the confirmation of the Council –

- The proposed average rent for Housing Revenue Account (HRA) dwellings for 2014/15 of £79.23 per week (52 week basis), which is an increase of 3.7%, be approved. (This will be an average increase of £2.82 per week (52 week basis) and the range of increases is set out in paragraph 3.12 of the joint report.
- The Board Director, Service Delivery 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, to enable any underspend on the 2013/14 budget of £420,000 to be used in 2014/15, as detailed at paragraphs 3.17 of the joint report.
- The housing related support charges for 2014/15 and service charges for 2014/15, as outlined in Appendix 2 of the joint report of the Cabinet Member for Public Protection, Housing and Streetsmart (Delivery), and the Board Director, Service Delivery, be approved.
- Leaseholder service charges set for 2014/15 as shown in Appendix 3 of the joint report, be approved.
- Based on the proposals set out within the joint report the Housing Revenue Account (HRA) proposed budget for 2014/15, as shown in Appendix 4 to the joint report, be approved and that the HRA Repairs Budget and Funding be approved as shown in Appendix 5 to the joint report.
- The draft Three-year capital projects and planned maintenance

programme be approved at an indicative funding level of £16.8m (2014/15 prices) per annum for each of the years 2014/15 through to 2016/17 as set out in Appendix 6 to the joint report.

- Rents charged on General Fund properties be on the same basis as HRA properties resulting in an average increase of 3.7% and the rents and charges for the David Murray John Apartments, as shown in Appendix 7 to the joint report, be approved.
- Rents charged for plots at the Hay Lane Residential Gypsy Site be increased by £1.74 per week (3.7%) to £48.74 per week (52 week basis) and the rents for work-pens (small lock-ups), as shown in Appendix 7 to the joint report, be approved.
- The charges for Private Sector Leased (PSL) accommodation for those accepted as homeless, as outlined in Appendix 7 to the joint report, be approved.
- Any underspend on the 2013/14 Housing Revenue Account be earmarked to fund additional works resulting from the abnormal amount of rainfall, commencing as soon as possible.

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

89. Draft Consultation Policy 2014-2017

The Leader of the Council and the Board Director, Commissioning submitted a joint report concerning a proposed Council Consultation Policy.

The Chair introduced the report and explained that the Council had successfully conducted many effective consultations and it continued to have a clear legal and constitutional position on the consultation process. However, the Council had received feedback that some consultations could be improved, particularly in order to stand up consistently to focused public scrutiny and to maintain and develop confidence in the process. This had resulted in the preparation of the proposed Consultation Policy. The policy had taken into account the views expressed by a focus group of members of the public and the views of parish and town councils. However, he noted the comments expressed in the public question earlier in the meeting and at the Cabinet's Open Forum on this matter and asked if there was support amongst Cabinet colleagues for a wider consultation on the policy taking place.

Councillor Russell Holland, Cabinet Member for Finance, and Cabinet colleagues commented on the proposed policy and on the benefits of undertaking consultation on what was a policy drawing together existing best practice and which was seen as an evolving and developing entity. The consensus view was that the policy should be adopted and allowed to evolve through its operation, since this would involve the majority of organisations likely to participate in any further consultation in any case.

The Chair advised that it had been drawn to his attention that the policy had implications for the content of the current Compact with the community and voluntary sector. He suggested that the Compact should be reviewed in light of the emerging policy.

Resolved - (1) That the proposed Council Consultation Policy for the period

up until the end of 2016/17, as set out in Appendix 1 to the joint report, be approved.

(2) That the Board Director, Commissioning, in consultation with the Leaders of the Political Groups, and the Director of Law and Democratic Services, be authorised to make minor changes to the content and presentation of the Council's Consultation Policy, if required, prior to publication.

(3) That the Board Director, Commissioning, in consultation with the Leader of the Council, and the Director of Law and Democratic Services, be authorised to develop and implement support and guidance to help embed the approved Consultation Policy into the Council's key decision-making processes, and monitor and periodically review its operation.

(4) That, in view of the proposed implementation of the Consultation Policy and the fact that there has been no review of the existing Compact with the Voluntary and Community Sector for a number of years, the Board Director, Commissioning be authorised to initiate a review of the Council's current Compact with Voluntary and Community Sector and One Swindon partners, and report the findings of the review to a future meeting of the Cabinet early in the next Municipal Year.

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

90. Pay Policy Statement (Minute for Confirmation)

The Cabinet Member for Customer Support and Corporate Services, and the Head of People and Development submitted a joint report concerning the proposed Swindon Borough Council Pay Policy Statement for 2014/15.

Councillor Claire Ellis, Cabinet Member for Customer Support and Corporate Services, explained that the Council was required under Section 38 of the Localism Act 2011 to agree and publish a Pay Policy Statement by 1st April each year. This was the Council's third Pay Policy Statement and was put forward for consideration prior to its submission to the Council for approval.

Councillor Kevin Small, Chair of the Scrutiny Committee, advised that the national Joint Negotiating Committee (JNC) for Youth and Community had confirmed a 1% pay increase for effected local government staff earlier in the week.

The Chair thanked Councillor Small for this information, which would be taken into account in the preparation of the final Statement.

Resolved – That the Council's proposed Pay Policy Statement for 2014/15, as set out in Appendix 1 to the joint report, be endorsed and submitted to the Council for approval.

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

91. Bringing Empty Shops Back Into Use - Motion at Council (Minute for Confirmation)

The Cabinet Member for the Economy, Regeneration and Culture and the Board Director Commissioning submitted a joint report setting out activities being undertaken to develop the economic performance of Swindon Town Centre and

responding to issues highlighted in a Motion to the Council on 11th April 2013.

Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Culture, referred to the various initiatives that were underway to promote and deliver economic development opportunities and to improve the Swindon Town Centre “offer” to residents, visitors and businesses. He explained some of the difficulties associated with “pop-up shops” as highlighted by the experience of some other local authorities and, in particular, the problem of sustaining new “pop-up” businesses in the longer term.

Councillor Perkins highlighted the success of Swindon Town Centre and the Brunel Centre, in particular, in minimising the number of empty shop units despite the impact of the recession and commented on the recent data indicating an increase in Town Centre “footfall” that was above the national average. He referred to recent comments by the Planning Inspectorate regarding the strength of retail provision in Swindon Town Centre, and explained the work being undertaken by inSwindon to promote themed Town Centre markets to encourage visitors to the area and the wider benefits that this would bring.

Resolved – (1) That inSwindon’s plans to develop a range of themed markets to assist the local economy and improve the experience of residents when shopping in Swindon’s Town Centre be noted and endorsed.

(2) That the Council be recommended to note the contents of the joint report in response to the Motion at Council on 11th April, 2013.

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

92. Proposed Compulsory Purchase Order – Kimmerfields (Formerly Union Square), Swindon

The Cabinet Member for the Economy, Regeneration and Culture and the Board Director, Commissioning submitted a joint report concerning the details of a proposed Compulsory Purchase Order (CPO) associated with the Kimmerfields (formerly Union Square) regeneration scheme and of the proposed appropriation of required land to Planning purposes. (Minute 22 refers.)

Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Culture, explained the reasons why the proposed CPO and appropriation of land was required to enable the Kimmerfields scheme to proceed and for the Council to meet its obligations under the associated Development Agreement.

In response to questions from Cabinet colleagues, Councillor Perkins highlighted the significant impact that the successful delivery of Kimmerfields would have for the local economy and for the future of Swindon Town Centre.

Resolved – (1) That the Director of Law and Democratic Services be authorised, in consultation with the Board Director Resources, the Cabinet Member for Finance and the Cabinet Member for the Economy, Regeneration and Culture, to take all steps necessary to secure the making and implementation of a Compulsory Purchase Order under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) and/or any other enabling statutory provisions deemed appropriate by him, in order to acquire the land shown (tinted pink) on the Order Map attached to this Report as Appendix 1 and marked “Map referred to in the

Swindon Borough Council (Kimmerfields) Compulsory Purchase Order 2014", including the publication and service of all statutory notices and the presentation of the Council's case at any public inquiry(if necessary).

(2) That the Board Director, Resources be authorised, in consultation with the Director of Law and Democratic Services and the Head of Planning Services to appropriate to Planning purposes any part or parts of the land within the Kimmerfields Scheme Area where he considers it proper and necessary to do so.

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

**93. References from Other Council Bodies
- Report of Digital City (UK) Ltd Task Group**

The Leader of the Council, the Cabinet Member for Public Protection, Housing and Streetsmart (Delivery) and the Director of Law and Democratic Services submitted a joint report concerning recommendations arising from the Corporate Governance Review Working Group held on 5th November 2013, from the Housing Advisory Forum held on 8th January 2014, and from the Scrutiny Committee held on 22nd January 2014.

The Chair expressed his support for the recommendation arising from the Corporate Governance Review Working Group and explained the background to discussions that had taken place.

Councillor Richard Hurley, Cabinet Member for Public Protection, Housing and Streetsmart (Delivery), explained that the outcome of the Housing Advisory Forum's discussions on rents and charges for 2014 had been referred to earlier in the meeting as part of the item on the Housing Revenue Account Budget.

Councillor Kevin Small, Chair of Scrutiny Committee, and Councillor Des Moffatt, Chair of the Task Group, presented the recommendations of the Scrutiny Committee and the findings of the final report of the Digital City (UK) Ltd Task Group.

The Chair drew attention to a public question received earlier in the meeting from Mr Brian Cockbill in which he had asked whether key witnesses should be re-interviewed.

Councillor Small and Councillor Moffatt advised that in their view, the Task Group had completed its investigation and there was no merit in any further action to re-interview those who had provided evidence to it.

Resolved – (1) That, further to Minute 40(1) of the Corporate Governance Review Working Group, the contents of the report of the Director of Law and Democratic Services and the views of the Working Group as set out in Minute 40(2) to (10) be noted and endorsed.

(2) That the decision set out in Minute 28 of the Housing Advisory Forum, be noted.

(3) That, further to Minute 52 of the Scrutiny Committee, the Scrutiny Committee and the Chair and members of the WiFi (Digital City (UK) Ltd) Task Group be thanked for their diligence and recommendations.

(4) That the Scrutiny Committee's recommendations, as set out in Minute 52

of that Committee, be welcomed and -

- (a) Recommendations 2(a), and 2(c) be referred to the Corporate Governance Review Working Group for further consideration;
- (b) The Chair of the Audit Committee be requested to consider recommendation 2(b);
- (c) The Cabinet Member for Finance be encouraged to consider recommendations 2(d) and 3 as soon as practicable;
- (d) Recommendation 2(e) be endorsed.
- (e) The present Cabinet Member Decision Note process, with Opposition Member consultation and Council oversight, be retained.

(5) That, further to Minute 52 of the Scrutiny Committee, the Cabinet expresses its regret that the Council's investment did not produce the outcome that was originally intended.

(6) That, further to Minute 52 of the Scrutiny Committee, the Cabinet notes that the UK Broadband's investment "would not have come about without the Council's loan to Digital City and the Council's commitment to seeking the establishment of a high speed wireless network for Swindon." (Cabinet Minute 37, 2011/12 refers.)

(7) That, further to Minute 52(6) of the Scrutiny Committee, the Cabinet notes that the Leader of the Council and the Chief Executive referred this matter to the Police following the Scrutiny Committee on 22nd January 2014 and that the Wiltshire Police responded in writing: "The allegations have been reviewed by Wiltshire Police and with the information available to them they will not be investigating the matter further", and considers that no further action is necessary to be taken by the Council in that regard.

(8) That, further to Minute 52 of the Scrutiny Committee, the Cabinet considers that the various complaints and queries raised with regard to this matter have now been fully responded to, and that no further time should be spent on this matter, having regard to the outcome of the Scrutiny Task Group's investigation.

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

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