

CABINET

WEDNESDAY, 10 SEPTEMBER 2014

PRESENT:- Councillors David Renard (Chair), Brian Mattock (Vice-Chair), Russell Holland, Emma Faramarzi, Brian Ford, Fionuala Foley, Dale Heenan and Garry Perkins.

Apologies for absence were received from Councillors Richard Hurley and Keith Williams.

Councillor Jim Grant attended the meeting in respect of Minutes 27, 28, 30, 31, 32 and 34. Councillor Stan Pajak attended the meeting in respect of Minutes 27, 30 and 31.

24. Declarations of Interest

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

25. Minutes

Resolved –That the minutes of the meeting held on 23rd July 2014 be confirmed and signed as a correct record.

26. Public Question Time

The following question was asked in accordance with Standing Order 28 –

Questioner

Mr Tim French, Cassan Road, Swindon

Questions

Mr French asked a question regarding the need for the holding of a Public Planning Inquiry into the proposed Solar Farm at Wroughton Swindon, given the support for this proposed development from the local community, Wroughton Parish Council and the Borough's Planning Committee.

Response

The Chair thanked Mr French for his question and comments. Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, and Councillor Brian Ford, Cabinet Member for Streetsmart, and a Wroughton and Wichelstowe Ward Councillor, responded at the meeting to the question and comments.

27. Wiltshire and Swindon Fire Authority Consultation

The Leader of the Council and the Director of Law and Democratic Services submitted a joint report concerning the Council's response to the consultation being undertaken by the Wiltshire and Swindon Fire Authority regarding the future of the service.

The Chair referred to the consultation being undertaken by the Joint Fire Authority on the future of the Wiltshire and Swindon Fire and Rescue Service. He commented on the significance of the decision to be made by the Fire Authority for Swindon and its residents. He referred to the options being presented for consideration and to the response of Wiltshire Council set out in Appendix 2 to the joint report. He advised that the Fire Authority had requested that responses to its consultation exercise be received by 20th October 2014.

The Chair welcomed Mr Simon Routh-Jones, Chief Fire Officer of Wiltshire Fire and Rescue Service to the meeting and invited him to address the Cabinet on the consultation document, the options that it contained and the views of the Service.

Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills, and a Swindon appointed member of the Joint Fire Authority, commented on the background to the proposals and the options under consideration. He believed that the proposed third option involving a merger with the Dorset Fire Authority and increased collaboration with local partners was the only solution that could ensure that there was no negative effect on the current level of service provided to Swindon residents and that could support the future development of the Fire and Rescue Service. He commented on the consultation exercise and to the wish of the Fire Authority to receive as much feedback as possible from the local community on this important issue.

Councillor Stan Pajak, Leader of the Minority Group on the Council, welcomed the opportunity for the public to contribute to this important consultation. Based on the information available and the comments of the Service and Joint Fire Authority, he and his group was supportive of Option 3 as this seemed to offer the most security for the maintenance and development of the Fire and Rescue Service in Swindon and the rest of Wiltshire.

Councillor Jim Grant, Leader of the Opposition Group on the Council, advised that based on the information available, his group was also supportive of Option 3 in view of the security it would offer Swindon and its residents. He asked whether the Fire and Rescue Service could give an assurance that if Option 3 was approved, the ten minute service response time in Swindon would be maintained.

Councillor Perkins and the Chief Fire Officer confirmed that under Option 3 it was believed that the 10-minute response time would be maintained. The Chair suggested that the requirement for this assurance being highlighted could be included as part of the Borough's response to the Joint Fire Authority's Consultation.

The Chair thanked Mr Routh-Jones and Councillors for their contributions, and explained that whilst there appeared to be a clear preference for Option 3 within the Borough, it was his view that this matter would be most appropriately dealt with by way of a joint "cross-party" written response on behalf of the Council.

Resolved – (1) That the contents of the Wiltshire and Swindon Fire Authority Consultation Document, be noted.

(2) That the Director of Law and Democratic Services, in consultation with the Leader of the Council and the political group leaders on the Council be authorised to develop, finalise and submit the Council's response to the Wiltshire and Swindon Fire Authority by 20th October 2014.

(3) That the Cabinet express its appreciation to Mr Simon Routh-Jones, Chief Fire Officer of Wiltshire Fire and Rescue Service, for his attendance and contribution to this meeting of the Cabinet.

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

28. Budget Management 2014/15

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 July 2014, (b) issues impacting on the Council's finances, including (i) Capita Integration, (ii) Sports Pitches, and (iii) Swindon Commercial Services Ltd (SCS), and (c) the current forecast out-turn position for the Housing Revenue Account and the Dedicated Schools Grant.

Councillor Russell Holland, Cabinet Member for Finance, introduced the report and referred to the continuing work being undertaken by the Council's officer team to deliver budget savings early for the next Financial Year to both strengthen the Council's financial position and provide capacity to fund the Council's on-going transformation.

Councillor Jim Grant, Leader of the Opposition Group on the Council, referred to the current Public Inquiry into the proposed Wroughton Solar Farm and asked what "Plan B" existed should the Planning Inspector refuse planning permission.

Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills, advised that whilst the Wroughton Solar Farm was an important scheme for Swindon Commercial Services Ltd. (SCS), it did have a number of other energy related schemes within its business plan that could be brought forward if required.

Resolved – (1) That the Cabinet notes the Projected Out-turn by Service 2014/15, as set out in Table 1 and Appendices 1 and 2 to the joint report.

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

(3) That the use of in-year savings resulting from the early achievement of measures to deliver the 2015/16 Budget, as highlighted in paragraph 4.4 of the joint report, being set aside for any one-off implementation costs, be approved.

(4) That, in the event that savings are realised in the current year that directly relate to re-integration of services from Capita, their use to contribute to the one-off contract severance costs as referred to in paragraph 5.1 of the joint report, be approved.

(5) That up to £10,000 from one-off reserves be spent on football pitch security and equipment to support the implementation of part of the £40,000 Budget saving to reduce the annual subsidy of sports pitches, as referred to in paragraphs 6.1 and 6.2 of the joint report.

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

29. Capital Programme Monitoring - First Quarter 2014/15

The Cabinet Member for Finance and the Board Director, Resources submitted a joint report setting out the 2014/15 Capital Programme position as at the end of June 2014.

Councillor Russell Holland, Cabinet Member for Finance, referred to the report and explained that it addressed the projected outturn position of the Council's Capital Budget for 2014/15 and highlighted proposed changes to the current Capital Programme.

Resolved – (1) That the 2014/15 Capital Programme position, as set out in paragraphs 3.1 to 3.3 of the joint report, be noted.

(2) That the changes to the Council's Capital Programme, as set out in paragraph 3.4 of the joint report, be approved.

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

30. Education Provision 2014-2017

The Cabinet Member for Children's Services and the Board Director, Commissioning submitted a joint report concerning (a) school place planning pressures relating to Early Years, Primary and Secondary education arising from new housing developments and increasing demand associated with Special Educational Needs, (b) proposed responses to these pressures and the associated legal and consultation processes, (c) the progress of proposals to establish Secondary age "Free School" provision in Swindon, (d) Early Years education provision and the proposed Council approach to ensure Government targets were achieved, (e) progress made in establishing additional Primary School Places, (f) the requirement for school places and schools in new areas of major housing development within the Borough, and (g) pressures within Special Educational Needs provision at Primary and Secondary levels, and proposals to respond to existing pressures and future demands.

Councillor Fionuala Foley, Cabinet Member for Children's Services, introduced the report and drew attention to the differing but significant pressures effecting education provision in the Borough. She highlighted how the Council was seeking to respond to these pressures. She expressed her thanks to the officer team that had produced the report and that were working to deliver the best possible outcomes for Swindon's children and young people.

Councillor Jim Grant, Leader of the Opposition Group on the Council, referred to the proposal to establish Free Schools in Swindon. He commented on his opposition to the Government's policy on Free Schools and to his belief that local authorities should be able to build and run schools where there was a need for school places to be provided. He hoped that the Council would lobby the Government to change its policies. He asked what would happen should the bids for Free Schools fail.

Councillor Foley noted the comments and reiterated that the Council was following Government policy and requirements. Should the applications for Free Schools fail then this Council would be required to provide the necessary Capital

funding to provide the required schools by way of “Borrowing”. The sums were likely to be significant and this would have a considerable on-going effect on the Council’s Revenue Budget. The Council had few options available to it in order to respond to the pressures to provide secondary places.

Councillor Stan Pajak, Leader of the Minority Group on the Council, referred to the possible reasons for the high numbers of children with Statements of Special Education Need in Swindon. He welcomed the proposed research into this and wondered if a factor could be the high number of children with “English as an Additional Language” classification. He referred to the petitions required to support Free School bids and noted that only parents were permitted to sign these. He believed that such petitions should be accessible to all to sign.

Councillor Foley commented that she was not aware of any direct link between the number of children with Statements of Special Educational Need and English as an Additional Language, but that the proposed research should give clarity to the position. She hoped that as many parents as possible would sign the Free School petitions given the significance of these for the future of secondary provision in the Borough.

Resolved – (1) That the education place planning demand arising for Early Years, Primary, Secondary and Special Educational Needs places, be noted.

(2) That the progress of the Free School applications from New College and the Diocese of Bristol Academies Trust be noted and the Council offer further assistance, if required, by the sponsor.

(3) That the Board Director, Commissioning be authorised to commence statutory processes for the expansion of the (a) Chalet Special School for September 2015, and (b) Primary Emotional and Social Difficulties (ESD) provision at Nyland Special School for September 2015.

(4) That the Head of Property Assets in consultation with the Board Director Resources and the Director of Law and Democratic Services be authorised to complete the necessary legal documentation to transfer the Local Authority ownership of part of the South Marston Primary School site to the Bristol Diocese to ensure continuity of education provision on the site and allow the Diocese to negotiate the extension of the site with South Marston Parish Council.

(5) That the next steps towards an 11 to 25 years Special Education Needs place planning strategy, as referred to in paragraphs 3.36 to 3.47 of the joint report, be approved.

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

31. Housing Strategy 2015-2026

The Cabinet Member for Housing and Public Safety and the Head of Housing and Community Safety submitted a joint report setting out a proposed Housing Strategy 2015-2026.

Councillor Emma Famarzi, Cabinet Member for Housing and Public Safety, introduced the report and highlighted the key themes of the proposed Strategy and the proposed Actions over the next five years to deliver the plan. She referred to the issue of Housing Growth and to the shortage in Swindon of housing aimed at high-earners and key workers. She drew attention to proposals for the rented sector and

the possible development of a Municipal Housing Company. She commented on the consultation process associated with the Strategy and noted that the consultation period was to run until 10th November and not 13th October 2014 as had been stated in the report. She referred to the work that had been undertaken to develop the Strategy and to produce the evidence base that supported it. She thanked the officer team for their hard work and commitment.

Councillor Stan Pajak, Leader of the Minority Group on the Council, welcomed the Strategy. He noted that the key measurement of its success would be the ability to deliver the required actions. He welcomed the aim to bring more empty properties back into housing use and hoped that the time taken to achieve this with individual properties could be speeded up. He welcomed the reference to Houses in Multiple Occupation and hoped that effective solutions could be identified to overcome the type of problems identified in his and other wards.

Councillor Jim Grant, Leader of the Opposition, referred to the Motion at the Council meeting on the 17th July 2014, calling for the investigation of the introduction of a licensing scheme similar to that adopted by Oxford City Council for Houses in Multiple Occupation, but that this did not appear to be being pursued.

Councillor Emma Faramarzi and the Head of Housing and Community Safety explained that cross-party discussions were taking place on Houses in Multiple Occupation and that the situation in Swindon was very different from that in Oxford. It was unlikely given the differences in the scale of the problem and number of properties involved that the Secretary of State would support a licensing scheme in Swindon. However, ensuring that residents in shared accommodation could occupy safe and comfortable homes remained a priority.

Councillor Brian Mattock, Cabinet Member for Health and Adult Social Care, welcomed the Strategy and referred to its links to other Council strategies and actions supporting Social Care and helping to maintain independence.

Resolved – (1) That the Draft Housing Strategy 2015-2026 and Action Points, as set out in Appendices 1 and 2 to the joint report, be approved, and an eight week consultation exercise be undertaken with interested parties, to run from Monday 15th September to Monday 10th November 2014.

(2) That the findings of the consultation referred to in (1) above, be reported to the Cabinet Member for Housing and Public Safety with a summary of the responses received and any proposed amendments to the Strategy being published for approval within a Cabinet Member Decision Note, once the consultation period has closed.

(3) That it be noted that the consultation exercise referred to in (1) above will include conversations with housing developers and house builders on how Swindon can achieve greater depth to its housing market.

(4) That it be noted that the proposed Housing Strategy 2015-2026 also addresses the Housing issues raised in the Council Motions of 20th September 2012 (Council Minute 49, 2012/13), 21st February 2013 (Council Minute 111, 2012/13), 11th April 2013 (Council Minute 130, 2012/13), 7th November 2013 (Council Minute 62, 2013/14) and 17th July 2014 (Council Minute 30 refers).

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

32. Swindon and Wiltshire Local Enterprise Partnership Governance

The Leader of the Council and the Head of Economy and Skills submitted a joint report concerning the approval of a proposed governance structure within the Swindon and Wiltshire Local Enterprise Partnership which would enable it in a robust, open and transparent manner, to develop, assess and deliver the projects outlined in the Growth Deal and funded by the Local Growth Fund.

The Chair explained that following Government advice a proposed governance structure had been developed by the Swindon and Wiltshire Local Enterprise Partnership (SWLEP) in consultation with both Swindon and Wiltshire Councils. It aimed to provide a governance structure that would strengthen the democratic accountability of the SWLEP by demonstrating transparency supported by a robust joint scrutiny function that would be managed by Swindon Borough Council. He referred to the significance of the decisions to be made regarding the delivery of the projects within and affecting the Borough that were contained within the Growth Deal and funded by way of the Local Growth Fund held by SWLEP. It was important to both the Council and residents that appropriate governance was in place to ensure that the decision-making process was robust. He highlighted the success of the SWLEP's Strategic Economic Plan bid and the funding that would be forthcoming for Swindon schemes. He thanked the Council's officer team involved in preparing the Swindon elements of the bid.

Councillor Jim Grant, Leader of the Opposition Group on the Council, welcomed the intention to address the democratic deficit surrounding the operation of SWLEP and the proposed parity arrangement regarding the representation of the two local authorities involved. He sought clarity on the Borough's representation on the proposed Joint Overview and Scrutiny Task Group, which the Head of Economy and Skills provided.

Resolved – That subject to the approval of the Council –

- (a) The proposed governance structure for the Local Growth Fund, as proposed by the Swindon and Wiltshire Local Enterprise Partnership Secretariat and presented to its Board for approval on 9th September 2014, be noted.
- (b) The Swindon and Wiltshire Local Enterprise Partnership Governance Structure, as set out in Appendix 1 to the joint report be approved.
- (c) The Director of Law and Democratic Services in consultation with the Leader of the Council and the Head of Economy and Skills be authorised to undertake the necessary actions, including changes to the Council's Constitution, to enable the implementation of the governance structure set out in Appendix 1 to the joint report.
- (d) The Swindon and Wiltshire Local Enterprise Partnership proposal to create three new posts and that there will be no financial implications of this for Swindon Borough Council, be noted.

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

33. Town Centre Car Parking Rationalisation

The Cabinet Member for Strategic Planning, Sustainability and Transport and the Board Director, Service Delivery, submitted a joint report concerning Town

Centre Car Parking Rationalisation and in particular (a) objections received in response to the advertisement of the related Traffic Regulation Order, (b) a proposed response to the objections received and to address concerns raised, (c) an additional change to the Traffic Regulation Order required as a result of developments on the Civic Offices campus effecting public use of the Clarence Street Car Park, and (d) the progress of the Town Centre car park rationalisation proposals previously agreed by the Cabinet (Minute 33, 2013/14 refers).

Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, introduced the report and highlighted the actions proposed in response to concerns that had arisen through the Traffic Regulation Order process. He believed that the proposed actions would respond to these concerns raised and together with the progression of the rationalisation of car parking provision, produce positive results for the local economy and for car park users.

Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills, referred to the importance of the car park rationalisation process to the Council and to the viability of Swindon Town Centre. He particularly welcomed the revised proposal for the Commercial Road / Davis Place Car Park that he believed would help local small businesses by allowing short-term parking encouraging trade. He hoped that the operation of this car park could be monitored to measure its success and to identify whether the approach could be used in other Swindon car parks.

Councillor Heenan confirmed that he would welcome the monitoring of the effectiveness of the proposed changes at the Commercial Road / Davis Place Car Park and for a review, also examining the possible implications for other car parks, to be submitted to the Cabinet at an appropriate time in the future.

Resolved – (1) That the objections received to the Traffic Regulation Order advertising the changes necessary to implement the first stage of the rationalisation of Swindon Town Centre car parks, be noted.

(2) That the proposed change to the original decision in relation to the Commercial Road/Davis Place Car Park, as referred to in paragraph 3.8 of the joint report, be approved.

(3) That consideration of the objections received and the decision whether to proceed with implementation be delegated to the Cabinet Member for Strategic Planning, Sustainability, and Transport in consultation with the Cabinet Member for the Economy, Regeneration and Skills.

(4) That the Head of Highways and Transport be authorised to advertise the necessary Traffic Regulation Order to implement the changes to the Clarence Street Car Park as referred to in paragraphs 3.19 and 3.20 of the joint report.

(5) That consideration of any objections received to the advertised changes for the Clarence Street Car Park and the decision whether to proceed with implementation be delegated to the Cabinet Member for Strategic Planning, Sustainability, and Transport in consultation with the Cabinet Member for the Economy, Regeneration and Skills.

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

34. Motion at Council - Traffic on Cricklade Road, Swindon

The Cabinet Member for Strategic Planning, Sustainability and Transport and the Board Director, Service Delivery, submitted a joint report concerning a proposed response to the Motion at the Council meeting on 3rd April 2014 regarding traffic problems on Cricklade Road, Swindon and calling for action to seek a new or improved Moonrakers Junction to ease traffic flow (Council Minute 114, 2013/14 refers).

Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, introduced the report and referred to the original Council motion. He highlighted the background and key issues surrounding traffic problems at the Moonrakers Junction and for the Cricklade Road corridor. He believed that there were no clear or easy solutions that would both satisfy motorists and local residents. He commented on the limited resources available to the Council for major traffic schemes and the competing demands for the use of such resources. However, he was hopeful that the proposed actions referred to in the report would identify a workable solution that would assist both residents and drivers.

Councillor Jim Grant, Leader of the Opposition Group on the Council, expressed disappointment that there were no plans for an immediate survey or preliminary design to overcome the problems being experienced by residents. He enquired whether in the shorter term the Cabinet Member could request officers to investigate the possible removal of the bus lane that had previously supported the former Park and Ride Site, as he believed this could help improve traffic flows in the area.

The Chair referred to the north bound bus lane in the vicinity of the Headlands Road Junction and whether this could be changed to improve traffic movements.

Councillor Heenan thanked Cabinet colleagues and Councillors for their comments but believed that the issue of reviewing Bus Lanes in the area should take place as part of the overall review. He cautioned about taking a piecemeal approach to changes in an area of complex traffic movements. He reiterated that the Council needed to make the best use of the limited resources available, both in terms of staff and funding, to deal the Borough's traffic problems and future growth plans.

Resolved – (1) That the summary of the history and key issues surrounding traffic problems at the Moonrakers Junction and Cricklade Road corridor, Swindon, as referred to in the joint report, be noted.

(2) That the work currently under way to update the Swindon Strategic Transport Model (Saturn) and the significant number of major transport infrastructure projects entering the design and feasibility stage in the planning process in the coming months, as highlighted in the joint report, be noted.

(3) That the Head of Highways and Transport in consultation with the Cabinet Member for Strategic Planning, Sustainability, and Transport, be authorised to agree an appropriate position for Moonrakers Junction in a prioritised, three-year programme of design and feasibility work for major transport schemes.

(4) That the Head of Highways and Transport circulate the programme referred to in (3) above, to Members once agreed.

(5) That the Council be advised of the contents of this joint report in response to the Motion at the Council meeting on 3rd April 2014 (Council Minute 114, 2013/14 refers).

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

**35. Invest and Save for a Low Carbon Swindon
- Swindon's Energy Future - Motion at Council**

The Cabinet Member for Strategic Planning, Sustainability and Transport, the Cabinet Member for Finance and the Head of Economy and Skills, submitted a joint report concerning (a) the proposed response to a Council motion approved at the Council meeting on 3rd April 2014 seeking the setting up of a Swindon Energy Social Enterprise (Council Minute 110, 2013/14 refers), (b) progress on "Swindon's Energy Future" since last reported to the Cabinet (Minute 114, 2013/14 refers), and (c) proposed models to enable "Investment in Renewables".

Councillor Dale Heenan, Cabinet Member for Strategic Planning, Sustainability and Transport, welcomed the report and explained how it sought to encourage community and partner investment in the delivery of Swindon's Energy Future. He referred to the type of options available and the role of the Council as an enabler in the process helping local energy schemes to develop and become successful.

Resolved – (1) That it be noted that Swindon Borough Council seeks to work with partners such as Swindon Commercial Services Ltd (SCS) who have the experience and capability to delivery successful community investment initiatives.

(2) That the Head of Economy and Skills be authorised to work with Swindon Commercial Services Ltd (SCS) and other selected partners to develop appropriate investment initiatives that could allow communities to benefit financially from local energy schemes.

(3) That the Head of Communications be authorised to work with partners to agree an approach for the promotion of the local energy schemes highlighted in the joint report to local communities with a target date of April 2015.

(4) That it be noted that requests to the Cabinet will be required as and when any Swindon Borough Council funding implications arise from proposed schemes.

(5) That the Council be advised of the contents of this joint report in response to the Motion at the Council meeting on 3rd April 2014 (Council Minute 110, 2013/14 refers).

(Councillor Garry Perkins, Cabinet Member for the Economy, Regeneration and Skills, made a personal declaration of interest in respect of the above item as he was a Council appointed Director serving on the Board of Swindon Commercial Services Ltd (SCS).)

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

36. References from Other Council Bodies - Licensing Committee

The Cabinet Member for Housing and Public Safety and the Director of Law and Democratic Services submitted a joint report concerning recommendations

arising from a meeting of the Licensing Committee held on 13th August 2014 regarding licensing responsibilities under the Scrap Metal Dealers Act 2013.

Councillor Emma Faramarzi, Cabinet Member for Housing and Public Safety, expressed her support for the recommendations of the Licensing Committee as she believed that the Licensing Committee was the most appropriate body to oversee the licensing of scrap metal dealers and motor salvage operators.

Resolved – (1) That, further to Minute 16(1) of the Licensing Committee, and to the endorsement of the Council, all the Council's (executive) functions under the Scrap Metal Act 2013, be delegated to the Licensing Committee.

(2) That, further to Minute 16(2) of the Licensing Committee, the following functions be delegated to the Ad-Hoc Licensing Sub-Committee:

(i) The determination of new and renewal applications under the Scrap Metal Act 2013 where: (a) the applicant or site manager has been convicted of a relevant offence or subject to relevant enforcement action under the Act, or (b) a previous application for a scrap metal licence or environmental permit/registration has been refused, or (c) a previous scrap metal licence has been revoked; and (ii) The revocation of a licence issued under the Act or the variation of a licence to include conditions.

(3) That, further to Minute 16(2) of the Licensing Committee, the Head of Planning and Regulatory Services be authorised to exercise the following delegated powers: (i) The administration and enforcement of the functions under the Scrap Metal Act 2013; (ii) The power to request further information of applicants; (iii) The determination of new, renewal or variation applications, other than where: (a) the applicant or site manager has been convicted of a relevant offence or subject to relevant enforcement action under the Act, or (b) a previous application for a scrap metal licence or environmental permit/registration has been refused, or (c) a previous scrap metal licence has been revoked; (iv) The power to give notice to an applicant or licensee of the authority's proposal to consider refusing an application or revoking or varying a licence, and to invite representations from the applicant or licensee; and (v) The power to issue or cancel a closure notice for unlicensed sites under Schedule 2 to the Act, and where appropriate, to apply for closure orders and take such other action in this respect as may be required.

(4) That, further to Minute 16(4) of the Licensing Committee and to the decisions set out in (1) to (3) above, the Director of Law and Democratic Services be requested to make the necessary arrangements for the inclusion of these delegations within the Council's Constitution and Scheme of Delegations.

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