



## City and County of Swansea

### Notice of Meeting

You are invited to attend a Meeting of the

## Scrutiny Performance Panel – Service Improvement & Finance

**At:** Remotely via Microsoft Teams

**On:** Tuesday, 16 November 2021

**Time:** 9.30 am

**Convenor:** Councillor Chris Holley OBE

**Membership:**

Councillors: P M Black, P Downing, P R Hood-Williams, L James, M H Jones, P K Jones, J W Jones, I E Mann, B J Rowlands and D W W Thomas

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### Agenda

### Page No.

**1 Apologies for Absence**

**2 Disclosure of Personal and Prejudicial Interests**

[www.swansea.gov.uk/disclosuresofinterests](http://www.swansea.gov.uk/disclosuresofinterests)

**3 Prohibition of Whipped Votes and Declaration of Party Whips**

**4 Minutes of Previous Meeting(s)**

To receive the minutes of the previous meeting(s) and agree as an accurate record.

**1 - 4**

**5 Public Questions**

Questions must be submitted in writing, no later than noon on the working day prior to the meeting. Questions must relate to items on the agenda. Questions will be dealt with in a 10-minute period.

**6 Mid-term Budget Statement (verbal update)**

*Invited to attend:*

Ben Smith – Chief Finance Officer / S.151 Officer

Cllr Rob Stewart - Cabinet Member for Economy, Finance and Strategy

**7 Planning Annual Performance Report**

*Invited to attend:*

Cllr Andrew Stevens – Cabinet Member for Business, Improvement and Performance

**5 - 26**

Cllr David Hopkins – Cabinet Member for Delivery and Operations  
Phil Holmes – Head of Planning and City Regeneration  
Ian Davies - Development Conservation and Design Manager  
Tom Evans – Placemaking and Strategic Planning Manager

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|-----------|---|----------------|
| <b>8</b>  | <b>Letters</b>  | <b>27 - 29</b> |
| <b>9</b>  | <b>Work Programme</b>   | <b>30 - 32</b> |
| <b>10</b> | <b>Exclusion of the Public</b>  | <b>33 - 36</b> |
| <b>11</b> | <b>Pre-Decision Scrutiny: Update Management Report on Swansea Airport</b> |                |
|           | a) Consideration of Cabinet Report and Questions                          |                |
|           | b) The Panel's view for Cabinet   |                |

*Invited to attend:*

Cllr David Hopkins – Cabinet Member for Delivery and Operations  
Martin Nicholls – Director of Place  
Geoff Bacon – Head of Property Services  
Alex O'Brien – Property Manager

**Next Meeting:** Wednesday, 15 December 2021 at 2.00 pm



**Huw Evans**  
**Head of Democratic Services**  
**Tuesday, 9 November 2021**

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**Contact: Scrutiny Officer - 07980 757686**

# Agenda Item 4



City and County of Swansea

## Minutes of the **Scrutiny Performance Panel – Service Improvement & Finance**

Remotely Via Microsoft Teams

Tuesday, 19 October 2021 at 9.30 am

**Present:** Councillor C A Holley (Chair) Presided

**Councillor(s)**

P M Black  
L James  
I E Mann

**Councillor(s)**

P Downing  
M H Jones  
D W W Thomas

**Councillor(s)**

P R Hood-Williams  
J W Jones

**Officer(s)**

Emily-Jayne Davies  
Richard Rowlands  
Ben Smith  
Adam Hill

Scrutiny Officer  
Strategic Delivery & Performance Manager  
Chief Finance Officer / Section 151 Officer  
Deputy Chief Executive / Director of Resources

**Apologies for Absence**

Councillor(s): P K Jones, B J Rowlands, A H Stevens and R C Stewart

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**27 Disclosure of Personal and Prejudicial Interests**

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

**28 Prohibition of Whipped Votes and Declaration of Party Whips**

In accordance with the Local Government (Wales) Measure 2011, no declarations of Whipped Votes or Party Whips were declared.

**29 Minutes of Previous Meeting(s)**

The minutes of the Service Improvement and Finance Scrutiny Performance Panel meeting, held on 20 September 2021, were agreed as an accurate record.

**30 Public Questions**

There were no public questions

**31 Q1 2021/22 Performance Monitoring Report**

The Panel received an update from Richard Rowlands, Strategic Delivery and Performance Manager, regarding the Quarter 1 2021/22 Performance Monitoring Report. Adam Hill, Deputy Chief Executive / Director of Resources, also attended to aid discussions.

*Discussions focused on:*

- Paragraph 2 of the report highlights the impact of Covid on reporting.
- Overall, 81% of indicators have improved or stayed the same.
- The reporting of performance against the *safeguarding* priority has been disrupted this quarter. This is predominantly as a result of the local authority implementing the Welsh Community Care Information System and at the same time Welsh Government (WG) updating its performance framework with the introduction of new performance metrics. Officers anticipate that the new suite of indicators will be accurately reported at Q2.
- The impact of Covid, and associated demands, remains high particularly in adult social care. In relation to adults, demands across the health and social care system are extremely high. Hospitals are struggling to meet current demand, catch up on backlogs, manage Covid restrictions on capacity and manage the numbers of staff having to self-isolate.
- Members queried indicators and why they have improved in such circumstances, asking how indicators are selected. Officers explained that the indicators are to measure priorities within the corporate plan, and are selected specifically for that purpose. WG have introduced a broader framework for Social Services and indicators have subsequently changed.
- Members raised concerns over greater demands from WG on performance management. Officers confirmed that these new arrangements will be built into current workloads, aiming to limit the burden of new demands.
- *Education & Skills* – published attendance data is still not available as a result of the pandemic.
- Authority-wide attainment measurers for Foundation Phase, KS2 and KS3 are no longer collected by Welsh Government.
- In KS4 and A-Level age groups, awarded grades have been determined by schools themselves; lower levels of appeals than expected.
- Attendance remains lower across Wales due to Covid.
- *Economy & Infrastructure* – overview (P27-29) sets out detailed progress report on developments, plus work undertaken to support economic recovery and housing improvements.
- Static indicators are due to data not being available until Q2.
- *Tackling Poverty* – majority of data shows improving trends, with exception of two indicators ('The amount of welfare benefits raised through securing rights and entitlements by the Welfare Rights Team' and 'The average number of days all homeless families with children spent in Bed and Breakfast accommodation').
- It was reported that in Q1 20/21 we were in the height of the pandemic and saw less family homeless presentations due to the suspension of evictions. This had a direct impact on Council data.
- Members queried the use of the term 'tackling poverty' as a general term, suggesting this description be reviewed in the future.

- Members highlighted that, due to frequent changes to the benefits system, the trends in data do not provide a like-for-like comparison, although acknowledged that previous data is vital. Officers also explained that the narrative that accompanies the report will help to clarify trends and results.
- Members queried how poverty is measured and the standard definition. Officers undertook to provide this definition, based on multiple sources and metrics (now received with thanks).
- *Transforming Future Council* – one indicator has declined (number of forms completed online for fully automated processes).
- Members queried why there was not a higher uptake in online services, given the remote nature of working that many people have adapted to.
- Officers explained that the drop in this indicator is due to a very high uptake last year. The figure this year remains high, although has lowered since last year's aberration and the unusually high uptake.
- 'Number of data breaches which has resulted in an enforcement or monetary penalty notice being issued by the Information Commissioners Office' (ICO) – all results zero. Members commented on this as an impressive statistic.

### **32 Overview: Understanding Financial Reporting (Reserves)**

- The Panel received an overview explanation about Revenue Reserves, highlighting the main aspects and characteristics of reporting.
- Members queried whether funds from disposal of, for example property, would be constrained within the capital budget or moved into reserves. Officers explained it would result in a capital receipt on disposal, leading to capital receipts unapplied and therefore earmarked reserves until then applied to fund future capital.
- Capital Equalisation Reserve (CER) – monies are not fully spent on capital projects at present time. Members commented that the CER is large; how is it funded so well presently? Officers explained that CER funding arises from savings on capital financing of the debt, itself a revenue item. It was explained that there have been significant savings on capital financing elements over recent years due to deferral of externalising the debt. Major update due to Council in November on the treasury management strategy.

### **33 Review of Revenue Reserves**

The Panel received the report regarding Revenue Reserves, presented by Ben Smith, Chief Finance Officer.

*Discussions focused on:*

- Table 3.11 – review of current earmarked reserves: members queried the amount of money in freely available to use cash backed reserves as over £50M. Members recognised some were long-term commitments and had restrictions on spending even where cash backed.
- Officers confirmed this was correct, and substantial inroads (i.e. draws from reserves) were to be expected into contingency, schools and recovery reserves especially.

- It was reported that, following the extremely favourable 2020/21 outturn result, a new reserve was created called the Recovery Fund; £20m has been set aside to aid the economic recovery from COVID-19.
- Officers highlighted that Swansea City Council (SCC) will have higher reserves than many other authorities in Wales. Schools, in particular, held higher reserves, in total than any other authority in Wales.
- Members acknowledged that the uplift from Welsh Government is unknown as yet.
- The Panel agreed this was the highest figure ever reported in Swansea City Council.
- Officers outlined the uncertain outlook ahead, and the need to hold reserves to protect the Authority's position, pending settlement figures.

The Chair thanked all for their attendance and input at the meeting.

**34 Letters**

**35 Work Programme**

The Panel noted the Work Plan

The meeting ended at 10.30 am

**Chair**

# Agenda Item 7



## Report of the Cabinet Member for Delivery and Operations

### Service Improvement & Finance Scrutiny Performance Panel

16 November 2021

### Planning Annual Performance Report (APR) – 2019-20 & 2020-21

<b>Purpose</b>	To provide an overview of the performance of the Development Management Service.
<b>Content</b>	This report sets out the background to the Annual Performance Report, the context in which it has occurred and details the performance of the Authority.
<b>Councillors are being asked to</b>	Consider the report and give their views.
<b>Lead Councillor(s)</b>	Cllr David Hopkins, Cabinet Member for Delivery and Operations
<b>Lead Officer(s)</b>	Martin Nicholls – Director of Place Phil Holmes – Head of Planning and City Regeneration
<b>Report Author</b>	Ian Davies - Development Manager <a href="mailto:ian.davies@swansea.gov.uk">ian.davies@swansea.gov.uk</a> Tel : 07970 680549

## Report of the Cabinet Member for Delivery and Operations

### PLANNING ANNUAL PERFORMANCE REPORT (APR) – 2019-20 & 2020-21.

#### 1.0 Background

- 1.1 The Planning Annual Performance Report (APR) is seen by Welsh Government as an important mechanism for monitoring Local Planning Authority performance against a key set of National performance indicators and as a means of driving its agenda for modernising the planning system in Wales. It also represents an important tool for benchmarking the performance of Authorities across Wales and importantly must also be seen in the context of Welsh Government proposals to intervene where Local Planning Authorities exhibit consistent underperformance.
- 1.2 On 6<sup>th</sup> October 2020, I advised Planning Committee that due to the Covid-19 pandemic, and in recognition of the pressures on Local Planning Authorities, Welsh Government had confirmed that they did not require Annual Performance Reports (APRs) and Sustainable Development (SD) indicators to be submitted for 2019-2020 year. Instead, they expected the reports submitted in October 2021 to cover the 2 year period, April 2019 to March 2021. Welsh Government has now indicated that they do not require APRs to be submitted again this year. However, if Local Authorities wish to prepare them, then they can be submitted to Welsh Government as in previous years. In view of the significant impact of the Coronavirus pandemic on the Planning Service, I consider it appropriate to prepare an APR that covers the period April 2019 to March 2021 which will allow the Authority to assess performance in light of this impact. The APR was presented to the Planning Committee on 22<sup>nd</sup> October 2022 for consideration.
- 1.3 As I have indicated above, the APR is seen as an important tool for benchmarking the performance of Authorities across Wales. However, comparison data is not current available. This report therefore will set out the departments performance for 2019-20 and 2020-21 and where relevant, provides comparison data to the department's performance for the last APR produced for 2018-19.

#### 2.0 Context

- 2.1 The Authority has undergone a significant change process in recent years, partly as a result of budgetary pressures, and partly in response to Welsh Government changes to the planning system as part of the "Positive Planning" agenda and the Planning (Wales) Act 2015.
- 2.2 The Council's Committee structures and scheme of delegation were amended in January 2015 to broadly align with Welsh Government recommendations and has proven to be a robust mechanism upon which to deliver sound and efficient decision making.
- 2.3 The Swansea Local Development Plan was adopted in February 2019 and now provides an up to-date policy framework, based upon placemaking principles, upon which to base decision making and facilitate the delivery of the Council's corporate priorities and regeneration agenda.



- 2.4 The Section has also been restructured, agile working arrangements have been introduced and processes and procedures have been subject to continuous review, facilitating a paperless office environment and delivering efficiency savings.
- 2.5 The Coronavirus Pandemic has meant that since March 2020, officers have worked from home rather than in the office. The agile working arrangements that had been introduced previously meant that the department was already able to access its Planning IT systems from home. However, various Government restrictions introduced to prevent the spread of Coronavirus meant that the way in which the department worked had to change to take into account these restrictions and new processes had to be introduced to allow the Authority to continue to deliver the Development Management Service

### **3.0 Performance**

- 3.1 The positive changes introduced in recent years have significantly improved the Authority's performance in both qualitative and quantitative terms. When assessed against the last Planning Performance Framework, the Council represents one of the best performing Local Planning Authorities in Wales.
- 3.2 The percentage of all applications determined within required timescales has also shown a significant and consistent year on year improvement increasing from 71% in 2014-15 to 99% for the last three years. This is well above the Welsh average in 2018/19 when figures were last produced.
- 3.3 Significantly, for the delivery of the Council's regeneration agenda, the percentage of all major planning applications determined within required timescales has consistently increased year on year from 6% in 2014-15, which was the lowest performance in Wales, to 88% in 2018-19, 96% in 2019-20 and 86% in 2020-21. In 2018-19, the Welsh average was 68%.
- 3.4 The area which has been most affected by the Coronavirus pandemic has been enforcement. In 2019-20, 74% of all enforcement cases were investigated in 84 days compared to 46% in 2017-18. However, the impacts of the pandemic meant that this figure dropped to 51% in 2020-21.
- 3.5 The percentage of Member made decisions contrary to officer advice has also reduced from 24% in 2016-17 to 6% in 2019/20. This equates to just 3 applications out of a total of 50 decisions made by Planning Committee in 2019/20 and just 0.15% of all decisions made by the Authority. In 2020-21, no decisions were made against officer advice. This performance is below the Welsh Government target of 5%. In 2018-19, the Welsh average was 9%. A summary of relevant appeals in 2018/19 relating to Member made decisions is provided at Annex A for Member consideration.
- 3.6 The overall quality of decision making when assessed against the percentage of appeals dismissed was 74% in 2019-20 and 64% in 2020-21. With the adoption of the Swansea Local Development Plan in February 2019 the Council now has a robust and up-to-date policy framework upon which to defend its decision making at appeal and deliver the Council's corporate priorities and regeneration agenda. As detailed in the APR, most appeals were allowed on subjective grounds.

## 4.0 Conclusion

- 4.1 The APR provides a useful overview of the Council's performance over the last two financial years. Due to the impact of the Covid-19 pandemic, comparison data to allow an assessment between local authorities has not been provided. However, the report demonstrates that despite the pandemic, and pressures caused by increased workload and staff vacancies, the service has continued to perform at a high level. Enforcement has been affected by the pandemic and there will be challenges for the service in tackling the backlog that has grown over the last year.
- 4.2 There are also significant challenges ahead in the face of continued budgetary pressures and acknowledged resilience issues and specialism gaps. At a time of transformational change for the City and its region it is inevitable that further difficult decisions will continue to be made over priorities and service levels in the future.

### Background papers:

City & County of Swansea APR 2018-19:

[Agenda for Planning Committee on Tuesday, 1 October 2019, 2.00 pm - City and County of Swansea](#)

<i>Contact Officer:</i>	<i>Ian Davies</i>	<i>Extension No:</i>	<i>07970680549</i>
<i>Date of</i>	<i>13<sup>th</sup> October 2021</i>	<i>Document Name:</i>	<i>Swansea APR 2019-21</i>
<i>Production:</i>			

# Swansea LPA

## PLANNING ANNUAL PERFORMANCE REPORT (APR) – 2019-20 & 2020-21

### PREFACE

*I have the pleasure of introducing the Annual Performance Report (APR) for Swansea Council's Planning Service. APR's were introduced as part of Welsh Government proposals to modernise the planning system and improve local delivery of planning services. The Council's Planning Service is responsible for protecting the amenity and unique natural and built environment of our city and countryside in the public interest and facilitating sustainable development and the economic regeneration of our urban and rural areas. Having very recently adopted the Swansea Local Development Plan the Council now boasts an up to date planning policy framework which sets out a clear and ambitious vision for the future growth and regeneration of the City, its communities, economy and natural environment. In this context the APR provides a mechanism for ensuring that the Planning Service is responding positively to the challenges of evolving national planning guidance and the principles of the Wellbeing and Future Generations Act and the Environment (Wales) Act. In this respect the Planning Service presents the most tangible means of translating the Council's corporate objectives, commitments and regeneration agenda into development on the ground with the overall aim of improving the quality of life for local residents and building more sustainable communities.*

**Councillor David Hopkins – Cabinet Member for Delivery & Operations**

### CONTEXT

- 1.0 This section sets out the planning context within which the local planning authority operates.**
- 1.1 The City and County of Swansea covers an area of 378 square kilometres (about 2% of the area of Wales), approximately 66% of which is rural and 34% urban. The City is the second largest in Wales and the regional centre for South West Wales. As well as being characterised by a highly development central area and surrounding settlements, the County benefits from a number of high quality natural environments that are part of its rural hinterland.
- 1.2 The policies and proposals set out in the Council's Local Development Plan (LDP) seek to address the County's need for new homes, jobs, infrastructure and community facilities to support economic growth and raise standards of living. Policies to promote development sit alongside and complement those that will ensure future proposals respect and promote the County's cultural heritage, important landscapes and sensitive environments. A clear 'placemaking' agenda is promoted which emphasises that future development must accord with the overarching aims of enhancing quality of life and well-being.
- 1.3 Swansea lies at the heart of the Swansea Bay City Region and the nature of future growth and development management will be critical to shaping the regional geographies of South West Wales. In particular, the aspirations for the City Region seek to significantly boost economic investment and activity, with an associated substantial uplift required in development, including housing.

## 2.0 **Planning background,**

2.1 The Swansea LDP, which was adopted in February 2019, provides the policy context for the period up to 2025. It superseded the Swansea Unitary Development Plan (UDP) (2001-2016).

## 3.0 **Place and fit within the community strategy and/or wider strategic and operational activity of the authority.**

3.1 The Swansea Public Service Board's Local Well Being Plan: Working together to build a better future (2018) has four objectives relating to Early Years, Live Well, Age Well; Working with Nature; and Strong Communities underpinned by key themes of Housing and the Economy which are supported by the planning system.

3.3 The LDP seeks to deliver the land use, regeneration and natural environment enhancement objectives expressed in the Local Well Being Plan and the Council's Corporate Plan, together with other Council strategies, plans and programmes. **Existing and previous major influences on land use (e.g. heavy industrial, agricultural, energy, transport).**

4.2 National policy supports employment growth within the Swansea Bay City region, and there is a requirement to align jobs with housing and infrastructure to reduce the need to travel, especially by car. Current local policy focuses on generating wealth by diversifying the economy away from public sector employment and growing a higher value knowledge economy (life sciences, technology and engineering) that offers higher skilled and better paid employment opportunities. There are a number of projects to help deliver these objectives which are likely to be continued throughout the LDP period, with initiatives such as the ongoing transformation of Swansea's Fabian Way corridor by two universities, plans for the redevelopment of the City Centre, Waterfront, Tawe Riverside Corridor and Lower Swansea Valley areas, together with new super-hospital proposals.

4.3 Between 2001 and 2011 the average property price in Swansea rose by 124.8%. The West of the County now contains some of the more expensive dwellings in South Wales, whilst the North and East of the County contain generally much lower house prices. In February 2021, the average house sale price in Swansea was £169,324, 5.9% below the average for Wales and 32.4% below the UK figure. .

4.4 Average weekly full time earnings (April 2020) are £538.00 (0.7% below the Wales average but 8.1% lower than the UK average).

## 5.0 **Historic/landscape setting of the area, including AONBs, conservation areas etc.**

5.1 Over 50% of the County's area is identified as being of significant ecological interest. Nearly 70% of the habitats and at least 20% of species identified as being of importance for biodiversity conservation in the UK can be found in the County, and approximately 17% of the County's area is protected by designations at a European (SAC, SPA, RAMSAR) or National (SSSI, NNR) level.

- 5.2 The landscape is of critical importance within the County, as it provides a striking setting for the City and at least 40% of the County (the Gower AONB) is recognised as being landscape of national importance. Most of the AONB coastline is also designated as Heritage Coast which extends for 59km. Gower attracts large numbers of visitors and tourism is very important for the local economy.
- 5.3 The County supports an extensive greenspace network, which is vital to economic, environmental and community well-being, and additional green infrastructure is needed to meet national guidance and local requirements for improving accessibility to open space. In particular improvements to linkages between open spaces, public rights of way and key destinations are needed to increase accessibility and promote physical activity.
- 5.4 The County has a proud industrial heritage and a number of historic buildings, such as castles and Scheduled Ancient Monuments. There are currently 31 Conservation Areas and 519 Listed Buildings within the County, many of which are characterised as having good authentic surviving historic features that still contribute to the distinctive, special character of the area. However, some Conservation Areas have been degraded in character due to inappropriate alterations to the external features of buildings, or new developments that are out of keeping with the character of the area. The character and size of Conservation Areas can vary greatly, from very small rural hamlets with a cluster of buildings around a church, to urban areas of buildings originally constructed for industrial and commercial purposes.
- 5.5 Most of Swansea's Conservation Areas were designated in the late 1960's and 1970's and therefore, the published documentation supporting these earlier Conservation Areas is often limited. This limits the amount of information available upon which development management decisions in Conservation Areas can be based. A programme of Conservation Areas Review is therefore underway.

## **6.0 Urban rural mix and major settlements.**

- 6.1 The County can be broadly divided into four geographical areas: the open moorlands of the Lliw Uplands in the north; the rural Gower Peninsula in the west, containing a number of rural villages, contrasting coasts and the Gower Area of Outstanding Natural Beauty (AONB); the suburban area stretching from the edge of Swansea towards settlements in the west and along the M4 corridor; and the coastal strip around Swansea Bay, which includes the City Centre and adjacent District Centres such as Sketty and Mumbles.
- 6.2 Some two-thirds of the County's boundary is with the sea - the Burry Inlet, Bristol Channel and Swansea Bay.
- 6.3 Most of the population live within the urban areas radiating from the City Centre and in the surrounding nearby urban settlements which are generally spread along the main transport corridors into the City. There are also rural / semi-rural settlements in and around the edges of Gower and to the North.
- 6.4 The regeneration of the retail heart of the City Centre through mixed use development, including the reintroduction of residential units into the central area, has been seen as a particularly important means of breathing life back into the City. There has been major investment in infrastructure and environmental improvements, and these areas are well located for access to a wide range of employment opportunities. Development has been encouraged within the Maritime Quarter, SA1 and Lower Swansea Valley riverfront areas to reinforce the image and role of Swansea as a 'Waterfront City'.

- 6.5 Within the North West part of the County development has been concentrated on the settlements of Gorseinon, Loughor, Penllergaer and Pontarddulais in support of regeneration initiatives and local employment centres. This has included significant levels of housebuilding over the past decade.
- 6.6 West Swansea was the focus for the greatest boom in post war building and is now largely built-out to its environmental limits. Beyond this area the Gower Fringe is characterised by rural and semi-rural areas, including the settlements of Penclawdd, Crofty, Dunvant, Three Crosses, Upper Killay and Bishopston, where development has historically been limited to infill and small scale rounding off. Within the Gower AONB restrictive housing policies have historically been applied, however small-scale affordable housing development required to satisfy the overriding economic or social needs of a local community is supported through LDP policy. An increasing number of dwellings are being used as holiday homes within Gower which also impacts on the availability of housing to meet affordable and local needs.

## **7.0 Population change and influence on LDP/forthcoming revisions.**

- 7.1 The mid-year population estimate for 2020 for the City & County of Swansea is 246,600; comprising of 122,700 males and 123,900 females (Source ONS). This figure represents a decrease of approximately 400 (-0.17%) on the 2019 estimate; and compares with a small increase in the previous year (+500). Between 2014 and 2019, Swansea's increase averaged +1,200 per year. Analysis of the supporting data released with the population estimates suggests that Swansea's small overall population reduction during the year to June 2020 was due to negative natural change (600 more deaths than births in the year) and internal (UK-based) out-migration (-1,500 net approx.), partly offset by net international in-migration (+1,800 approx.).
- 7.2 The proportion of Swansea's population of working age (i.e. all aged 16-64), at 63.3%, is higher than Wales (61.2%) and the UK (62.4%). However, Swansea has a lower proportion of children (aged 0-15), at 16.9%, than both Wales (17.8%) and the UK (19.0%).
- 7.3 There are 12,000 children aged 0-4 in Swansea, 4.9% of the total population – lower than the equivalent proportion for Wales (5.1%) and the UK (5.6%). Swansea also has a lower percentage aged 5-15, at 12.0% (29,600 children), than Wales (12.7%) and the UK (13.3%). 33,500 (13.6%) of Swansea's population are young people aged 16-24, a noticeably higher proportion than Wales (10.9%) and the UK (10.5%), in part due to students. 25.3% of the population (62,300 people) are aged 25-44, in between percentages for Wales (24.1%) and the UK (26.1%). 60,200 people in Swansea are aged 45-64 (24.4%), lower as a proportion than both Wales (26.2%) and the UK (25.8%). 19.9% of Swansea's population are aged 65 and over (49,000), midway between the percentage figures for Wales (21.1%) and the UK (18.6%). 6,600 people in Swansea are aged 85 and over, 2.7% of the Swansea total; the same as the proportion in Wales but above the UK figure (2.5%). Life expectancy at birth in Swansea now stands at 77.7 years for males (Wales 77.9) and 82.5 for females (Wales 82.0)
- 7.4 The total number of households (with residents) in Swansea in mid-2019 is estimated at 109,500, an increase of approximately 700 (or 0.6%) on the 2018 figure. Since 2009, the number of households in Swansea has increased by approximately 7,900 (+7.8%), with average household size falling from 2.28 people

(2009) to 2.21 people (2019). The falling average household size can be attributed to the significant rise of single-person households who now account for over a third of all households.

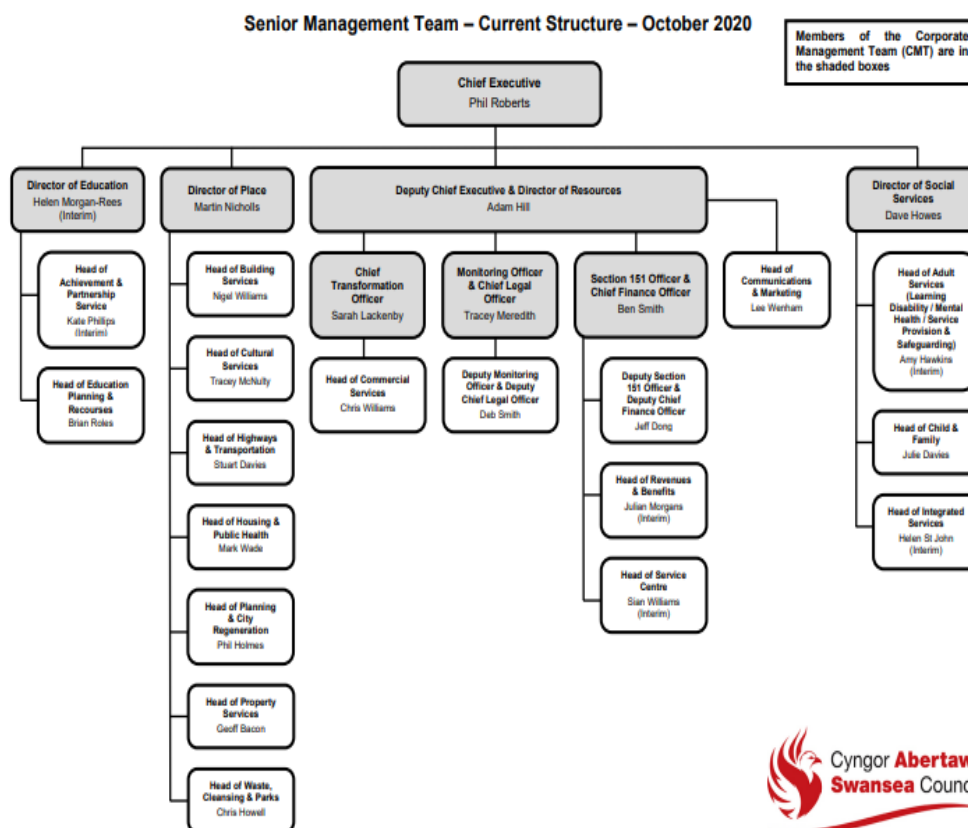
- 7.5 The Welsh Government's latest trend-based population projections suggest that Swansea's population will grow by 7.5% (18,400 people) between 2018 and 2043. In comparison, the projections suggest a population increase of 5.4% across Wales over the period.
- 7.6 ONS research indicates that in 2016, around 19,000 people in Swansea (approx.. 8% of the population) were from a non-white ethnic group. A further 7,000 people were in the category 'All Other White', leading to an estimated 26,000 people (around 11% of the total Swansea population in 2016) being non-'White British'. higher than the equivalent figure for Wales (4.4%) and the third highest percentage of the 22 local authorities in Wales, although lower than the equivalent UK figure (12.9%).
- 7.7 The proportion of people aged 3 and over able to speak Welsh in Swansea decreased from 13.4% (28,938) in 2001 to 11.4% in 2011 (26,332 people); a fall of around 2,600 Welsh speakers (-9.0%) despite an overall increase in the population.
- 7.8 42.7% of Swansea's residents (aged 16-64) are qualified to NVQ level 4 (Degree level) and above (December 2020, ONS), higher than the Wales figure (38.8%).
- 7.9 GVA (Gross Value Added) per head in Swansea stands at £21,912, (2018, ONS); which is 5.7% above the Wales level £20,738 but 23.1% below the UK average (£28,729). Over the longer term (2013 to 2018), overall growth in Swansea's GVA per head has been 14.3%, which is below rates of growth in Wales (+14.8%), and the UK (+15.8%).
- 7.10 75.4% of Swansea's working age residents are economically active and 118,600 in employment (December 2020, ONS), mostly in the service sectors 88.4%, with 23.2% employed in the public sector and 4.5% working in manufacturing.
- 7.11 33,400 people commute into Swansea each day (2020, ONS/WG). Most significant cross boundary flows are from Neath Port Talbot and Carmarthenshire. Active businesses in Swansea grew by 3.3% between 2018-19, compared to 1.4% across Wales and 2.5% in the UK.
- 7.12 Estimates suggest 4.79 million people visited Swansea Bay in 2019 spending over £477 million (Scarborough Tourism Economic Activity Model).
- 7.13 Swansea is forecast to see significant population growth over the next decade. The County will need new homes, additional employment opportunities and improved infrastructure and community facilities to support this level of growth and raise standards of living, while respecting the area's cultural and natural heritage.
- 7.14 Key influences on the LDP include:
- The need to provide for 17100 new dwellings and support 13600 new jobs,
  - Limited previously developed (brownfield) land remaining to accommodate development,
  - The sustainable regeneration of the Swansea Central Area as the economic hub and main driver of the 'City Region',

- The need for further investment at SA1, Tawe Riverside and the Fabian Way Corridor to sustain the successful regeneration of waterfront areas, whilst complementing regeneration of the Central Area,
- Reorientation of the economy towards high quality, skilled and knowledge based sectors,
- Lack of available, high quality office space to meet economic growth needs,
- The impact of out of town development of retail, office and leisure uses on the Central Area,
- Significant opportunities for leisure, sustainable tourism and heritage-led development schemes,
- Supply of new house building not keeping pace with demand as the local population grows, a shortfall of affordable housing and the economic viability of sites for delivering new housing varying considerably across the County,
- Community cohesion issues in areas with high concentrations of HMOs,
- Need for greater variety of size and tenure mix within new housing developments to contribute towards sustainable balanced communities,
- Meeting the needs of an increasingly elderly population
- A sizeable Higher Education student population and increasing demand to provide additional accommodation,
- Significant variations across the County in terms of social indicators of deprivation, including access to health, education and community services and facilities and housing quality. Community cohesion issues in certain wards due to the number of conversions of housing stock to HMOs and the geographical spread,
- Safeguarding communities where Welsh language is an important part of the social fabric,
- The high quality natural environment, landscapes, and coastline are important assets to the local economy, attracting visitors, and providing resources,
- The extensive green space network is vital to economic, environmental and community well-being, and more green infrastructure is needed to meet national guidance and local requirements for improving accessibility to open space,
- Improvements to linkages between open spaces, Public Rights of Way, and key destinations are needed to increase accessibility and promote physical activity,
- Poor air quality is an issue in some areas, which can have a detrimental impact on human health. Parts of the urban area have been designated as Air Quality Management Areas (AQMAs), where further deterioration in air quality would be of significant concern,
- The area's industrial past has left a legacy of potentially contaminated sites, where remediation is required to protect human health and well-being,
- The existing highway network experiences traffic congestion along certain main routes and junctions, which can have a negative impact on amenity, health and well-being, and economic competitiveness.



# PLANNING SERVICE

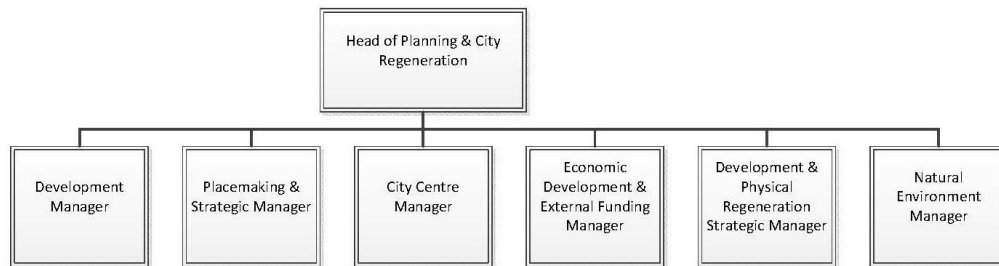
## Chart 1 - Organisational Structure



- 8.1 The Council is organised into four Corporate Directorates reporting directly to the Chief Executive Officer, as detailed in Chart 1 above. Both the Development Management and Placemaking & Strategic Planning functions sit within the Planning and City Regeneration Service under a single Head of Service who reports to the Director of Place.
- 8.2 As detailed in Chart 2 below the Planning and City Regeneration Service, itself, is organised into 5 separate service areas namely Development Management, Placemaking and Strategic Planning, Natural Environment, City Centre Management, External Funding, and Development and Physical Regeneration.



## Chart 2 – Organisational Structure



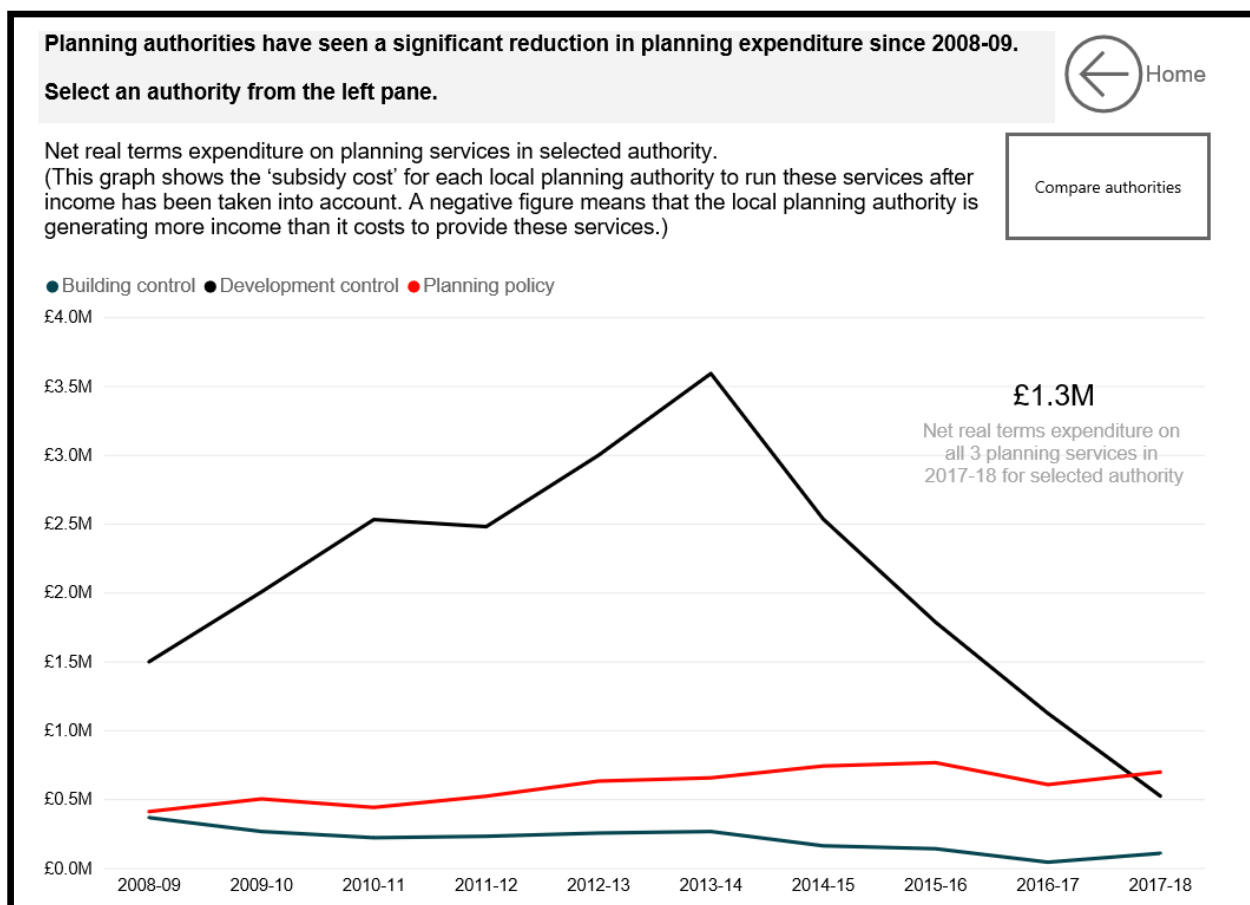
**9.0 Wider organisational activities impacting on the service – how has the department responded to financial constraints imposed during budget setting? What cross departmental activities has the department been involved in or been affected by, e.g. closer joint working, IT changes, real estate rationalisation?**

9.1 Agile working arrangements have been introduced as part of a corporate initiative, to facilitate the rationalisation of accommodation within the Civic Centre, income generation through the rental of office floor space and improved productivity. In this respect the Development Management function of the Authority has, since 2013, progressively introduced new document management, back office and workflow management systems together with revised and refined business processes to facilitate a paperless office which has allowed the efficiencies and benefits associated with agile working to be exploited more effectively. This work meant that when the Coronavirus pandemic restrictions were imposed in March 2020, officers were fully equipped to work from home.

9.2 Cross departmental working initiatives include the formation of a core Land Charges Team in April 2019 embedded within the Development Management Section. This brought together discrete functions carried out by 11 separate officers in 7 different Departments under one management structure providing the potential for greater resilience, improvements in the quality of service and opportunities to generate further fee income.

**10.0 Operating budget – including budget trend over 3 years, and fee income. Does the planning department retain fee income? Is this used to calculate its operating budget? Has a discrepancy between expected fee income and actuals affected the forward planning or operational activity of the department?**

10.1 The operating budget dedicated specifically to the Development Management, Placemaking and Strategic Planning and Natural Environment functions is difficult to establish as staff within the Development Management, Placemaking and Strategic Planning and Natural Environment service areas input into a range of functions including central administration for the department as a whole, rights of way, ecology and AONB functions. Data published by the Wales Audit office, however, illustrates a significant reduction in expenditure on the planning service since 2013-14:



Source: Revenue outturn (RO) data, Stats Wales. Analysis by Wales Audit Office

10.2 Whilst the overall budget for the Development Management has reduced significantly, fee income rose between 2012/13 and 2018/19. However, the last two years has seen a reduction in income as illustrated in Table 1 below. Figures for 2020/21 were affected by the Covid-19 pandemic. Whilst Welsh Government increased planning fees in August 2020, and there has been an increase in the number of planning applications received in Q3 and Q4, this increase has been for householder applications which generate lower application fees.

**Table 1 – Planning Application Fee Income**

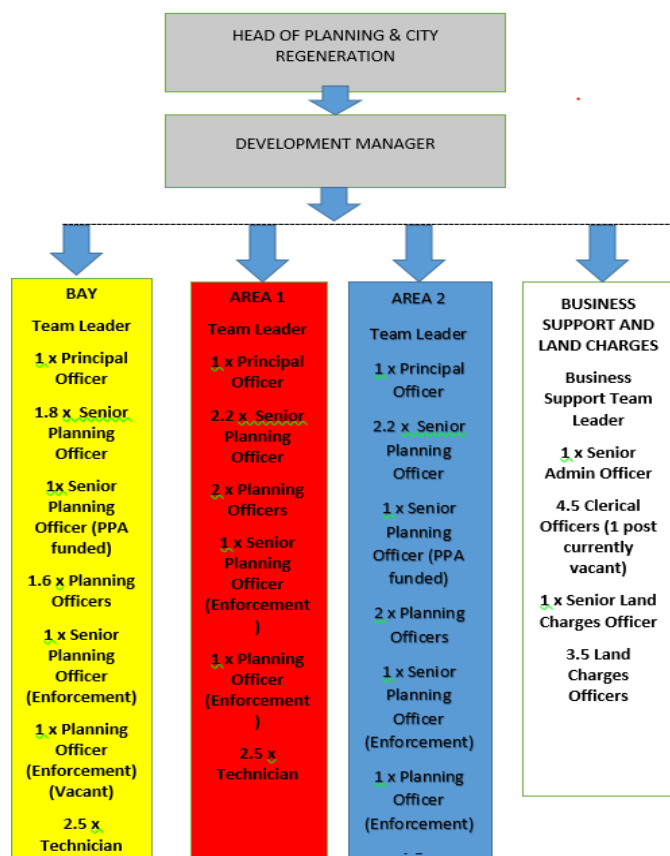
Income (£)	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/2020	2020/21
Target	639,000	689,000	787,600	847,600	1,006,600	1,070,100	1,072,100	1,073,800	1,080,500
Actual	908,685	841,115	961,407	906,526	1,156,952	1,287,180	1,257,249	934,109	916,723

10.3 Fee income is retained within the Development Management budget which is, however, set demanding fee income targets for each financial year to cover a growing proportion of the costs of the Service. Any budget underspend at the end of the financial year is not carried forward to the following financial year. Two full time Senior Planning Officers are also currently funded by Planning Performance Agreement. This places a heavy emphasis on unpredictable fee income as a means of sustaining the core business of the Service and represents a significant risk to service delivery should fee income fall.

11.0 **Staff issues – what is the current staffing level of the department? What are the current plans for staff skills development and succession planning? Are any vacancies being carried? Has the service had to manage with redundancies (with reference to budget section above)? Has a loss of skills through sickness absence or other reasons, adversely affected the department? What are the coping mechanisms for this?**

11.1 Development Management consists of 4 teams, comprising three Area Planning Teams, and a Business Support Team incorporating the Land Charges Section

**Chart 4 – Development Management**



- 11.3 The Section has previously been restructured and accommodated a number of redundancies with job descriptions rationalised to provide more flexible working. Authority has also been delegated further down the staff structure and through on the job training staff from previously discrete teams carry out a much wider range of functions. In this way the impact of redundancies and budget cuts has been managed to an extent with existing officers absorbing these roles in parallel with the introduction of revised business processes and a review of service delivery options.
- 11.4 Upskilling and reskilling of staff in this way remains an ongoing process but is a robust mechanism to manage the risk to the Service in the face of ongoing budget cuts.
- 11.5 Budgetary pressures and recruitment policies have, however, generated clear resilience issues, with a contracting, ageing workforce and reliance on a small number individual officers in key specialist fields. The Authority is increasingly having to “buy in” services to address specialism gaps.
- 11.6 Since early 2020, a number of vacancies have arisen in the department through a combination of staff resignations, long term sickness and internal promotions. These posts have now been filled but this process has taken longer than in normal circumstances due to the pandemic. These periods of vacancies, together with the need to adjust working practices as a result of working from home and Covid-19 restrictions, has created additional workload pressures on staff. In addition, the period from September 2020 has seen a significant increase in the number of planning applications being submitted, which further increases the workload pressure on staff. Temporary staff have been recruited to assist in the short term, although these posts are dependent on funding being available in the future.
- 11.7 In addition, and as stated above, two Senior Planning Officers continue to be funded via fee income generated from Planning Performance Agreements negotiated on a variety of projects. Fee income is now the primary source of funding for the service and as illustrated in Table 1 above can experience significant variations year on year placing the delivery of statutory services at potential risk moving forward.

## YOUR LOCAL STORY

- 12.0 Workload. What are the current planning pressures the service is facing? What is the status of the LDP? Is development/monitoring/revision proceeding as planned? What is the impact on support of development management services, e.g. for master planning? What is the DM workload per officer?**
- 12.1 Development management pressures stem from an increase in the number of planning and related applications received rising from 1482 in 2012/13 to 2027 in 2019/20 and 2088 in 2020-21. The first quarter of 2020-21 saw a drop in the number of planning applications received, primarily driven by the lockdown restrictions introduced from March 2020. However, since Q3 of 2020-21, there has been a significant increase in the number of applications received. In Q4 of 2020-21, 645 applications were received. If this is translated over a whole year this would be equivalent to 2580 applications being received. Early evidence for the 2021-22 year suggests this is the case, which will have a significant impact on officer workload. The number of planning applications received per case officer (FTE) was 120 per annum in 2019/20 and 124 in 2020-21. However, it should be noted that for most of 2020-21 there were vacant posts in the department which meant that in the average

number of applications per officer was greater than this. This figure excludes the provision of pre-application advice, and appeals and input into the change process described above, appeals, enforcement cases, corporate projects and initiative and policy/SPG formulation.

- 12.2 The number of enforcement cases received in 2019-20 was 480 and 462 in 2020-21, which coupled with the remnants of an historic backlog of stubborn cases continues to place pressure on the enforcement service when measured against the new performance indicators introduced by Welsh Government in 2017. Furthermore, the restrictions brought in to limit the spread of Covid 19 has impacted on the speed of investigation of these complaints. Enforcement officers currently carry an average caseload of 129 complaints, up from 78 in 2018-19
- 12.3 Internal and statutory consultees have had capacity issues over the two year period, particularly with regard ecology, landscape, pollution control and highway issues. These capacity issues can have a significant impact on the provision of comprehensive and/or timely consultation responses and the efficiency of decision making.
- 13.0 Reference to the Annual Monitoring Report (as an attachment). In the absence of an AMR, the authority should report on its progress towards adoption of the LDP, and any key issues arising in the year.**
- 13.1 The LDP was adopted in February 2019 and provides a clear planning framework to address key issues facing the County. It is underpinned by an extensive and up to date evidence base. The second AMR is presented as a separate item on this Committee Agenda.
- 14.0 Current projects. Any specific items of research, best practice development or other initiatives being undertaken within the planning service. Examples could include a “development team” approach to major applications, work on a Local Development Order or process reviews.**
- 14.1 The LDP includes a policy that allocates suitable sites on the edge of rural and semi-rural locations in Gower, Gower Fringe and West of Swansea to deliver affordable homes for local people. The policy requires these sites to deliver a minimum of 51% affordable homes for local people with the range and type of homes tailored to meet the evidence of local need. This policy is an innovative, evidenced based and pragmatic response to an historic problem of under provision using previous policy approaches. The progress of development proposals through planning application stage on these allocated sites (despite early suggestions from objectors that such an approach would be unviable) demonstrates the effectiveness of the policy. It is a transferable approach to other Authorities that may have similar issues with providing affordable housing in rural areas, and this has been recognised by Welsh Government. The Minister for Housing and Local Government issued (July 2019) a letter to all Councils in Wales requiring them to implement similar affordable housing led sites through their LDPs.
- 14.2 In Development Management terms the Section introduced agile working arrangements including the further refinement the “paperless office” processes developed since 2013 using electronic workflow systems. This meant that when lockdown restrictions were introduced, officers were able to continue their duties from home.

- 14.4 Officers meet regularly with Stakeholders to identify issues which may impact on the efficiency of the Development Management Process, including Welsh Government, Internal Departments and Developers.
- 14.5 The promotion of a development team approach lead by officers from the Council's Development and Physical Regeneration Section (as developer and applicant), externally appointed consultants and officers in the Development Conservation and Design Section continues to be a highly effective model for the delivery of the Swansea City Centre redevelopment scheme. In development management terms roles were clearly articulated and resourced through the signing of a Planning Performance Agreement which has facilitated the efficient delivery of schemes through the pre-application process with added value and the determination of the resultant applications in a timely manner.
- 14.6 The Council has also established a Developer Forum to improve working relationships with small and medium sized housing developers (SME's) and address issues which may be frustrating the development process. In this respect two current work streams are ongoing firstly, focussing on providing consistency between planning placemaking policy and highway adoption processes and standards and secondly, on refining and reducing the number of conditions imposed on planning permissions, particularly pre-commencement conditions.
- 15.0 Local pressures. Major applications or other planning issues having a disproportionate impact on the efficiency of the service. Could include specific development pressures, enforcement issues such as major site restoration issues, monitoring compliance of conditions with non-devolved consents (e.g. wind energy applications) or applications of national significance (e.g. LNG storage site).**
- 15.1 As detailed above a number of major and strategic sites including the redevelopment of Swansea City Centre have come forward. The approach adopted by the Authority detailed at Section 14 above has facilitated the effective delivery of a number of these sites in accordance with the "placemaking" policy objectives set out in the LDP and without formal challenge.
- 15.2 Considerable resources have, however, been dedicated to this process which has only been possible to manage, without impacting on the performance of the Development Management Service as a whole, through the appointment of staff via fee income generated by Planning Performance Agreement.
- 15.3 The number of HMO applications has increased significantly since the introduction of the C4 Use Class in February 2016. This produced significant workload and political pressures with a large number of applications being "called in" to Planning Committee for determination. The absence of a robust policy under the provisions of the Unitary Development Plan led to uncertainty and a number of applications being refused contrary to officer recommendation but subsequently allowed at appeal. A specific policy has now been introduced which incorporates clear thresholds to control the concentration of HMO's in an area following the adoption of the Swansea Local Development Plan in February 2019. There are, however, lessons to be learned over the impact of the introduction of such legislative changes by Welsh Government effectively within a policy vacuum.

## 16.0 Our Performance 2019-20 and 2020-21

16.1 As no APR was produced last year due to the Coronavirus pandemic, this section of the report provides details on performance for both the 2019-20 and 2020-21 financial years. In previous years, data has been provided to Local Authorities to allow comparison of our performance and the all Wales picture. However, this data has not been produced for the last two years. As a result, this report provides less detail than in previous years.

16.2 Performance is analysed across the five key aspects of planning service delivery as set out in the Planning Performance Framework:

- Plan making;
- Efficiency;
- Quality;
- Engagement; and
- Enforcement.

### 16.3 Plan making

16.4 The Swansea Local Development Plan (LDP) was adopted in March 2019 and provides a framework for making decisions on planning applications.

### 16.5 Efficiency

16.6 In 2019-20 we determined 1,916 planning applications with 81% of applications approved, up from 72% in the previous year. In 2020-21, we determined 1652 planning applications with 82% of applications approved. 99% of all planning applications were determined within the required timescales in both 2019/20 and 2020/21. The target for Wales is 80%.

16.7 Table 1 below shows that our performance remained at a high level over the last two years.

Table 1 : Percentage of planning applications determined in required timescales

Wales 2018/19	Swansea 2018/19	Swansea 2019/20	Swansea 2020/21
88%	99%	99%	99%

### 16.8 Major applications

16.9 We determined 27 major planning applications in 2019-20, 26 of which were in required timescales. In 2020-21, 14 major applications were determined with 12 being within agreed timescales.

**Table 2: Percentage of major applications determined within required timescales:**

Wales 2018/19	Swansea 2018/19	Swansea 2019/20	Swansea 2020-21
68%	88%	96%	86%



16.10 The figure for 2020-21 shows a drop on the previous year. However, due to the Coronavirus pandemic, there were no Planning Committees in April and May 2020. Both applications that were outside required timescales were due to be considered at that time but could not be considered until the June 2020 Planning Committee which means the decision was made outside the required timescale.

- The percentage of minor applications determined within the required timescales stayed the same at 99%;
- The percentage of householder applications determined within the required timescales increased from 99% to 99.7%; and
- The percentage of other applications determined within required timescales increased from 98% to 99%.

### **16.11 Quality**

16.12 In 2019-20, our Planning Committee made 50 planning application decisions during the year, which equated to 3% of all planning applications determined. In 2020-21, our Planning Committee made 19 planning application decisions, which equated to 1.2% of all planning decisions made in that year. This drop in the number of decisions made by Planning Committee is a reflection of the type of planning application submitted since the pandemic began. There was a decline in the number of major planning applications submitted and an increase in the number of householder applications submitted. For information, Planning Committee has already determined 21 applications so far this year.

16.13 In 2019-20, our Planning Committee made 3 (6%) decisions against officer advice. This equated to 0.15% of all planning application decisions going against officer advice. In 2020-21, Planning Committee did not make any decisions contrary to officer advice.

16.14 In 2019-20 we received 111 appeal decisions against our planning decisions. Of these, the Council's decision was upheld in 84 (76%) of cases, up from 72% in the previous year. One appeal related to a committee overturn. This appeal was dismissed.

16.15 In 2020-21, we received 90 appeal decisions. Of these the Council's decision was upheld in 60 (67%) of cases. One appeal related to a Committee overturn. This appeal was allowed. Analysis of the appeals allowed shows that the applications had been refused for the following reason:

- Visual Amenity – 17
- Highway Safety - 4
- Residential Amenity – 2
- Residential and Visual Amenity - 2
- Non-compliance with HMO policy – 2
- Non-compliance with annexe policy – 2
- Impact on district centre – 1

16.16 It is evident that most appeals are allowed when the reason for refusal relates to visual amenity and these appeals related mainly to householder development. The design of a development is subjective. The Council is bringing forward new SPG so monitoring of decisions will continue particularly once the new SPG is adopted.

- 16.17 The Welsh Government's target for a good Authority is 66% of appeals dismissed so the Council is still performing above this target.
- 16.18 During 2019-20 we had no applications for costs at a section 78 appeal upheld. During 2020-21 two partial awards of costs were awarded against the Council. Whilst both appeals were dismissed, the respective Inspectors considered that part of the reasons for refusal were unreasonable.

### **16.18 Engagement**

- 16.19 In previous years, data provided to the Council has allowed us to compare engagement with other Authorities. As this data has not been provided this year, this comparison cannot be undertaken. However,
- we allow members of the public to address the Planning Committee;
  - prior to lockdown, we had an officer on duty to provide advice to members of the public. Since the lockdown, officers have worked from home. The department has maintained a phone service, albeit with reduced hours (10.00am to 4.00pm) and officers have mobile phones.; and
  - we maintain an online register of planning applications and the online system allows members of the public to view applications, follow progress of the application and submit comments.

### **16.20 Enforcement**

- 16.21 In 2019-20 we investigated 326 enforcement cases, 74% of these enforcement within 84 days, up from 72% in 2018-19. In 2020-21 we investigated 229 enforcement cases, 51% within 84 days.
- 16.22 The drop in performance in 2020-21 can be attributed to two main factors. Firstly, the Coronavirus lockdown impacted the ability of enforcement officers to investigate complaints. Access to property was restricted and as a result, it took longer for officers to be able to establish whether a breach of planning control had occurred. The number of complaints received also increased. It would appear that as a result of the lockdown, people are spending more time at home and observing development taking place in the area which has been reported to the Council.
- 16.23 The second issue is that one of the enforcement officers left the Authority halfway through the year. This vacancy put additional pressure on the enforcement service with an inevitable impact on performance.
- 16.24 The average time taken to pursue positive enforcement action was 81 days in 2019-20 and 30 days in 2020-21. Whilst it was taking longer for the investigation to take place in 2020-21 than previous years, once the investigation had been undertaken, any positive action needed was taken significantly quicker than in previous years (73 days in 2018-19)

## ANNEX A

### 1. Planning Application: 2018/2540/FUL

**Location: Land North Of Rhodfa Fadog Cwmrhydyceirw Swansea**

**Proposal: Demolition of the existing building on site and construction of residential development comprising 40 affordable apartments, 3 no. retail units, associated parking, landscaping and ancillary works**

**Appeal Decision: Appeal Dismissed**

#### Summary:

The main issues to consider in the determination of this application related to the effect of the development on the character and appearance of the area and the effect of the development on the living conditions of future residents

On 5<sup>th</sup> March 2019, Planning Committee refused the application, contrary to officer recommendation for the following reasons:

1. The proposed development, by virtue of its design, scale and massing is out of keeping with the character and appearance of the surrounding area to the detriment of visual amenity, The proposal is therefore contrary to policy PS2 of the Swansea Local Development Plan (2019).
2. The proposed development, by virtue its scale is considered an over-intensive form of development that fails to provide adequate amenity space for future occupiers of the development to the detriment of residential amenity. The proposal is therefore contrary to policy PS2 of the Swansea Local Development Plan (2019).

An appeal was submitted against the decision to refuse the application.

The inspector considered that the proposed development would not be consistent with the lower density and openness of the wider area. It would appear crowded and squeezed into the space available. The Inspector considered the overall massing would be dominant and imposing in the locality and would not be in conformity with policy PS 2 of the LDP.

In terms of private amenity space, the Inspector considered that the proposal would be severely deficient and would provide unacceptable living conditions and amenity for future residents, contrary to policy PS 2 of the LDP.

The appeal was dismissed.

## **2. Planning Application: 2019/1342/FUL**

**Location: 2 The Bryn Sketty Swansea SA2 8DD**

**Proposal: Demolition of existing dwelling and construction of 1 detached bungalow and 2 detached dwellings**

**Appeal Decision: Appeal Allowed**

### Summary

The main issues for consideration during the determination of this application related to the principle of the proposed residential development, impact upon visual amenity, impact upon the residential amenities of neighbouring occupiers, parking and highway safety, impact on trees and future occupiers along ecology impacts.

Committee did not accept the recommendation of approval and refused the planning application for the following reasons:

1. The proposed bungalow by virtue of its siting, scale, contrived form and design would fail to respect the character and appearance of the local area to the detriment of the visual amenities of the streetscene and surrounding site context, contrary to Policy PS2 of the Swansea Local Development Plan (Adopted February 2019) and the Authority's Infill and Backland Design Guide (SPG).

In considering the appeal, the Inspector considered the main issues to be the effect of the development on the character and appearance of the area;

The Inspector considered that the proposal would not cause material harm to the character and appearance of the area, and considered the proposal complies with the objectives of Policy PS 2 of the LDP which, amongst other things, states that development should enhance the quality of places and spaces and respond positively to aspects of local context and character and contributes to a sense of place.

The appeal was allowed.

# Agenda Item 8



**To:**  
**Councillor Andrew Stevens**  
**Cabinet Member for Business**  
**Improvement & Performance**

*Please ask for:*  
*Gofynnwch am:*

Overview & Scrutiny

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*Date*  
*Dyddiad:*

9<sup>th</sup> November 2021

## BY EMAIL

**Summary:** This is a letter from the Service Improvement and Finance Scrutiny Performance Panel to the Cabinet Member for Business Improvement & Performance. This letter relates to the meeting held on 19 October 2021 and the discussions concerning the Q1 Performance Monitoring Report 2021/22.

Dear Councillor Stevens,

On the 19 October 2021, the Panel met to discuss the Q1 Performance Monitoring Report 2021/22. The Panel are grateful to Richard Rowlands, Strategic Delivery and Performance Manager, and Adam Hill, Deputy Chief Executive/Director of Resources, for their attendance and contributions.

The Panel asked questions in order to explore this work, and provide challenge on performance in relation to the relevant indicators. We are writing to you to reflect on what we learnt from the discussions and to share the observations of the Panel. Discussions focused on the issues outlined herewith.

It was reported that the ongoing Covid-19 pandemic has brought huge challenges and changes to the Council, its services and workforce. Officers highlighted the impact of the pandemic on reporting and the inevitable and significant impact on the usual areas of performance reporting across the Council.

The Panel heard that, overall, 81% of indicators have improved or stayed the same. We understood that the Council's response to the pandemic, whilst not necessarily reflected in the established performance indicators, has been extraordinary.

We heard that the reporting of performance against the *Safeguarding* priority has been disrupted this quarter, predominantly as a result of the local authority implementing the Welsh Community Care Information System and at the same time Welsh Government updating its performance framework with the introduction of new

**OVERVIEW & SCRUTINY / TROSOLWG A CHRAFFU**

**SWANSEA COUNCIL / CYNGOR ABERTAWE**

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I dderbyn yr wybodaeth hon mewn fformat arall neu yn Gymraeg, cysylltwch â'r person uchod  
To receive this information in alternative format, or in Welsh please contact the above

performance metrics. We understand from officers that the new suite of indicators should be accurately reported at Q2.

Officers explained to us that the impact of the pandemic, and associated demands, remains high - particularly in adult social care. We heard that demands across the health and social care system are extremely high and that hospitals are struggling to meet current demand, catch up on backlogs, manage Covid restrictions on capacity and manage the numbers of staff having to self-isolate.

Members queried some indicators and why they have improved in such adverse circumstances, asking how indicators are selected. Officers explained that the indicators help to measure priorities within the corporate plan, and are selected specifically for that purpose.

Members raised concerns over greater demands from Welsh Government under the Peer Review & Self-Assessment (Local Government and Elections (Wales) Act 2021). Officers confirmed that these new arrangements will be built into current workloads, aiming to limit the burden of new demands and embed this into existing process and procedure.

In relation to *Education and Skills* indicators, officers explained to us that published attendance data is still not available as a result of the pandemic and that attendance remains lower across Wales due to Covid-19. We also heard that authority-wide attainment measures for Foundation Phase, KS2 and KS3 are no longer collected by Welsh Government. We understand that in KS4 and A-Level age groups, awarded grades have been determined by schools themselves and that levels of appeals have been lower than expected.

It was explained to us that static indicators, in relation to *Economy & Infrastructure* performance reporting, are due to non-progression of projects; although it was reported that the majority of targets have been met this quarter. However, we also heard that the impacts of the pandemic on the construction sector are now becoming increasingly clear, with major shortages of construction materials likely to have an impact on programme and construction costs for the foreseeable future.

The Panel heard that the delivery of actions within the Swansea Economic Recovery Action Plan continues at pace, supported by deployment of the Council's economic recovery fund which has now commenced via a range of initiatives to stimulate economic activity and resilience within Swansea's local economy.

Officers explained that the majority of data, within the *Tackling Poverty* performance indicators, shows improving trends with the exception of two indicators ('The amount of welfare benefits raised through securing rights and entitlements by the Welfare Rights Team' and 'The average number of days all homeless families with children spent in Bed and Breakfast accommodation').

Officers explained to the Panel that in Q1 2020/21 the Council was in the height of the pandemic and saw less family homeless presentations due to the suspension of evictions. This had a direct impact on Council data and the comparable indicators.

Members raised their concerns over the general use of the term '*tackling poverty*' as a descriptor, suggesting this term be reviewed in the near future.

Members also queried how poverty is measured by Swansea Council and the standard definition used. Officers undertook to provide this definition, based on multiple sources and metrics (now received with thanks).

We heard that under the *Transforming Future Council* indicators, one had declined (number of forms completed online for fully automated processes). Members queried why there was not a higher uptake in online services, given the remote nature of working that many people have adapted to. Officers explained that the drop in this indicator is due to a very high uptake last year and that the figure this year remains high, although has lowered since last year's aberration and the unusually high uptake.

Members commented on the statistic regarding 'Number of data breaches which has resulted in an enforcement or monetary penalty notice being issued by the Information Commissioners Office' - these results being zero, and an impressive reflection on the Council.

We hope that you find the contents of this letter useful and we would welcome comments on any of the issues raised within, but we require no formal written response on this occasion.

Yours sincerely,

**Councillor Chris Holley**  
**Convener, Service Improvement and Finance Scrutiny Performance Panel**  
✉ [cllr.chris.holley@swansea.gov.uk](mailto:cllr.chris.holley@swansea.gov.uk)

# Agenda Item 9

## Service Improvement and Finance – Scrutiny Performance Panel

### Work Plan 2021/22

<p><b>Meeting 1</b> 11<sup>th</sup> June 2.00</p>	<ol style="list-style-type: none"> <li>1. <b>Confirmation of Convener</b></li> <li>2. <b>Overview: <i>Understanding Financial Reporting</i></b></li> <li>3. <b>Revenue Outturn, HRA Outturn and Capital Outturn and Financing 20-21</b> <i>Invited to attend:</i> Ben Smith – Chief Finance Officer / S.151 Officer Cllr Rob Stewart - Cabinet Member for Economy, Finance and Strategy</li> <li>4. <b>Draft Work Plan 2021/22</b> Panel to discuss/agree work plan topics for the coming year.</li> </ol>
<p><b>Meeting 2</b> 23<sup>rd</sup> June 2021 10.00</p>	<ol style="list-style-type: none"> <li>1. <b>Welsh Language Standards Annual Report</b> <i>Invited to attend:</i> Sarah Lackenby - Chief Transformation Officer Cllr Louise Gibbard – Cabinet Member for Supporting Communities Cllr Robert Smith – Cabinet Member for Education Improvement, Learning &amp; Skills</li> <li>2. <b>Overview: Byelaws</b> <i>Invited to attend:</i> Craig Davies – Associate Lawyer</li> </ol>
<p><b>Meeting 4</b> Monday 20<sup>th</sup> September 2.00</p>	<ol style="list-style-type: none"> <li>1. <b>Q1 Budget Monitoring Report – 2021/22</b> <i>Invited to attend:</i> Ben Smith – Chief Finance Officer / S.151 Officer Cllr Rob Stewart - Cabinet Member for Economy, Finance and Strategy</li> <li>2. <b>Peer Review &amp; Self-Assessment (Local Government and Elections (Wales) Act 2021)</b> <i>Invited to attend:</i> Adam Hill - Deputy Chief Executive / Director of Resources Richard Rowlands – Strategic Delivery and Performance Manager Cllr Andrew Stevens – Cabinet Member for Business Improvement &amp; Performance</li> </ol>
<p><b>Meeting 5</b> Tuesday 19<sup>th</sup> October 2021 9.30</p>	<ol style="list-style-type: none"> <li>1. <b>Q1 2021/22 Performance Monitoring Report</b> <i>Invited to attend:</i> Richard Rowlands – Strategic Delivery &amp; Performance Manager Cllr Andrew Stevens – Cabinet Member for Business, Improvement and Performance</li> <li>2. <b>Overview from Ben Smith: <i>Understanding Financial Reporting (Reserves)</i></b></li> <li>3. <b>Review of Revenue Reserves</b> <i>Invited to attend:</i> Ben Smith – Chief Finance Officer / S.151 Officer Cllr Rob Stewart - Cabinet Member for Economy, Finance and Strategy</li> </ol>



<p><b>Meeting 6</b> Tuesday 16<sup>th</sup> November 2021 9.30</p>	<p><b>1. Mid-term Budget Statement (Verbal)</b> <i>Invited to attend:</i> Ben Smith – Chief Finance Officer / S.151 Officer Cllr Rob Stewart - Cabinet Member for Economy, Finance and Strategy</p> <p><b>2. Planning Annual Performance Report</b> <i>Invited to attend:</i> Cllr Andrew Stevens – Cabinet Member for Business, Improvement and Performance Cllr David Hopkins – Cabinet Member for Delivery and Operations Phil Holmes – Head of Planning and City Regeneration Ian Davies - Development Conservation and Design Manager Tom Evans – Placemaking and Strategic Planning Manager</p> <p><b>3. Swansea Airport (restricted)</b> <i>Invited to attend:</i> Cllr David Hopkins – Cabinet Member for Delivery and Operations Martin Nicholls – Director of Place Geoff Bacon – Head of Property Services Alex O'Brien – Property Manager</p>
<p><b>Meeting 7</b> Wednesday 15<sup>th</sup> December 2.00</p>	<p><b>1. Recycling and Landfill - Annual Performance Monitoring</b> <i>Invited to attend:</i> Cllr Mark Thomas – Cabinet Member for Environment and Infrastructure Chris Howell – Head of Waste Management and Parks Matthew Perkins – Group Leader, Waste</p> <p><b>2. Q2 Budget Monitoring 2021-22</b> <i>Invited to attend:</i> Ben Smith – Chief Finance Officer / S.151 Officer Cllr Rob Stewart - Cabinet Member for Economy, Finance and Strategy</p> <p><b>3. Pre-decision scrutiny of Final Draft Budget</b> <i>Invited to attend:</i> Ben Smith – Chief Finance Officer / S.151 Officer Cllr Rob Stewart - Cabinet Member for Economy, Finance and Strategy</p>
<p><b>Meeting 8</b> Tuesday 18<sup>th</sup> January 2022 9.30</p>	<p><b>1. Q2 2021/22 Performance Monitoring Report</b> <i>Invited to attend:</i> Richard Rowlands – Strategic Delivery &amp; Performance Manager Cllr Andrew Stevens – Cabinet Member for Business, Improvement and Performance</p> <p><b>2. Sustainable Swansea Commissioning Reviews (Outcomes)</b> <i>Invited to attend:</i> Adam Hill – Deputy Chief Executive / Director of Resources Sarah Lackenby - Chief Transformation Officer Cllr Andrea Lewis – Cabinet Member for Climate Change &amp; Service Transformation</p>
<p><b>Meeting 9</b></p>	

<p>Tuesday 15<sup>th</sup> February 2022 9.30</p>	<p>Budget Scrutiny TBC</p>
<p><b>Meeting 10</b> Tuesday 22 March 2022 9.30</p>	<p><b>1. Progress update on the Local Government Use of Data Action Plan</b> <i>Invited to attend: TBC</i> Steve King - Information Research and GIS Team Leader Sarah Lackenby - Chief Transformation Officer Cllr Rob Stewart - Cabinet Member for Economy, Finance and Strategy</p> <p><b>2. Welsh Public Library Standards – Annual Performance Report</b> <i>Invited to attend: TBC</i> Martin Nicholls – Director of Place Tracey McNulty – Head of Cultural Services Karen Gibbins – Libraries and Culture Manager Cllr Robert Francis-Davies - Cabinet Member for Investment, Regeneration and Tourism</p>

**TBC:**

- **Annual Review of Well-being Objectives and Corporate Plan** *(The five year corporate plan was rolled over into 2021/22 as a result of the pandemic with only essential and unavoidable changes made; so no fundamental annual review made to the corporate plan during 2020/21 as a result of Covid).*
- **Recovery Plan (Post-Pandemic) TBC**  
Marlyn Dickson - Strategic Change Programme Manager  
Adam Hill – Deputy Chief Executive / Director of Resources  
Cllr Rob Stewart - Cabinet Member for Economy, Finance and Strategy
- **End of Year 2020/21 Performance Monitoring Report TBC**
- **Welsh Housing Quality Standards Annual Update**  
*David Meyrick / Mark Wade TBC for July 2022*

# Agenda Item 10



**Report of the Chief Legal Officer  
Service Improvement and Finance Performance Panel – 16 November 2021  
Exclusion of the Public**

<b>Purpose:</b>	To consider whether the Public should be excluded from the following item of business.	
<b>Policy Framework:</b>	None.	
<b>Consultation:</b>	Legal.	
<b>Recommendation(s):</b>	It is recommended that:	
<b>1)</b>	The public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	<b>Item No.</b>	<b>Relevant Paragraphs in Schedule 12A</b>
	11	14
<b>Report Author:</b>	Scrutiny	
<b>Finance Officer:</b>	Not Applicable	
<b>Legal Officer:</b>	Tracey Meredith – Chief Legal Officer (Monitoring Officer)	

## 1. Introduction

- 1.1 Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.
- 1.2 Such a resolution is dependent on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

## 2. Exclusion of the Public / Public Interest Test

- 2.1 In order to comply with the above mentioned legislation, the Panel will be requested to exclude the public from the meeting during consideration of the

item of business identified in the recommendation to the report on the grounds that it involves the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

### **3. Financial Implications**

- 3.1 There are no financial implications associated with this report.

### **4. Legal Implications**

- 4.1 The legislative provisions are set out in the report.
- 4.2 Councillors must consider with regard to each item of business set out in paragraph 2 of this report the following matters:
  - 4.2.1 Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.
  - 4.2.2 If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test as set out in paragraph 2.2 of this report.
  - 4.2.3 If the information falls within paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test but must consider whether they wish to waive their privilege in relation to that item for any reason.

**Background Papers:** None.

**Appendices:** Appendix A – Public Interest Test.

## Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
<b>12</b>	<b>Information relating to a particular individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. His view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
<b>13</b>	<b>Information which is likely to reveal the identity of an individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. His view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
<b>14</b>	<b>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. His view on the public interest test was that:</p> <p><b>a)</b> Whilst he was mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or</p> <p><b>b)</b> Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.</p> <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

No.	Relevant Paragraphs in Schedule 12A
15	<b>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</b>
	The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. His view on the public interest test was that whilst he is mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them he was satisfied that in this case disclosure of the information would prejudice the discussion in relation to labour relations to the disadvantage of the authority and inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.
16	<b>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</b>
	No public interest test.
17	<b>Information which reveals that the authority proposes:</b> <b>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</b> <b>(b) To make an order or direction under any enactment.</b>
	The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. His view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by the public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.
18	<b>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</b>
	The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. His view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.