

Cyngor

Rydych dan wŷs trwy hyn i ddod i gyfarfod **Cyngor Dinas a Sir** i'w gynnal yn Cyfarfod Aml-Leoliad - Siambr y Cyngor, Neuadd y Ddinas / MS Teams ar Dydd Iau, 6 Gorffennaf 2023 am 5.00 pm.

Gwyllo ar-lein: <https://bit.ly/3Nhh8Pk>

Cynigir trafod y materion canlynol:

1. **Ymddiheuriadau am absenoldeb.**
2. **Datgeliadau o fuddiannau personol a rhagfarnol.**
www.abertawe.gov.uk/DatgeluCysylltiada
3. **Cofnodion.** **1 - 33**
Cymeradwyo a llofnodi cofnodion y cyfarfod(ydd) blaenorol fel cofnod cywir.
4. **Ymatebion ysgrifenedig i gwestiynau a ofynnwyd yng Nghyfarfod Cyffredinol Diwethaf y Cyngor.** **34 - 39**
5. **Cyhoeddiadau'r Aelod Llywyddol.**
6. **Cyhoeddiadau Arweinydd y Cyngor.**
7. **Cwestiynau gan y Cyhoedd.**
Gellir cyflwyno cwestiynau'n ysgrifenedig i'r Gwasanaethau Democratiaidd Democratiaeth@abertawe.gov.uk hyd at ganol dydd y diwrnod cyn y cyfarfod. Bydd cwestiynau ysgrifenedig yn cael eu blaenoriaethu. Gall y cyhoedd ddod a gofyn cwestiynau'n uniongyrchol os bydd amser. Rhaid i gwestiynau fod yn berthnasol i'r eitemau ar ran agored yr agenda ac ymdrinnir â nhw o fewn cyfnod o 10 munud.
8. **Adroddiad Blynyddol y Pwyllgor Llywodraeth ac Archwilio 2022/23.** **40 - 65**
9. **Adolygu'r Polisi ar Drwyddedu Sefydliadau Rhyw.** **66 - 95**
10. **Adolygiad o'r Datganiad Polisi ar gyfer Trwyddedu.** **96 - 140**
11. **Cynnig i Gyhoeddi Asesiad Effaith Gronnol - Canol y Ddinas.** **141 - 202**
12. **Cynllun Datblygu Lleol Newydd Abertawe - Cytundeb Cyflawni a'r** **203 - 437**

Camau Nesaf.

- | | | |
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| 13. | Newidiadau i'r Cyfansoddiad. | 438 - 448 |
| 14. | Aelodaeth Pwyllgorau. | 449 - 450 |
| 15. | Cwestiynau gan y Cynghorwyr. | 451 - 467 |
| 16. | Hysbysiad o Gynnig - Anifeiliaid Byw fel Gwobrau. | 468 |
| 17. | Hysbysiad o Gynnig - Parti'r Cyfnod Clo ac Anrhydedd | 469 |

Gweddarlledu: Gellir ffilmio'r cyfarfod hwn i'w ddarlledu'n fyw neu'n ddiweddarach drwy wefan y cyngor. Drwy gymryd rhan, rydych yn cytuno i gael eich ffilmio ac i'r delweddau a'r recordiadau sain hynny gael eu defnyddio at ddibenion gweddarlledu a/neu hyfforddiant o bosib.

Mae croeso i chi siarad Cymraeg yn y cyfarfod.

Dywedwch wrthym erbyn canol dydd, ddeuddydd cyn y cyfarfod.

Cyfarfod nesaf: Dydd Iau, 7 Medi 2023 am 5.00 pm



Huw Evans
Pennaeth y Gwasanaethau Democraidd
Neuadd y Ddinas,
Abertawe.

Dydd Mawrth, 27 Mehefin 2023

I: Bob Aelod o'r Cyngor

Agenda Item 3.



City and County of Swansea

Minutes of the **Council**

Multi-Location Meeting - Council Chamber, Guildhall / MS

Teams

Thursday, 4 May 2023 at 5.00 pm

Present: Councillor J P Curtice (Chair) Presided

Councillor(s)

C Anderson
M Bailey
Mair Baker
S Bennett
P N Bentu
P M Black
A Davis
P Downing
M Durke
C R Evans
C M J Evans
E W Fitzgerald
R Francis-Davies
R Fogarty
N Furlong
L S Gibbard
F M Gordon
K M Griffiths
H J Gwilliam
J A Hale
T J Hennegan
V A Holland

Councillor(s)

C A Holley
P R Hood-Williams
B Hopkins
D H Hopkins
L James
O G James
Y V Jardine
A J Jeffery
D H Jenkins
J W Jones
L R Jones
M H Jones
M Jones
S M Jones
S Joy
S E Keeton
E J King
H Lawson
A S Lewis
M B Lewis
W G Lewis
P Lloyd

Councillor(s)

M W Locke
P M Matthews
P N May
F D O'Brien
A J O'Connor
C L Philpott
J E Pritchard
S Pritchard
A Pugh
S J Rice
K M Roberts
B J Rowlands
R V Smith
R C Stewart
L G Thomas
W G Thomas
M S Tribe
L V Walton
T M White
R A Williams

Officer(s)

Gareth Borsden	Democratic Services Officer
Adrian Chard	Strategic Human Resources and Organisational Development Manager
Huw Evans	Head of Democratic Services
Tracey Meredith	Chief Legal Officer / Monitoring Officer
Ben Smith	Director of Finance / Section 151 Officer
Martin Nicholls	Chief Executive

Apologies for Absence

Councillor(s): A M Day, C R Doyle, E T Kirchner, R D Lewis, N L Matthews, J D McGettrick, D Phillips and A H Stevens

161. Disclosures of Personal and Prejudicial Interests.

The Chief Legal Officer gave advice regarding the potential personal and prejudicial interests that Councillors and Officers may have on the agenda.

The Head of Democratic Services reminded Councillors and Officers that the "Disclosures of Personal and Prejudicial Interests" sheet should only be completed if the Councillor / Officer had an interest to declare. Nil returns were not required. Councillors and Officers were also informed that any declarable interest must be made orally and in writing on the sheet.

In accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea the following interests were declared:

Councillors

- 1) Councillor F D O'Brien declared a Personal and Prejudicial Interest in Minute 166 "Public Questions" and withdrew from the meeting during discussion.
- 2) Councillors J P Curtice, M Durke, C A Holley, D H Jenkins, E J King, M Jones, F D O'Brien, M S Tribe, T M White & A Williams declared a Personal Interest in Minute 168 "Pay Policy Statement 2023/24".
- 3) Councillor S J Rice declared a Personal and Prejudicial Interest in Minute 171 "Councillors' Questions" and withdrew from the meeting prior to discussion.

Officers

- 4) T Meredith and B Smith declared a Personal & Prejudicial Interest in Minute 167 "Chief Officer Evaluation Scheme" and withdrew from the meeting prior to its consideration.
- 5) G Borsden, A Chard, C Davies, H Evans, T Meredith, M Nicholls, and B Smith declared a Personal & Prejudicial Interest in Minute 168 "Pay Policy Statement 2023/24" and withdrew from the meeting prior to its consideration.
Note: A Chard & H Evans did not withdraw as they remained to present the report, run the vote, and record the decision.
- 6) T Meredith declared a Personal & Prejudicial Interest in Minute 169 "Options for the Appointment for the Post of Director of Corporate Services" and withdrew from the meeting prior to its consideration.

162. Minutes.

Resolved that the following Minutes be approved and signed as a correct record:

- 1) Extraordinary Meeting of Council held on 30 March 2023.
- 2) Ordinary Meeting of Council held on 30 March 2023.

163. Written Responses to Questions asked at the Last Ordinary Meeting of Council.

The Chief Legal Officer submitted an information report setting out the written responses to questions asked at the last Ordinary Meeting of Council.

164. Announcements of the Presiding Member.

a) Councillor Mair Baker

The Presiding Member welcomed Councillor Mair Baker to her first Council meeting. Councillor Baker was elected following the Penderry By-Election held on 28 April 2023.

b) Dewar Shield

The Presiding Member outlined that the Welsh Schools Dewar Shield Competition is the oldest Schools Competition in World Rugby. She was delighted to congratulate Swansea Schools on recently winning the prestigious Dewar Shield for the ninth time, with a 24-22 victory over Pontypridd Schools in the final at Principality Stadium.

c) Live Broadcast

The Presiding Member reminded all members of the public that this meeting is being broadcast live. Care must be taken to avoid any abusive or defamatory comments against Officers, Councillors, or other members of the public.

d) Remain Seated when Speaking

The Presiding Member reminded all present to remain seated when speaking in the Council Chamber. Thereby making it easier for people to hear and see you.

e) Amendments / Corrections to the Council Summons

The Presiding Member outlined that Item 9 "Chief Officer Job Evaluation Scheme" would be considered prior to Item 8 "Pay Policy Statement 2023-2024".

165. Announcements of the Leader of the Council.

1) Councillor Mair Baker

The Leader of Council welcomed Councillor Mair Baker to her first Council meeting following her recent election in the Penderry Ward.

166. Public Questions.

Three members of the public asked questions relating to Minute 158 "Councillors' Questions - Question 9."

The Leader of the Council & Cabinet Member for Corporate Service & Performance responded and committed to providing a written response to Mr Bettany.

167. Chief Officer Job Evaluation Scheme.

The Chief Executive submitted a report that sought approval of the proposals of a new Job Evaluation Scheme for Chief Officers.

Resolved that:

- 1) The recommendations of the independent consultants as detailed in Sections 2 to 10 of the report be approved.
- 2) The recommendations detailed in Section 11 of the report to adopt the Local Government Association (LGA) job evaluation scheme for Chief Officers for future use be agreed.
- 3) The appropriate changes be made to the Pay Policy as a result of resolution 2.
- 4) The summary of existing pay bandings outlined in paragraph 11.6 and Appendix D of the report be noted.

168. Pay Policy Statement 2023/24.

The Cabinet Member for Corporate Service & Performance submitted the updated Pay Policy Statement for the City & County of Swansea for 2023/24 for approval.

Resolved that the updated Pay Policy Statement 2023-2024 as outlined in Appendix A of the report be approved and published.

169. Options for the Appointment for the Post of Director of Corporate Services.

The Chief Executive submitted a report that sought confirmation of the options for the role of Director of Corporate Services.

Resolved that:

- 1) The options set out in the report be noted.
- 2) Option 2 - Advertise the Role on a Permanent Part-time basis be approved.
- 3) The post be recruited to in line with the JNC Officer Appointment Procedure Rules.

170. Consultation and Engagement Strategy 2023 - 2028.

The Leader of Council submitted a report that sought to adopt the Consultation and Engagement Strategy.

Resolved that the Consultation and Engagement Strategy attached at Appendix A of the report be adopted.

Note: Councillor E W Fitzgerald stated that consultation had not taken place regarding the Penllergaer Cycle Path. The Leader of the Council stated that a written response outlining the actions taken by Council would be provided.

171. Councillors' Questions.

1) Part A 'Supplementary Questions'

Seven (7) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

Those supplementary questions required a written response are listed below.

Question 1

Councillor P N May asked a technical question regarding the depth of resurfacing that the authority uses and the methods of pothole repairs used for compaction etc.

The Leader of Council indicated that a written response would be provided by the Cabinet Member for Environment & Infrastructure.

Question 6

- i) Councillor S Bennett stated that he was "concerned about the volume of sewage discharge into the River Tawe. There is a perpetual foam which I am told is algae bloom into the Tawe. Sewage was dumped into the Tawe a total of 1,818 times in 2022 - lasting 13,981 hours.

The response refers to discharges only occurring during storms and heavy rain. I appreciate we get a lot of rain but not this much. I note in the response there is limited detail about how the Council are working with Dŵr Cymru / Welsh Water or Natural Resources Wales (NRW) about preventing ongoing discharges into the Tawe.

How will the Council be addressing this?"

- ii) Councillor P M Black asked "What discussions have the Council had with Welsh Water regarding upgrading their sewage treatment plant on Fabian Way?"

The Leader of Council indicated that written responses to the above would be provided by the Cabinet Member for Corporate Services & Performance.

He also outlined he would also raise the issues raised with both Welsh Government and Dŵr Cymru / Welsh Water.

2) Part B 'Questions not requiring Supplementary Questions'

Nine (9) Part B 'Questions not requiring Supplementary Questions' were submitted.

The meeting ended at 6.18 pm

Chair



City and County of Swansea

Minutes of the Council

Multi-Location Meeting - Council Chamber, Guildhall / MS

Teams

Thursday, 18 May 2023 at 4.00 pm

Present: Councillor J P Curtice (Chair) Presided

Councillor(s)

C Anderson
Mair Baker
S Bennett
P N Bentu
P M Black
A Davis
A M Day
P Downing
C R Doyle
M Durke
C R Evans
C M J Evans
V M Evans
E W Fitzgerald
R Fogarty
R Francis-Davies
N Furlong
L S Gibbard
F M Gordon
K M Griffiths
H J Gwilliam
J A Hale

Councillor(s)

T J Hennegan
V A Holland
C A Holley
P R Hood-Williams
B Hopkins
D H Hopkins
L James
O G James
Y V Jardine
A J Jeffery
D H Jenkins
J W Jones
L R Jones
M H Jones
M Jones
S M Jones
S Joy
E J King
E T Kirchner
R D Lewis
W G Lewis
P Lloyd

Councillor(s)

M W Locke
N L Matthews
P M Matthews
J D McGettrick
F D O'Brien
A J O'Connor
C L Philpott
J E Pritchard
S Pritchard
A Pugh
S J Rice
B J Rowlands
R V Smith
A H Stevens
R C Stewart
L G Thomas
W G Thomas
M S Tribe
G D Walker
L V Walton
T M White
R A Williams

Officer(s)

Gareth Borsden	Democratic Services Officer
Rachael Davies	Head of HR & Service Centre
Huw Evans	Head of Democratic Services
Martin Nicholls	Chief Executive
Ben Smith	Director of Finance / Section 151 Officer
Debbie Smith	Deputy Chief Legal Officer

Apologies for Absence

Councillor(s): M Bailey, H Lawson, M B Lewis, A S Lewis, P N May, D Phillips and K M Roberts

1. Election of Presiding Member for 2023-2024 Municipal Year.

The Head of Democratic Services asked for nominations.

A nomination for Councillor J P Curtice was proposed and seconded.

Resolved that Councillor J P Curtice be elected Presiding Member for the Municipal Year.

Councillor J P Curtice (Presiding Member) Presided

2. Election of Deputy Presiding Member for 2023-2024 Municipal Year.

The Presiding Member asked for nominations.

A nomination for Councillor S Pritchard was proposed and seconded.

Resolved that Councillor S Pritchard be elected Deputy Presiding Member for the Municipal Year.

3. Disclosures of Personal and Prejudicial Interests.

The Chief Legal Officer gave advice regarding the potential personal and prejudicial interests that Councillors and / Officers may have on the agenda.

The Head of Democratic Services reminded Councillors and Officers that the "Disclosures of Personal and Prejudicial Interests" sheet should only be completed if the Councillor / Officer had an interest to declare. Nil returns were not required. Councillors and Officers were also informed that any declarable interest must be made orally and in writing on the sheet.

In accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea the following interests were declared:

- 1) Councillors C Anderson, M Baker, S Bennett, P N Bentu, P M Black, J P Curtice, A Davis, A M Day, P Downing, C R Doyle, M Durke, C R Evans, C M J Evans, V M Evans, E W Fitzgerald, R Fogarty, R Francis-Davies, N Furlong, L S Gibbard, F M Gordon, K M Griffiths, H J Gwilliam, J A Hale, T J Hennegan, V A Holland, C A Holley, P R Hood-Williams, B Hopkins, D H Hopkins, L James, O G James, Y V Jardine, A J Jeffery, D H Jenkins, J W Jones, L R Jones, M H Jones, M Jones, S M Jones, S Joy, E J King, E T Kirchner, R D Lewis, W G Lewis, P Lloyd, M W Locke, N L Matthews, P M Matthews, J D McGettrick, F D O'Brien, A J O'Connor, C L Philpott, J E Pritchard, S Pritchard, A Pugh, S J Rice, B J Rowlands, R V Smith, A H Stevens, R C Stewart, L G Thomas, W G Thomas, M S Tribe, G D Walker, L V Walton, T M White and R A Williams declared a Personal Interest in Minute 6 "Constitutional Matters 2023-2024.

4. Announcements of the Presiding Member/Head of Paid Service.

a) Remain Seated when speaking

The Presiding Member asked that Councillors remain seated when speaking in the Council Chamber.

b) Corrections / Amendments to the Council Summons

i) Item 7 “Constitutional Matters 2023-2024”

The Presiding Member stated that the reference in Appendix G of the report to a Governance & Audit Committee being held on 7 June 2023 be deleted and the meeting be listed as being scheduled for 1.00pm on 14 June 2023.

5. Names of Councillors that the Leader of the Council has chosen to be Members of the Cabinet. (For Information)

The Leader of the Council outlined to Council the names of those Councillors that he had chosen to be members of the Cabinet. He also outlined their Cabinet Portfolios:

Councillors Name	Cabinet Portfolio
Rob C Stewart	➤ Leader of the Council ➤ Economy, Finance & Strategy
David Hopkins	➤ Joint Deputy Leader of the Council ➤ Corporate Services & Performance
Andrea Lewis	➤ Joint Deputy Leader of the Council ➤ Service Transformation
Robert Smith	➤ Education & Learning
Louise Gibbard	➤ Care Services
Andrew Stevens	➤ Environment & Infrastructure
Robert Francis-Davies	➤ Investment, Regeneration, Events & Tourism
Alyson Pugh	➤ Well-being
Elliott King	➤ Culture, Human Rights & Equalities
Cyril Anderson Hayley Gwilliam	➤ Community

6. Constitutional Matters 2023-2024.

The Monitoring Officer and Head of Democratic Services jointly submitted a report that informed Council of necessary Constitutional matters that needed to be attended to at the Annual Meeting of Council. Such matters would enable the efficient and lawful operation of Council.

Resolved that:

- 1) The Independent Remuneration Panel for Wales’ determinations in relation to Basic, Civic and Senior Salaries, Fees for Co-opted Members and

Contribution towards Costs of Care and Personal Assistance (CPA) as set out in Appendix A be noted.

- 2) A Senior Salary be paid to the following:
- Leader of the Council.
 - Deputy Leader of the Council.
 - Cabinet Members x 8.
 - Chair of General Licensing Committee.
 - Chair of Planning Committee.
 - Chair of Scrutiny Programme Committee.
 - Chair of Climate Change & Nature Recovery Service Transformation Committee.
 - Chair of Economy & Infrastructure Service Transformation Committee.
 - Chair of Education & Skills Service Transformation Committee.
 - Chair of Social Care & Tackling Poverty Service Transformation Committee.
 - Chair of Corporate Services & Financial Resilience Service Transformation Committee.
- 3) The Independent Remuneration Panel for Wales (IRPW) determination that the Leader of the Largest Opposition Political Group must be paid a Band 4, Senior Salary (subject to the 10% rule) be noted.
- 4) A Civic Salary be paid to the following (subject to them not already being in receipt of a Senior Salary):
- Lord Mayor (Civic Head).
 - Deputy Lord Mayor (Deputy Civic Head).
- 5) The posts of Presiding Member and Deputy Presiding Member be re-established and that they Chair Meetings of Council. These posts will not receive a Senior Salary.
- 6) The Chair of the Pension Fund Committee be paid a salary equivalent to that of a Band 3 "Committee Chair" Senior Salary as defined by the IRPW; however, the additional payment over and above the Basic Salary be met by the Pension Fund.
- 7) The Council Bodies and the Number of Allocated Seats as listed be appointed:

Body	Seats
Council	75
Cabinet	10
Committees	
Appeals & Awards	7
Appointments	13
Chief Exec Appraisal & Remuneration	9
Chief Officers Disciplinary	13

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Cont'd

Chief Officers Disciplinary Appeals	13
Democratic Services	10
Family Absence Complaints	
Climate Change & Nature Recovery Service Transformation	10
Economy & Infrastructure Service Transformation	10
Education & Skills Service Transformation	10
Social Care & Tackling Poverty Service Transformation	10
Corporate Services & Financial Resilience Service Transformation	10
JCC	7
General Licensing	12
<i>General Licensing Sub</i>	3
Statutory Licensing	12
Governance & Audit	15
<i>Statutory Licensing Sub</i>	3
Pension Fund	6
Planning	12
Scrutiny Programme	10
Standards	9
West Glamorgan Archives	5
Panels, Forums, Groups etc.	
Admissions Panel	6
Armed Forces Community Covenant Signatories Panel	2
Community / Town Councils Forum	6
Corporate Parenting Board	9
Constitution Working Group	9
Development Advisory Group (DAG)	5
Gower AONB Partnership Group	6
<i>Sustainable Development Fund Panel</i>	2
<i>Sustainable Development Fund Appeal Panel</i>	1
Local Pension Board	1
Standards Cttee Vacancy Panel	3
Trustees Panel	13

- 8) The Service Transformation Committee's Terms of Reference as outlined in the report be adopted and added to the Council Constitution.
- 9) The Committees listed in Appendix D of the report be exempted by Council from the Local Government (Committees and Political Groups) Regulations 1990 to allow greater representation on these Committees by the Opposition Political Groups.
- 10) Councillors be allocated to serve on Council Bodies in line with the nominations received from the Political Groups as outlined in **Appendix 1 of these Minutes**.
- 11) The list of Member Champion Areas and Responsible Councillors as outlined in **Appendix 2 of these Minutes** be noted.

- 12) The Council Constitution www.swansea.gov.uk/constitution be reaffirmed and adopted including any amendments made at this meeting.
- 13) Councillor Lynda James be re-elected as Chair of the Democratic Services Committee.
- 14) Those Statutory Co-opted Members eligible for Co-opted Member payments be paid up to a maximum of 20 full days per Municipal Year.
- 15) A Councillor be elected as Chair of the Democratic Services Committee. The Councillors Handbook www.swansea.gov.uk/CllrsHandbook be reaffirmed.
- 16) The Leader of the Council's decision to allocate Councillors to sit on Outside Bodies be noted as outlined in **Appendix 3 of these Minutes** be noted.
- 17) The Council Bodies Diary as listed in Appendix G be confirmed and adopted subject to the amendment listed in the Presiding Member Announcements.
- 18) Any consequential amendments to the Council Constitution and / or Councillors as a result of this report be carried out.

7. Amendments to the Council Constitution – Part 5 Codes and Protocols. Officer/Councillor Relations Protocol.

The Presiding Member, Monitoring Officer and Head of Democratic Services jointly submitted a report that informed Council of the amendments to simplify, improve and / or add to the Council Constitution.

Resolved that:

- 1) The amended Officer / Councillor Relations Protocol as attached at Appendix B of the report be approved.

8. Amendments to the Council Constitution – Part 4.8 Rules of Procedure (JNC Officer Appointment Procedure Rules).

The Presiding Member, Monitoring Officer and Head of Democratic Services jointly submitted a report that informed Council of the amendments to simplify, improve and / or add to the Council Constitution.

Resolved that:

- 2) The amended JNC Officer Appointment Procedure Rules attached at Appendix B of the report be approved.

9. Amendments to the Council Constitution - Councillor/Councillor Dispute Resolution Protocol.

The Presiding Member, Monitoring Officer and Head of Democratic Services jointly submitted a report that informed Council of the amendments to simplify, improve and / or add to the Council Constitution.

Resolved that:

- 3) The amended Councillor / Councillor Dispute Resolution Protocol as attached at Appendix B of the report be approved.

10. Amendments to the Council Constitution - Council Procedure Rules.

The Presiding Member, Monitoring Officer and Head of Democratic Services jointly submitted a report that informed Council of the amendments to simplify, improve and / or add to the Council Constitution.

Resolved that:

- 4) Council Procedure Rule 26 "Presentations & Public Question Time" be amended to include an additional Paragraph as 26.3 and to renumber the others accordingly:

"26.3 The Presiding Member may reject a question if:

- i) It is substantially the same as a question which has been put at a meeting of the Council in the last 6 months.*
- ii) It relates to a matter which is subject to legal challenge or enforcement proceedings.*
- iii) It would require the expenditure of a disproportionate amount of time to prepare an answer.*
- iv) It does not relate to a matter for which the Council has a responsibility.*
- v) It does not relate to a matter in which the residents of the City and County of Swansea would have an interest.*
- vi) It is defamatory, vexatious, or offensive.*
- vii) It requires the disclosure of confidential information*
- viii) It relates to the personal circumstances or conduct of an officer or member.*
- ix) It relates to an individual / group or business, or the questioners own personal circumstances.*

The Decision of the Presiding Member is final."

11. Common Seal.

Resolved that the Common Seal be affixed to any document necessary to carry into effect any resolution passed or confirmed at meetings during the previous municipal year.

Committee Membership

COUNCIL (75)

Councillors:

Cyril Anderson	Matthew Jones
Matthew Bailey	Susan M Jones
Mair Baker	Sandra A Joy
Sam Bennett	Sara E Keeton
Patience N Bentu	Elliott J King
Peter M Black	Erika T Kirchner
Jan P Curtice	Hannah Lawson
Adam Davis	Andrea S Lewis
A Mike Day	Mike B Lewis
Phil Downing	Richard D Lewis
C Ryland Doyle	Wendy G Lewis
Mike Durke	Paul Lloyd
Ceri R Evans	Michael W Locke
Chris M J Evans	Nicola L Matthews
V Mandy Evans	Penny M Matthews
E Wendy Fitzgerald	Peter N May
Rebecca A Fogarty	James D McGettrick
Robert Francis-Davies	Francesca D O'Brien
Nicola Furlong	Angela J O'Connor
Louise S Gibbard	David Phillips
Fiona M Gordon	Cheryl L Philpott
Kevin M Griffiths	Jess E Pritchard
Hayley J Gwilliam	Sam Pritchard
Joe A Hale	Alyson Pugh
Terry J Hennegan	Stuart J Rice
Victoria A Holland	Kelly M Roberts
Chris A Holley	Brigitte J Rowlands
Paxton R Hood-Williams	Robert V Smith
Beverly Hopkins	Andrew H Stevens
David H Hopkins	Rob C Stewart
Lynda James	L Graham Thomas
Oliver G James	Will G Thomas
Yvonne V Jardine	Mark S Tribe
Allan J Jeffery	Gordon D Walker
Dai H Jenkins	Lesley V Walton
Jeff W Jones	T Mike White
Lyndon R Jones	R Andrew Williams
Mary H Jones	

APPEALS & AWARDS (7)

Labour Councillors: 4

Adam Davis	Joe A Hale
Jan P Curtice	Wendy G Lewis

Liberal Democrats/Independent Councillor: 2

Jeff W Jones	Peter M Black
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Conservative Councillor: 1

Richard D Lewis	
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APPOINTMENTS COMMITTEE (13)

Labour Councillors: 8 (7 permanent and 1 selected by the Leader)

Jan P Curtice	Mike B Lewis
Bev Hopkins	Robert V Smith
David H Hopkins	Rob C Stewart
Andrea S Lewis	

Liberal Democrats/Independent Councillors: 3

E Wendy Fitzgerald	Mary H Jones
Chris A Holley	

Conservative Councillors: 1

Lyndon R Jones	
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Uplands Councillors: -1

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Green Councillor: +1

Chris M J Evans	
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GOVERNANCE & AUDIT COMMITTEE (10)

Labour Councillors: 6

Adam Davies	Kelly M Roberts
Mike B Lewis	Lesley V Walton
Sam Pritchard	T Mike White

Liberal Democrats/Independent Councillors: 2

Jeff W Jones	Michael W Locke
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Conservative Councillors: 1

Paxton R Hood-Williams	
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Uplands Councillors: 1

Allan J Jeffery	
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CHIEF EXECUTIVES APPRAISAL & REMUNERATION COMMITTEE (9)

Labour Councillors: 5

Louise S Gibbard	Alyson Pugh
David H Hopkins	Rob C Stewart
Andrea S Lewis	

Liberal Democrats/Independent Councillors: 2

Chris A Holley	E Wendy Fitzgerald
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Conservative Councillor: 1

Lyndon R Jones	
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Uplands Councillor: 1

Peter N May	
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CHIEF OFFICERS DISCIPLINARY COMMITTEE (12)

Labour Councillors: 7

Presiding Member	Dai H Jenkins
Phil Downing	Elliott J King
David H Hopkins	Mike B Lewis
Yvonne V Jardine	Wendy G Lewis

Liberal Democrat/Independent Councillors: 3

E Wendy Fitzgerald	Mary H Jones
Jeff W Jones	

Conservative Councillors: 1

Paxton R Hood-Williams	
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Uplands Councillors: -1

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Green Councillor: +1

Chris M J Evans	
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CHIEF OFFICERS DISCIPLINARY APPEALS COMMITTEE (12)

Labour Councillors:

Deputy Presiding Member	Rob C Stewart
Robert Francis-Davies	Lesley V Walton
Andrea S Lewis	T Mike White
Robert V Smith	

Liberal Democrats/Independent Councillors: 3

Chris A Holley	L Graham Thomas
Susan M Jones	

Minutes of the Council (18.05.2023)
Cont'd

Conservative Councillors: 1

Will G Thomas	
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Uplands Councillors: -1

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DEMOCRATIC SERVICES COMMITTEE (10)

Labour Councillors: 6

Mair Baker	Joe A Hale
Patience N Bentu	Matthew Jones
Adam Davies	Wendy G Lewis

Liberal Democrats/Independent Councillors: 2

Lynda James	Kevin M Griffiths
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Conservative Councillors: 1

Brigitte J Rowlands	
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Uplands Councillors: 1

Peter N May	
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JOINT CONSULTATIVE COMMITTEE (7)

Labour Councillors: 4

V Mandy Evans	Dai H Jenkins
David H Hopkins	Andrea S Lewis

Liberal Democrats/Independent Councillor: 2

Chris A Holley	Susan M Jones
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Conservative Councillor: 1

Francesca D O'Brien

PLANNING COMMITTEE (12)

Labour Councillors: 7

Phil Downing	Nicola L Matthews
Sara E Keeton	T Mike White
Mike B Lewis	R Andrew Williams
Paul Lloyd	

Liberal Democrats/Independent Councillors: 3

Peter M Black	Mark Tribe
Mary H Jones	

Conservative Councillor: 1

Richard D Lewis	
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Uplands Councillors: 1

Allan J Jeffery	
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**CLIMATE CHANGE & NATURE RECOVERY
SERVICE TRANSFORMATION COMMITTEE (10)**

Labour Councillors: 6

Mair Baker	Oliver G James
Rebecca A Fogarty	Hannah Lawson
Sara E Keeton	David Phillips

Liberal Democrats/Independent Councillors: 2

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Conservative Councillors: 1

Angela J O'Connor	
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Uplands Councillors: 1

Stuart J Rice	
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**CORPORATE SERVICES & FINANCIAL RESILIENCE SERVICE
TRANSFORMATION COMMITTEE (10)**

Labour Councillors: 6

Patience N Bentu	Terry J Hennegan
V Mandy Evans	Erika T Kirchner
Joe A Hale	Lesley V Walton

Liberal Democrats/Independent Councillors: 2

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Conservative Councillors: 1

Francesca D O'Brien	
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Uplands Councillors: 1

Sandra A Joy	
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**ECONOMY & INFRASTRUCTURE
SERVICE TRANSFORMATION COMMITTEE (10)**

Labour Councillors: 6

Phil Downing	Paul Lloyd
C Ryland Doyle	Nicola L Matthews
Wendy G Lewis	T Mike White

Liberal Democrats/Independent Councillors: 2

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Conservative Councillors: 1

Will G Thomas	
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Uplands Councillors: 1

Stuart J Rice	
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**EDUCATION & SKILLS
SERVICE TRANSFORMATION COMMITTEE (10)**

Labour Councillors: 6

Mike Durke	Yvonne V Jardine
Fiona M Gordon	Sam Pritchard
Beverly Hopkins	T Mike White

Liberal Democrats/Independent Councillors: 2

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Conservative Councillors: 1

Lyndon R Jones	
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Uplands Councillors: 1

Sandra A Joy	
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**SOCIAL CARE & TACKLING POVERTY
SERVICE TRANSFORMATION COMMITTEE (10)**

Labour Councillors: 6

Jan P Curtice	Hannah Lawson
Ceri R Evans	Jess E Pritchard
Yvonne V Jardine	Lesley V Walton

Liberal Democrats/Independent Councillors: 2

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Conservative Councillors: 1

Angela J O'Connor	
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Uplands Councillors: 1

Allan J Jeffrey	
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PENSION FUND COMMITTEE (6)

Labour Councillors: 4

Patience N Bentu	Phil Downing
Jan P Curtice	Mike B Lewis

Liberal Democrats/Independent Councillor: 1

Michael W Locke	
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Conservative Councillor: 1

Will G Thomas	
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STANDARDS COMMITTEE (3)

Labour Councillors: 2

Oliver G James	Mike B Lewis
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Liberal Democrats/Independent Councillors: 1

L Graham Thomas	
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SCRUTINY PROGRAMME COMMITTEE (10)

Labour Councillors: 6

Adam Davis	Wendy G Lewis
Victoria A Holland	Sam Pritchard
Matthew Jones	T Mike White

Liberal Democrats/Independent Councillors: 2

Peter M Black	E Wendy Fitzgerald
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Conservative Councillors: 1

Francesca D O'Brien	
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Uplands Councillors: 1

Peter N May	
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STATUTORY LICENSING COMMITTEE (12)

Labour Councillors: 7

Jan P Curtice	Paul Lloyd
Phil Downing	Penny M Matthews
Victoria A Holland	Lesley V Walton
Yvonne V Jardine	

Liberal Democrats/Independent Councillors: 3

Nicola Furlong	Cheryl L Philpott
Michael W Locke	

Conservative Councillors: 1

Brigitte J Rowlands	
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Uplands Councillors: 1

Sandra A Joy	
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STATUTORY LICENSING SUB COMMITTEE (3)

Note – 3 Councillors called on a rota basis.

Labour Councillors: 7

Jan P Curtice	Paul Lloyd
Phil Downing	Penny M Matthews
Victoria A Holland	Lesley V Walton
Yvonne V Jardine	

Liberal Democrats/Independent Councillors: 3

Nicola Furlong	Cheryl L Philpott
Michael W Locke	

Conservative Councillors: 1

Brigitte J Rowlands	
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Uplands Councillors: 1

Sandra A Joy	
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GENERAL LICENSING COMMITTEE (12)

Labour Councillors: 7

Jan P Curtice	Paul Lloyd
Phil Downing	Penny M Matthews
Victoria A Holland	Lesley V Walton
Yvonne V Jardine	

Liberal Democrats/Independent Councillors: 3

Nicola Furlong	Cheryl L Philpott
Michael W Locke	

Conservative Councillors: 1

Brigitte J Rowlands	
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Uplands Councillors: 1

Sandra A Joy	
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GENERAL LICENSING SUB COMMITTEE (3)

Note – 3 Councillors called on a rota basis.

Labour Councillors: 7

Jan P Curtice	Paul Lloyd
Phil Downing	Penny M Matthews
Victoria A Holland	Lesley V Walton
Yvonne V Jardine	

Liberal Democrats/Independent Councillors: 3

Nicola Furlong	Cheryl L Philpott
Michael W Locke	

Conservative Councillors: 1

Brigitte J Rowlands	
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Uplands Councillors: 1

Sandra A Joy	
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WEST GLAMORGAN ARCHIVES COMMITTEE

Labour Councillors: 3

Elliott J King	Robert V Smith
Jess E Pritchard	

Liberal Democrats/Independent Councillor: 1

Peter M Black	
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Conservative Councillor: 1

Lyndon R Jones	
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ADMISSIONS PANEL (3)

Labour Councillors: 2

Jan P Curtice	Robert V Smith
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Liberal Democrats/Independent Councillor: 1

A Mike Day	
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ARMED FORCES COMMUNITY COVENANT SIGNATORIES PANEL

Labour Councillors: 2

Wendy G Lewis	Elliott J King
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GOWER AONB ADVISORY GROUP (6)

Labour Councillors: 4

Sara E Keeton	Paul Lloyd
Nicola L Matthews	Andrew H Stevens

Liberal Democrats/Independent Councillor: 1

Lynda James	
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Conservative Councillor: 1

Paxton R Hood-Williams	
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GOWER AONB SUSTAINABLE DEVELOPMENT FUND PANEL (4)

Labour Councillors: 3

Sara E Keeton	Andrew H Stevens
Paul Lloyd	

Liberal Democrats/Independent Councillor: 1

Lynda James	
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GOWER AONB SUSTAINABLE DEVELOPMENT APPEALS PANEL

Labour Councillor: 1

David H Hopkins	
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LOCAL PENSION BOARD (1)

Labour Councillor: 1

C Ryland Doyle	
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STANDARDS COMMITTEE VACANCY PANEL (3)

Labour Councillors: 2

Andrea S Lewis	Mike B Lewis
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Liberal Democrats/Independent Councillor: 1

Mary H Jones	
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TRUSTEES PANEL (13)

Labour Councillors: 7

Yvonne V Jardine	Wendy G Lewis
Hannah Lawson	Alyson Pugh
Andrea S Lewis	Lesley V Walton
Mike B Lewis	

Minutes of the Council (18.05.2023)
Cont'd

Liberal Democrats/Independent Councillors: 3

Nicola Furlong	Susan M Jones
Chris A Holley	

Conservative Councillors: 1

Brigitte J Rowlands	
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Uplands Councillor: 1

Allan J Jeffrey	
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Green Councillor: 1

Chris M J Evans	
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CONSTITUTION WORKING GROUP (9)

Labour Councillors: 5

Group Leader	Presiding Member of Council
Deputy Group Leader	Deputy Presiding Member of Council
1 Cabinet Member (David H Hopkins)	

Liberal Democrats/Independent Councillors: 2

Group Leader	Mary H Jones
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Conservative Councillor: 1

Group Leader	
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Uplands Councillor: 1

Group Leader	
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COMMUNITY / TOWN COUNCILS FORUM (6)

Labour Councillors: 4

Cabinet Member for Corporate Services & Performance	Phil Downing
Jan P Curtice	Rebecca A Fogarty

Liberal Democrats/Independent Councillors:

Lynda James	
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Conservative Councillor: 1

Will G Thomas	
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CORPORATE PARENTING BOARD (9)

Labour Councillors: 6

Ceri R Evans	Wendy G Lewis
Louise S Gibbard	Alyson Pugh
Hayley J Gwilliam	Robert V Smith

Liberal Democrats/Independent Councillor: 1

Susan M Jones	
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Conservative Councillor: 1

Angela J O'Connor	
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Uplands Councillor: 1

Sandra A Joy	
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DEVELOPMENT ADVISORY GROUP (5)

Labour Councillors: 5

Robert Francis-Davies	Andrea S Lewis
David H Hopkins	Rob C Stewart
Climate Change & Nature Recovery Chair	

Appendix 2

Member Champion Areas & Responsible Councillors
18 May 2023

www.swansea.gov.uk/CllrChampions

Member Champion Area	Councillor(s)
Animal Rights	Sara Keeton
Anti-Slavery & Ethical Employment	David Hopkins
Armed Forces	Wendy Lewis
Biodiversity	Sara Keeton
Carers	Jan Curtice
Children & Family Services	Louise Gibbard
Climate Change	Andrea Lewis
Councillor Support & Development	Wendy Lewis
Co Production	Hayley Gwilliam
Culture	Hannah Lawson
Dementia	Hayley Gwilliam
Disability & Access to Services	Paul Lloyd
Diversity	Lesley Walton
Domestic Abuse	Erika Kirchner
Health & Wellbeing	Alyson Pugh
Healthy Cities & Sport	Terry Hennegan
Heritage	Mike White
Human Rights	Louise Gibbard
Language (Inc. Welsh)	Robert Smith
LGBT (Lesbian, Gay, Bisexual & Transgender)	Elliott King
Life Long Learning	Mike Durke
Looked After Children	Ceri Evans
Natural Environment	Sara Keeton
Pensions	Louise Gibbard
Poverty in Communities / Homelessness	Vacancy
Poverty Reduction	Rob Stewart
Public Transport	Paul Lloyd
Religion, Faith & Beliefs	Sam Pritchard
Rural Economy	Andrew Stevens
Safeguarding	Louise Gibbard
Sanctuary & Inclusion	Yvonne Jardine
Tackling Racism in Schools	Yvonne Jardine
Transport	Rebecca Fogarty
UNCRC (United Nations Convention on the Rights of the Child)	Bev Hopkins
Vulnerable & Older People	Jan Curtice
Walking	Ryland Doyle
Women	Louise Gibbard
Young Carers	Sam Pritchard

**Leader of the Council's Allocation of Councillors to Sit on
Outside Bodies
Annual Council – May 2023**

Active Travel Stakeholder Group	Joe Hale
Association of Public Service Excellence (APSE)	Andrea Lewis
Books Council of Wales	Robert Francis-Davies
Cambrian Educational Foundation for Deaf Children	Alyson Pugh
EOTAS (Education Other Than At School) Steering Group	Robert Smith
Fostering Panel (Friends and Family)	Elliott King
Fostering Panel (Foster Swansea)	Mandy Evans
Gower College Swansea	Sam Pritchard
	Robert Smith
Heart of Wales Line Forum	Paul Lloyd
Inter Authority Agreement for Food Waste	Mandy Evans
	Andrew Stevens
Joint Council of Wales (South Wales Provincial Council)	Rob Stewart
	David Hopkins
Local Government Association (LGA) Executive	Rob Stewart
	Robert Francis-Davies
	Andrea Lewis
	David Hopkins
Mid and West Wales Fire Authority	Patience Bentu
	Sam Bennett
	Jan Curtice
	Terry Hennegan
	Lyndon Jones
	Sam Pritchard
	Gordon Walker

Minutes of the Council (18.05.2023)
Cont'd

National Association of British Market Authorities	David Hopkins
National Waterfront Museum (Swansea) Ltd	Hannah Lawson
	Robert Francis-Davies
	Elliott King
Oystermouth Castle Management Board	Rebecca Fogarty
Partneriaeth	Robert Smith
	Rob Stewart
Partneriaeth – Joint Scrutiny Councillor Group	Chair of Education Scrutiny Panel Chair of Scrutiny Cttee
PATROL (Parking and Traffic Regulations Outside London) Joint Cttee	Andrew Stevens
PRU (Pupil Referral Unit) Management Board	Robert Smith
Regeneration Swansea Partnership	Rob Stewart
	Robert Francis-Davies
	David Hopkins
South Wales Police and Crime Panel	Hannah Lawson
	Mark Tribe
South West Wales Corporate Joint Committee (CJC)	Leader
South West Wales Corporate Joint Committee (CJC) – Gov & Audit Committee	Chair of Governance & Audit Cttee
	1 Non Executive Labour Member – Lesley Walton
	1 Non Executive Lib Dem/Ind Member – Jeff Jones
South West Wales Corporate Joint Committee (CJC) – Scrutiny Committee	2 Non Executive Labour Members – Wendy Lewis Mike White
	1 Non Executive Lib Dem/Ind Member – Peter Black
South West Wales Regional Waste Management Committee	Cyril Anderson
	Andrew Stevens

Minutes of the Council (18.05.2023)
Cont'd

	Mike White
Standing Advisory Council on Religious Education	Yvonne Jardine
	Jess Pritchard
	Sam Pritchard
	Mike Day
	Lyndon Jones
Suresprung Board of Trustees	Jan Curtice
	Ryland Doyle
	Louise Gibbard
	Alyson Pugh
Swansea Bay City Region Joint Committee	Rob Stewart
Swansea Bay City Region Joint Scrutiny Cttee	Jan Curtice
	Phil Downing
	Chris Holley
Swansea Bay Community Health Council	Alyson Pugh
	Mandy Evans
	Hayley Gwilliam
Swansea Bay Port Health Authority	Joe Hale
	David Hopkins
	Robert Smith
	Mike White
	Paul Lloyd
	Mike Lewis
	Mark Tribe
	Gordon Walker
	Lyndon Jones
	Stuart Rice
Swansea Business Improvements Ltd (BID)	Robert Francis-Davies
	Rob Stewart
Swansea Community Energy & Enterprise Scheme (SCEES)	Andrea Lewis
Swansea Council for Voluntary Service	Jan Curtice
	Ceri Evans
	Alyson Pugh

Minutes of the Council (18.05.2023)
Cont'd

Swansea Environment Centre	Sara Keeton
	Climate Change Champion (Andrea Lewis)
Swansea PSB (Public Services Board)	Rob Stewart
	Andrea Lewis
Swansea PSB (Public Services Board) Partnership Forum	Andrea Lewis
	Louise Gibbard
	Erika Kirchner
	David Hopkins
	Rob Stewart
	Hayley J Gwilliam
	Alyson Pugh
	Robert Smith
Swansea St Mary's Choral Trust	Sam Pritchard
University of Swansea Court	Robert Francis-Davies
Vision in Wales (Wales Council for the Blind)	Louise Gibbard
Wales National Pool (Swansea) Ltd	Robert Francis-Davies
	Nicola L Matthews
	Robert Smith
Wales Strategic Migration Partnership	Sanctuary & Inclusion Member Champion (Yvonne Jardine)
WLGA (Welsh Local Government Association) Council	Louise Gibbard
	Robert Francis-Davies
	David Hopkins
	Andrea Lewis
	Rob Stewart
WLGA (Welsh Local Government Association) Executive Board	Rob Stewart
Welsh Centre for Action on Dependency and Addiction	Terry Hennegan
	Erika Kirchner

Minutes of the Council (18.05.2023)
Cont'd

West Glamorgan Adoption Panel	Cabinet Member with Responsibility for Social Services
West Glamorgan Regional Partnership Board	Rob Stewart
	Louise Gibbard
	Alyson Pugh

The meeting ended at 4.13 pm

Chair



City and County of Swansea

Minutes of the Ceremonial Meeting of Council

Multi-Location Meeting - Council Chamber, Guildhall / MS

Teams

Friday, 19 May 2023 at 2.00 pm

Present: Councillor A M Day (Lord Mayor) Presided

Councillor(s)

M Baker
S Bennett
P N Bentu
P M Black
J P Curtice
P Downing
C R Doyle
M Durke
V M Evans
E W Fitzgerald
R Fogarty
R Francis-Davies
N Furlong
K M Griffiths
H J Gwilliam
T J Hennegan
V A Holland
C A Holley

Councillor(s)

P R Hood-Williams
B Hopkins
D H Hopkins
L James
Y V Jardine
A J Jeffery
J W Jones
L R Jones
M H Jones
M Jones
S M Jones
S E Keeton
E J King
E T Kirchner
R D Lewis
W G Lewis
P Lloyd
M W Locke

Councillor(s)

N L Matthews
J D McGettrick
F D O'Brien
A J O'Connor
D Phillips
C L Philpott
J E Pritchard
S Pritchard
B J Rowlands
R V Smith
R C Stewart
L G Thomas
W G Thomas
M S Tribe
G D Walker
L V Walton
T M White

Officer(s)

Gareth Borsden	Democratic Services Officer
Huw Evans	Head of Democratic Services
Debbie Smith	Deputy Chief Legal Officer
Martin Nicholls	Chief Executive
Mark Wade	Director of Place

Apologies for Absence

Councillor(s): C Anderson, M Bailey, A Davis, C M J Evans, C R Evans, L S Gibbard, F M Gordon, J A Hale, O G James, D H Jenkins, S Joy, H Lawson, M B Lewis, A S Lewis, P M Matthews, P N May, A Pugh, S J Rice, K M Roberts, A H Stevens and R A Williams

12. Disclosures of Personal and Prejudicial Interests.

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

13. To Elect the Lord Mayor for the Municipal Year 2023-2024.

Resolved on the motion of Councillor C A Holley, seconded by Councillor P M Black that Councillor L G Thomas be elected to the office of Lord Mayor of the City and County of Swansea for the Municipal Year 2023-2024.

The Lord Mayor made and signed the declaration of acceptance of office.

Councillor L G Thomas (Lord Mayor) Presided

14. To Elect the Deputy Lord Mayor for the Municipal Year 2023-2024.

Resolved on the motion of Councillor L R Jones, seconded by Councillor B J Rowlands that Councillor P R Hood-Williams be elected to the office of Deputy Lord Mayor of the City and County of Swansea for the Municipal Year 2023-2024.

The Deputy Lord Mayor made and signed the declaration of acceptance of office.

The meeting ended at 2.48 pm

Chair

Agenda Item 4.



Report of the Chief Legal Officer

Council – 6 July 2023

Written Responses to Questions asked at the Last Ordinary Meeting of Council

The report provides an update on the responses to Questions asked during the Meeting of Council held on 4 May 2023.

For Information

1. Introduction

- 1.1 It was agreed at Council on 8 April 2010 that a standing item be added to the Council Summons entitled “Written Responses to Questions Asked at the Last Ordinary Meeting of Council”.
- 1.2 A “For Information” report will be compiled by the Democratic Services Team collating all written responses from the last Ordinary Meeting of Council and placed in the Agenda Pack;
- 1.3 Any consequential amendments be made to the Council Constitution.

2. Responses

- 2.1 Responses to questions asked during the last ordinary meeting of Council are included as Appendix A.

Background Papers: None

Appendices: Appendix A (Questions & Responses)

**Providing Council with Written Responses to Questions asked at Council
4 May 2023**

1 Councillor Wendy Fitzgerald

In relation to Minute 170 – Consultation and Engagement Strategy

She stated that consultation had not taken place regarding the Penllergaer Cycle Path. The Leader of the Council stated that a written response outlining the actions taken by Council would be provided.

Response of the Cabinet Member for Environment & Infrastructure

Swansea Council developed two maps in 2017, as required under the Active Travel act, an Existing Route Map (ERM) and an Integrated Network Map (INM). The INM produced a comprehensive plan setting out the short, medium and long-term capital infrastructure walking and cycling routes that the local authority will seek to deliver, for the improvement of active travel across the City and County of Swansea.

The draft INM was published for comment as part of a statutory twelve-week public consultation period, as required by the Act. The Consultation ran from 12th June to 8th September 2017, and included online consultation, a series of workshops held at Civic Centre, Clydach and Gorseinon, alongside consultation with a number of schools and stakeholders.

The community engagement events were advertised by Swansea Council, alongside the opportunity to take part in the consultation through the Council's website. The consultation exercises engaged with the public and gave individuals the opportunity to share their views and help shape the INM throughout Swansea.

The twelve-week consultation was formally advertised to the public in line with the statutory requirements. Additionally, stakeholders who had requested to be notified when the consultation went live were emailed to signpost them to the consultation. There were stakeholder responses from groups such as Wheelrights, Sustrans, Public Health Wales and Associated British Ports (ABP).

The public consultation in 2017 followed the same standardized approach that is undertaken for all public consultations Swansea Council undertakes.

The proposed alignment for an active travel route between Penllergaer and Gorseinon was included in the INM consultation under the reference SWA-AS0006.

Only routes on the INM (since replaced by a revised and reconsulted Active Travel Network Map (ATNM) in 2022) can be put forward for Welsh Government Active Travel Fund (ATF) funding to develop the proposed alignment into a design proposal.

The Penllergaer to Gorseinon active travel scheme was put forward for design and development funding for the 2019/20 financial year. The resultant proposals were put forward and discussed with ward members in both Gorseinon and Penllergaer, with ward consultation taking place with the local

community in July 2021. This included letter drops to residents along the route, a dedicated webpage with plans, several meetings with local ward members and engagement with other stakeholders.

Feedback received from residents on the original proposal to construct a shared use path, where pedestrians and cyclists share the space, along the entire route, resulted in the scheme design being updated as a direct result of this consultation with the community. The proposals were updated to reflect the comments received, with the design amended in one section which segregated pedestrians and cyclists, as opposed to continuing with a shared use section. Following this feedback and subsequent design revisions, a revised design was published on Swansea Council's dedicated webpage in March 2022, and further comments were invited from the local community. All comments received from the public were considered and a response provided, and hard copies of the proposed scheme drawings were issued directly to residents. Officers continued to outline, discuss, and consult with local ward members, holding virtual meetings and responding to extensive email correspondence throughout the development and delivery of the proposals.

As the scheme has progressed through the design stage and on to delivery, further consultation activities have taken place to support the introduction of the active travel route between Penllergaer and Gorseinon. A Traffic Regulation Order (TRO) was advertised for consultation, concluding on 26th August 2022 formalized elements of the scheme that required a change to the highway. Throughout the TRO consultation period properties adjacent to the Penllergaer to Gorseinon scheme received letters to advise them, and informed of the intention to commence works. Notices of intent were erected along the scheme delivery area, with all subsequent feedback recorded and residents who submitted objections provided with a response and feedback.

A further letter drop was conducted in November 2022, capturing all businesses and residents along Gorseinon Road, informing them of the start date of works. The Council has worked with the appointed contractor to ensure that there is clear communication of the works on-site, and to reduce and mitigate disruption to as low a level as is reasonably practicable.

In 2021, Welsh Government instructed local authorities across Wales to update their ERM and INM with a replacement Active Travel Network Map (ATNM). Extensive engagement and consultation were undertaken throughout 2021 with a wide-ranging engagement and consultation process established to develop the new ATNM.

Once again, the alignment between Penllergaer and Gorseinon was included on the draft ATNM under route references 5 and 53, respectively.

Members of the public, ward members and stakeholders were signposted to the numerous engagement and consultation activities undertaken throughout the year, culminating in a formal 12-week statutory public consultation of the draft ATNM.

This consultation was promoted across the various social media channels that the Council utilizes, featured in local newspapers and their associated online content, ward members were provided with dedicated communications and briefing notes at the various stages of engagement and consultation, to share

with their communities, in addition to online surveys, school engagement, stakeholder sessions and five face-to-face public sessions.

The first public engagement undertaken was supported by the Welsh Government, providing a facility for members of the public and organizations to place their comments on a map of Swansea to indicate where improvements for walking and cycling were needed. The Penllergaer to Gorseinon alignment received 14 comments within the extents of the scheme, with many more comments in the surrounding areas. The activity across the whole of the City and County area returned 3210 contributions from 785 respondents and shaped the development of the draft ATNM. The 'Commonplace' engagement activity took place from February to April 2021. A formal 12-week consultation took place from late August to mid November 2021 on the draft ATNM, and received a further 346 responses and a number of detailed letters and emails from stakeholder groups. Swansea's revised ATNM was approved by Welsh Government and Ministers in August 2022.

Further details on the whole development, engagement and consultation of the ATNM can be found on the Council website (link below).

https://www.swansea.gov.uk/media/11567/Active-Travel-Network-Map-ATNM-development-report-2023/pdf/Active_Travel_Network_Map_ATNM_development_report_2023.pdf?m=1676988427763

2 Councillor Peter May

In relation to Minute 171 – Councillors Questions (Q1)

He asked a technical question regarding the depth of resurfacing that the authority uses and the methods of pothole repairs used for compaction etc.

Response of the Cabinet Member for Environment & Infrastructure

There are many different methods of resurfacing roads and many types of road construction.

In general, for the majority of our resurfacing schemes we plane off the top 40mm of the road (the topcoat/surface course/wearing course). This is replaced like for like by a proprietary surface course typically a modified stone mastic asphalt. The lower courses of the road will vary in depth depending on date of construction and methods used at that time.

The Authority also uses a large quantity of micro asphalt, this is a poured system which is a much thinner layer that coats the existing surface, this is a preventative measure which is very durable and cost effective but only applicable in certain situations. This does not give as good aesthetic value as standard resurfacing.

In terms of potholes, this will again depend on the type of defect and road.

Standard potholes will be cut square to a minimum of 50mm and asphalt concrete used and compacted in layers, typically used in larger areas and in relation to significant defects identified by inspectors or other teams.

Surface deterioration, the majority of the potholes reported currently, are not safety defects that breach intervention levels, typically 40mm in depth with a flat bottom, individual potholes will be reported to the pothole teams, larger areas will be added

to the jet patcher workload. Generally there is no compaction as the work is by sprayed bitumen emulsion.

Pothole initiative, all depths below approximately 20mm are repaired using a specific pothole material, no cut out and only hand compaction is required. These form the bulk of publicly reported issues and can be laid in the rain and is very durable but not necessarily neat as there is no cut edge.

3 Councillor Sam Bennett

In relation to Minute 171 – Councillors Questions (Q6)

He stated that he was “concerned about the volume of sewage discharge into the River Tawe. There is a perpetual foam which I am told is algae Bloom into the Tawe. Sewage was dumped into the Tawe a total of 1,818 times in 2022 - lasting 13,981 hours.

The response refers to discharges only occurring during storms and heavy rain. I appreciate we get a lot of rain but not this much. I note in the response there is limited detail about how the Council are working with Dŵr Cymru / Welsh Water or Natural Resources Wales (NRW) about preventing ongoing discharges into the Tawe.

How will the Council be addressing this.

Response of the Cabinet Member for Corporate Services & Performance.

The topic was raised during the Climate Change and Nature Scrutiny Performance Panel, on 22nd November 2022, and addressed by the lead regulatory body, Natural Resources Wales (NRW). NRW are the responsible authority regarding discharges into controlled waters i.e., rivers, most lakes and the sea and work with the Council when looking into potential Public Health impacts of some discharges.

NRW advised that there are storm overflows in Swansea around the coast and near rivers which are designed to spill excess water, which gets into the sewerage system during heavy rainfall, into the environment to stop homes getting flooded. NRW informed the panel that lots of work has been done over the last 10 years, and on our most valuable stretches of coast, overflows only spill in extreme conditions.

NRW will be continuing their work to identify which problem overflows still exist and to prioritise with Dwr Cymru Welsh Water (DCWW) and OFSTAD which of these get investment for improvement. DCWW have a responsibility to stay within permitted discharge limits and will be informed, by NRW, if there are any issues relating to their assets, with follow up enforcement of this if needed.

NRW further advised that they would always be looking for infrastructure in Swansea to be investigated and improved if needs be. NRW will be asking for improvements on high spillers in Swansea area, which tend to be on the Tawe rather than Mumbles. Council officers will continue to work with colleagues in NRW to provide input when required.

4 Councillor Peter Black

In relation to Minute 171 – Councillors Questions (Q6)

He asked what discussions have the Council had with Welsh Water regarding upgrading their sewage treatment plant on Fabian Way

Response of the Cabinet Member for Corporate Services & Performance.

Discussions are ongoing with DCWW regarding upgrades to their odour abatement treatment that operates at the Sewage Treatment Works (STW). Several visits have been carried out since the previous planning application was submitted in 2020, which was subsequently withdrawn in 2021. The application was withdrawn because DCWW continued to monitor the odours generated by the raw sewage and observed that a change had occurred during the 'Lock Down' period of the Pandemic that required a new approach.

DCWW have created and installed an odour monitoring network at the STW in order to better understand the potential sources of odour from their operation. This was discussed at a site visit on 6th February 2023 with me, local ward members, DCWW Officers and Officers from the Housing and Public Health Service. During this site visit, DCWW informed that investment is being looked at for upgrades of the abatement plant as part of the Asset Management Plan (AMP) cycles and that the installation of new equipment for a part of the process is currently in the design stage. Additional dosing systems have been utilised in the network in order to reduce the odour of the raw sewage input and therefore the output from the site.

The Pollution Control and Private Sector Housing Team continue to work with DCWW looking to address complaints received and assess the monitoring data that is being collected to work towards further reducing odour complaints. Further updates are expected in June 2023.

Agenda Item 8.



Report of the Chair of the Governance and Audit Committee

Council – 6 July 2023

Governance and Audit Committee Annual Report 2022/23

Purpose:	This report provides the Governance and Audit Committee Annual Report for the 2022/23 Municipal year.
Policy Framework:	None.
Consultation:	Legal, Finance and Access to Services.
Recommendation:	It is recommended that: i) the Governance & Audit Committee Annual Report 2022/23 is approved.
Report Authors:	Paula O'Connor, Simon Cockings, Jeremy Parkhouse
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar

1. Governance and Audit Committee Annual Report 2022/23

- 1.1 The Governance and Audit Committee Annual Report for 2022/23 prepared by the Chief Auditor, Democratic Services and the Chair of the Governance and Audit Committee can be found in Appendix 1. The report provides an overview of the Governance and Audit Committee's work in the municipal year 2022/23.

2. Integrated Assessment Implications

- 2.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015

and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

2.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

2.4 The completion of the Integrated Impact Assessment Screening revealed that:

- The Governance and Audit Committee Annual Report has a low positive impact across all groups.
- It has been subject to consultation with Legal, Access to Services and the Chair of the Governance and Audit Committee.
- All Well-being of Future Generations Act considerations are positive and any risks identified are low.
- The overall impact of the Governance and Audit Committee Annual Report is positive as it will support the Authority in its requirement to protect public funds.

3. Financial Implications

3.1 There are no financial implications associated with this report.

4. Legal Implications

4.1 Part of the role of the Governance and Audit Committee as set out by the Local Government (Wales) Measure 2011 is to make reports and recommendations in relation to the authority's financial affairs, including an assessment of the risk

management and corporate government arrangements and the adequacy and effectiveness of those arrangements.

Background Papers: None.

Appendices: Appendix 1 – Governance and Audit Committee Annual Report
Appendix 2 – Governance and Audit Committee Terms of Reference
Appendix 3 – Integrated Impact Assessment



Governance & Audit Committee Annual Report 2022/23

City & County of Swansea

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1. Foreword by Mrs Paula O'Connor, Chair of the Governance and Audit Committee

- 1.1 I am pleased to present this report prepared by the Chief Auditor and Democratic Services that reflects on the work of the Governance & Audit Committee. The report provides an overview of the Governance & Audit Committee's work in the municipal year 2022/23. On 31st May 2022 the Governance & Audit Committee considered the election of Chair for 2022/23 Municipal Year where it was resolved that Paula O'Connor be elected Chair. At the same meeting Councillor P R Hood-Williams was elected Vice-Chair for the 2022/23 Municipal Year.
- 1.2 The full Council agreed that the Governance & Audit Committee would be set at 15 members with one third of those being Lay Members to comply with the requirements of the Local Government and Election (Wales) Act. This resulted in the Council seeking to recruit a further three Lay Members. By May 2022 an additional two new Lay Members were successfully recruited – Mr Phillip Sharman and Mr Gordon Anderson. In March 2023 the Council was successful in appointing the fifth Lay Member, Mr David Roberts who assumed his position in April 2023, thus making the Committee fully compliant with legislative requirements.
- 1.3 In addition, Cllr Lesley Walton was elected by the Governance & Audit Committee to be the Representative on the Governance Group. This Group ensures that the Annual Governance Statement is complete and accurate and is in harmony with the work of the Governance & Audit Committee. The Annual Governance Statement was presented together with the Annual Report of the Governance & Audit Committee at 17 May 2023 meeting and will be presented to Council on 6 July 2023.
- 1.4 A formal Training Programme has been in place throughout the year to ensure the Committee Members understand their roles and responsibilities. This also provides a clear understanding of the roles of Corporate Performance and of Scrutiny.
- 1.5 The Local Government and Election (Wales) Act requires careful coordination between Governance & Audit Committee and the Scrutiny Committee. To aide this, the Work Programme of both Committees are appended to every meeting of the Governance & Audit Committee.
- 1.6 In addition, the Chair of Scrutiny attends the Governance & Audit Committee to present the Annual report. Similarly, the Council's Performance Report was brought to the attention of the Governance & Audit Committee on 14th December 2022 by Cllr Chris Holley, Chair of the Service Improvement & Finance Scrutiny Panel in order to give assurance to the Committee that it had been subject to review and challenge by the Panel.
- 1.7 The Chair has assured the Council that every effort will be made to gain maximum effectiveness in the work of scrutiny and audit in order to avoid

stepping outside of the remits of their terms of reference. More recently, on 14th March 2023 the Chair attended the Scrutiny Programme Committee to discuss Governance & Audit Committee and Scrutiny relationships to reinforce and clarify those responsibilities. The terms of reference are reviewed annually in conjunction with the Monitoring Officer to ensure that they reflect the most up to date legislation. The Committee terms of reference form part of each Agenda as an aide to ensure that Members are sighted of its role.

- 1.8 The Chair would note that the South West Wales Corporate Joint Committee was established early 2022 to meet the requirements of Part 5 of the Local Governance and Elections (Wales) Act 2021. Further insight was given to Members as to the current status and progress of the CJC at the September 2021 Governance & Audit Committee and then in December 2021 the Governance & Audit Committee were informed of progress and next steps being taken in establishing a formal governance framework. At that time, it was envisaged that the status and progress of the work of the CJC would be brought back to the Governance & Audit Committee during the early part of 2022 when consideration would be given to any further changes to Terms of Reference of the Governance & Audit Committee. In March 2023 the Committee received a report on the Governance and Assurance Arrangements of Swansea Council's Strategic Partnerships. One of the Partnerships was the South West Wales Corporate Joint Committee, the Leader of the Council, Cllr Rob Stewart is the Council's representative. The Chair confirms that the Governance and Audit Sub-Committee of this Partnership met on 11 November 2022 to agree Terms of Reference, but no further meetings have taken place since this date. The Council's representatives on this Committee are Paula O'Connor, Chair of Governance & Audit Committee, Cllr Lesley Walton and Cllr Jeff Jones. However, recent notification indicates that a July 2023 meeting is being arranged. As a result, the Terms of Reference for the Council's Governance & Audit Committee will need to be kept under review.
- 1.9 The Governance & Audit Committee has continued to express concern around the absence of the Workforce Strategy and the challenges placed on resources. In February 2022 the Strategic HR&OD Manager confirmed that a proposed Workforce Strategy has been developed for the financial year April 2022-2023. It was also confirmed that the Strategy took into consideration the Council's Corporate Plan "Delivery of a Successful and Sustainable Swansea" as well as the provisions of the Well-Being of Future Generations (Wales) Act 2015. The Strategy was agreed by Cabinet in October 2022 and arrangements are in place to roll out the Strategy.
- 1.10 Subsequently, a key report was presented to the Committee on 17th November 2022 informing the Committee of the Council's Transformation Goals and Strategy. This report noted that the first two phases of Achieving Better Together strategy and goals ended in May 2022 with the development of the council workforce strategy amongst other activities. However, to deal with the challenges ahead the Council declares that "between 2022 and 2027 the Council will deliver at least the same if not better outcomes for our population and improve our efficiency by making significant changes to the way we work and

how our services are designed and delivered”. The Governance & Audit Committee will receive future updates.

- 1.11 The Committee noted that a number of key staff changes took place during the year including the departure of the Chief Executive and the Deputy Chief Executive/Director of Corporate Services. As a result, Interim arrangements were put in place, but this did not impact on the access that the Chair had to Senior Officers. The Chair has continued to speak regularly to the new Chief Executive and Director of Corporate Services.
- 1.12 The Chair also highlights that the Committee has previously reported on the shortfall in assurances being received around the Council’s Risk Management arrangements. However, the Chair has ensured that the Service Directors have attended the Governance & Audit Committee during the year to provide assurance to the Committee that individual functions are exercised effectively, and there is economic, efficient, and effective use of resources and effective governance. The Director of Corporate Services has been reviewing the risk management system with the aim of enhancing the current reporting to the Committee.
- 1.13 The Governance & Audit Committee terms of reference states that the Committee “oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.
- 1.14 In March 2022 the Chief Internal Auditor presented the Draft Internal Audit Plan for 2022/23 and methodology applied. The Chair commented that the Committee was able to support approval of the Plan to Council with the caveat that assurances had been obtained from the Chief Internal Auditor that the Plan was risk based and complied with the Public Sector Internal Audit Standards. The Committee continued to seek further understanding of the scope of the reviews during 2022/23.
- 1.15 The Committee has received reports regularly during the year from the Chief Internal Auditor who also explained the staff resource pressures throughout the year and also advised that at the year-end 62% of the plan would be completed which would be sufficient to provide the Head of Internal Audit Opinion. The Chair has expressed her gratitude to the Chief Auditor and his Team in progressing with the plan during a period of unplanned staff absences. During 2022/23 the Chief Auditor reported a number of Moderate Assurance audit reports that resulted in those responsible attending Governance & Audit Committee to give assurance that appropriate action was being taken where significant weaknesses in control were identified. During the year the Chief Internal Auditor updated the Governance & Audit Committee of those audit assignments that had to be deferred. The final Chief Internal Auditor opinion is due to be presented to the Governance and Audit Committee in May 2023.
- 1.16 Audit Wales presented their 2022 Audit Plan to the Governance & Audit Committee on 15th June 2022, and has provided the Committee with regular updates to their work. Their Quarterly update to 30 September 2022 was presented to the December 2022 Committee meeting. Also, the update to 31

December 2022 was presented to the March 2023 Committee meeting. Audit Wales have encountered staffing pressures throughout the year and have kept the Committee and full Council abreast of the situation.

- 1.17 The Committee has repeatedly checked progress with the development of the tracker to give focus to completion of external audit recommendations. Until this tracker is fully developed and put into place the Scrutiny Committee has a role in challenging non implementation of Audit Wales recommendations as well as the Governance & Audit Committee. The Council has also implemented a system whereby they are able to track who was allocated Audit Wales reports for actioning recommendations.
- 1.18 On 13 July 2022 the Committee received the 202/23 Fraud Function Annual Plan. The 2021/22 Anti-Fraud Annual Report was received at the same meeting. In December 2022 the Corporate Counter Fraud Function presented their mid-year update report on progress against the plan. This report identified the Teams limited resources that impacts on their ability to be proactive in certain areas albeit the National Fraud Initiative work is considered proactive.
- 1.19 The Council has continued to face significant challenges during 2022/23. However, Audit Wales confirmed at the March 2023 meeting that an unqualified opinion on the 2021/22 accounts would be issued.
- 1.20 We face significant challenges around workforce (sickness, retention, recruitment, local government pay relativities, demand (both growing demand/demography and bounce back demand/recovery post Covid), constrained overall budgets and the erosive real terms effect of persistently high inflation.

2. Role of the Governance and Audit Committee

- 2.1 The Local Government & Elections (Wales) Act became law in January 2021. The Act superseded parts of the Local Government (Wales) Measure 2011. The Act also extended the remit of the Governance and Audit Committee, with Members now having additional responsibility to review and assess the Council's performance management and complaints handling procedures.
- 2.2 The Measure requires the Governance and Audit Committee to:
 - Review and scrutinise the Council's financial affairs.
 - Make reports and recommendations in relation to the Authority's financial affairs.
 - Review and assess the risk management, internal control and corporate governance arrangements of the Authority.
 - Make reports and recommendations to the Authority on the adequacy and effectiveness of those arrangements.
 - Oversee the Council's internal and external audit arrangements and review the financial statements prepared by the Authority.

- Review the Council's draft response to the Panel Performance Assessment Report, and make any appropriate recommendations for changes.
- Review and assess the Authority's ability to handle complaints effectively and to make any associated reports and recommendations in relation to the Authority's ability to handle complaints effectively.

- 2.3 The Local Government & Elections (Wales) Act 2021 also stipulates that at least one third of the Governance and Audit Committee must be Lay Members. The current Chair of the Committee is a Lay Member and a further four Lay Member have been appointed to the Committee to satisfy the requirements of the Act.
- 2.4 The work of the Governance and Audit Committee is structured so that the Committee can gain assurance over the areas identified above and to comply with its terms of reference as amended to reflect the changes introduced by the Local Government and Elections (Wales) Act 2021. The Terms of Reference of the Committee can be found in Appendix 2.
- 2.5 This report describes the assurance that has been gained by the Governance and Audit Committee from various sources during 2022/23 and also outlines a number of other areas where briefings have been provided to the Committee.
- 2.6 The Governance and Audit Committee Annual Report 2022/23 was reported to the Committee on 17 May 2023 to allow Members the opportunity to give their views on the assurances received and to identify the key messages arising from the work of the Committee during the year.
- 2.7 Comments made at the meeting on 17 May 2023 are included in the report, which the Chair will present to Council.

3. Work of the Governance and Audit Committee in 2022/23

- 3.1 The Governance and Audit Committee has received regular reports in relation to standard agenda themes and received reports of interest based on risk, governance and internal control. Each aspect is reported on below.

Standard Items

Internal Audit Assurance

- 3.2 The Governance and Audit Committee approved the Internal Audit Charter 2022/23 as required by the Public Sector Internal Audit Standards.
- 3.3 The Committee also approved the Internal Audit Annual Plan 2023/24 and has received quarterly monitoring reports from the Chief Auditor showing progress against the 2022/23 Audit Plan.
- 3.4 The quarterly monitoring reports identified any audits that received a moderate or limited level of assurance along with an outline of the issues which led to the audit receiving the negative assurance level. A second quarterly report has also been presented to the Committee to allow members to review and monitor the

implementation of the recommendations made in the internal audit reports that had been issued during the year.

- 3.5 From April 2018 the relevant Head of Service and Service Manager (or Headteacher and Chair of Governors) have been required to attend the Governance and Audit Committee following a moderate or limited audit report being issued in order to provide an update to members as to what action is being taken to address the issues that have been highlighted by the audit.
- 3.6 The Internal Audit Annual Report for 2021/22 was reported to the Committee in May 2022. The report included a review of actual work completed compared to the Annual Plan.
- 3.7 The Internal Audit Annual Report for 2021/22 also included the Chief Auditor's opinion on the internal control environment which stated that based on the audit testing carried out reasonable assurance could be given that the systems of internal control were operating effectively and that no significant weaknesses were identified which would have a material impact on the Council's financial affairs.
- 3.8 The Internal Audit Annual Report of School Audits 2021/22 was presented to the Governance and Audit Committee in July 2022. This report summarised the findings of the thematic audits and a small number of school audits undertaken during the year and identified some common themes across the schools that had been included in the audits undertaken.

Annual Governance Statement 2021/22

- 3.9 The draft Annual Governance Statement for 2021/22 was presented to the Committee in May 2022, prior to being reported to Council for approval.
- 3.10 A Governance Group was established by the Council in 2018/19 comprising of the Deputy Chief Executive, the Director of Finance & Section 151 Officer, Monitoring Officer, Strategic Delivery and Performance Manager and the Chief Auditor (in an advisory capacity). A member of the Governance and Audit Committee is also a member of the Group. The Group is tasked with overarching responsibility for ensuring existing corporate governance arrangements are effective across the Council.
- 3.11 The presentation of the draft Annual Governance Statement gave the Committee the opportunity to review and comment upon the Statement to ensure it properly reflected the assurances provided to the Committee.

Annual Statement of Accounts 2021/22

- 3.12 The Deputy Director of Finance & Section 151 Officer presented the draft Statement of Accounts 2021/22 for the Council in March 2023. Officers answered a number of queries raised by members of the Committee.
- 3.13 Following completion of the audit of the Statement of Accounts 2021/22, Audit Wales presented its ISA 260 reports on the audit of financial statements of the Council to the Governance and Audit Committee prior to the report going to full

Council. The report presented the detailed findings of the audit and stated that Audit Wales's view was that the accounts gave a true and fair view of the financial position of the Council with an unqualified audit opinion.

External Audit Assurance

3.14 As well as the Audit of the Statement of Accounts (ISA 260) reports mentioned above, Audit Wales also provided update reports at a number of the scheduled meetings. The reports outlined the progress being made in financial and performance audit work to the Committee providing assurance by presenting the following reports:

- Audit Wales - 2022 Audit Plan – City and County of Swansea Council.
- Joint Presentation - Audit of the Council's coming out of COVID activities.
- Audit Wales Work Programme and Timetable – City and County of Swansea Council – Quarters 1-4.
- Audit Wales - Assurance & Risk Assessment (ARA) Progress Update Letter.
- Audit Wales Reports - Readiness of the Public Sector for Net Zero Carbon by 2030.
- Audit Wales - Assurance and Risk Assessment 2021-22 Financial Position Update.

Implementation of Audit Recommendations

3.15 An important role undertaken by the Governance and Audit Committee is monitoring the implementation of agreed audit recommendations arising from both internal and external audit.

3.16 The implementation of any Internal Audit recommendations arising from fundamental audits is reported to the Governance and Audit Committee in the Recommendations Tracker Report. For 2021/22, the results of the tracker exercise showed that 67% of agreed recommendations had been implemented by September 2022.

3.17 The implementation of any high or medium risk recommendations arising from non-fundamental audits that received a moderate or limited level of assurance are subject to follow up visits by Internal Audit to confirm they have been implemented. The results of the follow up audits are reported to the Governance and Audit Committee in the Quarterly Internal Audit Monitoring Reports.

3.18 The Internal Controls Report presented to the Governance and Audit Committee by the external auditors includes any recommendations made as a result of their work and the action taken by management to implement the recommendations.

Governance and Risk Management

3.19 The Local Government & Elections (Wales) Act 2021 makes the overview of risk management a function of the Governance and Audit Committee

3.20 The Strategic Delivery & Performance Manager provided regular updates to the Committee in relation to Risk Management throughout the year via the Quarterly Overall Status of Risk Reports.

3.21 A new Risk Management System was introduced in December 2019. Following the introduction of the new system, work was undertaken to embed in the new risk management processes across the Council. The Strategic Delivery and Performance Manager began presenting reports outlining the contents of the new Risk Management System from February 2021 and work has continued in year to enhance the reporting functionality of the system. This remains one of the key areas of focus for the Governance and Audit Committee in 2023/24.

Relationship with Scrutiny Function

3.22 The Governance and Audit Committee has continued to develop a relationship with the Scrutiny function. The relationship is intended to ensure the following:

- Mutual awareness and understanding of the work of Scrutiny and the Governance and Audit Committee.
- Respective workplans are coordinated to avoid duplication / gaps.
- Clear mechanism for referral of issues if necessary.

3.23 The Chair of the Scrutiny Programme Committee attended the Governance and Audit Committee to provide an update on the work of Scrutiny in October 2022. The Chair of the Scrutiny Committee is Councillor Peter Black.

3.24 The Chair of the Governance and Audit Committee has also attended the Scrutiny Programme Committee and provided an update on the Governance & Audit Committee / Scrutiny Relationship in March 2023. This was part of ongoing efforts to strengthen that relationship and closer working.

Anti-Fraud

3.25 A Corporate Fraud Function was established during 2015/16 within the Internal Audit Section. The Corporate Fraud Function Annual Report 2021/22 and Corporate Fraud Anti-Fraud Plan for 2022/23 were presented to the Governance and Audit Committee in July 2022. The Fraud Function Annual Report for 2022/23 is due to be presented later in the 2023/24 Municipal Year. The Governance and Audit Committee also received a Mid-Year Fraud Function Update Report in December 2022.

Governance and Audit Committee Reports

3.26 The Governance and Audit Committee received a number of reports during 2022/23, agendas and reports can be located at: -

<https://democracy.swansea.gov.uk/ieListMeetings.aspx?CId=123&Year=0&LLL=0>

- Internal Audit Annual Report 2021/22.
- Draft Governance and Audit Committee Annual Report 2021/22.
- Draft Annual Governance Statement 2021/22.
- Election of Governance & Audit Committee Representative on the Governance Group.
- Internal Audit Annual Plan 2021/22 - Monitoring Report for the Period 1 January 2022 to 31 March 2022.
- Response to the Freedom of Information Audit 2022.
- Service Centre – Accounts Receivable – Moderate Report.
- Internal Audit Recommendation Follow-Up Report Q4 2021/22.

- Internal Audit Section - Fraud Function Annual Report 2021/2022.
- Internal Audit Section - Fraud Function Anti-Fraud Plan for 2022/23.
- Annual Report of School Audits 2021-22.
- Update Report South West Wales Corporate Joint Committee.
- Internal Audit Report - Accounts Receivable Action Plan.
- Workforce Strategy.
- Annual Complaints Report - Six Month Update.
- Local Code of Corporate Governance: Framework of Assurance.
- Overview of the Governance and Assurance arrangements of Partnerships and Collaborations.
- Internal Audit Monitoring Report Q 1 2022/23.
- Internal Audit Recommendation Follow-Up Report Q1 2022/23.
- Corporate Risk Overview 2022/23 - Quarter 1.
- Education Directorate: Internal Control Environment 2022/2023.
- Absence Management Audit Report Update.
- Employment of Agency Staff Audit Report 2019/20 - 2022 Update.
- Public Services Ombudsman for Wales Annual Letter to the Council for the Period 2020-21.
- The Annual Review of Performance 2021-22.
- Scrutiny Annual Report 2021-22 & Scrutiny Work Programme.
- Joint Presentation - Coming Out Of COVID. Fraud Function Annual Report 2020/21.
- Internal Audit Monitoring Report Quarter 2 2022/23.
- Moderate Report - Destination Lettings 2022/23.
- Corporate Risk Overview - Quarter 2 2022/23.
- Finance Directorate: Internal Control Environment 2022/2023.
- Social Services Directorate: Internal Control Environment 2022/23.
- Internal Audit Recommendation Follow-Up Report Quarter 2 2022/23.
- Fundamental Audits 2021/22 Recommendation Tracker.
- Response to the Rechargeable Works Report 2022/23.
- Western Bay Adoption Service Report 2022/23.
- Internal Audit Section - Corporate Fraud Function Mid-Year Update Report for 2022/2023.
- Transformation Goals & Strategy Reviews.
- Annual Complaints Report 2021-22.
- Accounts Receivable.
- Report on the Audit Wales 'Time for Change' – Poverty in Wales Report Recommendations.
- Internal Audit Monitoring Report - Quarter 3 - 2022/23.
- Internal Audit Recommendation Follow-Up Report Quarter 3 2022/23.
- Corporate Risk Overview 2022/23 - Quarter 3.
- Place Directorate: Internal Control Environment 2022/2023.
- Social Services Absence Management Audit Report Update.
- Employment of Agency Staff Audit Report 2019/20 - February 2023 Update.
- Draft Statement of Accounts 2021/22.
- Internal Audit Annual Plan Methodology.
- Draft Internal Audit Annual Plan 2023/24.
- The Governance and Assurance Arrangements of Swansea Council's Strategic Partnerships.
- Progress on the Upgrade of Oracle.

- Public Participation Strategy.
- Update on the Council's Transformation Programme, including Governance.
- Draft Internal Audit Charter 2023/24.
- Internal Audit Strategy & Annual Plan 2023/24.
- Corporate Risk Overview - Quarter 4 2022/23.
- Corporate Services Directorate: Internal Control Environment 2022/23.

Governance and Audit Committee Training

3.27 The Governance & Audit Committee Training Plan 2022/23 was approved by the Committee on 12 April 2022. Councillors and Lay Members received the following training throughout the Municipal year: -

- Governance and Audit Committee Induction Training.
- Organisational Knowledge / Committee Role & Function / Financial management & accounting / External audit / Values of good governance.
- Corporate complaints / Governance / Performance management & monitoring.
- Counter fraud.
- Corporate complaints Update / Cyber Security.
- Understanding Financial Statements.

4. Looking Forward

4.1 Looking ahead to 2023/24 the Governance & Audit Committee's membership and responsibilities will need to be kept under review to ensure that a Training Programme continues to be in place that reflects the needs of new Councillors and Lay Members. Governance & Audit Committee Members completed an assessment of performance in March 2023 and the outcome of this self-assessment was considered at the meeting held on 17 May 2023. If the self-assessment identifies any additional Member needs, this will be added to the Training Programme.

4.2 The Committee's concerns expressed during the 2022/23 Municipal year will be appropriately reflected in the Annual Governance Statement and will include performance against the Transformation Strategy, and the further improvements required to embed the risk management arrangements and enhanced reporting of risk. In addition, for those Moderate or Limited Assurance Internal Audit reports issued during the year the Committee will seek further updates to ensure all internal audit recommendations have been actioned. Also, the Significant Governance issues noted in the Annual Governance Statement will be considered by the Committee and will include Workforce capacity and capabilities (including Agency use and Sickness), Performance Management review, ICT Disaster Recovery and Procurement.

5. Committee Membership & Attendance

5.1 The membership of the Governance & Audit Committee at the start of the 2022/23 Municipal Year consisted of 4 Lay Members and 10 Non-Executive Councillors elected by Council. Lay Members are appointed for no more than two administrative terms with Council Members reappointed annually. The

Committee now includes 5 Lay Members as required by the Local Government and Elections (Wales) Act 2021. A Lay Member is also the Chair of the Committee.

5.2 The Committee is serviced by Council Officers, principally the Director of Finance / Section 151 Officer, Deputy Chief Legal Officer, Strategic Delivery & Performance Officer, Chief Auditor and Democratic Services. Representatives from the Audit Wales also attend Committee meetings.

5.3 During 2022/23 the Committee has followed a structured workplan which covered all areas of the Committee's responsibilities with the aim of obtaining assurance over the areas included in its terms of reference.

5.4 The Governance and Audit Committee met on 11 occasions up to 12 April 2023, during the 2022/23 Municipal year. The meeting agendas, minutes and recordings can be located at:

<https://democracy.swansea.gov.uk/ieListMeetings.aspx?CId=123&Year=0&LLL=0>

5.5 Committee Member attendance in 2022/23 is shown in the following table:

Attendance 2022/23	Possible	Actual
Independent Lay Members		
Mrs Paula O'Connor (Chair)	11	10
Gordon Anderson	11	7
Julie Davies	11	10
Phil Sharman	11	11
David Roberts	1	1
Non-Executive Councillors		
Councillor Paxton Hood-Williams (Vice Chair)	11	10
Councillor Alan Jeffrey	11	8
Councillor Terry Hennegan	11	3
Councillor Jeff Jones	11	11
Councillor Mike Lewis	11	8
Councillor Michael Locke	11	11
Councillor Sam Pritchard	11	11
Councillor Kelly Roberts	11	7
Councillor Lesley Walton	11	10

Councillor Mike White	11	11
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6. Future Governance and Audit Committee Meetings

- 6.1 As agreed by the Head of Democratic Services, the Council Diary for the 2023/2024 Municipal year includes Governance and Audit Committee meetings on a six-weekly basis. The Chair has confirmed that the impact of the six weekly meetings will be kept under review as it is likely that the meetings will extend beyond the current two-hour timeframe.
- 6.2 Additional/special meetings may need to be held at certain times of the year to ensure the smooth delivery of the Committee's work programme. The Committee also has the ability to call further additional meetings when required.

7. Governance and Audit Committee Contact Details

Paula O'Connor Chair of Governance and Audit Committee	Chair.Audit@swansea.gov.uk
Councillor Paxton Hood-Williams Vice Chair of Governance and Audit Committee	Cllr.Paxton.Hood-Williams@swansea.gov.uk 01792 872038
Ben Smith Director of Finance & Section 151 Officer	Ben.Smith@swansea.gov.uk 01792 636409
Jeff Dong Deputy Chief Finance & Section 151 Officer	Jeffrey.Dong@swansea.gov.uk 07810438119/ 07811847582
Simon Cockings Chief Auditor	Simon.Cockings@swansea.gov.uk 01792 636479
Gillian Gillett Audit Wales	Gillian.Gillett@audit.wales
Tracey Meredith Monitoring Officer & Chief Legal Officer	Tracey.Meredith@swansea.gov.uk 01792 637521
Debbie Smith Deputy Monitoring Officer & Chief Legal Officer	Debbie.Smith@swansea.gov.uk 07976659500
Richard Rowlands Strategic Delivery & Performance Manager	Richard.Rowlands@swansea.gov.uk 01792 637570

Governance & Audit Committee – Terms of Reference

Statement of Purpose

The Governance and Audit Committee is a key component of the City and County of Swansea's corporate governance. It provides an independent and high level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.

The purpose of the Governance and Audit Committee is to provide independent assurance of the adequacy of the risk management framework, the internal control environment and the performance assessment of the Council. It provides an independent review of the governance, performance assessment, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

Membership

The Local Government (Wales) Measure 2011 provides that two thirds of the members of the Committee are to be members of the council and one third must be lay members. Only one member of the Cabinet or Assistant to the Cabinet may sit on the Committee, and that person must not be the Leader. The Chair must be a lay member and the vice chair must not be a member of the Cabinet or an Assistant to the Cabinet.

Governance, Performance, Risk and Control

- a) To review the Council's corporate governance arrangements against the good governance framework and consider annual governance reports and assurances.
- b) To review the Council's draft annual Self-Assessment Report, and make any appropriate recommendations for changes to the conclusions or actions the Council intends to make.
- c) To review the Council's draft response to the Panel Performance Assessment Report, and make any appropriate recommendations for changes.
- d) To review the Council's draft response to any Auditor General's recommendations arising from a special inspection in respect of the Council's performance requirements and to make any appropriate recommendations for changes.
- e) To review and assess the authority's ability to handle complaints effectively and to make any associated reports and

recommendations in relation to the authority's ability to handle complaints effectively.

- f) To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances.
- g) To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- h) To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.
- i) To monitor the effective development and operation of risk management in the Council.
- j) To monitor progress in addressing risk related issues reported to the Committee.
- k) To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- l) To review the assessment of fraud risks and potential harm to the Council from fraud and corruption.
- m) To monitor the counter fraud strategy, actions and resources.
- n) To review any proposals in relation to the appointment of external providers of internal audit services and to make recommendations.
- o) To review the governance and assurance arrangements for significant partnerships or collaborations.

Internal Audit

- p) To approve the internal audit charter and resources.
- q) To approve the risk-based internal audit plan, containing internal audit's resource requirements, the approach to using other sources of assurances and any work required to place reliance upon those other sources.
- r) To approve significant interim changes to the risk based internal audit plan and resource requirements.

- s) To make appropriate enquiries of both management and the Chief Internal Auditor to determine if there are any inappropriate scope or resource limitations.
- t) To consider the Chief Internal Auditor's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements.
- u) To consider the Chief Internal Auditor's annual report.
- v) To consider reports from the Chief Internal Auditor on Internal Audit's performance during the year including the performance of external providers of internal audit services.
- w) To consider a report on the effectiveness of internal audit to support the Annual Governance Statement, where required to do so by the Accounts and Audit Regulations.
- x) To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the Chief Internal Auditor. To approve and periodically review safeguards to limit such impairments.
- y) To consider summaries of specific internal audit reports as requested.
- z) To receive reports outlining the action taken where the Chief Internal Auditor has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
- aa) To consider reports dealing with the management and performance of the providers of internal audit services.
- bb) To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.
- cc) To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.
- dd) To contribute to the Quality Assurance and Improvement Programme and in particular the external quality assessment of internal audit that takes place at least once every five years.

- ee) To provide free and unfettered access to the Governance and Audit Committee Chair for the Chief Internal Auditor, including the opportunity for a private meeting with the Committee.

External Audit

- ff) To consider the external auditor's annual letter, relevant reports, and to those charged with governance.
- gg) To consider specific reports as agreed with the external auditor.
- hh) To comment on the scope and depth of external audit work and to ensure it gives value for money.
- ii) To commission work from external audit.
- jj) To advise and recommend on the effectiveness of relationships between external audit and other inspector agencies or relevant bodies

Financial Reporting

- kk) To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
- ll) To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Accountability Arrangements

- mm) To report to full Council on a regular basis on the Committee's performance in relation to the terms of reference and the effectiveness of the Committee in meeting its purpose.
- nn) To report to Council on an annual basis and to publish an annual report on the Committee's work, its performance in relation to the Terms of Reference, and its effectiveness in meeting its purpose.
- oo) To raise the profile of probity generally within the Council and to report on matters of concern to the individual Cabinet Member, relevant Scrutiny Committee, Cabinet or to Council as necessary and appropriate.
- pp) To work in synergy with the Scrutiny Committees of the Council and liaise with other Council Committees as and when appropriate to avoid duplication in work programmes.

- qq) To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the Appendix 1 adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions
- rr) To publish an annual report on the work of the committee.

Training and Development

- ss) To attend relevant training sessions including specialist training tailored for Members of the Governance and Audit Committee.

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Internal Audit

Directorate: Resources

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

(b) Please name and fully describe initiative here:

Review of the Governance and Audit Committee Annual Report 2022/23.

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?

Integrated Impact Assessment Screening Form

Please provide details below – either of your activities or your reasons for not undertaking involvement

Consultation undertaken with Legal, Access to Services and the Chair of the Audit Committee.

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?

Yes No

b) Does the initiative consider maximising contribution to each of the seven national well-being goals?

Yes No

c) Does the initiative apply each of the five ways of working?

Yes No

d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?

Yes No

Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)

High risk

Medium risk

Low risk

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

To ensure an effective Governance and Audit Committee is in place for the City and County of Swansea as set out by the Local Government (Wales) Measure 2011 to make reports and recommendations in relation to the authority's financial affairs, including an assessment of the risk management and corporate government arrangements and the adequacy and effectiveness of those arrangements.

Integrated Impact Assessment Screening Form

Outcome of Screening

Q8 Please describe the outcome of your screening below:

The completion of the Integrated Impact Assessment Screening revealed that:

- The Governance and Audit Committee Annual Report has a potentially low positive impact across a number of identified groups.
- It has been subject to consultation with Legal, Access to Services and the Chair of the Audit Committee.
- All WFG considerations are positive and any risks identified are low.
- The overall impact of the Annual Report is positive as it will support the Authority in its requirement to ensure an effective Governance and Audit Committee is in place as set out by the Local Government (Wales) Measure 2011 and to protect public funds.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Simon Cockings
Job title: Chief Auditor
Date: 15/03/23
Approval by Head of Service:
Name: Ben Smith
Position: Director of Finance & S151 Officer
Date: 15/03/23

Please return the completed form to accesstoservices@swansea.gov.uk

Agenda Item 9.



Report of the Cabinet Member for Corporate Services & Performance

Council – 6 July 2023

Review of the Policy on the Licensing of Sex Establishments

Purpose:	To consider the outcome of the consultation on the review of the Sex Establishment Policy and to agree the Sex Establishment Policy for adoption and publication.
Policy Framework:	The Licensing of Sex Establishments Policy 2018
Consultation:	Legal, Finance, Access to Services.
Recommendation(s):	It is recommended that: 1) The policy on the Licensing of Sex Establishments, attached at Appendix A is approved and adopted, to take effect on the 26 th July 2023; 2) The existing “relevant localities” for the purposes of determining applications for sex establishments and the “appropriate number” of sex establishments for each locality are retained.
Report Author:	Lynda Anthony
Finance Officer:	Peter Keys
Legal Officer:	Aled Gruffydd
Access to Services Officer:	Rhian Millar

1.0 Background

1.1 Sex Establishment Licences are issued under the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (the 1982 Act). There are three types of sex establishment in the 1982 Act, these are sexual entertainment venues (SEVs), sex cinemas and sex shops. (Relevant definitions associated with sex establishments can be found in the draft policy attached at Appendix A).

1.2 The 1982 Act is adoptive and was adopted by Swansea Council in November 1983. Amended provisions of the 1982 Act were adopted in February 2011 and as a result, anyone wishing to operate a sex establishment in the Swansea Council area requires a licence.

1.3 Following adoption of the legislation, Council also adopted a policy on the Licensing of Sex Establishments (the Policy). The most recent policy was adopted by Council on the 26th July 2018 and states that a review of the policy will be undertaken within a maximum period of 5 years.

2.0 Current Position

2.1 There is currently one premises licensed as a sex establishment in Swansea. This is a long-standing licence issued to a premises trading as a sex shop.

3.0 Current Policy

3.1 The current policy states that the role of the Council as Licensing Authority is to administer the licensing regime in accordance with the law and not in accordance with any moral standing, recognising that Parliament has made it lawful to operate this type of establishment.

3.2 The aim of the Policy is to provide guidance for prospective applicants, existing licence holders, those who may wish to object to an application and members of the Licensing Committee when determining an application.

3.3 Whilst it is clear that each application will be dealt with on its own merits, the Policy gives prospective applicants an early indication as to whether their application is likely to be granted or not.

3.4 The Policy also details the legislative controls that can be exercised over sex establishments. These include both the mandatory and discretionary grounds for refusal of a licence and attaching conditions to any licence issued.

4.0 Review of the Policy

4.1 Officers have undertaken a review of the Policy and it is considered that no changes are necessary as the Policy remains relevant and fit for purpose.

5.0 Matters for Consideration

5.1 A local authority may refuse an application for the grant or renewal of a licence for a sex establishment on a number of mandatory and

discretionary grounds specified in the 1982 Act. The discretionary grounds include:

- a) that the number of sex establishments, or sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for the locality;
- b) the grant would be inappropriate having regard to –
 - i) the character of the relevant locality,
 - ii) the use to which any premises in the vicinity are put,
 - iii) the layout, character or condition of the premises, vehicle, vessel or stall in respect of when the application is made.

5.2 The Council may determine an “appropriate number” of sex establishments for the “relevant locality” and nil may be an appropriate number where the character of an area is considered to be unsuitable for the siting of a sex establishment.

5.3 The Council previously determined the “relevant localities” for the purposes of determining applications as “*the City Centre area*” and “*outside the City Centre*”, as defined on the map in Appendix A.

5.4 The Council considered the character of its relevant localities and determined the following as appropriate numbers of sex establishments:

- i) The appropriate number of sex establishments outside the City Centre area will be nil unless varied by the Council.
- ii) The appropriate number of sexual entertainment venues in the City Centre area will be nil unless varied by the Council.

5.5 The Council also agreed that “vicinity” will be determined in the circumstances of each case, having regard to the Policy.

5.6 It is considered that the existing “relevant localities” for the purposes of determining applications for sex establishments and the existing “appropriate number” of sex establishments for each locality are still relevant for considering applications and it is proposed that they are retained within the Policy.

5.7 It should be noted however that each case must be considered on its individual merits. It is not open to an authority to refuse to consider an application, even one which does not comply with its policy and consideration must be given to whether the particular facts of the case warrant an exception to the Policy.

6.0 The Consultation

- 6.1 Extensive consultation has been undertaken involving existing licence holders likely to be affected by the changes, representatives of local businesses, statutory agencies, bodies representing interested parties, all Local Authority Members, Legal, Finance, Access to Services.
- 6.2 The consultation period ended on the 31st March 2023, no responses were received, therefore no changes to the Policy are proposed.

7.0 Integrated Assessment Implications

7.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts;
- Advance equality of opportunity between people who share a protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not;
- Deliver better outcomes for those people who experience socio-economic disadvantage;
- Consider opportunities for people to use the Welsh language;
- Treat the Welsh language no less favourably than English; and
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

7.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

7.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

7.4 The role of the Council as Licensing Authority is to administer the licensing regime in accordance with the law and not in accordance with any moral standing, recognising that Parliament has made it lawful to operate this type of establishment. The screening identifies that the aim of the Policy is to provide guidance for prospective applicants, existing

licence holders, those who may wish to object to an application and members of the Licensing Committee when determining an application.

Whilst it is clear that each application will be dealt with on its own merits, the Policy gives prospective applicants an early indication as to whether their application is likely to be granted or not.

The Policy also details the legislative controls that can be exercised over sex establishments. These include both the mandatory and discretionary grounds for refusal of a licence and attaching conditions to any licence issued. Therefore, the Policy on the Licensing of Sex Establishments will assist all those involved in licensing applications in Swansea.

- 7.5 The policy was reviewed and issued for consultation where members of the public, all members of the licensed trade and associated professions, had the opportunity to respond, in line with the legislation.
- 7.6 All aspects of the WFG Act principles were considered and the potential risk is considered to be low. A copy of the completed IIA screening form is attached at **Appendix B**.

8.0 Financial Implications

- 8.1 There are no financial implications associated with the review of the policy.

9.0 Legal Implications

- 9.1 A decision to retain nil as an appropriate number can be challenged by Judicial Review. The Council will need to show how the relevant locality, having regard to the character of the area, would be affected by a SEV.
- 9.2 The Council cannot take any moral stand in adopting the policy.
- 9.3 Retaining an appropriate number of nil will not prevent applications being made. The Council cannot refuse to accept any application because it has a nil policy.
- 9.4 Any application will need to be considered on its own merits and whether the particular facts of the case warrant an exception to the policy. Applications must be dealt with objectively and impartially and any refusal has to be non discriminatory, necessary and proportionate. Any refusal will need to be on one or more of the mandatory and / or discretionary grounds. Reasons must be given for any refusal. Even if there is no statutory right to appeal a refusal for a licence, the decision can be challenged by Judicial Review.

9.5 Any decision must not breach Convention rights under the Human Rights Act 1998.

Background Papers: Licensing of Sex Establishments Policy 2018

Appendices:

Appendix A – Draft Licensing of Sex Establishments Policy 2023

Appendix B – IIA Screening Form



LICENSING OF SEX ESTABLISHMENTS POLICY 2023

LICENSING OF SEX ESTABLISHMENTS

CONTENTS

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2. Definitions	2 - 3
3. Policy Guidelines	3 - 6
Appendix A	Map of relevant localities
Appendix B	Standard Conditions

1. INTRODUCTION

- 1.1 The former Swansea City Council resolved to adopt the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (the 1982 Act) on 24th November 1983 and the provisions came into force from 30th January 1984. (The Local Government Wales Act 1994 provided for the transfer of the provisions of this legislation to the City and County of Swansea following Local Government re-organisation in 1996).
- 1.2 Anyone wishing to operate premises in the City and County of Swansea area as a sex establishment requires a licence under the 1982 Act.
- 1.3 A policy on the licensing of sex establishments (the Policy) was agreed by Council on the 29th November, 2001
- 1.4 Amended provisions of the 1982 Act were adopted by Council on the 3rd February 2011. These amendments introduced the licensing of sexual entertainment venues. Amendments to the Policy were adopted by Council on the 29th September 2011, 30th July 2013 and the 26th July 2018.
- 1.5 The role of the Council in its position as Licensing Authority is to administer the licensing regime in accordance with the law and not in accordance with any moral standing. The Council recognises that Parliament has made it lawful to operate a sex establishment and such businesses are a legitimate part of the retail and leisure industries.
- 1.6 The Council is mindful of the possible concerns of the local community and that there may be conflict between the wishes of an applicant in respect of a licence and those who object to such applications. The aim of this policy is to provide guidance for prospective applicants, existing licence holders, those who may wish to object to an application and Members of the Licensing Committee when making a determination on an application.
- 1.7 While each application will be dealt with on its own merits, this policy gives prospective applicants an early indication as to whether their application is likely to be granted or not and creates a presumption that any application for a sex establishment outside of the city centre area and any application for a sex entertainment venue in the city centre area will normally be refused. It also provides prospective applicants with details of what is expected of them should an application be made.

2. DEFINITIONS

In this document the following expressions shall have the following meanings:-

“The 1982 Act” – means the Local Government (Miscellaneous Provisions) Act 1982 as amended.

“The Council” – means the City and County of Swansea.

“The licensed premises” – means any premises, vehicle, vessel or stall licensed under the 1982 Act.

“Licence holder” – means a person who is the holder of a Sex Establishment licence.

“Permitted hours” – means the hours during which the licensed premises are permitted under Regulations 2 and 3 hereof to be open to the public.

“Sex establishment licence” – means a licence granted pursuant to Schedule 3 of the 1982 Act.

The following expressions “Sex Establishment”, “Sexual Entertainment Venue”, “Sex Cinema”, “Sex Shop”, “Sex Article” and “Vessel” shall have the meanings respectively assigned to them by Schedule 3 of the 1982 Act. Included below:

“Sex Establishment” means a “Sexual Entertainment Venue”, “Sex Cinema” or a “Sex Shop”.

“Sexual Entertainment Venue” means any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer”.

“Relevant Entertainment” means any live performance or live nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience, whether by verbal or other means.

“Sex Cinema” means any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures, by whatever means produced, which –

- (a) are concerned primarily with the portrayal of, or primarily deal with or relate to, or are intended to stimulate or encourage –
 - i) sexual activity; or
 - ii) acts of force or restraint which are associated with sexual activity; or

- (b) are concerned primarily with the portrayal of, or primarily deal with or relate to, genital organs or urinary or excretory functions but does not include a dwelling-house to which the public is not admitted.

“Sex Shop” means any premises, vehicle, vessel or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating –

- (a) sex articles; or
- (b) other things intended for use in connection with, or for the purpose of stimulating or encouraging –
 - i) sexual activity; or
 - ii) acts of force or restraint which are associated with sexual activity.

“Sex Article” means –

- (a) anything made for use in connection with, or for the purpose of stimulating or encouraging –
 - i) sexual activity; or
 - ii) acts of force or restraint which are associated with sexual activity; and
- (b) anything to which the sub-paragraph below applies.

This sub-paragraph applies-

- (a) to any article containing or embodying matter to be read or looked at or anything intended to be used, either alone or as one of a set, for the reproduction or manufacture of any such article; and
- (b) to any recording of vision or sound, which –
 - i) is concerned primarily with the portrayal of, or primarily deals with or relates to, or is intended to stimulate or encourage, sexual activity or acts of force or restraint which are associated with sexual activity; or
 - ii) is concerned primarily with the portrayal of, or primarily deals with or relates to, genital organs, or urinary or excretory functions.

3. POLICY GUIDELINES

3.1 The 1982 Act enables local authorities to exercise control over sex establishments in various ways. There are five mandatory grounds and four discretionary grounds for refusal of a sex establishment licence.

3.2 The mandatory grounds for refusal of an application are that the applicant:

- a. is under 18 years of age.
- b. is for the time being disqualified from holding a sex establishment licence;

- c. is not a body corporate and is not resident or has not been resident in an EEA state for 6 months immediately preceding the date of the application;
- d. is a body corporate which is not incorporated in an EEA state;
- e. has in the period of 12 months preceding the date of the application been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

3.3 The Discretionary Grounds for Refusal of an application are that:

- a) the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
- b) if the licence were to be granted, the business to which it relates would be managed by or carried on by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself;
- c) the number of sex establishments, or sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for the locality;
- d) the grant would be inappropriate having regard to –
 - i) the character of the relevant locality;
 - ii) the use to which any premises in the vicinity are put;
 - iii) the layout, character or condition of the premises, vehicle, vessel or stall in respect of when the application is made.

3.4 In respect of paragraph 3.3 c) above, the local authority may determine an “appropriate number” for the “relevant locality”. Nil may be an “appropriate number” where the character of the area is considered to be unsuitable for the siting of a sex establishment.

3.5 The Council has determined that the “relevant localities” for the purposes of determining applications are “the City Centre area” and “outside the City Centre”, as defined on the map in Appendix A. At the boundary of the city centre area, all premises that front onto the street at the boundary will be included in the “city centre area.”

3.6 The Council has considered the character of its relevant localities and has determined the following as appropriate numbers of sex establishments:

i) The appropriate number of sex establishments outside the City Centre area will be nil unless varied by the Council.

ii) The appropriate number of sexual entertainment venues in the City Centre area will be nil unless varied by the Council

3.7 A local authority may refuse an application for the grant or renewal of a licence on the grounds that it is considered inappropriate, having regard to the character of the relevant locality and the use to which any premises in the vicinity are put. The Council has determined the relevant localities as defined in 3.5 above. Vicinity will be determined in the circumstances of each case

3.8 In exercising its discretion the Council will take into account the following and as a general rule there will be a presumption against the licensing of a sex establishment if it is near to:

- i) schools or other facilities frequented by children, such as play areas, nurseries, playgroups and children's centres;
- ii) cultural facilities such as museums, theatres and cinemas;
- iii) historic buildings and tourist attractions;
- iv) facilities frequented primarily by women such as well woman clinics, women's refuges;
- v) places of worship;
- vi) public leisure facilities such as leisure centres, swimming pools, parks and open spaces;
- vii) family shopping areas;
- viii) community buildings such as community centres, libraries and drop in centres;
- ix) places used by vulnerable persons such as hostels and other adult social care facilities;
- x) residential premises;
- xi) hospitals and other medical facilities
- xii) other sex establishments

3.9 In respect of the layout/character or condition of the premises for which the application is made considerations would include health and safety issues, provision of electrical certificates, fire safety matters, provision

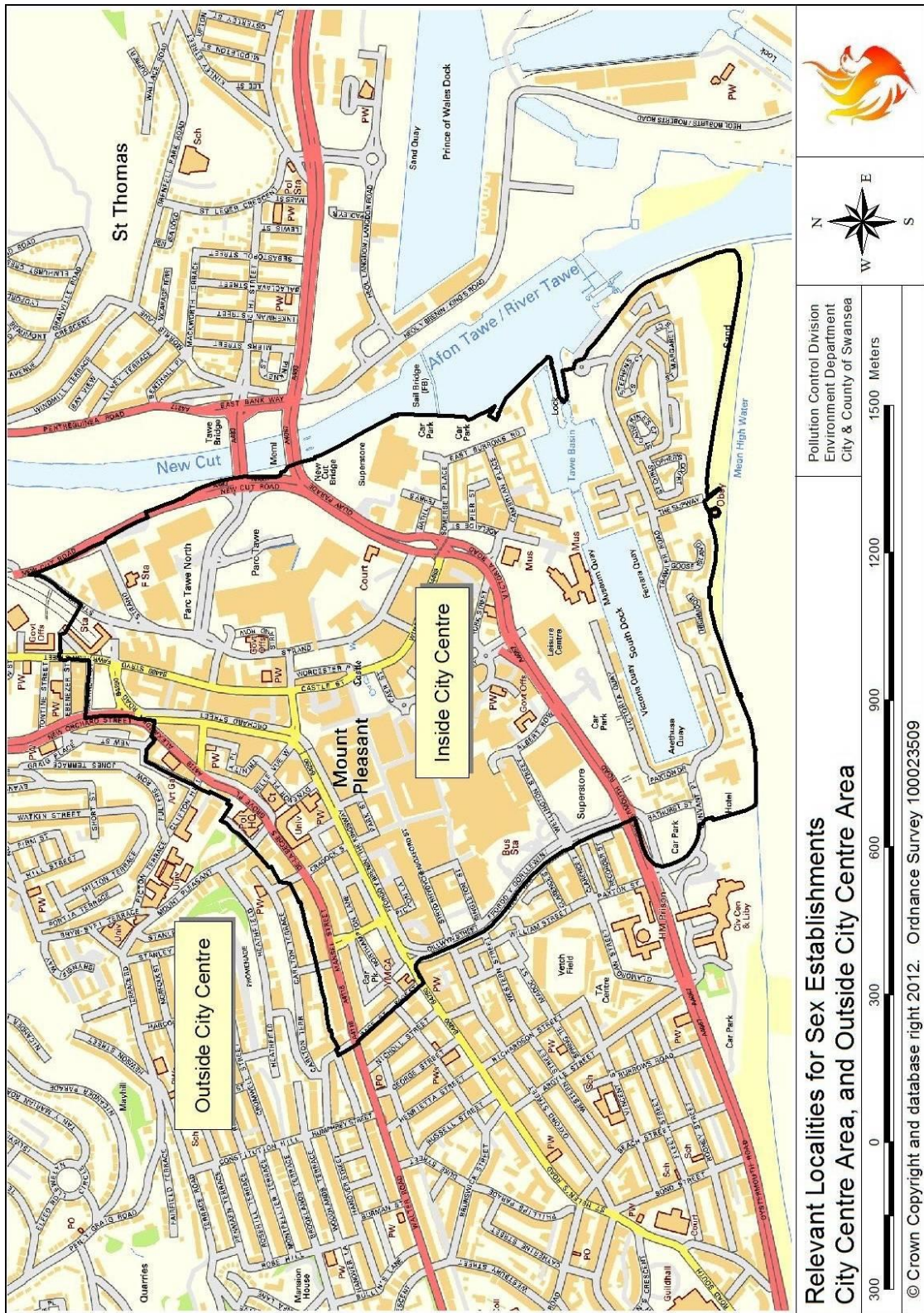
of sanitary accommodation, whether the premises can be effectively supervised, whether private booths are provided and how the premises is fitted out

- 3.10 A local authority may grant a licence subject to such terms and conditions and restrictions as it considers necessary. This enables a considerable degree of control to be exercised and relates to the management of the premises, opening times of the premises, fire safety, external appearance, age restrictions, etc. The Standard Conditions of Licence for a Sex Establishment shall be those included in this document at Appendix B.
- 3.11 Each individual application for a licence for a sex establishment will be considered on its merits. Where an appropriate number has been set for a particular locality the Council will consider whether the facts of the case warrant an exemption to the policy.
- 3.12 The Licence application procedure is specified in the Local Government (Miscellaneous Provisions) Act 1982 and includes the giving of notice of application, publicity and the provision of certain particulars:-
- i) Applicants are required to make an application, in writing, on the Council's application form, to the licensing authority and not later than 7 days after the date of application, to send a copy to the Chief Officer of Police;
 - ii) Applicants must advertise their applications and this must be in a prescribed form. In all cases, public notice must be given by the publication of an advertisement in a local newspaper not later than 7 days after the date of the application and where the application relates to a premises also by notice attached on or near the premises, where it can be read. This notice must be displayed for 21 days beginning with the date of application.
- 3.13 When an application is made the licensing authority will undertake consultations with the following agencies/departments of the local authority:-
- a) Police;
 - b) Fire Authority;
 - c) Ward Members;
 - d) Planning Department;
 - e) Corporate Properties;
 - f) City Centre Manager (for City Centre Applications Only).
- 3.14 On receipt of representations and/or consultation responses, the application will be reported to the Licensing Committee for decision. Details of the representations and/or consultation responses will be

provided to the applicant. The names and addresses of the objectors will be redacted unless the objectors give their consent for this information to be released.

- 3.15 The Committee will receive observations on the issues outlined in paragraphs 3.1. – 3.3 of this policy guideline.
- 3.16 The Committee and the applicants will be made aware of any objections received and the applicant will be given the opportunity to address the Committee. Any objectors will also be given the opportunity to address the Committee.
- 3.17 Following consideration of all the relevant factors, the Committee will then determine the application.
- 3.18 All new applications and any contested renewals, transfers or variations will be determined by the Licensing Committee.
- 3.19 The Council may, from time to time and at a maximum period of 5 yearly, review the contents of this Policy, the “relevant localities” for the purposes of determining applications for sex establishments and the “appropriate number” for each relevant locality.
- 3.20 The relevant fees must accompany any application submitted. Details of the fees will be provided to the applicant with the application form.

City Centre Area



Relevant Localities for Sex Establishments
City Centre Area, and Outside City Centre Area

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REGULATIONS PRESCRIBING STANDARD CONDITIONS

The City and County of Swansea, in exercise of the powers conferred upon them by paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 and of all other powers enabling them in that behalf make the following Regulations.

Definitions

1. (a) In these Regulations the following expressions that is to say “Sex Establishment”, “Sex Shop”, “Sex Cinema”, “Sexual Entertainment Venue”, “Sex Article”, and “Vessel” shall have the meanings respectively assigned to them by Schedule 3 of the Act.
- (b) In these Regulations the following expressions shall have the meanings hereby respectively assigned to them namely:

“the Act” -	means the Local Government (Miscellaneous Provisions) Act 1982.
“the Council” -	means City and County of Swansea.
“the licensed premises” -	means any premises, vehicle, vessel or stall licensed under the Act.
“Licence Holder” -	means a person who is the holder of a sex establishment licence.
“Sex Establishment”	means a sexual entertainment venue, sex cinema or sex shop.
“Sex Establishment Licence”	means a licence granted pursuant to Schedule 3 of the Act.
“Display of nudity”	means in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and in the case of a man, exposure of his pubic area, genitals or anus.
“Approval of the Council”, or “Consent of the Council” -	means the approval or consent of the Licensing Authority.
“Approved” -	means approved by the Licensing Authority in writing.

General

2. In the event of a conflict between these Regulations and any special conditions contained in a licence relating to a Sex Establishment the special conditions shall prevail.
3. The grant of a licence for a Sex Establishment shall not be deemed to convey any approval or consent which may be required under any enactment bye-law order or regulation other than the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982 as amended.
4. The Council reserves the right to amend, delete or add conditions at any time if deemed appropriate.
5. The holder of a Sex Establishment Licence shall observe such regulations and conditions as may be approved by the Council from time to time.
6. No person previously convicted of:
 - an offence connected to a Sex Establishment either licensed or unlicensed.
 - a sexual offence.
 - an offence relating to the sale of restricted 18 videos may be employed at the premises or be involved in supplying entertainment or goods at the premises.

Times of Operation

7. Except with the previous consent of the Council a Sex Establishment shall not be open to the public before 9am and shall not be kept open after 8pm.
8. Except with the previous consent of the Council a Sex Establishment shall not be open on Sundays, Good Friday and Christmas Day.

Conduct and Management of Sex Establishments

9. Where the Licensee is a body corporate or an unincorporated body, any change of director, company secretary or other person responsible for the management of the body is to be notified in writing to the Licensing Authority within fourteen days of such change and such written details as the Licensing Authority may require in respect of any new director, secretary or manager are to be furnished within fourteen days of a request in writing from the Licensing Authority.

10. The Licensee or some responsible person nominated by the Licensee in writing for the purpose of managing the Sex Establishment in the Licensee's absence and of whom details have been supplied to and approved in writing by the Licensing Authority shall be in charge of and upon the Premises during the whole time they are open to the Public.
11. The name of the person responsible for the management of a Sex Establishment, whether the Licensee or a manager approved by the Licensing Authority shall be prominently displayed within the Sex Establishment throughout the period during which that person is responsible for its conduct.
12. The Licensee shall maintain a daily register in which shall be recorded the name and address of any person who is to be responsible for managing the Sex Establishment in the Licensee's absence and the names and addresses of those employed in the Sex Establishment.
13. The register shall contain details of the age verification method to ensure that employees are aged 18 years or over.
14. The Register is to be completed each day within thirty minutes of the Sex Establishment opening for business and is to be available for inspection by the Police and by authorised officers of the Licensing Authority.
15. Copies of the licence and the conditions attached to the licence shall be clearly displayed so that every person entering the premises can see a copy of both the licence and the conditions.
16. The Licensee shall retain control over all portions of the Premises and shall not let, licence or part with possession of any part of the Premises.
17. The Licensee shall maintain good order in the Premises. Any incidents, in particular assaults and violent crime, shall be recorded in an incident book and immediately reported to the Police.
18. No person under the age of 18 shall be admitted to the Premises or employed in the business of a Sex Establishment.
19. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.
20. A Challenge 25 proof of age scheme, shall be operated at the premises where the only acceptable forms of identification shall bear their photograph, date of birth and a holographic mark.
21. A log shall be kept detailing all refused entries. The log shall include the date and time of the refused entry and the name of the member of

staff who refused the entry. The log shall be available for inspection at the premises by an Authorised Officer of the Council or the Police.

22. The Licensee shall keep up to date records of staff training in respect of age related matters. These records shall be available for inspection at the premises by an Authorised Officer of the Council or the Police.
23. The Licensee shall ensure that the public is not admitted to any part or parts of the Premises other than those which have been approved by the Licensing Authority.
24. Neither the Licensee nor any employee or other person shall seek to obtain custom for the Sex Establishment by means of personal solicitation outside or in the vicinity of the Premises.
25. No tickets shall be sold and no admission money taken in a place to which members of the public, other than permitted customers of the Sex Establishment, have access.
26. The licensee shall ensure that the premises are not used by prostitutes, of any gender, for soliciting or any immoral purposes.
27. No leaflet, card, paper, advertising sheet or similar matter promoting the establishment or any goods or service offered by the establishment shall be distributed in the vicinity of the establishment or published in newspapers or magazines for under 18's, unless authorisation/ consent is first granted in writing by the City and County of Swansea.
28. The licensee shall make staff available to ensure good order and free passage for customers on access and egress routes and car parks belonging to the licensee.
29. The licensee shall prevent the sale, display for sale or offer for sale of any article, goods or service on access or egress routes and car parks belonging to the licensee.
30. No dancing or other entertainment of a like kind shall be provided or permitted unless authorised by the Council.
31. Only merchandise which is legally available in Great Britain from retail outlets, mail order companies or party planners may be sold, hired, loaned or supplied, displayed, advertised or demonstrated at the establishment.

Use

32. A Sex Shop shall be conducted primarily for the purpose of the sale of goods by retail.

33. No change of use of any portion of the Premises from that approved by the Licensing Authority shall be made until the consent of the Licensing Authority has been obtained thereto.
34. No change from a sex cinema to a sex shop or from a sex shop to a sex cinema shall be effected without the consent of the Licensing Authority.
35. Neither Sex Articles nor other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a sex cinema.

Goods available in Sex Establishments

36. All Sex Articles and other things displayed for sale, hire, exchange or loan within a Sex Shop shall be clearly marked to show to persons who are inside the Sex Shop the respective prices being charged.
37. All printed matter, films and video films offered for sale, hire, exchange or loan shall be openly displayed and available for inspection prior to purchase and a notice to this effect is to be prominently displayed within the Sex Establishment.
32. No film or video film shall be exhibited, sold or supplied unless it has been passed by the British Board of Film Classification or such other authority performing a similar scrutinising function as may be notified to the Licensee by the Licensing Authority, and bears a certificate to that effect and is a reproduction authorised by the owner of the copyright of the film or video film so certified.
39. The Licensee shall without charge display and make available in the Sex Establishment such free literature on counselling on matters related to sexual problems, including available literature on sexual violence and domestic abuse, as may be published by the Family Planning Association and by such other similar organisations as may be specified and in particular any such material relating to AIDS as may be supplied by the Licensing Authority. Such literature is to be displayed in a prominent position.

External Appearance

40. Warning signs as specified in the Indecent Displays (Control) Act 1981 must be clearly exhibited at the entrance to the premises.
41. No display, advertisement, word, letter model, sign, placard, board, notice, device, representation, drawing, writing or similar matter shall be displayed outside the premises without the written permission of

City and County of Swansea, except for those signs or notices that are required to be displayed by these licence conditions.

42. Any charge for entering the premises shall be clearly and legibly displayed outside the premises so that all persons can read it before entering the premises.
43. The entrance to the premises shall be so designed and constructed as to prevent persons outside the premises having a view of the interior.
44. All windows must be dressed or designed so as to prevent persons outside the premises having a view of the interior.
45. No window shall contain any sign, advertising material, goods or display likely to cause an offence to persons passing the window.

State, Condition and Layout of the Premises

46. Lighting in all parts of the premises must be in operation continuously during the whole time the premises are open as a sex establishments.
47. The premises shall be maintained in good repair and condition.
48. All parts of the Premises shall be kept in a clean and hygienic condition to the satisfaction of the Council.
49. Doors and openings which lead to parts of the premises which are not open to the public shall be clearly marked "staff only" or by some other sign that deters the public from using such doors or openings.
50. The external doors to the Sex Establishment shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
51. The Licensee shall make provision in the means of access both to and within the Sex Establishment for the needs of members of the public visiting the establishment who are disabled.
52. All exhibits, displays, demonstrations and like activities must be open and available to all customers at no charge other than any initial entrance fee to the establishment and there shall be no individual cubicles or rooms designed to accommodate individual persons or groups of persons where exclusive demonstrations, displays, exhibits or similar activities may take place, unless authorisation/consent is first granted by the Council.
53. The Licensee shall take all reasonable precautions for the safety of the public and employees.

54. The Licensee shall comply with any fire prevention and safety measures that may be required by the Council and or Mid and West Wales Fire Authority and shall maintain and keep available for use all specified fire fighting equipment and extinguishers.
55. No alterations or additions either internal or external and whether permanent or temporary to the structure, lighting or layout of the Premises shall be made except with the prior approval of the Licensing Authority.

Appendix B (cont'd)

CONDITIONS OF LICENCE RELATING TO A SEXUAL ENTERTAINMENT VENUE PROVIDING ENTERTAINMENTS INVOLVING THE PROVISION OF LAP DANCING, TABLE SIDE DANCING AND ANY OTHER ENTERTAINMENT INVOLVING STRIPTEASE AND/OR NUDITY

1. Total nudity shall only be permitted on a designated stage and at no other place in the premises.
2. No sex act shall take place.
3. The area proposed for striptease (involving complete nudity) shall:
 - a. be in a position where the performance cannot be seen from the street.
 - b. Be in a designated area of the premises with segregation from the audience.
 - c. Be in a position where the performers will have direct access to the dressing room without passing through or in close proximity to the audience.
4. The area proposed for lap dancing, table side dancing (involving partial nudity) shall be in a position where the performance cannot be seen from the street.
5. There shall be no physical contact between persons appearing on stage and the audience. The entertainment shall be given only by performers/entertainers and the audience shall not be permitted to participate.
6. Persons appearing on stage should have direct access to the dressing room without passing through or in close proximity to the audience.
7. Lap dancers/table side dancers must immediately dress at the conclusion of each performance.
8. The licensee, performer and any person concerned in the organisation or management of the entertainment shall not encourage, or permit encouragement of the audience to throw money at or otherwise give gratuities to the performers (except as permitted by condition 10 below).
9. Entertainment provided by topless dancers to customers seated at tables may only take part in those parts of the premises approved by the Council. No audience participation shall be permitted.
10. There shall be no physical contact between customers and the dancers except for the placing of money or tokens into the hands of the dancer at the beginning or conclusion of the performance. Whilst

the dancers are performing there shall be a minimum distance of one metre between the dancer and the seated customers. Notices to this effect shall clearly be displayed at each table and at the entrance to the premises.

11. Should a customer attempt to touch a dancer, the dancer must withdraw and report the matter to her/his manager/supervisor.
12. There shall be no physical contact between dancers whilst performing.
13. The topless dancers shall at all times wear a g-string or similar piece of clothing that covers the appropriate part of the body.
14. The Licensee will immediately deal with any report of contact, misconduct or provocation by a customer or dancer.
15. No telephone number, address or information leading to any further meeting may be passed from customer to dancer or vice versa.
16. No dancer may perform if they are intoxicated.
17. No member of the public shall be admitted or allowed to remain in the dance area if they appear to be intoxicated.
18. All members of the public shall remain seated in the dance area other than when they arrive, depart, visit the toilet or go to the bar.
19. Members of the public should not be permitted to congregate in the bar area.
20. Signs must be displayed at the entrance to the dance area stating:

"Any customer attempting to make physical contact with a dancer will be asked to leave."
21. No dancer shall perform any sexually explicit or lewd act.
22. Whilst dancing takes place not less than... (insertion of an agreed number)... of licensed door supervisors shall be employed in the part of the premises used for dancing unless alternative arrangements are approved by the Council.
23. a. CCTV shall be installed to cover all areas where dancing will take place. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 28 days with time and date stamping.

- b. Tape recordings shall be made available to an authorised officer of the Council or a Police Officer together with facilities for viewing.
 - c. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice.
24. External smoking areas for customers and performers shall be located at the premises where there is no access by the public. Smoking areas for customers shall be separated from smoking areas for performers to avoid any physical and verbal contact.

Integrated Impact Assessment Screening Form – Appendix B

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Licensing – Housing and Public Health

Directorate: Place

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

(b) Please name and fully describe initiative here:

Sex Establishment Licences are issued under the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. The 1982 Act is adoptive and was adopted by Swansea Council in November 1983. Amended provisions of the 1982 Act were adopted in February 2011 and as a result, anyone wishing to operate a sex establishment in the Swansea Council area requires a licence. Following adoption of the legislation Council also adopted a policy on the Licensing of Sex Establishments. The most recent policy was adopted by Council on the 26th July 2018 and states that a review of the policy will be undertaken within a maximum period of 5 years. Officers have undertaken a review of the Policy and it is considered that no changes are necessary as the Policy remains relevant and fit for purpose. The existing policy was issued for consultation prior to being reported to Council for adoption.

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Integrated Impact Assessment Screening Form – Appendix B

Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?
Please provide details below – either of your activities or your reasons for not undertaking involvement**

In reviewing the policy, the Licensing Authority consulted the persons specified as follows:

- South Wales Police;
- Mid & West Wales Fire Authority;
- Licence holders;
- Licensing Solicitors;
- Local Authority Members;
- Community Councils;
- Representatives of other Council functions including:
 - Planning Services
 - City Centre Management
 - Social Services
 - Pollution Control
 - Health and Safety
 - Trading Standards

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?
Yes No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
Yes No
- c) Does the initiative apply each of the five ways of working?
Yes No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
Yes No

Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)

High risk

Medium risk

Low risk

Integrated Impact Assessment Screening Form – Appendix B

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

The Policy states that the role of the Council as Licensing Authority is to administer the licensing regime in accordance with the law and not in accordance with any moral standing, recognising that Parliament has made it lawful to operate this type of establishment.

The aim of the Policy is to provide guidance for prospective applicants, existing licence holders, those who may wish to object to an application and members of the Licensing Committee when determining an application.

Whilst it is clear that each application will be dealt with on its own merits, the Policy gives prospective applicants an early indication as to whether their application is likely to be granted or not.

The Policy also details the legislative controls that can be exercised over sex establishments. These include both the mandatory and discretionary grounds for refusal of a licence and attaching conditions to any licence issued.

Outcome of Screening

Q8 Please describe the outcome of your screening below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

(Q2) The screening identifies that the impact of the review of the Policy on the Licensing of Sex Establishments by Swansea Council is low to all groups identified in Q2.

(Q3) Consultation on the proposed changes to the Policy was undertaken with all parties identified in Q3 before adoption of the policy is considered by Full Council in July 2023.

(Q4) All aspects of the WFG Act principles have been considered and it is of low impact.

(Q5) The potential risks are low to all aspects being considered.

(Q7) The aim of the Policy is to provide guidance for prospective applicants, existing licence holders, those who may wish to object to an application and members of the Licensing Committee when determining an application.

Whilst it is clear that each application will be dealt with on its own merits, the Policy gives prospective applicants an early indication as to whether their application is likely to be granted or not.

Integrated Impact Assessment Screening Form – Appendix B

The Policy also details the legislative controls that can be exercised over sex establishments. These include both the mandatory and discretionary grounds for refusal of a licence and attaching conditions to any licence issued.

Therefore, the Policy on the Licensing of Sex Establishments will assist all those involved in licensing applications in Swansea.

(NB: This summary paragraph should be used in the relevant section of corporate report)

- Full IIA to be completed
- Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Lynda Anthony
Job title: Food and Safety, Licensing, Port Health & Trading Standards Manager
Date: 26/4/23
Approval by Head of Service:
Name:
Position:
Date:

Please return the completed form to accesstoservices@swansea.gov.uk

Agenda Item 10.



Report of the Cabinet Member for Corporate Services & Performance

Council – 6 July 2023

Review of the Statement of Policy for Licensing

Purpose:	To consider the result of the consultation on the review of the Council's Statement of Policy for Licensing.
Policy Framework:	Licensing Act 2003, Statement of Policy for Licensing 2018
Consultation:	Legal, Finance, Access to Services
Recommendation(s):	It is recommended that: 1) the result of the consultation on the proposed amendments to the Policy is noted, the proposed amendments are approved and the revised policy attached at Appendix A is adopted for 2023-28.
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Access to Services Officer:	Rhian Millar

1.0 Background

- 1.1 Under the Licensing Act 2003 (The Act) a Licensing Authority must produce and publish a statement of its licensing policy (the Policy) at least once every 5 years and the Policy must be published before it carries out any of its licensing functions. In determining and publishing the Policy, the authority must have regard to the statutory guidance issued by the Home Office (the Guidance).
- 1.2 During the five year period the Policy must be kept under review and subject to the requirements of the legislation, the Council can make any appropriate revisions. Any revisions to the Policy must be issued for consultation before they can be introduced.

- 1.3 The last full review of the Policy was in 2018 and also included a review of the previously adopted Cumulative Impact Policy/Special Policy (CIP) for the city centre.

2.0 Cumulative Impact

- 2.1 The CIP/Special policy, which was in place for specific areas within the city centre has lapsed. Previously, consideration of cumulative impact, was described within the Guidance and has been used by licensing authorities within their statements of licensing policy since the implementation of the Act in November 2005. This has now changed and to address issues of cumulative impact in an area, licensing authorities may introduce and publish Cumulative Impact Assessments (CIA). These were introduced into the 2003 Act by the Policing and Crime Act 2017 and replace CIP/Special Policies.
- 2.2 In view of the changes, consideration of whether or not the licensing authority now publishes a CIA, is the subject of a separate report however a summary of the proposed CIA is included in the Statement of Licensing Policy.
- 2.3 The absence of a CIA does not prevent any responsible authority or other person making representations on a new application for the grant or variation of a licence, on the grounds that the premises will give rise to a detrimental cumulative impact on one or more of the licensing objectives in a particular area.

3.0 Review of the Policy

- 3.1 Officers undertook a full review of the Policy, in accordance with the current Guidance issued in April 2018. Where changes are proposed they are identified in bold italic type and where it is proposed to remove information, this is shown by striking through the text. A draft of the proposed changes to the Policy is attached at **Appendix A**.
- 3.2 A summary of the changes is detailed below and the reason for the change is also indicated:
- Foreword, population statistics updated;
 - Foreword, people employed within Swansea statistic updated;
 - Paragraph 1.3, Licensing Policy review dates updated;
 - Paragraph 3, dates updated;
 - Paragraphs 6.1 - 6.25 have been removed and replaced with new wording at paragraphs 6.1 to 6.19 which will reflect the proposed changes to cumulative impact requirements if agreed

for publication. A link to the CIA will also be included if the CIA is published.

- Paragraph 13.1 has been reworded to reflect current enforcement protocols;
- Paragraph 13.2 has been reworded to reflect the Premises Licence holder's responsibility to provide appropriate training to staff, to promote the Licensing Objectives;
- Paragraph 14.1, an updated link related to organising events inserted;
- Paragraph 14.3, an updated link to the Purple Guide inserted;
- Paragraph 14.8, an updated link to "Crowded Places Guidance" inserted;
- Paragraph 15.2, new wording added in relation to possible charges for the provision of advice/guidance;
- Paragraph 15.3, new wording added to confirm the Licensing Officer's responsibility for determining if an application meets the statutory requirements, prior to acceptance;
- Paragraph 15.6, updated link to Home Office website inserted;
- Paragraph 15.7, new wording inserted relating to dispensing with a hearing and paragraphs 15.8 and 15.9 have been removed;
- Paragraph 15.14, new wording inserted relating to TENS being non-transferable and non-refundable and new link to guidance added;
- Paragraph 15.15, renumbered;
- Paragraph 15.16, wording amended to cover correspondence delivered by hand or by electronic means. New link to guidance provided;
- Paragraph 17.1 Delegation of functions – classification of films added;
- Paragraph 20.1 - Licensing Authority and Child Protection details updated;

4.0 The Consultation

- 4.1 Extensive consultation on the proposed amendments to the Policy was undertaken, involving existing licence holders, representatives of persons carrying on licensed businesses, statutory bodies, representatives of other persons and City and County of Swansea Members.
- 4.2 The consultation period ended on the 31st March 2023 and no responses were received.
- 4.3 During the period of review of the policy, the Home Office also issued a revised version of the Guidance. This was issued in December 2022, reviewed by officers during the consultation period and no further amendments to the Policy are required.

5.0 Integrated Assessment Implications

- 5.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts;
 - Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - Foster good relations between people who share a protected characteristic and those who do not;
 - Deliver better outcomes for those people who experience socio-economic disadvantage;
 - Consider opportunities for people to use the Welsh language;
 - Treat the Welsh language no less favourably than English; and
 - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 5.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 5.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

- 5.4 The screening identifies that this policy review has four main purposes;
- a. To provide Members of the Licensing Committee with a decision making framework and the policy will be taken into account at each hearing held following the receipt of representations;
 - b. To inform applicants of the parameters within which the Authority are able to make licensing decisions and to allow them to take this into account when making applications;
 - c. To provide guidance to local residents and businesses of the boundaries within which the Licensing Authority will make licensing decisions. This will assist those parties when making representations in relation to various applications;
 - d. To support the Licensing Authority if required, to demonstrate in a court of law how it arrived at its licensing decisions.

Therefore, the Statement of Licensing Policy will assist all those involved in licensing applications in Swansea.

- 5.5 The policy was reviewed and issued for consultation, where members of the public, all members of the licensed trade and associated professions, had the opportunity to respond, in line with the legislation.
- 5.6 All aspects of the WFG Act principles were considered and the potential risk is considered to be low. A copy of the completed IIA screening form is attached at **Appendix B**.

6.0 Legal Implications

- 6.1 The review of the policy is statutory requirement.
- 6.2 Failure to undertake a review may result in decisions of the Council being challenged by Judicial Review and/or appeals to the Magistrates Court.
- 6.3 As the publication of a CIA under the 2003 Act is a new consideration and must follow specific steps before a decision can be reached, it is appropriate that this is the subject of a separate report.

7.0 Financial Implications

- 7.1 There are no financial implications.

Background Papers: Licensing Act 2003, Statement of Policy for Licensing 2018

Appendices:

Appendix A – Draft Statement of Licensing Policy 2023;
Appendix B – IIA Screening Form



LICENSING ACT 2003

STATEMENT OF POLICY FOR LICENSING

LICENSING ACT 2003
STATEMENT OF POLICY FOR LICENSING

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City and County of Swansea
Licensing Act 2003
Statement of Policy for Licensing

FOREWORD

Under the Licensing Act 2003 the City and County of Swansea has responsibility for the following:

- (a) Administering the process for issuing “**personal licences**” to sell alcohol. A personal licence is required for a person wishing to sell alcohol and unless surrendered or revoked remains in force indefinitely; and
- (b) the authorisation of any premises for “**licensable activities**” through the issue of a “**premises licence**” or “**club premises certificate**” which remains in force until surrendered or revoked, or by a “**temporary event notice**”. “**Licensable activities**” are:
 - (i) the sale of alcohol by retail;
 - (ii) the supply of alcohol by or on behalf of a club;
 - (iii) the provision of regulated entertainment (i.e. the performance of a play, exhibition of film, indoor sporting event, boxing or wrestling entertainment [indoor and outdoor] combined fighting sports such as cage fighting, performance of live music, any playing of recorded music, a performance of dance, entertainment of a similar description to performance of live music, playing of recorded music and dance).
NB - Only where the entertainment takes place in the presence of an audience for the purpose of entertaining that audience or where the activity takes place in private, be the subject of a charge made with a view to profit;
 - iv) the provision of late night refreshment.
- (c) Certain activities in relation to the provision of entertainment and the provision of hot food and hot drink are exempt from licensing requirements. Details of these exemptions can be found in the Licensing Act 2003.
- (d) Certain activities are now no longer required to be licensed due to changes in legislation as a result of deregulation.

Amendments made to the 2003 Act by the Live Music Act 2012 and the Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013, Legislative Reform Order 2014 and the Deregulation Act 2015, means that a licence is not required for the following activities to the extent that they take place between 08:00- 23:00 on any day:

- A performance of a play in the presence of any audience of no more than 500 people;
- An indoor sporting event in the presence of any audience of no more than 1,000 people, this includes Greco Roman or free style wrestling
- Most performances of dance in the presence of any audience of no more than 500 people; and
- Live music, where the live music comprises;
 - A performance of unamplified live music
 - A performance of live amplified music in a workplace with an audience of no more than 500 people; or
 - A performance of live or recorded music on licensed premises which takes place in the presence of an audience of no more than 500 people, subject to certain conditions being met.
- Recorded music, where recorded music comprises;
 - Any playing of recorded music on licensed premises which takes place in the presence of an audience of no more than 500;
 - Any playing of recorded music in unlicensed premises, subject to certain conditions being met.
 - Dance – no licence is required for performances on any day provided that the audience does not exceed 500.

Where de-regulated activities take place on licensed premises any licence conditions relating to 'live' music or entertainment will be suspended, but it is possible to impose new, or reinstate existing conditions following a review of a premises licence or club premises certificate.

When considering whether an activity constitutes 'the provision of regulated entertainment', each case will be treated on its own merits. There will inevitably be a degree of judgement as to whether a performance is live music or not, so organisers of events are encouraged to contact the Licensing Authority to discuss whether a licence will be required.

Unauthorised Activity: It is a criminal offence under section 136 of the 2003 Act to carry on any of the licensable activities listed above other than in accordance with a licence or other authorisation under the 2003 Act. If an unauthorised activity takes place then the Police and local authorities have powers to take action.

The Licensing Act 2003 introduces a range of opportunities and among these is the ability to have a wider input into the development of leisure activities. The entertainment industry within the area is a major contributor to the local economy, by attracting tourists and visitors, helping to keep areas and communities vibrant and by providing major employment opportunities.

In addition to a well-developed entertainment centre, Swansea also has a substantial residential population whose amenity the Council has a duty to protect. Residents of certain areas could be affected by an increase in the concentration of licensed premises, particularly if longer opening hours are introduced.

Operators of other types of business also have a legitimate expectation that the environment in which they operate in is attractive and sustainable to their business.

The Council will therefore use its powers under the Licensing Act 2003 to promote best practice and to ensure properly managed licensed premises where licence holders have regard to the impact of their premises on local residents and businesses.

The Council will work closely with the statutory authorities, the licensed trade, local businesses and residents, to facilitate a partnership approach in creating a licensing policy which balances the interests of the licensed trade and its customers against the interests of the business and residential communities of the area.

The City and County of Swansea is situated on the South West Wales coast. It occupies an administrative area of 378 square kilometres and an important place in the historical, political and economic development of Wales.

Located at the mouth of the River Tawe, the City of Swansea is Wales' second largest city. It is the regional shopping, leisure, cultural, education and administrative centre for South West Wales, and is ringed on three sides by a series of town, district and local centres, which are linked to the City Centre by a convergent highway network.

The population of the City and County of Swansea stands at approximately **238,500** ~~38,700~~ **(2021)**. This represents **7.7** ~~8~~% of the total population of Wales.

Swansea is one of Wales' key tourism areas, and offers a wide range of opportunities for tourism-based and other businesses. The maritime port and waterfront city of Swansea, the pretty Victorian resort of Mumbles and the spectacular scenery of the Gower Peninsula are all, in their own right, "must-visit" destinations.

The Swansea economy has a proportionately large share of jobs in the public administration, hospitality, financial services and retail sectors. Of the **108,000** ~~104,400~~ people employed within Swansea (**2021** ~~4~~), an estimated **89.8%** ~~89.9%~~ (**97,000** ~~3,900~~) are employed in the service sectors, with **29.6** ~~33~~% (**31,900** ~~34,400~~) working within the public sector.

Swansea is home to a number of major public and private sector employers in both the manufacturing and service sectors; the Council being the largest single employer with over 11,000 staff.

1. INTRODUCTION

- 1.1 Swansea Council (hereinafter referred to as “the Council”) is the Licensing Authority as defined in the Licensing Act 2003 [hereinafter referred to as “the Act”].
- 1.2 This Act requires that a Licensing Authority prepares and publishes a statement of its licensing policy every five years. The adoption of this policy is a statutory requirement and the policy must be published to enable the Licensing Authority to carry out its functions in respect of individual applications made under the terms of the Act. The policy will be kept under review and revised as appropriate but at intervals of no longer than five years.
- 1.3 This document represents the reviewed statement of the licensing policy of the Council published on the 2nd December 2004, with subsequent revisions on 17th January 2008, 7th January 2011, 30th July 2013, and 26th January 2017 **and 26th July 2018**. This policy takes effect from the 26th July **2023** 48 and remains in force until revised in accordance with “the Act”.
- 1.4 Any statement in this policy will be relevant to all licensed premises unless otherwise stated.

2. PURPOSE / OBJECTIVES

- 2.1 The purpose of this policy is to describe how the Council will carry out its functions as a Licensing Authority to promote the four licensing objectives specified in the Act. These objectives are as follows:
 - the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.
- 2.2 Each of these objectives is considered to have equal importance and is considered in more detail in paragraph 18, later in this policy.

3. SCOPE AND LIMITATION

- 3.1 This statement of licensing policy has been prepared in accordance with the requirements of the Act and also having regard to the guidance issued under Section 182 of the Act, by the Home Secretary in April **2018** 7 following previous

revisions of this guidance. Where the licensing policy departs from this guidance, reasons why such a decision has been made are provided.

- 3.2 Section 5 of the Act requires a Licensing Authority to prepare and publish a statement of its licensing policy every 5 years. Such a policy must be published before the authority carries out any function in respect of individual applications made under the terms of the Act. This policy statement, in the main, has four main purposes;
- a. To provide Members of the Licensing Committee with a decision making framework. The policy will be taken into account at a hearing following representations.
 - b. To inform applicants of the parameters within which the Authority are able to make licensing decisions and allow them to take this into account when making applications.
 - c. To provide guidance to local residents and businesses of the boundaries within which the Licensing Authority will make licensing decisions. This will assist those parties when making representations in relation to various applications.
 - d. To support the Licensing Authority if it has to demonstrate in a court of law how it arrived at its licensing decisions.

The policy will be kept under review and the Licensing Authority will if necessary, after appropriate consultations, make such revisions to it as may be considered appropriate. Any amendments will be incorporated in the licensing statement after each review.

- 3.3 The policy does not override the right of any person to make representations in relation to an application or seek a review of a licence or certificate where there is provision in the Act to do so.

4. **CONTROL**

- 4.1 Licensing is about regulating “licensable activities” on licensed premises, in qualifying clubs and at temporary events.
- 4.2 Any terms and conditions attached to a premises licence or club premises certificate will focus on matters within the control of the Premises Licence Holder or Designated Premises Supervisor. Temporary Event Notices may be subject to modifications if considered necessary by the Police and/or Environmental Health.
- 4.3 These terms and conditions or modifications will centre on the premises being used for licensable activities.
- 4.4 The Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or

engaged in normal activities in the area concerned. It will be expected that any representation made by “Other Persons” will indicate how the application will directly affect them in relation to one or more of the licensing objectives.

- 4.5 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and beyond the direct control of the persons holding the relevant authorisation.
- 4.6 Where it is disputed that an incident occurs in the area of a licensed premises the ultimate decision will be determined by the courts.
- 4.7 The Council will use the controls in licensing law as part of a holistic approach to the management of the evening and night-time economy particularly in the city centre.
- 4.8 The Licensing Authority will consider all methods of control which will promote the licensing objectives. These may include the introduction of Early Morning alcohol Restriction Orders (EMRO's) and a Late Night Levy. In all cases of introducing any control procedures, a consultation process will take place with all parties concerned.
- 4.9 When acting as a Responsible Authority, the Licensing Authority will only make a representation to an application when it is considered to be absolutely necessary. Such cases may include the absence of a representation from a Responsible Authority and when an application will add to the cumulative impact of licensed premises in an area. When a representation is made there will be a distinct separation of responsibilities to ensure procedural fairness and eliminate conflict of interests.

5. **CONSULTATION**

- 5.1 In reviewing the policy in accordance with the Act, the Licensing Authority will consult the persons specified (statutory consultees) as follows:
 - South Wales Police;
 - Mid & West Wales Fire Authority;
 - Abertawe Bro Morgannwg University Health Board
 - persons/bodies representing local holders of premises licenses;
 - persons/bodies representing holders of club premises licences;
 - persons/bodies representing holders of personal licenses;
 - persons/bodies representing businesses and residents;
- 5.2 The following will also be consulted to ensure that this policy does not conflict with other policies, strategies or initiatives operated by the Council and neighbouring Local Authorities.

- Local Authority Members;
- The Licensing Committee;
- Representatives of other appropriate Council functions including:
 - Community Safety
 - Planning Services
 - Estates
 - Transportation & Engineering
 - Regeneration
 - Culture & Tourism
 - Social Services
 - Pollution Control
 - Health and Safety
 - Trading Standards
- Neighbouring Licensing Authorities;
- Swansea Magistrates Court
- Licensing Solicitors
- Accident and Emergency Department
- The Ambulance Service
- Musicians Union

5.3 The views of “Other Persons” will be taken into consideration when determining the policy and any relevant changes. “Other Persons” includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licenses and club premises certificates, regardless of their geographic proximity to the premises.

5.4 From April 2012, the Police Reform and Social Responsibility Act 2011 amended the Licensing Act 2003 so that Local Health Boards (Wales) and Primary Care Trusts (England) become a responsible authority. In Swansea the Local Health Board function is undertaken by Abertawe Bro Morgannwg University Health Board (UHB).

The Licensing Authority recognises the impact of alcohol misuse on the population of Swansea and local services. It is hoped that through the implementation of this Licensing Policy, the promotion of the four Licensing Objectives will in turn have a positive effect on preventing alcohol misuse in the area. For example, by taking into consideration any information presented by the UHB on the effects of alcohol use on health; the data on alcohol use within the Swansea area; and the evidence of availability and affordability on increased alcohol consumption, the Licensing Authority will be mindful of the impact of its decisions on the prevention of alcohol misuse in the area. It is however recognised that any positive impact will be as a coincidence of the licensing authority conducting its licensing function and not based on public health as an objective.

- The UHB may wish to make representation in the following circumstances
- New applications
- In applications for Review or Variation when:
 - An existing licensed premise, which is perceived not to be promoting the licensing objectives, or;
 - An existing licensed premise, where there is information to suggest non-compliance with the existing premise license
 - Proposed changes in licensable activities which could have a detrimental effect on one or more of the licensing objectives
- The premise is situated within a 'cumulative impact special saturation policy' area, where the UHB believes that there will be an adverse effect on any of the licensing objectives

6. ~~CUMULATIVE IMPACT AND SPECIAL POLICY~~

6.1 *Swansea Council first adopted a special policy on Cumulative Impact in 2013, based mainly on evidence provided by South Wales Police on the levels of crime and disorder in the area. This was reviewed in 2017 and amendments made, as it was recognised that certain types of premises, due to their nature, would not add to existing cumulative impact.*

6.2 *The Cumulative Impact Policy (CIP) formed part of the Statement of Licensing Policy, which was last reviewed in July 2018 and the CIP was due for review in April 2021. Due to the Covid-19 pandemic the review did not take place as planned and the CIP lapsed as a result.*

6.3 *The Policing and Crime Act 2017 amended the Licensing Act 2003 and placed Cumulative Impact Assessments' on a statutory footing by introducing paragraph 5a of the Licensing Act 2003. This amendment came into force on 6th April 2018 and replaced CIPs.*

6.4 *This CIA is published under the new provisions of the Licensing Act 2003 for the areas identified in paragraph 6.7. These areas mirror those that were previously subject to the CIP, following the receipt of updated evidence from SWP in relation to these areas and a request that a CIA is published in line with the provisions that were previously in place.*

6.5 *In response to the evidence provided by SWP and in line with requirements for publishing a CIA, the Licensing Authority has followed the steps identified, in considering whether to adopt a CIA:*

- ***Identified concern about crime and disorder or public nuisance;***

- **Considered whether there is good evidence that crime and disorder are occurring and that the problems are caused by customers of licensed premises**
- **Considered where there is good evidence that crime and disorder has been an issue but has decreased due to a special policy being in place;**
- **Identified the boundaries of the areas where problems are occurring; and**
- **Consulted with those specified in section 5(3) of the Licensing Act 2003, on the proposal for a cumulative impact assessment in relation to new applications and variations to existing premises licences and club premises certificates and considered the outcome of the consultation.**

6.6 Having considered the available evidence and undertaken the required consultation, the Licensing Authority considers that it is appropriate and necessary to address the issues of cumulative impact identified

6.7 The areas and matters covered by the CIA are as follows:

- i) Wind Street and the surrounding area as defined;**
- ii) The Kingsway and the surrounding area as defined;**
- iii) High Street and College Street as defined.**

The relevant areas are those within the boundary defined on the plans attached at Appendix A, B and C and include premises that have accessible entrances onto the streets within the boundary, including the streets listed in the following schedules: –

i) Wind Street and the surrounding area

- **Wind Street**
- **The Strand to the junction with Welcome Lane**
- **Worcester Place**
- **Castle Street**
- **Castle Gardens**
- **Castle Square**
- **Green Dragon Lane**
- **Little Wind Street**
- **Salubrious Place**
- **Salubrious Passage**
- **Caer Street**
- **Princess Way**

- **St Mary's Street**
- **St Mary's Square**
- **St David's Place**
- **York Street**
- **Victoria Road**

ii) The Kingsway and the surrounding area

- **The Kingsway**
- **Dillwyn Street from the junctions with The Kingsway and Oxford Street**
- **Oxford Street from the junctions with Dillwyn Street and Princess Way**
- **Picton Lane**
- **Union Street from the junctions of The Kingsway and Oxford Street**
- **Park Street**
- **Portland Street**
- **Bellvue Way**
- **Dynevor Place**
- **Horton Street**
- **Pell Street**
- **Cradock Street**
- **Northampton Lane**
- **Christina Street**
- **Newton Street**

iii) High Street and College Street

- **High Street**
- **College Street**

6.8 Wind Street and the surrounding area, The Kingsway and the surrounding area and High Street and College Street are within the area of the CIA as the Authority is satisfied that their inclusion is necessary and appropriate, given the number of premises licensed to supply alcohol for consumption on and off the premises in these streets, together with the incidence of crime, disorder attributable to customers of these premises.

6.9 In addition and in line with previous reviews of the CIP, it is recognised that pubs, nightclubs, restaurants, hotels, theatres and other types of premises sell alcohol, serve food and provide entertainment but with different styles and characteristics and due to the nature of the premises, would not add to existing cumulative impact. Having regard to those differences and the impact they are likely to have on the local area, the following types of

premises, providing certain licensable activities between the hours of 10.00am and 1.00am, are exempt from the provisions of the CIA:

- ***Non – alcohol led premises;***
- ***Theatres, where the main purpose of the premises is the performance of plays;***
- ***Cinemas, where the main purpose of the premises is the exhibition of films;***
- ***Premises where the main purpose is the provision of substantial table meals;***
- ***Premises where the sale/supply of alcohol is by waiter or waitress service only.***

6.10 ***The evidence for the CIA has been provided by South Wales Police on the grounds of Crime and Disorder and is attached at Appendix D.***

6.11 ***This assessment will apply to all applications for the grant or variation of a premises licence or club premises certificate within the cumulative impact areas specified in paragraph 6.7, unless provided for in the exemptions listed in paragraph 6.9. This includes applications for variations for increased hours for licensable activities; increased capacity and any other matter that may add to the existing cumulative impact. This will relate to premises carrying on or proposing to carry on any of the following licensable activities:***

- ***The sale or supply of alcohol, on or off the premises;***
- ***The provision of late-night refreshment;***
- ***The provision of any regulated entertainment.***

6.12 ***The CIA does not apply to Temporary Event Notices (TENs) however, the Guidance issued under Section 182 of the Licensing Act 2003, states that it is open to the police and environmental health authority to refer to this assessment and the evidence contained within it, when objecting to a TEN. The Licensing Authority considers this to be an appropriate approach as an extension of hours within the area covered by the CIA can have a direct impact on the promotion of the licensing objectives.***

6.13 ***The publication of the CIA does not change the fundamental way that decisions are made under the Licensing Act 2003. The Licensing Authority will make all decisions on applications within the cumulative impact area***

on a case-by-case basis and with a view to what is appropriate to promote the licensing objectives.

- 6.14 The CIA does not remove the need for a relevant representation to be submitted by a responsible authority or 'other persons' in response to an application, where they consider it appropriate for the promotion of the licensing objectives and for the application to be determined by the Licensing Sub- Committee. Anyone making a representation may base it on the evidence published in the CIA.**
- 6.15 If an application does not result in the receipt of relevant representations, the Licensing Authority will grant the application subject to conditions that are consistent with the operating schedule and any relevant mandatory conditions required by the Licensing Act 2003.**
- 6.16 Applicants for the grant or variation of a premises licence or club premises certificate within the cumulative impact area, are expected to address the issues of cumulative impact within their applications and demonstrate that their application and proposed operation would not add to the cumulative impact.**
- 6.17 Where relevant representations are received in respect of an application for a grant or variation of a premises licence or club premises certificate within the cumulative impact area, a hearing of the Licensing Sub-Committee will be held. If during the hearing an applicant is able to demonstrate that their application and operation will not add to the cumulative impact a licence may be granted. If an applicant is not able to demonstrate this, the policy of the Licensing Authority is to refuse the application.**
- 6.18 This CIA will not be used:**
- as an absolute. The Statement of Licensing Policy will always allow for the circumstances of each application to be considered properly and on its own merits and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted;**
 - as a ground for revoking an existing licence or certificate when representations are received about problems with those premises;**
 - to impose quotas based on either the number of premises or the capacity of those premises. This is because quotas that indirectly have the effect of predetermining the outcome of any application would have no regard to the individual characteristics of the premises concerned.**

6.19 The CIA will be kept under review and will remain in existence for a period of up to 3 years. It will be subject to review and further consultation before July 2026, when the licensing authority will consider whether it remains of the opinion set out in the assessment.

- ~~6.1 Cumulative impact means, for the purposes of this policy, the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. Cumulative Impact Policies (CIP) may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises and the provision of late night refreshment. This includes late night fast food outlets which are not licensed to sell alcohol.~~
- ~~6.2 There can be confusion about the difference between “need” and the “cumulative impact” of premises on the licensing objectives. The Council when acting as a Licensing Authority will not take into consideration “need”. This is a matter for the Council in its role as a Planning Authority and for the market.~~
- ~~6.3 In relation to the grant or variation of a premises licence or club premises certificate the licensing authority will consider representations from a “responsible authority” or “Other Persons” regarding cumulative impact. A list of Responsible Authorities can be found at paragraph 20 of this policy.~~
- ~~6.4 A relevant representation from a “responsible authority” or “Other Person” regarding cumulative impact must provide clear evidence that there will be exceptional problems of disorder and nuisance over and above the impact of the individual premises itself.~~
- ~~6.5 The Licensing Authority will in such cases, take into account the issue of cumulative impact but this will be addressed in the context of the individual merits of any application. Where it is considered that a licence or certificate is unlikely to add to the cumulative impact on the licensing objectives the application will be granted.~~
- ~~6.6 Section 182 of the guidance allows a licensing authority to make a policy within its Statement of Licensing Policy to deal with cumulative impact. Where there is evidence that the number of licensed premises in an area has had a negative cumulative effect upon crime and disorder, public nuisance and public safety the licensing authority will consider making a CIP. It will make such a policy only after it is satisfied that there is evidence to support it.~~
- ~~6.7 The Licensing Authority after considering the available evidence will consult the individuals and organisations listed in 5.1 and 5.2 above. If it determines that attaching conditions to a licence is unlikely to address the problems identified, it will consider adopting a special policy of refusing new licences. This would apply~~

~~whenever relevant representations are received about the cumulative impact on the licensing objectives from responsible authorities and other persons which the Licensing Authority consider after hearing those representations should lead to refusal.~~

~~6.8 The steps detailed below will be followed in considering whether to adopt a special policy within the licensing policy:~~

- ~~• Identify concern about crime and disorder, public safety, protection of children from harm or public nuisance from a “responsible authority” or “Other Person”.~~
- ~~• Consider whether it can be demonstrated that crime and disorder and nuisance are occurring or whether there are activities which pose a threat to public safety or protection of children from harm~~
- ~~• If such problems are occurring, identify whether they are being caused by the customers of licensed premises and if so identify the boundaries of that area; or that the risk factors are such that the area is reaching a point when a cumulative impact is imminent.~~
- ~~• Consult with those specified in paragraph 5 above.~~
- ~~• Subject to the consultation, include and publish details of the special policy in the statement of licensing policy.~~

~~6.9 The effect of all licensed premises in an area will be taken into account when considering a special policy.~~

~~6.10 Any special policy adopted will be reviewed regularly and at a maximum period of 3 years to determine its effectiveness and whether or not its continued use is required.~~

~~6.11 The absence of a special policy in a particular area will not prevent a responsible authority or other person making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.~~

~~6.12 A special policy will not be used to revoke a licence for a premises if representations are received regarding problems with an existing licence.~~

~~6.13 Where it is evident that there is a problem in an area after a licence or certificate has been granted and it is clear that an individual premises is undermining the promotion of one or more of the licensing objectives in that area, the licence will only be reviewed if representations are made about that objective by a responsible authority or other person.~~

~~6.14 A special policy will not be used to justify rejecting an application for variation of an existing licence or certificate except where the variation is directly relevant to the policy and is necessary for the promotion of the licensing objectives e.g. increase in capacity of a venue.~~

~~6.15 A special policy relating to cumulative impact will not include provisions for a terminal hour in an area.~~

~~6.16 A special policy will not impose quotas on the number or capacity of premises or in relation to any matter which would restrict the consideration of any application on its individual merits.~~

~~6.17 The Licensing Authority will have regard to the individual characteristics of each premises and the differing impact they will have on the promotion of the licensing objectives.~~

~~6.18 The Licensing Authority recognises that there are other mechanisms available for controlling cumulative impact once customers have left licensed premises. These include:~~

- ~~• Planning controls;~~
- ~~• Positive measures to create a safe and clean city centre environment in partnership with local businesses, transport operators and other local authority departments;~~
- ~~• Provision of CCTV, adequate taxi rank space, provision of late night public conveniences, street cleaning;~~
- ~~• Powers of local authorities to designate and control areas where alcohol cannot be consumed;~~
- ~~• Police enforcement in relation to disorder and anti-social behaviour;~~
- ~~• Prosecution for alcohol related offences;~~
- ~~• Police powers of closure of a premises;~~
- ~~• The provision to review a licence or certificate.~~

~~6.19 On 30th July 2013 the Council resolved to adopt a Cumulative Impact Special Saturation Policy for the following areas:~~

~~i) Wind Street and the surrounding area as defined~~

~~ii) The Kingsway and the surrounding area as defined~~

~~iii) High Street and College Street as defined~~

~~6.20 The Special Policies for i) Wind Street and the surrounding area, ii) The Kingsway and the surrounding area and iii) High Street and College Street were introduced because the Authority was satisfied that it was appropriate and necessary to do so given the number of premises licensed to supply alcohol for consumption on and off the premises in these streets and the incidence of crime, disorder and public nuisance attributable to customers of such premises which can include but is not limited to litter, noise, intoxicated people contributing to crime and disorder, accumulations of people at certain~~

times leading to conflict in queues for taxis and/or fast food outlets, the numbers of people leaving all types of premises at certain times.

6.21 This action followed a report to the Cabinet of this Council on 1st November 2012. The report included crime and disorder statistics from South Wales Police, together with public nuisance statistics from the Environment Department of this Authority. The special policy was introduced following a comprehensive consultation process which was carried out between February and May 2013. The special policy was also reviewed as part of the review of the statement of licensing policy undertaken in 2018. Updated evidence on the recorded levels of crime and disorder for the special policy areas was received from South Wales Police and the evidence supported the retention of the existing special policy without amendment.

6.22 Following a review of the Special Policy on 26th January 2017 it is now recognised that pubs, nightclubs, restaurants, hotels, theatres and other types of premises sell alcohol, serve food and provide entertainment but with different styles and characteristics and due to the nature of the premises will not add to existing cumulative impact. Having regard to those differences and the impact they are likely to have on the local area the following types of premises, providing certain licensable activities between the hours of 10.00am and 1.00am are exempt from the requirements of the special policy:

- Non alcohol led premises;
- Theatres, where the main purpose of the premises is the performance of plays;
- Cinemas, where the main purpose of the premises is the exhibition of films;
- Premises where the main purpose is the provision of substantial table meals;
- Premises where the sale/supply of alcohol is by waiter or waitress service only.

6.23 The effect of the special policy is that applications for premises that are located within the special policy areas but fall within the exemptions detailed in paragraphs 6.22 of the policy will generally be granted, subject to consideration of any relevant representations made. In respect of all other premises located in the special policy areas, there is a presumption that any application for a premises licence, club premises certificate or a variation that is likely to add to the existing cumulative impact will be refused. This presumption is only relevant to applications which trigger a relevant representation from a responsible authority or other person which refers to one or more of the licensing objectives that gave rise to the introduction of the special policy. If there are no such representations the Authority MUST grant the application in terms that are consistent with the operating schedule submitted.

~~6.24 Where relevant representations are made, a Licensing Sub Committee of the Authority will hear those representations and determine the application. For applications that fall within the requirements of the special policy, refusal will normally be the case UNLESS the applicant can demonstrate in their operating schedule that the application will not add to the existing cumulative impact on one or more of the licensing objectives and that the Authority would therefore be justified in departing from the special policy in the light of the individual circumstances of the case. The Licensing Authority expects applications for premises within the Cumulative Impact Area to be exceptional. The authority does not consider that premises that are well managed and fully compliant with all licensing conditions and relevant legislation to be exceptional. This is expected of all licensed premises.~~

~~6.25 The special policy areas are those within the boundary defined on the plans attached at appendix A, B and C and include premises that have accessible entrances onto the streets within the boundary, including the streets listed in the following schedules:—~~

~~—— i) **Wind Street and the surrounding area**~~

- ~~● Wind Street~~
- ~~● The Strand to the junction with Welcome Lane~~
- ~~● Worcester Place~~
- ~~● Castle Street~~
- ~~● Castle Gardens~~
- ~~● Castle Square~~
- ~~● Green Dragon Lane~~
- ~~● Little Wind Street~~
- ~~● Salubrious Place~~
- ~~● Salubrious Passage~~
- ~~● Caer Street~~
- ~~● Princess Way~~
- ~~● St Mary's Street~~
- ~~● St Mary's Square~~
- ~~● St David's Place~~
- ~~● York Street~~
- ~~● Victoria Road~~

~~—— ii) **The Kingsway and the surrounding area**~~

- ~~● The Kingsway~~
- ~~● Dillwyn Street from the junctions with The Kingsway and Oxford Street~~
- ~~● Oxford Street from the junctions with Dillwyn Street and Princess Way~~

- ~~Picton Lane~~
- ~~Union Street from the junctions of The Kingsway and Oxford Street~~
- ~~Park Street~~
- ~~Portland Street~~
- ~~Bellvue Way~~
- ~~Dynevor Place~~
- ~~Horton Street~~
- ~~Pell Street~~
- ~~Cradock Street~~
- ~~Northampton Lane~~
- ~~Christina Street~~
- ~~Newton Street~~

~~iii) High Street and College Street~~

- ~~High Street~~
- ~~College Street~~

7. LICENSING HOURS

- 7.1 When determining individual licence applications for premises the licensing hours will be decided having regard to the individual merits of each application. The presumption will be to grant the hours as requested unless there are objections to those hours raised by responsible authorities or other persons on the basis of the licensing objectives.
- 7.2 The Licensing Authority recognises that longer licensing hours are important for those premises which sell alcohol, to ensure that concentrations of customers leaving premises simultaneously are avoided. This is particularly necessary to reduce the potential for disorder on streets at late-night fast food outlets, taxi ranks and other transport waiting areas which may lead to disorder and disturbance.
- 7.3 The Licensing Authority will not create “zones” with fixed trading hours for any areas in the City & County of Swansea to avoid a significant movement of people from one area to another in search of premises with later opening hours.
- 7.4 The Licensing Authority will closely examine the hours of business for premises which are situated in predominantly residential areas and will impose strict conditions relating to noise control where representations are received and it is considered necessary.
- 7.5 The Licensing Authority will allow shops, stores and supermarkets to sell alcohol, for consumption off the premises, at any time when the retail outlet in question is open for business. Limitations will only be imposed restricting the times alcohol

can be sold from such premises if representations are received and there is evidence that the extended hours cause the premises to be a focus of disorder and disturbance.

- 7.6 The Licensing Authority may consider the introduction of an Early Morning alcohol Restriction Order, which will prohibit the sale of alcohol for a specified time period between the hours of 00.00 (midnight) and 06.00 hours, in the whole or part of its area, if it is satisfied that this will be appropriate for the promotion of the licensing objectives.

8. CHILDREN

- 8.1 The Licensing Authority will not limit the access of children to premises unless it is necessary for the prevention of physical, moral or psychological harm to them. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language, sexual language, physical assault and also protection from sexual exploitation.

- 8.2 The Licensing Authority will consider the individual merits of each individual application.

- 8.3 In considering each application the following areas will give rise to particular concern in respect of children:

- Where entertainment or services of an adult or sexual nature are commonly provided;
- Where there have been convictions of members of staff for serving alcohol to minors or the premises has a reputation for underage drinking;
- There is a known association with drug taking or dealing;
- There is a strong element of gambling
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided.

- 8.4 Where it is considered necessary that access to children should be limited for the prevention of harm, the following may be adopted:

- Limitations on the hours children may be present;
- Limitations on the exclusion of children under certain ages when particular activities are taking place;
- Limitations on the parts of the premises to which children may be given access;
- Age limitations;
- Requirements for accompanying adults;
- Full exclusion of persons under 18 years of age when licensable activities are taking place.

Conditions requiring the admission of children to any premises will not be attached to licences or certificates.

- 8.5 Where no licensing restrictions are in place admission of children to the premises will be at the discretion of the licensee. Where licensees consider that restrictions should be put in place, this must be identified in the operating schedule for the premises.
- 8.6 The Licensing Authority recognises the importance of The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks in protecting children from harm.
- 8.7 In the case of premises giving film exhibitions the Licensing Authority will require licensees or clubs to include in their operating schedule arrangements for restricting children from viewing age-restricted films classified according to the British Board of Film Classification (BBFC).
- 8.8 In considering the limitations to be imposed for the protection of children from harm the Licensing Authority will give considerable weight to representations about child protection matters, particularly in relation to the responsible authority whose functions relate directly to child protection including its Local Safeguarding Children Board, South Wales Police and the Local Health Board (LHB).

9. **INTEGRATING STRATEGIES**

- 9.1 The Council will ensure a comprehensive licensing policy is maintained having regard to other policies, strategies and initiatives operated by the Authority. The Council will also have regard to relevant external policies/guidance where appropriate.
- 9.2 The Council when acting as the Licensing Authority will consult with all relevant parties to ensure full consultation on the continued development and review of the licensing policy to ensure that no conflict arises between such documents and to ensure a consistent approach.
- 9.3 The Licensing Authority will ensure, as far as possible that conditions attached to a premises licence or club premises certificate will reflect local crime prevention strategies.
- 9.4 The Licensing Authority will have regard to the need to encourage and promote live music, dancing and theatre for the benefit of communities generally.
- 9.5 The Council when acting as a Licensing Authority will liaise with the Police and Highway Authority to ensure as far as possible transport arrangements that promote the Council's licensing objectives.

- 9.6 The Council, when acting as a Licensing Authority will have regard to the needs of the local tourist economy and employment situation for the area as appropriate.
- 9.7 Where appropriate the Licensing Committee will provide reports to the Planning Committee and other relevant parties on the situation regarding licensed premises in the area upon request.
- 9.8 The Council has adopted a policy on Sex Establishments. This policy includes a restriction on the number of Sexual Entertainment Venues (SEV's). An exemption under the Local Government (Miscellaneous Provisions) Act 1982 allows premises to provide sexual entertainment no more than eleven times per year and no more frequent than monthly.
- 9.9 Some premises licences under the Act may not allow adult entertainment. Others, where sexual entertainment is allowed to take place under the exemption, may become subject to a review if the licensing objectives are undermined.

10. **PROMOTION OF EQUALITY**

- 10.1 The Council has due regard for the need to eliminate unlawful discrimination and to promote equality of opportunity and foster good relations between persons with different protected characteristics.
- 10.2 The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. We also consider the Welsh Language to be a protected characteristic due to the requirements of the Welsh Language Wales Measure.
- 10.3 The Licensing Authority in carrying out its duties, will uphold the Equality Duty of the Council as required under the Equality Act 2010.

11. **DUPLICATION**

- 11.1 The Licensing Authority will avoid as far as possible any duplication with other regulatory regimes.
- 11.2 Where legislation is already in force which relates to the four licensing objectives, further controls which duplicate these legal requirements will not be enforced through licence conditions, e.g. Fire Safety and Health & Safety at Work legislation.

11.3 In particular, Planning and Licensing regimes will be properly separated to avoid duplication and inefficiency. Licensing applications will not be a re-run of a planning application and the licensing decisions will not cut across decisions taken by a planning committee or permissions granted on appeal. There is no legal basis for the Licensing Authority to refuse an application because it does not have planning permission. The Licensing Authority will advise all new applicants to liaise with planning services to ensure they apply for any necessary permissions.

12. **CONDITIONS**

12.1 The Licensing Authority will only impose conditions on a premises licence or club premises certificate which are consistent with the operating schedule and are appropriate to promote the four licensing objectives. Standard conditions will not be used. The Licensing Authority has developed a pool of conditions, which are provided in the guidance for applicants. This guidance has been produced to assist applicants in completing their operating schedule. The pool of conditions will be used to translate any non-specific steps for the promotion of the licensing objectives, contained within the operating schedule. Applicants are encouraged to consider the use of this pool of conditions to address key issues when completing their operating schedule. (See paragraph 18). All conditions should be -

- Clear
- Enforceable
- Evidenced
- Proportionate
- Relevant
- Be expressed in plain language capable of being understood by those expected to comply with them

12.2 The Licensing Authority will only consider imposing additional conditions on a licence where relevant representations are received from responsible authorities or other persons and such conditions are considered appropriate for the promotion of the licensing objectives.

12.3 The Licensing Authority will attach conditions to licences or certificates that are tailored to the individual size, style, characteristics and activities taking place at the premises or event concerned.

12.4 Conditions will not prevent or provide reason for a licensee to prevent admission of any person, to a premises unless detailed in this policy.

12.5 The conditions will not replicate offences set out in the Act.

12.6 The Licensing Authority will attach the mandatory conditions defined in the Act, (as amended), to a premises licence or club premises certificate when required.

The mandatory conditions relate to the supply of alcohol, minimum drinks pricing, exhibition of films, door supervision, irresponsible drinks promotions, no drinking games, provision of free potable water, measures of alcoholic drink and age verification policy.

- 12.7 The mandatory condition relating to the sale of alcohol, that requires the provision of a designated premises supervisor, may be disapplied following a successful application in respect of certain community premises.

13. ENFORCEMENT

- 13.1 The Licensing Authority ~~will~~ **have established** joint enforcement protocols with South Wales Police and ~~Mid and West Wales Fire Authority~~ and **will establish protocols with** other responsible authorities where appropriate, on joint enforcement issues. **For example;**

Targeting: focusing on activities that give rise to the most serious risks or where hazards are least well controlled;

Consistency: similar approaches in similar circumstances to achieve similar ends;

Transparency: helping licence holders to understand what is expected and distinguishing between statutory requirements and guidance;

Proportionality: action taken should be proportional to the risk presented; and

Necessity: Full licensing inspections will not take place without good reason. It should be noted, however, that regular scheduled and ad hoc visits to licensed premises will continue to be undertaken by officers from the Council's Licensing team where necessary. Officers may be accompanied by colleagues from the Council, officers from South Wales Police or representatives from other agencies as appropriate.

- 13.2 The Licensing Authority will **remind operators of licensed premises that it is their responsibility to provide appropriate training for their staff to ensure the promotion of the licensing objectives.** ~~carry out audits of licensed premises conditions based on the established protocols and in accordance with an agreed risk assessment.~~

- 13.3 The Licensing Authority expects personal licence holders to authorise the sale of alcohol by identifying the person being authorised and specify the activities that are being authorised. It is also expected that authorisation will be in writing, provided to the individual being authorised and that arrangements are in place to monitor the activity.

14. OUTDOOR EVENTS AND CROWDED PLACES GUIDANCE

- 14.1 If you intend holding an event involving large numbers you will need to contact the Safety Advisory Group (SAG) to ensure that the event can take place safely, with the knowledge of all the relevant agencies in the Authority area. For many types of events involving large numbers, there is a great deal of organising to do and the SAG asks for six months' notice of events likely to attract more than 500 people. Three months' notice is required for events with attendance of less than 500 people. The following guide may help you when you are organising an event. ~~[Guide to safe and successful community events \(PDF, 101KB\) Opens new window](#)~~ [Organising an event and use of open spaces - Swansea](#)
- 14.2 Some events will require you to attend one of the SAG meetings to discuss your proposals. This will enable all the relevant agencies to consider your event and ensure they have sufficient resources available to deal with any incidents that arise.
- 14.3 Organisers of outdoor events are encouraged to refer to the 'Purple Guide' <https://www.thepurpleguide.co.uk/index.php/the-purple-guide>
- 14.4 The Purple Guide to Health, Safety and Welfare at Music and Other Events (the Guide) has been drawn up by the Events Industry Forum in consultation with the UK events industry and representatives from regional and national Government. This publication is designed to replace the original "Purple Guide" (HSG195), originally published by the Health & Safety Executive (HSE).
- 14.5 The Guide aims to help those who organise music or similar events, so that events can run safely. As an employer, the event organiser, whether an individual, collective or local authority, has a general duty to ensure, so far as reasonably practicable, the health, safety and welfare of their employees. They also have a duty to ensure, so far as is reasonably practicable, that others, including volunteers and spectators, are not exposed to risks to their health and safety arising from the operation of the event.
- 14.6 All applicants and licensees are advised to refer to the Crowded Places Guidance on increasing the protection of crowded places from a terrorist attack. The UK faces a real threat from terrorism and crowded places remain an attractive target.
- 14.7 Crowded places include shopping centres, sports stadia, bars, pubs and clubs which are easily accessible to the public and attractive to terrorists.
- 14.8 This guidance has been written to help those charged with security at crowded places, mitigate the threat and help make the UK less vulnerable to an attack. <https://www.gov.uk/government/publications/crowded-places-guidance>

15. APPLICATIONS FOR LICENCES, CERTIFICATES, AUTHORISATIONS AND REVIEWS

- 15.1 The Licensing Authority will consider each application received on its merits in the context of the four licensing objectives.
- 15.2 The Licensing Authority will make available up to date information packs for applicants, to provide guidance and to assist them in making their application. Applicants are encouraged to contact the licensing authority and responsible authorities to discuss the content of their proposed application, before submitting their application, in order to resolve any potential problems and avoid any unnecessary hearings and appeals. ***It should be noted that there may be a charge for this service.***
- 15.3 All applicants must ensure when making an application that it complies with the requirements of the Act, to prevent a delay in decision making. ***It should be noted that it is the Licensing Officer's responsibility to determine whether or not applications comply with the statutory requirements. Where applications do not comply with those requirements, applications will be returned to the applicant and the application will need to be resubmitted.*** Organisers of events are encouraged to check with this Authority if they have any doubt about whether an activity or performance is considered to be exempt from licensing requirements. ***Personal Licence applications will only be considered from residents living in Swansea.***
- 15.4 The Licensing Authority also accepts that Other Persons or responsible authorities, as defined in the Act, have the right to make representations in respect of an application, or to seek a review of a licence or certificate within the provisions of the Act. Such representations will be considered on their merits and how they relate to the likely effect of the grant of the licence or certificate on the promotion of at least one or more of the licensing objectives. Also, how the representations are relevant to the promotion of one or more of the licensing objectives in the case of a review of a licence or certificate. When a petition is submitted as a representation it will only be considered if it relates to one or more of the four licensing objectives and it is demonstrated that the details of the representation have been made clear to each signatory i.e. that the heading is included on each page of the petition. A relevant representation may be positive or supportive in nature as opposed to being negative but it must still demonstrate that the licensing objectives are being promoted.
- 15.5 The Licensing Authority, through the scheme of delegation to Officers detailed in paragraph 17 of this Policy, will reject an application for a minor variation should a relevant representation be made by a Responsible Authority or Other Person. Similarly, it will reject any representation if it is shown to be irrelevant, vexatious, frivolous or repetitious.

- 15.6 Other Persons may request a representative to make representations on their behalf including a legal representative, friend, Member of Parliament, Member of the National Assembly for Wales, local Ward Councillor, Parish or Community Councillor. Detailed guidance for Other Persons making a representation or an application for a review of a licence or certificate can be obtained from the Home Office website www.homeoffice.gov.uk
- 15.7 The Act allows the authority to dispense with the need for a Statutory Licensing Sub Committee hearing, if all parties making representations, agree that a hearing is unnecessary. **The agreement will include amendments to the operating schedule, to include any relevant representations and amendments to proposed conditions and will give notice to that effect.**
- ~~15.8 Representations must be agreed by the applicant and the applicant must agree to amend the operating schedule to include any representations or amendments as conditions.~~
- ~~15.9 If Members do not agree that the agreement reached between the parties promotes the licensing objectives a Statutory Licensing Sub Committee will take place to consider the application in full.~~
- 15.10 Where the Licensing Authority makes a decision on an application following representations, it will provide comprehensive reasons, in writing, for the decision.
- 15.11 Where responsible authorities and Other Persons do not raise any relevant representations in respect of an application, the licence will be granted, subject only to conditions consistent with the operating schedule and relevant mandatory conditions.
- 15.12 Where it is proposed to carry out permitted temporary activities it is a statutory requirement to submit a Standard Temporary Event Notice (TEN) at least ten working days before the proposed event. A notice, in duplicate, is given to the Licensing Authority and copies provided to the Police and the Pollution Control Division on the same day. (See Contact Points for Licensing, paragraph 20) The ten working days excludes the day the notice is received by this Authority and the event day. It should be noted that this is a minimum time period and event organisers are encouraged to submit notices well in advance of the ten working days. Good practice is regarded as three months prior to the event.
- 15.13 A Late Temporary Event Notice can be submitted not earlier than nine working days and not later than five working days before the event. Again the working days exclude the day it is received by the Licensing Authority and the day of the event. If there is an objection to a Late TEN by the Police or Pollution Control the event will not be valid and the event will not go ahead.
- 15.14 Further limits on TEN's are:

- The capacity must not exceed 499 persons which, includes the audience, performers and staff.
- A single event must not exceed 168 hours.
- A premises cannot have more than 15 events or more than 21 days in a calendar year, whichever occurs first.
- A period of 24 hours must separate each event.
- Personal licence holders are restricted to 50 Standard TEN submissions in a calendar year this may include up to 10 Late TEN submissions
- Non personal licence holders are restricted to 5 Standard TEN submissions in a calendar year this may include up to 2 Late TEN submissions
- **Fees for TENs are non-refundable and are not transferable**
- **Further information is available via this link: [Temporary event notices - Swansea](#)**

15.15 Proposed premises users should note that Saturdays, Sundays, Christmas Day, Good Friday and Bank Holidays defined by the Act and the Banking and Financial Dealings Act 1971, are not working days.

15.16 The receipt of any correspondence, including applications, TENs and representations will be subject to the deadlines imposed by the Act, guidance and this policy document. Such correspondence will be accepted until midnight of the appropriate closing date. Where correspondence is delivered **by hand** to the Civic Centre/**Guildhall** outside normal working hours, the date and time **should be recorded on the correspondence itself, which will be verified,** ~~will be recorded~~ **if necessary,** by a member of the security staff. **Electronic applications are encouraged for all regulated activities under the 2003 Act, with the exception of Licence Reviews, unless the Licensing Authority agrees in advance. More information may be found at [Alcohol and entertainment licences - Swansea](#)**

15.17 In respect of the review process, responsible authorities will aim to give licence holders early warning of any concerns identified at a premises. However in cases where the prevention of crime and disorder objective is being undermined it is expected that revocation of the licence, even in the first instance, will be seriously considered.

16. ADMINISTRATION

16.1 The Council has appointed a Statutory Licensing Committee in accordance with the Act. Statutory Licensing Sub-Committees consisting of 3 members will be drawn from the main Statutory Licensing Committee.

16.2 Statutory Licensing Sub Committees will have delegated authority to deal with the functions set out in paragraph 17 below.

- 16.3 Officers will have delegated authority to deal with applications as outlined in paragraph 17 below.
- 16.4 Information reports detailing delegated decisions will be provided to the Statutory Licensing Committee for information as required by Members.
- 16.5 The Elected Members and Authorised Officers will at all times act with probity in accordance with the Codes of Conduct adopted by the Council.
- 16.6 Any Councillor who is a member of the Statutory Licensing Committee and who is making a representation on behalf of other persons, or in their own right in relation to an application, shall disqualify him or herself from any involvement in the decision making process regarding that application.
- 16.7 The table set out in paragraph 17 below details the agreed delegation of functions for the Statutory Licensing Committee, Statutory Sub Committees and Authorised Officers.
- 16.8 The Act places a responsibility on premises licence holders and club premises to pay an annual fee. The Licensing Authority will send a reminder about this requirement approximately 4-6 weeks before the due date. This correspondence will also outline the action that will be taken should a dispute arise about that fee and the procedure on suspension of the licence or certificate if the fee is not paid.

17. DELEGATION OF FUNCTIONS

17.1

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection made	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made

Application to vary designated personal licence holder		If a police objection made	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection made	All other cases
Applications for Interim Authorities		If a police objection made	All other cases
Application to review premises Licence /club premises certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc.			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of an objection to a temporary event notice		All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition.		If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application.			All cases
Determination of minor variation application			All cases
Classification of Films			All cases
Power to suspend a premises licence and club premises certificate for non- payment of annual fee and power to specify date that suspension takes effect			All cases
Power to make a			All cases

representation as a Responsible Authority to an application for a premises licence and club premises certificate.			
Power to make an application for a review of a premises licence and club premises certificate as a Responsible Authority			All cases

18. THE LICENSING OBJECTIVES

18.1 The Licensing Authority will carry out its licensing function to promote the four licensing objectives, namely:-

- *the prevention of crime and disorder;*
- *public safety;*
- *the prevention of public nuisance; and*
- *the protection of children from harm*

18.2 An applicant for a premises licence or club premises certificate or for a variation of such a licence or certificate will be expected to conduct a thorough risk assessment with regard to the licensing objectives. The risk assessment will indicate the necessary steps to be set out in the operating schedule to promote the licensing objectives. The operating schedule will be translated into conditions and an applicant is encouraged to use the pool of conditions available in the guidance. The applicant is also expected to have regard to all existing legislation which impacts on the licensing objectives e.g. fire safety, health and safety, in order to avoid the possibility of duplication. (See paragraph 11).

18.3 Legislation preventing smoking indoors at public premises has resulted in many customers of licensed premises and clubs using external areas. Premises licence holders, clubs, designated premises supervisors and applicants must have regard to how this will have an impact on the four licensing objectives.

18.4 The Licensing Authority acknowledges that the steps an applicant may take to promote the licensing objectives will vary depending on the type of premises and the licensable activities taking place. Applicants are encouraged to consider the guidance notes referred to in paragraph 12.1 when completing their applications.

19. GENERAL ISSUES

19.1 The Council will work in conjunction with all licensees, prospective licensees and statutory agencies to promote the licensing objectives as required by the Act.

19.2 Where any uncertainty exists regarding aspects of responsibilities or requirements the Council will work with the applicants and statutory agencies to address the issue.

20. CONTACT POINT FOR LICENSING

20.1 To assist applicants in submitting their applications and for information and advice the contact points for licensing are as follows:-

1. **The Licensing Authority** – for all applications. Also as Responsible Authority.

Licensing Division
Directorate Of Place
Swansea Council
Guildhall Civic Centre
Swansea
SA1 4PE 3SN

Tel: 01792 635600

Email: evh.licensing@swansea.gov.uk

Website: www.swansea.gov.uk

2. The responsible authorities for copies of applications for premises licenses, club premises certificates and variations and reviews of the same are detailed below:

A. **Police** (Also for temporary event notices, transfer of premises licenses and variations of Designated Premises Supervisors)

Chief Officer of Police
South Wales Police
Western BCU
Swansea Central Police Station
Grove Place
Swansea
SA1 5EA

Tel: 01792 562707

Email GM-WesternCommunitySafety@south-wales.pnn.police.uk

B. **Fire Authority**

Licensing Officer
Swansea Command
Mid and West Wales Fire Authority
Sway Road
Morrison
Swansea

SA6 6JA
Tel: 0870 6060699
Email: swansealicensing@mawwfire.gov.uk

C. Health and Safety

i. For Local Authority controlled premises

Food and Safety Division
Directorate Of Place
Swansea Council
The Guildhall
Swansea
SA1 4PE
Tel: 01792 635600
Email: foodandsafety@swansea.gov.uk

ii. For Health and Safety Executive controlled premises

HSE
Government Building
Phase 1
Ty Glas
Llanishan
Cardiff
CF14 5SH
Tel: 0300 003 1747

If you are unsure who controls your premises contact either i or ii for clarification.

D. Planning

Planning Policy and Appeals
Planning Services
Economic Regeneration and Planning Department
Swansea Council
Civic Centre
Swansea
SA1 3SN
Tel: 01792 636000
Email: Enforcement.Development@swansea.gov.uk

E. Trading Standards

Trading Standards Division
Directorate Of Place
Swansea Council

The Guildhall
Swansea
SA1 4PE

Tel: 01792 635600
Email: tradingstandards@swansea.gov.uk

F. **Pollution** (Also for temporary event notices)

Pollution Control Division
Department Of Place
Swansea Council
The Guildhall
Swansea
SA1 4PE

Tel: 01792 635600
Email: pollution@swansea.gov.uk

G. **Child Protection**

~~Swansea Safeguarding~~ **Children's Services Board**
(Damian Rees) **Principal Officer for Safeguarding/Local Authority**
Designated Officer

Rm 407
The Guildhall
Swansea
SA1 4PE

Tel: 01792 636000

H. **Local Health Board**

Abertawe Bro Morgannwg University Health Board
Executive Director of Public Health
1 Talbot Gateway
Port Talbot
SA12 7BR
Tel: 01639 683386

I. **Neighbouring Licensing Authority** (Where part of premises is situated, also for temporary event notices where the same occurs)

i. **Neath Port Talbot County Borough Council**

Licensing Section
Neath Port Talbot County Borough Council
Civic Centre
Port Talbot
SA13 1PJ

Tel: 01639 763050 or 01639 763059
Email: licensing@neath-porttalbot.gov.uk

ii. **Carmarthenshire County Council**

Licensing
Public Protection
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Tel: 01267 234567
Email: schlicensing@carmarthenshire.gov.uk
publicprotection@carmarthenshire.gov.uk

J. **Vessels**

i. **Canal & River Trust**

Head Office
First Floor North
Station House
500 Elder Gate
Milton Keynes
MK9 1BB
Tel: 0303 040 4040

ii. **Environment Agency** — enquiries@environment-agency.gov.uk
Natural Resources Wales enquiries@naturalresourceswales.gov.uk

iii. **Secretary of State for the Home Department**

Direct Communications Unit
2 Marsham Street
London
SW1P 4DF
Email: public.enquiries@homeoffice.gsi.gov.uk
Tel: 020 7035 4848

Integrated Impact Assessment Screening Form – Appendix B

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Licensing – Housing and Public Health

Directorate: Place

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

(b) Please name and fully describe initiative here:

In accordance with the statutory provisions of the Licensing Act 2003 (the Act), the Licensing Authority is required to review their Statement of Licensing Policy every 5 years. The last review was undertaken on 26th July 2018 by Full Council. The proposed amendments to the existing policy were issued for consultation prior to being reported to Council for adoption.

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Integrated Impact Assessment Screening Form – Appendix B

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?
Please provide details below – either of your activities or your reasons for not undertaking involvement**

In reviewing the policy in accordance with the Act, the Licensing Authority consulted the persons specified (statutory consultees) as follows:

- South Wales Police;
- Mid & West Wales Fire Authority;
- Abertawe Bro Morgannwg University Health Board
- persons/bodies representing local holders of premises licenses;
- persons/bodies representing local holders of club premises certificates;
- persons/bodies representing local holders of personal licenses;
- persons/bodies representing businesses and residents.

And will also consult the following:

- Local Authority Members;
- The Licensing Committee;
- Representatives of other appropriate Council functions including:
 - Community Safety
 - Planning Services
 - Estates
 - Transportation & Engineering
 - Regeneration
 - Culture & Tourism
 - Social Services
 - Pollution Control
 - Health and Safety
 - Trading Standards
- Neighbouring Licensing Authorities;
- Swansea Magistrates Court
- Licensing Solicitors
- Accident and Emergency Department
- The Ambulance Service
- Musicians Union

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?

Yes No

b) Does the initiative consider maximising contribution to each of the seven national well-being goals?

Yes No

c) Does the initiative apply each of the five ways of working?

Yes No

Integrated Impact Assessment Screening Form – Appendix B

d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?

Yes No

Q5 What is the potential risk of the initiative? (*Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...*)

High risk

Medium risk

Low risk

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

The Statement of Licensing Policy is a statutory requirement under the Licensing Act 2003 and subject to the provisions of the Statutory Guidance issued by the Home Office under Section 182 of the Act and must be reviewed at least every 5 years to ensure it remains fit for purpose.

The purpose of this policy review is to comply with the statutory requirement and to set out the Council's general approach to decision making and how the Council will carry out its functions as a Licensing Authority to promote the four licensing objectives specified in the Act. These objectives are as follows:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

This policy statement has four main purposes;

- a. To provide Members of the Licensing Committee with a decision making framework and the policy will be taken into account at each hearing held following the receipt of representations.
- b. To inform applicants of the parameters within which the Authority are able to make licensing decisions and to allow them to take this into account when making applications.
- c. To provide guidance to local residents and businesses of the boundaries within which the Licensing Authority will make licensing decisions. This will assist those parties when making representations in relation to various applications.
- d. To support the Licensing Authority if required, to demonstrate in a court of law how it arrived at its licensing decisions.

Integrated Impact Assessment Screening Form – Appendix B

Outcome of Screening

Q8 Please describe the outcome of your screening below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

(Q2)The screening identifies that the impact of the review of the statutory Statement of Licensing Policy, by Swansea Council is low to all groups identified in Q2.

(Q3) Consultation on the proposed changes to the Policy was undertaken with all parties identified in Q3 before adoption of the policy is considered by Full Council in July 2023.

(Q4) All aspects of the WFG Act principles have been considered and it is of low impact.

(Q5)The potential risks are low to all aspects being considered.

(Q7) This policy review has four main purposes;

- a. To provide Members of the Licensing Committee with a decision making framework and the policy will be taken into account at each hearing held following the receipt of representations;
- b. To inform applicants of the parameters within which the Authority are able to make licensing decisions and to allow them to take this into account when making applications;
- c. To provide guidance to local residents and businesses of the boundaries within which the Licensing Authority will make licensing decisions. This will assist those parties when making representations in relation to various applications;
- d. To support the Licensing Authority if required, to demonstrate in a court of law how it arrived at its licensing decisions.

Therefore, the Statement of Licensing Policy will assist all those involved in licensing applications in Swansea.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Yvonne Lewis
Job title: Team Leader Licensing
Date: 28-4-23
Approval by Head of Service:
Name:
Position:
Date:

Agenda Item 11.



Report of the Cabinet Member for Corporate Services & Performance

Council – 6 July 2023

Proposal to Publish Cumulative Impact Assessment – City Centre

Purpose:	To seek agreement to publish the Cumulative Impact Assessment for the City Centre area.
Policy Framework:	Licensing Act 2003 Statement of Policy for Licensing
Consultation:	Access to Services, Finance, Legal
Recommendation(s):	It is recommended that: 1) The Cumulative Impact Assessment for the City Centre area is published.
Report Author:	Lynda Anthony
Finance Officer:	Peter Keys
Legal Officer:	Aled Gruffydd
Access to Services Officer:	Rhian Millar

1.0 Background

- 1.1 Cumulative impact is the potential impact on the promotion of the licensing objectives, of a significant number of licensed premises concentrated in one area e.g. the potential impact on crime and disorder or public nuisance.
- 1.2 The concept of Cumulative Impact has been described within the Home Office Guidance (the Guidance) and used by licensing authorities since the commencement of the Licensing Act 2003 (the 2003 Act).
- 1.3 Swansea Council first adopted a special policy on Cumulative Impact in 2013, for specific areas in the city centre, based mainly on evidence

provided by South Wales Police on the levels of crime and disorder in the area. This was reviewed in 2017 and amendments made, as it was recognised that certain types of premises, due to their nature, would not add to existing cumulative impact.

- 1.4 The Cumulative Impact policy (CIP), formed part of the Statement of Licensing Policy (the Policy), which was last reviewed in July 2018. A copy of the extract from Policy, relating to the previous CIP is attached at **Appendix A**.

2.0 Current Position

- 2.1 The position regarding cumulative impact has changed since the last review of the CIP was undertaken. The Policing and Crime Act 2017 amended the 2003 Act and placed 'Cumulative Impact Assessments' on a statutory footing by introducing paragraph 5a of the Licensing Act 2003. This amendment came into force on 6th April 2018 and replaced CIPs.
- 2.2 As CIPs were not originally part of the 2003 Act, there were no transitional provisions that applied to CIPs that were in place prior to April 2018. The Guidance recommended that existing CIPs should be reviewed within three years of the commencement of the legislation on CIAs or when the Policy was next due for review. The review date for the Policy is July 2023 so the CIP was due to be reviewed in April 2021. Due to the Covid-19 pandemic the review did not take place as planned and the CIP lapsed as a result.

3.0 Proposed Cumulative Impact Assessment

- 3.1 A Cumulative Impact Assessment (CIA) may be published by a Licensing Authority to help limit the number or type of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.
- 3.2 A request has been received from South Wales Police that the Licensing Authority publish a CIA in relation to the areas that were previously covered by the CIP and in line with the provisions that were previously in place. Updated evidence on levels of crime and disorder, to support this request, has been submitted and is attached at **Appendix B**.
- 3.3 In summary, the information submitted by SWP provides an assessment of the operation of the Evening and Night Time Economy (ENTE) in the city centre areas previously subject to the CIP, information on current policing requirements, the operation of the help point, the work of other agencies in the city centre in promoting public safety, trends in all aspects of crime, including violent crimes and anti-

social behaviour, the impact of covid on the ENTE, together with conclusions in relation to the introduction of a CIA for the city centre areas specified.

- 3.4 Recent analysis of statistics available for Wind Street and the surrounding area shows that between 2017 and 2022 there has been a 25% decrease in recorded crime (810–608), with the busiest period being between 10pm and 4am, a 33% decrease in violent crime (409-271), the busiest period being between 10pm and 4am and anti-social behaviour shows a 39% decrease (302-183), the highest numbers are recorded between 8pm and 9pm and 10pm and 3am. There was a significant decrease in each of the crime figures recorded during the main period of the covid pandemic in 20/21.
- 3.5 Recent analysis of statistics available for the Kingsway and surrounding areas shows that between 2017 and 2022 there has been a 43% decrease in recorded crime (358-203), a 45% decrease in violent crime (177-94) and a 31% decrease in anti-social behaviour (80-55).
- 3.6 Recent analysis of the statistics available for High Street and College Street shows that between 2017 and 2022 there has been a 3% decrease in recorded crime (132-128), a 17% decrease in violent crime (54-45) and a 37% reduction in anti-social behaviour 27-17 but with a considerable spike in numbers of 48 in 2018/19, 72 in 2019/20 and 88 in 2020/21 before falling back to much lower levels in 21/22.
- 3.7 The evidence provided also indicates that the decrease in crimes recorded, in each of the areas identified, could be attributed to the success of the previous CIP. In addition, the Covid years 2020/21 highlight the dramatic effect of ENTE activity on crime and disorder. Significantly less ENTE activity equals significantly less police demand. SWP confirms that they support the introduction of a CIA to reflect the previous provisions and application of the now lapsed CIP, without amendment.
- 3.8 Having regard to the submission from SWP, the proposed draft of the CIA attached at **Appendix C** was issued for consultation.

4.0 The Consultation

- 4.1 Extensive consultation on the proposed amendments to the Policy was undertaken, involving existing licence holders, representatives of persons carrying on licensed businesses, statutory bodies, representatives of other persons and City and County of Swansea Members.
- 4.2 The consultation period ended on the 31st March 2023 and no responses were received.

4.3 During the period of review of the policy, the Home Office also issued a revised version of the Guidance. This was issued in December 2022, reviewed by officers during the consultation period and no further amendments to the CIA are required.

5.0 Integrated Assessment Implications

- 5.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts;
 - Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - Foster good relations between people who share a protected characteristic and those who do not;
 - Deliver better outcomes for those people who experience socio-economic disadvantage;
 - Consider opportunities for people to use the Welsh language;
 - Treat the Welsh language no less favourably than English; and
 - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 5.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the ‘well-being goals’.
- 5.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 5.4 The screening identifies that any applicant wishing to apply for the grant or variation of a premises licence/club premises certificate in an area where the CIA applies will be required to give consideration to potential cumulative impact issues when setting out the steps that they will take to promote the licensing objectives as part of their application. The application, including the proposed steps to promote the licensing objectives, will be considered by the Licensing Authority and the other Responsible Authorities, who will each determine whether or not to make representations in response to the application. The Licensing Committee will consider and determine any application that is subject to representations on its merits, having regard to their duty to promote the Licensing Objectives.

- 5.5 The proposed changes identified were issued for consultation, where members of the public, all members of the licensed trade and associated professions, had the opportunity to respond, in line with the legislation.
- 5.6 All aspects of the WFG Act principles were considered and the potential risk is considered to be low. A copy of the completed IIA screening form is attached at **Appendix D**.

6.0 Legal Implications

- 6.1 The publication of the CIA does not change the fundamental way that decisions are made under the Licensing Act 2003. The Licensing Authority will make all decisions on applications within the cumulative impact area on a case-by-case basis and with a view to what is appropriate to promote the licensing objectives.
- 6.2 It is not sufficient simply that there is a heavy concentration of licensed premises in the area, there must be an evidential basis demonstrating the cumulative impact of the concentration. An authority needs to consider the evidence and be satisfied that it is appropriate to publish a CIA.
- 6.3 After publishing a CIA, the licensing authority must, within three years, consider if it remains of the opinion set out in the assessment and must consult the persons listed in the Act.
- 6.4 Deficiencies in the consultation process and/or publishing a CIA can be challenged by way of Judicial Review. Any refusal of an application in an area covered by a CIA can be appealed to the Magistrates Court.
- 6.5 As the publication of a CIA under the 2003 Act is a new consideration and must follow specific steps before a decision can be reached, it is appropriate that this is the subject of a separate report from the statutory review of the Statement of Licensing Policy.

7.0 Financial Implications

- 7.1 There are no financial implications.

Background Papers: Licensing Act 2003, Home Office - Statutory Guidance, Statement of Policy for Licensing 2018

Appendices:

- Appendix A - Extract from Statement of Licensing Policy 2018
- Appendix B - Evidence from South Wales Police
- Appendix C - Draft Cumulative Impact Assessment
- Appendix D - IIA Screening Form

6. CUMULATIVE IMPACT AND SPECIAL POLICY

- 6.1 Cumulative impact means, for the purposes of this policy, the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. Cumulative Impact Policies (CIP) may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises and the provision of late night refreshment. This includes late night fast food outlets which are not licensed to sell alcohol.
- 6.2 There can be confusion about the difference between “need” and the “cumulative impact” of premises on the licensing objectives. The Council when acting as a Licensing Authority will not take into consideration “need”. This is a matter for the Council in its role as a Planning Authority and for the market.
- 6.3 In relation to the grant or variation of a premises licence or club premises certificate the licensing authority will consider representations from a “responsible authority” or “Other Persons” regarding cumulative impact. A list of Responsible Authorities can be found at paragraph 20 of this policy.
- 6.4 A relevant representation from a “responsible authority” or “Other Person” regarding cumulative impact must provide clear evidence that there will be exceptional problems of disorder and nuisance over and above the impact of the individual premises itself.
- 6.5 The Licensing Authority will in such cases, take into account the issue of cumulative impact but this will be addressed in the context of the individual merits of any application. Where it is considered that a licence or certificate is unlikely to add to the cumulative impact on the licensing objectives the application will be granted.
- 6.6 Section 182 of the guidance allows a licensing authority to make a policy within its Statement of Licensing Policy to deal with cumulative impact. Where there is evidence that the number of licensed premises in an area has had a negative cumulative effect upon crime and disorder, public nuisance and public safety the licensing authority will consider making a CIP. It will make such a policy only after it is satisfied that there is evidence to support it.
- 6.7 The Licensing Authority after considering the available evidence will consult the individuals and organisations listed in 5.1 and 5.2 above. If it determines that attaching conditions to a licence is unlikely to address the problems identified, it will consider adopting a special policy of refusing new licences. This would apply whenever relevant representations are received about the cumulative impact on the licensing objectives from responsible authorities and other persons which the Licensing Authority consider after hearing those representations should lead to refusal.

- 6.8 The steps detailed below will be followed in considering whether to adopt a special policy within the licensing policy:
- Identify concern about crime and disorder, public safety, protection of children from harm or public nuisance from a “responsible authority” or “Other Person”.
 - Consider whether it can be demonstrated that crime and disorder and nuisance are occurring or whether there are activities which pose a threat to public safety or protection of children from harm
 - If such problems are occurring, identify whether they are being caused by the customers of licensed premises and if so identify the boundaries of that area; or that the risk factors are such that the area is reaching a point when a cumulative impact is imminent.
 - Consult with those specified in paragraph 5 above.
 - Subject to the consultation, include and publish details of the special policy in the statement of licensing policy.
- 6.9 The effect of all licensed premises in an area will be taken into account when considering a special policy.
- 6.10 Any special policy adopted will be reviewed regularly and at a maximum period of 3 years to determine its effectiveness and whether or not its continued use is required.
- 6.11 The absence of a special policy in a particular area will not prevent a responsible authority or other person making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.
- 6.12 A special policy will not be used to revoke a licence for a premises if representations are received regarding problems with an existing licence.
- 6.13 Where it is evident that there is a problem in an area after a licence or certificate has been granted and it is clear that an individual premises is undermining the promotion of one or more of the licensing objectives in that area, the licence will only be reviewed if representations are made about that objective by a responsible authority or other person.
- 6.14 A special policy will not be used to justify rejecting an application for variation of an existing licence or certificate except where the variation is directly relevant to the policy and is necessary for the promotion of the licensing objectives e.g. increase in capacity of a venue.
- 6.15 A special policy relating to cumulative impact will not include provisions for a terminal hour in an area.
- 6.16 A special policy will not impose quotas on the number or capacity of premises or in relation to any matter which would restrict the consideration of any application on its individual merits.

- 6.17 The Licensing Authority will have regard to the individual characteristics of each premises and the differing impact they will have on the promotion of the licensing objectives.
- 6.18 The Licensing Authority recognises that there are other mechanisms available for controlling cumulative impact once customers have left licensed premises. These include:
- Planning controls;
 - Positive measures to create a safe and clean city centre environment in partnership with local businesses, transport operators and other local authority departments;
 - Provision of CCTV, adequate taxi rank space, provision of late night public conveniences, street cleaning;
 - Powers of local authorities to designate and control areas where alcohol cannot be consumed;
 - Police enforcement in relation to disorder and anti-social behaviour;
 - Prosecution for alcohol related offences ;
 - Police powers of closure of a premises;
 - The provision to review a licence or certificate.
- 6.19 On 30th July 2013 the Council resolved to adopt a Cumulative Impact Special Saturation Policy for the following areas:
- i) Wind Street and the surrounding area as defined
 - ii) The Kingsway and the surrounding area as defined
 - iii) High Street and College Street as defined
- 6.20 The Special Policies for i) Wind Street and the surrounding area, ii) The Kingsway and the surrounding area and iii) High Street and College Street were introduced because the Authority was satisfied that it was appropriate and necessary to do so given the number of premises licensed to supply alcohol for consumption on and off the premises in these streets and the incidence of crime, disorder and public nuisance attributable to customers of such premises which can include but is not limited to litter, noise, intoxicated people contributing to crime and disorder, accumulations of people at certain times leading to conflict in queues for taxis and/or fast food outlets, the numbers of people leaving all types of premises at certain times.
- 6.21 This action followed a report to the Cabinet of this Council on 1st November 2012. The report included crime and disorder statistics from South Wales Police, together with public nuisance statistics from the Environment Department of this Authority. The special policy was introduced following a comprehensive consultation process which was carried out between February and May 2013. The special policy was also reviewed as part of the review of the statement of licensing policy undertaken in 2018. Updated evidence on the recorded levels of crime and disorder for the special policy areas was

received from South Wales Police and the evidence supported the retention of the existing special policy without amendment.

6.22 Following a review of the Special Policy on 26th January 2017 it is now recognised that pubs, nightclubs, restaurants, hotels, theatres and other types of premises sell alcohol, serve food and provide entertainment but with different styles and characteristics and due to the nature of the premises will not add to existing cumulative impact. Having regard to those differences and the impact they are likely to have on the local area the following types of premises, providing certain licensable activities between the hours of 10.00am and 1.00am are exempt from the requirements of the special policy:

- Non – alcohol led premises;
- Theatres, where the main purpose of the premises is the performance of plays;
- Cinemas, where the main purpose of the premises is the exhibition of films;
- Premises where the main purpose is the provision of substantial table meals;
- Premises where the sale/supply of alcohol is by waiter or waitress service only.

6.23 The effect of the special policy is that applications for premises that are located within the special policy areas but fall within the exemptions detailed in paragraphs 6.22 of the policy will generally be granted, subject to consideration of any relevant representations made. In respect of all other premises located in the special policy areas, there is a presumption that any application for a premises licence, club premises certificate or a variation that is likely to add to the existing cumulative impact will be refused. This presumption is only relevant to applications which trigger a relevant representation from a responsible authority or other person which refers to one or more of the licensing objectives that gave rise to the introduction of the special policy. If there are no such representations the Authority **MUST** grant the application in terms that are consistent with the operating schedule submitted.

6.24 Where relevant representations are made, a Licensing Sub Committee of the Authority will hear those representations and determine the application. For applications that fall within the requirements of the special policy, refusal will normally be the case **UNLESS** the applicant can demonstrate in their operating schedule that the application will not add to the existing cumulative impact on one or more of the licensing objectives and that the Authority would therefore be justified in departing from the special policy in the light of the individual circumstances of the case. The Licensing Authority expects applications for premises within the Cumulative Impact Area to be exceptional. The authority does not consider that premises that are well managed and fully compliant with all licensing conditions and relevant legislation to be exceptional. This is expected of all licensed premises.

6.25 The special policy areas are those within the boundary defined on the plans attached at appendix A, B and C and include premises that have accessible entrances onto the streets within the boundary, including the streets listed in the following schedules: –

i) Wind Street and the surrounding area

- Wind Street
- The Strand to the junction with Welcome Lane
- Worcester Place
- Castle Street
- Castle Gardens
- Castle Square
- Green Dragon Lane
- Little Wind Street
- Salubrious Place
- Salubrious Passage
- Caer Street
- Princess Way
- St Mary's Street
- St Mary's Square
- St David's Place
- York Street
- Victoria Road

ii) The Kingsway and the surrounding area

- The Kingsway
- Dillwyn Street from the junctions with The Kingsway and Oxford Street
- Oxford Street from the junctions with Dillwyn Street and Princess Way
- Picton Lane
- Union Street from the junctions of The Kingsway and Oxford Street
- Park Street
- Portland Street
- Bellvue Way
- Dynevor Place
- Horton Street
- Pell Street
- Cradock Street
- Northampton Lane
- Christina Street
- Newton Street

iii) High Street and College Street

- High Street
- College Street

Appendix B

I have been asked to provide a response to a formal request by City & County of Swansea to provide observations in relation to the Council's proposed Cumulative Impact Area policy.

A cumulative impact assessment may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specific area.

Previous CIA cycles have been 2013/17 & 2018/21 however due to the significant disruption caused by the Covid19 pandemic the CIA due in 2021 has not yet been formulated and is expected to be adopted before July 2023.

Previous CIAs to date have been adopted under the local authority's licensing policy however, since then a change to the Licensing Act 2003 was made by the Policing & Crime Act 2017 (with effect from 6th April 2018) which puts the CIA process on a statutory footing. Statutory guidance has been published and this report has been drafted in accordance with that guidance.

As well as providing data relating to police demand I will also provide an interpretation of the data together with conclusions.

The police response for the previous CIA (dated 04/04/2018) looked at crime and disorder data for the following areas during Evening and Night-time Economy hours:

Wind St & surrounding area
The Kingsway & surrounding area
High St & College St

The figures revealed a number of issues including the following:

Wind St – an increase in recorded crime of 78% between 2016 and 2017
Kingsway – 9% reduction in recorded crime between 2015 and 2018
High St – 22% reduction in recorded crime between 2015 and 2018

Part of the increase in Wind St can be attributed to a change in how crime was recorded by SWP during that time, however the corresponding reduction at Kingsway & High St indicates the growing popularity of Wind St as an ENTE destination at the expense of other areas of the city.

Other notable findings from the previous report indicate that the peak time for all recorded crime (including violence with & without injury, public order & drunk and disorderly offences) in the three areas listed above was between 11pm & 3am.

In addition, a year on year increase in recorded crime levels was noted from 3am onwards which indicated the consequences of late night walk-up into the night-time economy.

The report concluded that any relaxation to the CIA would lead to an increase in the number of late-night drinking venues which would in turn result in greater levels of late night crime and disorder which would place increased pressures on policing not only in the City but throughout the Division. For this reason SWP Swansea Neath Port Talbot Division endorsed the policy and opposed any relaxation to it.

The current situation

The ENTE has bounced back from closure and restrictions brought about by the Covid 19 Pandemic during 2020/21 and is now once again operating at normal capacity. Since the last report there has been a number of changes to the city centre, Wind St and surrounding areas which could be said to have an impact on the ENTE, examples being:

- The increased popularity of Swansea as a university City with in-excess of 30,000 students between the two main universities (Swansea University & UWTSD), many of which reside in the city and socialise within the ENTE.
- Construction of six purpose-built student accommodations (PBSA) within the city centre which have a combined population of approx. 4,000 students. A further PBSA is currently under construction which is due to open for the 2023/24 academic year.
- Wind St has now become a pedestrian zone with the installation of numerous items of street furniture throughout the length of the street.
- Increase use of outdoor pavement café areas outside licensed premises, partly in response to Covid restrictions, however many have become permanent.
- Opening of the Arena concert venue in February 2022 which hosts events such as music concerts, shows and conventions and has a maximum capacity of 3,500.
- On-going development of the St David's area located between Wind St and the Arena which will contain several new licensed premises when complete.

In addition to the above there continues to be ENTE premises located at the Kingsway and also High St/College St, although the main focus of ENTE activity within the city continues to be at Wind St and surrounding area. The Kingsway is currently undergoing redevelopment into a commercial/business zone as well as residential premises, therefore it is anticipated that ENTE activity will decrease in this area. I will examine this in more detail later in the report.

Also, the past few years has seen the emergence and increased popularity of further ENTE spots outside of the city centre, these being:

Uplands
SA1
Mumbles

Current police response

Swansea Neath Port Talbot Division has a long history of policing the evening and night-time economy within the cumulative impact zone, which is done via the long-running operation, 'Swansea After-Dark'. This is implemented on the busiest days of the week for the ENTE, Wednesdays (student night), Fridays & Saturdays. In addition to this After-Dark deployments also take place on other key dates for the ENTE such as bank holiday weekends, A Level result night, Beaujolais Day, Halloween etc.

After-Dark patrols typically involve a team of 1 x sergeant and approx. 12 PCs (Wed & Sat) predominantly working between the hours of 6pm to 4 am, although some shifts are staggered to provide coverage later into the night. These officers are not dedicated solely to After Dark but are abstracted from their primary roles such as Response & Neighbourhood Policing as well as criminal investigation and public protection roles throughout the Division. Patrols are carried out on foot around Wind St and its environs and due to the volume of licensed premises and patrons there is a need for a 'meet and greet' approach where officers are encouraged to interact with the public, providing early intervention to identify and tackle crime & disorder and also vulnerability at the earliest opportunity.

Given the emergence of other pockets of ENTE such as SA1 & Uplands After-Dark officers also deploy to these areas thus reducing the number of officers patrolling Wind St. In addition, After-Dark officers are periodically required to assist in other areas of the Division in the event of exceptional demand.

Such are the demands of the role, After-Dark officers will inevitably become involved in arrests, interventions and enquiries throughout the evening which may well result in them being committed for the rest of the evening and subsequently not deployable for further patrols. Therefore, the team of 12 officers will become eroded as the evening progresses and there will be far fewer officers available later in the shift, which is a peak time given the staggered closing times for licensed premises typically between midnight and 4am. During this time a large number of persons, many intoxicated have egressed the many licensed premises and will be congregating in numbers at various fast-food establishments and taxi ranks prior to making their way home. This is a crucial period during the evening when the maximum number of officers are required to prevent crime & disorder, prevent harm and to promote public safety, however the fewest number are actually available, visible and deployable. Having supervised After Dark teams for many years I can attest to this attrition of resources, which is the norm.

Help Point

A further measure adopted by SWP in an effort to tackle vulnerability within the ENTE and to help break demand on After-Dark officers is the Help Point. This is a collaborative venture involving SWP and a number of key partners and is funded by the Police & Crime Commissioner, Welsh Ambulance Service & local health board.

The premises is located at the Strand Car park and is staffed by St Johns Ambulance (SJA) staff & volunteers, student volunteers (PSV) and a police officer. The Help Point is open from 10pm to 4am on Wednesdays & Saturdays and also key dates such as bank holiday weekends etc. An initial pilot scheme to trial Friday night opening has recently been carried out and further work on this is currently on-going.

Since its inception eight years ago the Help Point has treated in excess of 6,000 patients for conditions ranging from intoxication, injury and medical issues.

Access into the Help Point for those who need it is via three main routes:

- Patient brought in by police
- Pro-active patrols by student volunteers who identify vulnerable patient
- Direct contact from venues to SJA control via Nite-net radio with student volunteers then deployed to collect the patient.

Running costs are approximately £1,000 per night. There are only three paid staff (nurse, paramedic & police officer), the bulk of the personnel being SJA volunteers & student volunteers.

Patient numbers over the past year indicate that on average 12 patients will be treated at the Help Point on a Saturday evening and 10-12 on Wednesdays, however this figure drops outside of term-time when less students are active within the ENTE.

The Help Point is considered to be an excellent example of best practice & partnership working within the ENTE which has a real impact in tackling vulnerability and breaking demand for officers, freeing them up to deal with other issues.

Other agencies

Staff and volunteers from other agencies also operate within the city centre ENTE to promote public safety including:

- Taxi Marshals
- City Centre Rangers
- Street pastor scheme (volunteers from various faith groups who patrol Wind St and provide assistance to those who need it).

Statistics

The following statistics contain an overview of total occurrences during the evening & night-time economy period (1800-0600 hrs) over a five-year period (2017-22) for the three cumulative impact areas:

Wind St and surrounding area: Wind Street, The Strand (to the junction with Welcome Lane), Worcester Place, Castle Street, Castle Gardens, Castle Square, Temple Street, Green Dragon Lane, Little Wind Street, Salubrious Place, Salubrious Passage, Caer Street, Princess Way, St Mary's Street, St Mary's Square, St David's Place, York Street, Victoria Road

The Kingsway and surrounding area: The Kingsway, Dillwyn Street (from the junctions with The Kingsway and Oxford Street), Oxford Street (from the junctions with Dillwyn Street and Princess Way), Picton Lane, Union Street (from the junctions of The Kingsway and Oxford Street), Park Street, Portland Street, Bellvue Way, Dynevor Place, Horton Street, Pell Street, Cradock Street, Northampton Lane, Christina Street, Newton Street

High St and surrounding area: High Street, College St

We will examine each of these area in more detail and look at hourly breakdown for all crimes, violence and anti-social behaviour, to give an indication of the demand facing SWP officers, however an overview is as follows:

Total Occurrences during ENTE period (1800 hrs – 0600 hrs)

	<u>Wind St</u>	(% change)	<u>Kingsway</u>	(% change)	<u>High St</u>	(%change)
2017/18	1899		919		370	
2018/19	1719	(-9.5%)	688	(-25%)	524	(+141%)
2019/20	1350	(-21.5%)	604	(-12%)	433	(-17%)
2020/21	469	(-287%)	318	(-189%)	414	(-4%)
2021/22	1308	(+278%)	504	(+158%)	320	(-23%)

Wind St – 31% decrease in occurrences over five-year period 2017-22

Kingsway – 45% decrease in occurrences over five-year period 2017-22

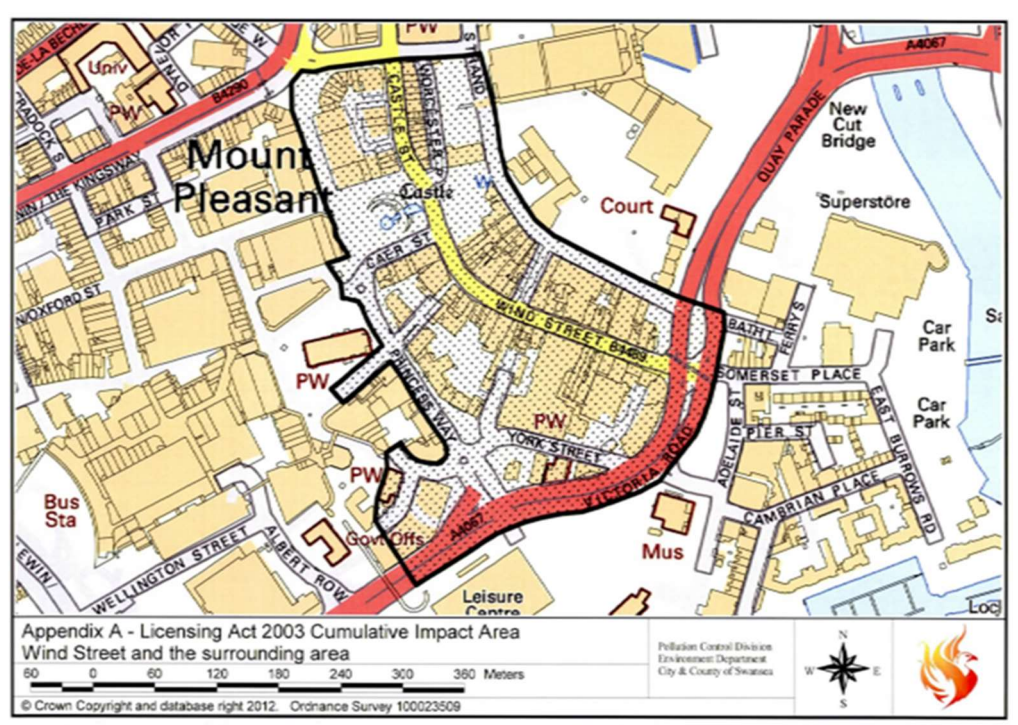
High St – 13% decrease in occurrences over five-year period 2017-22

- % change represents the year on year difference

The figures highlighted in red represent the period most affected by restrictions and closure to ENTE due to the Covid 19 pandemic. It can be seen that Wind St and the Kingsway experienced a significant drop in demand however there is no discernible difference for High St during this period, although it should be noted that the number of occurrences for High St is considerably less than the other areas.

The figures for 2021/22 also indicate that demand has largely returned to pre-pandemic levels.

Wind St

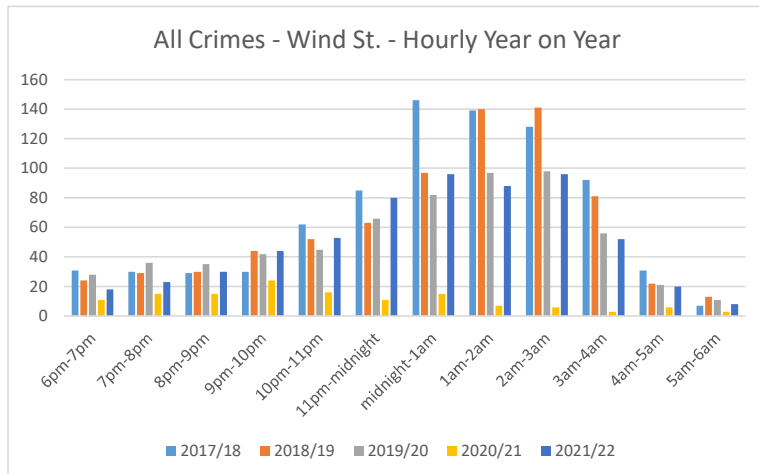


All Crimes Wind St

	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	31	24	28	11	18
7pm-8pm	30	29	36	15	23
8pm-9pm	29	30	35	15	30
9pm-10pm	30	44	42	24	44
10pm-11pm	62	52	45	16	53
11pm-0000	85	63	66	11	80
0000-1am	146	97	82	15	96
1am-2am	139	140	97	7	88
2am-3am	128	141	98	6	96
3am-4am	92	81	56	3	52
4am-5am	31	22	21	6	20
5am-6am	7	13	11	3	8
TOTAL	810	736	617	132	608

The above data shows that there has been a 25% reduction in crime within the Wind St CIA between 2017-22. Also of note is the huge reduction in crime during the main period of Covid restrictions & closures during 2020/21.

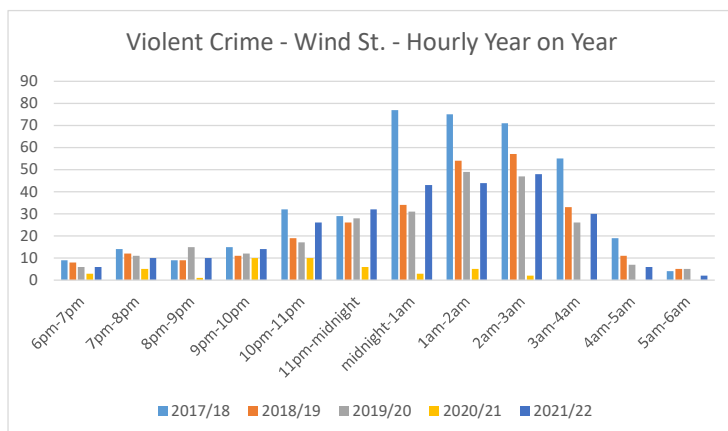
It also shows that the peak time for demand is between 10pm-4am (highlighted in red). This is illustrate below:



Violent Crime - Wind St

	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	9	8	6	3	6
7pm-8pm	14	12	11	5	10
8pm-9pm	9	9	15	1	10
9pm-10pm	15	11	12	10	14
10pm-11pm	32	19	17	10	26
11pm-0000	29	26	28	6	32
0000-1am	77	34	31	3	43
1am-2am	75	54	49	5	44
2am-3am	71	57	47	2	48
3am-4am	55	33	26	0	30
4am-5am	19	11	7	0	6
5am-6am	4	5	5	0	2
TOTAL	409	279	254	45	271

The above represents a 33% reduction in violent crime between 2017-22. Also replicated is the large decrease during the main Covid period 2020/21. In addition, the pattern of peak demand between 10pm-4am is repeated:

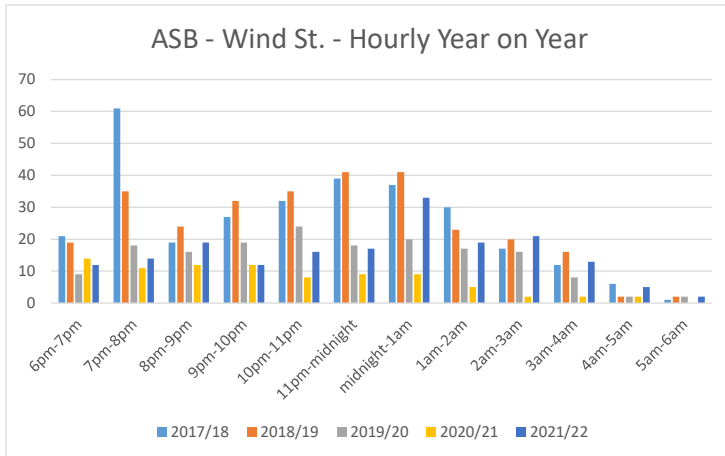


Anti-Social Behaviour - Wind St

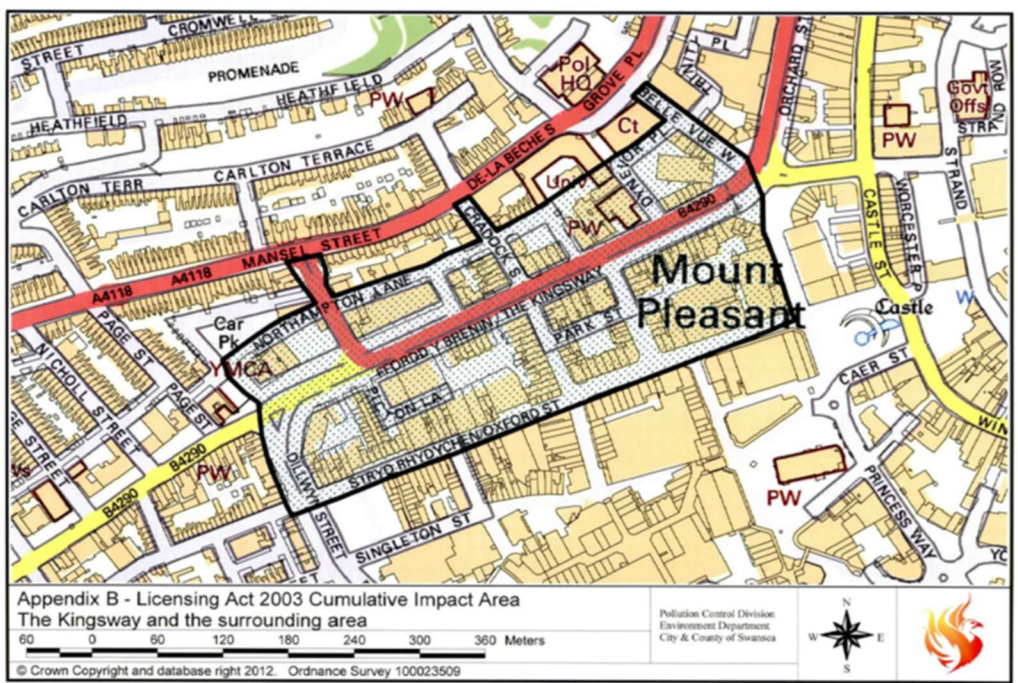
	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	21	19	9	14	12
7pm-8pm	61	35	18	11	14
8pm-9pm	19	24	16	12	19
9pm-10pm	27	32	19	12	12
10pm-11pm	32	35	24	8	16
11pm-0000	39	41	18	9	17
0000-1am	37	41	20	9	33
1am-2am	30	23	17	5	19
2am-3am	17	20	16	2	21
3am-4am	12	16	8	2	13
4am-5am	6	2	2	2	5
5am-6am	1	2	2	0	2
TOTAL	302	290	169	86	183

The above represents a 39% reduction in anti-social behaviour between 2017-22. Again, the effects of Covid restrictions and closure can be seen in 2020/21.

In addition, peak demand is also between 10pm-4am although this is not as clearly pronounced as the previous figures:



The Kingsway



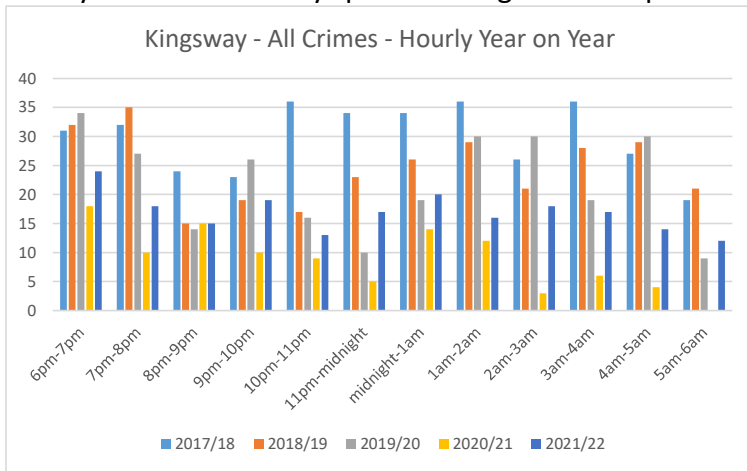
All Crimes - Kingsway

	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	31	32	34	18	24
7pm-8pm	32	35	27	10	18
8pm-9pm	24	15	14	15	15
9pm-10pm	23	19	26	10	19
10pm-11pm	36	17	16	9	13
11pm-0000	34	23	10	5	17
0000-1am	34	26	19	14	20

1am-2am	36	29	30	12	16
2am-3am	26	21	30	3	18
3am-4am	36	28	19	6	17
4am-5am	27	29	30	4	14
5am-6am	19	21	9	0	12
TOTAL	358	295	264	106	203

The above shows a 43% reduction in all crime within the Kingsway CIA between 2017/22.

Again, a large drop in crime is evident during the Covid period 2020/21. Hourly demand is evenly spread during the ENTE period as shown below:



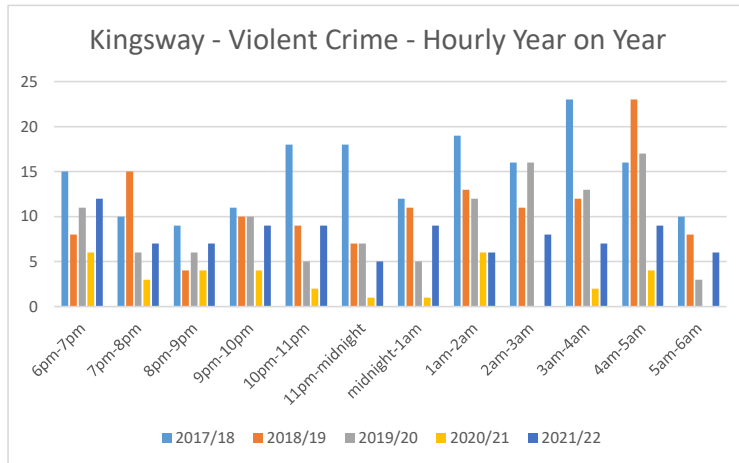
Violent Crime - Kingsway

2017/18 2018/19 2019/20 2020/21 2021/22

6pm-7pm	15	8	11	6	12
7pm-8pm	10	15	6	3	7
8pm-9pm	9	4	6	4	7
9pm-10pm	11	10	10	4	9
10pm-11pm	18	9	5	2	9
11pm-0000	18	7	7	1	5
0000-1am	12	11	5	1	9
1am-2am	19	13	12	6	6
2am-3am	16	11	16	0	8
3am-4am	23	12	13	2	7
4am-5am	16	23	17	4	9
5am-6am	10	8	3	0	6
TOTAL	177	131	111	33	94

The above shows a 45% reduction in violent crime over the five-year period 2017-22.

Again, a large drop can be seen in the figures for 2022/21, and hourly demand is evenly split, with a slight increase later in the night:



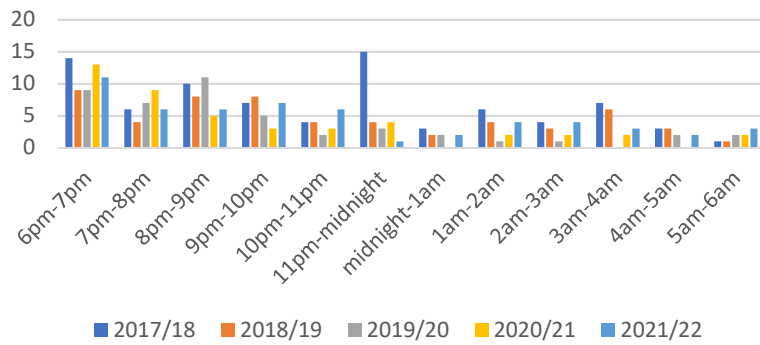
Anti-Social Behaviour - Kingsway

	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	14	9	9	13	11
7pm-8pm	6	4	7	9	6
8pm-9pm	10	8	11	5	6
9pm-10pm	7	8	5	3	7
10pm-11pm	4	4	2	3	6
11pm-0000	15	4	3	4	1
0000-1am	3	2	2	0	2
1am-2am	6	4	1	2	4
2am-3am	4	3	1	2	4
3am-4am	7	6	0	2	3
4am-5am	3	3	2	0	2
5am-6am	1	1	2	2	3
TOTAL	80	56	45	45	55

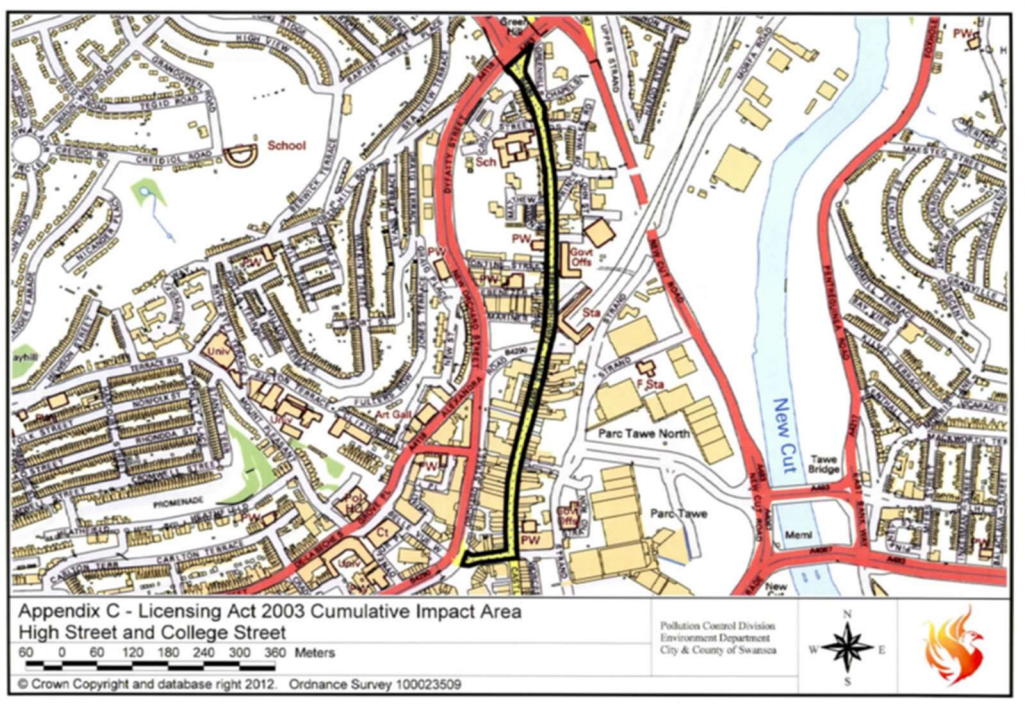
The above represents a 31% reduction in ASB at the Kingsway over the five year period 2017-22.

Again, hourly demand is evenly split:

Kingsway - ASB- Hourly Year on Year



High Street (& College St)



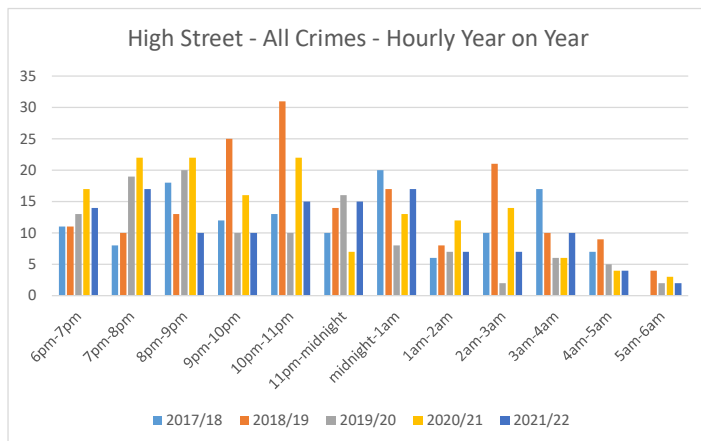
All Crimes-High St

	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	11	11	13	17	14
7pm-8pm	8	10	19	22	17
8pm-9pm	18	13	20	22	10
9pm-10pm	12	25	10	16	10
10pm-11pm	13	31	10	22	15
11pm-0000	10	14	16	7	15
0000-1am	20	17	8	13	17
1am-2am	6	8	7	12	7
2am-3am	10	21	2	14	7
3am-4am	17	10	6	6	10
4am-5am	7	9	5	4	4
5am-6am	0	4	2	3	2
TOTAL	132	173	118	158	128

The above shows a 3% reduction in crime within the High St CIA between 2017-22.

The previous pattern of lower figure during the main Covid period 2020/21 is not seen here.

Again, as seen at the Kingsway there is a more even spread of hourly demand:

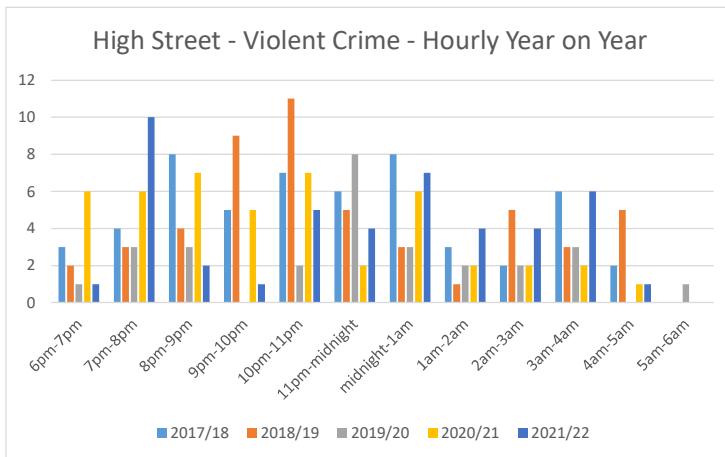


Violent Crime - High St

	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	3	2	1	6	1
7pm-8pm	4	3	3	6	10
8pm-9pm	8	4	3	7	2
9pm-10pm	5	9	0	5	1
10pm-11pm	7	11	2	7	5
11pm-0000	6	5	8	2	4
0000-1am	8	3	3	6	7
1am-2am	3	1	2	2	4
2am-3am	2	5	2	2	4
3am-4am	6	3	3	2	6
4am-5am	2	5	0	1	1
5am-6am	0	0	1	0	0
TOTAL	54	51	28	46	45

Violent crime has reduced by 17% during the period 2017-22.

Again, an even spread throughout the ENTE period is evident:



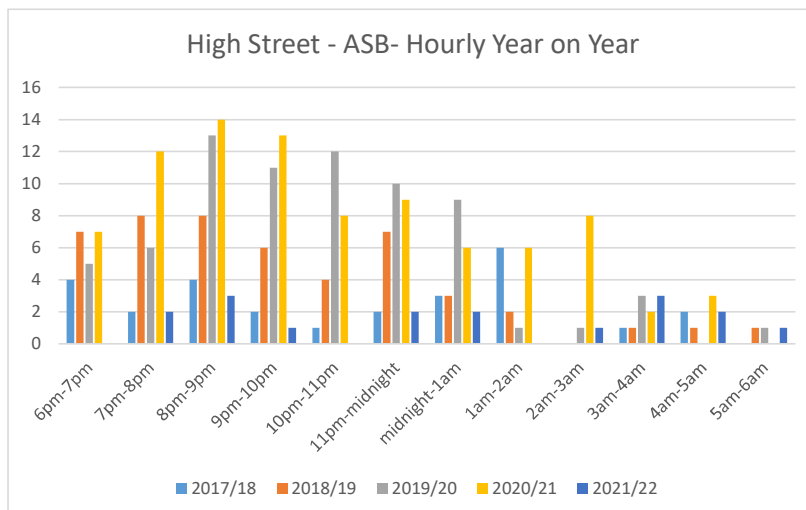
ASB-High St

	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	4	7	5	7	0

7pm-8pm	2	8	6	12	2
8pm-9pm	4	8	13	14	3
9pm-10pm	2	6	11	13	1
10pm-11pm	1	4	12	8	0
11pm-0000	2	7	10	9	2
0000-1am	3	3	9	6	2
1am-2am	6	2	1	6	0
2am-3am	0	0	1	8	1
3am-4am	1	1	3	2	3
4am-5am	2	1	0	3	2
5am-6am	0	1	1	0	1
TOTAL	27	48	72	88	17

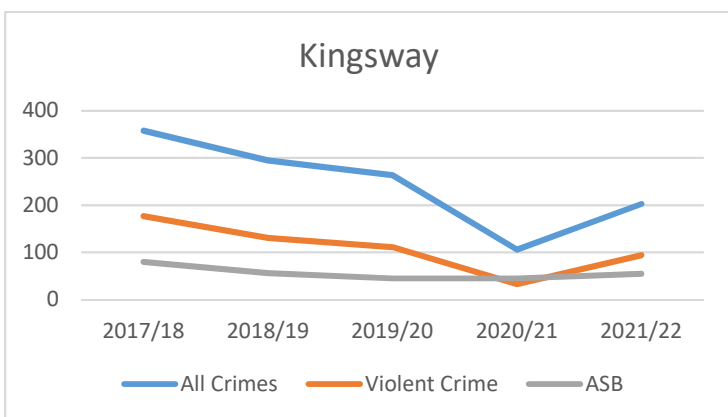
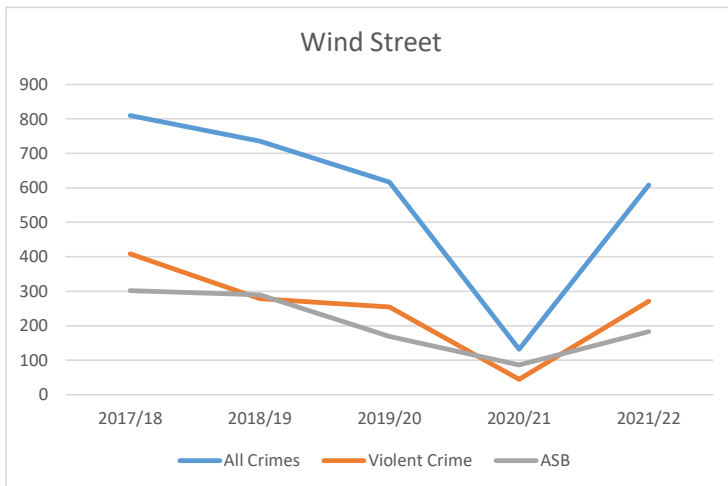
ASB has reduced by 37% over the five-year period, however a considerable spike occurred during 2019/20 & 2020/21 before falling back to much lower levels in 2021/22.

Peak time for ASB is earlier in the evening than we have seen in other areas with 8pm-midnight being the busiest period:

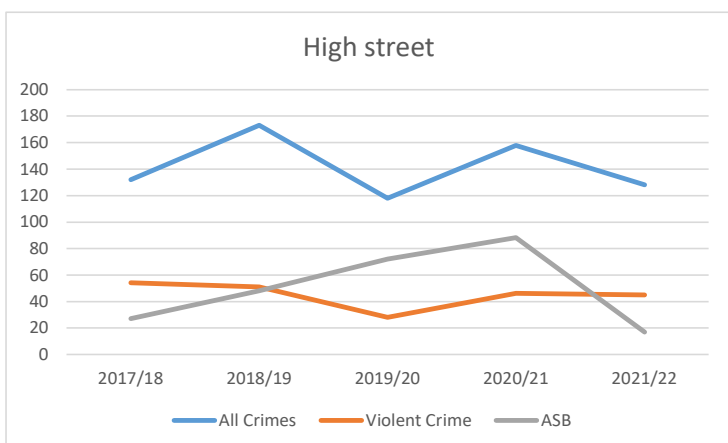


The Covid years 2020/21

We have seen from the figures that the closure of licensed premises and restrictions to their opening hours and operations has impacted crime figures considerably for Wind St & the Kingsway. This is illustrated as follows:



Curiously this phenomenon was not replicated at High St where figures rose from 2019/20 levels:



A possible explanation for this is the fact that the High St area is located close to Swansea central railway Station and has a number of businesses such as convenience stores which are open 24/7 and reflects the transient nature of the area.

Also, it should also be noted that although the bulk of Covid restrictions occurred during 2020/21, there was also a period of closure and restrictions to licensed premises over Xmas 2021 going into Jan 2022, therefore figures for last year do not reflect a full year of normal trading and taking that into account it is likely that figures for next year will be back to pre-Covid levels.

Conclusions

Wind St

Despite a substantial policing commitment the evening and night-time economy continues to generate significant police demand, particularly between 2200-0400 hrs at Wind Street.

The Covid years 2020/21 serve to highlight the dramatic effect of ENTE activity on crime and disorder. **Significantly less ENTE activity equals significantly less police demand.**

The outside pavement café area used by many of the premises on Wind St has created greater pedestrian congestion due to a decrease in space between venues. Coupled with queues for entry to premises at peak times a number of pinch points have become evident. This increases the risk of disorder.

The current ENTE policing model via After Dark is geared towards providing coverage during the peak demand times (up to 0400 hrs).

The supporting infrastructure – Help Point, Taxi Marshals, Street Pastor scheme does not extend beyond 0400 hrs and is unlikely to do so in future.

Any move towards significantly greater saturation of high-volume vertical drinking establishments (HVVD's) within the ENTE (particularly Wind St) would likely lead to increased police demand.

Any move towards later opening of licensed premises within the ENTE would mean an increase in intoxicated persons in the area later into the night, which in turn risks increasing police demand later into the night, beyond 0400 hrs.

Many of the licensed premises located at Wind St regularly submit Temporary Event Notices (TENs) which extend their licensable activities beyond their normal operating hours and later into the night, thus increasing further the number of persons in the ENTE later into the night and the knock-on effect on police demand.

Any change to the previous cumulative impact policy involving later opening would likely mean an increase in applications to extend opening hours later into the night. This increase

in HVVDE's would effectively promote a late-night drinking culture which is at odds with the image of Swansea as a Purple Flag city which boasts a diverse and vibrant ENTE.

Any change to the existing After Dark arrangements to extend police coverage later into the night would have an adverse effect on policing throughout the Swansea Neath Port Talbot Division.

The current regime of staggered closing times between midnight and 0400 hrs allows for a gradual decline in number of persons within the ENTE as they make their way home at varying times and reduces demand at pinch points such as taxi ranks and fast-food establishments and is the favoured approach.

During the previous CIA policy cycle we have observed a decrease in police demand:

Total occurrences down 31% 2017-22

Total crime down 25% 2017-22

Violent crime down 33% 2017-22

ASB down 39% 2017-22

This indicates that the previous CIA policy has been successful and should be re-introduced, particularly in light of the changes taking place within the ENTE in the City and the potential for expansion over the next few years. It also reflects the success of After Dark and the lessons learned over many years of policing the ENTE.

It should also be considered that crime figures do not represent the total picture of police demand, for example the crime prevention effect of early interventions made by officers to prevent minor incidents escalating is not recorded. In addition, an incident may be reported on the night however there may well be following up enquiries required the following day and beyond, which means that ENTE demand further impacts upon day-to-day policing.

The policing environment is continually changing to take into account emerging trends. As well as focussing on public order and violence within the ENTE there is also a need to tackle issues such as vulnerability, violence against women and girls (VAWG), drink spiking, drug misuse etc and these themes will be a focus for After Dark officers going forward.

The Kingsway

Police demand at the Kingsway is approximately 2.5 times less than that of Wind St based on 2021/22 total occurrence figures (504 for Kingsway, 1308 for Wind St).

During the previous CIA policy cycle we have observed a decrease in police demand:

Total occurrences down 45% 2017-22

Total crime down 43% 2017-22

Violent crime down 45% 2017-22

ASB down 31% 2017-22

Again, this indicates that the previous CIA policy was effective. It also reflects the changing nature of the Kingsway with development on-going which will focus more on office and residential premises and less on ENTE premises. Any new cumulative impact policy should take this change into account.

High Street

Police demand at High St is currently four times less than that of Wind St based on total occurrence figures for 2021/22 (320 for High St, 1308 for Wind St).

The area has seen smaller decreases than the other two areas, nevertheless the figures reveal a decrease in police demand:

Total occurrences down 13% 2017-22

Total crimes down 3% 2017-22

Violent crime down 17% 2017-22

ASB down 37% 2017-22

Again, this suggests that the previous CIA policy has been a success in this area.

High St continues to have numerous ENTE premises, and since the previous CIA there has been an influx of students residing in new purpose-built student accommodation (PBSAs) there is a potential for more to spring up to service the extra demand created by their presence. Any new CIA policy should take this into account.

Finally, I wish to stress that the Covid years 2020/21 have shown beyond doubt that there is a link between ENTE activity and police demand. A busier ENTE equals higher police demand. The current policing provision for the ENTE is based on the existing ENTE environment. Any expansion of this would have consequences for policing, and these consequences would be felt throughout Swansea Neath Port Talbot Division.

The bottom line is that when venues close their doors and customers leave, responsibility to manage the situation on the streets rests firmly with police, being the lead agency and only agency consistently present late at night, hence a framework to regulate this environment is welcome.

Consideration has been given to submitting data in relation to emerging areas such as Uplands, SA1 & Mumbles, however, as has been demonstrated in this report Wind St continues to be the main area of police demand in the ENTE and is the area where cumulative impact is most felt.

Therefore, taking the above factors into account, SWP Swansea Neath Port Talbot Division wish to put on record that the adoption a new Cumulative Impact Area policy is supported, particularly so in relation to Wind Street, however any move towards a relaxation of the policy involving later opening and/or significantly greater saturation levels of licensed premises within the ENTE is not supported.

Respectfully submitted for your information and consideration.



Cumulative Impact Assessment

July 2023 to July 2026

Swansea Council

Introduction

Cumulative impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area e.g. the potential impact on crime and disorder or public nuisance.

A Cumulative Impact Assessment (CIA) may be published by a Licensing Authority to help limit the number or type of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.

CIAs relate to new and variation applications for premises licences and club premises certificates in a specified area and any CIA published must be summarised in the Statement of Licensing Policy.

This CIA has been published as the Licensing Authority considers that the number of premises licences and Club Premises Certificates in the areas identified is such that it is likely that granting further licences would be inconsistent with the Authority's duty to promote the licensing objectives. The Licensing Authority will have regard to this CIA in its decision making role and when revising its statement of licensing policy

1. Background

- 1.1 The concept of Cumulative Impact has been described within the Home Office Guidance and used by licensing authorities since the commencement of the 2003 Act.
- 1.2 Swansea Council first adopted a special policy on Cumulative Impact in 2013, based mainly on evidence provided by South Wales Police on the levels of crime and disorder in the area. This was reviewed in 2017 and amendments made, as it was recognised that certain types of premises, due to their nature, would not add to existing cumulative impact.
- 1.3 The Cumulative Impact Policy (CIP) formed part of the Statement of Licensing Policy, which was last reviewed in July 2018 and the CIP was due for review in April 2021. Due to the Covid-19 pandemic the review did not take place as planned and the CIP lapsed as a result.
- 1.4 The Policing and Crime Act 2017 amended the Licensing Act 2003 and placed 'Cumulative Impact Assessments' on a statutory footing by introducing paragraph 5a of the Licensing Act 2003. This amendment came into force on 6th April 2018 and replaces CIPs.
- 1.5 This CIA is published under the new provisions of the Licensing Act 2003 and as a result of the evidence provided, has the same effects and covers the same areas as the previous CIP.
- 1.6 This CIA will be reviewed no later than every three years from the date it comes into force.

2. Consultation

- 2.1 In preparing the CIA, the Licensing Authority has consulted with the persons detailed in section 5(3) of the Licensing Act 2003, namely:
 - Chief Officer of South Wales Police;
 - Chief Officer of Mid & West Wales Fire Authority;
 - Abertawe Bro Morgannwg University Health Board
 - persons/bodies representing local holders of premises licenses;
 - persons/bodies representing local holders of club premises certificates;
 - persons/bodies representing local holders of personal licenses;
 - persons/bodies representing businesses and residents.
 - other organisations as appear to the Licensing Authority to be affected by licensing matters, including local community, cultural, educational and entertainment organisations.
- 2.2 The Licensing Authority has considered the views of all those consulted prior to publishing this CIA.

3.0 The Cumulative Impact of a Concentration of Licensed Premises

- 3.1 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter that the Licensing Authority can take into account. This should not be confused with 'need' which concerns the commercial demand for a particular type of premises e.g., a pub, restaurant or hotel. The issue of 'need' is primarily a matter for the market to decide and does not form part of this CIA.
- 3.2 The Licensing Authority can publish a CIA if there is evidence that the number or type of licensed premises concentrated in one area is causing significant problems, which undermine one or more of the licensing objectives or where problems exist but have decreased as a result of steps taken to address cumulative impact.
- 3.3 The absence of a Cumulative Impact Assessment does not prevent any responsible authority or other person making representations on a new application for the grant or variation of a licence on the grounds that the premises will give rise to a detrimental cumulative impact on one or more of the licensing objectives in a particular area.

4.0 Publishing the CIA

- 4.1 The Licensing Authority has published a CIA for the areas identified in paragraph 5.1. This followed the receipt of updated evidence from SWP in relation to the areas previously subject to the CIP and a request that a CIA is published in line with the provisions that were previously in place under the CIP.
- 4.2 In response to the evidence provided by SWP and in line with requirements for publishing a CIA, the Licensing Authority has followed the steps identified, in considering whether to adopt a CIA:
- Identified concern about crime and disorder or public nuisance;
 - Considered whether there is good evidence that crime and disorder are occurring and that the problems are caused by customers of licensed premises
 - Considered where there is good evidence that crime and disorder has been an issue but has decreased due to a special policy being in place;
 - Identified the boundaries of the areas where problems are occurring; and
 - Consulted with those specified in section 5(3) of the Licensing Act 2003, on the proposal for a cumulative impact assessment in relation to new applications and variations to existing premises licences and club premises certificates and considered the outcome of the consultation.
- 4.3 Having considered the available evidence and undertaken the required consultation, the Licensing Authority considers that it is appropriate and necessary to address the issues of cumulative impact identified

5.0 The CIA

5.1 Based on the evidence provided and the request from SWP that the CIA mirrors the matters and areas covered by the previous CIP, the areas covered by the CIA are as follows:

- i) Wind Street and the surrounding area as defined;
- ii) The Kingsway and the surrounding area as defined;
- iii) High Street and College Street as defined.

The relevant areas are those within the boundary defined on the plans attached at **Appendix A, B and C** and include premises that have accessible entrances onto the streets within the boundary, including the streets listed in the following schedules: –

i) Wind Street and the surrounding area

- Wind Street
- The Strand to the junction with Welcome Lane
- Worcester Place
- Castle Street
- Castle Gardens
- Castle Square
- Green Dragon Lane
- Little Wind Street
- Salubrious Place
- Salubrious Passage
- Caer Street
- Princess Way
- St Mary's Street
- St Mary's Square
- St David's Place
- York Street
- Victoria Road

ii) The Kingsway and the surrounding area

- The Kingsway
- Dillwyn Street from the junctions with The Kingsway and Oxford Street
- Oxford Street from the junctions with Dillwyn Street and Princess Way
- Picton Lane
- Union Street from the junctions of The Kingsway and Oxford Street
- Park Street
- Portland Street
- Bellvue Way
- Dynevor Place
- Horton Street
- Pell Street
- Cradock Street
- Northampton Lane
- Christina Street

- Newton Street

iii) High Street and College Street

- High Street
- College Street

5.2 Wind Street and the surrounding area, The Kingsway and the surrounding area and High Street and College Street are within the area of the CIA as the Authority is satisfied that their inclusion is necessary and appropriate, given the number of premises licensed to supply alcohol for consumption on and off the premises in these streets, together with the incidence of crime, disorder attributable to customers of these premises.

5.3 In addition and in line with previous reviews of the CIP, it is recognised that pubs, nightclubs, restaurants, hotels, theatres and other types of premises sell alcohol, serve food and provide entertainment but with different styles and characteristics and due to the nature of the premises, would not add to existing cumulative impact. Having regard to those differences and the impact they are likely to have on the local area, the following types of premises, providing certain licensable activities between the hours of 10.00am and 1.00am, are exempt from the provisions of the CIA:

- Non – alcohol led premises;
- Theatres, where the main purpose of the premises is the performance of plays;
- Cinemas, where the main purpose of the premises is the exhibition of films;
- Premises where the main purpose is the provision of substantial table meals;
- Premises where the sale/supply of alcohol is by waiter or waitress service only.

5.4 The evidence for the CIA has been provided by South Wales Police on the grounds of Crime and Disorder and is attached at **Appendix D**.

5.5 This assessment will apply to all applications for the grant or variation of a premises licence or club premises certificate within the cumulative impact areas specified in paragraph 5.1, unless provided for in the exemptions listed in paragraph 5.3. This includes applications for variations for increased hours for licensable activities; increased capacity and any other matter that may add to the existing cumulative impact. This will relate to premises carrying on or proposing to carry on any of the following licensable activities:

- The sale or supply of alcohol, on or off the premises;
- The provision of late-night refreshment;
- The provision of any regulated entertainment.

5.6 The CIA does not apply to Temporary Event Notices (TENs) however, the Guidance issued under Section 182 of the Licensing Act 2003, states that it is open to the police and environmental health authority to refer to this assessment and the evidence contained within it, when objecting to a TEN. The Licensing

Authority considers this to be an appropriate approach as an extension of hours within the area covered by the CIA can have a direct impact on the promotion of the licensing objectives.

- 5.7 The publication of the CIA does not change the fundamental way that decisions are made under the Licensing Act 2003. The Licensing Authority will make all decisions on applications within the cumulative impact area on a case-by-case basis and with a view to what is appropriate to promote the licensing objectives.
- 5.8 The CIA does not remove the need for a relevant representation to be submitted by a responsible authority or 'other persons' in response to an application, where they consider it appropriate for the promotion of the licensing objectives and for the application to be determined by the Licensing Sub-Committee. Anyone making a representation may base it on the evidence published in the CIA.
- 5.9. If an application does not result in the receipt of relevant representations, the Licensing Authority will grant the application subject to conditions that are consistent with the operating schedule and any relevant mandatory conditions required by the Licensing Act 2003.
- 5.10. Applicants for the grant or variation of a premises licence or club premises certificate within the cumulative impact area, are expected to address the issues of cumulative impact within their applications and demonstrate that their application and proposed operation would not add to the cumulative impact.
- 5.11 Where relevant representations are received in respect of an application for a grant or variation of a premises licence or club premises certificate within the cumulative impact area, a hearing of the Licensing Sub-Committee will be held. If during the hearing an applicant is able to demonstrate that their application and operation will not add to the cumulative impact a licence may be granted. If an applicant is not able to demonstrate this, the policy of the Licensing Authority is to refuse the application.
- 5.12 This CIA will not be used:
 - as an absolute. The Statement of Licensing Policy will always allow for the circumstances of each application to be considered properly and on its own merits and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted;
 - as a ground for revoking an existing licence or certificate when representations are received about problems with those premises;
 - to impose quotas based on either the number of premises or the capacity of those premises. This is because quotas that indirectly have the effect of predetermining the outcome of any application would have no regard to the individual characteristics of the premises concerned.
- 5.13 The CIA will be kept under review and will remain in existence for a period of up to 3 years. It will be subject to review and further consultation before July

2026, when the licensing authority will consider whether it remains of the opinion set out in this assessment.

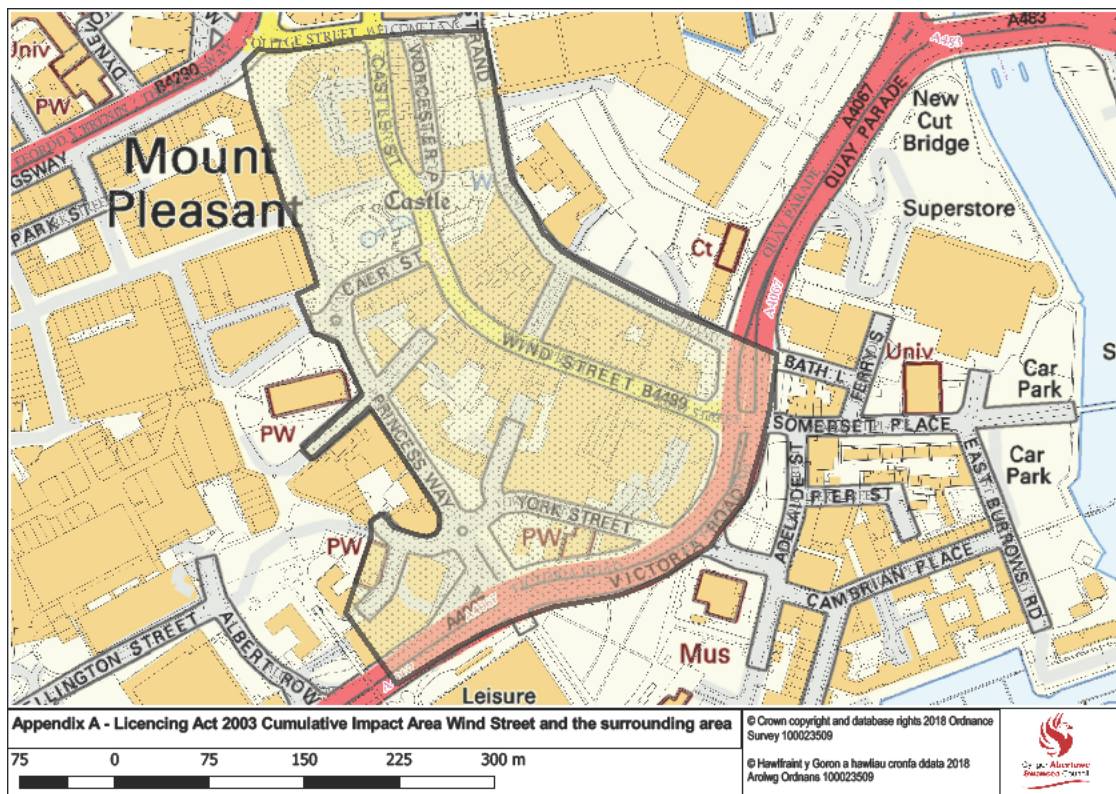
6.0 Other mechanisms for controlling cumulative impact

6.1 Once away from the licensed premises, a minority of consumers will behave badly and unlawfully. There are other mechanisms, both within and outside the licensing regime, that are available for addressing such issues. For example:

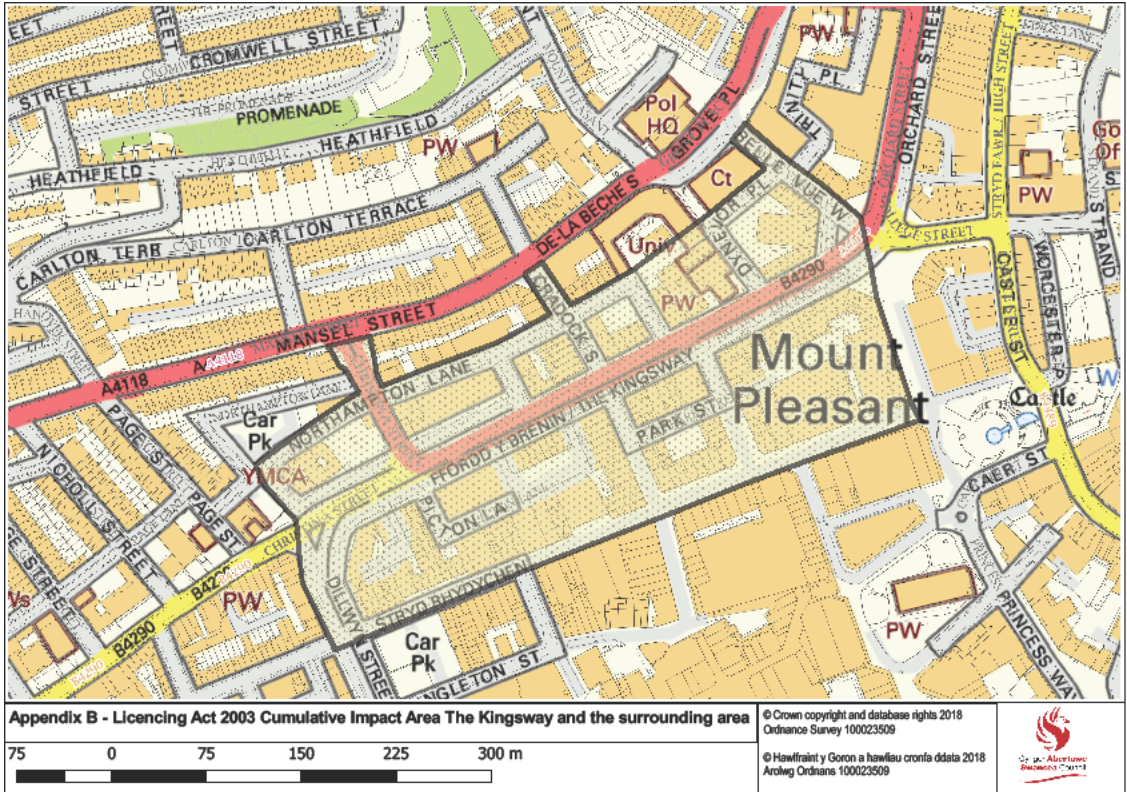
- planning controls;
- positive measures to create a safe and clean city centre environment in partnership with local businesses, transport operators and other local authority departments;
- the provision of CCTV, ample taxi ranks, provision of late night public conveniences, street cleaning and Swansea BID;
- Powers of local authorities to designate and control areas where alcohol cannot be consumed;
- Confiscation of alcohol in designated areas;
- Police enforcement in relation to disorder and anti-social behaviour;
- Prosecution for alcohol related offences;
- Police powers of closure of a premises;
- The provision to review a licence or certificate; and
- The Well-being of Future Generations (Wales) Act 2015.

6.2 The above can also be supplemented by other local initiatives that similarly address these problems, for example, through the Swansea Community Safety Partnership, in line with the strategic objectives for crime and disorder reduction within the City.

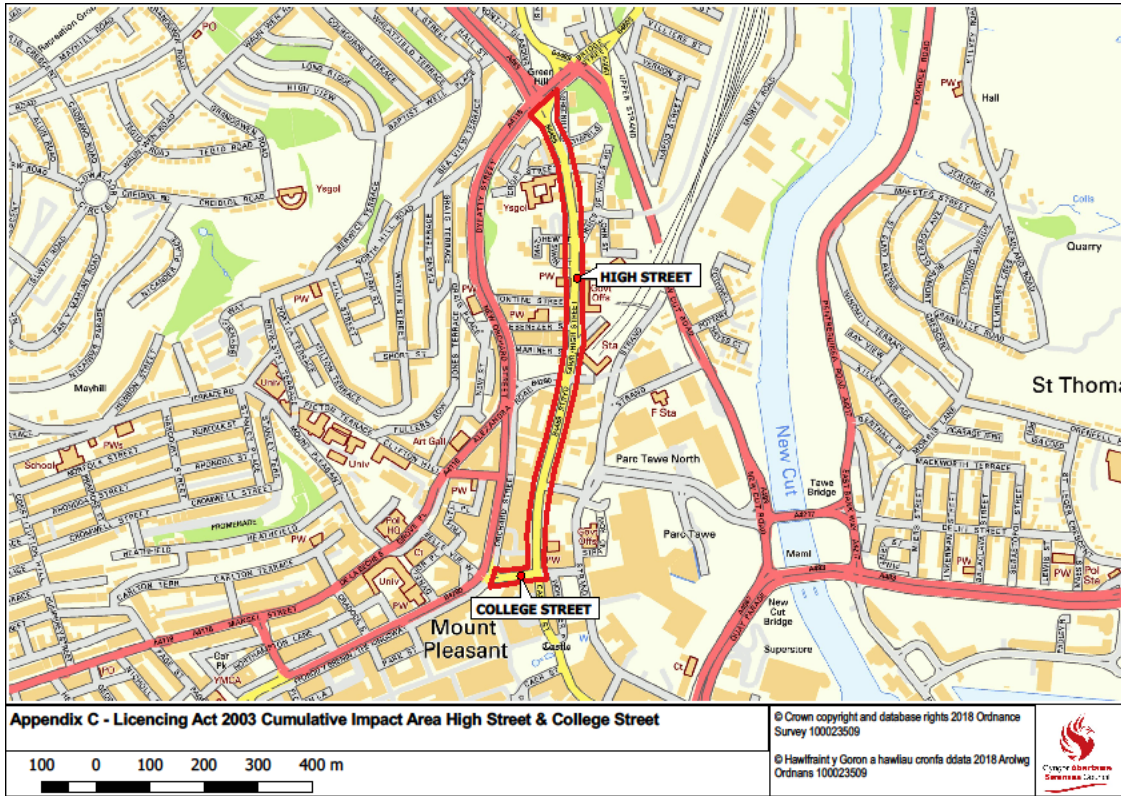
Wind Street & Surrounding Area



The Kingsway and Surrounding Area



High Street & College Street



South Wales Police Evidence

I have been asked to provide a response to a formal request by City & County of Swansea to provide observations in relation to the Council's proposed Cumulative Impact Area policy.

A cumulative impact assessment may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specific area.

Previous CIA cycles have been 2013/17 & 2018/21 however due to the significant disruption caused by the Covid19 pandemic the CIA due in 2021 has not yet been formulated and is expected to be adopted before July 2023.

Previous CIAs to date have been adopted under the local authority's licensing policy however, since then a change to the Licensing Act 2003 was made by the Policing & Crime Act 2017 (with effect from 6th April 2018) which puts the CIA process on a statutory footing. Statutory guidance has been published and this report has been drafted in accordance with that guidance.

As well as providing data relating to police demand I will also provide an interpretation of the data together with conclusions.

The police response for the previous CIA (dated 04/04/2018) looked at crime and disorder data for the following areas during Evening and Night-time Economy hours:

Wind St & surrounding area

The Kingsway & surrounding area

High St & College St

The figures revealed a number of issues including the following:

Wind St – an increase in recorded crime of 78% between 2016 and 2017

Kingsway – 9% reduction in recorded crime between 2015 and 2018

High St – 22% reduction in recorded crime between 2015 and 2018

Part of the increase in Wind St can be attributed to a change in how crime was recorded by SWP during that time, however the corresponding reduction at Kingsway & High St indicates the growing popularity of Wind St as an ENTE destination at the expense of other areas of the city.

Other notable findings from the previous report indicate that the peak time for all recorded crime (including violence with & without injury, public order & drunk and disorderly offences) in the three areas listed above was between 11pm & 3am.

In addition, a year on year increase in recorded crime levels was noted from 3am onwards which indicated the consequences of late night walk-up into the night-time economy.

The report concluded that any relaxation to the CIA would lead to an increase in the number of late-night drinking venues which would in turn result in greater levels of late night crime and disorder which would place increased pressures on policing not only in the City but throughout the Division. For this reason SWP Swansea Neath Port Talbot Division endorsed the policy and opposed any relaxation to it.

The current situation

The ENTE has bounced back from closure and restrictions brought about by the Covid 19 Pandemic during 2020/21 and is now once again operating at normal capacity. Since the last report there has been a number of changes to the city centre, Wind St and surrounding areas which could be said to have an impact on the ENTE, examples being:

- The increased popularity of Swansea as a university City with in-excess of 30,000 students between the two main universities (Swansea University & UWTSD), many of which reside in the city and socialise within the ENTE.
- Construction of six purpose-built student accommodations (PBSA) within the city centre which have a combined population of approx. 4,000 students. A further PBSA is currently under construction which is due to open for the 2023/24 academic year.
- Wind St has now become a pedestrian zone with the installation of numerous items of street furniture throughout the length of the street.
- Increase use of outdoor pavement café areas outside licensed premises, partly in response to Covid restrictions, however many have become permanent.
- Opening of the Arena concert venue in February 2022 which hosts events such as music concerts, shows and conventions and has a maximum capacity of 3,500.
- On-going development of the St David's area located between Wind St and the Arena which will contain several new licensed premises when complete.

In addition to the above there continues to be ENTE premises located at the Kingsway and also High St/College St, although the main focus of ENTE activity within the city continues to be at Wind St and surrounding area. The Kingsway is currently undergoing redevelopment into a commercial/business zone as well as residential premises, therefore it is anticipated that ENTE activity will decrease in this area. I will examine this in more detail later in the report.

Also, the past few years has seen the emergence and increased popularity of further ENTE spots outside of the city centre, these being:

Uplands
SA1
Mumbles

Current police response

Swansea Neath Port Talbot Division has a long history of policing the evening and night-time economy within the cumulative impact zone, which is done via the long-running operation, 'Swansea After-Dark'. This is implemented on the busiest days of the week for the ENTE,

Wednesdays (student night), Fridays & Saturdays. In addition to this After-Dark deployments also take place on other key dates for the ENTE such as bank holiday weekends, A Level result night, Beaujolais Day, Halloween etc.

After-Dark patrols typically involve a team of 1 x sergeant and approx. 12 PCs (Wed & Sat) predominantly working between the hours of 6pm to 4 am, although some shifts are staggered to provide coverage later into the night. These officers are not dedicated solely to After Dark but are abstracted from their primary roles such as Response & Neighbourhood Policing as well as criminal investigation and public protection roles throughout the Division.

Patrols are carried out on foot around Wind St and its environs and due to the volume of licensed premises and patrons there is a need for a 'meet and greet' approach where officers are encouraged to interact with the public, providing early intervention to identify and tackle crime & disorder and also vulnerability at the earliest opportunity.

Given the emergence of other pockets of ENTE such as SA1 & Uplands After-Dark officers also deploy to these areas thus reducing the number of officers patrolling Wind St. In addition, After-Dark officers are periodically required to assist in other areas of the Division in the event of exceptional demand.

Such are the demands of the role, After-Dark officers will inevitably become involved in arrests, interventions and enquiries throughout the evening which may well result in them being committed for the rest of the evening and subsequently not deployable for further patrols. Therefore, the team of 12 officers will become eroded as the evening progresses and there will be far fewer officers available later in the shift, which is a peak time given the staggered closing times for licensed premises typically between midnight and 4am. During this time a large number of persons, many intoxicated have egressed the many licensed premises and will be congregating in numbers at various fast-food establishments and taxi ranks prior to making their way home. This is a crucial period during the evening when the maximum number of officers are required to prevent crime & disorder, prevent harm and to promote public safety, however the fewest number are actually available, visible and deployable. Having supervised After Dark teams for many years I can attest to this attrition of resources, which is the norm.

Help Point

A further measure adopted by SWP in an effort to tackle vulnerability within the ENTE and to help break demand on After-Dark officers is the Help Point. This is a collaborative venture involving SWP and a number of key partners and is funded by the Police & Crime Commissioner, Welsh Ambulance Service & local health board.

The premises is located at the Strand Car park and is staffed by St Johns Ambulance (SJA) staff & volunteers, student volunteers (PSV) and a police officer. The Help Point is open from 10pm to 4am on Wednesdays & Saturdays and also key dates such as bank holiday weekends etc. An initial pilot scheme to trial Friday night opening has recently been carried out and further work on this is currently on-going.

Since its inception eight years ago the Help Point has treated in excess of 6,000 patients for conditions ranging from intoxication, injury and medical issues.

Access into the Help Point for those who need it is via three main routes:

- Patient brought in by police
- Pro-active patrols by student volunteers who identify vulnerable patient

- Direct contact from venues to SJA control via Nite-net radio with student volunteers then deployed to collect the patient.

Running costs are approximately £1,000 per night. There are only three paid staff (nurse, paramedic & police officer), the bulk of the personnel being SJA volunteers & student volunteers.

Patient numbers over the past year indicate that on average 12 patients will be treated at the Help Point on a Saturday evening and 10-12 on Wednesdays, however this figure drops outside of term-time when less students are active within the ENTE.

The Help Point is considered to be an excellent example of best practice & partnership working within the ENTE which has a real impact in tackling vulnerability and breaking demand for officers, freeing them up to deal with other issues.

Other agencies

Staff and volunteers from other agencies also operate within the city centre ENTE to promote public safety including:

- Taxi Marshals
- City Centre Rangers
- Street pastor scheme (volunteers from various faith groups who patrol Wind St and provide assistance to those who need it).

Statistics

The following statistics contain an overview of total occurrences during the evening & night-time economy period (1800-0600 hrs) over a five-year period (2017-22) for the three cumulative impact areas:

Wind St and surrounding area: Wind Street, The Strand (to the junction with Welcome Lane), Worcester Place, Castle Street, Castle Gardens, Castle Square, Temple Street, Green Dragon Lane, Little Wind Street, Salubrious Place, Salubrious Passage, Caer Street, Princess Way, St Mary's Street, St Mary's Square, St David's Place, York Street, Victoria Road

The Kingsway and surrounding area: The Kingsway, Dillwyn Street (from the junctions with The Kingsway and Oxford Street), Oxford Street (from the junctions with Dillwyn Street and Princess Way), Picton Lane, Union Street (from the junctions of The Kingsway and Oxford Street), Park Street, Portland Street, Bellvue Way, Dynevor Place, Horton Street, Pell Street, Cradock Street, Northampton Lane, Christina Street, Newton Street

High St and surrounding area: High Street, College St

We will examine each of these area in more detail and look at hourly breakdown for all crimes, violence and anti-social behaviour, to give an indication of the demand facing SWP officers, however an overview is as follows:

Total Occurrences during ENTE period (1800 hrs – 0600 hrs)

	<u>Wind St</u>	(% change)	<u>Kingsway</u>	(% change)	<u>High St</u>	(%change)
2017/18	1899		919		370	
2018/19	1719	(-9.5%)	688	(-25%)	524	(+141%)

2019/20	1350	(-21.5%)	604	(-12%)	433	(-17%)
2020/21	469	(-287%)	318	(-189%)	414	(-4%)
2021/22	1308	(+278%)	504	(+158%)	320	(-23%)

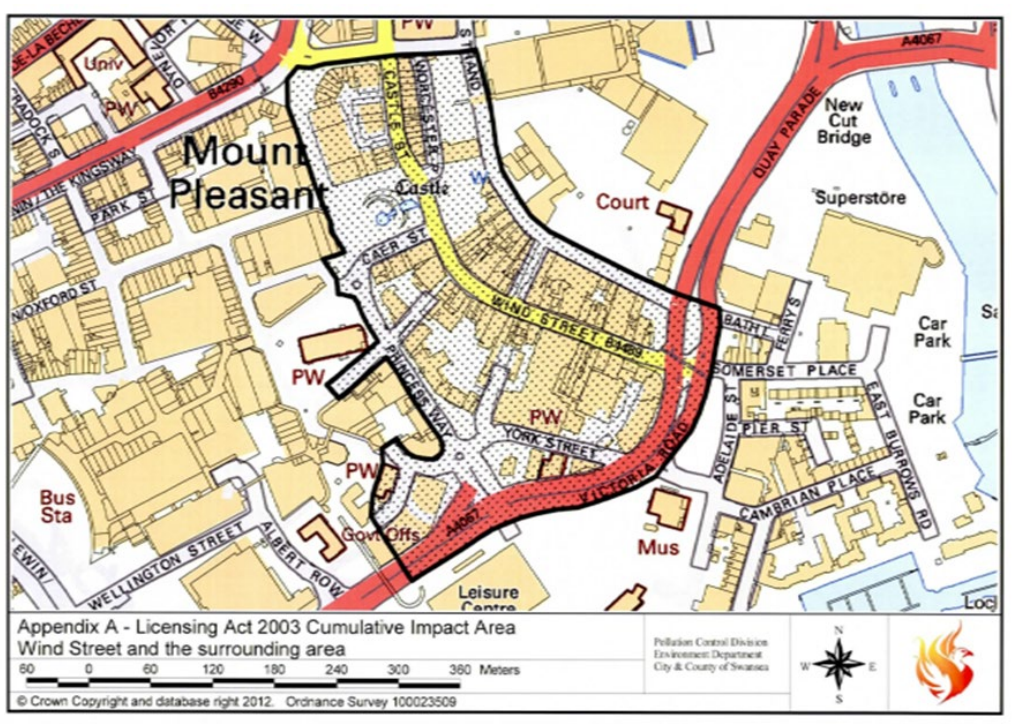
Wind St – 31% decrease in occurrences over five-year period 2017-22
 Kingsway – 45% decrease in occurrences over five-year period 2017-22
 High St – 13% decrease in occurrences over five-year period 2017-22

- % change represents the year on year difference

The figures highlighted in red represent the period most affected by restrictions and closure to ENTE due to the Covid 19 pandemic. It can be seen that Wind St and the Kingsway experienced a significant drop in demand however there is no discernible difference for High St during this period, although it should be noted that the number of occurrences for High St is considerably less than the other areas.

The figures for 2021/22 also indicate that demand has largely returned to pre-pandemic levels.

Wind St



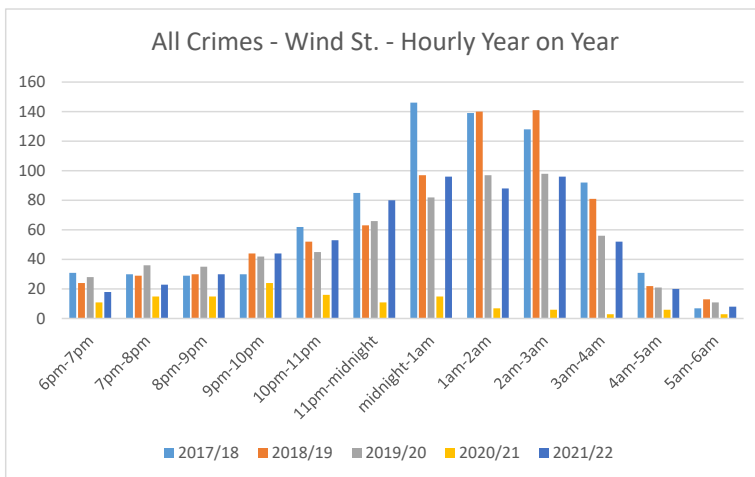
All Crimes Wind St

	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	31	24	28	11	18
7pm-8pm	30	29	36	15	23
8pm-9pm	29	30	35	15	30
9pm-10pm	30	44	42	24	44
10pm-11pm	62	52	45	16	53
11pm-0000	85	63	66	11	80
0000-1am	146	97	82	15	96
1am-2am	139	140	97	7	88
2am-3am	128	141	98	6	96
3am-4am	92	81	56	3	52

4am-5am	31	22	21	6	20
5am-6am	7	13	11	3	8
TOTAL	810	736	617	132	608

The above data shows that there has been a 25% reduction in crime within the Wind St CIA between 2017-22. Also of note is the huge reduction in crime during the main period of Covid restrictions & closures during 2020/21.

It also shows that the peak time for demand is between 10pm-4am (highlighted in red). This is illustrate below:

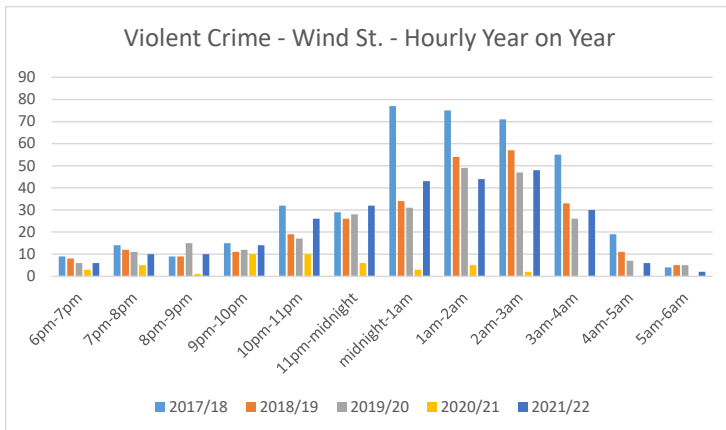


Violent Crime - Wind St

	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	9	8	6	3	6
7pm-8pm	14	12	11	5	10
8pm-9pm	9	9	15	1	10
9pm-10pm	15	11	12	10	14
10pm-11pm	32	19	17	10	26
11pm-0000	29	26	28	6	32
0000-1am	77	34	31	3	43
1am-2am	75	54	49	5	44
2am-3am	71	57	47	2	48
3am-4am	55	33	26	0	30
4am-5am	19	11	7	0	6
5am-6am	4	5	5	0	2
TOTAL	409	279	254	45	271

The above represents a 33% reduction in violent crime between 2017-22. Also replicated is the large decrease during the main Covid period 2020/21.

In addition, the pattern of peak demand between 10pm-4am is repeated:

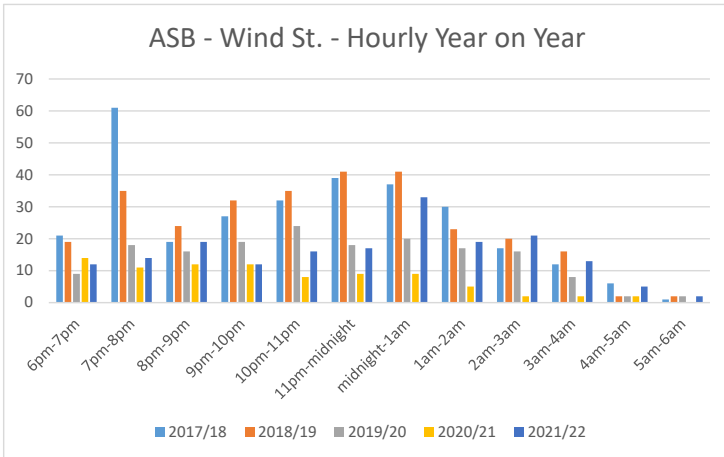


Anti-Social Behaviour - Wind St

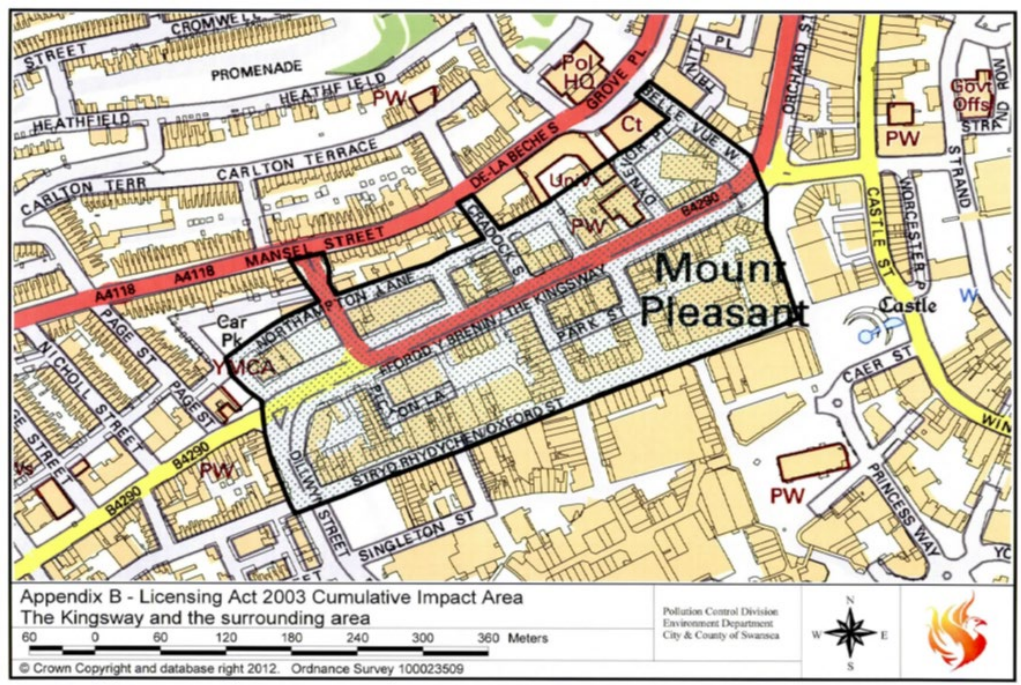
	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	21	19	9	14	12
7pm-8pm	61	35	18	11	14
8pm-9pm	19	24	16	12	19
9pm-10pm	27	32	19	12	12
10pm-11pm	32	35	24	8	16
11pm-0000	39	41	18	9	17
0000-1am	37	41	20	9	33
1am-2am	30	23	17	5	19
2am-3am	17	20	16	2	21
3am-4am	12	16	8	2	13
4am-5am	6	2	2	2	5
5am-6am	1	2	2	0	2
TOTAL	302	290	169	86	183

The above represents a 39% reduction in anti-social behaviour between 2017-22. Again, the effects of Covid restrictions and closure can be seen in 2020/21.

In addition, peak demand is also between 10pm-4am although this is not as clearly pronounced as the previous figures:



The Kingsway



All Crimes - Kingsway

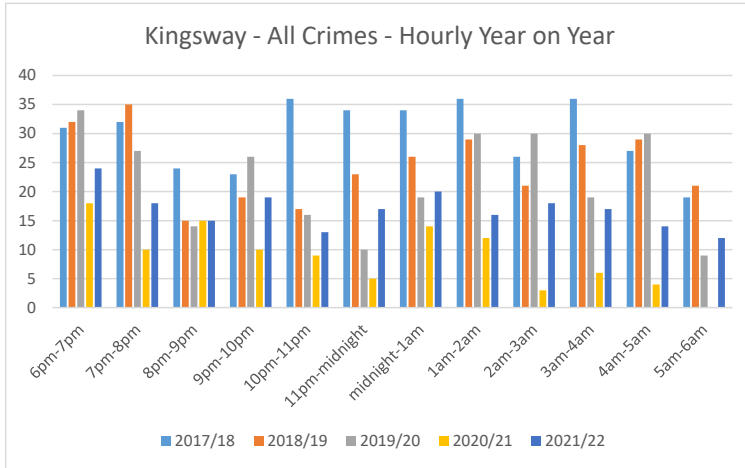
2017/18 2018/19 2019/20 2020/21 2021/22

6pm-7pm	31	32	34	18	24
7pm-8pm	32	35	27	10	18
8pm-9pm	24	15	14	15	15
9pm-10pm	23	19	26	10	19
10pm-11pm	36	17	16	9	13
11pm-0000	34	23	10	5	17
0000-1am	34	26	19	14	20
1am-2am	36	29	30	12	16
2am-3am	26	21	30	3	18
3am-4am	36	28	19	6	17
4am-5am	27	29	30	4	14
5am-6am	19	21	9	0	12

TOTAL 358 295 264 106 203

The above shows a 43% reduction in all crime within the Kingsway CIA between 2017/22.

Again, a large drop in crime is evident during the Covid period 2020/21. Hourly demand is evenly spread during the ENTE period as shown below:



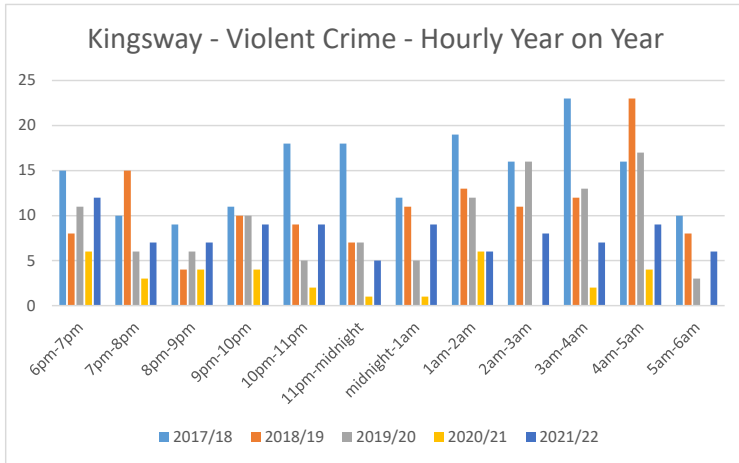
Violent Crime - Kingsway

2017/18 2018/19 2019/20 2020/21 2021/22

6pm-7pm	15	8	11	6	12
7pm-8pm	10	15	6	3	7
8pm-9pm	9	4	6	4	7
9pm-10pm	11	10	10	4	9
10pm-11pm	18	9	5	2	9
11pm-0000	18	7	7	1	5
0000-1am	12	11	5	1	9
1am-2am	19	13	12	6	6
2am-3am	16	11	16	0	8
3am-4am	23	12	13	2	7
4am-5am	16	23	17	4	9
5am-6am	10	8	3	0	6
TOTAL	177	131	111	33	94

The above shows a 45% reduction in violent crime over the five-year period 2017-22.

Again, a large drop can be seen in the figures for 2022/21, and hourly demand is evenly split, with a slight increase later in the night:

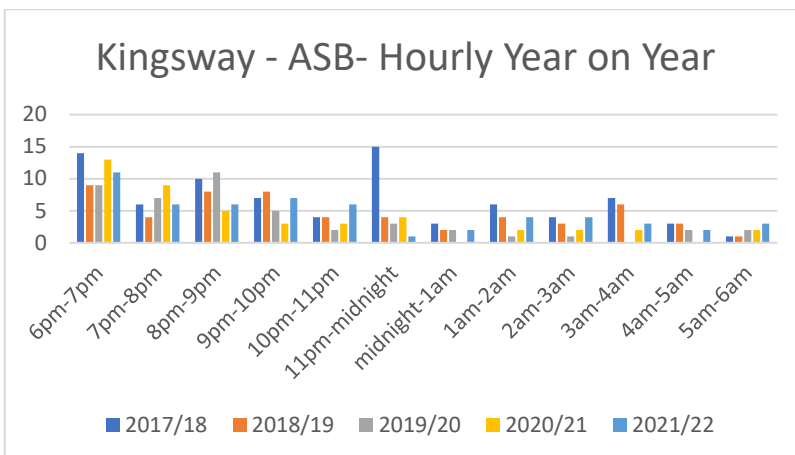


Anti-Social Behaviour - Kingsway

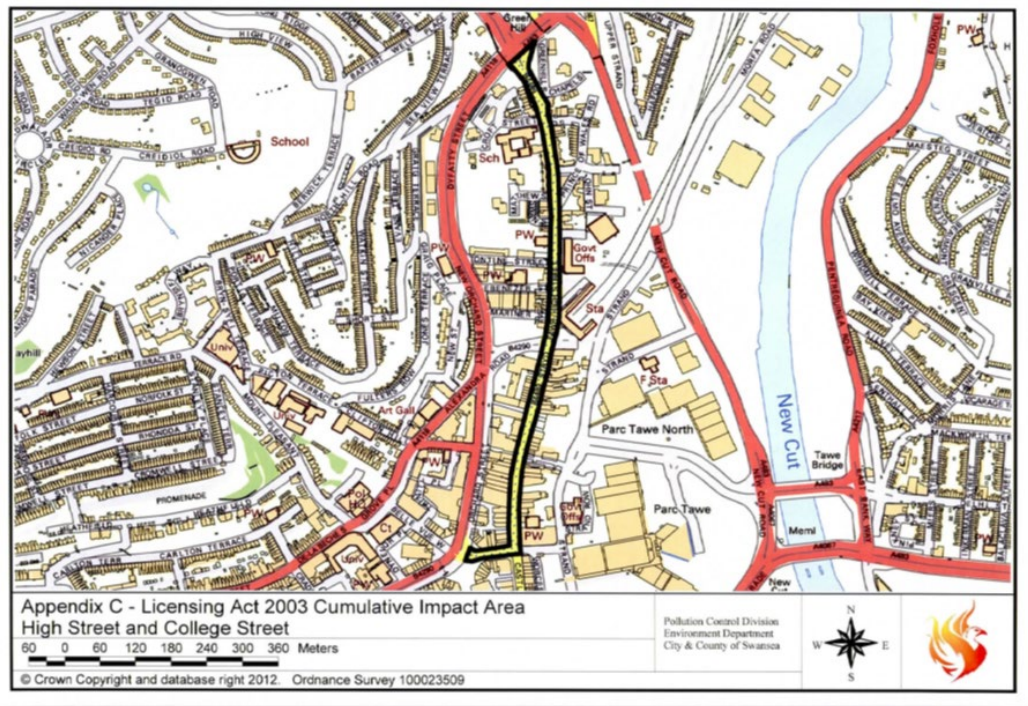
	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	14	9	9	13	11
7pm-8pm	6	4	7	9	6
8pm-9pm	10	8	11	5	6
9pm-10pm	7	8	5	3	7
10pm-11pm	4	4	2	3	6
11pm-0000	15	4	3	4	1
0000-1am	3	2	2	0	2
1am-2am	6	4	1	2	4
2am-3am	4	3	1	2	4
3am-4am	7	6	0	2	3
4am-5am	3	3	2	0	2
5am-6am	1	1	2	2	3
TOTAL	80	56	45	45	55

The above represents a 31% reduction in ASB at the Kingsway over the five year period 2017-22.

Again, hourly demand is evenly split:



High Street (& College St)



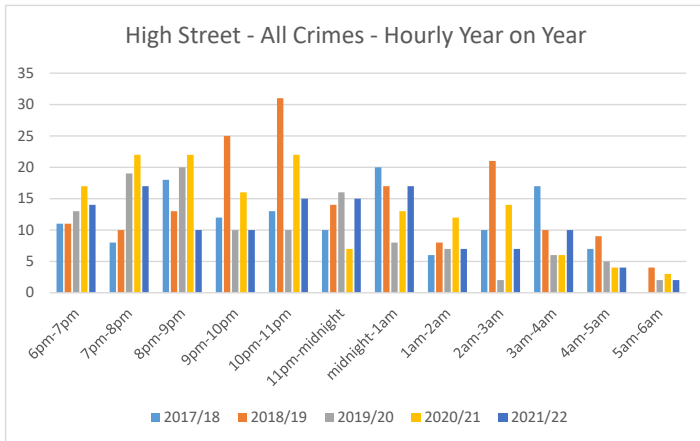
All Crimes-High St

	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	11	11	13	17	14
7pm-8pm	8	10	19	22	17
8pm-9pm	18	13	20	22	10
9pm-10pm	12	25	10	16	10
10pm-11pm	13	31	10	22	15
11pm-0000	10	14	16	7	15
0000-1am	20	17	8	13	17
1am-2am	6	8	7	12	7
2am-3am	10	21	2	14	7
3am-4am	17	10	6	6	10
4am-5am	7	9	5	4	4
5am-6am	0	4	2	3	2
TOTAL	132	173	118	158	128

The above shows a 3% reduction in crime within the High St CIA between 2017-22.

The previous pattern of lower figure during the main Covid period 2020/21 is not seen here.

Again, as seen at the Kingsway there is a more even spread of hourly demand:

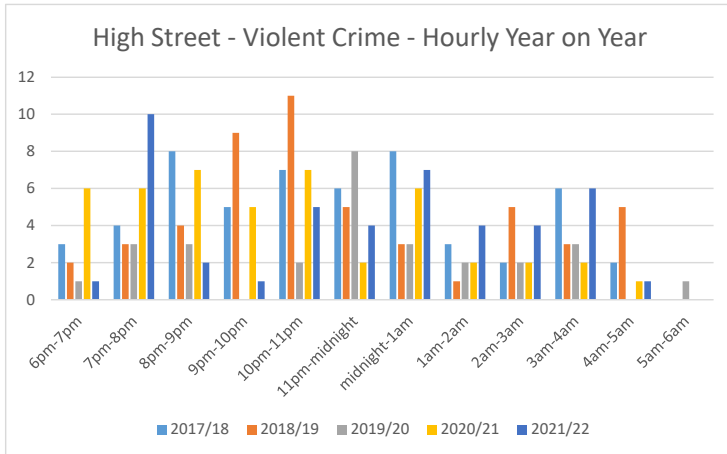


Violent Crime - High St

	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	3	2	1	6	1
7pm-8pm	4	3	3	6	10
8pm-9pm	8	4	3	7	2
9pm-10pm	5	9	0	5	1
10pm-11pm	7	11	2	7	5
11pm-0000	6	5	8	2	4
0000-1am	8	3	3	6	7
1am-2am	3	1	2	2	4
2am-3am	2	5	2	2	4
3am-4am	6	3	3	2	6
4am-5am	2	5	0	1	1
5am-6am	0	0	1	0	0
TOTAL	54	51	28	46	45

Violent crime has reduced by 17% during the period 2017-22.

Again, an even spread throughout the ENTE period is evident:

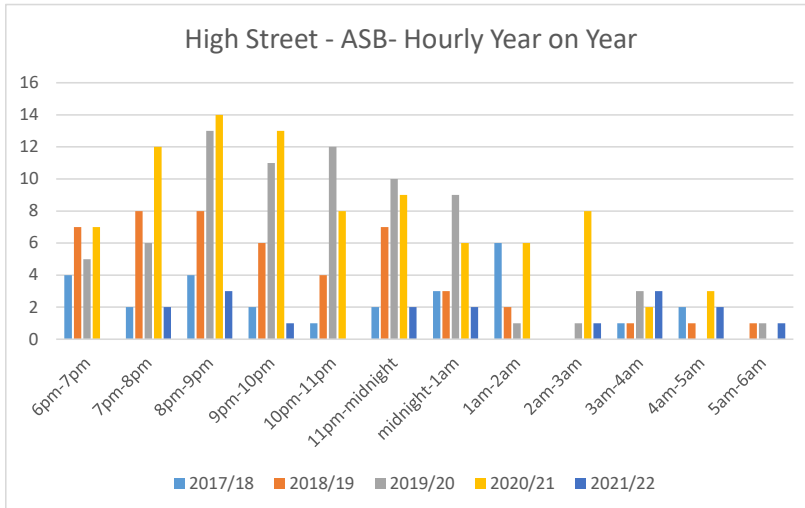


ASB-High St

	2017/18	2018/19	2019/20	2020/21	2021/22
6pm-7pm	4	7	5	7	0
7pm-8pm	2	8	6	12	2
8pm-9pm	4	8	13	14	3
9pm-10pm	2	6	11	13	1
10pm-11pm	1	4	12	8	0
11pm-0000	2	7	10	9	2
0000-1am	3	3	9	6	2
1am-2am	6	2	1	6	0
2am-3am	0	0	1	8	1
3am-4am	1	1	3	2	3
4am-5am	2	1	0	3	2
5am-6am	0	1	1	0	1
TOTAL	27	48	72	88	17

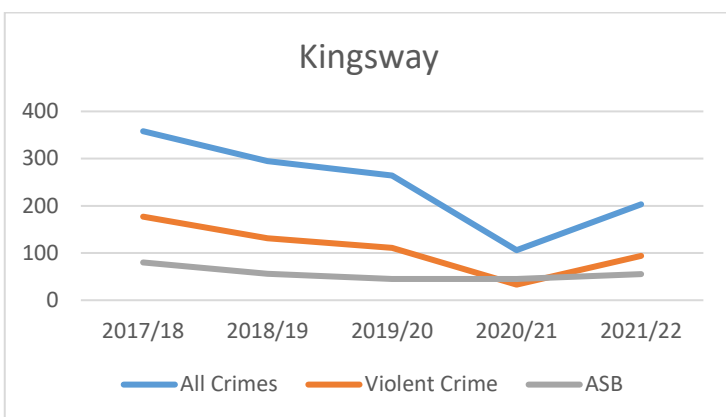
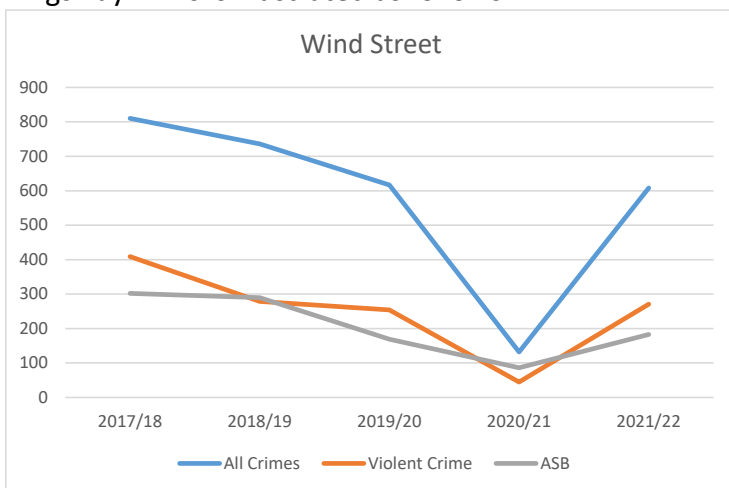
ASB has reduced by 37% over the five-year period, however a considerable spike occurred during 2019/20 & 2020/21 before falling back to much lower levels in 2021/22.

Peak time for ASB is earlier in the evening than we have seen in other areas with 8pm-midnight being the busiest period:

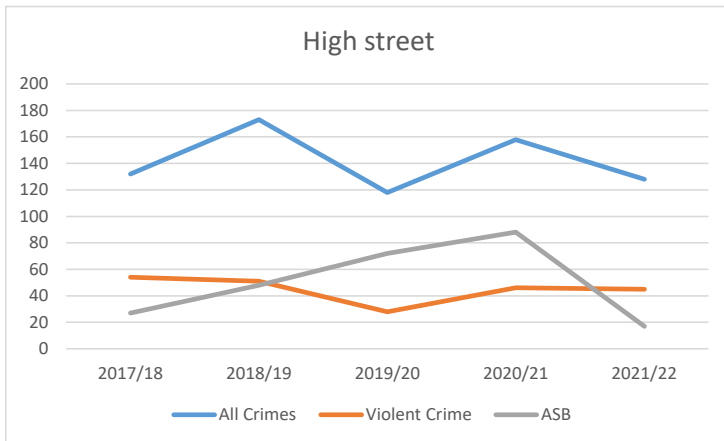


The Covid years 2020/21

We have seen from the figures that the closure of licensed premises and restrictions to their opening hours and operations has impacted crime figures considerably for Wind St & the Kingsway. This is illustrated as follows:



Curiously this phenomenon was not replicated at High St where figures rose from 2019/20 levels:



A possible explanation for this is the fact that the High St area is located close to Swansea central railway Station and has a number of businesses such as convenience stores which are open 24/7 and reflects the transient nature of the area.

Also, it should also be noted that although the bulk of Covid restrictions occurred during 2020/21, there was also a period of closure and restrictions to licensed premises over Xmas 2021 going into Jan 2022, therefore figures for last year do not reflect a full year of normal trading and taking that into account it is likely that figures for next year will be back to pre-Covid levels.

Conclusions

Wind St

Despite a substantial policing commitment the evening and night-time economy continues to generate significant police demand, particularly between 2200-0400 hrs at Wind Street.

The Covid years 2020/21 serve to highlight the dramatic effect of ENTE activity on crime and disorder. **Significantly less ENTE activity equals significantly less police demand.**

The outside pavement café area used by many of the premises on Wind St has created greater pedestrian congestion due to a decrease in space between venues. Coupled with queues for entry to premises at peak times a number of pinch points have become evident. This increases the risk of disorder.

The current ENTE policing model via After Dark is geared towards providing coverage during the peak demand times (up to 0400 hrs).

The supporting infrastructure – Help Point, Taxi Marshals, Street Pastor scheme does not extend beyond 0400 hrs and is unlikely to do so in future.

Any move towards significantly greater saturation of high-volume vertical drinking establishments (HVVDE’s) within the ENTE (particularly Wind St) would likely lead to increased police demand.

Any move towards later opening of licensed premises within the ENTE would mean an increase in intoxicated persons in the area later into the night, which in turn risks increasing police demand later into the night, beyond 0400 hrs.

Many of the licensed premises located at Wind St regularly submit Temporary Event Notices (TENs) which extend their licensable activities beyond their normal operating hours and later into the night, thus increasing further the number of persons in the ENTE later into the night and the knock-on effect on police demand.

Any change to the previous cumulative impact policy involving later opening would likely mean an increase in applications to extend opening hours later into the night. This increase in HVVDE's would effectively promote a late-night drinking culture which is at odds with the image of Swansea as a Purple Flag city which boasts a diverse and vibrant ENTE.

Any change to the existing After Dark arrangements to extend police coverage later into the night would have an adverse effect on policing throughout the Swansea Neath Port Talbot Division.

The current regime of staggered closing times between midnight and 0400 hrs allows for a gradual decline in number of persons within the ENTE as they make their way home at varying times and reduces demand at pinch points such as taxi ranks and fast-food establishments and is the favoured approach.

During the previous CIA policy cycle we have observed a decrease in police demand:

Total occurrences down 31% 2017-22

Total crime down 25% 2017-22

Violent crime down 33% 2017-22

ASB down 39% 2017-22

This indicates that the previous CIA policy has been successful and should be re-introduced, particularly in light of the changes taking place within the ENTE in the City and the potential for expansion over the next few years. It also reflects the success of After Dark and the lessons learned over many years of policing the ENTE.

It should also be considered that crime figures do not represent the total picture of police demand, for example the crime prevention effect of early interventions made by officers to prevent minor incidents escalating is not recorded. In addition, an incident may be reported on the night however there may well be following up enquiries required the following day and beyond, which means that ENTE demand further impacts upon day-to-day policing.

The policing environment is continually changing to take into account emerging trends. As well as focussing on public order and violence within the ENTE there is also a need to tackle issues such as vulnerability, violence against women and girls (VAWG), drink spiking, drug misuse etc and these themes will be a focus for After Dark officers going forward.

The Kingsway

Police demand at the Kingsway is approximately 2.5 times less than that of Wind St based on 2021/22 total occurrence figures (504 for Kingsway, 1308 for Wind St).

During the previous CIA policy cycle we have observed a decrease in police demand:

Total occurrences down 45% 2017-22

Total crime down 43% 2017-22

Violent crime down 45% 2017-22
ASB down 31% 2017-22

Again, this indicates that the previous CIA policy was effective. It also reflects the changing nature of the Kingsway with development on-going which will focus more on office and residential premises and less on ENTE premises. Any new cumulative impact policy should take this change into account.

High Street

Police demand at High St is currently four times less than that of Wind St based on total occurrence figures for 2021/22 (320 for High St, 1308 for Wind St).

The area has seen smaller decreases than the other two areas, nevertheless the figures reveal a decrease in police demand:

Total occurrences down 13% 2017-22
Total crimes down 3% 2017-22
Violent crime down 17% 2017-22
ASB down 37% 2017-22

Again, this suggests that the previous CIA policy has been a success in this area.

High St continues to have numerous ENTE premises, and since the previous CIA there has been an influx of students residing in new purpose-built student accommodation (PBSAs) there is a potential for more to spring up to service the extra demand created by their presence. Any new CIA policy should take this into account.

Finally, I wish to stress that the Covid years 2020/21 have shown beyond doubt that there is a link between ENTE activity and police demand. A busier ENTE equals higher police demand. The current policing provision for the ENTE is based on the existing ENTE environment. Any expansion of this would have consequences for policing, and these consequences would be felt throughout Swansea Neath Port Talbot Division.

The bottom line is that when venues close their doors and customers leave, responsibility to manage the situation on the streets rests firmly with police, being the lead agency and only agency consistently present late at night, hence a framework to regulate this environment is welcome.

Consideration has been given to submitting data in relation to emerging areas such as Uplands, SA1 & Mumbles, however, as has been demonstrated in this report Wind St continues to be the main area of police demand in the ENTE and is the area where cumulative impact is most felt.

Therefore, taking the above factors into account, SWP Swansea Neath Port Talbot Division wish to put on record that the adoption a new Cumulative Impact Area policy is supported, particularly so in relation to Wind Street, however any move towards a relaxation of the policy involving later opening and/or significantly greater saturation levels of licensed premises within the ENTE is not supported.

Respectfully submitted for your information and consideration.

Integrated Impact Assessment Screening Form – Appendix D

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Licensing – Housing and Public Health

Directorate: Place

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

(b) Please name and fully describe initiative here:

The Policing and Crime Act 2017 amended the Licensing Act 2003 to place ‘Cumulative Impact Assessments’ (CIAs) on a statutory footing by introducing paragraph 5a of the Licensing Act 2003. This amendment came into force on 6th April 2018.

Swansea Council first adopted a special policy on Cumulative Effect in 2013, with amendments being made in a review in 2017, as it was recognised that certain types of premises, due to their nature, would not add to existing cumulative impact. The special policy formed part of the Statement of Licensing Policy, which was last reviewed in July 2018 however, due to the Covid-19 pandemic, the Cumulative Impact Policy (CIP) was not reviewed in 2021 as planned and therefore lapsed.

The proposal is that this Cumulative Impact Assessment is published under the new provisions of the Licensing Act 2003. It will have the same the effect and apply to the same areas that were contained in the CIP that came into force in 2018. The policy will be reviewed no later than every three years from the date it comes into force.

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Integrated Impact Assessment Screening Form – Appendix D

Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?
Please provide details below – either of your activities or your reasons for not undertaking involvement**

As per section 5a of the Licensing Act 2003, in preparing the Cumulative Impact Assessment the Licensing Authority consulted the persons mentioned in section 5(3) of the Licensing Act 2003, namely:

- South Wales Police;
- Mid & West Wales Fire Authority;
- Abertawe Bro Morgannwg University Health Board
- persons/bodies representing local holders of premises licenses;
- persons/bodies representing local holders of club premises certificates;
- persons/bodies representing local holders of personal licenses;
- persons/bodies representing businesses and residents.

And will also the following:

- Local Authority Members;
- The Licensing Committee;
- Representatives of other appropriate Council functions including:
 - Community Safety
 - Planning Services
 - Estates
 - Transportation & Engineering
 - Regeneration
 - Culture & Tourism
 - Social Services
 - Pollution Control
 - Health and Safety
 - Trading Standards
- Neighbouring Licensing Authorities;
- Swansea Magistrates Court
- Licensing Solicitors
- Accident and Emergency Department
- The Ambulance Service
- Musicians Union

Integrated Impact Assessment Screening Form – Appendix D

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?
Yes No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
Yes No
- c) Does the initiative apply each of the five ways of working?
Yes No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
Yes No

Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)

High risk

Medium risk

Low risk

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

Any applicant wishing to apply for the grant or variation of a premises licence/club premises certificate in an area where the CIA applies will be required to give consideration to potential cumulative impact issues when setting out the steps that they will take to promote the licensing objectives as part of their application. The application, including the proposed steps to promote the licensing objectives, will be considered by the Licensing Authority and the other Responsible Authorities, who will each determine whether or not to make representations in response to the application. The Licensing Committee will determine any application that is subject to representations and will consider each application on its merits, having regard to their duty to promote the Licensing Objectives.

Integrated Impact Assessment Screening Form – Appendix D

Outcome of Screening

Q8 Please describe the outcome of your screening below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

(Q2) The screening identifies that the impact of the introduction of a CIA by Swansea Council is low to all groups identified in Q2.

(Q3) Consultation on the proposed CIA was undertaken with all parties identified in Q3 before being considered by Full Council.

(Q4) All aspects of the WFG Act principles have been considered and it is of low impact.

(Q5) The potential risks are low to all aspects being considered.

(Q7) Any applicant wishing to apply for the grant or variation of a premises licence/club premises certificate in an area where the CIA applies will be required to give consideration to potential cumulative impact issues when setting out the steps that they will take to promote the licensing objectives as part of their application. The application, including the proposed steps to promote the licensing objectives, will be considered by the Licensing Authority and the other Responsible Authorities, who will each determine whether or not to make representations in response to the application. The Licensing Committee will consider and determine any application that is subject to representations on its merits, having regard to their duty to promote the Licensing Objectives

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Yvonne Lewis
Job title: Team Leader Licensing
Date: 28/4/23
Approval by Head of Service:
Name:
Position:
Date:

Please return the completed form to accesstoservices@swansea.gov.uk

Agenda Item 12.



Report of the Cabinet Member for Corporate Services & Performance

Council – 6 July 2023

Swansea Replacement Local Development Plan (RLDP) – Final Delivery Agreement and Next Steps

Purpose:	To inform Members of the outcome of the consultation exercise undertaken on the draft Swansea Replacement LDP Delivery Agreement and Review Report, and seek Council's approval to submit the final documents to the Welsh Government
Policy Framework:	Swansea Local Development Plan (Adopted 2019); Planning and Compulsory Purchase Act 2004 (as amended); Well-being of Future Generations (Wales) Act 2015; Planning (Wales) Act 2015; Environmental Assessment of Plans and Programmes (Wales) Regulations 2004) (SEA regulations); Planning Policy Wales (2021) and related Guidance
Consultation:	Access to Services, Finance, Legal
Recommendation(s):	It is recommended that: <ol style="list-style-type: none">1) The schedule of consultation responses on the draft Swansea LDP Review Report (attached at Appendix A) is noted, and the final Review Report (attached at Appendix B) is approved for submission to the Welsh Government;2) The schedule of consultation responses on the draft Swansea Replacement LDP Delivery Agreement (attached at Appendix C) is noted, and the final Delivery Agreement (attached at Appendix D) is submitted to the Welsh Government for approval;3) The Head of Planning and City Regeneration, or appropriate delegated Officer, be authorised to make any outstanding typographical, grammatical, presentational or factual amendments to the LDP Review Report and Replacement LDP Delivery Agreement prior to submission to the Welsh Government;4) The Head of Planning and City Regeneration, or appropriate delegated Officer be authorised to undertake a Call for Candidate Sites exercise and prepare the necessary supporting background documents, including assessment methodologies, that relate to this stage;

- 5) The Head of Planning and City Regeneration, or appropriate delegated Officer be authorised to undertake the required next steps in the preparation of the Replacement LDP, including engagement with relevant stakeholders on a Strategic Environmental Assessment Screening Opinion and draft Integrated Sustainability Appraisal Scoping Report.

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1.0 Background and Context

1.1 The Swansea Local Development Plan (LDP) 2010-2025 was adopted by the Council on 28th February 2019 and forms the current statutory development plan for the City and County, under the provisions of Section 38(6) of the Planning Act. The LDP sets out the Council's planning framework for the development and use of land within the county boundary for the period up to January 1st 2026.

1.2 The Planning Act requires Council's to undertake a comprehensive review of their adopted LDP no longer than 4 years from the date of its adoption. This is in order to ensure the LDP, and its supporting evidence, is found to be up to date and providing a sound basis for planning decisions. Given the Swansea LDP was adopted in February 2019, the Council was required to commence a review of the Swansea LDP by February 2023 at the latest to consider requirements for a replacement LDP. The 3rd Annual Monitoring Report (AMR) on the Swansea LDP was formally submitted to the Welsh Government in March 2023. In summary it concluded that *the statutory four year full review cycle that applies to the LDP should be seen as an opportunity to undertake a more full review of relevant policies and requirements.*

Swansea LDP Review Report

1.3 A draft Swansea LDP Review Report was presented to Members for consideration at a Council meeting in March 2023, and was approved for a period of public consultation. The Review Report sets out the findings of a detailed appraisal of adopted LDP policies, having regard to the findings of the AMRs.

1.4 The Review Report outlined that whilst the majority of LDP policies and objectives were being implemented effectively there were some indicator and monitoring targets not being achieved, particularly related to housing development. It also highlighted key contextual changes such as the COVID 19 pandemic and BREXIT affecting the economic and socio-economic context and underpinning evidence that needed to be revisited, including matters relating to the future scale of population growth in Swansea, having regard to emerging national data. Similarly, it outlined the national policy context has altered in a number of key areas since adoption of the Swansea LDP such as the impending TAN15 on Flood Risk.

1.5 The Review Report also identified that the range of evidence to be updated is such that this is likely to require amendments to thematic and topic specific policies, such

as: (which is not exhaustive) the need for Gypsy and Traveller provision; affordable housing need; high level financial viability of delivering planning obligations; and tourism accommodation provision. There is a need to consider delays incurred on delivering certain LDP allocated sites, specifically whether this necessitates the identification of any alternative or new allocations to deliver updated housing requirements. This would require a detailed review of undelivered existing allocations and the individual merits and deliverability of other allocations.

- 1.6 Finally the Review Report had to conclude on the most appropriate procedural route to review the plan. It was clear that a so called 'Short Form' review would not be appropriate given there is a need to review the scale and distribution of growth. Rather, the evidence is clear that the Full Revision procedure is the appropriate form of revision process for the Swansea LDP. This must be progressed as an individual authority as there is no scope for a joint plan with other authorities due to differing timescales however, joint working on evidence base will be maximised. Commencing preparation of the Swansea Replacement Local Development Plan (RLDP) using this procedure will ensure that effective local decision making in planning can continue, founded on a comprehensively updated evidence base, in-line with the plan-led approach in Wales required by Welsh Government.

Swansea Replacement LDP Delivery Agreement (DA)

- 1.7 A key recommendation of the draft Review Report was that the LPA should produce a **Delivery Agreement (DA) for the Swansea RLDP**. A draft DA was approved by members in March 2023 to be issued for public consultation. The document sets out the proposed timetable for the preparation of the RLDP, together with the Community Involvement Scheme (CIS) detailing when, and how the Council will consult on its preparation and with whom.
- 1.8 The preparation of a DA represents a key initial statutory stage in the process to produce a RLDP. Once the final version is approved by the Council and Welsh Government, this will mark the formal start of the RLDP process, and the Council is therefore committed to the stated timetable and CIS contained within it. It is therefore an essential project management tool to guide the preparation of the RLDP.
- 1.9 The DA is split into 3 parts. Part 1 sets out the relevant legislative and policy considerations in preparing the RLDP including evidence base studies required. Part 2 sets out the timetable for delivery and resource requirement to progress the LDP to adoption, and Part 3 sets out the Community Involvement Scheme including principals for engagement, the types of external groups and internal stakeholders who will need to be involved in shaping the RLDP. It is essential that the right people are involved at the right time to build consensus and ensure early and effective stakeholder engagement to shape the spatial strategy, policies and proposals of the plan. The LDP Regulations require the Council to work in partnership with a range of stakeholders in preparing the RLDP including the general public and Specific and General Consultation bodies as appropriate. Elected Members are also a key stakeholder, and the DA emphasises that close engagement throughout the process with members is crucial to ensure as far as possible that the Plan has wider community support. The DA sets out the key consultation periods with details of engagement at each stage, identifying who will be formally involved in the RLDP process and how and when the participation and consultation will occur.

2.0 Consultation and Engagement on the Draft Documents

2.1 The Draft Review Report and Draft DA were subject to public consultation between 9th March and 20th April 2023. A total of 475 consultees were notified and invited to make comments on the draft documents. These included key specific and general consultation bodies as recommended in the Development Plans Manual. In addition, all members were informed of the consultation together with a targeted list of key officers in the Council representing a range of service areas. A new consultation engagement software system (Opus Consult) was in place for the start of the consultation to facilitate more effective engagement.

2.2 Details of the consultation were widely advertised by the following means:

- Full details published on the Council's Planning webpages and the Have Your Say' consultation pages, with links to the consultation software;
- Press Notice on the Council's website advertising details of the consultation;
- Details of the consultation advertised on the Council's Facebook and Twitter pages;
- Two drop in sessions were held at the Civic Centre on the 27th March and 6th April (10am-6:30pm) so that members of the public and other stakeholders could have face to face contact and discussions with Strategic Planning officers
- Bilingual Hard copies of the consultation documents available to view at the Civic Centre reception;
- Bilingual summary leaflet of the Delivery Agreement sent to all Council libraries for display with a briefing note advising of details of the consultation;

2.3 A combined total of 32 responses were received during the consultation period on the draft documents. Comments received on the Review Report are summarised in Appendix A of this report and comments received on the DA are summarised in Appendix C. Overall the majority of comments did not object to the approach and contents of both documents and recognise the need to review the LDP. A large number of comments related to matters of detail that will be considered as the plan progresses. However, some changes to the documents were considered appropriate to provide further clarity and to respond to matters raised.

3.0 Summary of Responses on the Review Report

3.1 The consultation has provided valuable feedback on items of detail to be considered as part of the LDP replacement process. In most cases the feedback provided by consultees provides detailed examples (e.g. particular reports or items of evidence) that will need to be considered along with many others and it is not appropriate to put this level of detail in the Review Report itself. Therefore, in these cases, this valuable feedback will be noted and taken forward in the detailed work to come on the preparation of the RLDP. In some cases, where it has been useful to provide greater clarity in the Review Report, minor additions and amendments have been added.

3.2 Valuable offers of assistance and expressions of interest to be engaged in the review of certain topic areas have been received from consultees. This is welcomed and will further enhance the opportunities for collaborative and strategic working in the preparation of the RLDP. Some minor suggestions to improve clarity or to correct

small typos have been identified by consultees and these have been amended to ensure the accuracy of the report.

3.3 Some queries with regard to existing LDP policy and requests for further information have been received which have either been answered in the response schedule or will be picked up on directly with the consultee separately. The comments received from consultees, along with the Council’s response to them, are provided in Appendix A of this report.

4.0 Summary of Responses on the Delivery Agreement

4.1 The proposed timetable for delivery of the RLDP is partly driven by the need to ensure the RLDP could be adopted as expediently as possible and to minimise the period after the current LDP end date on 1st January 2026. During early engagement with the Welsh Government prior to the formal consultation stage, the ambitious nature of the timetable was discussed. Notably it was highlighted that the timescale proposed was 3 months shorter than that recommended in the Development Plans Manual.

4.2 Specifically, in the draft DA the time from Deposit to Submission (3 months) was particularly short. Having reflected on this, and with a view to de-risking the likelihood of any ‘slippage’ in the timescale, the final version of the DA has a further three months built in the timeframe to bring it in line with recommended WG guidance. Accordingly, it is now expected that the final Deposit Plan together with any recommended changes will be submitted to the Welsh Government in March 2026.

4.3 Given the nature of the DA as a project management tool, it is unsurprising that there was not a significant amount of comments received. Generally, respondents were supportive of the review process and the document and expressed interest in being engaged throughout the preparation process. Consultees have raised some useful comments, which has led to minor updates to the text and to provide clarity. There have been useful suggestions for additional bodies to be added to the list of general consultation bodies that could potentially have an interest in the preparation of the plan. Where these are considered particularly relevant Appendix 3 of the DA has been amended. However, it is important to note the list is not exhaustive and should additional organisations be identified they can be added to the consultation database to be kept informed of future stages.

4.4 The Final DA Timetable is set out below. The timetable is split into ‘Definitive Stages’ (those under direct control of the Council) and ‘Indicative Stages’ that are dependent on other bodies including Planning and Environment Decisions Wales (PEDW). The table below highlights that the Examination of the plan is anticipated to be in the summer of 2026. Following this, the binding Inspectors Report is expected to be published late in 2026, at which time members will be required to consider recommendations in respect of adopting the Replacement LDP.

Table 1 – Timetable for Swansea Replacement LDP			
Definitive Stages		From	To
1	Delivery Agreement Draft DA Consultation, submission of Final DA to	March/April 2023	July 2023

	Welsh Government for approval		
2	Pre-Deposit Participation Evidence base preparation Call for Candidate Sites Consultation on SA Scoping Report Preparation and Engagement on Vision, Objectives and Strategic Options	July 2023 Jan 2023 Aug 2023 Aug 2023 Sep 2023	June 2024 Ongoing Oct 2023 Sep 2023 Jan 2024
3	Pre-Deposit Consultation Consultation on Preferred Strategy, Initial Sustainability Appraisal Report and Habitats Regulations Assessment Screening Report – 8 weeks	July 2024	August 2024
4	Deposit Participation/Consultation Consultation on Deposit Plan, ISA, HRA and Initial Consultation Report	June 2025	July 2025
Indicative Stages		From	To
5	Submission Submission of Deposit Plan and all supporting evidence to WG	March 2026	
6	Examination Pre hearing meeting and Examination Hearing Sessions	April/May 2026 June 2026	April/May 2026 July 2026
7	Publication of Inspectors Report Local Planning Authority to receive binding Inspectors Report, check for factual errors and to Publish on its website.	November 2026	
8	Adoption Full Council adopts the Replacement LDP	December 2026	

5.0 Next Steps

Submission of Delivery Agreement and Review Report to Welsh Government

- 5.1 Subject to Council approval, the Review Report and DA will be submitted to the Welsh Government in line with regulations. Once the WG formally approves the

DA, formal preparation of the Replacement Plan will commence. The approved DA will be published on the Council's Replacement LDP webpage on the website soon after.

Call for Candidate Sites

- 5.2 The first formal stage in line with LDP regulations will be for the LPA to 'request nominations for sites to be proposed in the RLDP'. This will be an opportunity for landowners, members of the public and developers to put forward sites for consideration as part of the process. The Call for Candidate Sites will be undertaken over the summer months in 2023. The Welsh Government suggests a minimum period of eight weeks for interested parties to submit sites for consideration, and therefore this will be the minimum period observed for this stage to allow submissions to be made. A register of candidate sites submitted will be published at a later stage of the process.
- 5.3 The call for sites will be widely advertised, as it will be necessary to generate interest with a range of stakeholders to ensure that appropriate sites are submitted early on in the process to minimise delay in plan preparation. Sites can be put forward for a range of uses such as housing, employment and recreation. To inform this process, officers will need to prepare a range of guidance notes, supporting information and mapping, including the proposed assessment methodology to assist Candidate Sites proposers in submitting sites.

Sustainability Appraisal (incorporating Strategic Environmental Assessment) – The Integrated Sustainability Appraisal

- 5.4 The RLDP must ensure it contributes to achieving the economic, social, environmental and cultural well-being goals of Wales, as required by the Well Being and Future Generation Act 2015. The RLDP will need to be informed by Sustainability Appraisal (SA) including Strategic Environmental Assessment (SEA), under Regulation 5(2) and (4) of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004) (SEA regulations). As a matter of good practice the SA and SEA processes have been combined into one iterative process. This integrated process will be followed for the preparation of the RLDP and it will be known as the Integrated Sustainability Appraisal (ISA).
- 5.5 The adopted Swansea LDP was subject to SA (including SEA). The SEA Regulations state that all proposed 'minor modifications' to existing Plans require the Council to determine, in consultation with the 'environmental consultation bodies' (Natural Resources Wales and CADW), whether a SEA is required as a result of the modification being likely to have significant effects on the environment. Given the likelihood of a changing environmental baseline since the SA of the LDP, as well as a new national planning policy framework being in place, and the comprehensive nature of the review of the LDP, the RLDP may have likely significant environmental effects and therefore a formal SEA is required, under Regulation 9(1) of the SEA Regulations. Although it is considered the RLDP will need to be subject to SEA (given all RLDP's in Wales have) nevertheless under regulation 9(1) of the SEA regulations the Council as responsible authority must formally determine this. Before making such a determination the Council must consult the consultation bodies, defined in the 2004 regulations as Natural Resources Wales and CADW.

5.6 The second stage of the ISA process will be the preparation of the ISA Scoping Report, preliminary work on which has already commenced. The initial scoping stage of the ISA process is largely an evidence gathering exercise to gain an understanding of the current economic, social, environmental and cultural baseline and gather baseline data to identify and focus on key issues in the area. This will assist in enabling a set of objectives to be developed, which will form the framework to assess the effects of the plans policies and proposals. It is a statutory requirement to consult the defined environmental consultation bodies on the ISA Scoping Report. It is proposed that the consultation is undertaken over a 5 week minimum consultation period in line with guidance. Whilst there is no formal requirement to consult other parties, WG guidance highlights that it is best practice to invite comments from other interested parties and make the scoping report publically available. It is therefore intended that the ISA Scoping Report be made available on the website during the statutory consultation and that key stakeholders be notified should any interested party wish to comment on it.

Evidence Base, Vision & Objectives and Strategic Options

5.7 Ongoing work is being undertaken on developing the necessary evidence base to support the preparation of the RLDP in a number of technical areas. This work includes utilising specialist advisors and external consultants where necessary. Technical areas include assessments of future growth forecasting, housing need, brownfield land availability and Green Infrastructure assets across the County. Having regard to the emerging evidence base, a draft RLDP Vision and set of overarching Objectives will be produced, and a range of Strategic Options and growth scenarios will be formulated. These will be subject to detailed engagement with stakeholders, including Members, as set out in the DA.

5.8 The formulation of a draft Preferred Strategy for the RLDP is the next key stage of the plan preparation process that requires a statutory full consultation, in accordance with Welsh Government guidelines. The DA highlights that the draft Preferred Strategy is anticipated to be brought to Members for approval to undertake that consultation in July 2024. The document will set out the broad approach to the scale and location of growth for the RLDP to ensure development is planned in a sustainable manner. It will provide the strategic framework for more detailed policies, proposals and specific land use allocations, which will subsequently be included in the full draft (Deposit) RLDP.

5.9 Engagement with Members is an important part of the process, and officers will ensure that Members have the opportunity throughout the process to feed into the full range of work to be undertaken, including evidence gathering work and the ISA process.

6.0 Integrated Impact Assessment Implications

6.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.

- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

6.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

6.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

6.4 An updated IIA screening has been completed for the Swansea LDP Review Report (see Appendix D) following the consultation exercise. This identifies it will result in no impacts on the groups and issues identified and that therefore the Review Report itself does not require an IIA. The Review Report recommends that a Replacement LDP (RLDP) is commenced and IIA will be integrated into the preparation of the Replacement LDP from the earliest opportunity. The Review Report, together with the consultation process, follows legislation and guidance produced by the Welsh Government. This report requests that Council Members now approve submission of the final Review Report to Welsh Government.

6.5 An updated IIA screening has been completed for the Swansea RLDP DA (see Appendix D) following the consultation exercise. This identifies that the CIS will facilitate engagement with a number of the selected groups identified in Q2 of the IIA screening. As a result, whilst there are no impacts on certain groups, impacts on a number of selected groups in Q2 of the IIA are considered to be 'medium', as they are specifically listed within the CIS as 'Seldomly Heard Stakeholders'. The impacts of the CIS will therefore be positive, as the CIS seeks to actively engage these groups in the RLDP process through liaison with the Council's coordinator. Given only positive effects are highlighted with no cumulative impacts identified, it is concluded therefore that an IIA is not required. However as referred above IIA will be integrated into the preparation of the Replacement LDP from the earliest opportunity. The DA was subject to a full public consultation exercise in bilingual form allowing engagement from a wide range of stakeholders.

6.6 The RLDP will be fully aligned with the Well-being of Future Generations (Wales) Act 2015. It is an integral part of the planning framework and LDP Review process.

7.0 Financial Implications

- 7.1 There are no significant financial implications arising from the publication of the final version of the Review Report. The document production process, including Welsh translation, will be accommodated within existing budgets and staff resources, and utilise largely electronic communication (email and website). The final document will be made available electronically and hard copies will generally only be produced upon request for an appropriate charge in order to recoup costs incurred. As such printing costs going forward will not be significant and can be met within allocated budgets.
- 7.2 The approval of the Swansea RLDP DA for submission to Welsh Government will commit the Council to prepare a RLDP in line with the timetable set out in the document. Once approved by the WG the formal preparation process will commence. A sufficient budget will need to be made available to progress the RLDP to adoption, within the prescribed timetable, in order to discharge the Council's statutory duties. This will cover expenditure relating to all elements of preparation of the RLDP and the independent Examination process.

8.0 Legal Implications

- 8.1 A Statutory plan review is required at intervals of no longer than 4 years from the date of LDP adoption under the PCPA 2004 (section 69) and Regulation 41. The first stage of the process required by WG is the production of a Review Report. The Swansea LDP Review Report has been produced following the WG guidance.
- 8.2 The Swansea RLDP DA has been prepared in accordance with Welsh Government regulations and guidance, including The Town and Country Planning (Local Development Plan) (Wales) Regulations 2015 and the Local Development Plans Manual 2020 Edn 3 (The Manual).
- 8.3 The Council will continue to monitor the current adopted LDP in-line with WG requirements and guidance.
- 8.4 The Council has a duty to seek to continually improve in the exercise of its functions (which include where appropriate powers) in terms of strategic effectiveness, service quality and availability, sustainability, efficiency and innovation pursuant to the Local Government (Wales) Measure 2009.

Background Papers: None

Appendices:

Appendix A	Schedule of consultation responses on the Draft Swansea LDP Review Report
Appendix B	Final Swansea LDP Review Report
Appendix C	Schedule of consultation responses on the Draft Swansea Replacement LDP Delivery Agreement
Appendix D	Final Swansea Replacement Delivery Agreement
Appendix E	Integrated Impact Assessment Implications screening Forms

Appendix A – Schedule of consultation responses on the Draft Swansea LDP Review Report

Consultee	Comments summarised into issues and themes	Council's response	Changes proposed to the Review Report
	Executive Summary		
City & County of Swansea Council (CCS) Area of Outstanding Natural Beauty (AONB) Officer	Paragraph 13 - should specifically mention the Climate and Biodiversity Emergency declared by Swansea Council and mention Area Statements and SoNaRR	This paragraph acknowledges that changes in national, regional and local policy and circumstances will need to be reflected and does not seek to identify and detail all of the individual changes. The changes mentioned are though specifically covered in Chapter 2.	No changes required
	Chapter 1. Introduction and Background		
	No comments received		
	Chapter 2. Contextual Changes and Other Factors Informing LDP Review		
CCS Ecology Officer	Paragraph 2.2.3 - This will need to be revised to take into account PPW update to Chapter 6	The updates proposed by Welsh Government are currently subject to consultation in draft form and have not yet been adopted.	No changes required
CCS Ecology Officer	Paragraph 2.2.12 - needs to refer to the letter from Julie James re COP15, Biodiversity Deep Dive, Section 6 Duty and the Planning System, December 2022	Agreed, reference has been added to this letter.	The report has been amended

Local Nature Partnership (LNP) Officer	Paragraph 2.2.51 - Change the existing text "The Council recognises that biodiversity loss is every much as serious to our future survival as climate change...." to "nature recovery and ecosystem resilience are integral to our future survival and that the nature and climate emergencies are inherently linked".	It is agreed that some further clarification is useful and the text has been updated.	The report has been amended
LNP Officer	Paragraph 2.2.51 - Change the existing text "the Council has declared a nature emergency and the resulting Nature Recovery Action Plan and Climate Action Plan will need to be considered for the Replacement LDP..." to "The resulting Section 6 plan based on the Swansea Local Nature Recovery Action plan (produced by the Swansea LNP). NB both plans are still in draft as of 05/04/2023"	It is agreed that some further clarification is useful and the text has been updated.	The report has been amended
LNP Officer and also CCS Ecology Officers	Paragraph 2.2.11 Shouldn't the Section 6 Biodiversity duty be mentioned? Remove the word "new" as the legislation is not new anymore. The Marine Area Statement should be referenced.	Paragraph 2.2.12 sufficiently covers the Section 6 Duty. A reference will be added regarding the Marine Area Statement in this chapter. It is agreed that the word "new" should be removed.	The report has been amended
LNP Officer and also CCS Ecology Officer	Paragraph 2.4.2 - what are the sources of the monitoring that has shown that the policies regarding protected habitats and species are being implemented effectively?	The text is based on the findings of the published AMRs	No changes required
CCS Sustainable Policy Officer	Paragraph 2.2.20 - Important to ensure all the 6 standards in the legislation Flood and Water Management Act (2010) – Disposal of Surface Water through SuDs (January 2019) are addressed in the Replacement LDP, I note water quality is picked up in paragraph 4.4.121 but the amenity and biodiversity elements also	Whilst SUDS is covered by other legislation, the review of relevant LDP policies will consider the potential cross over and interlinked nature of these aspects. This feedback is noted and will inform the review along with other evidence and it is not necessary to add this level of detail to the	No changes required

	need to be reflected in the redrafting of the policies i.e. ER1, ER2, SI1, SI5/6 and PS1 and 2	Review Report itself so no changes are proposed to the Report.	
CCS AONB Officer	Paragraph 2.4.1 - SoNaRR states that "Wales failed to meet its 2010 international and national biodiversity targets, and that the decline has continued in many cases." These statements seem overly optimistic - I feel that there is a continuing gradual decline in all three issues.	The text is based on the findings of the published AMRs	No changes required
Mineral Products Association (MPA)	Paragraph 2.2.43 - We welcome reference to the RTS 2nd Review, however, would point out that the document was approved in 2020, not 2018.	Agree. Factual error in text to be corrected	The report has been amended
	Chapter 3. Future Evidence Base Requirements		
	The following comments were made in relation to the list under paragraph 3.2.2:		
Natural Resources Wales (NRW)	Detailed advice provided regarding key issues and challenges arising from SoNaRR 2020 Natural Resources Wales / SoNaRR2020: Transforming Wales. Need to also consider the Swansea Wellbeing Assessment; the WG Future Trends 2021 report; and the South West Area Statement and supporting detailed data (including spatial data) and evidence in the Area Statement Profiles; Marine Plan, Marine Area Statements and Shoreline Management Plans (SMPs) and keen to engage on how these can inform the Plan review.	Support and willingness to engage is welcomed as is the detailed information provided which will be used to inform the review of relevant areas of the Plan. It is not necessary to amend the Review Report with additional detail.	No changes required

MPA	Amend text to say "Regional Technical Statements for the North Wales and South Wales Regional Aggregate Working Parties - 2nd Review"	Agree. Factual error in text to be corrected and title to be changed to 'Regional Technical Statements for the North Wales and South Wales Regional Aggregate Working Parties, 2nd Review (and Annex B South Wales), 2020' and also include the 'South Wales Regional Aggregates Working Party (SWRAWP) Annual Reports'.	The report has been amended
MPA	Amend text to include "the South Wales Regional Aggregates Working Party (SWRAWP) Annual Monitoring Reports"	Agreed this would be an useful addition.	The report has been amended
MPA	Needs to include consideration of the resources required and supply chain considerations associated with the proposed Swansea Tidal Lagoon and the Floating Offshore Wind proposals	Point noted, these topics will be covered in the RLDP review. However, this list primarily focuses on studies that the LPA needs to undertake and acknowledges that it is not intended to be completely definitive of all evidence needed for the Plan and that there will also be key evidence and data sets that are not listed but will be key to informing these studies and/or Replacement LDP formation	No changes required
CCS Ecology Officer	The list of evidence base assessments does not refer to any specific climate or nature assessments	Point noted, these topics will be covered in the RLDP review. However, this list primarily focuses on studies that the LPA needs to undertake and acknowledges that it is not intended to be completely definitive of all evidence needed for the Plan and that there will also be key evidence and data sets that are not listed but will be key to informing these studies and/or Replacement LDP formation	No changes required
LNP Officer	Refer to the Swansea Ecosystem Resilience Report 2022	Point noted, these topics will be covered in the RLDP review. However, this list primarily focuses on studies that the LPA needs to	No changes required

		undertake and acknowledges that it is not intended to be completely definitive of all evidence needed for the Plan and that there will also be key evidence and data sets that are not listed but will be key to informing these studies and/or Replacement LDP formation	
CCS AONB Officer	The list does not refer to SoNaRR nor Area Statements	Point noted, these topics will be covered in the RLDP review. However, this list primarily focuses on studies that the LPA needs to undertake and acknowledges that it is not intended to be completely definitive of all evidence needed for the Plan and that there will also be key evidence and data sets that are not listed but will be key to informing these studies and/or Replacement LDP formation	No changes required
Swansea Bay University Health Board (SBUHB)	Other potential data sources to consider including are as follows (further detail can be provided if required): West Glamorgan RPB Population Needs Assessment; Swansea Bay Pharmaceutical Needs Assessment; A Regional Collaboration for Health (ARCH) Health Needs Assessment; National well-being indicators; Population Health Outcomes Framework	Support and willingness to engage is welcomed as is the detailed information provided which will be used to inform the review of relevant areas of the Plan. It is not necessary to amend the Review Report with additional detail.	No changes required
	Chapter 4. Review of adopted Swansea LDP		
	4.2 Review of LDP Issues, Vision and Objectives		
LNP Officer	Paragraph 4.2.2 - add at the end of the paragraph... "and embodies the Section 6 duty the council is subject to. "	Agreed, but it is not necessary to amend the text to specifically itemise the Duty.	No changes required

	4.4 Review of Other LDP Topic Areas and Policies		
Coastal Housing Association	Paragraphs 4.4.3 to 4.4.20 - Support the findings and look forward to the new LHMA	Support noted	No changes required
Coastal Housing Association	Paragraph 4.4.6 - Would welcome more H5 sites being allocated. Further non strategic 100% affordable allocated schemes outside of policy H5 would also be welcomed	The Review Report highlights that the Review will provide the opportunity to review the deliverability and viability of existing undelivered allocations; while at the same time also consider what other appropriate and sustainable sites are needed and which could contribute to the housing supply to meet housing need.	No changes required
Coastal Housing Association	A presumption in favour of 100% affordable, social rented, schemes would be welcome either as windfall or edge of settlement exception sites	The LDP has a policy framework for determining proposals for edge of settlement 100% affordable housing site proposals. This along with other policies of the plan will be reviewed.	No changes required
Coastal Housing Association	Policy T 6 - A review would be beneficial and a possible reduction in parking may make more schemes viable	The Review Report highlights that a review of this policy is required	No changes required
Individual	Paragraph 4.4.30 - New models of housing delivery are in evidence across the UK in the EU and further afield such as Co-housing. Yet there is not much mention of this in the LDP	Point noted. In the preparation of the RLDP, it will be reviewed whether any additional policies are required, for example, if any new models of housing delivery are not already adequately covered by existing policies and an amendment has been made to reflect this in paragraph 4.4.29 of the Review Report.	The report has been amended
Individual	Paragraph 4.4.30 - New models of healthcare provision may require a different approach in various policies in order to deliver functioning 'continuing care communities'	Point noted, paragraph 4.4.29 states that the Policy H 8 will be reviewed and it is not necessary to specify further detail at this stage	No changes required

CCS Education Officer	SD E - North of Clasemont Road, Morriston - Catchment Primary School has no capacity for additional pupils and this needs to be considered in the review	Engagement will be undertaken with the Education Dept with regard to the review of relevant policies in the LDP including policy SD E.	No changes required
CCS Councillor and also individuals	SD F - Cefn Coed Hospital, Cockett - Suggestions to review the site and for it to be used for nature conservation, and community uses such as allotments, nature trails, a community farm, and sports pitches, rather than it be a development site	The deliverability and viability of existing undelivered allocations will be reviewed as part of the preparation of the RLDP	No changes required
CCS Councillor	ER 1 and ER 2 - Ecosystems and Resilience - Protect wildlife and natural environment	The LDP contains appropriate relevant policies. These will be reviewed to ensure they are operating effectively	No changes required
Gorseinon Town Council	ER 1 and ER 2 - Ecosystems and Resilience - Greenfield sites of high agricultural value have been released and historic woodlands felled and green wedges released for housing	LDP allocations and windfall planning applications for development are required to conform to national planning policy on the Best and Most Versatile Agricultural Land and this will be the case for the RLDP. In the preparation of the LDP, green wedges were reviewed to ensure they conformed to national planning policy, and the LDP contains a policy framework for the determination of proposals located in green wedges and has policies and SPG with regard to trees.	No changes required
NRW	Insufficient reference to the need to protect, enhance and restore important soil resources and detailed information provided to support the plan review on this topic and willingness to engage on this topic.	Willingness to engage is welcomed as is the detailed information provided which will be used to inform the review of relevant areas of the Plan. It is not necessary to amend the Review Report with additional detail.	No changes required
NRW	Encourage the rLDP to consider opportunities for integrated catchment management and	Willingness to engage is welcomed as is the detailed information provided which will be	No changes required

	ensure protection and improvement of the water environment and detailed information provided to support the plan review on this topic and willingness to engage on this topic.	used to inform the review of relevant areas of the Plan. It is not necessary to amend the Review Report with additional detail.	
NRW	Welcome the reference on the need to protect and enhance ecosystem resilience, with biodiversity as a key attribute of resilience and detailed information provided to support the plan review on this topic and willingness to engage on this topic.	Willingness to engage is welcomed as is the detailed information provided which will be used to inform the review of relevant areas of the Plan. It is not necessary to amend the Review Report with additional detail.	No changes required
NRW	The GI strategy for the rLDP should consider the significant contribution made by the “blue” infrastructure, namely Swansea Bay coastline, and the river Tawe which flows into the city centre. The GI Assessment will be a key part of the evidence base. This should include an assessment of both existing and potential resilient ecosystem networks. The response signposted guidance, relevant datasets, and local assessments of ecosystem resilience and GI networks that should inform the GIA. Willingness to engage on this topic.	Willingness to engage is welcomed as is the detailed information provided which will be used to inform the review of relevant areas of the Plan. It is not necessary to amend the Review Report with additional detail.	No changes required
NRW	rLDP should recognise that healthy and resilient ecosystems are a pre-requisite for healthy and resilient lives and detailed information provided to support the plan review on this topic and willingness to engage on this topic.	Willingness to engage is welcomed as is the detailed information provided which will be used to inform the review of relevant areas of the Plan. It is not necessary to amend the Review Report with additional detail.	No changes required
NRW	Welcome the reference to the need for climate mitigation and adaptation and recommend that the plan has due regard for the UK Climate Risk Independent Assessment (CCRA3). Keen	Willingness to engage is welcomed as is the detailed information provided which will be used to inform the review of relevant areas of	No changes required

	to engage on this and listed specific topics and issues to be considered including nature based solutions, Energy efficiency and Low Carbon construction, Adaptation to flood risk and coastal Erosion.	the Plan. It is not necessary to amend the Review Report with additional detail.	
NRW	Recommend that the rLDP considers how to embed green recovery into Swansea' regeneration and detailed information provided to support the plan review on this topic and willingness to engage on this topic.	Willingness to engage is welcomed as is the detailed information provided which will be used to inform the review of relevant areas of the Plan. It is not necessary to amend the Review Report with additional detail.	No changes required
NRW	Suggest the current growth and spatial strategy in the adopted LDP is analysed to establish the extent to which it will be able to deliver over the long term against ambitious, transformative, and urgent challenges raised in our comments (see detail above). Willing to engage on this.	Willingness to engage is welcomed as is the detailed information provided which will be used to inform the review of relevant areas of the Plan. It is not necessary to amend the Review Report with additional detail.	No changes required
Glamorgan-Gwent Archaeological Trust (GGAT); and also an Individual	Policy HC1 – Historic and Cultural Environment - Continue to include these policies. Ensure they reflect that infill and backland developments, and householder development including changes to buildings can have a significant impact on both buried and upstanding remains. Sign posting is provided on the latest relevant national legislation, policy and guidance and an offer made to provide expert advice in the review of these policies. Suggest that the LPA introduces an SPG on The Historic Environment. All historic environment and archaeological work, including that undertaken to assess change in sensitive areas and which may impact the historic environment, should be undertaken to the	The policies HC 1 and 2 will be reviewed and your comments are noted. The offer of availability for advice is welcomed. The LPA will in the process of reviewing the policies consider whether SPG is needed to support them.	No changes required

	Standards and Guidance of the Chartered Institute for Archaeologists https://www.archaeologists.net/codes/cifa		
Wheelrights	Paragraph 4.4.113 - We request a copy of the strategic transport study undertaken for the LDP. The Council does not appear to have a sustainable transport policy or strategy that guides its work in developing a LDP	A copy of the Study can be provided. The transport evidence base upon which the LDP is based was examined by independent inspectors and the LDP was found to be sound. This is a key topic for review in the preparation of the RLDP.	No changes required
National Gas Transmission	Policy T5 - To ensure the policy remains consistent with national policy we would request the inclusion of a policy strand such as: "x. taking a comprehensive and co-ordinated approach to development including respecting existing site constraints including utilities situated within sites.	Point noted and will be considered in the review of the relevant policies but this level of detail does not need to be specified in the Review Report	No changes required
National Grid	Policy T5 - To ensure the policy is consistent with national policy we would request the inclusion of a policy strand such as: "x. taking a comprehensive and co-ordinated approach to development including respecting existing site constraints including utilities situated within sites."	Point noted and will be considered in the review of the relevant policies but this level of detail does not need to be specified in the Review Report	No changes required
Canal & River Trust	Paragraph 4.4.114 - offer of assistance for the policy review on policy T8.	The offer of assistance is noted	No changes required
Associated British Ports (ABP)	Paragraph 4.4.114 - The review of the LDP needs to have full regard to the increased economic activity associated with Floating Offshore Wind in the Celtic Sea (FLOW) and the designation of the Celtic Freeport in close proximity to Swansea. This will result in increased activity at the Port of Swansea. It	Response is noted for the review of the relevant policies and to inform the evidence base. The Council would welcome the opportunity to engage in the review of the policies relevant to Swansea port/docks. This level of detail is not required to be added to the Review Report.	No changes required

	should be considered in the Economic forecasting evidence base. Would welcome the opportunity to engage with the Council to shape the evidence base accordingly.		
MPA	Paragraph 4.4.114 - The evidence base should include consideration of the resources required and supply chain considerations associated with the proposed Swansea Tidal Lagoon and the Floating Offshore Wind proposals. These developments are likely to have significant aggregate demand. The evidence base should include full resource assessments both for the developments themselves and the consequential downstream re- development of land based activities and port infrastructure	Response is noted for the review of the relevant policies. The Council would welcome the opportunity to engage in the review of the policies relevant to Swansea port/docks. This level of detail is not required to be added to the Review Report.	No changes required
SBUHB	Health – support for the approach and wish to engage with the review process	Support and willingness to engage is welcomed	No changes required
LNP Officer	Paragraph 4.4.51 - after ...Local Nature Recover Plan)... add "and the Ecosystem Resilience Report"	Agreed this is a useful addition	The report has been amended
LNP Officer	Paragraph 4.4.56 - after "Having particular regard to local ecological designations (SINCs)" add ""and the Ecosystem Resilience Report"	Agreed this is a useful addition	The report has been amended
LNP Officer	Paragraph 4.4.56 - reference to "SINC" should be written in it's full title in this first instance	Agreed and this amendment has been made.	The report has been amended
LNP Officer and also CCS Ecology Officer	Paragraph 4.4.138 - should Ecosystem resilience mapping be mentioned? Needs to reflect new SINC boundaries	Point noted, both will form part of the review of this topic area in the preparation of the Replacement LDP, but it is not necessary to specify this level of detail in this paragraph as it just provides examples of the constraints covered and is not intended to be a comprehensive list.	No changes required

CCS Sustainable Policy Officer	Paragraph 4.4.52 - the review of the GI policy also needs to account for the provision for maintenance / nurturing	Point noted, this will form part of the review of this topic area in the preparation of the Replacement LDP, but it is not necessary to specify this level of detail in the Review Report.	No changes required
CCS Sustainable Policy Officer	Paragraph 4.4.74 - Opportunity to link the open space policy with the GI around multifunctionality of green spaces, addressing the challenges of the climate and nature emergencies, creating accessible spaces for mental and physical wellbeing being, community cohesion and creative play i.e. design of a accessible green space which includes SUDS systems, biodiversity benefits, opportunities for creative play etc	Point noted, this will form part of the review of this topic area in the preparation of the Replacement LDP, but it is not necessary to specify this level of detail in the Review Report.	No changes required
CCS Councillor	Paragraph 4.4.58 - Retain the green wedge between Dunvant and Gowerton	The Review Report highlights that while they are unlikely to be amended significantly, ER 3: Green Wedges will need to be reviewed as part of the development plan review process to ensure they remain appropriate and only designated where there is demonstrable need to protect the urban form and where alternative policy mechanisms such as settlement boundaries would not be sufficiently robust	No changes required
CCS Councillor	Paragraph 4.4.74 - Development sites should have public open space	The LDP contains policies which require the protection of existing public open spaces and a requirement for the provision of new open space on planning applications for new housing proposals. These will be reviewed to ensure they are operating effectively	No changes required
CCS Councillor	Policy T 1 – Transport, Movement and Connectivity - Ensure development has access to reliable and frequent bus services	New allocations will need to be located in sustainable locations, including access to frequent bus services.	No changes required

CCS Councillor	Policy T 1 – Transport, Movement and Connectivity - Ensure pavements are wide enough for prams and wheelchairs	The Plan contains policies to ensure appropriate provision of highways infrastructure to mitigate development.	No changes required
CCS Councillor; and also Gorseinon Town Council	Paragraph 4.4.68 - Inadequate consideration in the LDP to the impact of new housing on infrastructure such as doctors services, schools, traffic congestion, sewers etc. Ensure development has Infrastructure mitigation which is implemented in a timely manner to account for the impact of developments	The LDP has been subject to independent Examination and found to be sound. It contains policies to ensure development impacts are appropriately considered and mitigated at the planning application stage. A review of infrastructure and development requirements will form an integral element of the preparation of the RLDP. Updated Planning Obligations SPG will be prepared in tandem with the Replacement LDP to support these policies.	No changes required
Individual and also a CCS Councillor	Paragraph 4.4.111 - Walkable Neighbourhoods may require further definition. How can mixed uses be better integrated within 'housing' developments? Local business should be supported to serve the needs of the public	New allocations will need to be located in sustainable locations, including access to adequate local services, which will also help sustain these services. The LDP includes a sustainable employment strategy and policy framework to support economic growth. It also contains a policy to safeguard community facilities of local value.	No changes required
Individual	Paragraphs 4.4.83 and 84 - CV 1 and CV 2 should be reviewed. Too many large contemporary homes are being allowed. Infill development in settlement limits outside of key villages should be considered more favourably	LDP allows for infill within groups of dwellings for affordable local needs or rural enterprise dwelling.	No changes required
	Chapter 5. Opportunities for Collaborative Working		
	No comments received		

	Chapter 6. Conclusions and Next Steps		
MPA	Paragraph 6.1.7 - it is not clear why the word “potential” is included where reference is made to minerals extraction.	It would be beneficial to simplify the sentence to refer to the development of mineral resources, as this is the policy (RP12) that is referred to	The report has been amended
	Appendix 1: Policy Review		
LNP Officer	SD I - Swansea Vale - and SD L Tawe Riverside and Hafod Morfa Copperworks - refer to the need for ecological assessments due to the SINC	The deliverability and viability of existing undelivered allocations will be reviewed as part of the preparation of the RLDP. This will include a review of the evidence base.	No change required
CCS Sustainable Policy Officer	SD I - Swansea Vale - this policy needs updating, there needs to be more emphasis in the ecosystems and the use of GI in adapting to and mitigating for Climate change	The deliverability and viability of existing undelivered allocations will be reviewed as part of the preparation of the RLDP. This will include a review of the evidence base.	No change required
CCS Sustainable Policy Officer	Policy ER 11 - Trees, Hedgerows and Development - given the increasing focus on tree planting there is an opportunity to update to reflect both the SPG and the increasing demand for tree planting	Points noted as detailed aspects which the review should consider along with others but it is not necessary to add this level of detail to the Review Report itself so no changes are proposed to the Report.	No change required
CCS AoNB Officer	ER policies - needs to be clearer acknowledgment that all of these policies are linked, and not be seen in isolation.	Points noted as detailed aspects which the review should consider along with others but it is not necessary to add this level of detail to the Review Report itself so no changes are proposed to the Report.	No change required

CCS Ecology Officer	Policy ER 1 - Climate Change and ER 2 Strategic Green Infrastructure Network - needs updating to reflect the cross cutting nature and need for multifunctionality, quality of GI and maintenance also need to be included if possible to ensure good quality effective and efficient GI is installed, alignment with the City centre and emerging County GI strategy would be good using the 5 principles of GI etc. Policy could benefit from more narrative around the importance of creating more multifunctional urban green infrastructure. Links to the SUDS Standard could also be detailed in this policy.	Points noted as detailed aspects which the review should consider along with others but it is not necessary to add this level of detail to the Review Report itself so no changes are proposed to the Report.	No change required
CCS Ecology Officer	Policy ER 6 - Designated Sites of Ecological Importance - Will need to be updated following PPW revision	Points noted as detailed aspects which the review should consider along with others but it is not necessary to add this level of detail to the Review Report itself so no changes are proposed to the Report.	No change required
CCS Ecology Officer	Policy ER 9 - Ecological Networks and Features of Importance for Biodiversity - include the Ecosystem Resilience Project	Points noted as detailed aspects which the review should consider along with others but it is not necessary to add this level of detail to the Review Report itself so no changes are proposed to the Report.	No change required
The Gower Society	In principle we support the process but we have reservations about the administration of policies in the AONB. Detailed observations are provided on specific policies.	We note the feedback provided and this will inform the review of the policies as part of the preparation of the RLDP. It is not necessary to add this level of detail to the Review Report itself so no changes are proposed to the Report.	No change required
The Coal Authority	Policy RP 7 - Support the inclusion of this policy as part of any RLDP	Support is noted	No changes required

MPA	<p>Policy RP 12 - reference is made to the “apportionment re RTS2”. RTS2 in fact states the “minimum allocation required” and not an apportionment. The delivery of the required minimum should be through site allocations, within the LDP and not via apportioning reserves to neighbouring authorities. The wording should be amended.</p>	<p>RTS Annex B refers to ‘Apportionment for the future provision of land-won primary aggregates’. ‘Given the lack of existing operational sites within Swansea, the authority will need to seek proposals for new working from industry. In the event that allocations (or new permissions) cannot be made to address the shortfall, consideration may, subject to the circumstances and considerations set out in Annex A of the RTS Main Document, need to be given to collaborative working with neighbouring LPAs within the same sub-region, such that some of the required provision (apportionment) is effectively transferred. If such arrangements are made, they would need to be confirmed within a Statement of Sub-Regional Collaboration, produced in accordance with the guidance set out in Annex A, before any of the constituent LDPs are submitted for Examination.’ The RTS para B46 refers to the Pennant Sandstone outcrops within the Swansea Beds have not been worked on a modern commercial scale therefore detailed investigations are required before it can be relied upon. Until this information is forthcoming the MPA will not commit to future allocations at this stage of the RLDP process. The Council has an existing SSRC with Neath Port Talbot and Carmarthenshire Councils.</p>	<p>No changes required</p>
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MPA	Policy RP 13 - disagree that the policy is functioning effectively and that no change is required. The policy as worded only seeks to safeguard resources of aggregates. This is not a proper reflection of PPW. PPW requires the safeguarding of Minerals Resources AND Minerals Infrastructure (Paragraph 5.14.7). At present the current policy only seeks to safeguard aggregates and not wider minerals resources and minerals infrastructure. The policy should be amended.	Policy is considered to be functioning effectively, but will be reviewed during the preparation of the RLDP including against national planning policy requirements in PPW.	The report has been amended
	Appendix 2: Status of LDP Allocations		
Individual	Concerns expressed on the cost of producing LDP and concern that sites won't be delivered.	The deliverability and viability of existing undelivered allocations will be reviewed as part of the preparation of the RLDP to ensure the allocated sites have a realistic likelihood of being delivered within the plan period.	No change required
	Appendix 3: Glossary and Abbreviations		
	No comments received		

Swansea Local Development Plan Review Report

July 2023



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Executive Summary

Purpose of this Review Report

1. The Swansea Local Development Plan (LDP) was adopted by the Council on 28th February 2019. The LDP sets out the Council's planning framework for the development and use of land within the county boundary for the period up to January 1st 2026.
2. Local Planning Authorities (LPA) have a statutory duty to keep their development plans up to date and to undertake a formal review of the LDP at the required time. The Council's Third Annual Monitoring Report (AMR 3), covering the period 2021-22, highlights that **national legislation¹ requires the Council to undertake a comprehensive review of the Swansea LDP no longer than 4 years from the date of its adoption.** This is in order to ensure the LDP, and its supporting evidence, is up to date and continues to provide a sound basis for planning decisions. Given the Swansea LDP was adopted in February 2019, **the statutory requirement to commence a review of the Swansea LDP is by February 2023 at the latest.**
3. AMR 3 indicated that some of the monitoring indicators relating to policies of the Swansea LDP are under performing, and that the statutory 4 year LDP review provides an opportunity to address these areas. Key strategic planning issues in this respect are those relating to the delivery of new housing on some LDP allocations, and the delivery of new pitches required to meet the accommodation needs of Gypsies and Travellers.
4. Having regard to the findings set out in the AMR regarding certain monitoring indicators, and the impending need for the statutory LDP review process to be underway on the Swansea LDP by February 2023 in any event, **the recommendation of AMR 3 was that a LDP Review Report should be prepared in-line with the process prescribed by Welsh Government guidance and legislation.**
5. The primary functions of a Review Report are to determine the appropriate procedural route for replacement Plan preparation, and to identify key issues to be considered when taking the LDP process forward.

¹ Required by the Planning and Compulsory Purchase Act 2004 (Section 69(1)) and LDP Regulation 41(1)

Revision procedure for replacement Swansea LDP

6. Fundamentally there are two revision routes available to choose from when considering how to produce a replacement LDP, which are:
 - Undertake a 'Full Revision' process, following the same procedures as used in preparing the current adopted LDP; or
 - Undertake a 'Short Form Revision' (SFR) procedure, where the parameters to be considered are very much more focussed and limited in scope.
7. SFR procedures are only appropriate where the parameters to be considered are very focussed and limited in scope, and where these do not go to the heart of a Plan. For example a SFR procedure does not apply in the case of review of the scale and distribution of growth. In addition, and crucially, the SFR excludes the requirement to undertake pre-deposit public consultation on revised proposals. Consultation and engagement on key strategic planning issues, such as growth requirements, is an important element of Plan formation process and should not be foregone without clear justification.
8. This Report highlights that, whilst much of the Swansea LDP is operating well, there is a clear need to update the evidence base of the Plan. This is due to the timescale elapsed since LDP adoption, but more importantly the significant material changes in the strategic planning and societal contexts that have arisen during this period. This includes a need to review the scale of population growth going forward in the light of emerging data, which could in turn require a change to the scale of the housing and employment growth strategy for Swansea. Furthermore, while the existing spatial strategy is considered to be sound, the way in which it is delivered will need to be reviewed against significant material changes since the Plan's adoption. This includes the relevant policies and parameters set out in Future Wales - the National Development Plan published post LDP adoption.
9. This report also highlights there is a need to consider whether the findings of the latest AMR, in respect of delays incurred on delivering certain LDP allocated sites, necessitate the identification of any new allocations to deliver any updated housing requirement. This would require a detailed review of undelivered existing allocations and the individual merits and deliverability of other allocations. The need for such a process reflects the requirements of PPW (ed11), which states there must be sufficient sites suitable for the full range of housing types to address the identified needs of communities. This necessitates an update to the evidence of housing needs. An important part of ensuring a sufficient range of sustainable and deliverable sites are available, is providing an opportunity for all

sectors and types of house-builder to contribute to delivering the housing requirement, including nationals, regionals, Small and Medium-sized Enterprises (SMEs), registered social landlords (RSLs), and the custom and self-build sector.

10. Based on the review of the adopted Swansea LDP undertaken for this Report, and the conclusions set out at the end of each chapter of the Report, it is clear that the Full Revision procedure would be the most appropriate form of revision process for the Swansea LDP. This would mean that a Replacement Swansea LDP would be prepared from 2023, following the same full procedures as used in preparing the current adopted LDP. Preparation of a Replacement LDP will ensure that effective local decision making in planning can continue, in-line with the plan-led approach in Wales required by Welsh Government.
11. **In summary, this Review Report concludes it is necessary for a Full Review procedure to be undertaken for the Swansea LDP, to enable the LPA to respond to the strategic issues and key policy matters raised in this Report, and to fully update the evidence base on which the LDP is based.**

Changes to Background Evidence and Context

12. Various elements of the LDP evidence base are highlighted in this report as necessary to be updated.

The report highlights that any changes to this evidence may need to be reflected in amendments to current LDP policies, including with regard to: the need for, and provision of, pitches for Gypsies and Travellers; affordable housing need; high level financial viability of delivering affordable housing and physical infrastructure requirements in the different parts of the County; retail need and provision; transport infrastructure impacts of allocations; the potential need for provision of areas for mineral extraction; and to reflect new national guidance expected on flood risk. This list is not intended to be exhaustive.

13. Changes in national, regional and local policy and circumstances will need to be reflected. As well as Future Wales this includes the new regional planning agendas, the emerging proposals of the SW Wales Metro, and the latest Local Wellbeing Plan context.
14. This report has also identified that opportunities can be taken to update policies that, although largely working effectively based on the AMR, could benefit from wording changes in order to refine the Plan. This report highlights such instances but does not detail every opportunity and the LPA will continue to review and refine through the Replacement LDP process building on evidence gained from experience of using the policies since Plan adoption.

15. **It should be noted that this Review Report is not intended to detail the changes that will be made to the LDP as these will only be determined through the formal preparation process of the Replacement LDP.**

Joint LPA Working Opportunities.

16. WG Guidance² states that, for LDP reviews, LPAs should consider and demonstrate they have exhausted all opportunities for joint working and collaboration on both plan preparation and the evidence base. Collaboration is a requirement of the Well-being of Future Generations Act and an integral part of the LDP soundness tests (i.e. Does the Plan Fit - Is it compatible with the plans of neighbouring authorities?).
17. The LPA has explored the options for working jointly with other LPAs on the Development Plan, but due to the significant differences that exist with adjoining Authorities in terms of producing their Replacement LDP timelines, **it is concluded that the most appropriate option at this time is for the Council to undertake the Swansea LDP review on an individual LPA basis.** Notwithstanding this, wherever possible, the LPA will continue to work collaboratively with other neighbouring LPAs on producing a consistent and coherent evidence base across the region (notable elements of joint work have already commenced on some key evidence

studies) and work with other LPAs in the future to prepare a Strategic Development Plan (SDP).

Consulting on the Draft Review Report

18. Stakeholders have made a valuable contribution in helping to identify and clarify what issues need to be considered in the Replacement LDP, how effective the existing LDP has been in terms of delivery and the extent of likely changes required. Consultation on the draft Review Report has been undertaken with specific and general consultation bodies as recommended in the WG Guidance³ while also making it available more widely for comments from the general public.
19. The LPA has reviewed the consultation responses received and considered the potential implications for both the content of the LDP and the proposed review procedure and any appropriate amendments have been made in the final Review Report. The final Report will be recommended to Council Members to approve for submission to Welsh Government, which will then confirm the form and type of review route that will be followed in preparing the Replacement LDP.
20. The final Review Report will be a key part of the evidence base underpinning the form and content of the Replacement LDP and ultimately will be one of the

² Development Plans Manual Edition 3. Welsh Government (2020)

³ Development Plans Manual Edition 3. Welsh Government (2020)

documents that will be submitted to the Inspector for examination.

Chapter 1. Introduction and Background

1.1 Background

- 1.1.1 The Swansea Local Development Plan (LDP) was adopted by the Council on 28th February 2019. The LDP sets out the Council's planning framework for the development and use of land within the county boundary for the period up to January 1st 2026.
- 1.1.2. Local Planning Authorities (LPA) have a statutory duty to keep their development plans up to date and to undertake a formal review of the LDP at the required interval. The Council's Third Annual Monitoring Report (AMR 3), covering the period 2021-22, highlighted that national legislation⁴ requires the Council to undertake a comprehensive review of the Swansea LDP no longer than 4 years from the date of its adoption. This is in order to ensure the LDP, and its supporting evidence, is up to date and continues to provide a sound basis for planning decisions. Given the Swansea LDP was adopted in February 2019, the statutory requirement to commence a review of the Swansea LDP is by February 2023 at the latest.

1.2 Purpose of this Report

- 1.2.1 LPAs that are undertaking a review of their adopted LDP are required to submit a Review Report of their findings to Welsh Government within six months of commencing the review process. This document provides a draft Review Report based on the review of the adopted Swansea LDP, to be subject to stakeholder and public engagement that will inform a final version to be submitted to Welsh Government.
- 1.2.2 The primary functions of a Review Report are to determine the appropriate procedural route and identify key issues to be considered when taking the existing LDP forward.
- 1.2.3 There are two revision routes available to choose from when considering how to revise an LDP. Firstly there is a Full Revision of the Plan which follows the same full procedures as were used in preparing the adopted LDP. The alternative option is a Short Form Revision (SFR) procedure where the parameters to be considered are very much more focused and limited in

⁴ Required by the Planning and Compulsory Purchase Act 2004 (Section 69(1)) and LDP Regulation 41(1)

scope. Welsh Government guidance⁵ states that the SFR procedure should only be considered if the Review Report conclusions do not:

- Result in the existing strategy to be considered unsound or indicate changes to the strategy or any part of it are required
- Result in a plan, or parts of the plan, becoming distinctively different to the adopted plan
- Propose changes that are of a significant scope, number and scale

1.2.4 In particular it is noted that the Guidance states that through the SFR procedure, the strategy in the adopted LDP clearly remains appropriate when moving forward, in essence it is 'sound'. Based on this premise, i.e. that the strategy remains valid, the SFR procedure specifically excludes Regulation 15 and the requirement to undertake pre-deposit public consultation on the scale and distribution of growth. **Fundamentally therefore, any potential changes to the scale or distribution of growth are likely to preclude the SFR procedure.**

1.2.5 In-line with WG Guidance⁶ this Review Report provides a report on the review and sets out the following:

- What information has been considered to inform plan review and why
- How the findings impact on the vision, aims, objectives, and strategy implementation
- A review of each plan topic area clearly identifying what needs to change and which parts of the evidence base require updating to support the changes
- The implications for those parts of the plan not proposed to be amended in terms of coherence and effectiveness of the plan as a whole
- A reconsideration of the SA/SEA and HRA
- Opportunities to prepare Joint LDPs/Joint LDPLites with neighbouring LPAs and for cross-boundary working; and
- Conclusions on why the full, or short form review procedure is to be followed.

1.2.6 It should be noted that this Review Report is not intended to detail all the changes that will be made to the Swansea LDP, as these will only be determined through the formal preparation process for the Replacement LDP.

⁵ Development Plans manual Edition 3, Welsh Government (2020)

⁶ Development Plans Manual Edition 3. Welsh Government (2020)

1.3 Structure of this Report

- 1.3.1 The remainder of this report is structured as follows in order to fulfil the requirements set out in national guidance.
- 1.3.2 **Chapter 2** summarises the information that has been considered to inform plan review and why this is relevant, including key national, regional and local contextual changes that have occurred since LDP adoption. It also summarises the main findings of the three LDP AMRs including the SA monitoring.
- 1.3.3 **Chapter 3** reviews the LDP evidence base and which parts of it require updating.
- 1.3.4 **Chapter 4** sets out how the findings impact on the LDP Vision, Aims and Objectives, implementation of the Strategy, and the Policies and Proposals in order to inform the review process. It includes a concise review of each plan topic area, and implications for any parts of the Plan not proposed to be amended in terms of coherence and effectiveness of the plan as a whole. This chapter also considers the SA/SEA and HRA.
- 1.3.5 **Chapter 5** considers and explains opportunities for joint working with other LPAs.
- 1.3.6 **Chapter 6** makes clear conclusions on whether a Full or Short Form Review procedure is required.
- 1.3.7 The **Appendix** to this report provides some detailed supporting tables which are cross referenced to the main report chapters.

Chapter 2. Contextual Changes and Other Factors Informing LDP Review

2.1 Introduction

2.1.1 This chapter summarises the new information that has been considered to inform plan review and why this is relevant, focusing on the key national, regional and local contextual changes that have occurred since LDP adoption. It also summarises the main findings of the three LDP AMRs that have been produced, including the results of the Sustainability Appraisal (SA) monitoring.

2.2 Contextual Changes

2.2.1 As reported in the AMR, since adoption of the Swansea LDP there have been a range of changes of significance relating to the planning context within which the LDP operates. These are summarised below.

National Planning Context

2.2.2 **Future Wales - the National Plan 2040** – This major new national policy document was published in February 2021 and forms the national tier of the Development Plan. It sets the strategic direction for development in Wales to 2040 and addresses key national priorities through the planning system. This

national framework will be built on by SDPs at a regional level and LDPs at local authority level. SDPs and LDPs are required to be in conformity with Future Wales and must be kept up to date to ensure they and Future Wales work together effectively.

2.2.3 **Planning Policy Wales (PPW) updates** – The two most recent updates to PPW have altered the national framework for development plan formation from that which applied when the current Swansea LDP was produced. Edition 10 was published in late 2018 just before the LDP was adopted and represented a complete re-working of national planning policy to take into account the Well-being of Future Generations (Wales) Act 2015, including the seven well-being goals and the five ways of working. It promoted the concept of placemaking within the planning system and set out the National Sustainable Placemaking Outcomes. The LDP was examined against PPW edition 10 and found to be in general conformity. The latest revision of PPW, edition 11, was published in February 2021, and involved revisions to align it with Future Wales and to take into account the socio-economic duty and impacts of the Covid-19 pandemic (see section below). It also makes policy changes to housing supply monitoring, affordable housing led sites and development quality standards, local energy planning, transport and active

travel. The Replacement LDP will need to be prepared with close reference to this updated national policy framework.

2.2.4 **Development Plans Manual, Edition 3 (March 2020)**

- This detailed new Manual provides updated guidance for practitioners involved in the preparation and implementation of development plans. It is to be read alongside PPW and other relevant legislation and guidance, and contains practical guidance on how to prepare, monitor and revise a development plan. The updated Manual will be used to guide preparation of the Replacement LDP.

2.2.5 **Changes to Technical Advice Notes (TAN) -**

- **Revocation of TAN 1 Joint Housing Land Availability Studies (March 2020)** – this reflected changes to PPW which removed the 5-year housing land supply policy requirement.
- **Revocation of TAN 8 Planning for Renewable Energy (February 2021)** – this reflected the publication of Future Wales which identifies pre-assessed areas for wind energy.
- **TAN 11 Air Quality, Noise and Soundscape** - is being reviewed to bring it up to date and into line with PPW, the Noise and Soundscape Action Plan for Wales and the Clean Air Plan for Wales. TAN 11 was published in 1997 and only covered noise.
- **Technical Advice Note (TAN) 15: development, flooding and coastal erosion (made available**

September 2021) - this will also replace TAN 14: Coastal Planning, and will be accompanied by a new Flood Map for Planning (FMfP) to replace the existing Development Advice Map. The new TAN introduces important changes to the way flood and coastal erosion risks are considered in the planning process to ensure the planning system recognises the threat of, and takes action to adapt to, the likely effects of climate change on flood risk and coastal erosion. The risks associated with climate change will be built into planning policies and decisions by using the new FMfP, which includes flood risk zones showing future risk under a climate change scenario.

In November 2021, the Welsh Minister confirmed that the coming into force of the new TAN 15 and FMfP would be suspended until 1st June 2023 to enable LPAs to fully consider the impact of the climate change projections on their respective areas. The Minister also required every LPA to complete work to review the Strategic Flood Consequences Assessments (SFCA) for their area. The new TAN 15 and FMfP will apply to the Replacement LDP process and the reviewed SFCA will inform the LDP's strategy, policies and proposals. When drafting policies on flood risk the focus will be on site specific details and locally specific approaches, as there is no need to repeat national policies. The Replacement LDP will also

need to complement the local flood strategy, by identifying key risks and setting out where flood and coastal erosion risk management schemes are to be located.

2.2.6 LDP end dates Letter (September 2020) – This Welsh Minister letter clarifies that the provisions within the Planning (Wales) Act 2015 specifying the period to which a plan has effect did not commence until the 4th January 2016, and therefore LDPs adopted after this date will cease to be the LDP on the expiry period specified in the plan. Therefore, the Swansea LDP will cease to be the adopted LDP after 31st December 2025.

2.2.7 Wales Placemaking Charter - This was launched by the Welsh Minister for Housing and Local Government in September 2020 and places quality, sustainability and community at the heart of planning. It brings together organisations who by signing the Placemaking Wales Charter Pledge to involve the local community in the development of proposals; choose sustainable locations for new development; prioritise walking, cycling and public transport, create well defined, safe and welcoming streets and public spaces, promote a sustainable mix of uses to make places vibrant and value and respect the positive distinctive qualities and identity of existing places. Swansea Council is now a signatory to the Placemaking Charter.

2.2.8 Building Better Places: The Planning System Delivering Resilient and Brighter Futures – Placemaking and the Covid-19 Recovery (July 2020) – This sets out WG planning policy priorities for the post Covid-19 recovery. It emphasises the need for good, high-quality developments which are guided by placemaking principles and identifies 8 key issues which bring individual policy areas together to ensure that action is the most effective. The Replacement LDP process will provide the opportunity to respond to the priorities and issues identified nationally and to aid recovery from the pandemic.

2.2.9 Planning and the Post COVID-19 Recovery: Letter to Local Authorities (July 2020) – This Welsh Minister letter requires LPAs to reflect on the impact of the pandemic on their areas and consider the consequences for LDPs under review or being implemented. The Replacement LDP process will enable the LPA to respond to the impact of the pandemic on all elements of the LDP.

2.2.10 Socio-economic Duty – This duty, set within the Equality Act 2010, came into force in Wales on 31st March 2021 and is aimed at encouraging better decision making and reducing inequalities resulting from socio-economic disadvantage. The duty requires relevant public bodies when taking strategic decisions/policy formulation, to have due regard to the need to reduce the inequalities of outcome that result

from socio-economic disadvantage. This will need to be integrated into the assessment process associated with the LDP, and approach towards engagement.

2.2.11 The Environment (Wales) Act 2016 – This legislation introduced in March 2016 introduces a new policy framework to deliver the concept of ‘sustainable management of natural resources’ (SMNR). When preparing an LDP, the LPA is required to have regard to NRW’s National Resources Policy, the State of Natural Resources Report (SoNaRR) and the South West Wales Area Statement which provide place based action and evidence.

2.2.12 Securing Biodiversity Improvements (October 2019) – This Chief Planning Officer letter draws the attention of LPAs to the Section 6 Duty of the Environment (Wales) Act 2016 (see above) and the need for planning authorities to ‘seek to maintain and enhance biodiversity in the exercise of their functions. It goes on to state that LPAs should be proactive and embed appropriate policies into LDPs to protect against biodiversity loss and secure enhancement’. **COP15, Biodiversity Deep Dive, Section 6 Duty and the Planning System, Chief Planning Officer Letter, WG, Dec 2022** - The letter highlights the role of the planning system in meeting challenges laid down by COP15, the Deep Dive recommendations and in fulfilling the Section 6 duty in Wales. The letter also gives notice of proposed changes to PPW in relation to

net benefit for biodiversity and the protection afforded to Sites of Special Scientific Interest and trees and woodlands.

2.2.13 The Second State of Natural Resources (SoNaRR) Report (December 2020) - The Environment (Wales) Act 2016 requires LPAs to have regard to the SoNaRR published by NRW, which provides an evidence base for LPAs when revising LDPs. This second report builds on the evidence base in the first SoNaRR in 2016 and illustrates some of the key challenges, priorities and opportunities for the sustainable management of natural resources.

2.2.14 Welsh National Marine Plan (Nov 2019) – The Marine Plan is intended to support the sustainable development of the seas around Wales, providing a national policy framework for the Replacement LDP with regard to any aspects covering inshore and offshore areas. The Welsh Marine Area Statement, which covers the inshore waters of Wales, will also need to be considered.

2.2.15 Llwybr Newydd - The Wales Transport Strategy (2021) – This sets out the WG vision for how the transport system can help deliver priorities for Wales in terms of 5 year and 20 year priorities, along with nine mini plans explaining how they will be delivered for different transport modes and sectors. The strategy requires governments, local authorities, transport

providers and colleagues in other policy areas to work together to ensure that transport contributes to the current and future well-being of Wales. This national strategy sets the framework for the two tiers of transport plans in Wales – the National Transport Finance Plan and Joint Local Transport Plans. The strategy and policies of the Replacement LDP will need to be consistent with these plans and strategies.

2.2.16 Active Travel Act Guidance (2021) - Part 1 provides an outline summary of the aims, processes and key considerations associated with the duties of the Active Travel (Wales) Act (2013). Part 2, provides detailed technical advice on how infrastructure should be planned and designed. This guidance explains that Active Travel Network Maps should be used to inform the preparation and review of LDPs, with reference given to the requirement within PPW for these maps to inform site allocations.

2.2.17 Manual for Streets 2 (Urban and Rural Streets) (May 2019) – The new document extends the Manual for Streets to include urban and rural situations and fills the gap in advice between Manual for Streets and The Standards for Trunk Roads. Manual for Streets (Residential Streets) sets out how to design, construct, adopt and maintain new and existing residential streets.

2.2.18 Electric Vehicle Charging Strategy for Wales

(March 2021) – This sets out the WG vision for electric vehicle charging in Wales, that ‘by 2025 all users of electric cars and vans in Wales are confident that they can assess electric vehicle charging infrastructure when and where they need it’. The strategy indicates that Wales currently has one of the lower levels of electric vehicle ownership in the UK and the strategy aims to increase public confidence in the availability of charging infrastructure. Swansea is identified as one area where there is likely to be a high charging demand for electric chargers of between 18,500-19,300 by 2025 and 55,685 to 57,145 by 2030.

2.2.19 Clean Air Plan for Wales (August 2020) – This Plan aims to improve air quality and reduce the impacts of air pollution on human health, biodiversity, the natural environment and economy. The Plan supports delivery of commitments under ‘Prosperity for All: the WG national strategy’. In particular, ‘reducing emissions and delivering vital improvements in air quality’ to support ‘healthier communities and better environments’. WG also published in December 2020 a report on the impact of COVID-19 on air quality.

2.2.20 Schedule 3 of the Flood and Water Management Act (2010) – Disposal of Surface Water through SuDs (January 2019) – This legislation has had highly significant implications for the development industry and planning processes, and provides a framework for the approval and adoption of surface water systems

serving new developments. WG introduced five statutory instruments to implement this requirement. The statutory instruments made it a requirement from the 7th January 2019 for all new developments of more than one dwelling, or where the construction area is 100m² or more, to dispose of surface water through a sustainable drainage system (SuDS).

2.2.21 **Increasing The Supply of Affordable Homes**

Through Planning (July 2019) – The WG issued guidance issued to LPAs re-iterating the importance of addressing the need for affordable housing, including making provision for affordable housing led sites when reviewing LDPs (which must include at least 50% affordable housing).

2.2.22 **Welsh Development Quality Requirements (WDQR 2021) Creating Beautiful Homes and Places**

– This WG publication sets out that all affordable housing, including that provided through planning obligations and planning conditions, must meet WG’s development quality standards, especially the DQR standard. WG have also set an ambition for private developers to adopt the standards by 2025. The new standards promote good design and generous space, so people live well within their homes. This is not only aimed to

boost wellbeing and keep communities together, but to respond to the changing needs of residents. Particularly relevant with the moves towards flexible working.

2.2.23 Local Housing Market Assessments (LHMAs) - A new methodology for undertaking LHMAs, including a tool and accompanying guidance, became operational on 31st March 2022. It is to be used as the only basis of evidence for the calculation of housing need in Wales from now on. As such all LDPs should be based on the outputs of the new methodology.

2.2.24 A Healthier Wales (2021) – This sets out the WG national plan for health and social care to drive the changes needed to the Welsh health and social care system, so that it is able to meet the needs of current and future generations in Wales. **Public Health Wales NHS Trust guidance - Maximising health and well-being opportunities for spatial planning in the COVID-19 pandemic recovery**⁷ - highlights the major positive and negative health impacts of spatial planning policies during the COVID-19 pandemic on the population of Wales, learn from these, any positive interventions and co-benefits in order to shape a healthier future environment for all.

⁷ Liz Green, Sue Toner, Laura Evans, Lee Parry-Williams, Tom Johnson, Gemma Christian, Cheryl Williams, Sumina Azam and Mark A Bellis. (2022). Public Health Wales NHS Trust

2.2.25 **A Health Impact Assessment Toolkit for LDPs was published in 2021⁸**

- This Toolkit aims to support collaboration between the planning and public health sectors to maximise positive health and well-being outcomes through land use planning policies that create healthy, equitable and cohesive communities. The aims of the Toolkit are to:

- Outline the strategic considerations that can support the maximisation of public health input into land use planning policy
- Re-introduce the relevant policy frameworks including any progress since Planning for Better Health and Well-being was published in 2016 and note any updates
- Highlight specific points within the policy development process where key Public Health contributions can be made to support and inform the policy
- Provide supporting information to maximise a consideration of health and well-being in planning development processes via the application of HIA
 - Provide real-life recent case-study examples and the insight from the officers who worked on these
 - Provide practical resources to apply HIA within the policy development process, primarily at a local level but could be applied at a regional or national level

where and when applicable.

2.2.26 **Net Zero Wales and All Wales Plan 2021-2025 (October 2021) - WG reduction plan for Carbon Budget (2021-2025)**

– This sets the foundations to make Wales net zero by 2050. Alongside this, the first All Wales Plan has been published, which demonstrates the commitment from partners in working together to reach Net Zero.

2.2.27 **Beyond Recycling (March 2021) Strategy**

– This lays out the steps to be taken over the next decade towards achieving a circular economy.

2.2.28 **Strategic Assessment for the future need for energy from waste capacity in the three economic regions of Wales (March 2021)**

- confirms the announcement of a moratorium on any future large scale (10MW or greater installed capacity) energy from waste developments. It also updates and replaces the residual waste arisings estimates and forecast scenarios in the 2012 Collections Infrastructure and Markets Sector Plan, which TAN 21 Waste advises should be used in assessing the level of need for energy from waste facilities and the extent of any capacity gap.

⁸ Liz Green, Lee Parry-williams, Ed Huckle (2021) Health Impact Assessment (HIA) and Local Development Plans (LDPs): A Toolkit for Practice. WHIASU, PHW WHO Collaborating Centre on Investment for Health and Well-being

2.2.29 Noise and Soundscape Action Plan (2018-2023) - outlines the Welsh public sector's strategic policy direction in relation to noise and soundscape management for the next five years. It has a broader focus than just reducing noise levels alone, recognising also the need to create appropriate soundscapes, meaning the right acoustic environment in the right time and place.

2.2.30 Natural Resources Wales (NRW) Phosphate Targets - In January 2021, NRW introduced new tougher targets and guidance for phosphate pollution in riverine Special Areas of Conservation (SAC's) across Wales. As a result of these targets it has become necessary to identify ways in which to ensure that new residential developments do not increase the nutrient load on SAC's following discharge from a sewage treatment network. There are no affected riverine SAC's within Swansea but the Replacement LDP work will need to be aware of this context particularly with regard to the situation within neighbouring Carmarthenshire.

2.2.31 Managing the impact of second homes and short-term holiday lets - Changes to the planning system were introduced in October 2022 to support LPAs in managing the impact of second homes and short-term holiday lets in their areas. Three new planning use classes – a primary home, a second home and short-

term holiday accommodation were introduced and where LPAs, have evidence, they can introduce controls requiring planning permission for the change of use between the three use classes. WG has introduced changes to national planning policy to give local authorities the ability to control the number of second homes and holiday lets in any community. PPW has been amended to make it explicit that, where relevant, the prevalence of second homes and short-term holiday lets in a local area must be taken into account when considering the housing requirements and policy approaches in LDPs.

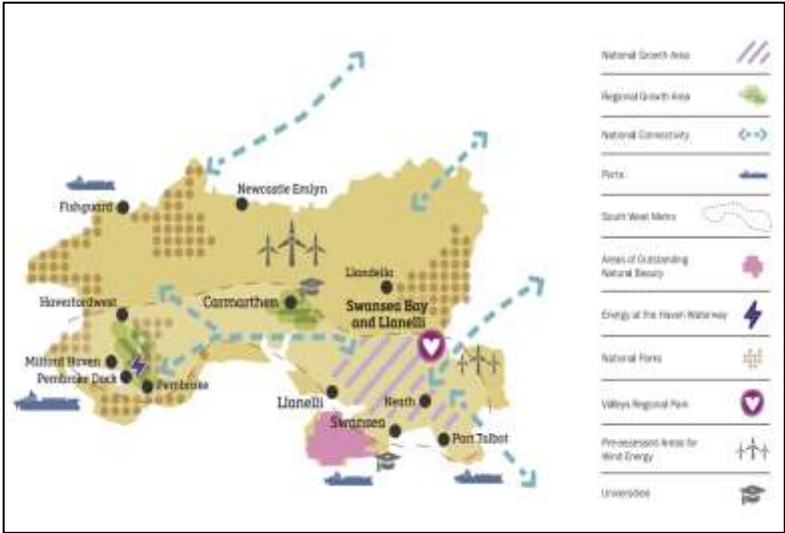
2.2.32 Brexit Impacts – There have been a variety of changes to legislation and terminology arising as a result of the UK's withdrawal from the European Union, which includes for example the 2019 amendments to the Conservation of Habitats and Species Regulations 2017 (as amended) (known as the 2019 Regulations).

Regional Planning Context

2.2.33 Corporate Joint Committees and the South West Wales SDP – Future Wales identifies four planning regions in Wales and that SDPs will be required in each to form a regional tier of Development Plans. Matters relating to housing and economic growth, as well as digital connectivity and transport accessibility, should be co-ordinated and planned across the whole

region by means of the SDP. Swansea is identified as being within the South West Wales region illustrated below.

Figure 1 South West Wales Regional Diagram



2.2.34 Future Wales Policy 1, ‘Where Wales will Grow’, identifies three National Growth Areas (NGAs). One of these NGAs is known as ‘Swansea Bay and Llanelli’ which is to be the focus in the region for strategic economic and housing growth; essential services and facilities; advanced manufacturing; transport and digital infrastructure and overall the main focus for growth and investment in the region. Future Wales provides an indicative outline of the NGA. Further evidence has

been commissioned in order to understand the geographical area that this NGA should cover.

2.2.35 The preparation of a SDP must ensure the region manages growth in a planned and co-ordinated way to support the needs of the National and Regional Growth Areas and the wider region.

2.2.36 The Local Government and Elections (Wales) Act establishes Corporate Joint Committees (CJCs) for the regions in Wales. With specific regard to the strategic planning function, i.e. preparing an SDP, each CJC from the 30 June 2022, has the ability to exercise its statutory duty to prepare an SDP. SDP’s will deliver more effective planning outcomes for communities by ensuring key issues, development and associated infrastructure is planned for in an integrated and comprehensive way across a wider geographical area. Working on the basis of SDP preparation taking at least 5 years in line with the latest WG guidance, and the time needed for newly formed Authorities to formally agree the commencement of the process, the earliest an SDP is likely to be adopted is by the end of 2029. This is of course subject to change and a number of unknown factors but is beyond when the Replacement LDP would need to commence. Until an SDP is adopted, LDPs should continue to be prepared. When an SDP is adopted in the future, LDP Lites will be prepared within the SDP area for each respective LPA.

2.2.37 To inform the Replacement LDPs of constituent LPAs, and the future introduction of a SDP, officers in the *South West Wales Regional Planning Group* are working collaboratively on updating and aligning key evidence base elements across the region, including a joint Swansea and Neath Port Talbot Economic and Housing Growth Assessment and Local Housing Market Assessment; study to identify the geographical extent of the NGA; and continued collaboration on viability work building on the establishment of the Development Viability Model (DVM tool) for the financial viability of development proposals across the region.

2.2.38 **Swansea Bay City Deal progress** – the City Deal, established in 2017, will part-fund a program of major transformational projects across Swansea, Carmarthenshire, Neath Port Talbot, and Pembrokeshire over the coming years. The first £18 million of City Deal funding has been released by WG and UK Government, based on the approval of two City Deal projects, one of which is in Swansea - the City and Waterfront Digital District. Construction on the indoor arena forming part of the Swansea City and Waterfront Digital District project was completed in 2021-22. Planning consent was also granted for the digital village on the Kingsway during 2020 and construction is underway. Both sites form integral elements of the LDP Strategic Development Area covering the Central Area and Waterfront (SD J) and

will deliver on key regeneration and placemaking objectives for these areas.

2.2.39 **South West Wales Regional Economic Delivery Plan (REDP)** - The Council recently adopted the South West Wales REDP as the Council's over-arching economic regeneration policy to replace the Swansea Bay City Region Economic Regeneration Strategy. The REDP complements the new Welsh Government Regional Economic Framework (REF) and provides a further layer of detail below the REF, outlining the objectives and actions that will deliver against the high level vision in the REF. The REDP sets out an ambitious 'route map' for the development of the region's economy over the next ten years, identifying priorities for intervention and setting out how business, government, education, voluntary/ community organisations, social enterprises and other partners can work together to bring them forward. The REDP identifies three ambitions for building a South West Wales that is:

- “resilient and sustainable;
- enterprising and ambitious; and
- balanced and inclusive”.

2.2.40 These ambitions support three complementary missions:

- Establishing South West Wales as a UK leader in

renewable energy and the development of a net zero economy, which involves taking forward the region's major energy related projects and driving the benefits through the region.

- Building a strong, resilient, and 'embedded' business base by supporting business and entrepreneurship through technology, infrastructure and public sector support.
- Growing and sustaining the 'experience' offer by linking environmental quality, quality of life and community character.

2.2.41 Joint Local Transport Plan – The Joint Local Transport Plan for South West Wales (2015 - 2020) is the statutory policy which determines the strategy and programme for transportation and transport infrastructure within Swansea. The plan provides a consistent policy which is applied across the four councils in South West Wales. The JLTP will provide an important consideration for the Replacement LDP.

2.2.42 Swansea Bay and West Wales Metro – Future Wales contains a policy to develop a south west Wales Metro, which aspires to create new integrated transport systems providing faster, more frequent and joined-up services. Transport for Wales (TfW) is developing Metro concepts for a number of areas across Wales. The overarching concept is to provide an accessible, integrated and comprehensive network using a variety of modes such as heavy rail, tram-train, light rail and bus as appropriate to individual routes. Feasibility

design and operational assessment and appraisals of various options to improve rail services and facilities in South West Wales are ongoing and will need to be monitored to inform the Replacement LDP.

2.2.43 Regional Technical Statement on Aggregates North and South Wales (Second Review), September 2020 – informs the provision of adequate reserves of aggregates in the LDP in order to ensure sufficient provision for construction and other industries in the most sustainable manner reasonably achievable.

Local Planning Context

2.2.44 Local Well-being Plan - Swansea Public Services Board has prepared its second Assessment of Local Well-being for public consultation in March 2022. This will help Swansea Public Services Board identify a focused number of well-being objectives that will contribute to the national well-being goals as set out in the Well-being of Future Generations (Wales) Act 2015 and will be used to develop Swansea's next Local Well-being Plan, which will provide an overarching framework for all LA plans/strategies including the Replacement LDP.

2.2.45 Further local strategies and policy that will provide important evidence base for the Replacement LDP include the following list below.

2.2.46 Council Corporate Plan 2022/23: Delivering a Successful and Sustainable Swansea - identifies challenges facing Swansea which include:

- Population changes – a growing, ageing and more diverse Swansea.
- Economic changes – attracting investment, high quality jobs and new technology into Swansea while addressing the skills gap.
- Climate change and nature emergencies – risks from flooding, air and water quality, dangers to ecosystems and biodiversity and energy security.
- Social and cultural changes – addressing inequalities in health, education, employment and life chances.
- Covid-19 – helping Swansea to recover and transforming the Council to meet the changes and the new challenges ahead.

2.2.47 The Corporate Plan prioritises six well-being objectives for 2022-23, and the following are of relevance to land use planning:

- Transforming our Economy & Infrastructure – so that Swansea has a thriving mixed use City Centre and a local economy that will support the prosperity of our citizens.
- Tackling Poverty – so that every person in Swansea can achieve their potential.

- Delivering on Nature Recovery and Climate Change – so that we maintain and enhance nature and biodiversity in Swansea, reduce our carbon footprint and tackle climate change.

2.2.48 Three clear values will guide the way the Council works:

- People focus
- Working together
- Innovation

2.2.49 Three key principles underpin the Council's plans and priorities:

- Sustainability
- Prevention
- Partnerships

2.2.50 Climate and Nature Emergencies In 2019, Swansea Council declared a Climate Emergency and has followed this up with an action plan to reduce organisational emissions, a policy review to tackle climate change as part of everything the Council does, and plans for engagement to work with partners and citizens in striving for a net zero carbon Swansea by 2050. The Council has an organisational target of a net zero Swansea Council by 2030. This means reducing and offsetting carbon emissions from the Council's activities and estate. But to make a real difference the whole of Swansea has to reduce its carbon footprint.

The Council's ambition is for a net zero Swansea by 2050.

2.2.51 The Council recognises that biodiversity loss is every much as serious to our future survival as climate change and they are inherently linked. In support of WG's declaration of a nature emergency, the Council declared a nature emergency in 2021 and the resulting Section 6 Plan, based on the Swansea Local Nature Recovery Action Plan (LNRAP) (produced by the Swansea LNP), will need to be considered for the Replacement LDP. (NB both the Section 6 Plan and LNRAP are still in draft as of 05/04/2023).

2.2.52 **Green Infrastructure Strategy** – A new GI Strategy (Swansea Central Area: Regenerating our City for Wellbeing and Wildlife) was published in February 2021. This has been designed to deliver on the aim to bring more GI into the Swansea Central Area.

2.2.53 **Supplementary Planning Guidance** - A number of SPG documents supporting the LDP, have been adopted following public consultation on draft documents since the Plan was adopted, including:

- Houses in Multiple Occupation (HMO) and Purpose Built Student Accommodation (PBSA) SPG
- Biodiversity and Development SPG
- Mumbles Conservation Area Review SPG
- Trees, Hedgerows and Woodlands SPG

- Placemaking Guidance for the Gower Area of Outstanding Natural Beauty (AONB) SPG
- Placemaking for residential development for developments of 10 and more homes; infill and backland development of between 1-10 homes within existing communities; and guidance for Householder development relating to alterations and extensions to existing home.

Covid-19 Pandemic

2.2.54 The huge societal and economic shock caused by the Covid-19 pandemic is a highly significant contextual change that clearly the Swansea LDP had neither envisaged or planned for in terms of policy or strategy. The crisis impacted on site operations (including closure of sites and/or social distancing having big impacts on operations), and led to labour supply issues, rising costs of materials and extended lead in times due to supply chain problems. Moreover, the pandemic has altered behaviors (such as the propensity to travel, the demand for locally accessible services, etc.) and working practices, which may have a significant degree of permanence. The Welsh Ministerial Letter to Local Authorities (July 2020) on Planning and the Post COVID-19 Recovery requires LPAs to reflect on the impact of the pandemic on their areas and consider the consequences for LDPs under review or being implemented.

2.3 Key Findings of the LDP Annual Monitoring Reports (AMRs)

- 2.3.1 All of the AMRs published in relation to the Swansea LDP have reviewed the changes affecting the planning context in which the Plan operates. These aspects have informed the earlier sections of this Chapter and are not repeated again here.
- 2.3.2 As well as the profound impact on society and development activity, the COVID 19 pandemic has had a significant impact on some of the activities monitored over the period (e.g. housebuilding rates; and while traffic flows have increased from low levels during the height of the pandemic, traffic patterns remain markedly altered from pre pandemic habits). COVID recovery will need to be taken into account in the preparation the Replacement LDP.
- 2.3.3 The LDP Monitoring Framework is based around the Strategic Policies of the Plan, with indicators to measure the effectiveness of the policies and the progress in delivering allocations and infrastructure. AMR 3 showed that overall, the majority of indicators continue to show positive policy implementation and are shown as green. It highlights however that some key policy indicator targets and monitoring outcomes, particularly those relating to housing and employment

land delivery and the provision of Gypsy and Traveller pitches, are not being achieved. This indicates that these policies are not functioning as intended, and in these instances the statutory 4 year LDP review will provide the opportunity to address these issues as part of the Replacement LDP.

- 2.3.4 In these instances the monitoring has recommended specific actions, including the review of particular policies (e.g. in relation to specific site allocations (and in some cases this is to reflect that the site now has planning consent and so needs to be shown as a commitment rather than as an allocation in the next LDP); and for Gypsy/Traveller pitch provision). For other issues and indicators, the AMR finds that these should be taken account of more generally in the Plan review, including indicators that highlight the Plan is not delivering the anticipated levels of housing growth to meet the requirements over the Plan period. Table 1 summarises the outcome for all the indicators.

Table 1: LDP Monitoring Summary for 2021-22 – AMR 3

Assessment	Action	Number of Indicators
Indicators suggest that the Plan policies are being implemented effectively and there is no cause for review	Continue Monitoring (Green)	95
Indicators suggest that the Plan Policies are not being implemented in the intended manner.	Training Required (Blue)	0
Indicators suggest the need for further guidance in addition to those identified in the Plan	SPG required (Purple)	0
Indicators suggest the Plan Policies are not being effective as originally expected.	Further investigation/ research required (Yellow)	5
Indicators suggest that Plan policy/ies are not being implemented.	Policy Review (Orange)	18
Indicators suggest the Plan strategy is not being implemented.	Plan Review (Red)	7

2.3.5 A small number of indicators have been flagged for further investigation and research as a result of the monitoring findings. This research will be routinely needed to inform the Replacement LDP and includes updating the evidence base for residential windfall site rates; the latest published Gypsy and Traveller need;

high level viability testing for infrastructure and affordable housing provision; the need for land for mineral extraction; and reasons for district heating networks not coming forward. These are arising from the monitoring framework of indicators and will inform the research needed for the Replacement LDP, but do not represent an exhaustive list and the LDP evidence base as a whole will need to be reviewed.

2.3.6 In conclusion, AMR 3 highlights that the Council must undertake a comprehensive review of the Swansea LDP no longer than 4 years from the date of its adoption, which in relation to the Swansea LDP adopted date (February 2019) means the statutory requirement to commence a review of the Swansea LDP is by February 2023 at the latest. It finds that, given this impending need to review and the findings in respect of certain monitoring indicators, it is appropriate that a LDP Review Report should now be prepared in-line with Welsh Government guidance.

2.4 Findings from the Annual SA Monitoring

2.4.1 The LDP SA Report identified the 8 key issues for monitoring related to the delivery of sustainable development and well-being of communities, where the implementation of the LDP will have the most significant likely effects. AMR 3 presented tables setting out the results from the first, second and third years of monitoring the implementation of the LDP. A

summary of the outcomes against each of the issues is set out below:

- *Loss of habitats and species (biodiversity)*
- 2.4.2 LDP policies seek to maintain and enhance the County's biodiversity resource and protected habitats and species and the monitoring has shown that the policies are being implemented effectively. The adoption of the Biodiversity and Development SPG has further aided the implementation of the policies.
- *Impact on landscape character, particularly protected landscapes*
- 2.4.3 Development undoubtedly can have an impact on landscape character. However, the AMR indicates that there has been no detrimental impact within the County, particularly protected landscapes, during the monitoring period; and the LDP policies are being implemented effectively.
- *Impact on the cultural and historic environment, particularly the Welsh language and archaeology*
- 2.4.4 The AMR indicates that there has been no detrimental impact on the County's cultural and historic environment during the monitoring period and the LDP policies are being implemented effectively, including with regard to the Welsh Language.
- *Air pollution, particularly with regard to increased vehicular emissions as a result of new development through the AQMA and City Centre*
- 2.4.5 The analysis has shown that the LDP policies are being implemented correctly and should be having a generally positive impact on air quality.
- *Increased development in flood risk areas, particularly with regard to the City Centre and waterfront destinations*
- 2.4.6 The analysis has shown that the LDP policies are being implemented correctly and should be having a generally positive impact with regard to avoiding development in flood risk areas. Changes to TAN 15 will be a key consideration for the Replacement LDP.
- *The provision of affordable housing to meet local needs, particularly in rural areas.*
- 2.4.7 The indicators demonstrate the levels of affordable housing being secured and delivered. Overall, throughout the County, housing (of all tenures) is being delivered, but the volume is less than anticipated due to time lags for example in the delivery of some larger sites. Planning permission for some allocated affordable housing sites in rural areas has been granted within the monitoring period, thereby helping local people stay within their communities. Construction has commenced on 60%

of the total units anticipated to be delivered across the six allocated H5 sites within Gower and the Gower Fringe but overall the level of affordable rural housing delivered so far has been less than anticipated.

- *The provision of necessary social and community infrastructure and highway and transport improvements, to facilitate the delivery of SDAs as required by the masterplanning principles to deliver sustainable and cohesive communities.*

2.4.8 The indicators demonstrate the levels of infrastructure being secured and delivered through the planning system to help deliver sustainable and cohesive communities. A range of community facilities and social infrastructure have been permitted as part of permissions granted on SDAs, helping to facilitate sustainable and cohesive communities.

- *Increase employment and economic activity throughout the County as a result of the economic strategy which underlines the Plan.*

2.4.9 The amount of employment land granted planning consent in 2019-20, 2020-21 and 2021-22 provides 31.1% of the 19 ha LDP employment land requirement. This will have a general positive impact on the development of Swansea as a competitive place and contribute to Swansea's role as a regional economic driver. It will help contribute to a prosperous economic outlook and sustainable economy.

Chapter 2 Conclusions on Contextual Changes and Other Factors Informing LDP Review

- There are a wide range of factors and material changes in circumstance that will have a bearing on decision making relating to the replacement Swansea LDP
 - The Ministerial letter on Plan end dates which has confirmed that the adopted LDP will expire on 1st January 2026
 - The findings of the AMRs, in particular AMR 3 which has triggered a review of the LDP, highlight the need to commence review by February 2023 in order to meet the statutory requirement to review the Plan and its evidence base at least every 4 years
 - A key finding of AMR 3 - which is considered in Chapter 4 of this report - is the slower than anticipated delivery of development allocated in the LDP, similar to other areas of South Wales.
- Significant changes in the overarching planning policy context include the adoption of Future Wales as the higher national tier development plan and its implications, along with the latest edition of national policy (PPW), WG planning policy on COVID recovery, emerging regional policy work, and the latest Local Well-being Plan will need to inform the Replacement LDP.
 - The updated Welsh Government guidance on preparing LDPs, will be a crucial reference point. This clearly sets out guidance for Plan review and the parameters for consideration of the type of review procedure to be adopted in terms of Long Form versus SFR (which are referenced elsewhere in this report).
- There are numerous other new and updated policy and other contextual factors listed in Chapter 2 that will also need to inform the Replacement LDP.

Chapter 3. Future Evidence Base Requirements

3.1 Introduction

3.1.1 This Chapter reviews the LDP evidence base and which parts of it require updating to support changes to the Plan. Regulation 41 specifically highlights that, in the context of the statutory requirement to review an LDP within 4 years from the date of adoption, the evidence that informs an LDP will be considered dated beyond that 4 year date.

3.1.2 **The foundation of the Replacement LDP must be an appropriate, robust and up to date evidence base.** Understanding if, or where, there are gaps in the existing LDP evidence and what needs to be updated, will be essential.

3.2 Evidence Base Review

3.2.1 There are a range of elements of the existing LDP evidence base that have become out-of-date given the time that has passed since Plan adoption, and moreover when some of the supporting evidence was initially prepared. Within the time elapsed there have been significant contextual, legislative and policy changes, which have been set out in detail in Chapter 2 of this report. These include, for example, evidence

relating to new demographic projections and economic forecasts, the impacts of updated national flood risk policy and mapping, and the economic and societal changes caused by the COVID pandemic and BREXIT.

3.2.2 A list of evidence base assessments either emerging or likely to be required to inform the Replacement LDP is provided below:

- Population, economic and housing growth assessments
- Employment land review
- Local Housing Market Assessment
- Future Wales National Growth Area Review
- Gypsy and Traveller Accommodation Assessment
- Strategic Transport Assessment
- Retail Assessment
- Urban Capacity Study
- Settlement Boundary Review, including village assessments
- Financial Viability Assessments
- Infrastructure Requirements Review
- Renewable and Low Carbon Energy Assessment
- Strategic Flood Consequences Assessment
- Green Infrastructure and Open Space Assessment
- Welsh Language Impact Assessment and review of the Welsh Language Sensitive Area
- Regional Technical Statements for the North Wales and South Wales Regional Aggregate Working

Parties, 2nd Review (and Annex B South Wales), 2020; and The South Wales Regional Aggregates Working Party (SWRAWP) Annual Monitoring Reports

3.2.3 This list focuses on studies that the LPA needs to undertake. It is not intended to be completely definitive of all evidence needed for the Plan. Some of these studies will include sub elements of detail which are not itemised. There will also be key evidence and data sets that are not listed but will be key to informing these studies and/or Replacement LDP formation, such as the latest demographic projections and economic forecasts. Additional evidence base update requirements may emerge as the preparation of the Replacement LDP progresses and the LPA will continue to monitor and implement the required research for any other evidence needs that emerge.

3.2.4 The Council continually keeps the evidence on which the Plan is based under review. Already in 2022 the Council has commissioned work in partnership with neighbouring Authorities to review the Swansea Bay and Llanelli National Growth Area Study and comprehensively assess population, economic and housing growth. It has also jointly commissioned an updated Local Housing Market Assessment, in line with

Welsh Government guidance. The Council will continue to consider the benefits of joint working with neighbouring Planning Authorities to pool resources, reduce costs and plan effectively across borders to take account of issues that have implications beyond individual administrative boundaries.

3.2.5 The remainder of this Chapter focuses on the latest Welsh Government population and household projections, released since adoption of the current LDP. PPW explains that these projections, alongside the latest LHMA and Local Well-being Plan, form a fundamental part of the evidence base for development plans.

3.3 Population and Household Data

Latest Demographic Projections

3.3.1 Since the adoption of the LDP, WG has published trend-based population and household projections for Welsh local authority areas. These projections are 2018-based⁹ and are the last published before the 2021 Census results. They supersede earlier projections, including the previous 2014-based which formed the latest evidence reviewed for the adopted LDP.

⁹ 2018-based population projections. Swansea Council - Information, Research & GIS (Strategic Delivery Unit), August 2020.

2018-based household projections (revised). Swansea Council - Information, Research & GIS (SDU), December 2020.

3.3.2 Under the principle projection, the total **population** of Swansea is projected to increase from an estimated 246,500 in 2018 to 254,400 in 2028, an increase of 7,900 (+3.2%) over the first ten-year period. The total number of **households** in Swansea is projected to increase from an estimated 108,900 in 2018 to 115,000 in 2028 (+6,100 or +5.6% over 10 years).

3.3.3 Figure 2 illustrates a comparison of these most recent household projections against the previous set released by WG.

Figure 2: Comparisons of WG 2014 and 2018-based (revised) household projections for Swansea

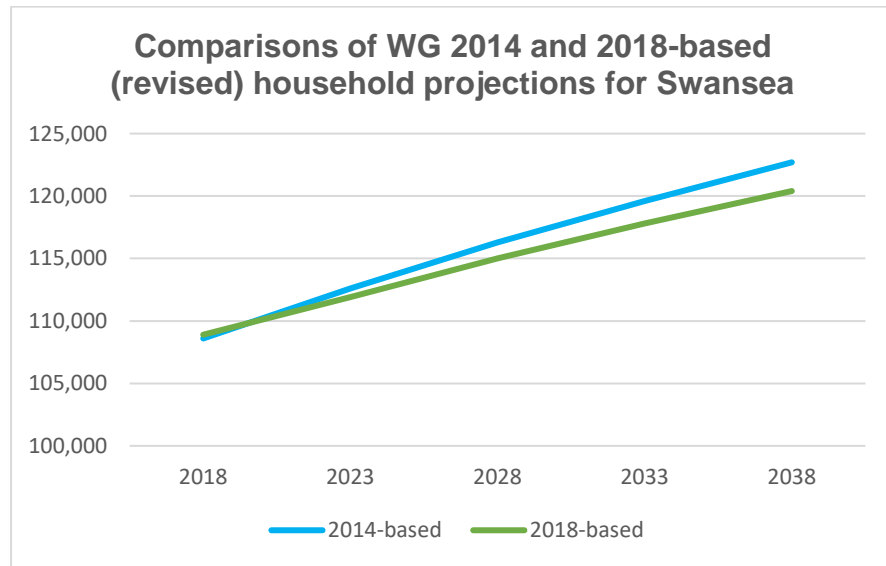


Table 2: Comparisons of WG 2014 and 2018-based (revised) household projections for Swansea

Year	2014-based	2018-based
2018	108,600	108,900
2023	112,600	111,900
2028	116,300	115,000
2033	119,600	117,800
2038	122,700	120,400

3.3.4 Overall, the Welsh Government’s 2018-based sub-national household projections point to a continuation of growth in Swansea, but the rate of growth is lower than projected in the previous set of projections on which the LDP was based. For example, over the first common ten-year period (2018-28), projected growth in the 2018-based projections is 5.6%, lower than the 7.1% figure in the previous (2014-based) projections. The gap between the figures widens slightly for the duration of the projection period.

3.3.5 WG have also produced alternative lower and higher projections by varying the assumptions used. The outputs for Swansea are shown below.

Table 3: Welsh Government 2018-based variant household projections to 2028 and 2043, Swansea

Variant: Swansea	Projected Change to 2028	Projected Change to 2043
Lower Variant	+5000 (+4.6%) to 113,800	+8,600 (+7.9%) to 117,500
Principal Projection	+6100 (+5.6%) to 115,000	+14,000 (+12.8%) to 122,800
Higher Variant	+6,900 (+6.4%) to 115,800	+18,100 (+16.6%) to 126,900

Mid Year Population Estimates

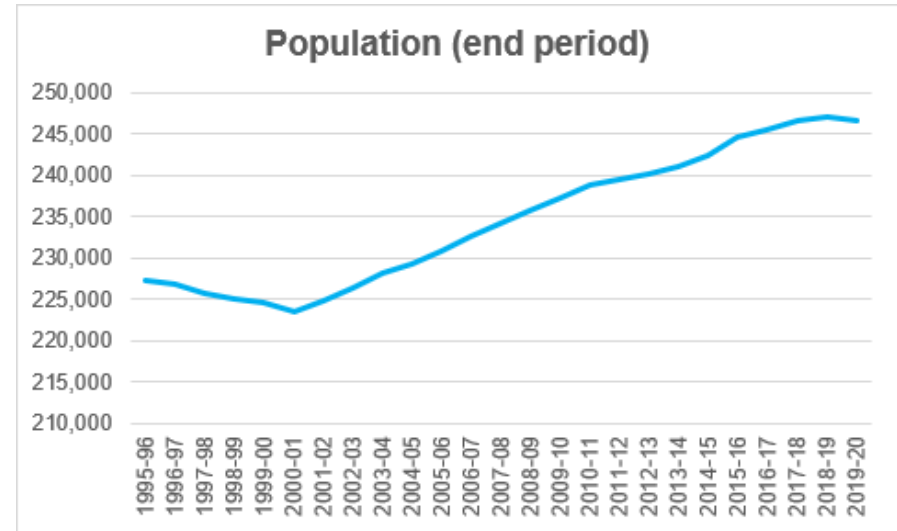
3.3.6 Mid Year Estimates (MYE) of the population are published annually. The latest MYE for June 2020 (published June 2021) indicated a population for Swansea of 246,600, a decrease in population size of 400 on the 2019 MYE (the first recorded decrease in Swansea’s population since 2001 as shown by Figure 3 below). This decrease was mainly due to negative natural change with deaths exceeding births by 600 on the previous year; while negative net internal (UK-based) migration was offset by continued estimated growth from net international migration.

Table 4: MYE 2020 Components and change from 2019

Area	Mid-2019 Population	Components of Change		Migration and Other Changes	Mid-2020 Population
		Births	Deaths		
Swansea	247,000	+2,200	-2,800	+200	246,600
Wales	3,152,900	+29,400	-35,800	+23,100	3,169,600
UK	66,796,800	+700,700	-669,200	+252,900	67,081,200

Source: MYE 2019-20 ONS

Figure 3: MYE of population change for Swansea 1995-20



3.3.7 The estimates cover the period up to 30 June 2020 and so only describe some of the impacts of the early part of the COVID-19 pandemic on the population. The 2020 MYE is the last set of annual mid-year estimates to be published based on the 2011 Census.

Census 2021

3.3.8 In June 2022 ONS released initial rounded outputs from the 2021 Census. These outputs suggest there has been no growth in the population of the County between census dates – in fact a minor -0.2%

reduction from 239,023 residents in 2011 to 238,500 in 2021. This runs counter to the general trends identified in the MYE of population (above) which had shown an increase to 246,600 by 2020. In comparison, over the same inter Census period (2011-2021), Wales saw an increase of +1.4%.

3.3.9 The number of households in the County has increased by approximately +1.5% from 103,497 in 2011 to 105,000 in 2021, but this is around 5,000 fewer than the latest MYE. Over the same inter Census period, Wales saw an increase of +3.4%.

3.3.10 The 2021 MYEs, the first to be based on the latest Census results, are scheduled to be published by ONS in Autumn 2022, with the mid-year population estimates for 2012 to 2020 due to be revised (re-based using 2021 Census data) in early 2023.

3.3.11 Further analysis of these Census figures as each set is released will be undertaken and will be crucial to understanding the implications for the Replacement LDP's level of growth. This work is being progressed as part of the Economic and Housing Growth Assessment commissioned jointly with neighbouring Authorities.

Chapter 3 Conclusions on Future Evidence Base Requirements

- Regulation 41 states that an LDP must be reviewed at least every 4 years from the date of adoption and the legislation is clear that beyond four years the evidence base becomes dated. The foundation of the Replacement LDP will be a robust and up to date evidence base.
- This Chapter has identified the main studies that will be required to be updated but is not intended to be an exhaustive list.
- A key requirement will be to take account of the evident changes in population and household forecasts. Changes could be needed to the LDP's growth strategy as a result which will require the Full Revision procedure to be adopted rather than a SFR because the SFR procedure specifically excludes Regulation 15 and the requirement to undertake pre-deposit public consultation on the scale and distribution of growth. The Full Revision procedure will also allow the LPA to review the whole LDP evidence base to ensure it remains up to date.

Chapter 4. Review of adopted Swansea LDP

4.1 Introduction

4.1.1 This chapter sets out how the findings in Chapters 2 and 3 are considered to impact on the Swansea LDP. This includes impacts upon the Plan Vision, Aims, Objectives, Growth Strategy, Spatial Strategy, Policies and Proposals, all with a view to informing the LDP review process. It includes a review of each plan topic area, and implications for any parts of the Plan not proposed to be amended in terms of coherence and effectiveness of the plan as a whole. This chapter also considers the SA/SEA and HRA.

4.2 Review of LDP Issues, Vision and Objectives

4.2.1 A significant amount of evidence gathering and background research was undertaken during the course of preparing the Swansea LDP, in order to identify the key strategic opportunities and issues that the Plan needed to address. These are summarised in Chapter 1 of the LDP, grouped under the well-being headings of economic; social and cultural; and environment. They highlight the broad spectrum of areas where the Plan can affect change, particularly in terms of improving sustainability and well-being. However, the list is noted as not being exhaustive since

the range of issues affecting and affected by the Plan is extensive. These key strategic opportunities and issues then fed into the development of the LDP vision and strategic objectives.

4.2.2 The LDP Vision clarifies the core purpose of the Plan, how the County is expected to change and describes the sort of place it should become during the Plan period. The vision was formulated to ensure the Plan addressed the key opportunities and issues identified, reflected Swansea's regional context, and translated the well-being vision for Wales as a whole into the local context. It accorded with the strategic planning priorities in relevant national, regional and other local policies and strategies including the Swansea Local Well-being Plan (2018), and was shaped by public and stakeholder engagement.

Figure 4: LDP Extract - The LDP Vision



- 4.2.3 The LDP vision is delivered through 24 strategic level objectives for improving economic, environmental, cultural and social well-being.
- 4.2.4 Figure 4 of the LDP illustrates that the LDP objectives were tested against how they will help deliver the seven shared well-being goals for Wales. They also have sustainability and placemaking as core principles.
- 4.2.5 It is not therefore anticipated that significant changes will be required but the LDP opportunities, issues, vision and objectives will need to be checked against relevant changes in background evidence and context, including, for example, the relationship to Future

Wales, updated PPW and the National Sustainable Placemaking Outcomes, the latest Local Well-being Plan and Council Corporate Plan and priorities; and stakeholder engagement. This will include identifying any opportunities and issues that have been addressed/achieved as well as those which remain relevant going forward, together with any newly identified factors that need to be added, including for example any matters relating to recovery from the COVID pandemic.

4.3 Review of the LDP Growth Strategy

Reviewing Scale of Growth Requirements

- 4.3.1 The LDP identifies a requirement for 15,600 new homes over the plan period 2010-25 and a requirement for 19 hectares of employment land to accommodate the forecasted creation of 13,600 new jobs. These requirements form the basis of the following Strategic Policies:
 - PS 3: Sustainable Housing Strategy
 - PS 4: Sustainable Employment Strategy
- 4.3.2 These requirements were identified from an evidence base which evolved during the preparation of the LDP in order to take account of the most up to date evidence (such as demographic projections and employment forecasts) and consultation comments.

Due to the time that has elapsed since LDP adoption, this evidence base is now out of date and will need to be updated for the Replacement LDP.

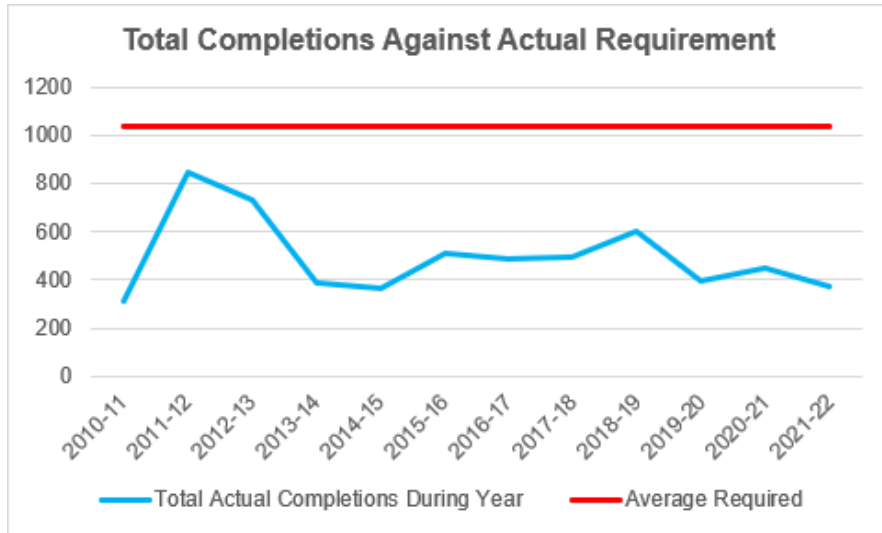
- 4.3.3 The Council has jointly commissioned with NPT Council an Economic and Housing Growth Assessment and Local Housing Market Assessment in order to inform the level of growth that should be taken forward in the Replacement LDP. This assessment will follow the requirements of the Development Plans Manual. This study will consider jobs and new homes collectively ensuring that both economic and housing growth are broadly aligned in order to inform a sustainable strategy. In-line with PPW, the latest Welsh Government local authority level Household Projections for Wales, alongside the latest LHMA, will form a fundamental part of the evidence base for the Replacement LDP.
- 4.3.4 A key requirement of the Replacement LDP will be to take account of the evident changes in population and household forecasts (summarized in Chapter 3) and updated forecasts of employment growth. Changes could be needed to the LDP's growth strategy as a result which will require the Full Revision procedure to be adopted rather than a SFR because the SFR procedure specifically excludes Regulation 15 and the requirement to undertake pre-deposit public consultation on the scale of growth.

- 4.3.5 In terms of levels of future growth, Future Wales identifies that under the WG central estimates 25,600 additional homes are needed in the South West region until 2039. Future Wales states that this is not intended to prescribe a housing requirement, but provides part of the evidence and context on which housing policy and requirements can be based for LDPs in the region.

Reviewing Delivery

- 4.3.6 The AMRs have reported on progress towards achieving the growth requirements set out in the LDP and this progress is summarised below at the County level. Further breakdown by area / types of site is provided in the spatial strategy section.
- 4.3.7 In order to meet the requirement for new dwellings set out in policy PS 3, an average of 1,040 additional homes were required to be completed each year, across the 15-year plan period. Overall, AMR 3 has noted that 5,952 dwellings have been completed between 2010-11 and 2021-22. This equates to 48% of the cumulative average annual requirement (AAR). The chart below illustrates the dwelling completions from 2010 to 2022 plotted against the AAR.

Figure 5: New Dwellings Built Per Year Compared to the Annual Average Requirement for the LDP Period



4.3.8 Land for employment uses is allocated in Policy PS 4 to accommodate the forecasted job growth and employment land requirement, while allowing flexibility in terms of providing a range of different types of site. The amount of employment land consented on allocated sites is monitored in the AMR and is summarised in the table below. Overall approximately 5.9 ha has been consented on SDAs which equates to around 9.8% of the overall LDP allocation of 60 ha. It should be noted that the Plan provides a higher level of employment land allocations than the identified employment land requirement of 19 ha. The allocations have been made on a range of sites for

different types of investors at sustainable locations across the County, to maximise opportunities for investment and to be flexible to changes in market demand. Therefore it is also useful to note that the amount of employment land granted planning consent in 2019-20, 2020-21 and 2021-22 provides 31.1% of the 19 ha LDP employment land requirement.

Table 5: Employment Land Consented at Allocated sites since LDP adoption (in hectares)

	Allocated area	Planning consents since LDP adoption on SDAs
Total	60 ha	5.9 ha

Spatial Strategy (Strategic Policies PS 1, 3 and 4)

4.3.9 The LDP strategy for allocating land to meet anticipated growth and identified land use requirements is fundamentally focused on bringing forward development on sites that will best address the Plan and SA objectives. There is a particular focus on providing employment growth opportunities, regeneration and delivering good quality accommodation in sustainable cohesive communities, while conserving the County’s unique natural heritage, and cultural and historic environments.

4.3.10 The distribution of future sustainable growth across the County in the LDP follows a simple settlement hierarchy consisting of the urban area, Key Villages and the countryside. This approach identifies Swansea's urban area as the primary focus for growth and the most sustainable location for major development, reinforcing its position as the main centre for the Swansea Bay City Region. Away from the urban area, small-scale growth is focused on a number of defined key villages. A rural settlement appraisal process identified Key Villages as the most sustainable settlements within the rural area, to accommodate appropriate small scale housing, community facilities and sustainable rural enterprise development.

4.3.11 The County's countryside is extensive, within which are numerous hamlets, isolated dwellings, farms and rural enterprises that reflect the nature of the County's rural economy. The countryside is a finite resource and is protected from inappropriate development in the spatial strategy in accordance with national planning policy. It is unlikely that this general spatial strategy will change.

4.3.12 In terms of informing new allocations for development, different spatial options (see Figure 6) were tested for distributing the identified growth projections and associated land use requirements for the Plan period, in consultation with the public and stakeholders.

Figure 6: The LDP Spatial Options

Option 1	Option 2	Option 3	Option 4
Edge of settlement allocations throughout the County	Edge of settlement allocations, plus limited rural/semi-rural extensions	Sustainable Urban Extensions for residential	Strategic Development Areas
'Spread Approach'	'Spread Approach - Plus'	'Focussed Approach - Residential'	'Focussed Approach - Mixed Use & Residential'

4.3.13 The assessment demonstrated that none of the options in isolation would deliver sustainable development. The assessment of options and recommendations for mitigation of negative effects highlighted the need to pursue a combination of approaches to deliver the land use requirements over the Plan period in a sustainable manner.

4.3.14 The LDP allows for the creation of a limited number of sustainable new neighbourhoods at Strategic Development Areas (SDAs), within, or close to the existing urban area which have the greatest potential to contribute to the Plan's Vision and Strategic Objectives and deliver well-being and sustainable development. The size of SDAs presents sufficient scale to enable careful strategic masterplanning to ensure they create sustainable, cohesive, well-designed and quality new places which are delivered through a strong placemaking approach. The economies of scale enable

the level of new infrastructure required to be provided and through careful siting of SDAs.

4.3.15 The Strategy also recognises that there is an important need to address the identified housing requirements of all communities in the County. A focus solely on SDAs, by virtue of the appropriate available development opportunities, would lead to an over concentration of development in certain SHPZs. To fulfil housing needs across the County, the SDAs were supported by a limited number of non-strategic medium scale edge of settlement extensions and more dispersed and smaller allocations to round off settlements. These support provision of a mix of housing development across the County where it is needed, including small scale appropriate development to provide Affordable Housing for Local Needs in rural and semirural settlements where the existing character and cohesion of the community will be maintained or improved by development.

4.3.16 **Whilst it is not anticipated that significant changes will be needed to the overarching Spatial Strategy, the way in which it is delivered will need to be reviewed against changes since the Plan's adoption, including for example the relevant spatial aspects set out in Future Wales.**

Delivery of the Spatial Strategy

4.3.17 The LDP spatial strategy is sought to be delivered by the objectives and planning requirements set out in Strategic Policy PS 1 Sustainable Places, and supported by PS 2 and PS 4 that specifically cover housing and employment land respectively. The AMR monitors delivery of these strategies spatially.

4.3.18 Indicator 1 has monitored development in the countryside and the monitoring has shown planning consents have been in-line with the policy framework. It is concluded that green wedges and countryside is being protected from inappropriate development and development is being directed towards the most sustainable places within the defined settlement boundaries. The settlement boundary will need to be reviewed for any small changes required to update it for the Replacement LDP.

4.3.19 Housing delivery has also been monitored against the different components of housing supply. The findings to date of that monitoring are summarised below.

Table 6: Housing Delivery Since LDP adoption 2019-20 to 2021-22

Supply component	New dwellings built since LDP adoption
Allocations	
SDAs	150
H1	378
H5	105
LDP large commitments and large windfall sites	360
Small sites	224
Total	1,217

4.3.20 Figure 7 illustrates the delivery status of the Plan’s allocated sites, showing which have been built, are under construction, or have planning consent. It also shows the sites which have not progressed to planning application stage as of the date of this report.

4.3.21 A number of windfall sites have come forward and delivered housing in the period since the Plan was adopted. Furthermore, a number of large windfall sites that have detailed planning consent, totaling in excess of the forecasts in the LDP for annual windfall delivery, are expected to be built in the next 3 years. This suggests that the windfall assumptions adopted in the LDP for large windfall sites are likely to be a conservative underestimate in terms of what will be delivered over the full Plan period. On the basis that further windfall sites will come forward in the later years

of the Plan period in line with this trend, above and beyond the annual rate assumed in the LDP, it is assumed there will be an uplift in supply from this mechanism in future years of the Plan.

4.3.22 Indicator 8 has monitored delivery of new dwellings in the ‘Key Villages’ defined in the LDP. This shows that 85 have been delivered in the years 2019-22. Opportunities remain on allocated sites for approximately a further 228 new homes in Key Villages. The key villages will need to be reassessed for any changes in status and the need for any potential further sustainable development opportunities to support the Plan strategy.

Figure 7: Delivery Status of Allocated sites

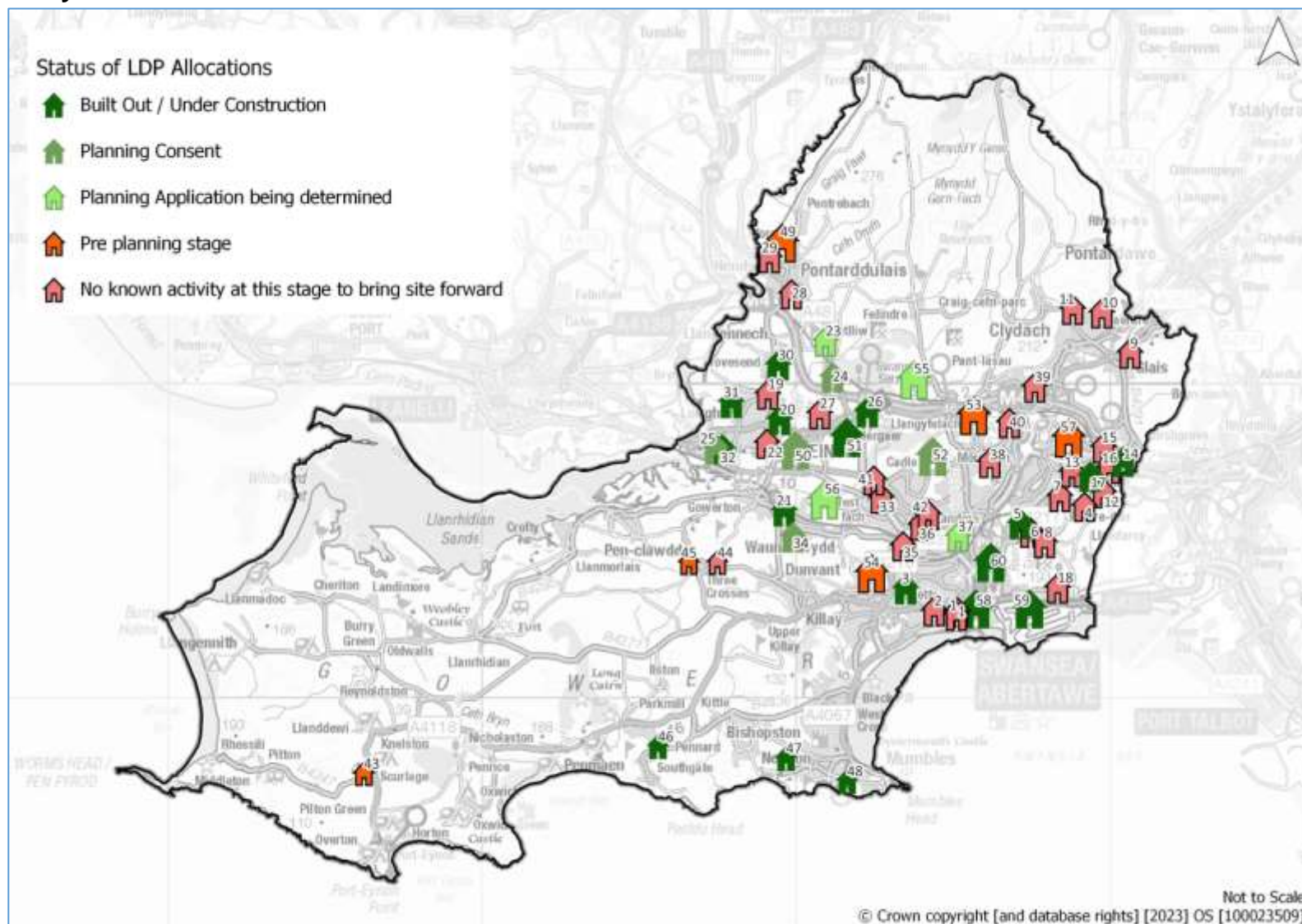
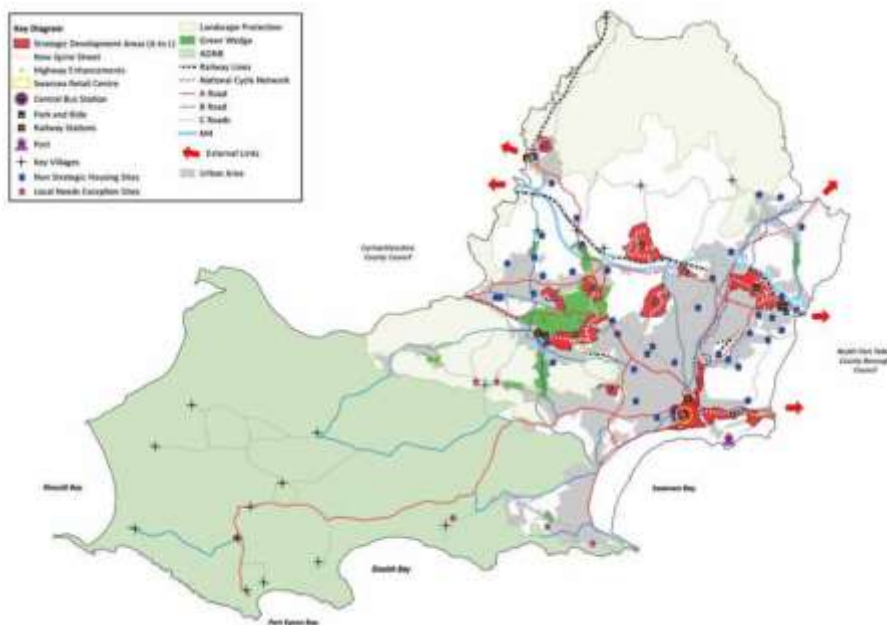


Figure 8: The LDP Spatial Strategy Diagram



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4.3.23 As reported in AMR 3, the overall number of additional dwellings built within the County has fallen below the AAR of 1,040 homes per annum for 3 consecutive years following adoption of the LDP. Combined with the lower levels of housing delivery over the initial years of the Plan period, to meet the LDP housing target of 15,600 new dwellings, an annual build rate of 2,570 new homes will be needed from 2022 to 2025. This

level of delivery is unprecedented and would require numerous sites to come forward at the same time. It is therefore now considered unlikely that the LDP housing requirement will be delivered in full during the LDP period.

4.3.24 The failure to deliver the levels of housing growth set out in the plan is due to a variety of factors as set out in AMR 3. There have been highly exceptional circumstances that have influenced the above outcome over the last 2-3 years. In particular, at times within this period dwelling completions have been impacted by the COVID 19 crisis impacting on site operations (closure of sites and social distancing), while labour supply issues, rising costs of materials and extended lead in times due to supply chain problems are also impacting the housebuilding industry¹⁰. Further factors which have affected the speed in which the allocated residential led SDA sites are coming forward are the requirements to fully incorporate sustainable drainage requirements, and changing ecological legislative requirements. It is important to note that delays in the delivery of housing requirements are being experienced across South Wales (eg. similar has been reported in the Cardiff, Newport, NPT and Bridgend AMRs) and this issue is not confined to Swansea. For example, the latest Cardiff AMR notes that completion

¹⁰ Survey of Small and Medium Enterprise housebuilders in the UK (HBF January 2022 press release)

rates are below targets for housing sites in their LDP which was adopted several years before the Swansea LDP.

4.3.25 Significant progress has however been made towards achieving planning permissions and related approvals, to enable developers to commence works on site and deliver the homes required. The LPA has continued to engage closely with the relevant site promoters and developers since the LDP was prepared and adopted, and several SDAs have been brought forward to detailed planning application stages. This close working has ensured that the sites have progressed in-line with the detailed placemaking principles and sustainability requirements that are clearly set out in the Development Plan and national policy, and that infrastructure and other measures are secured through complex Section 106 agreements. The close engagement with site promoters and work to progress applications has resulted in some significant achievement including the Reserved Matters (RM) planning application for the first phases of SD B, Land north of Garden Village, (approved in 2021-22) in addition to the detailed approvals obtained for the early phases of site SD C Land south of A240 Penllergaer, in the previous year, and the RM planning application for SD D, Land West of Llangyfelach Road Penderry, which has been approved in 2022-23. A planning application has recently been submitted to the LPA for a significant part of SD H Land North of Waunarwydd /

Fforestfach,

4.3.26 The LPA is continuing to work with the relevant developers and applicants to facilitate the necessary discharge of conditions applications, in order to enable work on the sites with consent to commence swiftly. Construction has commenced in 2022-23 on SD C, and on the basis of discussions with the developers, it is considered likely that required conditions will be discharged enabling work to commence on SD B in 2023-24. Progress is also continuing on bringing forward other SDA sites, with active pre planning engagement to bring forward planning applications on SD sites A, Land South of Glanffrwyd Road, Pontarddulais; SD E Land North of Clasemont Road, Morriston; SD F Land at Cefn Coed Hospital, Tycoch; and the remainder of SD H Land North of Waunarwydd / Fforestfach.

4.3.27 While completions have been lower and slower than expected, it is clear from the ongoing collaborative work being undertaken, and the eagerness of developers to take sites through the planning process, that the Plan-led approach is going to start to successfully drive the delivery of new homes. That said, development of some plan allocations has not progressed as quickly as originally forecasted due to a number of factors, similar to in other parts of South Wales, and despite the efforts of the Council. While many of the sites included in the LDP are considered to

be sound and are progressing, the indicators suggest that overall the housing requirement is not being delivered. The Replacement LDP will need to understand and account for the factors that have contributed to this.

4.3.28 Importantly, though, the review will need to reflect the significant work that has been undertaken by both site promoters and LPA to progress a number of the sites to an advanced stage of the planning process, such that they are well placed to soon deliver homes on site and create excellent examples of new sustainable places, and some further allocated sites may well become commitments in the time period before a Replacement LDP is adopted. The Review will nonetheless provide the opportunity to review the deliverability and viability of existing allocations; while at the same time also consider what other appropriate and sustainable sites could contribute to the housing supply. Any review will also need to take into account the change in evidence of housing requirements since the LDP was adopted. In-line with PPW there must be sufficient sites suitable for the full range of housing types to address the identified needs of communities, which will require an update to the evidence of housing needs. Furthermore, there will need to be a range of sustainable and deliverable sites to allow all sectors and types of house-builder, including nationals, RSLs, SMEs and the custom and self-build sector, the opportunity to contribute to delivering of the proposed

housing requirement.

4.3.29 The planning and build status of each allocated site is shown in Appendix 1 of this report. In summary, Table 7 below sets out the current remaining housing supply on allocated sites and others with planning consent.

Table 7: Snapshot of the Capacity Remaining in the Housing Supply

Supply component	Number of homes
Capacity remaining on allocations:	11,828
H1	2,204
H5	117
SDA	9,507
Capacity remaining on other large sites with planning consent	1,336
Total	13,164

Source AMR 3 Base Date 1/4/2022

4.3.30 To meet the minimum employment land requirement of 19 hectares, an average take up rate of 2.7 hectares per annum would be expected after LDP adoption. The results from AMR 3 show that since the LDP was adopted, a total of 5.9 hectares of employment land has been permitted on the allocated employment sites. While this is behind the average annual requirement, economic investment and take up is difficult to predict. A range of land remains in the supply ready to accommodate investment opportunities.

Table 8: Employment Land Consented (in hectares)

Site name	Allocated area	Planning consents since LDP adoption
SD G: Land north of M4 Junction 46	14	2.7
SD H: Land north of Waunarlwydd / Fforestfach	26	0
SD I: Swansea Vale	4	1.89
SD J: Swansea Central Area	4	1.32
SD K: Fabian Way Corridor	12	0
Total	60	5.91

4.3.31 In addition to the allocation of land at SDAs, the policy framework for economic development includes the safeguarding of existing employment sites for B uses (policies RC 10 and 11). The AMR has found that the policies relating to employment safeguarding are being used appropriately while some appropriate flexibility is being allowed in-line with the policies. However, it may be beneficial to provide further guidance/definition on what constitutes established industrial and commercial land/premises in relation to these policies, since existing employment sites are not identified spatially on the proposals map. Applications for significant office development are being successfully directed to the Central Area in-line with the policy framework (Policy RC 12).

4.3.32 Overall, the evidence summarised above demonstrates that progress is being made and the general spatial strategy is largely sound and is adhering to the masterplanning and infrastructure plan approach embedded in the plan. However, the review process provides an opportunity to revisit the most appropriate future levels of growth for the Replacement LDP Plan and to ensure the current spatial strategy remains the most appropriate way of meeting the updated growth requirements. Changes since LDP adoption such as the Future Wales spatial strategy for the area including the identification of the National Growth Area, and requirement to establish a vision for each town and city supported by a spatial framework that guides growth and regeneration; National Sustainable Placemaking Outcomes, PPW updates and the Well-being Plan and corporate priorities will be key inputs.

4.3.33 Undelivered allocations will need to be reviewed in-line with national guidance to ensure they remain deliverable and viable and some may not be re-allocated unless it can be evidenced that they will come forward within the Replacement Plan period. Candidate sites will need to be assessed for potential allocation where required. Future windfall rates will need to be estimated based on evidence available including undertaking urban capacity and village studies and review of the settlement boundary.

4.3.34 Therefore in addition to the growth strategy needing to be updated, while the existing spatial strategy is considered to be sound, the way in which it is delivered will also need to be reviewed. This again necessitates that the Full Review procedure is adopted since the SFR does not allow for pre-deposit public consultation on the scale and distribution of growth.

4.4 Review of Other LDP Topic Areas and Policies

4.4.1 This section of the report presents the findings of a review into the monitoring and effectiveness of a wide range of LDP policy and topic areas. These have been reviewed having regard to:

- Findings of LDP AMRs;
- Significant contextual changes that have occurred since the Plan's adoption, including changes in national policy and legislation and updates to the evidence base; socio economic factors such as implications arising out of the Covid pandemic; and
- Internal consultation with relevant specialist officers.

4.4.2 This review process is intended to provide an overview of whether a policy is functioning effectively, whether any amendments are likely to be needed and whether any policies should be removed as part of the Plan revision process. The policy assessment undertaken to date is not considered to be definitive and further

detailed consideration will be given to the need to revise the Plan's policies as part of the Replacement LDP process.

Detailed Housing Policies

Affordable Housing

4.4.3 The Affordable Housing Strategy (Policy H 2) sets a target for the delivery of a minimum 3,310 affordable units over the Plan period through the following measures:

- Setting targets for on-site provision of affordable housing to be delivered as part of residential proposals where appropriate and viable;
- Allocating Local Needs Housing Exception Sites, which will deliver local needs affordable housing as a majority proportion of homes on such sites, supported by a minority element of market housing to meet local need; and
- Providing a policy framework for determining 100% affordable housing exception sites.

4.4.4 The policy framework was informed by an Affordable Housing Viability Study and LHMA, both of which will need to be updated as part of the LDP review.

4.4.5 Monitoring data indicates that 1,607 affordable units had been built between 2010 - 2022 which represents

27% of all overall completions over the period. Whilst this is less than the numerical target, it reflects a number of factors affecting housebuilding in general, including the slower than anticipated progress in the strategic housing allocations being delivered.

- 4.4.6 Good progress has been made in delivery of Policy H 5 'Exception Sites' for majority affordable housing. This includes site H5.5 Land at Summerland Lane (completed 61 units), H5.4 Land adjoining Pennard Drive (construction nearing completion with partial occupation – currently 44 of the 70 units are complete), and planning consent granted for H5.6 Land at Higher Lane, Langland (31 units). Two further 'H5 Sites' are at pre planning application stage. Two 100% affordable housing exception sites have been consented since the LDP was adopted, with 41 affordable units at Land off George Manning Way, Gowerton; and 44 at Pencefnarda Farm, Gorseinon; while 20 units consented before LDP adoption have been completed at Land Off Rhydypany Road & Mynydd Gelli Wastad Road, Morriston.
- 4.4.7 Encouragingly, the allocated strategic sites have secured significant numbers of new affordable homes through the issuing of planning consents for SD B, C and D in-line with the LDP site policies. Therefore affordable housing completions over the coming years are expected to increase significantly.

- 4.4.8 The AMRs have recorded that policy compliant percentages of affordable housing have been provided on non-strategic allocations and windfalls with many 100% schemes delivered in many cases by RSLs. In a limited number of cases some proposals have needed to provide a lower percentage than the target based on viability following detailed viability negotiations with the LPA in-line with the policy framework.
- 4.4.9 The Council has a Council homebuilding programme - More Homes. To date Council homes have been completed at Colliers Way, Parc Yr Helig, Bryn House and Hillview. A number of further More Homes sites are in the pipeline.
- 4.4.10 In the preparation of the Replacement LDP, changes to national planning policy / guidance will need to be taken into consideration. Of particular importance, Future Wales identifies affordable housing provision as a key priority. Policy 7 requires planning authorities to identify sites for affordable housing led developments further to the WG letter, Increasing The Supply of Affordable Homes Through Planning (July 2019), which requires LPAs to allocate them in their LDPs. Future Wales also gives an estimate that of the additional homes needed in the South West Wales Region between 2019-20 to 2023-24, 44% should be affordable homes. These estimates provide part of the evidence and context on which Housing Requirements for Development Plans can be based and will inform

the LHMA update.

4.4.11 The Council has commissioned a new LHMA following the new methodology, guidance and tool. This will provide a thorough analysis of housing need data. Preparation of the Replacement LDP will need to consider the most appropriate policy response in the context of the revised housing need identified in the context of the overall housing growth requirement, alongside a thorough updated consideration of viability aspects and a review of potentially suitable sites to contribute towards meeting the demand.

4.4.12 The affordable housing policies are largely considered to be working however some changes are required, including the following:

4.4.13 It should be clarified that all affordable homes, including those provided through either planning obligations or planning conditions, must meet the new Welsh Development Quality Requirements (WDQR 2021) Creating Beautiful Homes and Places.

4.4.14 In light of the changes made by Welsh Government to Acceptable Cost Guidance it will be necessary to clarify the methodology to be used for transferring affordable homes to the Council or nominated RSL.

4.4.15 The target percentages and thresholds for triggering affordable housing requirements in Policy H 3 will need

to be reviewed through an updated Viability assessment.

4.4.16 Further clarification would be beneficial with regard to the exemption for conversion, demolition or change of use of commercial property.

4.4.17 In cases where the target percentage of affordable dwellings to be provided as part of a scheme results in a fraction of a unit, clarification is required that the developer may either round up the dwelling figure to the nearest full unit or round down the dwelling figure and provide the remaining fractional amount as a financial contribution.

4.4.18 The H 3 target percentages are based on SHPZs which are comprised of groupings of electoral wards and these SHPZs will need to be reviewed to ensure they remain appropriate and for example in terms of the amendments made to Ward boundaries.

4.4.19 A number of allocated H 5 sites have been delivered, and further sites will become commitments with planning consent. Sites that have not been progressed will be reassessed in-line with the Development Plans Manual. Candidate sites will be considered for appropriate majority affordable housing sites.

4.4.20 In the case of development proposals for 100% affordable homes on Affordable Housing Exception

sites (as defined in LDP Policy H 6), clarification is required that the Council will not typically allow the affordable homes to be intermediate tenures that would permit occupiers to staircase to full ownership of the home. The only exception to this will be instances where the applicant has demonstrated to the satisfaction of the Council that secure arrangements will be in place to guarantee the relevant home(s) will, upon re-sales, always be sold or let as affordable housing. National planning policy is clear that affordable housing exception sites are not appropriate for market housing.

Gypsy and Traveller Accommodation

4.4.21 The LDP includes a criteria based Policy H 7 for determining proposals for new, and extensions to existing, Gypsy and Traveller sites. This policy was informed by Welsh Government Circular 005/2018: Planning for Gypsy, Traveller and Showpeople Sites.

4.4.22 The LDP does not currently allocate land for new Gypsy and Traveller site provision on the basis of the assessed need (evidenced by the Gypsy Traveller Accommodation Assessment (GTAA) 2015) and the land available with lawful use to accommodate it when the LDP was adopted. The LDP AMR 3 has identified that the seven additional pitches which were planned to be built to accommodate the immediate unmet need by the end of 2021 at Pant y Blawd Road have not yet commenced, therefore breaching the trigger point of

the monitoring indicator.

4.4.23 Future Wales has identified that the future SDP for the region should identify the Gypsy and Traveller need for pitches. However, the SDP will likely not be in place ahead of the Replacement LDP being adopted. Therefore, as part of the preparation of the Replacement LDP, a review will need to be undertaken regarding the latest need position for additional pitches in Swansea (which will be identified from the most up to date GTAA), and the available land with lawful use that can accommodate that need within the timescales required.

Houses in Multiple Occupation (HMOs)

4.4.24 LDP Policy H 9 on HMOs defines specific thresholds, above which further concentrations of HMOs will normally be deemed a harmful concentration. The thresholds were identified based on an understanding of current HMO concentrations, likely future demand, current HMO supply, and other available evidence. Supplementary Planning Guidance was adopted in December 2019 to support the policy.

4.4.25 The LDP AMR has monitored the concentration of HMOs within the HMO Management Area which is defined on the Proposals Map. Each AMR has concluded that the concentration of HMOs in this designated area has not varied significantly from the

baseline. The policy is generally considered to be operating as intended. However, it will be necessary to review this, along with the supporting SPG, for example with regard to assessing any changes in HMO concentrations in areas outside of the Management Area, and for any useful minor alterations or clarification to the policy text that would be appropriate.

Purpose Built Student Accommodation (PBSA)

4.4.26 Higher Education makes an important contribution to the local economy. LDP policy H 11 requires PBSA to, in the first instance, assess the availability and suitability of potential sites and premises within the Central Area defined on the LDP Proposals Map. It identifies that it is preferable that student needs are met as far as possible by modern purpose built and managed schemes with the space and facilities more suited to students' needs in appropriate Swansea Central Area locations where there is good access to services, facilities and public transport to the University buildings. Such development has the potential to increase footfall, and so contribute towards enhancement of City Centre vitality and viability. Supplementary Planning Guidance was adopted in December 2019 to support the policy.

4.4.27 Several significant schemes have been completed in the Central Area since Plan adoption including Coppergate, 17-18 The Kingsway, 307 bedspaces;

Former Oldway Centre, Orchard Street, 556 bedspaces; and Mariner Street, 780 bedspaces.

4.4.28 The AMR does not routinely monitor planning consents for PBSA against the policy H 11 criteria, and this could be a useful addition to the monitoring framework. However, delivery has been monitored separately and the policy is generally considered to be operating as intended with the majority of new PBSA developments being guided to Central Area sites. Nonetheless the policy will be reviewed to ensure it remains appropriate and up to date.

Other detailed housing policies

4.4.29 The LDP also contains policies on Ancillary Residential Development (Policy H 8) and Specialist Housing (Policy H 10). These policies are not routinely monitored through the AMR but will be reviewed in the preparation of the Replacement LDP with Development Management colleagues to ensure they are operating successfully and remain appropriate and up to date. In the preparation of the RLDP, it will also be reviewed whether any additional policies are required, for example, if any new models of housing delivery are not already adequately covered by existing policies.

4.4.30 A further important factor that will need to be taken into account in the Replacement LDP is the prevalence of second homes and short-term holiday lets in any local

areas in-line with proposed amendments to PPW summarised in Chapter 2 of this report.

4.4.31 The Replacement LDP will also consider if there are any gaps in the existing policy coverage in order to effectively determine the types of planning applications coming forward such as large scale multiple occupancy flat schemes with shared ancillary community facilities.

Regeneration and Commercial Development

4.4.32 LDP Policy RC 1 recognises that the regeneration of Swansea Central Area is a corporate priority of the Council and is at the heart of efforts to drive forward the economy of the whole of the Swansea Bay City Region. This remains relevant as a fundamental Corporate priority.

4.4.33 Policies RC 2 to RC 8 set out the retail and associated uses hierarchy and policies of the Plan. Future Wales reiterates the long established principle of a Town Centres First approach. It states that significant new commercial, retail, education, health, leisure, and public services facilities must be located within town and city centres and that a sequential approach must be used to inform the identification of the best location for these developments and they should be identified in LDPs. It is for the LPA to determine what constitutes a development of a significant scale. It also places a driver on making town centres multi-functional places.

Policy 2 of Future Wales states that LDPs should establish a vision for each town and city supported by a spatial framework that guides growth and regeneration. Set against these national policy aspirations is the implications of the new TAN 15, having regard to the areas affected by flood risk throughout the Swansea central Area. This updated national policy context will need to be reflected upon in a holistic manner in the preparation of the Replacement LDP.

4.4.34 The Swansea Retail and Leisure Study (2015) forms the evidence base for the existing policies and will need to be updated for the Replacement LDP. The updated study will help inform the Replacement LDP in terms of retail strategy and policies. Consideration will also need to be undertaken in response to the challenges faced by many retail centres in order to inform the merits or otherwise of how future LDP policy can respond most effectively.

4.4.35 The Central Area and all retail centre boundaries will need to be reviewed to ensure they remain appropriate and up to date.

4.4.36 The policies are largely considered to be working effectively but will need to be reviewed in light of Future Wales and PPW, Building Better Places: The Planning System Delivering Resilient and Brighter Futures – Placemaking and the Covid-19 Recovery (July 2020), and the updated evidence base and review of retail

centres.

Policy PS 2 Placemaking and Place Management

- 4.4.37 Placemaking is at the heart of the LDP and the Council's strategic planning agenda which has since been introduced into national policy through Future Wales and PPW.
- 4.4.38 LDP policy PS 2 sets out that development should enhance the quality of places and spaces, and respond positively to aspects of local context and character that contribute towards a sense of place; and lists placemaking criteria for developments to achieve. To assist in delivering the placemaking agenda the Council have adopted a number of Placemaking for Residential Development SPGs to show how key placemaking objectives and policy requirements set out in the LDP and national policy can be integrated into proposals. These have been prepared to guide different types and scales of development including, householder development, infill and backland residential development, large scale residential proposals, and proposals in the Gower Area of Outstanding Natural Beauty (AONB). These have been developed in the context of recent placemaking updates to PPW and to reflect the recent Future Wales publication and the identified Strategic Placemaking principles.

4.4.39 The LDP policies and the supporting SPG are considered to be working effectively in driving national objectives for placemaking in Swansea. The conclusions from the AMRs indicates that SDA sites are being progressed in line with site masterplans and placemaking principles.

4.4.40 Nevertheless, in line with the recent updates to PPW the wording of Policy PS 2 will be reviewed to ensure it fully reflects the PPW National Sustainable Placemaking Outcomes which will be key to informing the preparation of development plans going forward and the Strategic Placemaking principles set out in Future Wales.

SDA's – Strategic Development / Masterplanning

4.4.41 LDP policy SD 1 identifies Strategic Development Areas (SDAs) allocated at 12 locations to provide new homes and opportunities for job creation and commercial investment at a strategic scale. Each site has its own strategic policy SD A to SD L setting out placemaking principles and development requirements supported by more detailed development requirements in appendix 3, while general masterplanning and placemaking principles for SDA are included in policy SD 2.

4.4.42 Some of these SDAs now have planning consent and so the LDP will need to be amended to reflect that

some of the sites will be commitments in the Replacement LDP. The planning status of all currently allocated sites is set out in Appendix 1.

4.4.43 As noted earlier in this report, all remaining existing allocations will be reviewed in-line with national guidance in order to inform whether they will be allocated in the Replacement LDP and incorporate any refinements required to the concept plans and policies in order to reflect the evolution of the sites based on up to date deliverability and viability evidence and the spatial and growth strategy of the Plan.

4.4.44 The AMRs have noted that the SDAs which have achieved planning consent have come forward in-line with the masterplanning, placemaking and sustainability principles of the Plan. The policies and concept plans approach are considered to be working effectively, but will need to be reviewed in order to ensure they remain up to date with regard to the latest deliverability and viability evidence.

ER 1 and ER2 – Ecosystems and Resilience

4.4.45 Policy ER 1 sets the policy framework to ensure that all development is resilient to, and mitigates against, the effects of climate change. This is a corporate priority, and is emphasised in the Council's declaration of emergency in relation to both climate and nature.

4.4.46 In 2019 the Welsh Government declared a climate emergency in order to co-ordinate action nationally and locally to help combat the threats of climate change. Climate change is highlighted as a main challenge within Future Wales as increasing temperatures and extreme weather events caused by climate change are putting pressure on ecosystems, infrastructure, built environment, landscape and cultural heritage, which all contribute to social, economic and ecological resilience. Climate change is an equality issue as it will disproportionately affect the most vulnerable communities in Wales and the wider world.

4.4.47 Future Wales emphasises that the pressure on water resources will likely increase due to climate change and the availability, supply and management of water will be of increasing importance, as will the location of development and the safeguarding of resources.

4.4.48 Policy 8 of Future Wales seeks to ensure flood risk management due to climate change is managed, whilst policy 9 seeks to ensure that ecological networks are safeguarded and created in order to allow adaptation due to climate change.

4.4.49 PPW emphasises how the planning system plays a key role in tackling the climate emergency through the decarbonisation of the energy system and the sustainable management of natural resources (para

3.30). Furthermore, the planning system must make sure the right developments are built in the right places.

4.4.50 Policy ER 2 ensures that development maintains and enhances the county's GI network. The Council has adopted a GI strategy for the Central Area and there is an emerging county strategy.

4.4.51 Both Future Wales and PPW require development plans to undertake a GI Assessment and to include policies for its safeguarding and to identify opportunities where existing and potential GI could be maximised. These Assessments can help develop a robust approach to enhancing biodiversity, increasing ecological resilience and improving well-being outcomes, as well as identifying key strategic opportunities for restoring, maintaining, creating and connecting key green infrastructure features. Area Statements (together with other sources of information, such as the Local Nature Recovery Action Plan; and the Ecosystem Resilience Report) can inform this assessment process, and improve the resilience of the built environment, by identifying opportunities to use nature-based solutions that address local issues such as mitigating the impact of climate change, flood risk or air pollution, or improving availability/accessibility of green space. The evidence will inform wider placemaking issues with regard to site selection and development.

4.4.52 The Replacement LDP will need to consider how to incorporate GI policies which clearly emphasise the cross cutting nature and need for multi-functionality for example in respect of biodiversity and geodiversity, open space, flood risk alleviation, drainage, active travel, landscape, health and wellbeing, and placemaking.

4.4.53 Biodiversity policy within Future Wales (Policy 9) and PPW embodies a strengthening of the role and importance of biodiversity and ecosystem resilience within the planning system, following on from the Environment (Wales) Act 2016 which introduced an enhanced biodiversity and resilience of ecosystems duty (the S6 duty) for public authorities requiring them to seek to maintain and enhance biodiversity and ecosystem resilience in the exercise of all their functions. The emphasis on placemaking within PPW is also relevant in respect of complying with this duty.

4.4.54 Guidance on securing biodiversity enhancements was issued in 2019 and further clarification on the issue is anticipated in the next iteration of PPW, which may require amendments to LDP policy or related SPG.

4.4.55 The adopted Biodiversity SPG and Trees SPG provide detailed guidance on the implementation of national policy, and the suite of detailed LDP policies (ER6, ER8, ER9 and ER11).

4.4.56 The policy framework will be reflected in the Replacement LDP site allocations. Having particular regard to local ecological designations (Sites of Importance for Nature Conservation (SINCs)) and the Ecosystem Resilience Report, which form part of the ecosystem resilience of the county. The Replacement LDP process will need to be informed by an ecological survey of unimplemented LDP allocations and appropriate levels of information to inform potential new allocations to provide the most up to date information to inform implementation of the stepwise process advocated in PPW, TAN 6, LDP Policy and Biodiversity SPG to LDP site selection.

4.4.57 Policies ER 6, 8 and 9 need to be reviewed in order to reflect changes in terminology introduced in 2019 by the Conservation of Habitats and Species Regulations 2017 (as amended) (known as the 2019 Regulations) as a result of the UK's withdrawal from the European Union and the Natura 2000 site network.

4.4.58 While they are unlikely to be amended significantly, ER 3: Green Wedges will need to be reviewed as part of the development plan review process (PPW para 3.64) to ensure they remain appropriate and only designated where there is demonstrable need to protect the urban form and where alternative policy mechanisms such as settlement boundaries would not be sufficiently robust.

4.4.59 Future Wales policies 19 and 30 state that Green Belts

must be identified via Strategic Development plans rather than LDPs therefore it will not be appropriate based on current guidance for a green belt to be considered.

4.4.60 In regard to Policy ER4, the need for a LVA or LVIA and Colour Impact Assessment to accompany applications within the Gower AONB (where a case officer considers necessary) needs to be made explicit within the policy. Furthermore the policy should be linked to the revised Placemaking Guidance for the Gower AONB SPG.

4.4.61 Policy ER 5 – Landscape Protection relates to Special Landscape Areas (SLAs) - non-statutory designations that define local areas of high landscape importance, which may be unique, exceptional or distinctive to the area. Planning authorities should apply these designations where there is good reason to believe that normal planning policies cannot provide the necessary protection. The extent of SLA designations will be re-assessed for the Replacement LDP to ensure it remains the most appropriate and the area covered requires additional protection.

4.4.62 Policy ER7 – Undeveloped Coast – needs to be reviewed having regard to PPW (section 6.5), which states that development should normally seek to avoid coastal locations, unless it needs to be on the coast. Development plans may identify areas likely to be

suitable for development as well as those subject to significant constraints and be unsuitable for development. Areas subject to constraints or considered unsuitable for development may include those where:

- conservation or enhancement of the natural and historic environment requires development to be limited;
- visual intrusion and inter-visibility between land and sea will need to be carefully considered;
- there are specific policies to be pursued in Heritage Coast areas;
- access to coastal paths should be protected; and
- there may be risks of erosion, flooding or land instability.

4.4.63 Policy ER 7 needs to be revised to include reference to the Carmarthen Bay, Gower and Swansea Bay Local Seascape Character Assessment, 2017 and the Placemaking Guidance for the Gower AONB SPG. The Seascape Character Assessment does not define a “coastal zone” with an inland boundary for planning policy purposes as inter-visibility often extends for many miles inland a defined ‘coastal zone’. However, the extent of coastal landscape character (such as cliffs, dunes, salt marsh) is defined spatially in the study. The inter-visibility mapping provides an additional but separate ‘setting’ layer which can aid the seascape impact assessment of planning applications.

Reference to seascape impact assessments accompanying planning applications when considered necessary needs to be included within policy ER 7.

4.4.64 Policy ER 10 relating to Geological Sites needs to be reviewed having regard to PPW (section 6.3) which states that Geological features are a key part of our natural environment, and protecting geodiversity underpins the wider protection and management of our natural resources, including land availability, renewable energy potential, groundwater supply and flood risk. Regionally Important Geodiversity Sites (RIGS) are non-statutory site designations that recognise locally or regionally important geological and geomorphological landscape features. RIGS are selected for their educational, scientific, historic and aesthetic qualities, to and designated through development plans. The LDP should protect the features and qualities for which RIGS have been designated, and are encouraged to promote opportunities for the incorporation of geological features within the design of development, particularly where relevant evidence is provided by GI Assessments.

4.4.65 Policy ER 10 should be reviewed in order to ensure all the designated RIGS are identified and the link to the inclusion of geodiversity within GI Assessments, where appropriate, is strengthened.

IO 1 –Infrastructure / Planning Obligations

4.4.66 Planning Obligations, seeks to ensure that new development is accompanied by an appropriate level of infrastructure, facilities, services and related works where they are necessary to make the development acceptable. Contributions are secured through the use of planning obligations, as set out in Section 106 of the Town and Country Planning Act 1990, or through the use of planning conditions.

4.4.67 Planning obligations seek contributions from developers to enhance the quality of a development, provide community benefits and infrastructure, and mitigate any negative impacts that may arise as a consequence of the development.

4.4.68 LDP Policy IO 1 is considered to be working effectively and contributions are being received (subject to viability considerations) to mitigate the impacts of new development and help provide necessary infrastructure such as recreation and open space, community and educational facilities. However, there are areas of clarification required on particular topics due to the supporting Section 106 SPG being out of date. Therefore a thorough review of the elements that need to be updated will be undertaken and where appropriate incorporated through the Replacement LDP policies and by developing a new Section 106 SPG in tandem.

4.4.69 The evidence base which informed the formulation of these policies will be reviewed as part of the process. The Infrastructure Delivery Plan (IDP) identified the level of infrastructure that will be provided and required over the Plan period. As part of the Replacement LDP process, an updated assessment of infrastructure provision and needs will be undertaken to identify the capacity and availability of existing and planned infrastructure. There will be a need to work closely with utility providers to have regard to their most recent plans for improvement and the availability of funding so that infrastructure and development are aligned. The Replacement LDP strategy will need to reflect the availability of existing and planned infrastructure.

4.4.70 Infrastructure directly relates to a number of placemaking principles identified in the revised PPW. Both PPW and FW now place more of a focus on new types of infrastructure, such as electric vehicle charging infrastructure, digital infrastructure, mobile telecommunications and GI, all of which will need to be considered during the review.

4.4.71 Updated high level viability testing is required to inform the review of the planning obligations policy and to evidence whether the requirements and targets within the Plan should be amended. A Regional Viability Model for the Region has been developed to create a consistent methodological approach when setting

targets and undertaking site specific viability assessments. The viability analysis will need to reflect the challenging circumstances currently facing developers in terms of increasing materials costs, placemaking requirements, and the introduction of new sustainable drainage and biodiversity requirements since the LDP was adopted including on costs and land take.

SI1 – Health and Well-being

4.4.72 Health is a principle element embedded within the Well-being of Future Generations Act which places an emphasis on taking a holistic, long term and collaborative approach to achieving well-being through placemaking. One of the seven goals is to achieve a healthier Wales, whilst another is a more equal Wales, which both have direct links to public health, equality, health care and services. The new theme of placemaking and sustainable places in PPW are relevant to this topic area and improved health is one of the objectives of Future Wales. Health and well-being is therefore presented as a key objective in WG policy. PPW recognises that HIA can make an important contribution to plan making and the recognition that evidence to health impacts (on physical and mental health) can help the planning system to develop stronger and more coherent approaches towards maximising health and well being. Consideration of the necessity for a HIA will be considered as part of LDP

review. The LPA will have regard to any regulations and guidance in respect of HIA as part of the assessment processes associated with the LDP.

4.4.73 Strategic Policy SI 1 is the overarching policy for Health and Well being which aims to reduce health inequalities and encourage healthy lifestyles. It recognises the importance of creating sustainable places that give people the opportunity to live healthy lifestyles. However, given the overarching placemaking approach adopted in Swansea, the promotion of health and well being is integrated through various policies. It is currently therefore underused as a standalone policy as the criteria is addressed within the suite of placemaking policies. Therefore, health and well-being will be an overarching consideration that will have overriding influence throughout the Replacement LDP. However, the review will need to consider whether it should remain as a stand alone overarching policy or whether it should be amalgamated under a new overarching theme of sustainable placemaking and interwoven throughout policies, incorporating the concept of 'Health in All Policies' (HiAP). The LDP goes some way to achieve this, with policies relating to air, noise and light pollution, land contamination, transport, all relating to public health impacts. Consideration will be given whether the potential implications on physical and mental health implications due to development should be given greater emphasis in policies within the Replacement LDP.

SI 5 / 6 Protection / Provision of Open Space

- 4.4.74 The LDP includes policies in relation to the protection of and the provision of new public open space (Policies SI 5 and SI 6). The policies together require the protection of existing public open spaces and includes a requirement for the provision of new open space on planning applications for new housing proposals for ten dwellings or more. These policies deliver key benefits for health and well-being.
- 4.4.75 An assessment of existing public open space provision including deficiencies by area is set out on the Open Space Assessment (OSA). This provides the evidence base with which to assess the need for open space provision within areas of Swansea as part of development. The OSA is currently in the process of being reviewed to ensure it will be up to date to inform the Replacement LDP. Similarly, an updated Planning Obligations SPG and GI SPG will be prepared in tandem with the Replacement LDP which will include more detailed guidance on securing open space provision on new development.
- 4.4.76 The findings of the AMR's (indicators 76, 77) indicates that Policies SI 5 and SI 6 are being implemented effectively in terms of ensuring there is no deficiency of open space as a result of new development. The policies will therefore be retained albeit the wording will

be reviewed to inform the Replacement LDP.

Policy HC1 – Historic and Cultural Environment

Welsh Language

- 4.4.77 A Wales of vibrant culture and thriving Welsh language is one of the seven well-being goals identified in the Well-being of Future Generations Act, which is also embedded in PPW and the sustainable placemaking principles. The importance of the Welsh Language is also highlighted by the Welsh Government's ambitious target to achieve one million Welsh speakers by the year 2050.
- 4.4.78 For the most part, the evidence base is unlikely to have changed significantly, but a review of the latest statistical data (the Census) will be needed to determine whether there will be any need to amend the extent of the designated Welsh Language Sensitive Area (WLSA), and a review of the boundary to take account of changes to Ward boundaries; and consideration of whether the policy thresholds require revision.
- 4.4.79 No specific issues have been identified in the AMR in respect of the operation of the LDP policies for the Welsh language. In general, the policy appears to be working well. However, the AMR has identified that Policy HC3: requires clarification when a WLIA or

WLAP will be required as part of submitted proposals.

- 4.4.80 Welsh Language Impact will need to be considered as an important component of the Integrated Sustainability Appraisal for the Replacement LDP.

Heritage

- 4.4.81 For the most part, the built and historic environment is unlikely to have changed significantly in respect of the evidence base, but areas that may require updating include the Schedule of Buildings of Local Importance (to take into account losses and possible additions) and the recent Conservation Area Appraisals.
- 4.4.82 No specific issues were identified in the AMR in respect of the operation of the LDP policies for the Built Environment and Historic Heritage. Issues that may need to be considered as part of the review include changing the terminology used to bring it in line with the latest guidance (e.g. Historic Environment rather than Historic Heritage and Historic Assets of Special Local Interest rather than Buildings of Local Importance).

CV 1- 5 - Countryside and Village Development

- 4.4.83 The LDP sets out a number of policies to facilitate appropriate development outside of the main urban area whilst at the same time seeking to protect the

integrity of the countryside and quality of the surrounding landscape in these areas. These include Policy CV1 Key Villages which sets out settlement boundaries for 18 key villages which are considered suitable for accommodating small scale development to deliver appropriate housing, community facilities and sustainable rural enterprises for these villages. The LDP seeks to ensure protection of the countryside for the economic, social and environmental benefits provided.

- 4.4.84 Policy CV2 Development in the Countryside seeks to protect the countryside from inappropriate development and ensure that only in exceptional circumstances outside of defined settlement boundaries development will be acceptable. It sets out acceptable exceptions with the overarching principle seeking to create more sustainable rural communities.
- 4.4.85 Policy CV 3 Replacement Dwellings in the Countryside seeks to retain rural dwellings that make a positive contribution to the County's rural character and allows for the replacement of non descript or poorly designed rural dwellings with better designed dwellings that enhance the appearance of the countryside.
- 4.4.86 Policy CV 4 Conversion of Rural Buildings seeks to strictly control the conversion of traditional rural buildings to ensure that proposals contributes to a more sustainable economy and does not detract from

the special qualities of the County's countryside.

4.4.87 Finally, Policy CV 5 Farm Diversification recognises national policy and guidance that many economic activities can be sustainably located on farms and support farm diversification provided such schemes are small scale and integrate well with surrounding countryside. The policy sets out detailed criteria with which such schemes will be judged.

4.4.88 Future Wales includes Policies 4 and 5 which sets out the WG objectives to support sustainable and vibrant rural communities and supports appropriate and proportionate growth in rural towns. The Replacement LDP will need to identify the rural communities, assess needs and set out policies that support them. Policies will need to consider how age balanced communities can be achieved, where depopulation could be reversed and consider the role of new and market housing, employment opportunities and local services and greater mobility in tackling these challenges.

4.4.89 Further, in line with these policies the Replacement LDP must plan positively to meet the employment needs of rural areas including employment arising from foundational economy, agricultural and forestry sector, including proposals for diversification, start ups and micro businesses. WG strongly supports the development of innovative and emerging technology businesses and sectors to help rural areas unlock their

full potential. PPW reinforces placemaking in rural areas and rural policies will need to fully reflect these aspirations. Similarly, PPW is clear that the Replacement LDP will need to plan positively to meet rural employment needs by identifying policies in the LDP and where a need is identified allocate new rural sites for economic development however where these are required these are likely to be small and generally be located adjacent to defined settlement boundaries preferably where there is public transport provision. Further the plan will need to include criteria based policies to consider proposals outside settlement boundaries. Meeting rural employment needs will need to be considered as part of the Employment Land Review to support the Replacement LDP.

4.4.90 The AMR's produced since Plan adoption indicate that the policies have been successful in facilitating appropriate development within the key villages and limiting development in the countryside to exceptional circumstances. Aside from acceptable householder development this has included facilitating agricultural development, tourism related development and replacement dwellings. However, it has been identified that a number of the policies can be strengthened and supported with additional clarification in particular CV2 and CV4. Policies will need to fully reflect Future Wales aspirations above.

4.4.91 Similarly, the Replacement LDP will need to be

informed by a new key villages assessment as part of the work to inform the preparation of the Preferred Strategy. The Council will need to undertake a comprehensive review of settlement boundaries as part of this work and to reflect necessary changes to boundaries as a result of new planning permissions.

TR1 – Tourism and Recreation Development

4.4.92 PPW recognises that the role of tourism is vital to economic prosperity and job creation in parts of Wales, and requires plans to provide a framework to maintain and develop well-located, good quality tourism facilities. Future Wales identified tourism as a potential growth area for the South West Wales region, and supports high quality development across the region to ensure all communities are able to benefit from their landscapes, natural and historic environment, heritage assets and visitor attractions to grow their economies.

4.4.93 Welsh Government introduced a package of measures in 2022 in order address the issues of second homes and holiday lets in Wales. This includes introducing three new planning use classes – a primary home, a second home and short-term holiday accommodation. LPAs, where they have evidence, are now able to make amendments to the planning system to require planning permission for change of use from one class to another, where evidence shows that the number of holiday homes/second homes in an area is a

contributing factor to a range of issues, such as lack of affordable housing, poor community cohesion etc. National planning policy is also being amended to give local authorities the ability to control the number of second homes and holiday lets in any community. As a result of the new legislation, research and evidence must be gathered to make an informed decision on whether greater planning controls are desirable on second homes and holiday homes in any part of the County.

4.4.94 Policy TR1 also links to the Marine Plan, especially with regard on potential impacts on Seascape. The Carmarthen Bay, Gower and Swansea Bay Local Seascape Character Assessment is an important evidence base for consideration of development on the undeveloped and developed coasts of the County. Para 6.58 PPW 11, highlights that Area Statements and other locally based plans for coastal areas provide relevant information on how the economic potential of the coast may be unlocked in a sustainable manner, and how undeveloped coastal areas should be protected from development.

4.4.95 Since the LDP was adopted, the range and type of buildings and holiday accommodation units being developed has increased significantly, and many are not addressed specifically within the LDP. As a result, the AMRs have identified that some LDP policies require clarification in relation to types of tourism

accommodation, with regard to the definitions and within the glossary.

4.4.96 Further clarification on the contents of a TNDIA is also required, as many applications are accompanied by statistics but no information on the proposed development itself to demonstrate that it is an economically viable, sustainable long term business that will contribute to the rural economy.

4.4.97 PPW 5.5.2 states that in some places there may be a need to limit new development to avoid damage to the environment or the amenity of residents and visitors. Specific areas of the County continue to face pressure for increased development, particularly tourism accommodation development. Baseline evidence and data will need to be examined in order to aid a review of tourism policies to determine whether the County, or specific areas of the County, have sufficient capacity to accommodate additional tourism developments.

4.4.98 An important piece of evidence base which influenced the LDP with regard to caravan and camping within the AONB is the Gower AONB Landscape Sensitivity and Capacity Study for caravan and campsites. This piece of background evidence is currently being updated in order to take account of newer forms of tourism accommodation (such as pods and yurts) and to see if any landscape changes have occurred since the first Study as a result of increased development. This will

provide an up to date assessment for the Replacement LDP.

4.4.99 The LDP is based on evidence of bedspace numbers and accommodation types, which demonstrated a shortage of holiday accommodation that was genuinely available for short-term holiday lets, rather than as a private second home/holiday home which is not sub-let. The AMRs demonstrate that a considerable number of new short-term let bedspaces for holiday accommodation have been created throughout the County since LDP adoption. As a consequence the underlying data and evidence require updating to assess whether the policies still address key issues identified.

4.4.100 The Gower AONB Management Plan is currently being reviewed and this will help inform future development within the AONB.

4.4.101 As well as addressing the availability of accommodation, the Replacement LDP will need to also examine the development of leisure facilities. Current LDP policies support the development of new leisure uses, within the city centre and waterfront areas and within the countryside where appropriate. Very few such developments have come forward within the lifetime of the LDP, with the exception for example of the Arena, the majority of applications being for accommodation, and policies should be

reviewed to determine whether they sufficiently facilitate developers to bring forward schemes.

EU1 - Energy and Utilities

4.4.102 The LDP contains a number of policies to facilitate renewable and low carbon energy development. Policy EU 1 sets out criteria for consideration of such schemes within Strategic Search Areas and Local Search Areas, Policy EU2 sets out that larger residential and non residential schemes will need to be supported by a comprehensive Energy Assessment, Policy EU 3 seeks to ensure that significant energy consuming developments facilitate the development of District Heating Networks. In respect of Utilities Policy EU4 seeks to ensure adequate utility infrastructure is in place to serve developments, with developers contributing to secure improvements where there are deficiencies. Policy EU5 sets out how proposals for telecommunications and digital technology will be assessed.

4.4.103 To inform the policies in the LDP the Council undertook a Renewable Energy Assessment (REA) in 2018 which evaluated the potential energy capacity of renewable and low carbon technologies in the County. This evidence base will need to be updated to inform the Replacement LDP.

4.4.104 Future Wales sets out that by 2040 it seeks a Wales

where people live in *places which are decarbonised and climate resilient*. It sets out the policy framework for determination of renewable energy proposals including the introduction of Priority Areas within which there will be a presumption in favour of wind and solar schemes. Policies 16 and 17 sets out Welsh Government strong support for developing renewable and low carbon energy from all technologies at all scales and to facilitate District Heat Networks within Priority Areas.

4.4.105 TAN 8 was revoked following the publication of Future Wales. The north eastern part of the County is within the Future Wales defined Pre Assessed area for wind where there is a presumption in favour of large scale wind-energy development (including repowering) in these areas subject to criteria. Swansea is also identified as a District Heat Network priority Area, within which planning authorities should identify opportunities for District Heat Networks and plan positively for their implementation.

4.4.106 PPW set out the Energy hierarchy and will expect all new development to mitigate the causes of climate change in accordance with the energy hierarchy for planning. It sets out a number of issues to be considered when preparing the Replacement LDP:

- consider including policies that require major applications to be accompanied by an Energy Report

- identify strategic sites to identify opportunities to require higher sustainable building standards, including zero carbon in the development plan
 - seek to maximise the potential of renewable energy by linking the development plan with other local authority strategies
 - Using Local Area Energy Plans or other evidence to set challenging but achievable targets for renewable energy in development plans considering the renewable energy resource they have available
 - Consider the energy needs of site allocation development proposals in collaboration with grid operators
 - In order to facilitate local and regional energy planning local authorities must develop an evidence base (which can include a LAEP) to inform development of renewable and low energy policies
 - Development plans should support opportunities for heat networks, local renewable and low carbon energy generation schemes, and the co location of new proposals and land allocations with existing developments, heat suppliers and heat users.
 - PPW introduces the Energy Hierarchy and requires planning authorities to plan positively for local power generation including providing for the co-location of developments to enable local heat opportunities, maximising the use of waste heat, district heating and combined heat and power.
- Assess the opportunities for low carbon energy in the area and use the evidence to establish spatial policies in the development plan which identify the most appropriate locations for development of energy development below 10Mw and include policies with the criteria for development outside identified areas will be determined.
- 4.4.107 The policy framework, evidence base and documents for this topic will need to be reconsidered and revisited in the light of changes to national policy and consenting regimes and changes in renewable energy technologies. All proposals for onshore generating projects between 10MW and 350MW capacity are now dealt with by Welsh Ministers with Local Authorities determining only those proposals below an installed capacity of 10MW. As a result of new national policy above, Policy EU 1 will need to be amended to reflect the Future Wales Pre Assessed areas for large scale wind at national level and to identify the most appropriate locations for development of energy developments below 10MW. Similarly with the requirement for heat networks now forming part of Future Wales policy, it may not be necessary to include the current policy EU 3. The current policies focus on solar, wind and District Heating Networks. Consideration will be given to the need to provide advice on facilitating domestic renewable energy technologies which are generally covered under permitted development.

4.4.108 Furthermore, the Welsh Government clarified (March 2022) that where the site area of a proposed solar PV array development includes areas of Best Most Valuable (BMV) agricultural land, considerable weight should be given to protecting BMV land from development, because of its special importance, and unless other significant material considerations indicate otherwise it will be necessary to refuse permission. This should be clarified within policy EU 1 of the Replacement LDP.

4.4.109 Overall the AMR's produced since plan adoption indicate that the policies have been successful in facilitating an increase in renewable energy capacity within the County in line with EU 1. To date however no district heating networks, either stand alone or as part of a proposed development have been delivered. However, increasing capacity is reliant on developers bringing such schemes forward.

T 1 – Transport, Movement and Connectivity

4.4.110 The LDP contains a strategic policy on Transport Measures and Infrastructure which takes a coherent approach to land use and transport planning. It emphasises that movement, connectivity and legibility of transport links are critical components in the creation of a successful place and an efficient

transport network (including the highway, public transport, pedestrian and cycle routes, PROWs including bridleway routes) is critical to support economic growth.

4.4.111 The LDP supports the delivery of sustainable transport infrastructure which is a key objective for Welsh Government. The “Transport Hierarchy for Planning” as set out in Future Wales already forms the basis for the LDP Policies on transport. In order to reduce the reliance on car use development must firstly consider providing new and upgraded Active Travel routes. Principally by means of improving connectivity and developments taking opportunities to enhance walking and cycling access by incorporating new routes within development sites, and/or making financial contributions towards the delivery off-site of appropriate measures. The provision and improvement of public transport is a key aim of the Plan enabling sustainable travel choices. The plan seeks to maximise the potential of movement to/from development by public transport, including ensuring developments within the urban area are located at a walkable distance to a public transport access point on a route with a high frequency service.

4.4.112 Developments are required to deliver new transport infrastructure and improvement measures that are required to mitigate the impact of the development, and ensure they are served by appropriate parking

provision and circulation areas. Development that would have an unacceptable impact on the safe and efficient operation of the transport network will not be permitted.

4.4.113 A Strategic Transport Study was undertaken to consider the impact of LDP development proposals and help guide and inform the process of delivering land allocations by means of modelling and quantifying the transport impact of these proposals and identified measures considered important as part of a joined up approach to land use and transport planning. This Assessment was important in providing a thorough assessment of the likely impact of the Plan's strategy for growth and proposing some of the mitigating measures that may be required. The Assessment will need to be updated to reflect the development proposals of the Replacement LDP.

4.4.114 Other specific policies in this chapter of the LDP support the provision of identified strategic bus based service corridors across the city within proposed areas of development; the delivery of new or enhanced transport interchanges; safeguard the canal network and identified areas that offer the opportunity to re-connect gaps in the existing network where parts of the canals have been lost; and deal with development in the port and docks. Policy T 5 sets out design principles for transport measures and infrastructure. In-line with PPW, existing transport

proposals will be reviewed so as to remove any proposals that have previously been safeguarded, but are now abandoned, or any that are unlikely to commence during the plan period.

4.4.115 The policies have largely been effective, however the evidence base will need to be updated with reference to key changes since the LDP was adopted including Future Wales, relevant updates to PPW, the new Wales Transport Strategy (2021), Active Travel Act Guidance (2021), Manual for Streets 2 (Urban and Rural Streets) (May 2019), Electric Vehicle Charging Strategy for Wales (March 2021).

4.4.116 The Replacement LDP will also need to take account of the emerging regional transport planning context and any specific proposals that are confirmed as deliverable within the Replacement Plan period from the Swansea Bay and West Wales Metro.

RP1 – Safeguarding Health / Natural Resources

4.4.117 Strategic Policy RP1 seeks to ensure that the County's natural environment is protected from materially harmful development. Specifically, this relates to the effect of development on Air, Light and Noise Pollution, Flood Risk, the quality or quantity of water resources, land contamination, land instability or subsidence, sustainable development of mineral

resources and sustainable waste management. The policy is supported by a number of detailed policies covering specific topic areas (RP 2 – RP 14). Specific policies are discussed further below.

- 4.4.118 Future Wales indicates that PPW contains the planning policy framework for addressing air quality, soundscape and noise. The planning system should maximise its contribution to achieving the well being goals and in particular a healthier Wales.
- 4.4.119 In respect of noise, Policy RP2 sets out the approach to minimising the effects of noise pollution, including restrictions to developments creating noise in Noise Action Planning Priority Areas or designated Quiet Areas. The AMR indicates that development permitted within Quiet Areas has accorded with the Policy Framework which indicates the Policy is performing effectively. PPW however has a particular emphasis on the need to create appropriate soundscapes and preserve soundscape quality rather than just a focus on noise pollution. It is expected that a new TAN 11 on Noise will be issued which will provide further elaboration on air quality, noise and soundscape in more detail providing greater detail as to how they should be addressed in development plans. Therefore, the terminology and scope of RC 2 will be reconsidered as part of the Replacement LDP. Similarly, consideration will be given to including reference to the Tranquil Areas Map produced by

NRW.

- 4.4.120 In respect of air and light pollution Policy RP3 sets out the approach to minimising the effects of air and light pollution from new development. In respect of light pollution, the control of lighting design is important in protecting the dark sky environment of the Gower AONB. The adopted Placemaking Guidance for the Gower AONB SPG sets out detailed considerations in order to control light pollution within this area. It will be necessary therefore that the Replacement LDP adequately covers this issue in an updated Policy RP 3. It will also be necessary to reflect any changes in Air Quality Management Areas.
- 4.4.121 Policy RP 4 seeks to protect the quality of the water environment and to promote good water resource management. The terminology of the policy will need to be updated to reflect that SuDS is now mandatory for all new developments in Wales of more than one dwelling or where the construction area is 100 square metres. Additionally, in light of the NRW planning advice in December 2020 which required development within SAC catchments to achieve phosphate neutrality or betterment, whilst this does not affect watercourses within Swansea, the HRA process for the Replacement LDP will likely need to consider any potential impact on the proposed scale of development of riverine SACs in neighbouring authorities and on the marine SAC which borders

Swansea and Carmarthen. The terminology of RP 4 may therefore need to be updated as this issue is assessed.

4.4.122 Policy RP 5 is the supporting policy to RP 1 for the avoidance of floodrisk and sets out measures as to how this will be assessed. The AMR indicates that both policies are performing effectively as no applications were permitted where there was an outstanding objection from NRW on flood risk or contrary advice from NRW. However, as referred previously in para 2.2 the new TAN 15 and Floodmap for Planning is due to come into force in 2023 which will provide a significantly different context for planning decisions compared to the existing framework. Given this the policy will need to be reviewed to reflect the new TAN.

4.4.123 Policy RP 6 seeks to ensure that any risks to development arising from contamination or landfill gas generation are identified and accurately assessed and that where appropriate satisfactory measures are taken to overcome the risks identified. No particular issues have been identified with the current policy. PPW sets out that development plans should include policies and proposals for rehabilitation and development of existing derelict sites where development is the preferred response. In addition, any policies for areas of land contamination or instability must be accompanied by the warning they

have been defined on the best available information to the planning authority and are not necessarily exhaustive and that responsibility for determining the extent and effects of such constraints remains that of the developer. The Replacement LDP will consider this guidance should any contaminated sites be promoted.

4.4.124 Policy RP 7 aims to steer development away from areas of unstable land. There are no particular issues raised with the policy currently and therefore it is considered it is performing effectively. PPW (para 6.9.25) sets out key policy that planning decisions will need to take account of in respect of land instability. The terminology of RP 7 will be reviewed as part of the Replacement LDP and will be updated as necessary.

4.4.125 RP 8 – 11 - Waste Management Policies - these provide the local policy framework with regard to the development of new waste management facilities, integration of waste management into new developments, and disposal of agricultural waste.

4.4.126 The latest information available from the Waste Planning Monitoring Report (WPMR) for the South West Wales region is the 2021/22 report which indicates a predicted regional landfill void capacity of 7.5 years. This figure is dependent upon several assumptions, including the individual circumstances of

the landfills currently operating (e.g. potential contracts coming to an end), new landfills or alternative residual treatment plants becoming operational, the reduction in actual quantities of residual waste produced, and increases in the amount of waste recycled, re-used or composted.

4.4.127 The County's only landfill site, Tir John, closed as a landfill site in 2022 and residual waste is being taken out of the County for disposal in Energy from Waste facilities. How this will impact the regional landfill capacity void will need to be carefully monitored. The WPMR considers that at the present time the management of residual waste in the Mid and South West Wales region is being adequately catered for and no new capacity is required. Nevertheless, LDP policy will need to continue to permit the development of appropriate new waste treatment works in case additional capacity is required; and appropriate new landfill sites in exceptional circumstances including the fact that additional capacity is required.

4.4.128 In March 2021, the Welsh Government published "Beyond Recycling – A strategy to make the circular economy in Wales a reality" followed by the "Strategic Assessment for the future need for energy from waste capacity in the three economic regions of Wales". The waste policies will also need to be reviewed to reflect the growing emphasis on minimising waste and the circular economy.

4.4.129 Future Wales identifies that SDPs will be required to provide a coordinated framework for waste treatment and disposal, however, the SDP will not be in place ahead of the Replacement LDP being adopted. The LDP waste policy framework should be reviewed to ensure it reflects the latest WPMR and the up to date situation within the County.

4.4.130 The AMR indicates that sufficient allocated employment land still exists (B1/2 use class) in the LDP to enable the development of new waste management infrastructure, if necessary.

RP 12 – RP 14: Sustainable Development and safeguarding of Mineral Resources

4.4.131 Policy RP 12 sets out criteria against which all proposals for mineral development will be assessed, including borrow pits, the reworking of mineral tips for their mineral content and the development of land based unconventional oil and gas (i.e. coal-bed methane, shale gas and underground coal gasification). There is a clear Welsh Government policy objective to avoid the continued extraction and consumption of fossil fuels. Therefore, proposals for opencast coal operations, deep-mine development or colliery spoil disposal will not be permitted.

4.4.132 Policy RP 13 identifies mineral safeguarding areas

and prevents development that would sterilise identified natural resources, while RP 14 identifies mineral buffer zones to protect sensitive development from the impacts of mineral operations; and to protect mineral operations from new sensitive development locating too close and potentially impacting on the operator's capacity to carry out permitted mineral operations without causing nuisance.

4.4.133 Future Wales identifies the important role played by the South West region's minerals and aggregates in supporting development across Wales and England. SDPs will be required to provide a coordinated framework for minerals extraction, however, the SDP will not be in place ahead of the Replacement LDP being adopted.

4.4.134 Therefore, forward planning for minerals forms an intrinsic part of the LDP process. In accordance with the recommendations contained within the evidence base of the current LDP, Regional Technical Statement (RTS) 1st Review, no future provision for land-won primary aggregates, including allocations for future workings have been identified within the current LDP. The principal objectives of the RTS are to inform the provision of adequate reserves of aggregates in the LDPs in order to ensure sufficient provision for construction and other industries in the most sustainable manner reasonably achievable.

4.4.135 Since adoption of the LDP, the RTS for the North and South Wales Regional Aggregate Working Party, 2nd Review, was adopted in 2020. This second review provides updated projections and amends the methodology in relation to the forecast consumption of aggregate as well as the historic pattern of supply.

4.4.136 This latest RTS requires Swansea, through its LDP, to meet the apportionment of 0.305 million tonnes (mt) of crushed rock (specifically HSA Sandstone) per year until the end of the Plan period and for 10 years thereafter (7.636 million tonnes over 25 years). This requirement is not reflected by the current LDP, and NPT currently cover Swansea's apportionment requirement. The LDP policies will therefore need to be reviewed in light of the latest RTS and potentially consideration will need to be given to allocating preferred areas on the Replacement LDP Proposals Map.

Review of LDP Proposals Map

4.4.137 The content of the LDP Proposals Map will require changes as part of the Replacement LDP in order to reflect any spatially relevant changes made to the plan such as amended allocations, boundaries and spatial changes to other policies.

4.4.138 In addition, the LDP Constraints Map contains designations that are not directly proposals of the LDP

but are constraints to development created by legislation or other mechanisms outside of the LDP process such as Flood Risk Areas, Conservation Areas, SSSI's, etc. This will also need to be reviewed to ensure it is comprehensive and up to date.

Review of LDP Monitoring Indicators

- 4.4.139 The LDP monitoring framework will need to be reviewed in order to reflect changes made to the Replacement LDP strategy, policies and proposals.
- 4.4.140 The review will also reconsider whether all the indicators are necessary with reference to the Development Plans Manual, which states the monitoring framework should be focussed on those key policies fundamental to delivering the Plan and that it should not be too onerous or too complex. There are also some existing areas of duplication which should be removed.
- 4.4.141 Existing indicators will be reviewed to identify any minor amendments that can make the monitoring more efficient (some suggested changes have been highlighted in AMR reports), or that are necessary to reflect national guidance (eg the new housing delivery monitoring arrangements which have been actioned in the AMRs), or to ensure all the indicators remain specific, measurable and realistic (for example amending any indicators where the dataset has been

discontinued).

Review of SEA/SA

- 4.4.142 A requirement of the LDP process is that Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) informs preparation of the Plan in an iterative manner. The process will also integrate other relevant assessments, such as the Welsh Language Impact Assessment, the Equalities Assessment and Health Impact Assessment. The process will be entitled the Integrated Sustainability Appraisal (ISA).
- 4.4.143 The ISA process will be integral to the development of the Replacement LDP and will follow the main stages as set out in the Development Plans Manual. This will ensure the vision, objectives, policies and proposals promote sustainable development and take account of any significant effects on the environment. The ISA will be an iterative process throughout preparation of the Replacement LDP and its subsequent annual monitoring enabling the Council to assess the extent to which the Plan is contributing to the achievement of sustainable development and to identify any concerns.
- 4.4.144 To inform preparation of the Replacement LDP it will be necessary to revisit and update environmental,

social and economic baseline information, along with the review of relevant plans policies and programmes, contained within the Scoping Report previously prepared for the LDP. The Scoping Report will identify key issues that should be addressed via the Replacement LDP and should inform the LDP objectives.

- 4.4.145 The SA Monitoring Framework including the SA Objectives will also need to be reviewed to ensure it remains up to date, including considering whether the methodologies need revising due to changes in legislation.

Review of HRA

- 4.4.146 The LDP was informed by Habitats Regulations Assessment (HRA), the purpose of which was to assess the impacts of the LDP, in combination with the effects of other plans and projects, against the conservation objectives of internationally important European sites of nature conservation importance such as Special Areas of Conservation and Special Protection Areas (designated for their ecological status) and to ascertain following screening what needs Appropriate Assessment (AA).
- 4.4.147 Further to the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, SACs and SPAs in the UK no longer form part of the European

Union's Natura 2000 ecological network. A National Site Network has been created in the UK, which includes SACs and SPAs. Ramsar sites (designated under the Ramsar Convention on Wetlands of International Importance) do not form part of the National Site Network and are not subject to the Habitats Regulations, however they are treated within the planning system in the same way as SACs and SPAs.

- 4.4.148 The new Regulations came into force on the 1st January 2021. The Replacement LDP will again need to be subject to HRA, and this will require the HRA screening process and methodology to be reviewed and revisited and applied to emerging LDP proposals in an iterative process to ensure that the relevant legislation and regulations are complied with and any issues are fully addressed.

Chapter 4 Conclusions on Review of adopted LDP

- While this review has identified that much of the LDP is operating well, the evidence base of the Plan will need to be updated due to the timescales since the Plan was adopted. This will include a review of the scale of growth required over the Replacement LDP period. This could require a change to the scale of growth requirement. Furthermore, while the existing spatial strategy is considered to be sound, the way in which it is delivered will need to be reviewed against changes since the Plan's adoption including for example the relevant spatial aspects set out in Future Wales; the need to replace delivered allocations and to account for delays in some allocations coming forward more slowly than envisaged through the addition of any new allocations required to deliver the updated housing requirement; and a detailed review of undelivered existing allocations. In-line with PPW (ed11) there must be sufficient sites suitable for the full range of housing types to address the identified needs of communities, which will require an update to the evidence of housing needs. Furthermore, there will need to be a range of sustainable and deliverable sites to allow all sectors and types of house-builder, including nationals, regionals, registered social landlords (RSLs), Small and Medium-sized Enterprises (SMEs) and the custom and self-build sector, the opportunity to contribute to delivering of the proposed housing requirement.
- Consequently there are likely to be some changes to the growth strategy and to aspects of how the spatial strategy is delivered. This would not be suited to the SFR procedure and a Full Review will be required to enable the LPA to respond to these strategic issues and to fully update the evidence base on which the Plan is based.
- This Chapter has highlighted that specific elements of the Plan will need to be updated such as with regard to the need for, and provision of, pitches for Gypsies and Travellers, affordable housing need, high level financial viability levels of delivering affordable housing and physical infrastructure requirements, the retail need evidence base, transport infrastructure impacts of new allocations, amendments to reflect new national guidance expected on flood risk, and review of the provision of areas for mineral extraction.
- Changes in context such as emerging deliverable proposals from the SW Wales Metro will need to be understood in order to be reflected in the Replacement LDP.
- The review has also identified various opportunities to update policies which are otherwise working effectively in order to refine the Plan.
- This report does not detail every opportunity and the LPA will continue to review and refine through the Replacement LDP process building on experience of using the policies since plan adoption.

Chapter 5. Opportunities for Collaborative Working

5.1 Introduction

5.1.1 WG Guidance¹¹ states that, when undertaking LDP reviews, all opportunities for joint working and collaboration on both plan preparation and the evidence base should be considered. This is in the interests of maximising the opportunities and efficiencies of evidence gathering, consultation and co-operation in tandem, and/or through joint working arrangements. Such an arrangement can be particularly relevant for LDPs on similar preparation timescales, and where authorities have strong geographical and/or functional linkages. Collaboration is a requirement of the Well-being of Future Generations Act and an integral part of the LDP soundness tests (i.e. the test of compatibility of the LDP with the plans of neighbouring authorities).

5.1.2 This Chapter considers the opportunities that exist for joint working with other LPAs, both in terms of preparing joint Plans and in terms of gathering evidence.

5.2 SDP and Joint LDP's

5.2.1 Swansea shares its administrative boundary with three other Authorities: Neath Port Talbot County Borough Council, Carmarthenshire County Council, and Brecon Beacons National Park Authority. In terms of timescales, there is little opportunity to prepare a Joint LDP with any of these adjoining authorities, as they are at more advanced stages in their Replacement LDP preparation process.

5.2.2 Despite the incompatible timescales, collaboration with all neighbouring authorities will nevertheless be a central part of the work to prepare the Replacement LDP, which will need to fit as far as possible with the existing and/or emerging strategies and proposals of these adjoining areas.

5.2.3 As highlighted in Chapter 2 above, Future Wales requires the preparation of a SDP in South West Wales but it will not be in place ahead of the likely adoption date of the Swansea Replacement LDP. Notwithstanding this, over the course of preparing the Replacement LDP, there will be a need for the LPA to closely monitor the implications of any emerging SDP work as and when new regional policy direction emerges.

¹¹ Development Plans Manual

5.3 Joint Working on Evidence Base

- 5.3.1 The most effective focus and use of resources at this stage will be to build on existing joint working arrangements and take all opportunities where it is relevant to consider issues in a cross-boundary manner on the key areas of evidence underpinning LDPs. This will ensure a compatible and consistent evidence base across LDPs and can inform future work towards the SDP.
- 5.3.2 To date, discussions and progress have centred on working with NPT Council on projects to assess employment and housing growth projections, and to produce an updated Local Housing Market Assessment. These will form key evidence for the levels of growth in each LDP and by undertaking jointly can properly take account of cross authority border issues with regard to the housing and employment markets and the Swansea Bay context. The Authorities comprising the South West Region are also working together on provide a better understanding of the extent of the National Growth Area identified in Future Wales.
- 5.3.3 In addition, the authorities in both the West Wales and Mid Wales regions have worked together on a 'Regional Viability Study' (RVS). The RVS, led by Andrew Burrows of 'Burrows-Hutchinson' has led to the completion and implementation of a Development

Viability Model (DVM) for use by all the Authorities. The DVM is a spreadsheet based appraisal tool capable of assessing the overall levels of viability in sub areas of an Authority, as well as for testing the suitability and deliverability of specific sites for inclusion in a Development Plan.

- 5.3.4 There are opportunities for other collaborative work to be undertaken to inform Replacement LDP preparation. This could include, for example, joint work on minerals evidence; retail planning; landscape assessments; renewable energy assessments, and the consideration of the Fabian Way Innovation Corridor area that extends across both Swansea and NPT Authority boundaries.
- 5.3.5 Ongoing dialogue with other LPAs will help maximise efficiencies and consistency with regard to gathering/sharing evidence and agreeing methodologies where possible.

Chapter 5 Conclusions on Opportunities for Collaborative Working

- The LPA has explored the options for working jointly with other LPAs on the Development Plan but has concluded that the most appropriate option at this time is for the Council to prepare a Replacement LDP on an individual LPA basis.
- However, wherever possible, the LPA will continue to work collaboratively with other neighbouring LPAs on producing a consistent and coherent evidence base (notable elements of joint work have commenced on key evidence studies needed to inform the growth requirements) and work with other LPAs in the future to prepare a SDP for the South West region.

Chapter 6. Conclusions and Next Steps

6.1 Conclusions

6.1.1 Having regard to the findings set out in the latest AMR in respect of certain monitoring indicators, and the impending need for the statutory LDP review process to be underway on the Swansea LDP by February 2023 in any event, the recommendation of AMR 3 was that a LDP Review Report should be prepared in-line with the process prescribed by Welsh Government guidance and legislation.

6.1.2 The review undertaken for this Report has shown that, whilst much of the Swansea LDP is operating well, there is a clear need to update the evidence base of the Plan. This is due to the timescale that has elapsed since LDP adoption, but more importantly the significant material changes in the strategic planning and societal contexts that have arisen during this period. This includes a need to review the scale of population growth going forward in the light of emerging data, which could in turn require a change to the scale of the housing and employment growth strategy for Swansea. Furthermore, while the existing spatial strategy is considered to be sound, the way in which it is delivered will need to be reviewed against significant material changes since the Plan's adoption. This includes the relevant policies and parameters set

out in Future Wales - the National Development Plan published post LDP adoption.

6.1.3 The review has also highlighted there is a need to consider in detail whether the findings of the latest AMR, in respect of delays incurred on delivering certain LDP allocated sites, necessitate the identification of any new allocations to deliver any updated housing requirement. This would require a comprehensive review of undelivered existing allocations and the individual merits and deliverability of other allocations. Such a process reflects the requirements of PPW (ed11), which states there must be sufficient sites suitable for the full range of housing types to address the identified needs of communities. This necessitates an update to the evidence of housing needs. An important part of ensuring a sufficient range of sustainable and deliverable sites are available, is providing an opportunity for all sectors and types of house-builder to contribute to delivering the housing requirement, including nationals, regionals, Small and Medium-sized Enterprises (SMEs), registered social landlords (RSLs), and the custom and self-build sector.

6.1.4 It is clear that the use of the SFR procedure focused on only limited parameters and issues would not be appropriate or justified. This is particularly evident given the need to review the levels of growth going forward and the spatial strategy that should be linked to that growth. Furthermore, the SFR procedure excludes

the requirement to undertake pre-deposit public consultation, which would be an important part of reviewing matters relating to the scale and distribution of growth.

6.1.5 In light of the above, this Review Report concludes that it is necessary for a Full Review procedure be undertaken for the Swansea LDP, to enable the LPA to respond to the strategic issues and key policy matters raised in this Report, and to fully update the evidence base on which the LDP is based.

6.1.6 This would mean that a Replacement LDP would be prepared for the period 2023 to (likely) 2038 following the same full procedures as used in preparing the adopted LDP. Preparation of a Replacement LDP will ensure that effective local decision making in planning can continue after the adopted LDP's "end-date" of 1st January 2026, in-line the plan-led approach in Wales required by Welsh Government.

6.1.7 This Report has highlighted various elements of the LDP evidence base that need to be updated. It has highlighted that any changes to this evidence may need to be reflected in amendments to current LDP policies, including with regard to: the need for, and provision of, pitches for Gypsies and Travellers; affordable housing need; high level financial viability of delivering affordable housing and physical infrastructure requirements in the different parts of the

County; retail need and provision; transport infrastructure impacts of allocations; the potential need for provision of areas for mineral extraction and the sustainable development of mineral resources; and to reflect new national guidance expected on flood risk. This list is not intended to be exhaustive.

6.1.8 There are important and significant changes in national, regional and local policy and circumstances that need to be fully reviewed and reflected where necessary in Plan revision. As well as the implications of Future Wales, this includes the new regional planning agendas, the emerging proposals of the SW Wales Metro, and the latest Local Wellbeing Plan context.

6.1.9 This Report has also identified how opportunities should be taken to update policies that, although largely working effectively based on the AMR, could benefit from wording changes in order to refine the Plan. The report has highlighted such instances but does not detail every opportunity. The LPA will need to continue to review and refine through the Replacement LDP process, building on evidence gained from the experience of using the policies in planning decision making since Plan adoption.

6.1.10 It should be noted that this Review Report is not intended to detail all of the changes that will be made to the LDP, as these will only be determined through the formal preparation process of the Replacement LDP.

6.1.11 WG Guidance¹² states that, for LDP reviews, LPAs should consider and demonstrate they have exhausted all opportunities for joint working and collaboration on both plan preparation and the evidence base. Collaboration is a requirement of the Well-being of Future Generations Act and an integral part of the LDP soundness tests.

6.1.12 **The LPA has therefore explored the relevant options for working jointly with other LPAs on the Development Plan. It has concluded however that the most appropriate option at this time is for the Council to undertake a full review of the existing LDP on an individual LPA basis.** Wherever possible, the LPA will continue to work collaboratively with other neighbouring LPAs on producing a consistent and coherent evidence base (notable elements of joint work have commenced on key evidence studies needed to inform the growth requirements) and work with other LPAs in the future to prepare a SDP.

6.2 Consultation on the Review Report

6.2.1 Stakeholders have made a valuable contribution in helping to identify and clarify what issues need to be considered, how effective the existing LDP has been in terms of delivery, and the extent of changes likely to be

required to the Plan. Stakeholder and public consultation and engagement has been undertaken on the draft Review Report, including with specific and general consultation bodies as suggested in the Welsh Government's Development Plans Manual.

6.2.2 The LPA has reviewed the consultation responses received and considered the potential implications for both the content of the Plan and the review process. Appropriate amendments have been made in the final Review Report which will be reported to Council Members prior to submission to Welsh Government, thereby confirming the form and type of Plan review that will be undertaken. The Review Report will be a key part of the evidence base underpinning the form and content of the revised plan, and ultimately will be one of a number of documents submitted to the appointed Planning Inspector as part of the Examination process.

¹² Development Plans Manual

Appendix 1: Policy Review

Theme	Code	Policy	Notes
Placemaking and Sustainable Development	PS 1	Sustainable Places	<u>Policy is functioning effectively</u> - AMR has concluded that green wedges and countryside is being protected from inappropriate development and development is being directed towards the most sustainable places within the defined settlement boundaries. Review of Urban boundary as part of the LDP Review will need to consider extant consents both for new development and approved extensions to existing residential curtilage.
	PS 2	Placemaking and Place Management	<u>Policy functioning effectively but minor amendments required</u> - Policy to be updated to reflect national sustainable placemaking outcomes and Future Wales Strategic Placemaking principles. Consideration will be given to widening the scope of the policy to provide guidance on overheating, the need for safe and legible entrances to be reflected within criterion vii and new criterion requiring sufficient amenity and private space for all forms of residential developments
	PS 3	Sustainable Housing Strategy	<u>Revision required</u> - The review process provides an opportunity to revisit the most appropriate levels of future housing growth for the Replacement LDP Plan and to determine whether the current strategy remains the most appropriate way of meeting identified housing requirements. Consideration of meeting demand for Care Homes will be required.

	PS 4	Sustainable Employment Strategy	<u>Revision required</u> - The review process provides an opportunity to revisit the most appropriate future levels of employment growth for the Replacement LDP Plan and to determine whether the current strategy remains the most appropriate way of meeting the identified employment requirements.
Strategic Development and Masterplanning	SD 1	Strategic Development Areas	<u>Revision required</u> - The review process provides an opportunity to revisit the most appropriate future levels of growth for the Replacement LDP Plan and to ensure the current strategy remains the most appropriate way of meeting requirements.
	SD 2	Masterplanning Principles	<u>Policy functioning effectively but minor amendments required</u> - The review will need to reconsider the policy threshold for triggering masterplanning requirements which may include consideration of both numbers and size of site.
	SD A	South of Glanffrwd Road, Pontarddulais	Site is at pre planning stage and will be reassessed in-line with national guidance with respect to updated deliverability and viability evidence
	SD B	North of Garden Village	Whole site has planning consent and will become a commitment
	SD C	South of A4240, Penllergaer	Whole site has planning consent and will become a commitment
	SD D	West of Llangyfelach Road, Penderry	Whole site has planning consent and will become a commitment
	SD E	North of Clasemont Road, Morryston	Site is at pre planning stage and will be reassessed in-line with national guidance with respect to updated deliverability and viability evidence

	SD F	Cefn Coed Hospital, Cockett	Site is at pre planning stage and will be reassessed in-line with national guidance with respect to updated deliverability and viability evidence. Potential to become a health-led strategic site
	SD G	Northwest of M4 J46, Llangyfelach	Planning application has been submitted for determination and progress will need to be monitored. Potential to review as part of wider mixed use scheme with Business Park.
	SD H	North of Waunarlwydd/Fforestfach	Planning application has been submitted for determination and progress will need to be monitored on that part of the site. Remainder of the site is at pre planning stage.
	SD I	Swansea Vale	Site is at pre planning stage and will be reassessed in-line with national guidance with respect to updated deliverability and viability evidence.
	SD J	Swansea Central Area	Regeneration of the Central Area remains a Corporate priority. SD J comprises multiple sites and regeneration opportunities and will need to be reviewed to ensure it remains up to date and reflects the latest deliverability and viability evidence and regeneration priorities for the Central Area.
	SD K	Fabian Way Corridor	SD K comprises multiple sites and regeneration opportunities and will need to be reviewed to ensure it remains up to date and reflects the latest deliverability and viability evidence.
	SD L	Tawe Riverside and Hafod Morfa Copperworks	SD L comprises multiple sites and regeneration opportunities and will need to be reviewed to ensure it remains up to date and reflects the latest deliverability and viability evidence.

Infrastructure Requirements and Obligations	IO 1	Supporting Infrastructure and Planning Obligations	<u>Policy is functioning effectively but updates are required</u> - Necessary infrastructure is being secured to mitigate the impact of and support delivery of new development. However there are areas of clarification required on particular topics with the current SPG being out of date. The review offers the opportunity to reflect on the elements that need to be updated through replacement LDP policies and also to prepare an updated S106 SPG in tandem. An updated Infrastructure Delivery Plan to support the LDP will be developed as part of the review.
	IO 2	Employment and Training Opportunities	<u>Policy is functioning effectively but updates are required</u> -The policy wording will be reviewed to reflect the latest updates to the Council Community Benefit Policy. Further guidance is necessary in securing this as part of development which will be contained within the replacement S106 SPG which will be prepared as part of the SPG.
Housing	H 1	Non-Strategic Housing Sites	A number of sites have been delivered, and further sites will become commitments with planning consent. Sites that have not been progressed will be reassessed in-line with national guidance.
	H 2	Affordable Housing Strategy	<u>Revision Required</u> - Provision for required affordable housing provision will be reviewed as part of the Replacement plan process informed by an updated Local Housing Market Assessment.

	H 3	On-site Affordable Housing	<u>Revision Required</u> - Policy considered to be working effectively to secure affordable housing in line with the target percentages. However, target percentages and thresholds for triggering the policy will be reviewed by updated Viability work needed to inform the Replacement LDP and in light of changes to ward boundaries. Further guidance to support the interpretation of the policy should be included as part of updated Planning Obligation SPG.
	H 4	Off-site Affordable Housing	<u>Policy is functioning effectively but minor updates are required</u> - The policy is working in only facilitating affordable housing off site in exceptional circumstances. However it is considered further guidance to support the interpretation of the policy should be included as part of updated Planning Obligation SPG.
	H 5	Local Needs Housing Exception Sites	<u>Policy functioning effectively but minor updates required</u> - A number of sites have been delivered, and further sites will become commitments with planning consent. Sites that have not been progressed will be reassessed in-line with national planning guidance. Further allocations will be considered in light of the emerging Local Housing Market Assessment. Further clarification on the interpretation of the policy will be provided in the updated Planning Obligations SPG.

	H 6	100% Affordable Housing Exception Sites	<u>Policy is functioning effectively but minor updates are required</u> -Clarification required within the amended policy that where affordable housing is provided on a 100% Affordable Housing Exception site (as defined in LDP Policy H 6), the Council will not typically allow the affordable homes to be intermediate tenures that would permit occupiers to staircase to full ownership of the home. The only exception to this will be instances where the applicant has demonstrated to the satisfaction of the Council that secure arrangements will be in place to guarantee the relevant home(s) will, upon re-sales, always be sold or let as affordable housing. National planning policy is clear that affordable housing exception sites are not appropriate for market housing.
	H 7	Gypsy and Traveller Accommodation	<u>Revision required</u> - A review will need to be undertaken to inform the Replacement LDP regarding the latest need position for additional pitches in Swansea which will be identified in the most up to date GTAA and the provision in place to accommodate that need.
	H 8	Ancillary Residential Accommodation	<u>Policy performing effectively but updates may be required</u> - These policies are not routinely monitored through the AMR but will be reviewed in the preparation of the Replacement LDP with Development Management colleagues to ensure they are operating successfully and remain appropriate and up to date.

	H 9	Houses in Multiple Occupation	<p><u>Policy functioning effectively but minor amendments required</u></p> <p>- The LDP AMR has monitored the concentration of HMOs within the HMO Management Area which is defined on the Proposals Map. Each AMR has concluded that the concentration of HMOs in this designated area has not varied significantly from the baseline (as reported in AMR 3). The policy is generally considered to be operating as intended. However, it will be necessary to review this, along with the supporting SPG, for example with regard to assessing any changes in HMO concentrations in areas outside of the Management Area, and for any useful minor alterations or clarification to the policy text that would be appropriate and potential expansion of the policy to cover new forms of housing such as co-living.</p>
	H 10	Specialist Housing	<p><u>Policy functioning effectively but minor updates may be required</u></p> <p>- These policies are not routinely monitored through the AMR but will be reviewed in the preparation of the Replacement LDP with Development Management colleagues to ensure they are operating successfully and remain appropriate and up to date</p>
	H 11	Purpose Built Student Accommodation	<p><u>Policy functioning effectively but updates required</u></p> <p>- The policy is generally considered to be operating as intended with the majority of new PBSA being guided to Central Area sites. Nonetheless, the policy will be reviewed to ensure the policy remains appropriate and up to date.</p>

Historic and Cultural Environment	HC 1	Historic and Cultural Environment	<u>Policy functioning effectively but minor updates required</u> - No specific issues were identified in the AMR in respect of the operation of the LDP policies for the Built Environment and Historic Heritage. Issues that may need to be considered as part of the review include changing the terminology used to bring it in line with the latest policy (PPW and TAN24) and guidance (e.g. Historic Environment rather than Historic Heritage and Historic Assets of Special Local Interest rather than Buildings of Local Importance).
	HC 2	Preservation or Enhancement of Buildings and Features	<u>Policy functioning effectively but minor updates required</u> - Clarification required that development should protect conserve and enhance the special interest of parks and gardens or its setting in line with national policy.
	HC 3	Development in the Welsh Language Sensitive Area	<u>Policy functioning effectively but minor updates required</u> - Whilst policy is working effectively in terms of developers considering the impact of proposals on the Welsh language the policy could usefully clarify the difference between a Welsh Language Impact Assessment and Welsh Language Action Plan. As part of the review latest census data will be analysed to determine whether there will be a need to amend the extent of the designated Welsh Language Sensitive Area (WLSA), and a review of the boundary to take account of changes to Ward boundaries; and consideration of whether the policy thresholds require revision

Social Infrastructure	SI 1	Health and Well-being	<u>Policy functioning effectively</u> - The review will need to consider whether it should remain as a stand alone overarching policy or whether it should be amalgamated under a new overarching theme of sustainable placemaking and interwoven throughout policies, incorporating the concept of 'Health in All Policies' (HiAP). The LDP goes some way to achieve this, with policies relating to air, noise and light pollution, land contamination, transport, etc all relating to public health impacts. Consideration will be given whether the potential implications on physical and mental health implications due to development should be given greater emphasis in policies within the Replacement LDP.
	SI 2	Providing and Safeguarding Community Facilities and Locally Important Uses	<u>Policy functioning effectively but updates required</u> - Policy is working effectively in protecting the loss of community facilities of local value. Additional criteria could be included dealing with proposals that do not lead to the loss of a facility but may affect its operation. The wording will be reviewed as part of the RLDP to identify any opportunities for improved clarification on specific matters.
	SI 3	Education Facilities	<u>Policy functioning effectively but updates may be required</u> - The policy is working effectively to secure education infrastructure to mitigate the impact of and to support new development. However a review of the methodology for calculating education contributions from new development is required to update the outdated SPG. Therefore Policy SI 3 will be reviewed alongside the review of the planning obligations SPG in respect of securing education provision and will be updated accordingly as part of the process.

	SI 4	Morrison Hospital	<u>Review of Policy required</u> - Engagement with the Local Health Board will be necessary to inform the Replacement LDP as to future plans for the expansion of Morrison Hospital in order that the policy can adequately facilitate development as appropriate.
	SI 5	Protection of Open Space	<u>Policy functioning effectively but minor updates required</u> - The policy is performing effectively in terms of ensuring development on open space is acceptable or appropriately mitigated. The wording of the supporting justification will need to be reviewed in so far as it reflects current FIT guidance.
	SI 6	Provision of New Open Space	<u>Policy functioning effectively but updates required</u> - The policy is performing effectively in terms of securing appropriate open space provision in new development. However the open space guidance is being reviewed as part of the amendments to the Planning Obligations SPG so the policy will be updated as part of this process. It will need updating to refer to current FIT standards on quantity guidelines and walking guidelines and which also supersedes reference to Accessible Natural Green Space Toolkit as the FIT guidance includes provision for informal outdoor space and within that is natural/semi-natural greenspace which has the same target set out in the ANGS toolkit. Policy criteria to consider how new open space delivers wider GI multifunctional benefits.
	SI 7	Cemeteries	<u>Review required</u> - Future need for cemetery provision will be assessed as part of the LDP review process in consultation with bereavement services.

	SI 8	Community Safety	<u>Policy functioning effectively but updates required</u> - The existing supporting SPG 'Planning for Community Safety' will need updating as part of the LDP Review.
Regeneration and Commercial Development	RC 1	Swansea Central Area Regeneration	<u>Policy functioning effectively</u> - The Swansea Central Area regeneration remains a corporate priority but the policy will be reviewed to ensure it reflects up to date priorities as they emerge through the review process. The boundary of the central area will also need reviewing to ensure all relevant regeneration opportunities such as the area to the north of the train station and the Palace Theatre are incorporated.
	RC 2	Retail and Leisure Development	<u>Policy functioning effectively with minor updates required</u> - The policy reflects the town centre first principle advocated by PPW and Future Wales and is performing effectively in terms of promoting the vitality and viability of defined centres. However as part of the LDP Review the retail centre boundaries will need to be reviewed to ensure they remain up to date. Further clarifications to policy text will be considered.
	RC 3	Swansea Central Area Retail Centre	<u>Policy functioning effectively but review required</u> - The policy will need to be updated to reflect the ongoing regeneration priorities for the Central Area Retail including amendments to the policy amplification in terms of developments on the Swansea Central Scheme.
	RC 4	Swansea Central Area - Complementary Areas	<u>Policy functioning effectively but review required</u> - The policy will need to be updated to reflect the ongoing regeneration priorities for the Central Area Retail including amendments to the policy amplification in terms of developments on the Swansea Central Scheme.

	RC 5	District Centres	<u>Policy functioning effectively but updates may be required</u> - Policy criteria will need to be reviewed considering approaches to revitalising town centres in Welsh Government guidance such as Building Better Places: Placemaking and the COVID19 recovery. The existing District Centre Retail boundaries will be reviewed to ensure they remain up to date
	RC 6	Local Centres	<u>Policy functioning effectively but updates may be required</u> - Policy criteria will need to be reviewed considering approaches to revitalising town centres in Welsh Government guidance such as Building Better Places: Placemaking and the COVID19 recovery. The existing Local Centre Retail boundaries will be reviewed to ensure they remain up to date
	RC 7	Out of Centre Retail Parks	<u>Policy functioning effectively</u> - However the existing retail park boundaries will be reviewed to ensure they remain up to date.
	RC 8	Commercial Development within Strategic Development Areas	<u>Policy functioning effectively</u> - Policy is facilitating appropriate commercial development with SDA's. Will be reviewed based upon the options for accommodating the level of development going forward.
	RC 9	Ground Floor Non-Retail Uses within Centres	<u>Policy functioning effectively but updates may be required</u> - Policy criteria will need to be reviewed considering approaches to revitalising town centres in Welsh Government guidance such as Building Better Places: Placemaking and the COVID19 recovery.
	RC 10	Employment and Enterprise Development	<u>Policy functioning effectively but amendments required</u> - However further guidance on rural business/enterprise could improve the policy.

	RC 11	Alternative Uses at Employment Locations	<u>Policy considered to be operating successfully but updates required</u> - Policy is successful in controlling non B1/B2/B8 uses on employment areas. However it is considered beneficial that the policy is reviewed to provide further guidance on what constitutes established industrial and commercial land/premises in relation to RC 11, since existing employment sites are not identified spatially on the proposals map
	RC 12	Office Development	<u>Policy considered to be operating successfully</u> - Policy is successful in directing large scale offices to the city centre. Policy wording will be reviewed and any improvements/clarification to policy wording will be implemented.
	RC 13	Swansea Enterprise Park	<u>Policy functioning effectively</u> - Consideration necessary as to whether to define the spatial area of the Enterprise Park on the Proposals Map to provide clearer guidance as to the extent of area the policy applies to.
Ecosystem and Resilience	ER 1	Climate Change	<u>Policy functioning effectively but updates required</u> - Sets the policy framework to ensure that all development is resilient to and mitigates against the impacts of climate change which reflects Council key corporate priority. Policy may require greater emphasis on ecosystems.

	ER 2	Strategic Green Infrastructure Network	<u>Policy functioning effectively but review required</u> - Policy successful in delivering new GI as part of development. However it will be important to ensure the GI policy reflects the cross cutting nature and need for multifunctionality for example in respect of biodiversity and geodiversity, open space, flood risk alleviation, drainage, active travel, landscape, health and wellbeing, and placemaking. Consideration should be given to an overarching Strategic GI policy.
	ER 3	Green Wedges	<u>Policy functioning effectively but review required</u> - Policy is ensuring the openness and character of Green Wedges are being retained. Green Wedges will need to be reviewed as part of the RLDP to ensure they remain appropriate and only designated where there is demonstrable need to protect the urban form and where alternative policy mechanisms such as settlement boundaries would not be sufficiently robust.
	ER 4	Gower Area of Outstanding Natural Beauty (AONB)	<u>Policy functioning effectively but updates required</u> – Policy updated to include potential need for LIA's/LVIA's, lighting strategies, Colour Impact Assessments, and the potential of designated landscapes to deliver more for biodiversity. Importance of Dark Skies Community designation to be highlighted. Furthermore the policy should be linked to the revised Placemaking Guidance for the Gower AONB SPG and ensure wording is accurate and consistent throughout LDP policies in relation to safeguarding AONB.
	ER 5	Landscape Protection	<u>Policy functioning effectively but will need to be reviewed</u> - The extent of SLA designations will be re-assessed for the Replacement LDP to ensure they remain appropriate and the area covered requires additional protection. Further clarification on LIA could be made more specific in the policy justification.

	ER 6	Designated Sites of Ecological Importance	<u>Policy functioning effectively but will be reviewed</u> - Policies ER 6, 8 and 9 need to be reviewed in order to reflect changes in terminology introduced in 2019 by the Conservation of Habitats and Species Regulations 2017 (as amended) (known as the 2019 Regulations) as a result of the UK's withdrawal from the European Union and the Natura 2000 site network
	ER 7	Undeveloped Coast	<u>Policy ER 7 functioning effectively but updates required</u> - needs to be revised to include reference to the Carmarthen Bay, Gower and Swansea Bay Local Seascape Character Assessment, 2017 and the Placemaking Guidance for the Gower AONB SPG. Reference to seascape impact assessments accompanying planning applications when considered necessary needs to be included within policy ER 7.
	ER 8	Habitats and Species	<u>Policy functioning effectively but minor updates required</u> - Policies ER 6, 8 and 9 need to be reviewed in order to reflect changes in terminology introduced in 2019 by the Conservation of Habitats and Species Regulations 2017 (as amended) (known as the 2019 Regulations) as a result of the UK's withdrawal from the European Union and the Natura 2000 site network.

	ER 9	Ecological Networks and Features of Importance for Biodiversity	<u>Policy functioning effectively but minor updates required</u> - Policies ER 6, 8 and 9 need to be reviewed in order to reflect changes in terminology introduced in 2019 by the Conservation of Habitats and Species Regulations 2017 (as amended) (known as the 2019 Regulations) as a result of the UK's withdrawal from the European Union and the Natura 2000 site network.
	ER 10	Geological and Geomorphological Sites of Value	<u>Policy functioning effectively but updates required</u> - Policy ER 10 should be reviewed in order to ensure all the designated RIGS are identified and the link to the inclusion of geodiversity within GI Assessments, where appropriate, is strengthened.
	ER 11	Trees, Hedgerows and Development	<u>Policy functioning effectively but updates required</u> – Policy will need to be reviewed in order that it fully reflects the new Trees, Hedgerows and Woodlands SPG
Countryside and Village Development	CV 1	Key Villages	<u>Policy functioning effectively but review required</u> – All key villages will be reviewed as part of the LDP including boundaries as part of settlement review. Accordingly policy criteria will be reviewed as part of this process.
	CV 2	Development in the Countryside	<u>Policy functioning effectively but updates required</u> - Does not refer to new 'business', only new rural enterprise. Need to amend settlement boundaries to take account of new planning permissions - extending gardens/curtilages/buildings beyond existing settlement boundaries.
	CV 3	Replacement Dwellings in the Countryside	<u>Policy functioning effectively but updates required</u> - Size, footprint, materials, climate/carbon accounting?
	CV 4	Conversion of Rural Buildings	<u>Policy functioning effectively but updates required</u> – Policy will need to provide further clarification on the scope of a

			traditional rural building. Further clarification on the difference between this and TR5 within the policy.
	CV 5	Farm Diversification	<u>Policy functioning effectively but updates required</u> – Links to Tourism and CV2 policies need to be made clear. Some updates required to improve clarification of policy wording.
Tourism and Recreation	TR 1	Tourism, Recreation and Leisure Development	<u>Policy functioning effectively but updates required</u> – Policy needs to be updated to reflect the greater range and type of buildings and holiday accommodation being developed as tourism accommodation. Further clarification on the scope of contents of a TNDIA that a developer is required to submit is required.
	TR 2	Developed Coast and Waterfront	Policy functioning effectively and no changes considered necessary at present.
	TR 3	Sustainable Tourism and Recreation Development in the Countryside	<u>Policy functioning effectively but updates required</u> – Policy needs further clarification that the scope of the policy is to consider activity based enterprises rather than accommodation proposals which are covered by other policies of the plan.
	TR 4	Clyne Valley Country Park and Penllergaer Valley Woods	<u>Policy functioning effectively and no changes considered necessary at present.</u> Policy amplification to be updated in light of emerging Clyne Valley Country Park Management Plan.
	TR 5	Holiday Accommodation	<u>Policy functioning effectively but updates required</u> – Potential consideration of policy to consider proposals providing holiday accommodation within settlement limits to ensure they are effectively controlled and of sufficient quality. Any links to Policies CV 2 and CV 5 to be clarified.

	TR 6	New Static Caravan, Touring Caravan and/or Camping Sites Within the AONB	<u>Policy functioning effectively but some updates required</u> - Re-examine policy in light of 'newer' forms of accommodation that meet the legal definition of a caravan and/or are considered to be operational development and address the issue of levels of permanence in the landscape.
	TR 7	New Static Caravan, Touring Caravan and/or Camping Sites Outside the AONB	Policy functioning effectively and no changes considered necessary at present.
	TR 8	Existing Static Caravan, Touring Caravan and/or Camping Sites	Policy functioning effectively and no changes considered necessary at present.
	TR 9	Extensions to, and Overflow Areas of, Touring Caravan and/or Camping Sites	Policy functioning effectively and no changes considered necessary at present.
	TR 10	Short-term 'Festival' Camping Events	Policy functioning effectively and no changes considered necessary at present
	TR 11	Caravan Rallies	Policy functioning effectively and no changes considered necessary at present
	TR 12	Storage of Caravans	Policy functioning effectively and no changes considered necessary at present
	TR 13	Residential Use of Holiday Accommodation	<u>Policy functioning effectively but updates required</u> – Widening scope of policy to include consideration of garden rooms/annexes given that such accommodation would not be suitable for permanent residential occupation.
Transport, Movement and Connectivity	T 1	Transport Measures and Infrastructure	<u>Policy functioning effectively but updates required</u> – A new strategic transport study will need to be undertaken to inform the RLDP. Policy will be reviewed as part of the LDP to reflect the outcome of this study. Policy will need to reflect current Placemaking objectives such as provision of GI, need for provision of ELUV's in development and S W Wales Metro proposals.

	T 2	Active Travel	Policy functioning effectively and no changes considered necessary at present
	T 3	Strategic Bus Based Rapid Transit	Policy will need to be updated to reflect emerging Metro proposals
	T 4	Transport Interchanges	Policy functioning effectively and no changes considered necessary at present
	T 5	Design Principles for Transport Measures and Infrastructure	Policy functioning effectively – Minor updates to reflect need for incorporation of ELUV and Green Infrastructure
	T 6	Parking	<u>Review required</u> – Policy to be reviewed in light of Future Wales policy on zero parking provision in city and town centre locations
	T 7	Public Rights of Way and Recreational Routes	Policy functioning effectively and no changes considered necessary at present
	T 8	Canal Network	<u>Policy functioning effectively and no changes considered necessary at present</u> – Policy to be reviewed as part of emerging strategic regeneration priorities
	T 9	Port and Docks	Policy functioning effectively and no changes considered necessary at present

Energy and Utilities	EU 1	Renewable and Low Carbon Energy Proposals	<u>Policy is functioning effectively, but review required</u> – The policy framework of EU1 and EU2 will need to be revisited in the light of changes to national policy and Future Wales. Future Wales will set out the WG policies for renewable energy schemes of 10MW and more under the Development of National Significance procedure. Large scale wind developments will be directed to the Pre Assessed Areas for Wind in Future Wales. A Renewable Energy Assessment will be required to support the RLDP to establish policies for the most appropriate locations for development of energy developments below 10MW. In addition the wording of the policies will be reviewed to reflect the energy hierarchy and reflection of the need that solar proposals affecting BMV land should be protected from development because of its special importance.
	EU 2	Renewable and Low Carbon Energy in New Development	See EU1 comments above
	EU 3	District Heating and Cooling	<u>Review required</u> – Given the requirement for heat networks to be considered as part of major development within Future Wales but also the identification of Swansea as one of many District Heat Network priority areas the scope of the policy will be reviewed.
	EU 4	Public Utilities and New Development	Policy functioning effectively and no changes considered necessary at present
	EU 5	Telecommunications and Digital Technology Infrastructure	Policy functioning effectively and no changes considered necessary at present
Resources and Public Health Protection	RP 1	Safeguarding Public Health and Natural Resources	<u>Policy functioning effectively but minor updates required</u> – Policy may need to refer to need for potential Health impact Assessments.

	RP 2	Noise Pollution	<u>Policy functioning effectively but updates required</u> – Wording of policy to be reviewed in light of PPW emphasis on the need to create appropriate soundscapes and preserve soundscape quality rather than just a focus on noise pollution. Further it is expected that a new TAN 11 on Noise will be issued which will provide further elaboration on air quality, noise and soundscape in more detail providing greater detail as to how they should be addressed in development plans. Therefore, the terminology and scope of RC 2 will be reconsidered as part of the Replacement LDP. Similarly, consideration will be given to including reference to the Tranquil Areas Map produced by NRW
	RP 3	Air and Light Pollution	<u>Policy functioning effectively but updates required</u> – Policy needs to refer to PPW 11, AONB Dark Sky Community nomination/designation and also may need to be amended in light of future Air Quality Management Area review.
	RP 4	Water Pollution and the Protection of Water Resources	<u>Policy functioning effectively but minor updates required</u> – Policy needs to be amended to reflect that SUDS are mandatory for all new developments in Wales
	RP 5	Avoidance of Flood Risk	<u>Revision required</u> - The new TAN 15 and Floodmap for Planning is due to come into force in 2023 which will provide a significantly different context for planning decisions compared to the existing framework. Given this, the policy will need to be reviewed to reflect the new TAN.

	RP 6	Land Contamination	<u>Policy functioning effectively</u> – Scope of wording will be discussed with Environmental Health colleagues as part of replacement LDP.
	RP 7	Land Instability	<u>Policy functioning effectively</u> – Boundaries of Graig Trewyddfa will need to be reviewed for the proposals map.
	RP 8	Sustainable Waste Management Proposals	Policy functioning effectively and no change required
	RP 9	Landfill Sites	<u>Policy functioning effectively but updates required</u> – Policy will need to reflect latest evidence from the regional monitoring report and amend references to TAN15 to reflect latest version which will be in place in 2023.
	RP 10	Sustainable Waste Management For New Development	Policy functioning effectively and no change required
	RP 11	Agricultural Land - Disposal of Inert Waste	Policy functioning effectively and no change required
	RP 12	Sustainable Development of Mineral Resources	<u>Review Required</u> – Policy needs review to reflect the need to provide apportionment regarding Regional Technical Statement 2. Needs rewrite to reflect the need to provide apportionment re RTS2.
	RP 13	Safeguarding Minerals	Policy functioning effectively but will be reviewed for any necessary updates
	RP 14	Mineral Buffer Zones	Policy functioning effectively and no change required

Appendix 2: Status of LDP Allocations

Ref No.	LDP Ref	Site name	Summary planning / build status	Ownership/ promoter of remaining unbuilt sites	Capacity
1	H1.01	Remainder at former Vetch Field (Phase 2), Glamorgan Street	Majority of the site is being used as a park. Small brownfield opportunities on car park areas off Madoc St at pre planning stage	Council	40
2	H1.02	Llwyn y Bryn Campus, Walter Road	No known activity at this stage to bring site forward	Private	200
3	H1.03	Townhill Campus, Townhill Road, Townhill	On site	-	160
4	H1.04	Land between Bog Road and Cefn Hengoed Road, Llansamlet	Planning application refused	Private	70
5	H1.05	Land at Upper Bank, Pentrechwyth	Under construction Further recent planning consent for 30 flats.	-	256
6	H1.06	Land at Jersey Road opposite numbers 16-38, Pentrechwyth	No known activity at this stage to bring site forward	Council	20
7	H1.07	Land at rear of 17-93 Carmel Road, Winch Wen	No known activity at this stage to bring site forward	Council	65
8	H1.08	Land at Ty Draw Road and Llanerch Road, Bonymaen	Pre planning stage	Council	55
9	H1.09	Land at Northern End of Graigola Road, Glais	No known activity at this stage to bring site forward	Council	25
10	H1.10	Land at Tanycoed Road, Clydach	Pre planning stage	Council	20
11	H1.11	Land at Ramsey Road, Clydach	No known activity at this stage to bring site forward	Private	60
12	H1.12	Talycoppa Farm, Llansamlet	No known activity at this stage to bring site forward	Private	150
13	H1.13	Land at Midland Place, Llansamlet	No known activity at this stage to bring site forward	Council	30
14	H1.14	Heol Ddu Farm, Birchgrove	Built	-	23

15	H1.15	Gwernllwynchwyth House, Llansamlet	No known activity at this stage to bring site forward	Private	50
16	H1.16	Land at Frederick Place, Llansamlet	No known activity at this stage to bring site forward	Council	20
17	H1.17	Former Four Seasons Club, Trallwn	Built	-	41
18	H1.18	Land at David Williams Terrace, Port Tennant	No known activity at this stage to bring site forward	Council	15
19	H1.19	Land east of Pontarddulais Road, Gorseinon	No known activity at this stage to bring site forward	Private	90
20	H1.20	Parc Melin Mynach, Gorseinon	Built	-	36
21	H1.21	Former Cefn Gorwydd Colliery, Gorwydd Road, Gowerton	Under construction	-	99
22	H1.22	Land at West Street (former Gorseinon Business Park), Gorseinon	Pre planning stage	Council	20
23	H1.23	Land at Carmel Road and Bryntirion Road, Pontlliw	Full planning application being determined	Private	100
24	H1.24	Land at the Poplars, Pontlliw	Full planning application awaiting decision	Private	12
25	H1.25	Beili Glas, Glebe Road, Loughor	Full planning consent	RSL	98
26	H1.26	Land at Former Penllergaer Civic Offices, Penllergaer	Built	-	80
27	H1.27	Land north of Llewellyn Road, Penllergaer	No activity at this time. Forms a potential later phase of adjacent site which has received planning consent	Private	50
28	H1.28	Remainder at Land East of Bolgoed Brickworks, Bolgoed Road, Pontarddulais	No known activity at this stage to bring site forward	Private	50
29	H1.29	Land east of Carreg Teilo, Pontarddulais	Pre planning stage	Private	30
30	H1.30	Land at Tyrisha Farm, Grovesend	Under construction	-	60
31	H1.31	Land off Brynafon Road and Gower View Road, Penyrheol	Under construction	-	144
32	H1.32	South Of Glebe Road, Loughor	Under construction	-	115
33	H1.33	Former Walkers Factory, Pontarddulais Road, Cadle	No known activity at this stage to bring site forward	Private	100

34	H1.34	Land adjacent to 114 Brithwen Road, Waunarlyydd	Majority of the site has full planning consent	RSL	15
35	H1.35	Land adjacent to Cockett Pond	No known activity at this stage to bring site forward	Council	50
36	H1.36	Penrhos Place, Gendros	Pre planning stage	Council	60
37	H1.37	Manselton Primary School, Manor Road, Manselton	Full planning application submitted	Private	30
38	H1.38	Land at Mynydd Garnllwyd Road, Morriston	No known activity at this stage to bring site forward	Council	95
39	H1.39	Land at rear of Glyncollen Primary School, Morriston	No known activity at this stage to bring site forward	Council	35
40	H1.40	Brayley Road, Morriston	No known activity at this stage to bring site forward	Private	15
41	H1.41	Land at Cadle, Fforestfach	No known activity at this stage to bring site forward	Private	50
42	H1.42	Land between Eppynt Road and Bettws Road, Penlan	No known activity at this stage to bring site forward	Council	10
43	H5.01	Land at Monksland Road, Scurlage	Pre planning stage	Council	25
44	H5.02	Land to the east of Gowerton Road, Three Crosses	No known activity at this stage to bring site forward	Private	15
45	H5.03	Land adjoining Tirmynydd Road, Three Crosses	Pre planning stage	RSL	20
46	H5.04	Land adjoining Pennard Drive, Pennard	Under construction	-	70
47	H5.05	Land at Summerland Lane, Newton	Built	-	61
48	H5.06	Land at Higher Lane, Langland	On site	-	31
49	SD 1.A	South of Glanffrwyd Road, Pontarddulais	Pre planning stage	Private	720
50	SD 1.B	North of Garden Village	Reserved Matters planning consent for the whole site	Private	705
51	SD 1.C	South of A4240, Penllergaer	Under construction	Private	850
52	SD.1.D	West of Llangyfelach Road, Penderry	Outline planning consent. Reserved Matters planning consent for Phases 1A & 3A and Spine Street	Private	1950
53	SD 1.E	North of Clasemont Road, Morriston	Pre planning stage	Private	600
54	SD 1.F	Cefn Coed Hospital, Tycoch	Pre planning stage	Other public sector	500

55	SD 1.G	Northwest of M4 Junction 46, Llangyfelach	Outline planning application being determined	Other public sector	800
56	SD 1.H	North of Waunarlwydd / Fforestfach	Outline planning application being determined for part of the site	Private	1319
57	SD.1.I	Swansea Vale	Pre planning stage	Council	450
58	SD.1.J	Central Area and Waterfront	Sites under construction and coming forward	Mixed	906
59	SD 1.K	Remainder of Fabian Way Corridor	Sites have been built and further planning applications being determined	Mixed	525
60	SD.1.L	Tawe Riverside Corridor and Hafod Morfa Copper Works	Copperworks mixed use sites being built. Skyline scheme at pre planning stage. No planning application received for residential development	Mixed	370

Appendix 3: Glossary and Abbreviations

Term	Explanation
Affordable Housing	Affordable housing for the purposes of the land use planning system is housing where there are secure mechanisms in place to ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers. Affordable housing includes social rented housing owned by local authorities and RSLs and intermediate housing where prices or rents are above those of social rent but below market housing prices or rents (Planning Policy Wales)
Annual Monitoring Report (AMR)	Report to assess the extent to which policies in the adopted LDP are being successfully implemented (Regulation 37 of the Town and Country Planning (Local Development Plan) (Wales) Regulations (2005)).
Baseline	A description of the present state of an area against which to measure change.
Candidate Site	Candidate Sites are those nominated by anyone for consideration by the LPA as allocations in an emerging LDP.
Community Involvement Scheme (CIS)	Sets out how and when stakeholders and the community can become involved in the plan making process. The CIS forms part of the Delivery Agreement (see below)
Delivery Agreement (DA)	Is a succinct public statement that contains the Community Involvement Scheme (CIS) setting out how and when stakeholders and the community can become involved in the plan making process and a timetable for preparing/revising an LDP.
Deposit LDP	Is the Plan the Local Planning Authority (LPA) considers is sound and able to be adopted. Subject to a formal six week consultation period in which individuals and organisations can make representations on the Plan.
Evidence Base	Information / data to provide the foundation for the Plan's policies.
Green Infrastructure (GI)	The network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places. Component elements of GI can function at different scales. At the landscape scale, GI can comprise entire ecosystems such as wetlands, waterways and mountain ranges. At a local scale, it might comprise parks, fields, public rights of way, allotments, cemeteries and gardens. At smaller scales, individual urban interventions such as street trees, hedgerows, roadside verges, and green roofs/walls can all contribute to GI networks.

Habitats Regulations Assessment (HRA)	The screening and appropriate assessment of options required under Part 6 Chapter 8 of the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations) - a recognised iterative process which helps determine the likely significant effect on a plan or programme and (where appropriate) assess adverse impacts on the integrity of a European site. The assessment is required to be undertaken by a competent authority in respect of plans or projects which are likely to have a significant effect (alone and in combination with other plans and projects) on a “European site” (see paragraph 5.1.2 of TAN 5), or as a matter of policy a proposed “European site” or Ramsar site, under the provisions of Article 6(3) of the EC Directive 92/43/ECC (the Habitats Directive), regulations 61 and 102 of the Conservation of Habitats and Species Regulations (as amended) 2010, and, regulation 25 of the Offshore Marine Conservation (Natural Habitats &c) Regulations 2007.
Integrated Sustainability Appraisal (ISA)	A single integrated assessment which fulfils the requirements and duties for: <ul style="list-style-type: none"> • Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA), • Equalities Impact Assessment (EqIA), • Health Impact Assessment (HIA), • Welsh Language Impact Assessment (WLIA), and • Well-being of Future Generations (WBFGE).
Inspector	The person appointed by the Planning Inspectorate to consider the LDP and undertake the Examination in Public.
Local Planning Authority (LPA)	A planning authority responsible for the preparation of a LDP.
Local Well-being Plan	Under The Well-being of Future Generations (Wales) Act 2015 Public Service Boards have been established for each local authority area; and prepare a Well-being Plan.
Marine Plan	The Welsh National Marine Plan prepared under the Marine and Coastal Access Act 2009.
Mitigation	Measures to avoid, reduce or offset significant adverse effects.
Planning Obligation	A legal agreement between an applicant and the local planning authority to ensure a development is carried out in a certain way. Also referred to as a Section 106 Agreement
Planning Policy Wales (PPW)	Planning Policy Wales sets out the land use planning policies of the Welsh Assembly Government.
Pre-deposit stage	The participation and consultation stages prior to deposit (see above).
Short form revision (SFR)	May be appropriate for circumstances where the issues involved are not of sufficient significance to justify undertaking the full plan revision procedure.
Strategic Development Plan (SDP)	Provision is made under the Planning (Wales) Act 2015 for the preparation of SDP’s at a regional level. SDP will have regard to Future Wales and respond at a regional level to strategic issues.

Strategic Environmental Assessment (SEA)	Term used internationally to describe environmental assessment as applied to plans and programmes. SEA process is derived from European legislation and defined at European level – Directive 2001/42/EC. The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 (SEA Regulations) require a formal “environmental assessment of certain plans and programmes, including those in the field of planning and land use”
Supplementary Planning Guidance (SPG)	Can have a key role in interpreting and expanding on generic policies in LDPs. All SPG should be derived from a LDP policy or, in the case of a master plan/ development brief, from a site allocation.
Sustainability Appraisal (SA)	Tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors). Each LPA is required by S62(6) of the 2004 Act to undertake SA of the LDP. This form of SA fully incorporates the requirements of the SEA Regulations.
Sustainability Appraisal Report (SA Report)	A document required to be produced as part of the SA process to describe and appraise the likely significant effects on sustainability of implementing the LDP, which also meets the requirement for the Environmental Report under the SEA Regulations. S62(6) of the 2004 Act requires each LPA to prepare a report of the findings of the SA of the LDP. - The SA Report is first produced at the Preferred Strategy stage (the Interim SA Report), expanded at the Deposit LDP sta

Abbreviations

Acronym	Meaning
AAR	Average Annual Requirement
AMR	Annual Monitoring Report
AONB	Area of Outstanding Natural Beauty
CJC	Corporate Joint Committee
DVM	Development Viability Model
FMfP	Flood Map for Planning
GI	Green Infrastructure
GTAA	Gypsy and Traveller Accommodation Assessment
HIA	Health Impact Assessment
HiAP	Health in All Policies
HMO	House in Multiple Occupation
HRA	Habitats Regulations Assessment
IDP	Infrastructure Delivery Plan
ISA	Integrated Sustainability Appraisal
LA	Local Authority
LDP	Local Development Plan
LEAP	Locally Equipped Area of Play
LHMA	Local Housing Market Assessment
LPA	Local Planning Authority
LVA	Landscape and Visual Appraisal
LVIA	Landscape and Visual Impact Assessment
MYE	Mid Year Estimate
NGA	National Growth Area
NPT	Neath Port Talbot
NRW	Natural Resources Wales
ONS	Office of National Statistics
PBSA	Purpose Built Student Accommodation

Acronym	Meaning
PPW	Planning Policy Wales
REA	Renewable Energy Assessment
REDP	Regional Economic Development Plan
REF	Regional Economic Framework
RIGS	Regionally Important Geological Sites
RM	Reserved Matters
RSL	Registered Social Landlord
RTS	Regional Technical Statement
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SDA	Strategic Development Area
SDP	Strategic Development Plan
SEA	Strategic Environmental Assessment
SFCA	Strategic Flood Consequence Assessment
SFR	Short Form Revision
SHPZ	Strategic Housing Policy Zone
SME	Small and Medium Sized Enterprises
SMNR	Sustainable Management of Natural Resources
SoNaRR	Second State of Natural Resources Report
SPG	Supplementary Planning Guidance
SuDS	Sustainable Drainage System
SSSI	Sites of Special Scientific Interest
SW	South Wales
TAN	Technical Advice Note
TNDIA	Tourism Needs and Development Impact Assessment
WDQR	Welsh Development Quality Requirements
WG	Welsh Government
WLAP	Welsh Language Action Plan
WLIA	Welsh Language Impact Assessment
WLSA	Welsh Language Sensitive Area
WPMR	Waste Plan Monitoring Report

Appendix C – Schedule of consultation responses on the Draft Swansea Replacement LDP Delivery Agreement

Consultee	Summary of Comments by Section	Council's response	Changes proposed to the Delivery Agreement
	General Comments		
Glandwr Cymru – Canal and River Trust In Wales	Glandwr Cymru wish to be consulted as the plan progresses and outline that the Swansea Canal, which is part managed and owned by Glandwr Cymru, runs through the borough until it passes into Neath Port Talbot. Glandwr Cymru do not own or maintain the Neath and Tennant canals, although they support any plans for the restoration of the South Wales canal. Note the need for the RLDP to incorporate GI policies, which emphasise cross cutting nature and the need for multifunctionality. Glandwr Cymru promote the canal as multifunctional GI and look forward to seeing policies in due course.	Comments Noted. The Council welcomes Glandwr Cymru's input into future consultation stages and recognises its role as a multifunctional GI corridor to be considered as part of the preparation of the RLDP.	No change to the DA required as a result of this representation.

<p>Cyfoeth Naturiol Cymru/Natural Resources Wales</p>	<p>Acknowledge the proposed timetable in the DA and welcome the opportunity to be involved from the early stages and keep an open dialogue with the Council at all stages in the preparation of the RLDP. Going forward, the South West Area Statement Team will be part of the PSB team leading on delivery of the objectives of the wellbeing plan regarding the importance of tackling nature and climate emergencies and the interrelationship between resilient environments and resilient communities. NRW are a significant landowner and manage large amounts of Welsh Government woodland estate in South Wales. Early engagement during or prior to Candidate Sites to discuss use of or impact on land in NRW ownership would be useful. Either for development, protection or purposes of climate adaption, biodiversity enhancement or ecosystem resilience.</p>	<p>Comments Noted. The Council will closely engage with NRW as the RLDP progresses given their role as a specific consultation body in the process. The Council will be keen to engage with the PSB and the South West Area Team as the plan develops. The Council will seek early engagement with NRW on any candidate sites that affect their landholdings.</p>	<p>No change to the DA required as a result of this representation.</p>
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Association of British Ports (ABP)	ABP as a general consultation body look forward to engaging with the Council in the forthcoming stages of the RLDP.	Comments Noted. The Council welcome engagement from ABP in the future preparation of the plan and note the comments on the Review Report regarding the Economic and Housing Growth Assessment.	No change to the DA required as a result of this representation.
Coastal Housing	Coastal Housing support the full review of the LDP and the Delivery Agreement and look forward to working with the Council as part of the preparation of the plan.	Comments Noted and support welcomed. As an active RSL in Swansea, the Council welcomes Coastal's future engagement in the RLDP.	No changes to the DA required as a result of this representation.
Consultee	Part 1. Introduction	Council's response	Changes proposed
Swansea Bay University Health Board (SBUHB)	We are supportive of the DA and looking to engage with the process as laid out in the Delivery Agreement. There are multiple areas with alignment of themes and the Health Board Population Health Strategy. There are also a number of links with the Health Board's approach to sustainability, especially building and engaging people on the journey and the importance of green spaces. Swansea Bay's developing Population Health Strategy has been co-designed with	Comments Noted - Support for the DA is welcomed and welcome engagement with the SBUHB as the plan progresses. The Council agree that the Placemaking approach, which is at the forefront of Swansea's approach to development, can help deliver wider health benefits.	No changes to the DA required as a result of this representation.

	partners and placemaking has been identified as a key approach for delivering population health impacts. SBUHB would like to thank Swansea colleagues who assisted in the development of the strategy.		
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<p>Swansea Council Nature Conservation Team</p>	<p>Para 1.6.2 should reflect that NRW will be consulted on Stage 2 of the HRA if a Likely Significant Effect is identified. In addition, it should reflect Stage 3 and 4 of the HRA process if significant effects are identified.</p> <p>Para 1.9 - Include Ecosystem Resilience Report as evidence base and any nature-based assessments/climate assessments. Tree Canopy cover report will be additional evidence to feed into the process and evidence of suitable land for carbon storage.</p>	<p>Comments Noted. Agree and para 1.6.2 updated to reflect comments. However, it is noted in guidance as best practice to consult NRW as part of the HRA screening. Therefore, this will be undertaken.</p> <p>Comments Noted - Section 1.9 refers to key evidence base studies that will be undertaken by the LPA. It is recognised that there are other important studies such as these relating to biodiversity/nature conservation (Local Nature Recovery Action Plan/Tree Canopy Report/Ecosystem Resilience Report) including review of SINC's which will feed into the RLDP process. In addition, the Green Infrastructure Assessment to be undertaken for the RLDP will need to consider the identified issues.</p>	<p>Para 1.6.2 of the DA updated to reflect change.</p> <p>Para 1.9.2 of the DA amended to reflect change.</p>
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Consultee	Part 2. Timetable	Council's response	Changes proposed
Swansea Bay University Health Board (SBUHB)	Para 2.1 We are supportive of this timetable and would be looking to engage in the process. As outlined in the Population Health Strategy, we are supportive of approaches that help us focus on thinking about the long-term in order to maximise population health benefits, which is what the LDP process helps to embed.	Comments Noted - Support for timetable is welcomed and agree that the RLDP in setting out a 15 year strategy for the development and use of land can deliver population health benefits. The Council welcome engagement from the PHB in respect of how the land use plan (in so far as it can reasonably influence) can help support ambitions to improve health and well being across Swansea. It is noted that the Integrated Sustainability Appraisal will consider the effects of the plan on health and wellbeing.	No changes to the DA required as a result of this representation.
Cyfoeth Naturiol Cymru/Natural Resources Wales	Welcome Paras 2.4.1-2.4.3 regarding the need for frontloading and would encourage engagement during Stage 2 not just during formal consultation stages but on evidence gathering and key issues. Advance dialogue to raise awareness of candidate sites assessment timescales would be appreciated to allow for appropriate resources to be allocated. NRW identify a number of particular areas they would like to collaborate and engage in more detailed conversations.	Comments Noted. The Council welcomes NRW's keenness to get involved in RLDP and as a Specific Consultation Body will be consulted outside of formal consultation stages in evidence gathering and development of key issues. Early notification where possible will be provided on Candidate Sites timescales for site assessments. The Council note the identified areas for collaboration and the team will engage in more detailed conversations on these issues as part of the information gathering exercise.	No changes to the DA required as a result of this representation.

<p>Swansea Council Nature Conservation Team</p>	<p>Para 2.2.2 - Need to be clear what evidence Nature Conservation can provide and need to provide to support for the evidence base such as SINC survey updates.</p> <p>Para 2.3 - Notes that 12 year plan period following adoption is much longer than the current 6 years. Plan needs to be future proofed, i.e. climate and nature need to be priorities. The word biodiversity does not appear in the document. Need to factor in SINC upgrades to the LNR.</p> <p>Para 2.4.2 - The Candidate Sites process presents an opportunity to relook at unimplemented allocated sites and surveys to understand ecological value (SINCs).</p>	<p>Comments Noted - Engagement with NCT will be undertaken to understand key evidence to feed into process and timescales for submission.</p> <p>Comments Noted - It is recognised that Climate and Nature issues will be key considerations amongst all other relevant strategic planning considerations as part of the development of the RLDP. The DA is a project management document detailing the timetable and community involvement to guide preparation of the RLDP. Biodiversity amongst other topic areas will be fully considered as part of the preparation of the plan.</p> <p>Comments Noted. All current allocated sites that do not benefit from planning permission will need to be reconsidered through the Candidate Sites process. This will include relevant ecological assessments in terms of sites biodiversity value.</p>	<p>No changes to the DA required as a result of this representation.</p> <p>No changes to the DA required as a result of this representation.</p> <p>No changes to the DA required as a result of this representation.</p>
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Consultee	Part 3. Community Involvement Scheme	Council's response	Changes proposed
Cwmpas - Communities Creating Homes Team	Para 3.4.3 - Cwmpas outline that they exist to support communities in Wales to deliver their own genuinely affordable, low carbon homes, providing support to community groups who want to create their own community led housing including a number of such organisations in Swansea. Given their work in the area of housing development and with commencement of RLDP, they request that consideration is given by the LPA for Cwmpas to join and become members of the Developer Forum referred as a key partnership group to engage in the plan.	Comments Noted. The Council co-ordinates developer forum meetings to provide an opportunity for developers currently active in delivering sites in Swansea to table questions or issues in an open forum, with the aim of discussing and resolving matters affecting delivery of schemes that are often of shared relevance. Cwmpas is a group that will be directly engaged as part of the RLDP process, and the Council would welcome any inputs from Cwmpas as part of future consultation and engagement stages. The Council will separately discuss with Cwmpas whether any other engagement mechanism or forum is appropriate to discuss community led housing outside of the RLDP process, including any developer forums.	No changes proposed to the DA as a result of this representation.
Cyfoeth Naturiol Cymru/Natural Resources Wales	Welcome the reference in Section 3 to early and continued involvement and reference to the gunning principles. NRW are keen to develop a collaborative approach, to be engaged at a formative stage, share data and evidence to support the LDP and have sufficient notice of LPAs ask of NRW to plan sufficient resources. Early collaboration should allow NRW and the LPA to explore and address issues	Comments Noted - The Council agree that early and continuous engagement with NRW will allow issues to be discussed and addressed in an attempt to minimise the scope of a formal response during statutory consultation stages.	No changes proposed to the DA as a result of this representation.

	which should ultimately minimise the scope of issues where a formal statutory response is required.		
Swansea Council Nature Conservation Team	<p>3.4.4 - Swansea Local Nature Partnership to be identified as a key group.</p> <p>3.5.6 - Nature Conservation Team should be involved in any RLDP officer group set up.</p>	<p>Agree - Swansea LNP added to the list of general consultation bodies in Appendix 3.</p> <p>Comments Noted. The Council's Nature Conservation Team will be an important member of appropriate RLDP technical groups alongside other key departments and service areas of the Council.</p>	<p>Swansea LNP added to list of general consultation bodies.</p> <p>No changes proposed to the DA as a result of this representation.</p>
	Appendix 1. Replacement Swansea LDP Timetable		
	No formal comments received		
	Appendix 2. Risk Assessment		
	No comments received		
	Appendix 3. List of Specific and General Consultation Bodies		

Swansea Bay University Health Board (SBUHB)	In respect of the bodies listed in the list of specific and general consultation bodies, the correct wording of the Swansea Bay Local Health Board is 'Swansea Bay University Health Board' and the Swansea Public Health Team should be termed the 'Swansea Bay Public Health Team'.	Agree - Correct titles of the identified organisations amended.	Appendix 3 List of general and specific consultation bodies updated to reflect proposed amendments.
Cyfoeth Naturiol Cymru/Natural Resources Wales	NRW sit on steering group for Swansea Local Nature Partnership who should be added as a consultation body. They also produce the Local Nature Recovery Action Plan, which should be added to list of key plans and strategies.	Agree - Swansea Local Nature partnership added to list of General Consultation Bodies. Local Nature Recovery Action Plan on publication will inform the RLDP and reviewed as a key document as part of the associated Integrated Sustainability Appraisal.	Swansea LNP added to list of general consultation bodies.

Swansea Council Nature Conservation Team	Suggest a number of groups that could be added to the list of General Consultation Bodies. Under Environmental Groups, this includes RSPB, Buglife Cymru, West Wales River Trust, Wildfowl and Wetlands Trust and identify ones that do not operate in Wales anymore to be deleted.	Comments Noted - Groups such as Swansea RSPB, Buglife Cymru, West Wales River Trust and Wildfowl and Wetland Centre added to list of general consultation bodies and will be engaged as considered appropriate and will be formally consulted as part of future statutory consultations.	Appendix 3 of the DA updated to include relevant groups.
	Suggest a number of environmental societies to be considered to be included as a general consultation body (Association of Public Service Excellence, CIEEM and IEMA).	Comments Noted - APSE not considered a relevant group to be included however CIEEM and IEMA added and will be engaged as considered appropriate and will be formally consulted as part of future statutory consultations.	Appendix 3 of the DA updated to include relevant groups.
	Suggest a number of groups that could be added to the list of General Consultation bodies. Under Local Community Conservation and Amenity Groups, this includes Swansea Canal Society, Glamorgan Bat Group, Clyne Valley Community Project and SEWBREC.	Comments Noted - Identified groups added to the list of general consultation bodies who will be engaged as considered appropriate and will be formally consulted as part of future statutory consultations.	Appendix 3 of the DA updated to include relevant groups.
	Suggest a number of groups that could be added to the list of General Consultation bodies. Under Water based organisations include Welsh Water Wales Coast and Seas Partnership, Wild Seas Wales and Welsh Partnership of Marine Protected Areas.	Comments Noted - Welsh Water already a specific consultation body. Agree to add other groups to list of general consultation bodies who will be engaged as considered appropriate and will be formally consulted as part of future statutory consultations.	Appendix 3 of the DA updated to include relevant groups.

	Appendix 4. Community involvement Scheme		
	No comments received		
	Appendix 5. Review of previous CIS		
	No comments received		
	Appendix 6. Glossary of Terms		
	No comments received		

Swansea Replacement Local Development Plan (2023-2038)

Delivery Agreement July 2023



Cyngor **Abertawe**
Swansea Council

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Part 1: Introduction

1.1. Background

1.1.1. The Swansea Local Development Plan (LDP) was adopted by the Council on 28th February 2019. The LDP sets out the Council's planning framework for the development and use of land within the County boundary for the period up to 1st January 2026.

1.1.2. An up-to-date development plan is an essential part of the plan-led system in Wales. In line with legislation¹, the Council is required to undertake a review of the plan no longer than 4 years from its date of adoption, in effect by 28th February 2023 to ensure the LDP and supporting evidence is up to date and continues to provide a sound basis for planning decisions. In line with this requirement and the findings of the Annual Monitoring Report 3 (AMR3) for the existing LDP, a report of the review of the LDP has been prepared which concludes a full review of the LDP is necessary. This Delivery Agreement sets out how and when the full review will be undertaken.

1.2. Purpose of the DA

1.2.1. This Draft Delivery Agreement (DA) is an important part of the Replacement Local Development Plan (RLDP) preparation process. In line with national guidance, the DA should be a succinct public statement containing two main parts:

- A **Timetable** of the key stages of Plan preparation; and
- A **Community Involvement Scheme (CIS)** which details how and when the community will be able to get involved in the plan preparation process

1.2.2. The DA is therefore a key stage in the replacement LDP process, setting out how the process will be taken forward with a particular focus on how the Council will provide opportunities for consultees and the local community to be involved in its preparation. Delivery of the RLDP in accordance with the DA will be considered as part of the tests of the plan's soundness, as defined by relevant legislation, regulations and Welsh Government guidance.

1.2.3. The DA confirms how and when the Council will assess and appraise the emerging Plan throughout its production and highlights that the RLDP is scheduled to be adopted in September 2026 once the necessary adoption procedures have been concluded.

1.2.4. The DA has been prepared in accordance with Welsh Government regulations and guidance, including The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended 2015) and the Local Development Plans Manual 2020 Edn 3 (The Manual)

1.3. Stages in the Approval of the Delivery Agreement

¹ Planning and Compulsory Purchase Act 2004 (Section 69(1) and LDP Regulation 41(1))

1.3.1. The process of developing and adopting the DA will be undertaken over the following stages:

- Prepare Draft DA incorporating CIS (This document)
- Present Draft DA to Full Council for approval (2 March 2023)
- Undertake public consultation on the Draft DA and Review Report (9 March-20 April 2023)
- Following consultation, consider responses received and make any necessary amendment to the Draft DA
- Present final DA to Full Council (7 July 2023)
- Submit the DA to Welsh Government for approval
- Upon agreement from the WG, publish the DA on the Council's website and place for inspection at the principal offices of the Local Planning authority (currently Civic Centre)
- During the plan preparation process, periodically review progress against the DA.

1.3.2. The approved DA will be the essential project management tool to guide the preparation of the RLDP and the LPA is committed to the stated timescales and consultation processes. Adherence to the approved or any approved revision to the DA will form part of the tests of soundness of the plan that the appointed Inspector will assess at the Examination stage.

1.4. Preparation of the Replacement LDP

1.4.1. The Planning and Compulsory Purchase Act 2004 (as amended by the 2015 Planning (Wales) (Act) requires the Council to prepare a replacement LDP setting out its objectives for the development and use of land in Swansea over the Replacement Plan Period (2023 to 2038) and its policies to implement them. This period allows 12 years to implement the Replacement Plan following proposed adoption in 2026.

1.4.2. In preparing the RLDP, the Council will need to take account of a wide range of legislation, policies and other initiatives, at European, national and local levels of government. Under the Withdrawal Act, EU derived domestic legislation such as existing environmental regulations that implement EU Directives, which were in force immediately prior to the end of the transition period, will continue to form part of UK domestic law after 31 December 2020 until amended by new legislation. As a result, they remain relevant to the RLDP preparation process. The Council will also need to consider relevant social, economic and environmental considerations.

1.4.3. In preparing the RLDP, the 2004 Act (as amended by the 2015 Act) requires the Council to have regard to:

- Current national policies (the key national policy will include Planning Policy Wales (currently Edition 11) and Technical Advice Notes
- Any Strategic Development Plan (SDP) for the area (though there is unlikely to be an SDP adopted before the RLDP is completed), and the National Development Framework for Wales (Future Wales – The National Plan 2040)

- The resources likely to be available for implementing the RLDP

1.4.4. In addition, the preparation of the RLDP will have regard to other key legislation including the Well Being of Future Generations (Wales) Act (WBFGA, 2015), the Equality Act 2010, the Environment (Wales) 2016 Act and key assessment processes including Sustainability Appraisal incorporating Strategic Environmental Assessment and Habitats Regulations Assessment.

1.4.5. In accordance with Welsh Government LDP Manual (Edition 3, 2020), the Council will aim to achieve the following key outcomes in the preparation of the RLDP:

- Support sustainable development and quality places based around the National Sustainable Placemaking Outcomes, aligned with national policy (set out in PPW) integrated with an SA/SEA/HRA, including Welsh language and the requirements of the WBFGA 2015.
- Be based on and underpinned by early, effective and meaningful community involvement in order to understand and consider a wide range of views, with the aim of building a broad consensus on the spatial strategy, policies and proposals.
- Be based on a robust understanding of the role and function of an area(s) including the functional linkages to areas beyond administrative boundaries.
- Be distinctive by having plans setting out clearly how their area will develop and change, giving certainty for communities, developers and business.
- Be resilient to climate change (using the latest UK Climate Projections, flood risk and vulnerability assessment data) and support the transition to a low carbon society in line with the latest carbon reduction targets and budgets as set out in the Environment (Wales) Act (Part 2). The principles of Placemaking, the Sustainable Transport Hierarchy and the Energy Hierarchy as set out in PPW must be adhered to.
- Ensure the sustainable management of natural resources in accordance with the Environment (Wales) Act 2016 and other relevant legislation.
- Deliver what is intended through deliverable and viable plans, taking into account necessary infrastructure requirements, financial viability and other market factors.
- Be proactive and responsive with plans, kept up-to-date and flexible to accommodate change.

1.5. Sustainability Appraisal incorporating Strategic Environmental Assessment

1.5.1. Sustainable development is at the heart of the development plan process. The RLDP must ensure it contributes to achieving the economic, social, environmental and cultural well-being goals of Wales, as required by the WBFGA 2015.

1.5.2. The preparation of the RLDP will need to be informed by Sustainability Appraisal, including Strategic Environmental Assessment as required by European Directive 2001/42/EC and the Environmental Assessment of Plans and Programs (Wales) Regulations 2004 and the Planning and Compulsory Purchase Act 2004 (as amended by the 2015 Act). Notwithstanding at the outset of the process following

approval of the Delivery Agreement the Council will consult with the statutory consultation bodies to formally determine that an SEA is required for the replacement LDP. A formal determination will then be published. As a matter of good practice, the SA and SEA processes have been combined into one iterative process. The integrated process will be followed for the preparation of the RLDP as was the case for the preparation of the Adopted LDP. In addition, other legislation has introduced additional assessment requirements that should be addressed as part of the plan preparation process including consideration of health and equalities impacts. Consequently, an **Integrated Sustainability Appraisal (ISA)** which combines the SA/SEA process with other assessments will be undertaken.

1.5.3. The ISA will ensure that the required 5 stages of SEA are incorporated into the assessment process:

Stage A – Setting the context, establishing baseline and deciding on the SA Scope and Objectives

Stage B – Developing and refining reasonable alternatives and assessing effects

Stage C – Preparing the SA Report

Stage D – Consulting on the draft plan and the environmental report

Stage E – Monitoring the significant effects of implementing the plan or programme on the environment

1.5.4. The Scoping Report for the ISA will be consulted on as part of the Pre-Deposit participation stage set out in the timetable.

1.5.5. Following this, once the ISA Framework has been scoped out and established it will be used to inform the assessment of the proposed RLDP policies and proposals. The ISA will be an iterative process and assessment reports will be prepared to inform each key stage of RLDP preparation.

1.5.6. At the outset of the ISA process, there will be an opportunity for stakeholders to comment on the ISA Scoping Report that sets out how the ISA process will be undertaken. The findings of the ISA work will be evidenced at key stages in the Replacement LDP preparation process; Reports will be prepared, and subject to consultation with stakeholders, in parallel with the Preferred Strategy consultation and Deposit RLDP consultation. A Final ISA Report will be submitted along with all other Replacement LDP documentation to the Welsh Government for examination. The statutory consultation bodies (Natural Resources Wales and CADW) will be consulted at all the stages referred to above and there will be wider on-going dialogue with these bodies as the process proceeds.

1.5.7. The ISA will include the following stage documents:

- **The ISA Scoping Report** - This will set out the current state of the environment and will identify the existing sustainability issues within Swansea to provide baseline information for assessment and monitoring through a series of Objectives and a Sustainability Framework. It will set out a review of relevant plans, policies, programmes and strategies at European, national, regional and local levels, indicating their implications for the RLDP process. This will be

consulted on with statutory consultation bodies for the ISA as part of Pre-Deposit Participation as set out in the timetable but will be made available on the website during the consultation stage with other key bodies notified as considered appropriate.

- **The integrated Initial Sustainability Appraisal Report (ISAR).** This will consider the likely effects of the RLDP Preferred Strategy, aims and objectives. It will also consider the effects of any reasonable alternative strategies. The ISAR will be published at the same time as the Preferred Strategy consultation and all stakeholders will have the opportunity to comment on the document.
- The integrated **Sustainability Appraisal Report (SAR)** (Environmental Report). This will consider the likely effects of the Deposit version of the RLDP. It will assess the social, economic, cultural and environmental impacts likely to arise from the policies and allocations set out in the plan. The SAR will be published at the same time as the Deposit Plan consultation and all stakeholders will have the opportunity to comment on the document.
- The **Adoption Statement.** A Statement published by the Council that sets out how the ISA has been accounted for in the RLDP. The Adoption statement is published following the Adoption of the RLDP.

1.6. Habitats Regulations Assessment (HRA)

1.6.1. The Council must also undertake a HRA which is a separate assessment process to the ISA. HRA will inform the preparation of the of the RLDP's strategy, policies and allocations and will assess any potential impact on a designated Natura 2000 site (a Special Area of Conservation (SAC), Special Protection Area (SPA), or a Ramsar site). In accordance with the Habitats Directive 92/43/EEC where a land use plan would have the potential to significantly affect a site, a detailed Appropriate Assessment is required to assess the impacts and to consider the suitability of options and mitigation measures.

1.6.2 The Habitats Regulation Assessment (HRA) will be prepared concurrently with the Deposit Plan and will be published with both the Deposit Plan and the ISA Report. The stages of HRA are set out below. The statutory consultation body NRW will be consulted informally on the outcome of the screening exercise and formally on stage 2:

- **Stage 1 HRA Screening** – To determine whether any of the conservation objectives of any European Site could be adversely affected. This will be undertaken at an appropriate time having regard to the Preferred Strategy;
- **Stage 2 Appropriate Assessment** – If the HRA screening indicates the LDP Review is likely to have significant effects, then a further level of assessment will be needed. This will assess whether the RLDP could adversely affect the integrity of one or more European sites either alone or in combination with other plans or projects. If potential adverse effects are identified the Appropriate Assessment will need to consider mitigation measures to control identified impacts to avoid adverse effects on site integrity

- **Stage 3 Assessment of Alternatives and Stage 4 (Imperative reasons of Overriding Public Interest)** – Where significant effects remain at the end of stage 2 in the HRA process, there is a need to consider alternatives.

1.7. Well Being of Future Generations (Wales) Act 2015 (WBFGA)

1.7.1. The WBFGA gained Royal Assent in April 2015. The Act aims to make a difference to the lives of people in Wales in relation to the seven well-being goals and the five ways of working. The seven well-being goals relate to ‘a prosperous Wales’, ‘a resilient Wales’, ‘a healthier Wales’, ‘a more equal Wales’, ‘a Wales of cohesive communities’, ‘a Wales of vibrant culture and Welsh language’ and ‘a globally responsible Wales’. The five ways of working are long term, integration, involvement, collaboration and prevention.

1.7.2. Given that the promotion of sustainable development is a core underlying principle of LDP’s, there are clear links between the RLDP and the WBFGA. A requirement of the WBFGA is that a Local Wellbeing Plan be produced. The preparation of the RLDP will fully consider the latest Well-being Plan and the Well-being assessment will form part of the ISA evidence base.

1.8. Joint Local Development Plans and Regional Collaboration

1.8.1. Collaboration is a requirement of the WBFGA (2015). LPAs are also required to demonstrate that all opportunities for joint working and collaboration on both plan preparation and the evidence base have been exhausted. This is particularly relevant where the LDPs of neighbouring authorities are on similar preparation timescales and where there are strong cross-boundary linkages. Given the plan preparation position of our neighbouring authorities in the South West Wales region undertaking a Joint Local Development Plan is not feasible.

1.8.2. However, significant cross boundary working is being undertaken currently with Neath Port Talbot and authorities in the wider region (Carmarthenshire, Pembrokeshire, and Pembrokeshire Coast National Park) on various evidence base studies to inform respective RLDP’s. This includes a joint commission with NPT to prepare Local Housing Market Assessments for respective authorities and a joint Economic and Housing Growth Assessment for Swansea and Neath Port Talbot. In addition, the Council is part of a regional project to define the spatial extent of the Future Wales Swansea Bay and Llanelli National Growth Area to inform RLDP’s for the respective authorities. Further joint working opportunities will be explored with neighbouring authorities on background work and evidence base studies as part of the development of the RLDP and any future work to inform the future South West Wales Strategic Development Plan.

1.9. Evidence Base Studies

1.9.1. There is a need to update the evidence base, including undertaking various evidence base assessments throughout the preparation of the RLDP. At this stage it is envisaged that this will include:

- Population, Economic and Housing Growth Assessments

- Employment Land Review
- Local Housing Market Assessment
- Future Wales National Growth Area Review
- Gypsy and Traveller Accommodation Assessment
- Strategic Transport Assessment
- Retail Assessment
- Urban Capacity Study
- Settlement Boundary Review, including village assessments
- Financial Viability Assessments
- Infrastructure Requirements Review
- Renewable and Low Carbon Energy Assessment
- Green Infrastructure Assessment
- Strategic Flood Consequence Assessment
- Minerals and Waste Assessment
- Welsh Language Impact Assessment and review of the Welsh Language Sensitive Area
- Regional Technical Statements for the North Wales and South Wales Regional Aggregate Working Parties, 2nd Review (and Annex B South Wales), 2020”and
- The South Wales Regional Aggregates Working Party (SWRAWP) Annual Monitoring Reports

1.9.2. This list focuses on studies that the LPA needs to undertake. It is not intended to be completely definitive of all evidence needed for the Plan. Some of these studies will include sub elements of detail which are not itemised. There will also be key evidence and data sets that are not listed but will be key to informing these studies and/or Replacement LDP formation, such as the latest demographic projections and economic forecasts and reports/studies advanced by other sections of the Council such as evidence relating to biodiversity and nature conservation. Additional evidence base update requirements may emerge as the preparation of the Replacement LDP progresses and the LPA will continue to monitor and implement the required research for any other evidence needs that emerge.

1.10. Supplementary Planning Guidance

1.10.1. The RLDP will contain the necessary range of policies to guide the development and use of land in Swansea over the plan period and to provide the basis for determining planning applications. Although Supplementary Planning Guidance (SPG) does not form part of the RLDP, it will be used after the Plan has been adopted to provide more detailed guidance on the way the policies may be applied, or they could take the form of local level Place Plans. Any SPG produced will be consistent with the RLDP and clearly cross referenced to the policies and proposals it supplements. For example, this could be on specific sites, or to cover general themes, such as open space. Since adoption of the existing LDP, a suite of key SPG have been produced and adopted in line with the SPG programme.

1.10.2. The need for new/amended SPG to support the RLDP will be considered as part of the RLDP preparation process and will be likely identified as part of the RLDP Preferred Strategy stage. The purpose of the guidance will be to supplement the policies of the RLDP and not to supersede or replace what is in the Plan.

1.10.3. Any new SPG will initially be prepared in draft form pending adoption of the RLDP. The SPG must be subject to full consultation and engagement with interested parties, be in accordance with the protocols outlined in the CIS as set out in Part 3 and all responses will be considered before it is finalised. This will ensure that the SPG may in due course be treated as a material consideration in the determination of relevant planning applications or during appeals.

1.11. Independent Examination and Tests of Soundness

1.11.1. The Local Planning Authority will submit its Deposit RLDP, associated documents and representations to WG for consideration of its “soundness” by a WG appointed independent inspector at an “Examination in Public.” A straightforward interpretation of whether a plan is ‘sound’ in guidance is that the plan ‘*shows good judgement*’ and is ‘*able to be trusted*’.

1.11.2. The LPA will need to demonstrate that the plan meets the following three tests of soundness as set out in the Development Plans Manual:

Test 1: Does the plan fit? (i.e., is it clear that the RLDP is consistent with other plans?)

Test 2: Is the plan appropriate? (i.e., is the plan appropriate for the area in the light of the evidence?)

Test 3: Will the plan deliver? (i.e., is it likely to be effective?)

1.11.3. The Inspector will have regard to the evidence submitted with the Plan and the representations received at the Deposit stage in order to determine whether the Plan meets the above soundness tests. Following the examination the Inspector will prepare a report, which sets out their findings together with any changes they consider, are necessary to make the plan ‘sound’. The conclusions by the Inspector are binding on the authority and unless the Welsh Government intervenes, the Council must accept the changes and adopt the RLDP. If the Inspector considers the plan fundamentally unsound then the plan would not be recommended for adoption.

Part 2: The Timetable

2.1. Overview

2.1.1. Part Two sets out the Timetable for the preparation of the RLDP and looks at how the process is to be managed. It highlights the potential barriers to completing the RLDP, their impacts on progress and the potential mitigation measures proposed to reduce the risks identified.

2.2. Summary Timetable

2.2.1. The summarised timetable below in **Table 1** outlines the main stages of RLDP preparation and the key dates for consultation. The Timetable is also illustrated in chart form at **Appendix 1**, which includes an explanation of the key stages and procedures to be followed.

2.2.2. **Table 1** is split into Definitive and Indicative stages:

Definitive: Those stages up to and including the statutory Deposit stage, which are under the direct control of the Council to which every effort will be made to adhere to this part of the timetable.

Indicative: Those stages beyond the statutory Deposit stage which are dependent on extraneous factors, such as number of representations received, over which the Council has less control. Following the closure of the statutory consultation period on the Deposit Plan and prior to submission of the plan, the Council will update the timetable with definitive timings for the remaining plan stages. In line with LDP Regulations within 3 months of the close of the Deposit the timetable will be reviewed and resubmitted once the Council has entered into a Service Level Agreement with the Planning Inspectorate.

Table 1 – Summary Timetable			
Definitive Stage		From	To
1	Delivery Agreement Draft DA Consultation, submission of Final DA to Welsh Government for approval	March/April 2023	July 2023
2	Pre-Deposit Participation	July 2023	June 2024
	Evidence base preparation	Jan 2023	Ongoing
	Call for Candidate Sites – 8 weeks minimum	Aug 2023	Oct 2023
	Consultation on SA Scoping Report – 5 weeks minimum	Aug 2023	Sep 2023

	Preparation and Engagement on generation of Vision and Objectives and Strategic Options	September 2023	January 2024
3	Pre-Deposit Consultation Consultation on Preferred Strategy, Initial Sustainability Appraisal Report and Habitats Regulations Assessment Screening Report – 8 weeks due to summer	July 2024	August 2024
4	Deposit Participation/Consultation Consultation on Deposit Plan, ISA, HRA and Initial Consultation Report – 6 weeks minimum	June 2025	July 2025

Indicative Stage		From	To
5	Submission Submission of Deposit Plan and all supporting evidence to WG	March 2026	
6	Examination Pre hearing meeting Examination Hearing Sessions	April 2026 Apr/May 2026 June 2026	July 2026 July 2026
7	Publication of Inspectors Report Local Planning Authority to receive binding Inspectors Report, check for factual errors and to Publish on its website.	November 2026	
8	Adoption Full Council adopts the Replacement LDP	December 2026	
9	Monitoring and Review Submission of first Annual Monitoring Report	October 2028	

2.3. Factors Considered within the Timetable

2.3.1. The Timetable is fundamentally driven by the need to ensure that the RLDP can be adopted as expediently as possible and to minimise the period after the current LDP expires on 1st January 2026. The timetable has also had regard to Welsh Governments expectations that replacement plans should be prepared in 3.5 years. Based on the above, the Council has sought to set out a realistic timetable of 3 years 5 months from commencement in July 2023 to adoption in December 2026. This would mean on adoption there is 12 years of the plan period remaining (i.e. up to 2038) which is in line with WG guidance.

2.3.2 In developing the timetable, the Council have had regard to the Development Plans Manual and have accounted for lead in timings to obtain Member Decision, Timings between statutory stages, staff resources and budgets and the Procedural

Guidance issued by PEDW. In respect of member decision making, updates and recommendations relating to RLDP progress will be reported to Members prior to any statutory consultation stage. Meetings of the Council are typically every 6 weeks, however meetings may be called outside these times where requested by the Head of Planning and City Regeneration. The DA Timetable takes into account these meeting cycles and report preparation lead in times, as well as Local Government elections.

2.4. Frontloading

2.4.1. The Community Involvement Scheme in Part 3 sets out the opportunities for early and continued involvement. National guidance emphasises the need for Frontloading. This will provide a Preferred Strategy of sufficient detail to allow a meaningful consultation stage which will influence the content of the Deposit Plan. This means obtaining detailed evidence up front and early in the plan making process will be essential to inform delivery of the Preferred Strategy and subsequent plan stages. Therefore, it is key that stakeholders engage with the RLDP Team during Stage 2 (August 2023 to January 2024) in evidence base collation and stakeholder engagement.

2.4.2. A key part of the early evidence base gathering will be the call for Candidate Sites, scheduled to be during August to October 2023. The need for adequate evidence will be relevant either to those proposing new sites or supporting the retention of as yet unimplemented allocations to be retained in the RLDP. It is clear a greater amount of evidence bases to support sites at the Candidate Site Stage is essential as an inadequate level of information to demonstrate delivery can be a reason for discounting sites. Any barriers to development will need to be explored upfront if sites are to have a realistic prospect of being included in the RLDP. Key sites and Growth areas will need to be identified by the Council for inclusion in the Preferred Strategy while other potential sites will continue to be evaluated up to Deposit stage. Ultimately, sites will need to be proven to be suitable and deliverable.

2.4.3. Similarly, the Preferred Strategy consultation at Stage 3 will set out a range of supporting background evidence used to inform the strategy. It is important that the plan and this evidence is informed by stakeholders during this key consultation stage. The Council will welcome participation from all those with an interest in shaping the future of Swansea.

2.5. Resources

2.5.1. Officers within the Council's Placemaking and Strategic Planning service area will lead in the production and management of the RLDP process. This includes the preparation of any consultation documents and the management of the definitive stages (1-4) of the RLDP preparation process and progression to submission of the RLDP to the WG for Examination (Stage 6). The Placemaking and Strategic Planning Manager will be responsible for the overall delivery of the RLDP while the Principal Officers will lead on the day-to-day project management of the plan's preparation and delivery.

2.5.2. Whilst the following officer time is scheduled to be dedicated to the RLDP preparation process, this will be monitored throughout plan preparation and additional resource sought as necessary:

- Placemaking and Strategic Planning Manager x 1 (20%)
- Principal Placemaking Officer x 1 (20%)
- Principal Planning Officers x 2 (75%)
- Senior Placemaking Officer (20%)
- Senior Planning Officers x 3 (50-75%)
- Planning Officer x 1 (75%)
- Planning Technician x 1 (90%)

2.5.3. Officers from other service areas will also be involved in various aspects of the plan preparation process as required including contributing to various evidence-based studies, assessments and consultation support. This is likely to include, but not limited to, officer support from Development Management, Housing, Economic Development, Regeneration, Education, Highways, Drainage, Nature Conservation, Landscape, Environmental Health, Democratic Services, Legal Services and Communication and Engagement.

2.5.4. Regional collaboration is ongoing with neighbouring authorities in the SWW region on joint evidence bases and continuation of this close working relationship will be crucial to the preparation of the RLDP. Where necessary, external consultants will be commissioned to undertake specific technical studies and assessments with some studies underway. An initial assessment has been carried out of the elements of plan preparation that are likely to require external consultant support and financial resources have been secured.

2.5.5. A sufficient budget will be made available to progress the RLDP to adoption within the prescribed timetable. This is expected to cover expenditure relating to all elements of preparation of the RLDP and the Independent Examination.

2.6. Monitoring and Review of the DA

2.6.1. The DA acts as the project management tool for delivery of the RLDP to ensure the timetable and the CIS strategy is being delivered. Whilst WG guidance allows for an additional slippage period of 3 months, beyond this, the Council will need to prepare an updated DA which will require approval by the Council prior to WG agreement. In addition to an extended timescale delay the DA may need to be amended if the following circumstances occur during the preparation of the RLDP:

- Significant change to the resources available to undertake preparation of the RLDP
- Significant changes to European, UK or Welsh legislation directly affecting the RLDP preparation process

- Any other change in circumstances that will materially affect the delivery of the RLDP in accordance with the DA
- Significant changes to the Community Involvement Scheme

2.7. Risk Management

2.7.1. The definitive stage of the timetable is ambitious but is considered to be deliverable based upon the expected resource input into the RLDP process. Whilst the Council will seek to avoid departure from the timetable, the Council have identified a number of risk areas that could lead to departure from the proposed timetable. The potential risks and proposed mitigation measures to minimise risks are set out in **Appendix 2**. The Council will monitor the timetable and will report any significant deviation (of more than 3 months) to the Welsh Government and stakeholders.

Part 3: The Community Involvement Scheme

3.1. Overview

3.1.1. Part Three sets out how the Council proposes to engage with stakeholders and the community in the preparation of the RLDP. It is essential that the right people are involved at the right time to build consensus and ensure early and effective stakeholder engagement to shape the spatial strategy, policies and proposals of the plan.

3.1.2. The LDP Regulations require the Council to work in partnership with a range of stakeholders in preparing the RLDP including the general public and Specific and General Consultation bodies (see **Appendix 3**). **Table 2** sets out the key consultation periods with further detail of engagement at each stage contained in the detailed CIS in **Appendix 4**, which sets out who will be formally involved in the RLDP process and how and when the participation and consultation will occur. Similarly, the previous CIS has been reviewed in terms of lessons learned to inform the current scheme. This is set out in **Appendix 5**.

3.2. Key Principles for Engagement

3.2.1. The **Swansea Corporate Plan 'Delivering a Successful and Sustainable Swansea' (2022-23)** demonstrates the Council's emphasis on effective engagement with communities and stakeholders in the work the Council undertakes.

3.2.2. The Draft **Consultation and Engagement Strategy 2022** seeks to ensure effective consultation and engagement with residents and partner organisations to improve the access, quality and delivery of its services and the decisions it takes. The draft strategy sets out the Council's approach to assist in engaging with residents and service users and identifies the key principles for delivery in respect of consultation and engagement in Swansea.

3.2.3. The key guiding principles of delivery in the Consultation and Engagement Strategy around 'Planning', 'Doing' and 'Decision Making, Review and Feedback' have informed the CIS and will inform the detailed engagement plans for each stage of the RLDP process. These principals were developed using **The National principles for Public Engagement in Wales and the National Children and Young Peoples participation standards for Wales**. The strategy also supports the Council in meeting its duty under the WBFGA and the Equality Act. In developing the detailed consultation arrangements at subsequent stages, the team will consult with the Council's Engagement Officer to ensure effective engagement. Ultimately any consultation on the RLDP will need to adhere to the four **Gunning principles**:

- **Consultation should take place at a 'formative stage'** - In practice this means that the decision should not already have been taken
- **Consultation should include sufficient information** – In order that consultees can give the matter intelligent consideration

- **Adequate time needs to be provided for consideration and response** – In practice this means that consultees must be given enough opportunity to take part in the consultation in the time allowed
- **Consideration of consultation responses** – We need to be able to demonstrate how the consultation responses have been considered within the decision making process

3.3. Who will be involved?

3.3.1. The RLDP, once adopted will guide the development and use of land across Swansea Council administrative area up to 2038. Therefore, the Council welcomes engagement from individuals and organisations in shaping this important strategy document which will become the main decision-making framework for the assessment of planning applications and to guide the Council's ambitious Placemaking agenda.

3.3.2. The LDP Regulations set out the legal requirements for community involvement and participation. This sets out that certain types of stakeholders need to be involved at specific stages of the RLDP process. These Specific and General consultation bodies are set out in **Appendix 3** and will be consulted as considered necessary (see para 3.4.6). The Council will seek to exceed these requirements where considered necessary. For example, in line with best practice consultation on the SA scoping report will extend beyond the defined statutory consultation bodies.

3.3.3. **Appendix 4** sets out the detailed timetable for community engagement setting out which stakeholders will be involved at each stage. This sets out what the Council intends to do as a minimum in the preparation of the RLDP. Where time and resources allow the Council will aim to provide additional opportunities for engagement. To enhance engagement the Council's RLDP website will be updated regularly to keep stakeholders informed. Efforts will be made to make consultation processes as accessible as possible.

3.3.4. Community involvement throughout the development of the RLDP should be a continuous process that enables the local community to be part of the decision making process; creating the sort of place they want to live in, at a stage when this can make a difference. The CIS sets out how the Council proposes to proactively engage with and involve the local community and stakeholders in the preparation of the RLDP. It will be important that the right people are involved at the right time to ensure effective frontloading of issues and to secure effective and meaningful engagement in the plan making process. The CIS describes the ways in which the community can influence the RLDP at the different stages of the Plan preparation process. The timetable set out in Part 2 and **Appendix 1** should be read in accordance with this. The detailed CIS is set out in **Appendix 4**.

3.3.5. It is recognised that at certain stages it will be more effective to engage a targeted range of stakeholders or representative bodies. To keep participation effective, meaningful and manageable stakeholder events will be targeted to the most relevant bodies/representors. All statutory consultation stages will be subject to full public consultation. The Council will seek to involve the following external groups in preparation of the RLDP:

3.4. External Groups

3.4.1. **Members of the public, interested persons and organisations:** The Council will produce and maintain a consultation database that includes interested individuals and organisations who have requested to be informed of the RLDP process (see para 3.17). Anyone with an interest in the future place-making and sustainable development of Swansea can be added to the database. We encourage interested parties to register their details so they can be kept up to date about forthcoming relevant consultations. Efforts will also be made to engage with communities, businesses, and local organisations to ensure a broad range of feedback. A list of these has been collated using contact details found online who will be notified to see if they wish to be contacted as part of future consultation stages. This is not an exhaustive list and any group not included in **Appendix 3** can join the consultation database.

3.4.2. **Community Councils:** The existing network of Community Councils across Swansea will be a key contact for the dissemination of information within their local area and a link to their local area. Accordingly, the CC's will be consulted on all key stages and through their communication channels will assist the Council in raising awareness of the RLDP to their local constituents. The Community Councils will advise on the land use aspirations they have for their community so are encouraged to contribute to consultation stages. Specific reference should be paid to consultation stages to ensure meetings can be programmed early to ensure comments can be submitted within prescribed time periods.

3.4.3. **Swansea Council Developer Forum:** The Developer Forum is a key engagement group in delivering the Council's ambitious Placemaking agenda. The forum which is made up of local and regional developers, house builders, Registered Social Landlords and planning agents will be an important asset as it brings groups involved in development in Swansea together with policy makers. The Council will engage with the Developer Forum to shape the future strategy but to also ensure that the timing and phasing of sites is robust and based on up to date information.

3.4.4. **Partnership Groups:** There a range of Partnership groups across Swansea who will have a potential interest in contributing to shaping the future land use plan. They can act as single points of contact for groups of people and, consequently, can play an important role in raising awareness of the RLDP, engaging the wider community and helping disseminate information. A key partnership group that the Council will engage with is the **Swansea Public Service Board** to ensure the RLDP aligns with the Local Well Being Plan. The PSB covers a range of interested parties who can contribute to the emerging RLDP and they will be actively involved during preparation of the plan.

3.4.5. **Businesses and Landowners:** Efforts will be made to engage the business community at key stages and interested businesses are encouraged to register their details via the RLDP consultation software. A key part of the RLDP process will be the Call for Candidate Sites. Landowners therefore across Swansea who may have

an interest in their land being considered for development will need to follow the Council's website for details of the Call for Candidate Sites process. This will set out the threshold for sites to be considered and the level of information required. All sites must be submitted during the Call for Sites consultation stage.

3.4.6. Consultation Bodies: The Specific and General consultation bodies in **Appendix 3** will be engaged as considered necessary throughout the RLDP process at each of the formal consultation stages and informally as appropriate. Specific bodies include the Welsh Government and those bodies with specific functions that apply to the RLDP area (e.g., the Swansea Bay University Health Board and Dŵr Cymru Welsh Water). The authority must also consult UK Government Departments where aspects of the plan appear to affect their interests and concerns. Similarly, the SEA process requires specific environmental 'Consultation bodies' to be consulted at key stages. These are National Resources Wales and CADW. General consultation bodies include bodies that represent the voluntary sector, different racial, ethnic, religious groups, disabled persons, business and Welsh culture. In addition, the Council can also involve at its discretion 'such other persons or groups who may have an interest in matters relating to development in the area'. These have been grouped under General Consultation Bodies and will be consulted as considered appropriate.

3.4.7. Seldom Heard Stakeholders: Seldomly heard stakeholders, are groups or individuals who have traditionally been absent in the plan preparation process. Additional effort will be required to ensure these stakeholders are represented albeit within the parameters of the specified participation/consultation periods and resource limits. These groups include but are not limited to:

- Young people and children
- People with disabilities
- Older people
- People with learning difficulties
- Homeless people
- Ethnic minorities
- Gypsies and Travellers

3.4.8. Key consultation groups representing some of the above interests have been identified, and the team will work with relevant Council contacts to identify the most appropriate forms of engagement with these groups as appropriate. For example trusted intermediaries may be used, as appropriate, in order to gain the views of particular groups or individuals who lack the confidence to engage directly in the process.

3.5. Within the Council

3.5.1. It will be important that the RLDP secures effective engagement from officers across the Authority as the land use strategy will deliver on the aims and objectives

of a range of Council departments. Similarly, engagement from elected members will be of critical importance.

3.5.2. Councillors/Elected Members: Elected members of Swansea Council are crucial stakeholders in the Replacement Plan preparation because they represent individuals and communities within their ward. Therefore, members will play an essential role in the RLDP by providing information to local residents and informing the team of issues and opportunities in their area that need to be addressed as part of the plan. More widely members represent wider public interests as they are responsible for taking decisions on RLDP matters that go beyond ward level affecting the whole of the County. Engagement with members will be undertaken throughout the process of RLDP preparation which will involve as appropriate briefing on issues through members seminars at key stages, presentation of statutory stages to Council and will be notified prior to each consultation stage. The Cabinet member (Cllr David Hopkins) with responsibility for the Local Development Plan will be closely engaged in the preparation of the RLDP.

3.5.3. LDP Member Advisory Groups: It is proposed that relevant Members are convened with suitable regularity to provide an opportunity to focus exclusively on issues relating to the LDP. The make up of the group is to be decided but could include Cabinet members and have representation from across parties. This will facilitate continued engagement with senior members and officers throughout the plan preparation process. It will provide opportunities to inform and consult Councillors at various stages of RLDP preparation and provide a sounding board for issues arising.

3.5.4. Corporate Policy Team: Officers leading on the RLDP will work closely with the Council's Corporate Policy Team who support the delivery, co-ordination and administration of the Public Services Board and lead the Council's contribution to the Local Well-being Plan.

3.5.5. Scrutiny : All scrutiny activity within the Council is managed by the Scrutiny Programme Committee. Where necessary RLDP preparation will be monitored by the Development and Regeneration Performance Panel.

3.5.6. Officers: Officers from a range of service areas will provide key inputs into the development of the RLDP. Key engagement will occur with departments throughout the process including officer engagement workshops. A RLDP officer working group may be set up to facilitate this process.

3.6. Analysis of Previous CIS Strategy

3.6.1. The Council has reviewed the previous CIS to inform the development of the CIS for the RLDP. Specifically, given the improvements in technology and the experience learned from the COVID-19 pandemic in terms of changing working practices the RLDP will now rely on greater use of a more digital focused strategy for

engagement for disseminating information which will reach a wider audience and will focus on opportunities to better engage seldom-heard groups. In addition, it is considered improvements can be made to make the webpages more streamlined and accessible, the use of a dedicated consultation software to assist in facilitating electronic submission of representations and also the preparation of summary leaflets/Easy read of key documents as appropriate to make consultation documents more accessible to a wider demographic of stakeholders. This review is set out in **Appendix 5** setting out aspects that went well and identifies areas that could be improved upon.

3.7. Methods of Engagement

3.7.1. There are a large number of different consultation methods and it is important that the correct ones are used. The CIS sets out potential methods of engagement and at which stage of the RLDP they may be used. In delivering the Community Involvement Scheme the RLDP team will utilise the consultation toolkit to help facilitate the most appropriate opportunities and will liaise with the Council's Consultation Coordinator in the detailed planning of future consultations. Details of the emerging RLDP consultations will be widely publicised to reach as much of the community as possible, to inform people and set out how they can become involved. Methods of engagement may include:

- Direct contact (preferably by email, or letter)
- RLDP information posted on RLDP webpages
- Engagement with Elected Members via members seminars
- Public Meetings/Virtual Meetings
- Press releases
- Production of Summary Leaflets of consultation material
- Social Media (e.g. Facebook, Twitter)
- Drop in sessions
- Surveys
- Focus Groups
- Workshops
- Deposit of documents in the main Council office, libraries, Customer Contact Centre where appropriate
- Public exhibitions
- Webinars
- Site Notices displayed regarding proposed land allocations at Deposit Consultation stage

3.7.2. It is clear from the review of the previous CIS that engagement needs to take into account the individual needs of those who want to take part. Therefore, the Council will seek to get the appropriate balance considering time and officer resources between in person engagement alongside virtual engagement and will maximise the distribution of information digitally but will also present consultation information in paper form as appropriate.

3.8. Stakeholders – What we expect of you

3.8.1. In order to ensure stakeholder comments can be considered as part of key consultation stages they must be 'duly made'. That is they must be submitted within the prescribed timescales. **Table 2** below and the CIS in **Appendix 4** sets out the timescales where key consultation stages will be undertaken and where we will seek your involvement with specific details of the exact consultation dates published near the time of the proposed consultation. Ensuring representations are duly made will be key to ensuring your views can be taken into account.

3.8.2. Responses should be considered carefully to ensure they raise legitimate issues that can be addressed by the RLDP and the Planning system. Information should be provided in a clear and accessible format and take account of any guidance forms produced by the Council to assist in making representations.

3.8.3. The consultation timescales cannot be extended to take account of meeting cycles of community groups. At the statutory stages the Council does not have the flexibility to change the periods of consultation from that prescribed in the Regulations/detailed in the CIS.

3.8.4. Where consultation bodies identify gaps in the evidence base or information provided they should seek to support the Council in improving the evidence base in the interests of achieving a 'sound' RLDP.

3.8.5. It is also important that you notify the Placemaking & Strategic Planning Section should your contact details change during the RLDP process for officers to keep you fully informed and updated of any progress. Regarding candidate sites, land ownership changes may also occur during the process, and it is imperative that these are updated by contacting the team in order to ensure progress is not delayed.

3.8.6. Finally whilst RLDP matters can be emotive we request that officers are treated with respect.

3.9. What stakeholders can expect of the Council

3.9.1. The Council will seek to adhere to the published timescales in the DA and make all information available on time. In this case it will seek to facilitate engagement with the right people at the right time in the preparation of the RLDP to ensure meaningful and effective consultation and efficient use of resources. Whilst the Council will do all it can to comply with the commitments set out in the DA, there may be a need to be flexible and adapt to circumstances at the time. The RLDP CIS process will facilitate early and effective community involvement. A range of methods to publicise consultation stages and provide early warning of key consultation stages and to provide community updates will be used to engage effectively throughout the process. Where comments have been invited on particular documents it will be clear

how comments will be considered and stakeholders will be notified when feedback is available. To facilitate engagement during key consultation stages an interactive web based consultation and engagement system to record representations has been put in place.

3.10. Consensus

3.10.1. The CIS will seek to build consensus through meaningful engagement. In order to achieve this, it is important that participants are kept fully informed throughout the process from the outset. Effective engagement involves using various methods, setting realistic aims and facilitating an open and honest debate. However, the Council recognises that consensus may not be achieved in all situations. It is vital, therefore, that the decision making process is transparent whereby each decision made has a clear audit trail so those who may disagree are assured that their opinions have been considered and the decisions have been made in an informed and balanced manner.

3.11. Handling Representations and Feedback

3.11.1. The Council will seek that feedback is provided online as soon as possible on the outcome of engagement and consultation throughout the RLDP process. A new consultation software system is in place within which to submit consultation responses. Representations that are received through this system within the appropriate timescales will be handled during each stage of plan preparation in the following manner:

- Representation is logged and given a representation number;
- Confirmation is sent to a representor of receipt of the representation with details of next steps in the process;
- All valid representations are considered, responses are formulated; and a report of consultation will be prepared which will be published at an appropriate time containing a schedule of representations and the Council's response to those together with any proposed actions necessary as a result of the representation.

3.12. Late Representations

3.12.1. The RLDP process is subject to both statutory and non-statutory consultation/involvement periods, which have defined periods for submissions. For responses to be 'duly made' and thus considered, they are required by the specified deadline of these consultation periods. Any comments/representations submitted after the deadline dates will not be considered 'duly made' for the purposes of the RLDP Examination. This is to ensure the process is fair and equitable for all those parties involved in the process.

3.13. Council Decision Making process and Local elected Member involvement

3.13.1. Prior to statutory public consultation stages key decisions on RLDP documents will be made by Full Council following presentation if appropriate to Cabinet with meetings taking place generally every month.

3.14. Welsh Language and Bilingual Engagement

3.14.1. The Welsh Language Standards place a legal duty on Councils to make it easier for people to use services through the medium of Welsh. The Council has published a 5 year strategy for the Welsh language and the requirements of the Welsh Language Standards will be maintained at each stage of the Replacement LDP. Bilingual engagement will be carried out in the following ways:

- We welcome correspondence in both Welsh and English. Where correspondence is received in Welsh and a reply is necessary, this will be sent in Welsh;
- All consultation letters, comments forms, public notices (including site notices) and newsletters will be bilingual;
- Any pages on the RLDP website and social media posts published on twitter will be bilingual;
- Any public meetings will be conducted bilingually where a request has been made ahead of time. Prior notification is required in order to provide a translation service; and
- The RLDP once adopted will be available in both Welsh and English Format.

3.14.2. The RLDP will be subject of an integrated Sustainability Appraisal which will include an assessment of the plan on the Welsh Language as part of this.

3.15. Key Stages of RLDP and opportunities for Engagement

3.15.1. The LDP Regulations set out the legal requirements for participation and public consultation in RLDP preparation. The detailed timetable for community engagement and the potential engagement methods for the key stages in the RLDP preparation process are highlighted in **Appendix 4**. The list itself is not exhaustive and could require adaptation to ensure the community and stakeholders are appropriately involved at each stage. The section below provides a summary of the key stages and when stakeholders can become involved. Information will be constantly updated on the RLDP webpages and notification of consultations emailed to stakeholders registered on the RLDP database.

Table 2 – Summary of Stage and Opportunities for Engagement		
Stage of RLDP Preparation		How can I get involved
1	<p>Delivery Agreement (Reg 9)</p> <p>The DA will act as the project management tool to guide the preparation of the RLDP. It includes the timetable for its preparation and how and when stakeholders can be involved in the process.</p>	<p>Opportunities for involvement will be as part of the public consultation on the Draft DA in March/April 2023.</p>
2	<p>Pre-Deposit Participation (Reg 14)</p> <p>To inform the preparation of the plan the Council will need to prepare a comprehensive evidence base to understand the key environment, economic and social issues that exist in Swansea. The Council will prepare a SA Scoping Report which will be consulted on with statutory consultation bodies.</p> <p>A key part of the initial evidence base is to invite developers and landowners to submit candidate sites for potential inclusion in the plan</p> <p>To inform the preparation of a Preferred Strategy a vision, set of objectives and strategic growth options to guide the plan will need to be prepared. Informal engagement with key stakeholders in developing the Vision and Objectives and Options will be undertaken</p> <p>This will provide an early opportunity for dialogue ahead of the Preferred Strategy being prepared</p>	<p>Opportunities for Involvement will be:</p> <p>Engagement of statutory consultation bodies in SA Scoping Report to be consulted with statutory consultation bodies in August 2023</p> <p>Call for Candidate Sites from all stakeholders Aug-October 2023.</p> <p>Informal Engagement on Draft Vision and Objectives and Strategic Options during September 2023 to January 2024</p>
3	<p>Pre-Deposit Consultation (Reg 15-16)</p> <p>This stage will include statutory consultation on the Preferred Strategy and strategic locations for new development and accompanying ISA Report. The Preferred Strategy will provide the strategic framework for</p>	<p>Opportunities for Involvement will be:</p> <p>Public Consultation on the Preferred Strategy and ISA Report in July/August 2024</p>

	<p>more detailed policies, proposals and allocations that will be included in the Deposit RLDP.</p> <p>Consultation on Preferred Strategy, Initial Sustainability Appraisal Report and Habitats Regulations Assessment Screening Report –</p>	
<p>4</p>	<p>Deposit Participation/Consultation (Reg 17)</p> <p>This stage includes statutory 6-week public consultation and stakeholder engagement on the Deposit Plan, ISA Report, HRA and Initial Consultation Report. The deposit plan will set out the strategy, policies and site allocations, based on the key issues, objectives and supporting evidence base for the plan. The deposit plan will shape and guide development proposals to sustainable locations to deliver the scale and type of growth necessary for local community well-being over the plan period.</p> <p>Any representations received as a result of the consultation exercise will be made available for public inspection and on the Council’s website.</p>	<p>Opportunities for Involvement will be:</p> <p>Public Consultation on the Preferred Strategy and ISA Report in June/July 2025</p>

Indicative Stage		From	To
5	<p>Submission (Reg 22) At this stage the Council is required to submit the Deposit Plan, ISA Report, Community Involvement Scheme, copies of all representations received, key supporting evidence and consultation report to the WG.</p> <p>An independent inspector will be appointed to examine the Deposit Replacement Plan to determine whether the plan is sound.</p>	<p>Opportunities for Involvement will be:</p> <p>Submission of RLDP and all other supporting documents will take place in March 2026. A Programme Officer will be appointed to manage the Examination process. They will be the first point of contact to stakeholders who submitted representations at Deposit stage. Details of the Examination will be published on the Council's Examination webpage. The preparation for the Examination will be between April/May 2026.</p>	
6	<p>Examination (Reg 23)</p> <p>The Independent Inspector from Planning and Environment Decisions Wales (PEDW) will conduct the examination of the RLDP over a series of hearing sessions which will be preceded by a Pre Hearing Meeting.</p> <p>The aim of the examination will be to ensure that the Replacement Plan is at a stage where it is sound and can be safely adopted. Any changes proposed by the Inspector must therefore be assessed as being sound.</p>	<p>Opportunities for Involvement will be:</p> <p>There will be an opportunity for those who made 'duly made' representations at Deposit stage to be heard by the Inspector. However, necessary input will be considered and decided by the Inspector. Arrangements for public participation in the examination process will be advertised by the Programme Officer nearer the time. The examination sessions will run between June to July 2026.</p>	
7	<p>Publication of Inspectors Report (Reg 24)</p> <p>Once the Inspector is satisfied that no further evidence needs to be tested and has prepared a report of their findings together with any binding changes to the RLDP, they will submit their report to the Council. The report will be binding on the Council. Following a fact check the Council will publish the report.</p>	<p>The Council will publish the Inspector's Report in November 2026. It will be uploaded to the Council's website and available in hard copy at the main Council offices for members of the public to view.</p>	

8	Adoption (Reg 25) The Council is required to adopt the Replacement LDP incorporating the Inspectors recommendations within 8 weeks. The replacement LDP will become operative on the date it is adopted and final publication of the Replacement Plan should follow as soon as possible (after the expiry of the six week legal challenge period)	The Council will adopt the RLDP at a full Council meeting in December 2026 . Full details of the meeting will be published on the Council's website.
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3.16. Availability of Documents

3.16.1. All RLDP documents will be made available to view and download on dedicated Replacement LDP webpages. In addition, in accordance with the relevant LDP Regulations all relevant documents will be made available for public inspection at the principal office during normal office hours:

Civic Centre

Oystermouth Rd

Maritime Quarter

Swansea

3.16.2. During the statutory public consultation stages (Preferred Strategy and Deposit Plan consultation) as identified in **Table 2** above, where possible hard copies of the main consultation documents will be placed in all the 17 libraries for public inspection. Currently the public library venues are: Bonymaen, Brynhyfred, Central, Clydach, Fforestfach, Gorseinon, Gowerton, Killay, Llansamlet, Morriston, Oystermouth, Penlan, Pennard, Pontarddulais, Sketty, St Thomas and Townhill.

3.17. RLDP Consultation Software

3.17.1. The Council has implemented a new consultation software system to support the RLDP. Stakeholders will be able to register their details online via this system and can then submit comments at appropriate consultation stages and will be notified of future consultations on the RLDP. To register your details please visit:

[Swansea Council - OpusConsult \(oc2.uk\)](http://swansea.gov.uk/opusconsult)

3.17.2. The consultation system will be managed in line with General Data Protection Regulations (GDPR). Any parties wishing to register will need to agree to the Council's Privacy Notice setting how the Council will use consultees' information and to confirm acceptance for your details to be held for the purposes of RLDP communication only. Stakeholders can register their details anytime during the process.

3.17.3. Anyone who makes representations at any of the stages of the RLDP will be deemed to have given their consent and will be added to the system in order to administer their comments and for them to be adequately informed of further opportunities to participate at a later date in the process. However, if you wish your details to be removed from the system then you will be able to unsubscribe and your details will be removed for future consultations.

3.18. Contact Details

Further information on the RLDP process can be gained by visiting the Council's website at:

<https://swansea.gov.uk/RLDP>

Or for those unable to access the Council's website, further information can be gained by contacting the team at:

Email: ldp@swansea.gov.uk

Placemaking and Strategic Planning
Swansea Council
Civic Centre
Oystermouth Road
Maritime Quarter
Swansea
SA1 3SN

Comments are welcome in Welsh and English

	2023												2024												2025												2026												2028
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	O
Key Stage 3: Pre-Deposit Consultation (Regs 15,16, 16A)																																																	
Consultation on the Preferred Strategy (inc. Strategic Sites), Interim ISA (SEA) Report and HRA Screening Report																																																	
Assessment, consideration and reporting of responses received on the Preferred Strategy, Interim ISA (SEA) and HRA Screening Report & Prepare Initial Consultation Report																																																	
Preparation of Deposit Plan																																																	
Assessment of Candidate Sites (Stage 2) - Detailed Assessment																																																	
Assessment of New Candidate Sites																																																	
ISA Stage C: Assessment and mitigation of effects of Deposit LDP - Prepare ISA Report (SEA Report)																																																	
Prepare Appropriate Assessment (if required) of Deposit Plan																																																	
Political Reporting - Reporting of Deposit LDP, ISA (SEA) and HRA Reports to Full Council																																																	
Key Stage 4: Deposit Plan Participation /Consultation (Regs 17)																																																	
Consultation on draft Deposit SDP, ISA (SEA) and HRA																																																	

	2023												2024												2025												2026												2028												
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Assessment and Consideration of the representations received in respect of the draft Deposit SDP, ISA (SEA) and HRA Reports																																																													
Political Reporting - Council approve submission of Deposit LDP to WG																																																													
Key Stage 5 - Submission (Reg 22)																																																													
Submission of RLDP, ISA and Consultation Report to WG																																																	S												
Key Stage 6 - Examination (Reg 23)																																																													
Examination including Pre-Hearing Meeting																																																	E	E											
Key Stage 7 - Inspectors Report (Reg 24)																																																													
Inspectors Report Preparation																																																	IRP	IRP	IRP										
Publication of Inspector's Report																																																													IR
Key Stage 8 - Adoption (Reg 2)																																																													
Adoption of LDP by Full Council (Reg 35)																																																													A
Key Stage 9 - Monitoring and Review (Reg 37)																																																													
Submit first LDP Annual Monitoring Report																																																													S

Key	
Preparation	
Political Reporting to Full Council	
Public Consultation	
Submission to WG	S

Description of Key Stages and Dates:

Stage 1: Delivery Agreement

Key Dates: *Consultation on Draft DA (March to April 23), Welsh Government Approval (July 23)*

The DA will act as the project management tool to guide the preparation of the RLDP. It will include the timetable for its preparation and the Community Involvement Scheme, setting out how and when stakeholders will be involved in the process. The DA will be subject to consultation with specific and general consultation bodies as appropriate and members of the public in order to seek views on its contents. The DA will need to be approved by Council and agreed by Welsh Government. Following this approval, the RLDP can formally commence.

Stage 2: Pre-Deposit Participation

Key Dates:, *Call for Candidate Sites (Aug-Oct 23), Consultation on Draft Scoping Report (Aug 23), Informal engagement in the generation of Draft Vision and Objectives and Strategic Options (Sep 23-January 24),*

Following approval of the DA, the first formal stage will include the request for nominations for Candidate Sites to be submitted for consideration to be included in the Replacement LDP. This will be widely advertised and will take place over a minimum 8 week period. To ensure potential sites are appropriately considered, they must be submitted during the Call for Sites period alongside the required supporting evidence. **However, this is not a commitment that all sites will be taken forward in the RLDP.** Following the close of the Call for Sites consultation, the Council will prepare a Candidate Sites Register which must be published on the Council's website and should be available as part of the RLDP Preferred Strategy consultation. The Council will undertake an initial Stage 1 Assessment of all submitted sites together with early detailed assessment work as appropriate.

The Council will prepare a Draft Sustainability Appraisal Scoping Report which will set the context, establish the baseline and set out the Draft SA/SEA objectives which will be used to assess the emerging RLDP. Consultation with the statutory consultation bodies will be undertaken.

During this stage extensive work will be undertaken to gather information and evidence to understand the context and issues to be addressed in the RLDP. This will include through stakeholder engagement, the generation of a vision and objectives for the LDP and the development of strategic options and alternatives. This will inform the preparation of a Preferred Strategy for the RLDP and will set out the broad approach to the scale and location of growth that ensures development is planned in a sustainable manner. It will provide the strategic framework for more detailed policies, proposals and allocations that will be included in the Deposit RLDP. The Preferred Strategy will be informed by required sustainability assessments to be included and published as part of the Initial ISA Report.

Stage 3: Pre-Deposit Consultation

Key Dates: *Consultation on Deposit RLDP (Jul-Aug 24)*

This stage includes statutory public consultation (8 week due to period falling over the summer) and stakeholder engagement on the RLDP Preferred Strategy and accompanying ISA Report.

Following the close of the consultation period, the Council will assess responses received, decide upon changes required to the Preferred Strategy and prepare an Initial Consultation Report.

Further detailed assessment work will be undertaken on previously submitted Candidate Sites and assessment work will be undertaken on any new sites submitted during the Preferred Strategy consultation stage.

The Council will begin the process of preparing the Deposit Plan. The deposit plan will set out the strategy, policies and site allocations, based on the key issues, objectives and supporting evidence base for the plan. The deposit plan will shape and guide development proposals to sustainable locations to deliver the scale and type of growth necessary for local community well-being over the plan period. The plan will demonstrate development is financially viable, deliverable over a specified timeline and is supported by funded infrastructure. The ISA framework will be used to assess and mitigate the effects of the Deposit Plan and this assessment process will be set out in the Initial ISA Report (the Environment Report). The ISA report will record the results of assessing any revised or new options resulting from public consultation or other changes and the statutory environmental consultation bodies will be notified and given the opportunity to comment. The supporting SA report will be updated to reflect the assessment of the Deposit Plan.

Stage 4: Deposit Plan Consultation

Key Dates: *Consultation on Deposit RLDP (Jun-Jul 25)*

This stage includes a statutory 6-week public consultation and stakeholder engagement on the RLDP Deposit Plan, accompanying an ISA Report, a HRA Report and an Initial Consultation Report.

Following the close of the consultation period, the Council will analyse and record representations received and prepare the Council response to the representations and consider changes (Focussed Changes are to be the exception). The Council will make the representations available for public Inspection. The Council will finalise the consultation report and prepare statements of common ground with key/strategic objections.

A programme officer will be appointed, and the Council will liaise with Planning and Environment Decisions Wales to submit definitive timings for the remaining stages. Stakeholders will be kept up to date of timescales going forward.

Finally, the Deposit RLDP, ISA Report and associated documents will be presented to Council for approval for submission to the Welsh Government.

Stage 5: Submission

Key Dates: *Submission of Deposit LDP to WG (Mar 26)*

The Deposit RLDP, SA Report, final consultation report and all supporting evidence will be submitted to the Welsh Government and Planning and Environment Decisions Wales for Examination by an Independent Planning Inspector.

The Council will follow published guidance on preparation/procedures for submission and examination. Details of the Examination will be advertised on the Council's Examination website and will be notified to representors and interested parties contained on the RLDP database. There will be an opportunity for those who made 'duly made' representations at Deposit to be heard by the Inspector. The Inspectors role is to examine the RLDP in its entirety and test its soundness, to consider all relevant evidence and prepare recommendations and the reasons for those recommendations in the form of the Inspectors Report.

Stage 6: Independent Examination

Key Dates: *Pre-Hearing Meeting (if required) (Apr/May 26), Examination (Jun/Jul 26)*

An independent inspector from PEDW will conduct the examination of the RLDP. This will be done over a series of hearing sessions on different topic areas. All documentation associated with the Examination will be made available on the RLDP website. Information will be sent to interested parties and the general public in addition to those involved in the general proceedings. The Inspector's role will be to examine the RLDP in its entirety and test its soundness. They will prepare recommendations and the reasons for those recommendations in the form of an Inspector's Report.

At the Examination stage, the ISA process will be used to ensure any changes made to the Deposit Plan (Focussed Changes, Matters Arising Changes during examination or those required by the Inspector appropriately assessed to ensure they are sustainable.

Stage 7: Receipt and Publication of Inspectors Report

Key Indicative Dates: *Receipt and Publication of Inspectors Report (Nov 26)*

The Inspector will submit their final report to the Council which will be binding. Prior to the report being published, the Council will undertake a fact check exercise within two weeks of receiving the Inspector's Report. Once this has been completed and the Inspector has responded to any points raised, the final report will be submitted to the Council and the Welsh Governments Planning Directorate. The examination will

formally close upon delivery of the Inspectors Report to the LPA. The Council will publish the Inspector's Report prior to the date it is adopted during August 2025

Stage 8: Adoption

Key Indicative Dates: *Council adopts RLDP (Dec 26)*

Within 8 weeks of receipt of the Inspector's Report, if the plan is regarded as sound, the Council must adopt the RLDP. Following adoption, the Council will publicise an adoption statement in accordance with the regulations, publicise widely that the RLDP has been adopted and where it can be inspected. The adoption will set out the date of adoption and the period for High Court challenge. The RLDP becomes operative on the adoption date.

Stage 9: Monitoring and Review

Key Indicative Dates: *Submit first RLDP Annual Monitoring Report (Oct 28)*

The Council will undertake annual Monitoring of the RLDP to identify the successful implementation of policies and areas where change is necessary. It will also monitor significant effects of the RLDP against sustainability objectives. The first AMR will be produced in October 2028 which will allow for a full year of monitoring (1st April – 31st March) during the financial year following adoption.

A statutory review of the RLDP will need to be commenced at the latest 4 years following adoption by September 2030.

Appendix 2: Risk Assessment

	RISK	IMPACT	MITIGATION
1	Loss/change of staff leading to inadequate in-house expertise and/or increasing individual workload	Loss of capacity to complete stages of the RLDP process on schedule. Inability to resource various tasks therefore compromising their quality, or in the worst case not being able to undertake or complete the task	<ul style="list-style-type: none"> • Maintain full complement of Strategic Planning Team, and supplement through redeployment/secondment when necessary • Ensure RLDP is given the highest priority when managing workload • Use external consultants
2	Inadequate financial resources	Inability to fund various tasks which require external expertise	<ul style="list-style-type: none"> • Build in flexibility for unforeseen costs • Allow RLDP budget to be rolled forward annually if underspend occurs • Ensure the cost of Independent Examination & Inspector's Report is included in the Council's medium term financial planning
3	New legislation with policy implications & poor dissemination of this information	Timetable slippage due to: <ul style="list-style-type: none"> • Need to review/revise evidence base and policies. • Late redrafting of Policies/Plan 	<ul style="list-style-type: none"> • Monitor emerging legislation and guidance closely to ensure the earliest possible response in RLDP preparation to new policies/tasks, etc • Review consultation procedures with WG and other bodies to ensure Strategic Planning Team are directly consulted
4	Significant late objections or information from key stakeholders	Timetable slippage due to: Policies/Plan need to be redrafted to incorporate the additional information	<ul style="list-style-type: none"> • Improve liaison procedures with key stakeholders and align project timetables wherever possible • Identify at an early stage any difficulty (with regards to time) in providing a response • Allow flexibility within the timetable for the late submission of information
5	Difficulty in acquiring necessary information/expertise to inform the RLDP	LDP fails the test of soundness due to insufficient evidence, or timetable slips due to time or resources being diverted to acquire information	<ul style="list-style-type: none"> • Safeguard the necessary resources in terms of time and finance to secure the required information and build in sufficient flexibility within the timetable to do this

6	External delays (Planning Inspectorate, consultee responses, printers, translators)	Timetable slippage	<ul style="list-style-type: none"> Clearly specify response deadlines and establish reminder protocols Link deadlines to Cabinet/Council report preparation cycles Keep WG informed Build flexibility in timetable around Local Government elections
7	Legal Challenge	Adopted RLDP quashed, and additional workload	<ul style="list-style-type: none"> Continually check with Legal Services that all relevant Regulations, Acts and Guidance are being complied with Continue Regional work to share best practice with other LPAs
8	Unrealistic reporting cycles and Political Issues more widely, including the Council Elections	Timetable slippage	<ul style="list-style-type: none"> Ensure that special meetings can be called to progress RLDP issues Establish Advisory Group of Members to deal with RLDP delivery Early member training after elections
9	Timetable proves too ambitious due to greater than anticipated workload relating to Council duties and CJC requirements, including production of SDP, plus potential delayed evidence/evidence emerging at times unsynchronised to the DA.	Timetable slippage Resource Implications	<ul style="list-style-type: none"> Consider additional resources Continue close liaison with Welsh Government and CJC Ensure sufficient resources are available and corporate support of SDP process and timetable from outset aligned to RLDP preparation. Plan Evidence Needs and Undertake/ Commission Evidence Gathering well in Advance Prepare the Plan to be adaptable and responsive/flexible to change where possible
10	Delays caused by Welsh translation	Timetable slippage	<ul style="list-style-type: none"> Consider additional resources Work closely with relevant departments
11	Lack of consensus throughout the organisation and/ or lack of support from officers/other departments in production of the evidence base	Timetable slippage	<ul style="list-style-type: none"> Ensure close liaison with, and early involvement of key Members and Officers

12	Early Review of RLDP or RLDP halted before adoption due to requirement to align with a Strategic Development Plan	Timetable slippage	<ul style="list-style-type: none"> • Ensure involvement in progress of regional work. Continued liaison with Welsh Government.
13	Impending 'drop dead date' of the current LDP	Policy implications	<ul style="list-style-type: none"> • Ensure Replacement LDP is adopted before or soon after 'drop dead date' • Develop mitigation strategies for a period without a plan • Negotiate with WG to explore amending legislation regarding drop dead date.
14	Delay in major application coming forward until RLDP is adopted	Policy implications (e.g. housing/employment delivery)	<ul style="list-style-type: none"> • Ensure RLDP is adopted as soon as possible to minimise implications associated with delay of major applications
15	ISA/HRA implications on plan strategy	Timetable slippage	<ul style="list-style-type: none"> • Ensure process is fully integrated with RLDP preparation

Appendix 3: List of Specific and General Consultation Bodies

Specific Consultation Bodies as defined in LDP Regulation 2 (including UK Government Departments):

The Council will consult the following specific consultation bodies as appropriate at all stages in the preparation of the RLDP

Specific Consultation Bodies

Cadw

Communication providers (BT Group Plc, Mobile UK)

Electricity and Gas Undertakers (National Grid, National Gas Transmission, Wales and West Utilities, British Gas,)

Natural Resources Wales

Network Rail Infrastructure Ltd

Secretary of State for Wales

Swansea Bay University Health Board

Sewerage and Water Undertakers (Dwr Cymru/Welsh Water)

Welsh Government

Adjoining LA's or within S W Region

Brecon Beacons National Park

Carmarthenshire County Council

Neath Port Talbot County Borough Council

Pembrokeshire

Pembrokeshire Coast National Park

Powys County Council

Community and Town Councils (Swansea)

Bishopston Community Council

Clydach Community Council

Gorseinon Town Council

Gowerton Community Council

Grovesend and Waunfron Community Council

Ilston Community Council

Killay Community Council

Llangennith, Llanmadoc & Cheriton Community Council

Llangyfelach Community Council
Llanrhidian Higher Community Council
Llanrhidian Lower Community Council
Llwchwr Town Council
Mawr Community Council
Mumbles Community Council
Penllergaer Community Council
Pennard Community Council
Penrice Community Council
Pontarddulais Town Council
Pontlliw & Tircoed Community Council
Port Eynon Community Council
Reynoldston Community Council
Rhossili Community Council
Three Crosses Community Council
Upper Killay Community Council

Adjoining Community and Town Councils (within other Counties)

Carmarthenshire:

Ammanford Town Council
Betws Community Council
Cwmaman Town Council
Llanedi Community Council
Llanelli Rural Council
Llangennech Community Council

Neath Port Talbot:

Cilybebyll Community Council
Coedffranc Community Council
Dyffryn Clydach Community Council
Pontardawe Town Council

UK Government Departments

Department for Transport
Department of Business, Energy and Industrial Strategy
Home Office

General Consultation Bodies

General Consultation Bodies as defined in LDP Regulation 2:

The Council will consult with the general consultation bodies and other consultation bodies below where considered appropriate in accordance with the Delivery Agreement. This is not exhaustive and may be added to as appropriate

Business

Business in the Community
Business in the Community Wales
Swansea BID
Swansea Bay Business Club
The British Retail Consortium

Children, Young People and Families

Barnado's Cymru
Children in Wales
Children's Commissioner for Wales
Eastside Family Support Project
End Child Poverty Network Cymru
Faith in Families
Friends of the Young Disabled
Info-Nation
NCT Swansea
Swansea YMCA
Talking Hands Youth Club
The Welsh Association of Youth Clubs
Ty Fforest Youth Club
Young Enterprise Wales

Community Societies and Activities

Clyne Valley Community Project
Cwmpas
Dunvant Male Choir
Gower Society

The Theatres Trust

Consultants and Developers

Asbri Planning

AP Planning and Architecture

Boyer Planning

Carney Sweeney

Crompton Land

CDN Planning

CT Planning

Geddes Consulting

Geraint John Planning

Hammerson Plc

Jason Evans Planning

LRM Planning

Phillipa Cole Planning Consultant

Powell Dobson Urbanists

Rees Richards

RPS Group

Tetlow King Planning

Development Trust and Partnership Details

Mumbles Development Trust

Pontarddulais Partnership

Education

Gower College

Swansea University

Swansea University Students Union

University of Wales Trinity St David

Energy

Ecotricity

EDF Energy

Energy Savings Trust Wales

RenewableUK Cymru

Wales & West Utilities

Electronic Communications

BT Group Plc

Mobile UK

Emergency Services

Coast Guard

Designing Out Crime Unit

Mid and West Wales Fire Service

South Wales Fire and Rescue Service

South Wales Police

South Wales Police and Crime Commissioner

South Wales Police Authority

Welsh Ambulance Service (Central & West Region)

Employment and Training

One Voice Wales

Remploy (Interwork)

Shaw Trust

Venture Wales Swansea

Environmental Organisations / Groups

British Geological Survey

British Trust for Ornithology

Bug Life Cymru

Carbon Trust

Campaign for the Protection of Rural Wales

Coed Cadw/The Woodland Trust

Environmental Services Association

Game & Wildlife Conservation Trust

Glamorgan Badger Group

Glamorgan Biodiversity Advisory Group

Glamorgan Bird Club

Gower Ornithological Society

Groundwork Cymru

National Trust Wales

Penllergaer Trust
Royal Society for the Prevention of Cruelty to Animals
Royal Society for the Protection of Birds – Swansea and District Local Group
SEWBRcC
Swansea Environmental Forum
Swansea Local Nature Partnership
Vale of Glamorgan and Bridgend Bat Group
Wales Environment Link
Welsh Historic Gardens Trust
Woodland Trust
World Wildlife Fund Cymru

Estates

Crown Estates Office
Network Rail Property
Penrice Estate
Somerset Trust

Gender and Sexual Orientation

Chwarae Teg
Lesbian, Gay, Bisexual & Transgender Cymru Helpline
Swansea University LGBT
Swansea University Women's Society
Wales Assembly of Women
Wales Trade Union Congress (TUC) LGBT Committee
Women 4 Resources
Womenszone

Governmental Bodies

Design Commission for Wales
Future Generations Commissioner for Wales
Planning and Environment Decisions Wales PEDW
Public Health Wales
Welsh Local Government Association

Health & Ability

British Red Cross

Care And Repair (Swansea)
Deaf Association Wales
Disability Initiative
Disability Wales
MENCAP
Public Health Wales
Royal National Institute for the Blind
Sense Cymru
SNAP - Special Needs Advisory Project
Spinal Injuries Association
St. Johns Ambulance
Swansea Access for Everyone
Swansea Community Health Council
Swansea Centre for Deaf People
Swansea Disability Forum
Swansea Mental Health Forum
Swansea Mind
Swansea Volunteer Service
Wales Council for Deaf People
Wales Council for the Blind

Housing & Developers

ADAPT
Barratt Homes
Bellway
Caredig
Castell Group
Coastal Housing
Community Housing Cymru
Edenstone
Enzo Homes
Federation of Master Builders Cymru
First Choice
Grŵp Gwalia Cyf

Hale Construction
Home Builders Federation
Hygrove Homes
Jehu
Llanmoor Homes
Morganstone
Myty Homes
Persimmon Homes West Wales
Pobl Group
Redrow
Short Brothers
St Modwen
Taylor Wimpey
Valleys to Coast Housing

Infrastructure Providers

National Gas Transmission
National Grid
Transport for Wales
The Coal Authority

Institutes and Societies

Association for Industrial Archaeology
Chartered Institute of Civil Engineers Wales
Chartered Institute of Ecology and Environmental Management
Chartered Institute of Housing Cymru
Institute of Directors Wales
Institute of Environmental Management and Assessment
Royal Institution of Chartered Surveyors
Royal Society of Architects in Wales
Royal Town Planning Institute Cymru

Members of Parliament

MP for Gower – Tonia Antoniazzi (Labour)
MP for Swansea East – Carolyn Harris (Labour)
MP Swansea West – Geraint Davies (Labour)

Minerals and Aggregates

British Aggregates Association

Hanson

Tarmac

Mineral Products Association

Members of Senedd (Consituency)

Gower – Rebecca Evans MS (Welsh Labour)

Swansea East – Mike Hedges MS (Welsh Labour and Co-operative Party)

Swansea West – Julie James MS (Welsh Labour)

Regional Members of Senedd Cymru/Welsh Parliament – South Wales West

South Wales West – Luke Fletcher MS (Plaid Cymru)

South Wales West – Tom Giffard MS (Welsh Conservative Party)

South Wales West – Altaf Hussain MS (Welsh Conservative Party)

South Wales West – Sioned Williams MS (Plaid Cymru)

Older Persons

Ageing Well Steering Group Swansea

Active Wales (previously National Old Age Pensioners Association of Wales)

Older Persons Alliance

Older Persons' Commissioner for Wales

Political Groups

Swansea Labour

Plaid Cymru Group

Swansea & Gower Liberal Democrats

Swansea & Gower Green Party

Gower and Swansea Conservatives

Racial and Ethnic

African Community Centre

BAWSO

BAWSO Swansea

Black Environment Network (BEN)

Black Environmental Network Wales

Equality and Human Rights Commission Wales

Ethnic Minority Foundation
Ethnic Youth Support Team (EYST)
Gypsies and Travellers Wales
Race Council Cymru
Race Equality First
Swansea African Caribbean Society
Swansea Bay Racial Equality Council
Swansea Chinese Community Co-op Centre
Swansea Bay Asylum Seekers Support Group
The Indian Society of South West Wales
Traveller Law Reform Project
The Traveller Movement
Welsh Refugee Council

Regional Working Groups

South Wales Regional Aggregates Working Party
South West Wales Economic Forum
South West Wales Integrated Transport Consortium

Religion and Belief

Kafel Centre
Muslim Council of Wales
Presbyterian Church of Wales
Sikh Society
Swansea Interfaith Forum
Swansea Quakers
The Associating Evangelical Churches of Wales
The Baptist Union of Wales
The Buddhist Society
The Elim Pentecostal Church
The Evangelical Movement of Wales
The Methodist Church in Wales
The Religious Society of Friends
The Roman Catholic Diocese of Menevia
The Wales Orthodox Mission

Union of Welsh Independents

Rural

Country Land and Business Association (Wales)

Farmers Union of Wales

Farming and Rural Conservation Agency

National Farmers Union for Wales

Sport and Recreation

Fields in Trust Cymru

Land Access and Recreation Association

Loughor Boating Club

Mawr Walking Club

Mumbles Yacht Club

Play Wales

Pontarddulais Walking Club

Ramblers Association Wales

Sport Wales

Sports Council for Wales

Sustainability

Sustainable Development Commission, Wales

Sustainable Wales

Transport

Civil Aviation Authority

Logistics UK (formerly Freight Transport Association)

South Wales Trunk Road Agency

Sustrans Cymru

The General Aviation Awareness Council

Traffic Wales

Wheelrights

Tourism

British Association of Leisure Parks, Piers & Attractions

British Holiday Homes Parks Association

Camping and Caravanning Club

The Caravan Club

Tourism Swansea Bay Ltd

Visit Wales

Voluntary

AIDS Trust Cymru

Barnados Cymru

British Red Cross Wales

Oxfam Cymru

Planning Aid Wales

Princess Royal Trust for Carers

Samaritans

Save the Children

Shelter Cymru

Swansea Council for Voluntary Service

Terrance Higgins Trust Swansea

The Civic Trust for Wales

The Coalfield Regeneration Trust

The Salvation Army

Wales Council for Voluntary Action

Welsh Centre for Action on Dependency and Addiction

West Glamorgan Council on Alcohol and Drug Abuse

Water Based Organisations

Associated British Ports Swansea

British Marine Federation

British Waterways

Canal and Rivers Trust

Centre for Ecology and Hydrology

Swansea Bay Port Health Authority

Swansea Canal Society

Swansea Community Boat Trust

The British Ports Association

Welsh Culture and Heritage

Cymdeithas yr Iaith

Menter Abertawe

Merched y Wawr

Glamorgan Gwent Archaeological Trust (GGAT)

Welsh Language Board

Welsh Language Commissioner

Appendix 4: Community Involvement Scheme

Stage 1 Delivery Agreement (LDP Reg 9) (Definitive)

Table 2 – Community Involvement Scheme						
WHAT Description and Key Steps	WHY Purpose of Engagement	WHEN Timescales	WHO People involved	HOW Engagement	FEEDBACK Reporting	SA/SEA/ISA Engagement
<p>The DA is the project management tool which sets out the agreed timetable and community involvement scheme for the RLDP</p> <p>DA is drafted with input from targeted stakeholders and issued for public consultation</p> <p>Following consideration of comments, the final DA will be submitted to Welsh Government following Council Approval</p> <p>Welsh Government approves DA and formal commencement of RLDP begins</p>	<p>Engagement from WG on timescale and PEDW on suitability of Examination Dates</p> <p>Public consultation to set out the timetable and allow input on the proposed Involvement Scheme</p>	<p>5-6 weeks public consultation March to April 2023</p> <p>Full Council approve Final DA July 2023 and submit to WG July 2023</p> <p>WG to respond within 4 weeks</p> <p>Anticipated commencement of RLDP July 2023 following WG approval</p>	<p>Drafting – Internal stakeholders, Welsh Government, Full Council</p> <p>Public Consultation- All Stakeholders</p> <p>Planning and Environment Decision Wales/WG</p> <p>Elected Members</p>	<p>Drafting – Emails/Meetings, Report to Full Council</p> <p>Public Consultation advertised via:</p> <p>Emails Website Drop-in sessions at Council Offices</p> <p>Consultation Documents available on: RLDP Website Hard copy of document available at Civic Centre.</p> <p>Final DA available on: Website Hard copy at Civic Centre.</p>	<p>Full Council Agenda and Minutes will record the political engagement processes both for the draft and final DA.</p> <p>The DA will include a report of consultation setting out comments received, a Council response to the comments and any amendments to the DA necessary</p>	<p>Ongoing internal work evaluating and updating the SA Framework and baseline evidence used to inform the existing LDP.</p>

Stage 2 Pre-Deposit Participation (LDP Regulation 14) (Definitive Stage)

WHAT Description and Key Steps	WHY Purpose of Engagement	WHEN Broad Timescales	WHO People involved	HOW Engagement	FEEDBACK Reporting	SA/SEA/ISA Engagement
<p>To understand the context and issues to be addressed in the RLDP, to collect evidence and invite submissions of sites for consideration and to develop a vision and objectives to guide the preparation of the RLDP.</p> <p>Review and update evidence base</p> <p>Call for Candidate Sites</p> <p>Engage with stakeholders to develop the key issues and form an overarching vision and objectives to guide the RLDP and the development of strategic options</p> <p>Prepare the SA Scoping Report and undertake targeted consultation with key stakeholders</p>	<p>To build up the evidence base of key issues that the RLDP will need to take account of.</p> <p>To receive from all stakeholders' potential sites for development or protection to be considered.</p> <p>To get consensus from key stakeholders on a vision and objectives for the RLDP which will inform the Preferred Strategy</p>	<p>Ongoing from June 2022</p> <p>The Call for Candidate Sites will be undertaken between August to October 2023</p> <p>Statutory 5-week consultation period on the ISA Scoping Report around August 2023</p> <p>Engagement with key specific and general consultation bodies as considered appropriate on the development of the Vision and Objectives and Strategic Options around September 2023- January 2024.</p> <p>Ongoing informal engagement with key internal department/external bodies to inform work throughout 2023</p> <p>Full Council to approve Preferred Strategy and</p>	<p>Targeted engagement with internal departments and external bodies and neighbouring authorities in the development of the evidence base.</p> <p>Consultation with Environmental Bodies on ISA Scoping Report</p> <p>The Call for Candidate Sites will be open to all stakeholders including internal departments, external bodies, developers, landowners, general public, community groups to submit sites for consideration</p> <p>Targeted engagement with internal departments and</p>	<p>Targeted engagement via: Emails Teams and face to face meetings</p> <p>SA scoping report engagement via Emails Teams Meetings as appropriate</p> <p>Call for Candidate Sites will be publicised widely on social media and the website in advance of the formal call for sites</p> <p>stage to allow parties to consider and prepare necessary evidence which will be key to ensure frontloading.</p> <p>Call for Sites Stage will be publicised using the following as appropriate: Emails Drop-in sessions with officers via Teams or face to face meetings Virtual meetings</p> <p>Public Consultation advertised via:</p>	<p>Background papers and evidence will be uploaded to RLDP webpages as they become available.</p> <p>Following the Call for Candidate Sites the Council will produce a Register of Candidate Sites which will be available on the RLDP website and in hardcopy at the Civic Centre by the time of the Preferred Strategy consultation</p> <p>Full Council Agenda and Minutes will record the political engagement processes both for the draft and final DA.</p>	<p>Ongoing internal work evaluating and updating the SA Framework and baseline evidence used to inform the existing LDP.</p> <p>Statutory Consultation on the Scoping Report</p> <p>Informal engagement with NRW re the HRA Screening Report</p>

<p>Prepare a draft RLDP Preferred Strategy setting out the overarching strategy and strategic policies and key strategic sites</p> <p>Prepare the Initial ISA Report and Habitats Regulations Screening Assessment</p> <p>Obtain Full Council approval for the Preferred Strategy and ISA/HRA documents to go out for a statutory public consultation</p>		<p>supporting documents in June 2024</p>	<p>specific and general consultation bodies as considered appropriate</p> <p>Internal officers and RLDP Working Group if considered necessary</p> <p>Elected Member engagement through process</p>	<p>LDP Stakeholder Database Emails Website Press and Social Media Drop-in sessions at Council Offices</p> <p>The Council will publish a detailed Candidate Sites Submission Guidance and Methodology to explain the anticipated site analysis and selection process</p> <p>Engagement with specific and general consultation bodies via: Emails Face to face meetings/virtual meetings as appropriate</p>		
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Stage 3 Pre-Deposit Consultation (LDP Regulation 15) (Definitive Stage)

WHAT Description and Key Steps	WHY Purpose of Engagement	WHEN Broad Timescales	WHO People involved	HOW Engagement	FEEDBACK Reporting	SA/SEA/ISA Engagement
<p>Public Consultation on the: RLDP Preferred Strategy Initial Sustainability Appraisal Report HRA Screening Assessment</p>	<p>To achieve wide input into the RLDP Preferred Strategy, to allow stakeholders and the general</p>	<p>Public Consultation to be undertaken for a statutory consultation period during July to August 2024 (8-week due to summer)</p>	<p>Consultation with all stakeholders with an interest in the RLDP</p>	<p>Public consultation to be widely advertised: Emails to all consultees on the RLDP database Council Social media Channels and website Council Contact Centres</p>	<p>Representations received and officer responses to them will be reported to Elected Members. All representations and responses, together with</p>	<p>The Council will follow best practice and consult on the Initial ISA Report and HRA Screening Assessment alongside the Preferred Strategy although this will be specifically</p>

<p>Background Evidence and any relevant topic papers</p>	<p>public to submit their views on the emerging strategy, key policies and strategic sites and associated documents</p>			<p>Officers will hold as considered appropriate: Drop in sessions Exhibitions Engagement with Community Councils and identified key groups</p> <p>Consultation Documents and representation forms available on: RLDP Website Hard copies of Preferred Strategy available at Civic Centre. Copy of the Preferred Strategy and representation forms where possible at all Swansea libraries</p> <p>The Council has implemented an interactive web-based system to record representations electronically</p> <p>The Council will provide notice and statement of pre deposit matters at this stage in compliance with the Regulations</p>	<p>any changes to the Pre-Deposit Plan will be made publicly available as part of the Initial Consultation Report accompanying the Deposit Plan</p> <p>Background papers and evidence will be uploaded to RLDP webpages as they become available.</p>	<p>targeted at the Environmental Consultation Bodies.</p>
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Stage 4 Deposit of Proposals Consultation (LDP Regulation 17) (Definitive Stage)

WHAT Description and Key Steps	WHY Purpose of Engagement	WHEN Broad Timescales	WHO People involved	HOW Engagement	FEEDBACK Reporting	SA/SEA/ISA Engagement
<p>Obtain Council Approval on Deposit Plan and Public Consultation on the: RLDP Deposit Plan The SA (ISA) Report HRA Candidate Sites Assessment</p> <p>Publication of supporting background documents (evidence)</p> <p>Publication of Initial Consultation Report</p>	<p>To achieve wide input into the Deposit Plan to allow stakeholders and the general public to submit their views on the Deposit Plan, the key policies to guide the development and use of land and the proposed development allocations for varying uses and areas of protection.</p>	<p>Full Council to approve Deposit Plan and supporting documents in May 2025.</p> <p>Public Consultation to be undertaken for a statutory six-week period during June to July 2025 on the Deposit Plan and the SA Report during June to July 2025</p>	<p>Consultation with all stakeholders with an interest in the RLDP:</p>	<p>Public consultation to be widely advertised: Emails to all consultees on the RLDP database Council Social media Channels and website Council Contact Centres</p> <p>Officers will hold as considered appropriate: Drop in sessions Exhibitions Engagement with Community Councils and identified key groups</p> <p>Consultation Documents and representation forms available on: RLDP Website Hard copies of Deposit Plan available at Civic Centre. Copy of the Deposit Plan and representation forms where possible at all Swansea libraries</p> <p>The Council has implemented an interactive web-based system to record</p>	<p>The Council will record all duly made representations and make a copy of them available as soon as practically possible for inspection at the Civic Centre, Swansea</p> <p>The RLDP Website will give details of the representations received as soon as practically possible.</p> <p>Candidate Sites Register will be updated with New/Alternative Sites submitted during the</p> <p>Representations and responses to them will be reported to Elected Members</p> <p>All representations and responses, together with any changes to the Pre-Deposit Plan will be made publicly available as part of the Initial Consultation Report accompanying the</p>	<p>The Council will follow best practice and consult on the ISA Report and HRA Report alongside the Preferred Strategy although this will be specifically targeted at the statutory Consultation Bodies.</p>

				representations electronically The Council will provide notice and statement of pre deposit matters at this stage in compliance with the Regulations	Deposit Plan Background papers and evidence will be uploaded to RLDP webpages as they become available.	
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Stage 5 Submission of RLDP and associated documents to the Welsh Government and Planning and Environment Decisions Wales for Independent Examination (Regulation 22) (Indicative Stage)

WHAT Description and Key Steps	WHY Purpose of Engagement	WHEN Broad Timescales	WHO People involved	HOW Engagement	FEEDBACK Reporting	SA/SEA/ISA Engagement
<p>The Council submit the RLDP and all supporting evidence and background documents to the WG and PEDW for Independent Examination.</p> <p>The documents that will be submitted include: Deposit Plan SA (ISA), HRA DA (inc CIS) Consultation Report Review Report Candidate Sites Register</p>	N/A – RLDP required to be submitted in line with LDP Regulation 22	Submission of RLDP expected around March 2026	All stakeholders (including representors) will be notified.	<p>Stakeholders will be informed by Email Website Letters as appropriate</p> <p>Copies of documents will be sent to the WG and PEDW in line with Regulations</p> <p>The Council will publish a statement on its website that the RLDP has been submitted for Examination and will make available for inspection during normal</p>	<p>The Council will publish any correspondence received from the WG and the Inspector on its website.</p> <p>A Programme Officer will have been appointed who will set up an Examination website and will serve as interface between the LPA and the Planning Inspector.</p>	The SA (ISA) report will be submitted showing how the assessment processes have informed the Plan's content

<p>Candidate Sites Assessment Copy of duly made representations received at Deposit Supporting documents and evidence.</p> <p>The LDP team will notify all stakeholders that the RLDP has been submitted for Examination</p>				<p>office hours at the Civic Centre, Swansea.</p> <p>The RLDP and the submission documents will be published online.</p> <p>Hard copy of documents will be available to view at Civic Centre Swansea</p>		
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Stage 6 Examination Submission of RLDP and associated documents to the Welsh Government and Planning and Environment Decisions Wales for Independent Examination (Regulation 22) (Indicative Stage)

WHAT Description and Key Steps	WHY Purpose of Engagement	WHEN Broad Timescales	WHO People involved	HOW Engagement	FEEDBACK Reporting	SA/SEA/ISA Engagement
<p>Notification of Independent Examination.</p> <p>To advise of the appointed Inspector to carry out the Examination and timetabling for a Pre-Hearing Meeting</p> <p>Publish details of the Hearing Sessions and notify all</p>	<p>To undertake Independent Examination of the RLDP in line with LDP Regulations and allow stakeholder input into the hearing sessions as required by the Inspector</p>	<p>Notification to be received at least six weeks before the start of the first hearing session.</p> <p>Estimated Pre-Hearing meeting April / May 2026</p> <p>Estimated Hearings commence around June 2026 and will run to July 2026.</p>	<p>All interested parties (including representors). Participation in the hearing sessions will be at the request of the appointed Inspector.</p> <p>Matters Arising Changes – All stakeholders will be able to contribute to</p>	<p>Formal notification given by email letter to any person that has made (and not withdrawn) a representation</p> <p>Notice placed in local press (if considered appropriate) and on website</p> <p>The public examination will be managed by the Inspector and appointed Programme Officer.</p>	<p>The Programme Officer will manage the Examination website which will keep parties updated and will upload agendas and statements for hearing sessions. All correspondence between the Inspector and the Council will be uploaded to website.</p>	<p>SA (ISA) related duly made representations can appear at Examination.</p> <p>Any changes made post deposit (MAC's) during Examination or those required by the Inspector will be subject to assessment and made available for consultation</p>

<p>interested parties specifying dates and location</p> <p>Identify areas of Common Ground with objectors to focus on hearing sessions</p> <p>Prepare Matters Arising Changes (MAC's) as appropriate</p> <p>Consult on MAC's</p>			<p>consultation on any MAC's.</p>	<p>Whilst the Inspector will request participation from specific stakeholders the Examination will be open to any member of the public to attend and view proceedings.</p> <p>Examination Library will be available to view on the Council's website but will also be available to view at the Examination venue.</p> <p>Nature and form of the hearing sessions will be prescribed by the Inspector and will be published on the website. This will likely be in the form of round table discussions, formal hearings (if requested and agreed by the Inspector) and written submissions</p> <p>Matters Arising Changes will be widely advertised: Emails to all stakeholders on RLDP database Advertised on website Press and Social Media</p>	<p>The Council will consult stakeholders and the public on any proposed post deposit changes (MAC's)</p>	
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				<p>Consultation Documents and representation forms available on: RLDP Website In hard copy at Civic Centre and where possible 17 Swansea libraries</p>		
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Stage 7 Publication of the Inspectors Report, (Regulation 24) (Indicative Stage)

WHAT Description and Key Steps	WHY Purpose of Engagement	WHEN Broad Timescales	WHO People involved	HOW Engagement	FEEDBACK Reporting	SA/SEA/ISA Engagement
<p>The Inspector submits his report to the Council detailing the outcome of the Independent Examination</p> <p>Following a factual check by the Council the Inspectors Report is published</p>	N/A	<p>Inspector's Report expected by October 2026.</p> <p>This will be published by the Council on or before LDP adoption around November 2026.</p>	All stakeholders (including representors) to be notified.	Inspector's Report will be published on the website and will be made available to view in hard copy at the Civic Centre, Swansea and where possible all Swansea libraries	The Inspector's Report will set out their findings as to the soundness of the RLDP including any recommended changes and the reasons for them.	The Inspector's Report will set out their findings on the SA (ISA).

<p>within 8 weeks of receipt</p> <p>Where the Inspector has recommended changes to the RLDP these are binding on the Council and the RLDP must be updated to reflect these changes</p> <p>All parties will be informed of the receipt and subsequent publication of the Inspectors Report.</p>						
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Stage 8 Adoption (Regulation 25) (An Indicative Stage)

WHAT Description and Key Steps	WHY Purpose of Engagement	WHEN Broad Timescales	WHO People involved	HOW Engagement	FEEDBACK Reporting	SA/SEA/ISA Engagement
<p>The RLDP must be presented to Council for approval within 8 weeks of receiving the Inspectors Report. It must also widely publicise its adoption.</p> <p>Following adoption, the Council will make available</p>	<p>N/A</p>	<p>The RLDP will be adopted 8 weeks after receipt of Inspectors Report. This would be expected to be around December 2026.</p> <p>The Post Adoption Statement (under the SEA Directive) is required to be produced within 6</p>	<p>Full Council will make the decision to formally adopt the RLDP.</p> <p>All stakeholders (including representatives) to be notified.</p>	<p>Adoption of the RLDP will be widely advertised via Email, Website Press, and Social Media.</p> <p>The adopted RLDP, adoption statement, SA Report will be made available for inspection at Civic Centre Swansea and where possible all Swansea Libraries.</p>	<p>Council meeting agendas and minutes will record the political process.</p> <p>The adopted RLDP and associated documents will be published on the website.</p>	<p>Following adoption, the Council will publish the statutory Annual Monitoring Reports by 31st October (unless less than 12 months would have passed since adoption) which will report whether SA objectives are being achieved.</p>

copies of the RLDP, Sustainability Appraisal Report and the Adoption Statement		weeks of adoption in line with good practice		<p>The adoption statement will be sent to anyone who requested to be notified of the adoption of the LDP.</p> <p>4 copies of the RLDP and adoption statement will be sent to the Welsh Government</p>		
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Appendix 5: Review of Previous CIS

In line with guidance in the Development Plans Manual, in Stage 1 of the DA it is important to evaluate the previous CIS to identify what lessons can be learned and how the new CIS can build on or improve on the previous strategy.

The Council attempted to engage people as early as possible during the previous plan preparation process. Using a variety of different approaches, a large volume of information was collected from a multitude of different stakeholders. However, certain methods of engagement were more successful than others and some had unanticipated outcomes. Furthermore, the Council recognises there is room for improvement in some areas, especially when it comes to engaging with seldomly heard groups.

As part of the preparation of the existing LDP, information was often circulated in print form. Printed documents were deposited in Council buildings for people to read and/or take. Information was also distributed using local newspapers, newsletters, and leaflets with the intention of reaching as many people as possible. However, it is unclear how many people received this information, and if they did, whether they read the documents. The Council received complaints especially from businesses as mailing lists often neglected commercial properties, so they were unaware of what was happening locally in terms of potential development and opportunities to engage. Printing and distributing information uses a great deal of resources which does not comply with the Council's corporate ambition to reduce paper use and become more sustainable. Furthermore, some of the publications used to disseminate information no longer exist or have moved online.

The Council intends to move towards a more digital focussed strategy especially when it comes to circulating information. Moving away from predominately printed documents, towards more diverse forms of media. One example could be producing short videos which can be displayed on screens in public areas and published on the Council's social media channels and website. A greater emphasis will be on visual media for example posters, that can be displayed in public areas and in Council buildings. The intention here is to raise awareness of the RLDP and ways people can get involved by making information more accessible and engaging. More engagement will be done online, in the hope of increasing the number of people who can get involved and have a say. This will involve working with the web team to make the RLDP pages as streamlined and easy to navigate as possible, as feedback from the previous plan preparation process mentioned using the website involved too many clicks.

Despite this digital shift, the Council is aware that this will not suite some sections of the population. For example, many people do not have access to computers and/or are not comfortable using technology. The intention is not to only engage digitally, but to consider different methods of engagement and to be more targeted in how it engages with certain groups. Physical versions of documents can still be deposited in Council buildings however, staff can be briefed to assist engagement with people about the RLDP. In places such as libraries we can display guidance notes and staff

can assist people to use the online resources on public computers or on their smartphones if they have one.

A good example of how carefully targeted information might be more effective than widely distributing paper documents is during the Call for Sites exercise. Previously site notices were posted at every site that had been submitted. This caused unnecessary confusion as people took these notices to be planning applications or approved developments. As a result, many of the responses were not relevant to the plan and yet planning officers still had to analyse them and respond, which was resource intensive. Furthermore, it generated unnecessary antagonism and distress amongst local populations close to sites that were not going to be considered. For the RLDP Call for Sites exercise as soon as reasonably practicable a register of candidate site will be submitted for information only. Site notices will only be displayed for those sites proposed as strategic sites and allocations in the Preferred Strategy and Deposit Plan as appropriate as part of statutory consultation on those documents.

Thinking about how to engage with different stakeholders is vital to a successful CIS. Some groups and individuals responded that they did not feel adequately part of the previous plan preparation process despite concerted efforts to involve them using established networks and partnerships. One example was some Councillors felt engagement could have been improved. The CIS, will ensure early and effective engagement with elected members from an early stage. Elected members will be crucial in sharing information about the Plan amongst their constituents.

People with protected characteristics and seldomly heard groups are important stakeholders that can be engaged more effectively. This involves collaborating with our partners to learn about how best to engage such groups and how to involve them in the plan preparation process at appropriate times. Consultation will ensure that bilingual versions of documents are available to improve engagement in Welsh and consultation will seek to facilitate welsh translation if requested. There is also an opportunity to engage with people in other languages by potentially translating some information in the form of summary leaflets at key consultation stages in other widely spoken languages in Swansea.

The team will work with the Council's consultation coordinator in developing effective engagement methods for the relevant consultation stages.

Appendix 6: Glossary of Terms

Adopted Plan	The final version of the RLDP.
Adoption	The final stage of Local Development Plan preparation where the RLDP becomes the statutory development plan for the area it covers.
Annual Monitoring Report (AMR)	A yearly report to monitor the effectiveness of the RLDP and ultimately determines whether any revisions to the Plan are necessary. It assesses the extent to which the RLDP strategy and objectives are being achieved and whether the RLDP policies are functioning effectively.
Baseline	A description of the present state of an area.
Candidate Site	A site nominated by an individual with an interest in land (i.e. landowner, developer, agent or member of the public) to be considered for inclusion in the LDP. All Candidate Sites will be assessed for suitability for inclusion as potential allocations.
Community	People living in a defined geographical area, or who share other interests and therefore form communities of interest.
Community Involvement Scheme (CIS)	The Community Involvement Scheme forms part of the Delivery Agreement. It outlines the principles of engagement and provides detail on how the Local Planning Authority will involve communities and stakeholders (including businesses and developers) in the preparation of the Replacement Local Development Plan.
Consensus Building	A process of dialogue with the community and other interested parties to understand relevant viewpoints and to seek agreement where possible.
Consultation	A formal process in which comments are invited on a particular topic or draft document usually within a defined time period.
Council	Swansea Council.
Delivery Agreement (DA)	A document comprising the local planning authority's timetable for the preparation of a Local Development Plan, together with its Community Involvement Scheme, submitted to the Welsh Government for agreement.
Deposit	A formal six-week stage in which individuals and organisations can make representations on the RLDP. Representations that relate to whether the plan is 'sound' can then be examined by an Inspector.
Deposit Plan	This is a full draft of the RLDP which undergoes a formal consultation period prior to it being submitted to the Welsh Government for examination in public.
Duly Made	Representations to the development plan which are made in the correct manner and within the specified consultation time period.
Engagement	A proactive process that seeks to encourage the involvement and participation of stakeholders and the community in the decision-making process.
Evidence Base	Information and data that provides the basis for the preparation of the RLDP vision, objectives, policies and proposals and justifies the soundness of the policy approach of the RLDP.

Examination	The examination involves public examination of the Deposit RLDP, the Deposit representations, the report of consultation, evidence base/background documents and the Integrated Sustainability Appraisal Report. This is carried out by the Planning Inspectorate on behalf of the Welsh Government.
Frontloading	Stakeholder and community involvement and consensus building at early stages of plan preparation
Habitat Regulations Assessment (HRA)	Habitats Regulations Assessment (HRA) relates to the assessment of the impacts of a plan (or project) against the nature conservation objectives of European designated sites for any likely significant effects. HRA also ascertains whether the proposed plan would adversely affect the integrity of the site.
Indicator	A measure of variables over time, often used to measure progress in the achievement of objectives, targets and policies.
Inspector's Report	The Report prepared by an independent Inspector who examines the RLDP. The Inspector's Report contains recommendations on the content of the final RLDP and is binding upon the Council. The Council must adopt the RLDP in the manner directed by the Inspector.
Interested Parties	Any person, group, organisation or company wanting to be involved in the preparation of the RLDP.
Involvement	Generic term relating to community involvement that includes both participation and consultation techniques.
Local Development Plan (LDP)	A land use plan which includes a vision, strategy, area wide policies for development types, land allocations, and policies and proposals for key areas of change and protection. Allocations and certain policies are shown geographically on the Proposals Map forming part of the Plan. The LDP is a statutory development plan that each local planning authority area is required to produce in Wales.
Local Planning Authority (LPA)	In the case of Swansea, this is Swansea Council Local Planning Authority.
Objective	A statement of what is intended, specifying the desired direction of change in trends.
Participation	A process rather than a single event that provides opportunity for direct engagement with community and stakeholders to input into decision making.
Partners	Other local authority departments and statutory bodies where the RLDP will help to deliver some of the objectives of their strategies. Partners may be expected to contribute in the formulation of relevant parts of the Plan.
Planning and Environment Decisions Wales (PEDW)	An independent body who will be responsible for the formal examination of the RLDP.
Planning Policy Wales (PPW)	National Planning policy for Wales produced by the Welsh Government is set out in this document

Pre-Deposit	Stages of preparation and consultation of the RLDP before the Deposit Plan is finalised and approved by the Council.
Preferred Strategy	This sets out the broad strategic direction for the RLDP. This includes the preferred level of growth along with the spatial strategy for distributing the growth. It also includes the vision, issues and objectives of the Plan.
Press Releases	To include Council press releases, welsh media including newspapers, radio and television as appropriate. Media may choose not to print or broadcast an item.
Regulation	Regulations are set out in Welsh Statutory Instruments. They provide the framework for the preparation of the RLDP.
Report of Consultation	A Consultation Report is one of the documents required to be submitted for independent examination. An initial consultation report is also required for the pre-deposit stage.

Representations	Comments received in relation to the RLDP, either in support of, or in opposition to.
Review Report	The Review Report provides an overview of the issues that have been considered as part of the full review process and identifies changes that are likely to be needed to the RLDP, based on evidence. It also sets out the type of revision procedure to be followed in revising the LDP.
Scoping	The process of deciding the scope and level of detail of an integrated sustainability appraisal (SA), including the sustainability effects and options which need to be considered, the assessment methods to be used and the structure and contents of the liA Report.
Soundness Tests	In order to adopt a RLDP it must be determined to be 'sound' by the Planning Inspector. The Tests of Soundness are set out in the Development Plans Manual (Edition 3, March 2020). There are three tests to make that judgement in relation to the plan as a whole. A framework for assessing the soundness of LDPs has been developed by the Planning Inspectorate.
Stakeholders	People whose interests are directly affected by a RLDP (and/ or Integrated Sustainability Appraisal/ Strategic Environmental Assessment) and whose involvement is generally through representative bodies.
Strategic Development Plan (SDP)	A Strategic Development Plan is a tool for regional planning to cover cross-boundary issues such as housing and transport. It will be prepared by a Strategic Planning Panel across a region. LPAs must have regard to the SDP when developing their LDPs.
Strategic Environmental Assessment (SEA)	Generic term used internationally to describe environmental assessment as applied to policies, plans and programmes. The European Strategic Environmental Assessment Directive (2001/42/EC) requires a formal "environmental assessment of certain plans and programmes, including those in the field of planning and land use".
Submission	When the RLDP, ISAR and HRA are formally submitted to the Welsh Government for independent examination by a Welsh Government appointed Inspector.

Supplementary Planning Guidance (SPG)	Provide more detailed or site-specific guidance on the application of RLDP Policies. They provide supplementary information in respect of the policies in a LDP. SPG does not form part of the RLDP and is not subject to independent examination.
Integrated Sustainability Appraisal (ISA)	Tool for appraising policies, including LDPs, to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors). Each LPA is required by Section 62(6) of the Act to undertake SA of their Local Development Plan. This form of sustainability appraisal fully incorporates the requirements of the Strategic Environmental Assessment Directive.
Sustainability Appraisal Report (SAR)	A document required to be produced as part of the Sustainability Appraisal process to describe and appraise the likely significant effects on sustainability of implementing a LDP, which meets the requirements for the Environmental Report under the SEA Directive. Section 62(6) of the Act requires each LPA to prepare a report of the findings of the SA of the LDP. It is an integral part of the development plan making process.
Swansea Council	This is the name of the Local Planning Authority preparing the RLDP.
Timetable	Sets out the dates by which key stages and processes of RLDP preparation are expected to be completed. These are definitive for stages up to the deposit of the RLDP and indicative for the remaining stages after.
Well-being of Future Generations (Wales) Act (2015)	The Well-being of Future Generations (Wales) Act 2015 is legislation that requires public bodies, such as local authorities, to put long term sustainability at the forefront of their thinking to make a difference to lives of people in Wales. Local authorities must work towards the seven well-being goals and enact the five ways of working set out in the Act.
Workshop	Where stakeholders have the opportunity to engage in group debates and practical exercises with written or drawn 'output'.

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Planning Services

Directorate: Place

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other

(b) Please name and fully describe initiative here:

Publication of the Delivery Agreement (incorporating Community Involvement Scheme) for the County’s Replacement Local Development Plan (RLDP).

The Delivery Agreement (DA) sets out how the process for the preparation of the RLDP will be undertaken which in line with national guidance should be a succinct public statement containing two main parts:

- A **Timetable** of the key stages of Plan preparation; and
- A **Community Involvement Scheme (CIS)** which details how and when the community will be able to get involved in the plan preparation process

The DA is an important part of the Replacement LDP preparation process and has been prepared in accordance with Welsh Government regulations and guidance including The Town and Country Planning (Local Development Plan) (Wales) Regulations 2015 and the Local Development Plans Manual 2015 (The Manual).

The DA sets out the timetable for the production of the RLDP which must be approved by Welsh Government. The DA contains a Community Involvement Scheme (CIS) which indicates how and when the Council will provide opportunities for consultees and the local community to be involved in the RLDP process, as set out in relevant legislation, regulations and Welsh Government guidance.

The DA (including CIS) does not contain any policies or proposals, but is the essential project management tool to guide the production of the RLDP, setting out the methodology, timetable and processes. The LPA is committed to the stated timescales and public and stakeholder consultation processes. Adherence to the approved DA is considered as part of the tests of soundness that the appointed Inspector will assess at the Examination stage.

Integrated Impact Assessment Screening Form

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further Investigation	No Impact
	+	-	+	-	+	-		
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Human Rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement

The DA includes the RLDPs Community Involvement Scheme (CIS). National guidance indicates the LDP system aims to achieve a number of key points. Of key relevance: *‘Plans should be based on and underpinned by early, effective and meaningful community involvement in order to understand and consider a wide range of views, with the aim of building a broad consensus on the spatial strategy, policies and proposals’ and ‘It is essential when preparing the plan an LPA involves the right people at the right time seeking greater consensus and strengthen community involvement at the plan making process’ (Development Plans Manual, Edition 3)*

The CIS will seek to deliver on the above objectives and will set out who will be formally involved in the forthcoming RLDP process and how and when the participation and consultation on each stage of the RLDP will occur. In line with the manual regard has been had to WBFGA2015 and the five ways of working when preparing the CIS and involvement of stakeholders. Similarly, the previous CIS (for the LDP) has been reviewed in terms of lessons learned to inform the current scheme. The CIS has been prepared with regard to the Council’s Consultation and Engagement Strategy.

Council approved the draft DA (including CIS) for public consultation on the 2nd March 2023. The consultation period ran from the 9th March until the 20th April 2023. Key specific and general consultation bodies, including the WG and PEDW, were consulted as well as the general public and stakeholders.

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The consultation exercise included:

- 569 emails providing details of the consultation were sent to the following:
 - 406 to organisations/individuals
 - 88 Council officers
 - 75 Councillors
- All documents published in both English language and Welsh language versions;
- Articles/notices on the Council's social media platforms – Facebook and Twitter
- Press release on the Council's website;
- Consultation on the 'Have your Say' sections on Council website with links to the Strategic Planning consultation software system.
- Two 'drop-in' sessions in the Civic Centre so that members of the public and other stakeholders could have face to face contact and discussions with Placemaking Officers, on the:
 - 27th March 10-6:30; and
 - 6th April 10-6:30

A total of 24 responses were received to the draft DA.

Breakdown of responses via medium – 17 email, via 6 portal, 1 hard copy response form, letter.

The responses received, the Council's comments and actions can be viewed in the response schedule in the appendices of this report.

Subsequent changes have been made to the CIS to include additional consultees, as suggested by respondents, and the DA Timetable.

The final DA is presented to Full Council for approval and will be subsequently submitted to the Welsh Government. The formal start of the RLDP can commence following Welsh Government approval of the DA.

The approved DA (including CIS) will be made available for inspection at the principal offices of the Local Planning Authority (currently the Civic Centre) and will be published on the website

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?
Yes No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
Yes No
- c) Does the initiative apply each of the five ways of working?
Yes No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
Yes No

Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)

High risk

Medium risk

Low risk

Integrated Impact Assessment Screening Form

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

Other relevant Council departments were consulted in the drafting of the document and as part of the public and stakeholder engagement exercise.

Q7 Will this initiative result in any changes needed to the external or internal website?

Yes

No

If yes, please provide details below

The DA (including CIS) will be published on the Replacement LDP pages of the Council's external website.

Q8 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

The DA and CIS sets out the timetable and methods by which stakeholders, members of the public and groups will be formally involved in, and consulted upon during, the production of the RLDP and how and when the participation and consultation will occur.

The impacts on the groups identified within Q2 will be positive, as the CIS seeks to actively engage them in the RLDP process. No cumulative impacts are identified.

Outcome of Screening

Q9 Please describe the outcome of your screening using the headings below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

The DA sets out the timetable for the RLDP and the CIS sets out the consultation and engagement strategy for each stage of the RLDP process; who will be formally involved in the forthcoming RLDP process and how and when the participation and consultation will occur. The CIS recognises that at certain stages it will be more effective to engage a targeted range of stakeholders or representative bodies, in order to keep participation effective and meaningful; and manageable stakeholder events will be targeted to the most relevant bodies/representors. All statutory consultation stages will be subject to full public consultation. As a result, the impacts on the selected groups highlighted in Q.2 above are considered to be 'medium', as they are specifically listed within the CIS as 'Seldomly Heard Stakeholders'. The impacts will therefore be positive, as the CIS seeks to actively engage these groups in the RLDP process. To achieve effective engagement with these groups the CIS seeks to use existing partnerships and groups wherever possible. Trusted intermediaries will also be used, as appropriate, in order to gain the views of particular groups or individuals who lack the confidence to engage directly in the process. Nevertheless, it is recognised that there may be some difficulty engaging some groups. This is why the Council aims to engage through a variety of different methods in the hope that at least some will appeal to people's specific needs. The RLDP team will liaise with the Consultation Coordinator in the planning of future consultations.

Integrated Impact Assessment Screening Form

The DA has been subject to a period of public and stakeholder consultation including key specific and general consultation bodies. This included statutory consultation with Welsh Government and Planning and Environment Decisions Wales. As a result of the consultation exercise additional stakeholders have been identified and added to the CIS, widening the engagement for future stages of the RLDP.

In line with the Welsh Governments Development Plan Manual, regard has been had to WBFGA 2015 and the five ways of working when preparing the CIS and involvement of stakeholders. The CIS has also been prepared with regard to the Council's Consultation and Engagement Strategy, Strategic Equality Plan and Equality Objectives.

The DA has regard to the Council's Equality and Well-being Objectives and the CIS demonstrates that the production of the LDP will involve numerous consultation and engagement opportunities, including targeted engagement in order to engage specific communities and groups in Swansea in the preparation of the future land use planning framework of the County.

No risks to the publication of the draft DA have been identified. The previous CIS (for the LDP) has been reviewed in terms of lessons learned to inform the current scheme to ensure risks are minimised. The definitive stage of the timetable is considered to be both realistic and achievable based upon the expected resource input into the RLDP process. Whilst the Council will seek to avoid departure from the timetable, a number of risk areas that could lead to departure from the proposed timetable are identified and set out within the DA, alongside proposed mitigation and minimisation measures. The Council will monitor the timetable and will report any significant deviation (of more than 3 months) to the Welsh Government and stakeholders.

No cumulative impacts have been identified.

(NB: This summary paragraph should be used in the **'Integrated Assessment Implications'** section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Ruth Henderson
Job title: Senior Planning Officer
Date: 11/05/23
Approval by Head of Service:
Name: Phil Holmes
Position: Head of Planning and City Regeneration
Date: 12/05/23

Please return the completed form to accesstoservices@swansea.gov.uk

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Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Planning and City Regeneration

Directorate: Place

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other

(b) Please name and fully describe initiative here:

Local Development Plan Review Report 2023

Local Planning Authorities (LPA) have a statutory duty to keep their development plans up to date and to undertake a formal review of the LDP at the required time. The Council's Third Annual Monitoring Report (AMR 3), covering the period 2021-22, highlighted that national legislation requires the Council to undertake a comprehensive review of the Swansea LDP **no longer than 4 years from the date of its adoption**. This is in order to ensure the LDP, and its supporting evidence, is up to date and continues to provide a sound basis for planning decisions. Given the Swansea LDP was adopted in February 2019, the statutory requirement to commence a review of the Swansea LDP was required **by February 2023 at the latest**.

The primary functions of the Review Report are to determine the appropriate procedural route for replacement LDP (RLDP) preparation, and to identify key issues to be considered when taking the LDP process forward. The Review Report in itself does not make any changes to the LDP, policy or land allocations.

Integrated Impact Assessment Screening Form

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further Investigation	No Impact
	+	-	+	-	+	-		
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Human Rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval of the Review Report will set out that the Council intends to review the existing LDP. It is not considered the RR alone will have impacts on the groups identified above. However, the actual preparation of the RLDP will have impacts on the above groups and accordingly an IIA will be undertaken on the RLDP as whole.

Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement

Council approved the draft LDP Review Report for public consultation on the 2nd March 2023. The consultation period ran from the 9th March until the 20th April 2023. Key specific and general consultation bodies, including the WG and PEDW, were consulted as well as the general public and stakeholders.

The consultation exercises included:

- 569 notification emails posted to a targeted range of stakeholders, including specific and general consultation bodies as suggested in the Welsh Government’s Development Plan Manual:
 - 406 to organisations/individuals;
 - 88 to Council officers; and
 - 75 Councillors
- All documents published in both English language and Welsh language versions;
- Articles/notices on the Council’s social media platforms – Facebook and Twitter
- Press release on the Council’s website;
- Consultation on the ‘Have your Say’ sections on Council website with links to the Strategic Planning consultation software system.
- Two ‘drop-in’ sessions in the Civic Centre so that members of the public and other stakeholders could have face to face contact and discussions with Placemaking Officers, on the: 475
 - 27th March 10am-6:30pm; and

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- 6th April 10am-6:30pm.

A total of 60 responses were received to the draft Review Report. A breakdown of responses:
49 email
10 portal
1 letter

The responses received, the Council's comments and actions can be viewed in the response schedule in the appendices of the Review Report.

The final Review Report is presented to Full Council for approval and will be then submitted to the Welsh Government in line with Regulations and published on the Council website.

All subsequent stages of the preparation of the RLDP will be subject to public and stakeholder consultation as appropriate, as set out within legislation and regulations and presented within the Delivery Agreement and Community Involvement Scheme. The RLDP will be subject to an Examination in Public by a Planning Inspector who will test the RLDP for 'Soundness'.

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?
Yes No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
Yes No
- c) Does the initiative apply each of the five ways of working?
Yes No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
Yes No

Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)

High risk

Medium risk

Low risk

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

The Review Report itself will not impact upon other Council services, though internal consultation was undertaken with other departments as part of the consultation exercise. The outcome of the Report i.e. agreement to undertake a RLDP will have an impact on other service areas as it's preparation will require involvement from services across the Council,

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including Education, Housing, Regeneration, Nature Conservation, Highways and Drainage. This will ensure that the RLDP fully integrates all corporate strategies and reflects wider Council objectives as part of its strategy for the development and use of land in the County, and that it delivers a sustainable Placemaking approach for the benefit of present and future generations.

Q7 Will this initiative result in any changes needed to the external or internal website?

Yes No **If yes, please provide details below**

The Review Report will be published on the RLDP pages of the Council's external website.

Q8 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

The report is a review of the extant Local Development Plan, as required by national legislation. The Review Report reviews evidence upon which the LDP is based, along with the national planning framework and associated legislation. The Review Report determines whether the LDP continues to provide a sound basis for planning decisions or if it does require a review, the extent of that review. Consequently, the LDP Review Report has determined that the LDP should be subject to full review and recommends that preparations begin to prepare a RLDP. **The LDP Review Report *itself* has no impact or cumulative impact on the peoples and groups identified in Q2. It will be the subsequent preparation of the Replacement LDP which will have impacts on the majority of groups identified and the entire RLDP process will be subject to IIA which will be integrated in plan development from the outset.**

Outcome of Screening

Q9 Please describe the outcome of your screening using the headings below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

The Review Report was recently subject to a period of public and stakeholder consultation. The report has been amended to reflect consultation responses where relevant and the consultation responses received, the Council's response and actions can be seen in the schedule contained within the Report appendices. Approval is sought from Council to submit the Review Report to Welsh Government.

The IIA screening identifies that the Review Report itself will result in no impacts on all groups and issues identified in Q2, no risks are identified and the Review Report itself does not require an IIA. The Review Report recommends that a RLDP is commenced. IIA will be integrated into the preparation of the RLDP from the earliest opportunity. The RLDP will be fully aligned with the Well-being of Future Generations (Wales) Act 2015 and be subject to full public and stakeholder consultation, as set out within legislation, regulations and guidance.

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The Review Report is required by statutory legislation. The process which has been followed is set out within Welsh Government guidance. Further involvement from other Council departments, stakeholders and members of the public will be sought throughout the RLPD preparation process. Once the Welsh Government formally approves the RLDP Delivery Agreement, the RLDP preparation process will formally commence and this will have a fully integrated IIA from the outset

(NB: This summary paragraph should be used in the **'Integrated Assessment Implications'** section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: R Henderson
Job title: Senior Planning Officer
Date: 11/05/23
Approval by Head of Service:
Name: Phil Holmes
Position: Head of Planning and City Regeneration
Date: 12/02/23

Please return the completed form to accesstoservices@swansea.gov.uk

Agenda Item 13.



Joint Report of the Monitoring Officer, Head of Property Services & Head of Democratic Services

Council – 6 July 2023

Amendments to the Council Constitution Scheme of Delegation

Purpose:	To make amendments in order to provide clarity to the Council Constitution, specifically in relation to the Scheme of Delegation. A decision of Council is required to change the Council Constitution.
Policy Framework:	Council Constitution.
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: 1) The amendments as outlined in Section 1.8 of this report are recommended to Council for adoption into the Council Constitution.
Report Author:	Geoff Bacon
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar

1. Introduction

- 1.1. An amendment has been proposed to the Council Constitution for the reasons explained within this report. In particular, the Constitution Working Group is asked to consider the amendments to the Scheme of Delegation as outlined in Section 1.7.
- 1.2. The existing Scheme of Delegation is included within **Appendix A** of this report, along with a copy of the existing Land Transaction Procedure Rules within **Appendix B**. There are no amendments required to the Land Transaction Procedure Rules but they are included for ease of reference.

- 1.3. The Scheme of Delegation is set out within Council Constitution Part 3.1 and the Land Transaction Procedure Rules are covered under Part 4.7 of the same document.
- 1.4. The principle reason for the proposed amendment is to align the Scheme of Delegation with the Land Transaction Procedure Rules to ensure sufficient Delegation (for the Head of Property and/or his nominees) exists for statutory functions/tasks which are currently exempt from the Land Transaction Procedure Rules.
- 1.5. Within the Land Transaction Procedure Rules, the following tasks/functions do not apply as they are deemed of statutory nature and must therefore follow procedural routes which are set out by the appropriate legislation:-
 - a) To disposals under the Leasehold Reform Act 1967, Leasehold Reform Housing and Urban Development Act 1993, Commonhold and Leasehold Reform Act 2002.
 - b) To the renewal or restructuring of an existing lease or tenancy.
- 1.6. The Scheme of Delegation gives express powers to Responsible Officers in relation to the approvals of disposals, acquisitions and leases but on the basis they are undertaken in accordance with the Land Transaction Procedure Rules. However, the Scheme of Delegation does not specifically mention the tasks/functions which are exempt under the Land Transaction Procedure rules as set out within Section 1.5 above. Historically, there has always been an inference that these tasks/functions are exercised under delegated thresholds as they are of statutory nature and cannot therefore but subject to the conditions as set out within the Land Transaction Procedure Rules. To ensure there is no ambiguity going forward, it is suggested the following wording within Section 1.7 be added to the Scheme of Delegation to ensure a consistent and robust approach.
- 1.7. **Proposed Changes to Scheme of Delegation**

There are three relatively minor amendments proposed which are highlighted in bold within Section 1.8 but summarised as follows:-

- i) The insertion of a new Point b) will be inserted and will read as follows:-

“Delegated Authority will also be given to Responsible Officers for disposals and leases transactions where the Land Transaction Rules do not apply”
- ii) Point b) will be renamed Point c)
- iii) Point c) will be renamed as Point d)

1.8. **Scheme of Delegation - Proposed Amendments (in Bold)**

Responsible Officers can only exercise delegated authority for functions for which they have budgetary and management or operational or statutory responsibility. Decisions taken under delegated authority will be recorded in the register maintained by the Head of Democratic Services.

- a) The exercise of functions by Responsible Officers in relation to the approvals of disposals, acquisitions and leases shall be undertaken in accordance with the Land Transaction Procedure Rules and shall be limited as follows:
 - i) Acquisition of freehold or leasehold property (where a premium only is payable) up to £1,000,000;
 - ii) Acquisition of freehold or leasehold property where a rent is payable – up to £250,000 per annum;
 - iii) Disposal of freehold property or leasehold property (where a premium only is payable) up to £1,000,000;
 - iv) Disposal of leasehold property where a rent is payable – up to £250,000 per annum
- b) Delegated Authority will also be given to Responsible Officers for disposals and leases transactions where the Land Transaction Rules do not apply.**
- c) In cases where the consideration is not straightforward such as involving varying rents or a combination of rental and premium the Head of Property or his nominee shall assess the total capital value of the transaction to establish if such value exceeds the limits of this delegation.
- d) Subject to any limitations imposed by the Leader, all Responsible Officers may authorise another Officer to exercise their delegated functions provided that the Responsible Officer has line management responsibility for that Officer. In those circumstances it is expected that a written “chain of authority” will be maintained.

2. **Financial Implications**

- 2.1 There are no financial implication arising directly from the proposed amendment to the Scheme of Delegation as set out within the Council’s Constitution. Financial implications arising directly from individual property transactions will continue to be undertaken, budgeted and accounted for under the Land Transaction Procedure Rules and Financial Procedure Rules.

3. Legal Implications

- 3.1 The proposed changes to the Scheme of Delegation provide clarity on the decision making process for specific tasks/functions where the Land Transaction Procedure Rules do not apply. These exempt land transactions are outlined in the main body of the report, namely Section 1.5 and are deemed to be of statutory nature. Such land transactions follow procedural routes and must be followed in-line with the given legislation. These changes are compliant with all relevant legislation affecting property transactions.

4. Integrated Assessment Implications

- 4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

- 4.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

- 4.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

- 4.2 An IIA screening form has been completed (**Appendix C**), it determined that a full IIA report will not be required primarily as this is an updating and amendment to the decision making criteria. Each and any proposed disposal will be assessed on its individual merits.

Background Papers: None

Appendices:

Appendix A – Scheme of Delegation (as existing)

Appendix B - Land Transaction Procedure Rules (as existing)

Appendix C - IIA

Appendix A – Scheme of Delegation (Part 3.1 Under Council Constitution)

Officer Delegation (Sub-Section 5.2) – as Existing

2 Officer Delegation

Responsible Officers can only exercise delegated authority for functions for which they have budgetary and management or operational or statutory responsibility. Decisions taken under delegated authority will be recorded in the register maintained by the Head of Democratic Services.

- a) The exercise of functions by Responsible Officers in relation to the approvals of disposals, acquisitions and leases shall be undertaken in accordance with the Land Transaction Procedure Rules and shall be limited as follows:
 - i) Acquisition of freehold or leasehold property (where a premium only is payable) up to £1,000,000;
 - ii) Acquisition of freehold or leasehold property where a rent is payable – up to £250,000 per annum;
 - iii) Disposal of freehold property or leasehold property (where a premium only is payable) up to £1,000,000;
 - iv) Disposal of leasehold property where a rent is payable – up to £250,000 per annum.
- b) In cases where the consideration is not straightforward such as involving varying rents or a combination of rental and premium the Head of Property or his nominee shall assess the total capital value of the transaction to establish if such value exceeds the limits of this delegation.
- c) Subject to any limitations imposed by the Leader, all Responsible Officers may authorise another Officer to exercise their delegated functions provided that the Responsible Officer has line management responsibility for that Officer. In those circumstances it is expected that a written “chain of authority” will be maintained.

Appendix B – Land Transaction Procedure Rules (Part 4.7 under Council Constitution)

(Sub-Section 1 & 2 of Land Transaction Procedure Rules) – As Existing

1. General

- 1 These Rules will be followed when dealing with all acquisitions and disposals of Land, whether freehold, leasehold or by grant of a tenancy, except as provided below.
- 2 In these Procedure Rules “Land” shall mean all and any interest in land (including buildings), or any right in, on, over or under land.
- 3 These Rules apply to:
 - a) The freehold acquisition or disposal of Land;
 - b) The appropriation of Land in accordance with paragraphs 4.5 and 4.6 below;
 - c) The grant of a lease or tenancy exceeding 7 years in duration; and
 - d) The taking of a lease or tenancy of any duration.
- 4 These procedure Rules do not apply:
 - a) To disposals under the Leasehold Reform Act 1967, Leasehold Reform Housing and Urban Development Act 1993, Commonhold and Leasehold Reform Act 2002.
 - b) To the renewal or restructuring of an existing lease or tenancy.
 - c) Where Cabinet decides they will not apply.
- 5 Note: Where there is any conflict between these Procedure Rules and s.123 LGA 1972 or any other mandatory statutory provision, the relevant statutory provision must be followed.

2. Acquisitions, Disposals & Leases – Authority

In accordance with the Scheme of Delegation as set out in Part 3.1 of the Constitution, and subject to paragraph 5.4 below, the authority for approving disposals, acquisitions and leases shall be vested in:

- a) Responsible Officers in relation to:
 - i. Acquisition of freehold or leasehold property (where a premium only is payable) up to £1,000,000;

- ii. Acquisition of freehold or leasehold property where a rent is payable – up to £250,000 per annum;
 - iii. Disposal of freehold property or leasehold property (where a premium only is payable) up to £1,000,000;
 - iv. Disposal of leasehold property where a rent is payable up to £250,000 per annum.
- b) In cases where the consideration is not straightforward such as involving varying rents or a combination of rental and premium the Head of Property shall assess the total capital value of the transaction to establish if such value exceeds the limits of this delegation.
- c) Subject to any limitations imposed by the Leader, all Responsible Officers may authorise another Officer to exercise their delegated functions provided that the Responsible Officer has line management responsibility for that Officer. In those circumstances it is expected that a written “chain of authority” will be maintained.

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Property Services

Directorate: Place

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

(b) Please name and fully describe initiative here:

Amendments to Council Constitution – Scheme of Delegation

The purpose of the report is to amend the existing wording set out within the Scheme of Delegation to provide clarity on land transactions which are exempt under the Land Transaction Procedure Rules but are not specifically deal with under the wider Scheme of Delegation.

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement

The report will be considered by the Council’s Constitution Working Group before being considered by Council. The proposed changes are of minor nature and are only required to ensure the SoD and LTPR’s align with one another.

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?
 Yes No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
 Yes No
- c) Does the initiative apply each of the five ways of working?
 Yes No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
 Yes No

Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)

High risk

Medium risk

Low risk

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes No (subject to recommendations being agreed)

If yes, please provide details below

Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

Negligible impact for the reasons mentioned in Q3.

Outcome of Screening**Q8 Please describe the outcome of your screening below:**

The report is seeking approval for an amendment to the Council's Constitution, specifically in relation to the Scheme of Delegation. These amendments are considered of minor nature as the land transactions (which are specifically exempt under LTPR) are of statutory nature and can only be dealt with under delegation. Revised wording will remove any ambiguity and enable a consistent approach to dealing with these types of transactions.

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Alex O'Brien
Job title: Property Manager
Date: 9/5/2023
Approval by Head of Service:
Name: Geoff Bacon
Position: Head of Property Services
Date: 9/5/2023

Please return the completed form to accesstoservices@swansea.gov.uk

Agenda Item 14.



Report of the Cabinet Member for Corporate Services & Performance

Council – 6 July 2023

Membership of Committees

Purpose:	Council approves the nominations/amendments to the Council Bodies.
Policy Framework:	None.
Consultation:	Political Groups.
Recommendation:	It is recommended that: 1) The amendments to the Council Body listed in paragraph 2 be approved.
Report Author:	Gareth Borsden
Legal Officer:	Debbie Smith
Finance Officer:	N/A
Access to Services Officer:	N/A

1. Introduction

- 1.1 Meetings of Council regularly agree and amend the membership of the various Committees/Council Bodies as reflected in the lists submitted by the Political Groups.

2. Changes to Council Body Membership

- 2.1 The political groups have indicated that they have changes to the following Council Body:

Social Care & Tackling Poverty STC

Remove Councillor Jan Curtice

Add Councillor Mair Baker

3. Financial Implications

3.1 There are no financial implications associated with this report.

4. Legal Implications

4.1 There are no legal implications associated with this report.

Background Papers: None

Appendices: None

Agenda Item 15.



Council – 6 July 2023

Councillors' Questions

Part A – Supplementaries

1	<p>Councillors Francesca O'Brien & Richard Lewis</p> <p>Labour run Cardiff Council are considering a City congestion charge. Will the Leader confirm that this will not be an initiative that Swansea Council will consider and agrees that this is a harmful strategy.</p> <p>Response of the Leader</p> <p>As I have said publicly on social media, I can confirm that Swansea Council has no plans to introduce congestion charging within any part of the City and County of Swansea.</p> <p>The Council continues to work towards providing residents with genuine alternatives to private car use through investment in its active travel network and is playing a leading role in the development of the South West Wales Metro in partnership with other regional authorities.</p> <p>To this aim I would ask all members, businesses, and residents to lobby the Conservative UK Government that has denied Wales fair investment amounting to £6bn (£6,000,000,000) in consequential funding by declaring HS2 an England and Wales scheme despite not an inch of track being laid in Wales.</p> <p>This is indeed another great Tory Train Robbery, following successive Tory Governments refusal to electrify the line to Swansea.</p> <p>To put the £6bn in perspective, it is enough to build the north and south west wales metros, resurface every road in Swansea and Wales and still have over £4,000,000,000 (£4bn) left to invest in other infrastructure or capital projects in Wales.</p>
2	<p>Councillors Mike Lewis, Wendy Lewis & Mike White</p> <p>Can the relevant Cabinet Member give details of the pipeline of regeneration projects being taken forward by the Council and its partners in the next 4 years.</p> <p>Response of the Cabinet Member for Investment, Regeneration & Tourism</p> <p>Please see Appendix 1</p>

3	<p>Councillor Lesley Walton, Fiona Gordon & Mike Lewis</p> <p>Can the Leader confirm if Swansea has seen a reduction in funding under the new shared prosperity arrangements as compared with the previous EU funding arrangements and state what the annual loss or gain is.</p> <p>Response of the Leader</p> <p>Funding levels compared to previous EU levels are difficult to compare on a precise like-for-like basis due to the different methods of distribution and types of programme that were available via EU programmes, and the partial UK Government replacement programmes. A further complication is the nature of each programme and which types of organisation were best placed to apply to them. It is certainly the case that access to innovation and research funding such as Horizon and to some extent the Interreg programmes that were heavily accessed by Higher Education is now limited. Large budgets were also available via European Regional Development Fund for academic/business links and high end research with commercial end product which have not yet been replaced. The key replacement funds are the Levelling Up Fund which has run two competitive rounds so far. Swansea has secured just under £20m under Round 2. In terms of funds accessible directly by the local authority this is comparable to ERDF receipts, but the large scale funds ERDF provided particularly to Higher Education and Welsh Government departments has not been replaced to date. The Shared Prosperity Fund is more tailored around local need, and provides funding for local activity that has not been possible since the Objective 1 2000-2006 programme. However, the funds as with LUF, although welcome, are insufficient to replace the larger scale receipts that Welsh Government and larger national applicants were previously able to access. It does however allow funding to be targeted on regional and local strategic priorities and around local corporate objectives, and is enabling tailored access routes to be created for smaller businesses and communities to access. Funding is also only being made available in a three year window to March 2025, the first year of which was approved only in December 2022, whereas EU funding was made available on a seven year funding timetable. There is no easy way of stating exact figures due to differing timelines for programmes.</p>
4	<p>Councillors Peter Black, Sam Bennett & Mary Jones</p> <p>Will the Cabinet Member explain why car park machines don't contain instructions how to access residents and disabled parking rates.</p> <p>Response of the Cabinet Member for Environment & Infrastructure</p> <p>Where possible instructions are fixed to the machines detailing how to access the residents and blue badge tariffs, in addition revised infograms are being rolled out within the car parks.</p> <p>This information has been supplemented with instructions on the Council website, links via social media,</p> <p>All rates including discounts are also available via the MiPermit app.</p>
5	<p>Councillors Francesca O'Brien & Angela O'Connor</p> <p>We welcome the recent U turn in some parking charges, in the City Centre. However, how do these changes benefit Mumbles or Gower, where prices have increased dramatically. Will similar discounts be available.</p>

	<p>Response of the Cabinet Member for Environment & Infrastructure</p> <p>As part of this year's review in to parking charges, tariffs have been increased across the city and county, but some parking offers have been developed specifically for the city centre in order to try to assist with the economic recovery as footfall has not returned to pre-covid levels. However demand for parking in the beach and foreshore car parks as well as in Mumbles remained strong throughout the pandemic and this demand has continued.</p> <p>It should be noted that residents are able to access a discounted rate in the same manner as the other pay and display car parks in the city.</p>
6	<p>Councillors Wendy Lewis, Phil Downing & Bev Hopkins</p> <p>Can the relevant Cabinet Member confirm how Swansea compares nationally and internationally for household recycling rates.</p> <p>Response of the Cabinet Member for Community (Services)</p> <p>Using the most recently available data, in 2020/21 households in England recycled an average of 44.0% of their waste, households in Northern Ireland recycled 49.1%, households in Scotland recycled 41.0% and households in Wales recycled 65.2%. The European Union average household recycling rate was 48.6% for the same year, though the individual country recycling rates varied between 69.6% in Germany and 4.6% in Kosovo.</p> <p>In 2020/21 Swansea Council achieved a recycling rate of 64.5%. While this figure met WG's statutory recycling target it meant Swansea were ranked 17th of the 22 Councils in Wales. Recently Swansea have implemented further recycling measures contained in our 2022-25 Waste Strategy. Provisional data for 2022/23 shows Swansea achieved a recycling rate of 72.1% which provisionally puts Swansea amongst the top performing Councils in Wales.</p>
7	<p>Councillors Andrew Williams, Mike Lewis & Lesley Walton</p> <p>Can the relevant Cabinet Member confirm if progress has or is being made on reducing delayed transfers of care numbers and other social care and health post Covid pressures.</p> <p>Response of the Cabinet Member for Care Services</p> <p>The Covid pandemic had a significant detrimental impact both on our population but also on our ability to recover health and care services which had been so severely disrupted.</p> <p>Whilst we were able to get the majority of our services back up and running quickly, changes in demand compounded by a shrinking workforce meant that recovering domiciliary care services has proved particularly challenging across the whole of Wales and indeed the UK.</p> <p>In Swansea, waiting lists of domiciliary care were, at times, 300% higher than at any time in our history.</p>

Through innovative recruitment and flexible commissioning arrangements with our external care sector partners, alongside a successful recruitment drive within the Council's in-house domiciliary care services, alongside our investment in high quality reablement services, we have reduced those waiting lists to below pre-covid levels.

This has had positive impacts both for the number of individuals waiting in the community and also importantly for those waiting in hospital.

The term delayed transfers of care has traditionally been applied to those individuals waiting to move from hospital to their next stage of care and the figures in the table below are specific to that cohort of people.

Date	Number delayed transfers of care in hospital awaiting long term dom care (daily)
Pre covid	20
May 2022	22
May 2023	12

Pressures on the overall health and care system remain extremely high and the Council will continue to work with health colleagues, other partners, citizens and carers to continue to improve.

8 Councillors Richard Lewis & Francesca O'Brien

The Sunday and bank holiday bus service in Gower is not available. How can we, as a council, promote public transport when there is no such thing during these days. Our concerns are exaggerated further by learning that the Welsh Labour Government will stop the emergency funding for buses and worry that this will impact on the service even further, can you confirm that the decision by the Welsh Government will not impact the service in and around Gower.

Response of the Cabinet Member for Environment & Infrastructure

I am unable to confirm whether or not the decision by the Welsh Government will impact the bus services in and around Gower at this moment. The Welsh Government remains in discussion with the Council, our regional partners and all other local authorities in Wales affected by the withdrawal of Bus Emergency Support funding. Once the reductions have been confirmed, the Council will be able to fully consider the impacts on networks that may arise.

9 Councillors Sam Bennett, Peter Black & Mary Jones

Has the Council applied for funding from the South Wales Police and Crime Commissioner to help reduce anti-social behaviour and to make the streets safer for women and girls.

Response of the Cabinet Member for Well-being

The Council applies for and receives a number of different grants from the Police and Crime Commissioners Office for a number of different purposes. In 22/23 were we successful as a Council in securing the following:

Commissioner's Community Safety Grant

The PCC grant of **£120,500** is the Commissioner's contribution towards the delivery of Community Safety priorities in Swansea, which is currently utilised to fund a Community Safety Project Coordinator and an Anti-Social Behaviour Reduction Co-ordinator and a Support Officer.

Commissioner's Youth Offending Grant

The PCC grant of **£63,100** is the Commissioner's contribution towards the delivery of Youth Offending Services in Swansea, which is currently utilised to fund outreach support for young people with substance use and a YOS Prevention Co-ordinator supporting the reduction of ASB in young people.

Commissioner's Victim Service Grant

The PCC Victim Service grant of **£25,318** is the Commissioner's contribution towards cost of an Independent Domestic Violence Advocate (IDVA) post which sits in the Council Domestic Abuse Hub. This post works as part of a team to support victims of domestic abuse at high-risk of serious harm and provide a tailored and person-centered safety and support plan so that victims and their families are protected from abusive behaviour.

Commissioner's DRIVE Programme Grant

The PCC DRIVE programme grant of **£50,318** was secured in 2021 and continued in 22/23. The **DRIVE programme** is an innovative approach that challenges the behaviour of high risk, high harm perpetrators of domestic violence and abuse. The funding covers the costs of an Independent Domestic Violence Advocate (IDVA) working as part of a team in the Council Domestic Abuse Hub.

Home Office Violence Reduction Unit (VRU) Grant

A total investment to Swansea of **£347,109** for 23/24 was secured via the Commissioner's Home Office Violence Reduction Unit (VRU) Grant which funds specialist interventions that support the work of the CMET (Contextual, missing, Exploited & Trafficked) panel and the Council's multi-agency response to issues affecting young people and the community. This funding was used to support posts in the Council and post with our partners to support this approach.

Home Office Safer Streets Funding

The last round of Home Office Safer Streets funding (round 4) launched on 18th March 2022 with a deadline of 3rd May 2022 for submissions to the Home Office. This process is managed by the Commissioner's Office.

Swansea Council, as part of the Community Safety Partnership was offered an opportunity to submit a bid that met the criteria of Safer Streets, concentrating on the crime type areas of acquisitive crime, anti-social behaviour and Violence Against Women and Girls (VAWG but not including domestic violence). The project proposals had to be concentrated on specific geographical areas that were disproportionately affected by the crime types, evidenced by statistics and data. A proposal was considered with South Wales Police, but didn't progress through this round of funding. In relation to future Safer Streets Fund announcements, we are yet to hear of an official date for another round although it is anticipated it could be this year. As a Council as part of the Safer Swansea Partnership will have already commenced research with regard to the crime types previously selected by the Home Office and drilled down to LSOA level across both Swansea and NPT for anti-social behaviour, VAWG and Acquisitive Crime and to determine the areas that are disproportionately affected. Once these statistics have been analysed and the geographical areas

	<p>determined, we can progress what potential project ideas could be developed through the Safer Swansea Partnership.</p> <p>In previous rounds of funding, Swansea Council supported the application from Swansea's Womens Aid which was successful with the Home Office Safety of Women at Night (SWaN) fund. This was an award of £182,750 to reduce incidents of violence against women and girls (VAWG) in public spaces at night in Swansea, including within venues, as well as routes home and to build an evidence base for what is most effective in improving women's safety within this context. This included the introduction of a Safe Spaces scheme, delivery of specialist training to staff within the hospitality sector to issues as they arise. Also a targeted South Wales Police operation, which sought to target specific times and pressure points within the night time economy, collecting and analysing data and intelligence to inform future resource allocation.</p>
10	<p>Councillors Michael Locke, Jeff Jones & Chris Holley</p> <p>The Welsh Government is proposing enabling legislation to introduce Bus Franchising in Wales. Is this Council preparing for a possible change to a Franchise Model for Bus Services.</p> <p>Response of the Cabinet Member for Environment & Infrastructure</p> <p>I can confirm that the Council is aware of the Welsh Government possible proposals to introduce Bus Franchising in Wales. However no decision has been taken and as yet guidance has not been provided so the Council is not in a position to consider and prepare for the possible changes that may result.</p>
11	<p>Councillors Mary Jones, Wendy Fitzgerald & Lynda James</p> <p>What is the Council's position on disturbing land that contains valuable peat reserves.</p> <p>Response of the Cabinet Member for Corporate Service & Performance</p> <p>Swansea Local Development Plan (LDP) Policy ER1 protects carbon stores such as peat reserves, albeit there are very few areas where peat may be found in Swansea. Welsh Peatlands Data can be found on the Wales Environmental Information Portal https://smnrnrw.hub.arcgis.com/apps/d18ef8c74ecc4dc4a0cbf71ab6935ba0/explore However the LDP recognises that renewable energy proposals within upland areas of the County are likely to have an impact on peat soils and there is a requirement to conduct a site specific risk assessment to be considered as part of any such planning application. The uplands area is also designated a Special Landscape Area (SLA) in the LDP and this overlaps with the Future Wales (the national development plan) Pre Assessed Areas for Wind Energy. At this location, the requirement to meet national targets for renewable energy provision outweighs the importance of safeguarding the landscape of local significance. It is not the intention of the coinciding SLA designation to preclude strategic scale wind energy generation development. The purpose of the SLA designation is to ensure that wind turbines and related development are positioned with minimum intrusion on the locally important landscape and to enable the full reinstatement of the special landscape quality following the decommissioning of any wind energy generation development.</p>
	<p>Part B – No Supplementaries</p>

12 **Councillors Peter Black, Cheryl Philpott & Lynda James**

Please list the number of recorded fly tipping incidents by ward for each of 2020, 2021 and 2022

Response of the Cabinet Member for Community (Services)

Please see below a table of recorded fly tipping incidents dealt with, by ward boundaries for the last 3 financial years. These are reported by both the public, and increasingly being recorded by Cleansing Teams proactively monitoring fly tipping hotspots and litter bin locations attracting black bags. In terms of scale of fly tipping, 59% was a car boot or less, 35% a small van load, with only 6% being greater than a small van load.

	2020/2021	2021/2022	2022/2023
W01 BISHOPSTON	6	2	3
W02 BONYMAEN	56	42	57
W03 CASTLE	165	249	211
W04 CLYDACH	28	22	49
W05 COCKETT	58	82	77
W06 CWMBWRLA	108	116	119
W07 DUNVANT	6	7	
W08 FAIRWOOD	11	24	10
W09 GORSEINON	24	19	
W10 GOWER	2	13	6
W11 GOWERTON	11	17	12
W12 KILLAY NORTH	4	3	
W13 KILLAY SOUTH	4	2	
W14 KINGSBRIDGE	1	4	
W15 LANDORE	91	65	76
W16 LLANGYFELACH	15	15	22
W17 LLANSAMLET	77	43	61
W18 LOWER LOUGHOR	11	11	
W19 MAWR	31	11	
W20 MAYALS	9	6	5
W21 MORRISTON	104	113	151
W22 MYNYDDBACH	71	77	103
W23 NEWTON	2	6	
W24 OYSTERMOUTH	5	18	
W25 PENCLAWDD	8	6	9
W26 PENDERRY	86	122	147
W27 PENLLERGAER	19	16	7
W28 PENNARD	1	3	5
W29 PENYRHEOL	12	15	
W30 PONTARDDULAIS	21	13	18
W31 ST. THOMAS	47	64	64
W32 SKETTY	50	41	48

W33 TOWNHILL	187	279	240
W34 UPLANDS	155	211	259
W35 UPPER LOUGHOR	7	8	
W36 WEST CROSS	31	24	49
W37 WATERFRONT			11
W38 WAUNARLWYD			8
W39 DUNVANT & KILLAY			11
W40 PONTLLIW & TIRCOED			6
W41 GORSEINON & PENRYHEOL			17
W42 LLWCHWR			20
W43 MUMBLES			17

13 **Councillors Peter Black, Jeff Jones & Wendy Fitzgerald**

Please list the number of pothole repairs by ward in 2022.

Response of the Cabinet Member for Environment & Infrastructure

Pot hole information is not recorded by ward – it is recorded by team, each of which covers approximately one third of the wards. Further breakdown by ward is not practicable as there were 6,600 pot holes repairs carried out last year of which 4,000 were carried out by the pot hole initiative. To produce these figures every pothole repaired would need to be reviewed manually and this would require a significant level of resource.

14 **Councillor Chris Evans**

With forthcoming changes to ALN & SEN provision becoming more school led rather than LA than previous provision, is there any extra support or training being provided to teachers to spot and deal with ALN & SEN children in our schools to ensure nobody slips through the cracks.

Response of the Cabinet Member for Education & Learning

Swansea Additional Learning Needs and Inclusion Team (ALNIT) together with colleagues from the wider Education Directorate have provided schools with significant levels of support at this time to implement the Additional Learning Needs and Educational Tribunal (ALNET) legislation to ensure all children in Swansea schools have the best possible experience in school.

Identifying learners who are not making progress in their learning and then supporting them with appropriate interventions is not new to school staff, but the ALNET legislation has placed more emphasis on school staff formally making the decision on whether a child or young person meets the criteria of Additional Learning Needs (ALN) and then putting the appropriate support in place. To upskill staff in Swansea schools and support them in doing this, the local authority has extensive strategies to ensure this is achieved and that the process can be sustained.

To identify children with learning difficulties and potential ALN, Swansea Council invested significantly in upskilling staff in every school in Swansea to identify the assessments that are required to help them accurately identify need and then to carry out those assessments. Many of the staff who undertook this training pursued it to masters level and the staff who work in secondary schools are now finalising the

qualification that will enable them to assess children and award them access arrangements to support them when sitting their formal examinations. Every school has been supplied with online and hardcopy assessments and over 70 staff (teaching and non-teaching) have also taken up an externally accredited training to assist in the administering of formal assessments. Swansea Council pre-empted the change of focus to school colleagues identifying need identified and therefore implemented this project to support the school led approach.

Swansea Council continue to produce an extensive training menu which is available to all school colleagues (as well as to independent settings, Further Education Institutions (FEI) as well as LA colleagues). Most of this training is offered in person, either on line or now we are post pandemic, face to face. Training via this menu is delivered from a wide variety of people including the Learning Support Team, Education Psychology Team, Data Base Team, Health colleagues to name but a few. As well as this, there is an extensive online training offer that is available to anyone with a Swansea Hwb email address which can be accessed at a time and location that suits the individual.

Enhancing this general training offer is a focussed project that was initiated in 2019 to upskill staff from all schools in Swansea to support our children and young people who experienced difficulties with social communication and Autism. Initial training focussed on transferring knowledge and skills and as well as training, manuals were purchased for every school to help with identifying need and then supporting the children to make the best possible progress. We are currently in the third phase of this project with funding in excess of £10,000 being awarded to every school to fund a social communication friendly environment. This project links to our transformational programme to support sufficient specialist places.

Whilst the ALNET legislation gives schools the flexibility to decide how best to support children and young people, there are times when a referral to the local authority for placement in a specialised school needs to be made. The ALNIT team have developed and recently refined the process for submitting such requests, have offered many training events and have a team on hand to support school staff making such referrals. Processes defined by the legislation have been summarised and easy to follow guidance been issued to staff at regular intervals. Question and Answer sessions and guidance have been arranged and this year alone, six ALNET implementation and support days have been arranged for Additional Learning Needs Coordinators (ALNCOs) which have been fully funded to cover their release (using grant funding). These days have focussed on enabling ALNCOs to understand and then carry out their role. Similarly, these days have also been arranged (and funded) for Specialist Teaching Facility (STF) managers/teachers.

ALNCO and STF Manager/Teacher development days have been arranged and these have focussed on areas that address requirements of ALNET including building consistency of identification and consistency of provision offered by our schools.

Swansea Council has worked closely with our health colleagues and continue to do so with the aim of ensuring our children in Swansea have their needs identified early and that up-to-date information can be provided to best support their needs.

It is hoped this overview demonstrates significant ongoing training and guidance that Swansea Council has in place to support all schools in Swansea to ensure our children and young people to make progress.

15 **Councillor Chris Evans**

Given its success in Scandinavia, is the Council looking into the possibility of large heat pump driven district heating systems as a way to rapidly decarbonise whole areas of the county and would the Leader be happy to ask the Welsh Government to pilot a system here.

Response of the Leader / Cabinet Member for Service Transformation

As outlined in the recent report approved by Cabinet the Council has undertaken detailed feasibility of a new district heating network which is connected to the Blue Eden development. This was carried out utilising community regeneration funding which confirmed the viability of such a network connected to the renewable heat generated from the development itself. Meetings have already taken place with DST innovations and Siemens and meetings with other partners are due to take place over the coming weeks.

Discussions have also taken place with BEIS about possible funding route and initial interest has been sought and obtained from a range of business and asset holders in the area to confirm if there is sufficient critical mass to make the project viable. The Council has also progressed several its own housing schemes using heat pumps and will continue to explore the technology on its future scale development both directly delivered and in partnership with developers as it moved away from conventional gas boilers to renewable sources in its housing stock.

16 **Councillors Sam Bennett, Mary Jones & Gordon Walker**

Can the Cabinet Member provide a status update on each of the Helwick, Seamark and Canning, in terms of upkeep and plans for repairs and maintenance.

Response of the Cabinet Member for Culture, Human Rights and Equalities

The Seamark is owned by an independent Trust and the Council has no plans to invest in its upkeep, repair or maintenance. To date efforts to enforce the Trust's obligations to its repair and/ or removal have been fruitless, but this remains the intention. Helwick and Canning are part of the Council's Museum Service collection, referred to as 'Floating Exhibits'. A sum to improve /restore their appearance was previously secured from the Council's Economic Recovery Fund, but due to escalating costs for dry docking and supply chain pressures, this proved to be inadequate. The monies have been secured in the Capital budget, whilst additional funding is sought. Bids have been unsuccessful so far, partly due to the continued escalation of costs to over £260,000 for the Helwick; with costs in excess of £500,000 for both vessels, yet adding no real value to the vessels or public interest, save for ensuring they are watertight, clean and in repair.

Further options have been scoped and are being explored, including seeking a permanent, alternative home for Canning, which has historic relevance to other Docks e.g. Liverpool, and investing all available resources to improving the overall interpretation and appearance of Helwick e.g. through digital apps/VR immersive tours, and physical improvements to its condition, as we are unlikely to ever make the vessel fully accessible and financially sustainable as anything other than a site based landmark attraction. All options require up to date full surveys 'in water' for both vessels, and quotes for these are currently awaited. No decisions have been made, and we await costs and Cabinet briefings following.

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Project	Description	Delivery/Funding	Target Dates	Status
Copr Bay	Swansea Arena, new bridge over Oystermouth Road, new coastal park and new car park underneath the coastal park complete.	Swansea Council Swansea Arena part-funded by the Swansea Bay City Deal New bridge part-funded by the Welsh Government through the Active Travel initiative	<ul style="list-style-type: none"> • Arena: Complete -in defect period. • Hotel: Cabinet Report expected Summer 2023 • North Block: Q4 2023 	On site
Biophilic Living at Picton Yard	Private sector redevelopment of former Woolworths building at Oxford Street to incorporate retail on ground floor, additional office floorspace of 2512 sqm, along with 50 innovative residential units which will be retained by Pobl, and an urban farm.	Hacer Developments & Pobl, with support from Development Bank of Wales, WG and Swansea Council	Practical completion by December 2023.	On site
Princess Quarter (18 Princess Way)	Private sectors redevelopment of former Smith-Llewellyn/Mamma Mia's property by Kartay Holdings to create new office building incorporating 3 floors of commercial office space, with ground floor retail space, and green roof top terrace.	Kartay Holdings (Developers) & Morganstone (Contractors), supported by WG Transforming Towns Loan and grant funding via Swansea Council.	Practical completion by November 2023.	On site
71/72 Kingsway	A major new high-tech office development that will provide space for 600 jobs at the former Oceana nightclub site on The Kingsway in Swansea city centre.	Swansea Council Swansea Bay City Deal Supported by the European Regional Development Fund through the Welsh Government	<ul style="list-style-type: none"> • Completion: Q1 2024 • Fit Out complete: Q2 2024 • The Yard On Site: Q1 2024 	On site

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<p>Palace Theatre</p>	<p>Restoration of the historic Palace Theatre to create high- quality office accommodation.</p> <p>Tramshed Tech secured as tenant for start-up and creative businesses</p>	<p>Swansea Council</p> <p>European Regional Development Fund and the Welsh Government, via the Welsh Government’s Transforming Towns programme</p>	<p>Completion: Q1 2024</p>	<p>On site</p>
<p>Albert Hall</p>	<p>Full restoration and refurbishment of the building.</p> <p>It will be transformed into mixed-use development, featuring a live music venue and spaces for lifestyle businesses and offices</p>	<p>Private sector</p>		<p>On site</p>
<p>Powerhouse - Penderyn Hafod Morfa Copperworks</p>	<p>Restoration of the Powerhouse and surround area to create to Penderyn’s new visitor centre and distillery.</p>	<p>Swansea Council</p> <p>National Lottery Heritage Fund</p> <p>Welsh Government Transforming Towns funding.</p>	<p>Completion: Q2 2023</p>	<p>On site</p>
<p>Y Storfa (Community Hub)</p>	<p>Repurposing of 277-278 Oxford (the former BHS building) into a community hub that will provide access to all and provide a range of services in a welcoming environment. The hub will also provide agile accommodation for third, public and</p>	<p>Swansea Council</p> <p>Welsh Government Transforming Towns funding.</p>	<p>Main works on site: Q2 2023</p>	<p>On site (preconstruction)</p>

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	private sector companies that endorse the ethos of a community hub. office space that encourages a coordinated approach in supporting the community.			
Mumbles Coastal Protection	Mumbles Coastal Protection scheme delivers new flood defences and remodels the prom as a safe, modern, inclusive visitor attraction.	Welsh Government's Coastal Risk Management Programme	Completion: 2024	On site
Parc Felindre	Business Park focussing on emerging industries such as high-tech manufacturing and high level uses, together with ancillary uses where complementary, and parking.	Swansea Council Welsh Government	Ongoing	On market
Castle Square Gardens	Reimagining of Castle Square, into a green vibrant focal point for the city, with new commercial units.	Swansea Council Welsh Government	<ul style="list-style-type: none"> Start on site: Q3-4 2023 	Planning granted; contractor tender issued.
Skyline – Hafod Morfa Copperworks / Kilvey Hill	A New Zealand-based company proposes to build an outdoor adventure park including ziplines, a sky swing, luge runs and a cableway system on Swansea's Kilvey Hill	Skyline Enterprises Potential for council and Welsh Government contributions, if approved	Completion: 2025	Pre-Application Consultation commenced.
Former Debenhams Unit	Council acquisition and development of key retail asset.	Swansea Council		Acquisition completed.
Swansea Central	5.5-acre Swansea Central North site includes new office buildings, including	Urban Splash	Multi-phase development	Outline planning granted.

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	the public sector hub, apartments and retail/leisure offers. Creating a new vibrant new quarter linking the city centre to the Copr Bay arena and waterfront.		Phase 1 completion: 2025	
<p>Lower Swansea Valley LUF</p> <p>1. Hafod Copper works</p>	<ul style="list-style-type: none"> • Restoration of the former Laboratory building to create restaurant/F&B space. • Musgrave and Vivian Engine Houses and build a new enclosure to create both a heritage visitor attraction and café. • V&S Shed, to reinstate track and locomotive. • Creation of a marketplace at the former Rolling Mill building. 	<p>Swansea Council</p> <p>UK Government Levelling Up Fund</p>	Q2 2025	<p>Funding awarded.</p> <p>RIBA stage 1</p>
<p>Lower Swansea Valley LUF</p> <p>Project 2 – River Tawe Links to Strand Tunnels and City Centre</p>	<ul style="list-style-type: none"> • Installation of two pontoons along the River Tawe, one located North of the Copperworks site at the Liberty Stadium/Bascule Bridge, the other South of the Copperworks site. 	<p>Swansea Council</p> <p>UK Government Levelling Up Fund</p>	Q2 2025	<p>Funding awarded.</p> <p>RIBA stage 1</p>

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	<ul style="list-style-type: none"> • Creation of shop frontages and small retail units for SMEs at the Strand Victorian Arches, and external elevator access to High Street. • Significant enhancement of public realm infrastructure and landscaping at the Strand, adjacent to the arches and tunnels. • Improved pedestrian connections at the Strand Tunnels, including creation of retail pods, lighting upgrades. 			
<p>Lower Swansea Valley LUF</p> <p>Project 3 – Museum Upgrade</p>	<ul style="list-style-type: none"> • Expansion to enable additional exhibition and gallery space to bring the collections stored at the Rolling Mill to a public venue for display. • Creation of new conservation and storage areas. • Creation of a new café that will be open to the public, as part of a bright and attractive • New dual entrance to provide a 'connection' between the 	<p>Swansea Council</p> <p>UK Government Levelling Up Fund</p>	<p>Q2 2025</p>	<p>Funding awarded.</p> <p>RIBA stage 1</p>

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	existing museum and the National Waterfront Museum which is located across the external courtyard.			
City Waterfront (includes the Civic Centre)	The 23-acre Civic Centre site will be transformed into a new city seafront district. New homes and leisure and hospitality will be accompanied by greenery, public spaces, and a new walkway to the beach.	Urban Splash	Multi-phase development	RIBA stage 1
St. Thomas	A river front residential-led development within a high-quality environment, connecting the existing community of St Thomas to Swansea City Centre. The development will provide a key link between St Thomas and the city centre allowing a much greater level of integration than currently exists.	Urban Splash	Multi-phase development	RIBA stage 1
Hafod Morfa Copperworks – wider site	The transformation of the wider site into a major heritage and leisure destination.	Urban Splash Swansea Council	Multi-phase development	Masterplan
Swansea Vale	A 186-hectare site, delivering business parks, new residential villages, and green spaces	Swansea Council/Welsh Government Joint Venture	Multi-phase development Business Park and two phases of residential completed.	Ongoing
Swansea Market improvements	Upgrading Swansea Market to enhance	Swansea Council	Market garden complete	Ongoing

Councillor Questions – Council 1 June 2023

	<p>visitor and trader experience.</p>		<p>Public toilets upgraded.</p> <p>New entrances – subject to funding</p>	
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Please note that through a variety of loan and grant funding routes such as Welsh Government Transforming Towns and the UK Shared Prosperity funds it is anticipated that further private sector-led schemes will be worked up and delivered in the next four years and as such the list of pipeline schemes may not be exhaustive.

Agenda Item 16.



Council – 6 July 2023

Notice of Motion - Live Animals as Prizes

Notice of Motion from Councillors Chris Holley, James McGettrick, Mary Jones, Jeff Jones, Cheryl Philpott, Wendy Fitzgerald, Lynda James, Mike Day, Susan Jones, Sam Bennett, Kevin Griffiths, Nicola Furlong, Gordon Walker, Mark Tribe, Michael Locke, Peter Black, Graham Thomas & Matthew Bailey.

This Council:

- is concerned about the number of cases reported to the RSPCA each year, regarding pets given as prizes via fairgrounds, social media and other channels in Wales
- is concerned for the welfare of those animals that are being given as prizes
- recognises that many cases of pets being given as prizes may go unreported each year in Wales
- currently bans the giving of live animals as prizes, in any form, on Swansea Council land and calls on the Welsh Government to legislate to make this activity illegal

The Council agrees to:

- reaffirms its ban on the giving of live animals as prizes, in any form, on Swansea Council land, resolves to inform the RSPCA of its policy, and to better publicise this ban prominently on its website with a clear reporting mechanism for the public; and
- write to the Welsh Government, urging an outright ban on the giving of live animals as prizes on both public and private land in Wales.

Agenda Item 17.



Council – 6 July 2023

Notice of Motion - Lockdown Party and Honours.

Notice of Motion from Councillors Rob Stewart, Andrea Lewis, David Hopkins, Mike Lewis, Wendy Lewis, Lesley Walton, Yvonne Jardine, Robert Francis-Davies & Elliott King

This Council notes with deep concern and disgust, the recent release of a video showing conservative members of staff, employed and working at the heart of the Tory Government during December 2020, arrogantly breaking Covid rules by partying, not maintaining social distancing, holding a social gathering, consuming alcohol and disregarding controls and breaking laws in place at the time.

This Council utterly condemns the behaviour and actions seen in the video, which will be hugely offensive and hurtful to many people in Swansea who did the right thing, and obeyed the Covid rules in place at the time.

Obeying the rules and doing the right thing, meant people locally and nationally could not see relatives who were seriously ill, could not visit relatives in hospital or care homes for months, and could not get together with friends or family for Birthday celebrations or at Christmas.

This Council further condemn the honours list presented by disgraced Ex PM Boris Johnson and approved by current PM Rushi Sunak, which bestowed honours on at least two individuals seen breaking the law in the video.

This Council calls on the police to investigate the video and where breaches are proved to prosecute the individuals concerned

This Council also calls for anyone honoured by disgraced ex PM Boris Johnson, to be stripped of that honour if they have broken Covid rules.