

# **CITY AND COUNTY OF SWANSEA**

## **MINUTES OF THE CABINET**

**HELD AT COMMITTEE ROOM 1, CIVIC CENTRE, SWANSEA. ON  
TUESDAY, 18 NOVEMBER 2014 AT 5.00 PM**

**PRESENT:** R C Stewart (Leader) Presided

<b>Councillor(s)</b>	<b>Councillor(s)</b>	<b>Councillor(s)</b>
M C Child	J E C Harris	J A Raynor
W Evans	D H Hopkins	C Richards
R Francis-Davies	C E Lloyd	M Thomas

109. **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

110. **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS**

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

**Councillors:**

Councillor M Thomas - Personal – Minute No.118 – LA Governor Appointments – I am a Governor of Penclawdd Primary School.

Councillor M Thomas – Personal – Minute No. 121 – Supporting People Programme Grant (SPPG) Local Commissioning Plan. Councillor M Thomas has dispensation from the Standards Committee.

**Officers:**

J Straw – Personal and Prejudicial – Minute No. 116 – Proposed Lease of Underhill Park to Mumbles Community Association – Mumbles Rugby Club. J Straw left prior to consideration of this item.

M Hawes – Personal – Minute No. 125 – Equal Pay – Wife works for Council.

111. **MINUTES**

**RESOLVED** that the Minutes of the Meeting of Cabinet held on 21 October, 2014, be approved as a correct record.

112. **LEADER OF THE COUNCIL'S REPORT(S)**

The Leader of Council referred to an urgent report in respect of Equal Pay which would be considered at the end of the agenda in closed session.

Cabinet Members agreed to the Leader's request to consider the Evaluation of the Reconfigured Children's Residential Service and the Proposed Lease of Underhill Park to Mumbles Community Association after Agenda item 7.

113. **PUBLIC QUESTION TIME**

Questions were asked by J Price in respect of Minute No. – Proposed Lease of Underhill Park to Mumbles Community Association. The Cabinet Member for Wellbeing and Healthy City responded accordingly.

114. **COUNCILLORS' QUESTION TIME**

Councillor P M Meara asked a question regarding Minute No. Evaluation of the Reconfigured Children's Residential Service.

The Cabinet Member for Services to Children and Young People to provide a written response in relation to the cost of emergency accommodation for 22 nights.

115. **EVALUATION OF THE RECONFIGURED CHILDREN'S RESIDENTIAL SERVICE**

The Cabinet Member for Services for Children and Young People provided a report on the evaluation of the reconfigured services for the children's emergency and short term residential home Ty Nant (on the site of the 2 homes formerly known as Nant y Felin) agreed by Cabinet on the 7<sup>th</sup> January 2013.

**CABINET DECISION**

That:

- 1) It be noted that the conclusion of the evaluation of reconfigured residential service are accepted as offering improved outcomes for children and young people compared with the previous configuration of residential service offered on the site of Nant y Felin;
- 2) It be agreed that the Local Authority remains a provider of children's residential accommodation based on a service model of emergency and short term care;
- 3) It be agreed that in line with the evaluation of required capacity and the model of care, that the home be further reduced from 4 beds to 2 beds;
- 4) It be agreed that the staffing implications attached to the reduction in bed capacity are addressed;
- 5) It be agreed that a separate proposal is prepared to consider the appropriateness of the accommodation site to enable best delivery of the new service model.

Policy Framework

LAC Reduction Strategy, Child and Family Business Plan, Strategic Delivery Plan, Corporate Plan and Sustainable Swansea Programme.

Reason for Decision

To ensure that improved outcomes for Looked After Children are being delivered through the current configuration of residential homes and to continue to promote improved outcomes.

Consultation

Legal, Finance and Access to Services.

116. **PROPOSED LEASE OF UNDERHILL PARK TO MUMBLES COMMUNITY ASSOCIATION**

The Cabinet Member for Wellbeing and Health City presented a report which sought approval to negotiate and agree Heads of Terms and enter into a lease with Mumbles Community Association for Underhill Park, including the immediate management of community use and secondary hires and lettings.

He referred to the pre-decision scrutiny meeting on 13 November, 2014, in respect of the proposed lease of Underhill Park to Mumbles Community Association.

As a result of the pre-decision scrutiny the Chair of the Scrutiny Programme Committee had written to the Cabinet Member highlighting issues for clarification and consideration prior to the decision of Cabinet.

A footnote document was circulated which provided clarification on a number of points that had been raised by Members.

Councillor R V Smith, Vice Chair of Scrutiny Programme Committee referred to the letter from Chair to the Cabinet Member following Members pre-decision scrutiny of the matter on 13 November, 2014.

**CABINET DECISION**

That Cabinet:

- 1) Notes the financial and operational implications and authorises the Director of Place to negotiate and settle the terms of the proposed lease (and thereafter any required Deeds of Variation) and to instruct the Head of Legal, Democratic Services and Procurement to finalise the legal documentation;
- 2) Agrees, in principle, the long-term ambitions and phased programme of improvements proposed by Mumbles Community Association;
- 3) Authorises the Director of Place to agree the phased programme subject to gateway and milestone reviews, funding, access, contract and any other required legal procedures being satisfied.

Policy Framework

Council Policy City of Sport; Sustainable Swansea New Models of Delivery.

Reason for Decision

To transfer community management for the facility and subject to milestone approvals, enable the Association to seek funding and progress a phased programme for facility improvements.

Consultation

Legal, Finance and Access to Services.

117. **NATIONAL HOME IMPROVEMENT LOAN SCHEME - LOAN AGREEMENT WITH WELSH GOVERNMENT**

The Cabinet Member for Communities and Housing presented a report which sought consideration of the Welsh Government (WG) National Home Improvement Loan scheme and enter into an agreement with WG to accept the loan funding for the purposes of issuing loans to applicants.

**CABINET DECISION**

That Cabinet approves the entering into a loan agreement with WG and receipt of the loan fund to meet FPR7 requirements.

Policy Framework

Private Sector Housing Renewal and Disabled Adaptations: Policy to Provide Assistance 2012-2017.

Reason for Decision

To seek approval to enter into an agreement with WG to receive the loan fund. To comply with FPR7.

Consultation

Legal, Finance and Access to Services.

118. **LOCAL AUTHORITY GOVERNOR APPOINTMENTS**

The Cabinet Member for Education presented a report which sought approval of the nomination submitted to fill LA Governor vacancies on School Governing Bodies.

**CABINET DECISION**

That the following nominations be approved as recommended by the LA Governor Appointment Panel:

Oystermouth Primary School	-	Mrs Laura Miles
Parkland Primary School	-	Councillor Huw Rees
Penclawdd Primary School	-	Reverend Iain Hodgins
Pentrecwyth Primary School	-	Mr John Winchester
Trallwn Primary School	-	Councillor Penny Matthews

**Policy Framework**

Policy and Procedure for Appointment of LA Governors as amended by Council on 23 October 2008.

**Reason for Decision**

To ensure vacancies are to be filled expeditiously.

**Consultation**

Education, Legal and Finance.

119. **REVENUE AND CAPITAL BUDGET MONITORING - 2ND QUARTER 2014/15**

The Cabinet Member for Finance and Strategy provided the financial monitoring of the 2014/15 revenue and capital budgets.

**CABINET DECISION**

That the comments and variations in this report, and the actions in hand to address these, are noted.

**Policy Framework**

Budget 2014/15.  
Sustainable Swansea.

**Reason for Decision**

To note any significant variations from the agreed budget 2014/15 and actions planned to achieve a balanced budget.

Consultation

Cabinet Members, Corporate Management Team, Legal and Access to Services.

120. **EXTERNAL FUNDING PANEL**

The Cabinet Member for Finance and Strategy presented a report which sought to clarify and amend issues relating to the External Funding Panel.

**CABINET DECISION**

That:

- 1) The Membership of the Panel be approved as outlined in Paragraph 2 of the report;
- 2) The quorum of the External Funding Panel and any Sub Panels be a quarter but no fewer than 3 Voting Members;
- 3) The External Funding Panel shall be allowed to create Sub Panels as it determines in order to consider issues within its Terms of Reference;
- 4) The "Rural Development Partnership Fund" be added to the terms of reference of the External Funding Panel.

Policy Framework

Medium Term Financial Plan; *Sustainable Swansea – fit for the future.*

Reason for Decision

To clarify issues relating to the External Funding Panel such as membership, quorum etc.

Consultation

Legal, Finance and Access to Services.

121. **SUPPORTING PEOPLE PROGRAMME GRANT (SPPG) LOCAL COMMISSIONING PLAN**

The Cabinet Member for Adults and Vulnerable People presented a report which sought approval of the Draft Supporting People Local Commissioning Plan (LCP) for 2015/16.

**CABINET DECISION**

That the Draft Supporting People Local Commissioning Plan 2015/16 be noted and approved for submission to the Western Bay Supporting People Regional Collaborative Committee to inform the development of a regional plan.

Policy Framework

The One Swansea Single Integrated Plan. The 2012-2017 Local Housing Strategy. The Social Services Commissioning Framework and associated commissioning plans.

Reason for Decision

To comply with the requirements of the Welsh Government Grant Conditions July 2013.

Consultation

Legal, Finance, Access to Services and Partner Organisations.

122. **WESTERN BAY PROGRAMME - REGIONAL SUBSTANCE MISUSE AREA PLANNING BOARD**

The Cabinet Member for Wellbeing and Healthy City provided an update on the progress in developing regional arrangements for the planning, commissioning and management of Substance Misuse services in Swansea, Neath Port Talbot and Bridgend.

**CABINET DECISION**

That:

- 1) the current progress made towards establishing a Substance Misuse Area Planning Board be approved;
- 2) the recommendation from the Western Bay Programme Board that Neath Port Talbot County Borough Council act as the host organisation for the Western Bay Area Planning Board Regional management and financial structure be approved.

Policy Framework

Working together to reduce harm - The substance misuse strategy for Wales 2008-18.

Reason for Decision

This document also seeks approval for the next steps that are required to fully establish a regional structure for the oversight of Substance Misuse services.

Consultation

Legal, Finance and Access to Services.

123. **EXCLUSION OF THE PUBLIC**

Cabinet were requested to exclude the public from the meeting during consideration of the item of business identified in the recommendations to the report on the grounds that they involve the likely disclosure of exempt information as set out in the exclusion paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 relevant to the items of business set out in the report.

Cabinet considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item of business where the Public Interest Test was relevant as set out in the report.

**RESOLVED** that the public be excluded for the following item of business.

**CLOSED SESSION**

124. **URGENT ITEM**

The Leader of Council stated that pursuant to paragraph 100B(4)(b) of the Local Government Act 1972, he considered that the report from the Director of Corporate Services on Equal Pay should be considered at this meeting as a matter of urgency.

Reason for Urgency

To authorise Officers to progress negotiations with the Trade Unions.

125. **EQUAL PAY**

The Corporate Director of Resources presented a report which provided an update and options regarding Equal Pay. Cabinet then discussed the issue at length.

**CABINET DECISION**

That Option 5(b) of the recommendation, as detailed in the report, be approved with a deadline of 30 November, 2014.

Policy Framework

None.

Reason for Decision

To update Cabinet Members and for Officers to obtain instructions regarding the future conduct of this issue.



Minutes of the Cabinet (18.11.2014)  
Cont'd

Consultation

Legal and Finance.

The meeting ended at 6.25 pm

**CHAIR**

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