

CITY AND COUNTY OF SWANSEA

MINUTES OF THE CABINET

HELD AT CIVIC CENTRE SWANSEA ON TUESDAY, 16 DECEMBER
2014 AT 5.00 PM

PRESENT: Councillor R C Stewart (Leader) Presided

Councillor(s)	Councillor(s)	Councillor(s)
M C Child	J E C Harris	C Richards
W Evans	C E Lloyd	M Thomas
R Francis-Davies	J A Raynor	

126. **APOLOGIES FOR ABSENCE.**

An apology for absence was received from Councillor D H Hopkins.

127. **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:-

W Evans – personal and prejudicial – Minute No 135 – Local Authority Governor Appointments – Governor at Pontybrennin Primary School – left prior to discussion thereof.

R C Stewart – personal - Minute No 135 – Local Authority Governor Appointments – know Mr C Anderson

M Thomas – personal – Minute No 140 – National Joint Council for Local Government Services – Pay Award for 2014/16 – wife works for the authority – had dispensation from Standards Committee.

Officers:-

M Hawes – personal and prejudicial - Minute No 140 – National Joint Council for Local Government Services – Pay Award for 2014/16 – wife works for the authority and is subject to a decision on Pay Awards – left prior to discussion thereof

T Meredith - personal and prejudicial - Minute No 140 – National Joint Council for Local Government Services – Pay Award for 2014/16 – affected financially if report approved - left prior to discussion thereof

J Tinker - personal and prejudicial - Minute No 140 – National Joint Council for Local Government Services – Pay Award for 2014/16 – affected financially if report approved - left prior to discussion thereof

128. **MINUTES.**

RESOLVED that the Minutes of the Meeting of Cabinet held on 18 November 2014 be approved as a correct record.

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

None

130. **PUBLIC QUESTION TIME.**

No questions were asked.

131. **COUNCILLORS' QUESTION TIME.**

Councillor M H Jones asked a question in relation to Minute No136 – The Introduction of the Education (Penalty Notice) (Wales) Regulations 2013 and the use of Fixed Penalty Notices for non school attendance. The Cabinet Member for Education responded accordingly.

132. **SCRUTINY INQUIRY INTO STREET SCENE SERVICES.**

Councillor J Bayliss Panel Convener, presented the findings, conclusions and recommendations resulting from the Panel's Inquiry into Street Scene Services. An amended covering report was circulated. Councillor J Bayliss thanked the Co - opted Member G Gibson and Councillor J Burtonshaw for their contribution.

CABINET DECISION

The relevant Cabinet Member prepare a written response within three months on the Scrutiny recommendations.

Policy Framework

Council Constitution

Reason for Decision

To consider and action the recommendations made by the Scrutiny Inquiry Panel.

Consultation

Legal, Finance

133. **REQUEST FOR CABINET AUTHORITY FOR THE SUBMISSION OF A PLANNING APPLICATION AT TY DEWI SANT SHELTERED HOUSING COMPLEX, FFORESTFACH.**

The Leader presented the report of the Cabinet Member for Communities and Housing which sought authority to apply for the installation of CCTV at Ty Dewi Sant Sheltered Housing Complex.

CABINET DECISION

That the submission of a planning application to install CCTV camera at Ty Dewi Sant Sheltered Housing Complex be approved.

Policy Framework

Council Constitution

Reason for Decision

The Constitution requires that Cabinet authority is given for the submission of Planning Applications by Departments of this Council on Council owned land.

Consultation

Legal, Finance, Planning, Corporate Building and Property Services and Access to Services

134. **AMALGAMATION OF BRYNHYFRYD INFANT AND JUNIOR SCHOOLS.**

The Cabinet Member for Education submitted a report which stated that no objections were received during the Statutory Notice period and sought determination on the proposal to close Brynhyfryd Infant and Brynhyfryd Junior Schools on the existing sites from September 2015.

CABINET DECISION

That the City & County of Swansea cease to maintain Brynhyfryd Infant and Brynhyfryd Junior Schools from 31 August 2015, and establish a new all through Primary School from the 1 September 2015 on the existing Brynhyfryd sites.

Policy Framework

QEd 2020 (strategic programme)
Children & Young People Plan (priority 7)

Reason for Decision

Cabinet have previously approved that consultation could take place on this proposal and then, following the consultation period, approved that a Statutory Notice could

be published. No objections were received during the Statutory Notice period and Cabinet must now determine the outcome of the proposal. This proposal is consistent with existing Council policy to deliver, wherever possible, all through primary provision for pupils.

Consultation

Legal, Finance and Access to Services

135. **LOCAL AUTHORITY GOVERNOR APPOINTMENTS.**

The Cabinet Member for Education presented a report which sought approval of the nominations 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:

Cwmglas Primary School	Mrs Michelle Raven
Gowerton Primary School (3 Vacancies)	Councillor Susan Jones Mr Lyndon Mably Mrs Kelly Small
Newton Primary School	Councillor Miles Thomas
Pontybrenin Primary School	Councillor William Evans
Whitestone Primary School	Mrs Margaret Wilson
Bishopston Comprehensive School	Councillor Miles Thomas
Bishopston Comprehensive School	Mrs Ruth McNamara
YGG Pontybrenin	Mr R Gwyn Jones
Ysgol Gyfun Gwyr	Reverend Doctor Adrian Morgan
Temporary Governing Body for proposed amalgamation of Brynhyfryd Infant and Brynhyfryd Junior Schools. These appointments are subject to Cabinet agreeing to	Mr Cyril Anderson Councillor Mike White Mrs Debbie Whyte

proceed with the amalgamation
and enable a Temporary
Governing Body to be set up
early in the new year.

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

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136. **THE INTRODUCTION OF THE EDUCATION (PENALTY NOTICE) (WALES)
REGULATIONS 2013 AND THE USE OF FIXED PENALTY NOTICES FOR NON
SCHOOL ATTENDANCE.**

The Cabinet Member for Education presented a report which informed Members of the introduction of the Welsh Government's Education (Penalty Notices) (Wales) Regulations 2013 and the use of Fixed Penalty Notices (FPN's) for non attendance at school.

CABINET DECISION

The Code of Conduct attached at Appendix A of the report for the issuing of Fixed Penalty Notices in the City and County of Swansea and its implication from 1 January 2015 be approved.

Policy Framework

None

Reason for Decision

To comply with the introduction of the Education (Penalty Notice) (Wales) Regulations 2013 and the use of Fixed Penalty Notices for non – school attendance.

Consultation

Legal, Finance and Access to Services

137. **SUSTAINABLE SWANSEA - FIT FOR THE FUTURE: BUDGET PROPOSALS 2015/16 - 2017/18.**

The Cabinet Member for Finance and Strategy submitted a report which considered the budget proposals for 2015/16 to 2017/18 as part of the Council's Budget Strategy – *Sustainable Swansea – fit for the future*

CABINET DECISION

That:

- (1) the Budget proposals summarised in the report and detailed in Appendix B and Appendix C of the report be approved as the basis for consultation.
- (2) the approach to consultation and engagement with staff, trade unions, residents, partners and other interested parties set out in Section 7 of the report be agreed.
- (3) a report on the outcome of the consultation and final budget proposals be received at a Special Meeting in February 2015.

Policy Framework

Medium Term Financial Plan and Budget

Reason for Decision

To seek Cabinet approval for budget proposals to enable consultation to take place with residents, employees, partners and other interested parties

Consultation

Cabinet Members, Executive Board, Legal, Finance and Access to Services Team

138. **QUARTER 2 2014/15 PERFORMANCE MONITORING REPORT.**

The Cabinet Member for Finance and Strategy submitted a report regarding the Corporate and Service Performance for the second quarter of 2014/15.

CABINET DECISION

That Performance be reviewed to help inform executive decisions on resource allocation and, where relevant, corrective actions to manage and improve performance and efficiency in delivering national and local priorities.

Policy Framework

'*Standing Up for Swansea*' Corporate Improvement Plan 2013/17 updated for 2014/15

Reason for Decision

To receive and review the performance results for Quarter 2 2014/15

Consultation

Legal, Finance and Access to Services

139. **WESTERN BAY HEALTH AND SOCIAL CARE PROGRAMME REGIONAL ADOPTION SERVICE.**

The Cabinet Member for Services for Children and Young People submitted a report which provided an update on the progress of the implementation of the Western Bay Regional Adoption Service.

CABINET DECISION

That Cabinet agreed:-

- (1) the proposed model/structure for the Regional Service;
- (2) proposals for a Regional pooled budget;
- (3) location and accommodation for a co-located Regional Service;
- (4) the Interim Legal/Partnership Agreement;
- (5) the implementation of a Regional Panel;
- (6) for formal consultation with staff to be undertaken as part of addressing the HR implications of forming a regional, co-located adoption service.

NOTE:-The recommendations above are made in order to assure Cabinet that the Council's statutory functions in relation to providing an Adoption Service are fully met, in accordance with legislation and guidance and the ADSSC and the Welsh Government's plans for creating a National Adoption Service.

Policy Framework

Sustainable Social Services for Wales: A Framework for Action

Reason for Decision

To agree a final structure and budget for the co – located Western Bay adoption service that meets the statutory requirement for a regional adoption service

Consultation

Legal, Finance and Access to Services

140. **NATIONAL JOINT COUNCIL FOR LOCAL GOVERNMENT SERVICES - PAY AWARD FOR 2014/16.**

The Cabinet Member for Transformation and Performance presented a report which provided advise on the NJC Pay Award for the pay years 2014/15 and 2015/2016 and sought approval to implement.

CABINET DECISION

That the NJC proposed pay award be accepted and applied

Policy Framework

Pay Policy 2014/2015

Reason for Decision

To enable implementation of the NJC Pay Award

Consultation

Legal, Finance, Access to Services and Executive Board

141. **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

142. **COUNCILLORS' QUESTION TIME**

Councillor J W Jones asked a question in respect of Minute No 144 – Vibrant and Viable Places (V & VP) – FPR& Loan to Coastal Housing Association. The Cabinet Member for Enterprise, Development and Regeneration responded accordingly.

143. **VIBRANT AND VIABLE PLACES (V&VP) - FPR7 LOAN TO COASTAL HOUSING ASSOCIATION.**

The Cabinet Member for Enterprise, Development and Regeneration submitted a report that sought approval of this scheme and to include it in the budget within the Capital Programme.

CABINET DECISION

The recommendations as indicated in the report be approved.

Policy Framework

City Centre Strategic Framework

Reason for Decision

To comply with Financial Procedure Rule No 7 (Capital Programming and Appraisals) – to commit and authorise schemes as per the Capital Programme or to include schemes as per the Capital Programme or to include new schemes in the Capital Programme.

Consultation

Legal, Finance, Economic Regeneration, Planning and Access to Services

144. **CONTRACT AWARD REPORT FOR PROCUREMENT OF A WASTE PARTNER AND OPTIONS FOR LANDFILL GAS.**

The Cabinet Member for Environment and Transportation submitted a report which sought Cabinet approval for a Contract Award in the Procurement of a Waste Partner process and to terminate the existing agreement with the incumbent gas contractor.

CABINET DECISION

That the recommendations as indicated in the report be approved.

Policy Framework

Waste Strategy for Swansea

Reason for Decision

To comply with Contract Procedure Rule 13.12 to approve a contract in excess of £5m

Consultation

Legal, Finance, Access to Services, Procurement and Place

145. **EVERYONE'S IT: THE MOVE TO AN IN-HOUSE MANAGED ICT SERVICE.**

The Cabinet Member for Transformation and Performance presented a report which sought Cabinet approval for the action required to ensure the Council has continued provision of ICT services when the current ICT contract with Capgemini expires and agree the option as detailed in the report.

He referred to the pre – decision Service Improvement and Finance Scrutiny Panel meeting held on 10 Dec 2014 in respect of Everyone's IT: The Move to an in – house managed ICT Service. As a result of pre - decision scrutiny, the Chair of the Service Improvement and Finance Scrutiny Panel had written to the Cabinet Member for Finance and Strategy highlighting issues for clarification and consultation prior to the decision of Cabinet.

Councillor M H Jones attended the Committee in order to provide the views of the Panel.

CABINET DECISION

The recommendations as detailed in the report be approved.

Policy Framework

Councils ICT Policy Framework

Reason for Decision

The Strategic Partnership Agreement (SPA) with Capgemini will terminate on 31 December 2015. Under the Contract Terms, the Council is obliged to inform Capgemini of its future intentions for the provision of ICT services. This report proposes the key elements of the in – house managed service from January 2016 and future provision of Oracle support.

Consultation

Legal, Finance, Procurement, HR

The meeting ended at 6.10p.m.

CHAIR

Published on 17 December 2014