

CITY & COUNTY OF SWANSEA

CABINET

At: Committee Room 1, Civic Centre, Swansea


On: Tuesday, 20 January 2015

Time: 5.00 pm

AGENDA

1. **Apologies for Absence.**
2. **Disclosures of Personal and Prejudicial Interests.** 1 - 2
3. **Minutes.** 3 - 12
To approve and sign as a correct record the Minutes of the meeting of Cabinet held on 16 December 2014.
4. **Leader of the Council's Report(s).**
5. **Public Question Time.**
6. **Councillors' Question Time.**
7. **Scrutiny Report:**
 - 7.a Scrutiny Inquiry into Social Care at Home. 13 - 40
8. **Report(s) of the Cabinet Member for Finance & Strategy: -**
 - 8.a Corporate Plan 2015-17. 41 - 74
 - 8.b Planning Application in Respect of Land at Pentyla Playing Fields, Cockett, Swansea. 75 - 78
 - 8.c Request to Seek Planning Consent to Enlarge and Incorporate the Old Petrol Station into the Civic Centre West Car Park. 79 - 81
9. **Report(s) of the Cabinet Member for Enterprise, Development & Regeneration: -**
 - 9.a Cabinet Member Response to the Report of the Inward Investment Scrutiny Inquiry Panel - "How Can We Increase Inward Investment to Swansea and Regionally to South West Wales?" 82 - 90
 - 9.b Swansea City Centre Strategic Framework Review. 91 - 100
10. **Report of the Cabinet Member for Environment & Transportation: -**
 - 10.a SWWITCH Deed of Termination. 101 - 133
11. **Report of the Cabinet Member for Adults and Vulnerable People: -**
 - 11.a Western Bay Shared Lives Regional Adult Placement. 134 - 139

- 12. Exclusion of the Public.** **140 - 143**
- 13. Joint Report of the Cabinet Members for Education and Environment & Transportation : -**
- 13.a Contract Award Report - Tender for the Provision of Home to School Transport Services. **144 - 152**



Patrick Arran
Head of Legal, Democratic Services & Procurement
Friday, 9 January 2015

Contact: Democratic Services: - 636820

Disclosures of Interest

To receive Disclosures of Interest from Councillors and Officers

Councillors

Councillors Interests are made in accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea. You must disclose orally to the meeting the existence and nature of that interest.

NOTE: You are requested to identify the Agenda Item / Minute No. / Planning Application No. and Subject Matter to which that interest relates and to enter all declared interests on the sheet provided for that purpose at the meeting.

1. If you have a **Personal Interest** as set out in **Paragraph 10** of the Code, you **MAY STAY, SPEAK AND VOTE** unless it is also a Prejudicial Interest.
2. If you have a Personal Interest which is also a **Prejudicial Interest** as set out in **Paragraph 12** of the Code, then subject to point 3 below, you **MUST WITHDRAW** from the meeting (unless you have obtained a dispensation from the Authority's Standards Committee)
3. Where you have a Prejudicial Interest you may attend the meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, **provided** that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. In such a case, you **must withdraw from the meeting immediately after the period for making representations, answering questions, or giving evidence relating to the business has ended**, and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration (**Paragraph 14** of the Code).
4. Where you have agreement from the Monitoring Officer that the information relating to your Personal Interest is **sensitive information**, as set out in **Paragraph 16** of the Code of Conduct, your obligation to disclose such information is replaced with an obligation to disclose the existence of a personal interest and to confirm that the Monitoring Officer has agreed that the nature of such personal interest is sensitive information.
5. If you are relying on a **grant of a dispensation** by the Standards Committee, you must, before the matter is under consideration:
 - i) Disclose orally both the interest concerned and the existence of the dispensation; and
 - ii) Before or immediately after the close of the meeting give written notification to the Authority containing:

- a) Details of the prejudicial interest;
- b) Details of the business to which the prejudicial interest relates;
- c) Details of, and the date on which, the dispensation was granted; and
- d) Your signature

Officers

Financial Interests

1. If an Officer has a financial interest in any matter which arises for decision at any meeting to which the Officer is reporting or at which the Officer is in attendance involving any member of the Council and /or any third party the Officer shall declare an interest in that matter and take no part in the consideration or determination of the matter and shall withdraw from the meeting while that matter is considered. Any such declaration made in a meeting of a constitutional body shall be recorded in the minutes of that meeting. No Officer shall make a report to a meeting for a decision to be made on any matter in which s/he has a financial interest.
2. A "financial interest" is defined as any interest affecting the financial position of the Officer, either to his/her benefit or to his/her detriment. It also includes an interest on the same basis for any member of the Officers family or a close friend and any company firm or business from which an Officer or a member of his/her family receives any remuneration. There is no financial interest for an Officer where a decision on a report affects all of the Officers of the Council or all of the officers in a Department or Service.

CITY AND COUNTY OF SWANSEA

MINUTES OF THE CABINET

HELD AT THE 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 Pontybrenin 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 prepares 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 proceed with the amalgamation and enable a Temporary Governing Body to be set up early in the new year.	Mr Cyril Anderson Councillor Mike White Mrs Debbie Whyte

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

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 Cap Gemini 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 Cap Gemini will terminate on 31 December 2015. Under the Contract Terms, the Council is obliged to inform Cap Gemini 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

Report of the Social Care at Home Scrutiny Inquiry Panel

Cabinet – 20 January 2015

SCRUTINY INQUIRY INTO SOCIAL CARE AT HOME

Purpose:	This report presents the findings, conclusions and recommendations resulting from the Panel's Inquiry into Social Care at Home.
Policy Framework:	Council Constitution.
Reason for Decision:	To consider and action the recommendations made by the Scrutiny Inquiry Panel.
Consultation:	Legal, Finance
Recommendation(s):	It is recommended that: 1) Cabinet receives the report and tasks the relevant Cabinet Member to prepare a written response within three months for Cabinet decision on the scrutiny recommendations.
Report Authors:	Councillor Uta Clay (Panel Convener) Dave Mckenna (Scrutiny Manager)
Finance Officer:	Carl Billingsley
Legal Officer:	Nigel Havard
Access to Services Officer:	Phil Couch

1.0 Introduction

- 1.1 This report presents the findings, conclusions and recommendations resulting from the inquiry into Social Care at Home. The Panel's final report, appended, requires a Cabinet decision.
- 1.2 In accordance with the Council Constitution reports from scrutiny to the Executive are presented to the first available Cabinet meeting. The convener of the Panel will present the report and accompanying recommendations.

2.0 Scrutiny Programme Committee

- 2.1 On 22 December 2014 the Scrutiny Programme Committee discussed and agreed the report for submission to Cabinet.

3.0 Cabinet Decision

- 3.1 At this meeting the role of the Cabinet is to receive the report and task the relevant Cabinet Member to prepare a written response on behalf of Cabinet. The Cabinet Member's response report should be scheduled for a future Cabinet meeting **no later than three months** following formal receipt of the scrutiny report.
- 3.2 In their response report the Cabinet Member will recommend approval or rejection of each of the scrutiny recommendations together with an explanation. Within their report the Cabinet Member will also provide a proposed action plan to show what steps are being or will be taken to implement recommendations. Cabinet will then make a decision on the Cabinet Member's response report.

4.0 Follow Up

- 4.1 The Panel will schedule a follow up on progress with the implementation of the action plan agreed by Cabinet and impact of the scrutiny inquiry, and report their views to the Scrutiny Programme Committee. The panel convener and the Scrutiny Officer will ensure that a review of progress against accepted recommendations is scheduled into future work programmes and a progress report is brought to the Panel within 6-12 months after the action plan has been agreed by Cabinet.

5.0 Equality and Engagement Implications

- 5.1 Equality and engagement issues were formally considered at the scoping stage of this inquiry and borne in mind by the panel throughout evidence gathering. The Cabinet Member will need to ensure that implications are considered via application of the corporate Equality Impact Assessment process when considering the response to the recommendations.

6.0 Legal Implications

- 6.1 There are no specific legal implications at this stage.

7.0 Financial Implications

- 7.1 There are no financial implications to this report. Any potential implications will be outlined in the Cabinet response.

Background Papers: None.

Appendices: Appendix A – Final Inquiry Report.

Building an Independence Service

How can the Council and its partners best support older people to remain in their own homes?

The Social Care at Home Scrutiny Inquiry Panel
City and County of Swansea - Dinas a Sir Abertawe



December 2014

Why This Matters by Councillor Uta Clay (Convener)



First, may I thank my predecessor, Councillor Jane Harris, for her commitment and work in chairing this scrutiny panel for almost a year, until her promotion to Cabinet. I thank my colleagues for trusting me to finalise this very comprehensive study of Social Care at Home.

Adult Social Care, together with affordable homes for all and fit for purpose public transport, has the greatest practical impact on the day to day lives of our people. The wonderful advances of medical care means that many more people live to a high age than a generation ago. This good bit of news has a sting: with more elderly people needing support to enjoy a good quality life, there is pressure for expansion of support services to enable people to remain independent for as long as possible and avoid having to be cared for in an institutional setting like a hospital or residential care.

However, at the very time of greater demand, local authorities are facing unprecedented pressure from the Westminster government (passed on by the Welsh government) to make deep spending cuts as a remedy to pay for the massive deficit caused by the banking crisis of 2008. This national policy of austerity places Swansea Council in an appalling situation where cuts have to be implemented whilst need is growing. In response the Welsh government and Swansea Social Services Department initiated a wholesale review of services and policy proposals for the transfiguration of Adult Social Care.

In preparation for these changes this panel looked at how social care is presently delivered to people who wish to remain in their own homes. We received information from our officers, we invited voluntary organisations to offer their perspective, we spoke to professionals both in health and social care, we heard from private providers, we spoke to older people at day centres and in their own homes and we listened to carers and their support organisations.

We were impressed with the dedication of professionals we met, we recognise initiatives which work well, we have highlighted areas that need to be improved but also some that don't work well and need to be replaced. We encountered a great deal of goodwill from all parties, both in-house and external, but this was an inquiry into a complex area and it was not always easy to find the information we needed.

Last but not least I wish to pay tribute to the thousands of 'informal carers' (family, friends, neighbours) without whose commitment our services could not cope, whose never ending work is often overlooked and whose needs are frequently not recognised.

I thank all panel councillors for the sustained work over 12 months, the contributions that brought personal insights to this process and the diligent scrutinising of details that culminated in a report which, I am certain, will be an indispensable contribution to the new TASS panel and will inform the changes necessary for Swansea to maintain social care for adults which are affordable and realistic.

Summary of Conclusions and Recommendations

Building an Independence Service

How can the Council and its partners best support older people to remain in their own homes?

Conclusions

1. Build an independence service to replace the current care service
2. Put tackling loneliness at the heart of our prevention agenda
3. Make sure there is help for cleanliness and hygiene where needed
4. Improve access to the information and help that people need
5. Make the most of the first contact
6. Roll out the Gower model
7. Work with external care providers as partners
8. Invest in the paid carers
9. Care for the unpaid carers
10. Ensure that the voices of older people can be heard
11. Build a 'community of support'

The Panel recommends that Cabinet:

1.1 Long term challenges

1. Expands and enhances the reablement service
2. Moves the social care at home service from 'time and task' to an outcome based system
3. Implements the Gower model across the Swansea area as planned
4. Protects day centres and respite services wherever possible

1.2 Medium term improvements

1. Includes social contact as an element of care plans
2. Includes cleanliness and hygiene as an element of care plans
3. Undertakes a review of the information provided on the Council's website with carers and service users
4. Expands the role of the intake to team to be an 'independence advice team'
5. Reviews the assessment process including the training needs and qualifications of the Intake Team
6. Ensures that local ward councillors are effectively engaged in locality approaches such as the Gower Model
7. Involves external providers when any significant aspects of the service are redesigned

8. Adopts and implements the UNISON Ethical Care Charter
9. Stipulates living wage in contracts
10. Reviews the use of zero hours contracts
11. Holds a stakeholder conference for all partners and providers to discuss the future of social care at home and shared principles going forward – models of home care

1.3 *Quick wins*

1. Publishes a simple 'map' of the home care process on the Council's website that can be downloaded and printed
2. Provides a simple up to date list of who to contact when you need help on the Council's website that can be downloaded, printed and circulated
3. Ask the Health Board to review the system for providing basic support items e.g. incontinence pads
4. Holds local events for community connectors to network with councillors and other informal connectors
5. Investigates the delays between assessment and brokerage while broader changes are being considered
6. Checks whether all unpaid carers are receiving their assessments and annual reviews
7. Ensure that complaints information is easy to find on the Council website

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2 WHY WE PRODUCED THIS REPORT

2.1 Overview

2.1.1 In selecting this topic and producing this report we wish to underline both the significance of social care at home services and the challenge that comes with ensuring that they are effective. We recognise that work is ongoing in this area and that a major transformation programme is underway. Nevertheless, as a Panel we believe that we can make a valuable contribution both to service improvement and more generally to the way in which the independence of older people is supported across the City and County of Swansea.

2.2 Selecting the topic

2.2.1 The Inquiry into Social Care at Home was proposed by the Annual Scrutiny Work Planning Conference in May 2013 and was subsequently included in the scrutiny work programme by the Scrutiny Programme Committee.

2.2.2 This topic was chosen firstly because providing social at home (or domiciliary care as it is sometimes known) is a significant service area for the Council. Up to 1800 people may receive social care at home at any one time and while less than 30% receive an ongoing home care service directly from the Council, the City and County of Swansea nevertheless has overall responsibility for all of the care provided.

2.2.3 Supporting older people to live at home is also one of the Council's corporate objectives. The Council wants to ensure that: *'People are safe, well and supported to live independently'*. Within this objective the Council has agreed to: *'Increase the percentage of people that are supported to be independent'*.

2.2.4 Furthermore, promoting the independence of older people is one of the 21 challenges contained in the One Swansea Plan. Specifically it includes the aspiration to increase the percentage of people supported in their own home, rather than in residential care, to 85%. Swansea's performance for 2012/13 was 80.2%.

2.2.5 As a Council we want our older people to be able to live independently in their own homes, not just because it costs us less than residential care but also because we respect that this is the choice that the vast majority of people would make for themselves.

2.2.6 As well an issue of strategic importance for the Council and its partners, providing social care at home in order to support independence is an issue of concern. Increasing demand as a consequence of an aging population coupled with the drastic reductions in public funding mean that the old ways of doing things are no longer fit for purpose. Business as usual is not an option.

2.2.7 Older people are not the only group to receive social care at home. The Panel agreed to focus on older people during this inquiry, but to recommend to the Scrutiny Programme Committee that further work should be carried out

in the future with other groups requiring social care at home. These could include people with physical and learning disabilities, including children and young people, as these are considered by the Panel to be equally as important. The Panel felt that it was necessary to focus on only one of these areas, in order to produce a clear and meaningful report.

2.3 *Moving to a new model*

2.3.1 The Council recognises that a new model for providing this service is needed. This is being delivered through the Transforming Adult Social Services (TASS) Programme. This programme, which has been developing over the last three years, is underpinned by the Council's Policy Commitments, the Sustainable Swansea initiative and the requirements of the new Social Services and Wellbeing (Wales) Act 2014. Each will be briefly outlined in turn.

2.3.2 'Standing up for High Quality Health and Social Services' is one of the Council's Policy Commitments includes the following themes:

- Prevention, not failure
- Localising Services
- Working Together
- Public Interest above Private Profit
- Invest in our People

2.3.3 Since we started our Inquiry and as part of the two year review of the Policy Commitments presented to Council in August 2014, the following was also highlighted:

- **Support independent living; provide improved options for older people.** We have commissioned, engaging with other stakeholders, an independent review of Older People's services with a view to developing a sustainable options for older people

2.3.4 The outcomes of this review were not available before the conclusion of the evidence gathering for this Inquiry.

2.3.5 Sustainable Swansea – fit for the future, is the long term plan for change being developed by the Council in order to address the financial, demographic and social challenges facing Swansea. The savings of £70 million that will need to be achieved over the next three years illustrates the scale of this challenge and why change will need to be radical and far reaching.

2.3.6 Sustainable Swansea has four workstreams, all of which are relevant to social care at home. These are:

- Efficiency
- New models of service delivery
- Prevention

- Stopping services
- 2.3.7 Further information about Sustainable Swansea can be found at: www.swansea.gov.uk/sustainableswansea.
- 2.3.8 The Social Services and Wellbeing (Wales) Act 2014 received Royal Assent on 1st May 2014 and will be implemented in April 2016. Under the Act each local authority, working with partners, must ensure people have the information and advice that they need (including support for carers), and, where appropriate, help and assistance¹. The Council will need to provide:
- The first point of entry
 - Information to help people understand how the care and support system operates within their area
 - The service to all citizens
 - Citizens with the opportunity to begin the discussion of their care and support needs and to identify what they want to achieve
 - Options and signpost citizens towards appropriate care and support, including advice on the range of preventative services available in the community
 - Where appropriate, active assistance for people to help them access services
 - A service that is accessible/understandable to individuals
- 2.3.9 As a Panel we hope that our recommendations will support the Council in meeting these requirements of the Act.
- 2.3.10 In response to the Council's Policy Commitments, the Sustainable Swansea Programme and the requirements of the Social Services and Wellbeing (Wales) Act, the TASS Programme has three strands:
- Redesigning the operating model towards wellbeing, prevention and self-managed care
 - Reshaping and remodelling services – services are commissioned to be more person centred, flexible, innovative and better value for money
 - Refocusing on communities to ensure that we are linking citizens into local resources and networks
- 2.3.11 The TASS programme is now moving into a new phase in order to implement the new Act. Specifically it will be:
- Working regionally through the Western Bay Regional Health and Social Care Programme
 - Operating in partnership with Health and the Third Sector

¹ Factsheets about the Act can be found on the Welsh Government Website at: <http://wales.gov.uk/topics/health/publications/socialcare/guidance1/factsheets/?lang=en>

- Engaging with citizens, service users, carer and staff about a future model of social care.

2.4 *Intended contribution*

2.4.1 As a Panel we believe that we can make a valuable contribution to this process of transforming the Social Care at Home service. We recognise that the challenges are deep seated and often complex. We also believe that, while no one has all of the answers, success will only come from a conversation that everyone is able to contribute to. It is in this spirit that our conclusions and recommendations are offered.

2.4.2 Specifically this report aims to contribute to this vital debate by:

- Drawing together some general principles for the development of the home care service
- Offering proposals for improvement in the long, medium and short term
- Providing a councillor perspective on how well the service is working
- Pointing to good practice examples
- Sharing the views of different people within the home care 'system'

2.4.3 We are also happy to recognise the limitations of the inquiry. Given the complexity of the topic and the time that we had this report necessarily provides a broad view. We simply did not have the time to go into issues in depth.

2.4.4 Finally, many of our conclusions are in line with the Council's current direction of travel and these are offered in order to provide reassurance. Other may be either additional or contrary to what has already been agreed. These are intended to offer challenge and to stimulate debate. Where we have made recommendations these are intended to help improve the service.

2.5 *Use of key words and phrases*

2.5.1 We found a number of terms that were used to mean different things or that may not be known to the lay person. In writing this report we have used a number of terms as follows:

- We have distinguished clearly between paid and unpaid carers although we found that not everybody does. Paid carers are those employed to visit people's homes to perform tasks, unpaid carers are family and friends or other volunteers providing support.
- Brokerage is a term that can either refer to the Council's system of allocating care packages to private providers or more generally to helping people to access services. Here we use the term brokerage to mean the narrower first definition.
- Reablement is a term that can refer to a medical intervention such as physiotherapy required to support independence or may also be used more generally to mean any process that supports independence such as

the provision of a handrail for example. Here we use the term more generally and use 'physical reablement' when appropriate.

3 EVIDENCE

3.1 Evidence Collected

3.1.1 Evidence was collected between January and September 2014. In total 17 evidence gathering activities were undertaken by the Panel as follows:

- a. Q&A with Head of Adult Social Services and Lead Officer
- b. Home Care Good Practice Case Studies
- c. Roundtable with representatives from ABMU Health Board, 50+ Network and Age Cymru Swansea Bay
- d. Q&A session with Internal Provider, Legal and Procurement
- e. Q&A Session with External Providers
- f. Visits to Day Centres to Meet Service Users
- g. Survey of Service Users
- h. Questions in Swansea Voices
- i. Q&A with Cabinet Member, Contracts Officer and Internal Provider
- j. Presentation from Unison about their Ethical Care Charter
- k. Presentation from the Gower Integrated Care Team
- l. Q&A with the Head of Adult Social Services
- m. Presentation from Swansea Carers Centre
- n. Further information from Social Services
- o. Presentation from the British Red Cross
- p. Visits to Meet Service Users and Carers in Their Homes

3.1.2 For full details of how the evidence was gathered including details of all of the findings from each session please see the findings report for this inquiry. This report can be downloaded at www.swansea.gov.uk/scrutiny.

4 CONCLUSIONS

4.1 *Build an independence service to replace the current care service*

- 4.1.1 The TASS programme aims to ensure that services should focus on outcomes and independence. We wholeheartedly agree that this is the right direction and we support the Council's Policy Commitment to focus on prevention. However, aspects of the Social Care at Home Service remain out of step with this aspiration; in particular the 'time and task' model and the brokerage system. We believe that this model should be replaced with one that has outcomes rather than tasks at its heart.
- 4.1.2 The Domiciliary Care Assessment Service provides a six week period of 'reablement' for most of the older people receiving support from social services in order to help them regain their independence². This service works with the individual to achieve the outcomes that are important to them and to help them to be as able as possible to look after themselves. As a Panel we believe that this is the right approach and should be the way that services are provided even after the initial six week period. Currently, after the Domiciliary Care Assessment Service has finished with a person, and where required, a long term care package is put in place through the brokerage system. This care is provided through a time and task approach.
- 4.1.3 As a Panel we believe that the time and task system, in other words allocating paid carers specific tasks to do in people's homes, has serious limitations and does not provide acceptable care for all. We are concerned that 20 minute packages of care may not be sufficient to meet people's needs. We heard evidence from Age Cymru Swansea Bay that a paid carer had been witnessed arriving at their destination, assisting the client, completing the relevant paperwork, making the call to the office to report their presence and leaving. Out of a total of twenty minutes, only twelve minutes were spent with the client. As councillors we have heard similar accounts that, while anecdotal, suggest that some care packages may not be adequate for many older people.
- 4.1.4 While the Council, which provides in house support for 29% of those receiving social care at home, is able to provide a better service than external providers, the higher cost of this service means that it cannot be available for all. Indeed, the current system seems to offer the Council an impossible choice between providing a higher quality service for fewer people or a lower quality service for more. We do not believe that a model that has such a tension at its heart can be defended in the long term (see also 4.8.4). [reference ought to be 4.8.4?]
- 4.1.5 A further shortcoming of time and task is the inflexibility of the system. In our opinion assessment should be a three way ongoing conversation between the client, the provider and the Council that continues after the initial six week 'reablement' period. This is the approach in Councils such as Thurrock and

² <http://www.swansea.gov.uk/article/3915/The-Domiciliary-Care-Assessment-Service-DCAS>

for third sector organisations such as the British Red Cross, for example. With the current system, however, once packages of care have been allocated they can be difficult to change. We heard from external providers that while they undertake their own assessments these are not recognised by the local authority. We understand from Social Services that where a provider indicates that someone's needs have changed then a review will be triggered and that the initial assessment process through the Domiciliary Care Assessment Service is intended to ensure that the care that is commissioned is appropriate to meet the support needs agreed with the person. Nevertheless, we had indications that, if the assessment does not get it right then there is a wait of 12 months to the review. While we accept that providers may have their own incentives for changing care packages but we are still concerned that a lack of flexibility may be detrimental to the service.

4.1.6 We found that the current brokerage system is not well suited to providing a good service. Once people have had their needs assessed and been through the Domiciliary Care Assessment Service if referred there, a care package is may be designed for them. This package is then offered to care providers through the brokerage system. This is a list that all providers have access to and, if they can meet the needs of the client, they can make a claim for that work.

4.1.7 We want to highlight a number of difficulties associated with the brokerage system:

- The time it takes from intake to any support being received is a cause for concern. It can certainly take up to six or seven weeks or, according to anecdotal evidence that we heard, significantly longer than this. While we understand that people should remain with the Domiciliary Care Assessment Service if there is any delay in securing a provider, we are concerned that this may not always be the case based on the evidence that we heard.
- There are examples when no providers want to take up a particular package if it is seen as unattractive
- At the time we collected our evidence packages were being offered city wide. This makes it difficult to group clients together in areas so that paid carers could work to patches and have less travel time.
- There are a limited number of providers in the social care market. Apart from the Council there are four external care providers delivering the majority of packages locally.

4.1.8 The Council clearly acknowledges these difficulties and is taking steps to address them. We heard from officers that a patch based approach to allocating care packages is being developed but also that the weak state of the social care market means that this cannot always be achieved.

4.1.9 We also heard from the previous Cabinet Member that he wanted to see a greater diversity of providers in order to increase resilience to market failure

and to raise standards. We support in particular the aspiration to bring more voluntary agencies and co-operatives into the market. We felt that the Sunderland Home Care Associates was a particularly good example to look at. At the same time we are concerned about the lack of progress in this regard.

- 4.1.10 Ultimately, however, we question whether a 'market place' approach to delivering long term care packages is the right one. We argue instead that the Council needs to move from a time and task system to a system that focuses on positive outcomes for the citizen; from a system that is concerned primarily to assess eligibility to one that seeks to understand what people need to enable them to stay independent. Such a service would move away from just the allocation of personal care tasks, important as they are to support independence, and allow much greater flexibility for paid carers to work with their clients on a range of issues.
- 4.1.11 We believe that such a service is achievable. We know that many voluntary organisations work on this basis and were impressed with the evidence we heard from the British Red Cross about their approach. This involves working holistically with the client to negotiate and achieve three independence goals. We heard that Social Services are trying to work with private sector providers to encourage more independence work to take place as part of long term care packages but we also understand that there are a number of issues to be tackled including staff training, cultural issues and commissioning issues. While we endorse this aspiration we wonder how achievable it is within the current 'time and task' framework.
- 4.1.12 We also collected evidence about other authorities who employ an outcomes approach such as Wiltshire and Essex Councils. Wiltshire County Council has established a framework of outcomes relating to both 'reablement' and 'maintenance'. Care plans based on these outcomes are person centred and negotiated between the service user, provider and the local authority. Similarly Essex County Council have moved from 'time and task' to a system that pays for outcomes rather than activities. This approach has resulted in savings for the Council as well as a stabilised providers market where competition takes place primarily on the basis of quality rather than cost.
- 4.1.13 Getting people up on their feet after a fall or other health problem, is an essential part of supporting independence. As a Panel we believe that this part of the social care at home service should be developed and enhanced.
- 4.1.14 The central recommendation of this report is, however, that the Council should move from providing a care service based upon 'time and task' to an independence service based upon positive outcomes for our older people. The remainder of the report deals with a number of issues linked to this proposal.

4.2 *Put tackling loneliness at the heart of our prevention agenda*

- 4.2.1 As a Panel we felt strongly that emotional wellbeing should be a core element of support for independence. We believe that the effects of loneliness and

social isolation can have a negative impact upon people's physical and mental health and therefore undermine independence.

- 4.2.2 We know that this is already an issue for many working in the sector. Gwalia's Extra Care scheme, for example, is a flexible model that provides people with the comfort and security of a personally owned home but with the added benefit of a wider community of support at hand. The Council's Community Connector scheme is another good example of how social isolation can be tackled.
- 4.2.3 Nevertheless we would like to see a greater emphasis on this issue and it playing a greater part in the mainstream provision of social care at home. This would include recognition that the paid carers who work in people's homes provide a vital source of social contact for many. Social contact should therefore be considered as a key element of social care at home care plans.
- 4.2.4 As a Panel we also wish to stress the importance of day centres and respite services in this regard. We also want to recognise all of those, whether voluntary, community based or private sector, who provide people with opportunities for social contact.
- 4.2.5 In this context we also believe that the Council should explore alternative approaches to housing, such as Gwalia's Extra Scheme, although this is only one example. This is an issue that is, however, beyond the scope of this report. We would therefore like to suggest that it is picked up by the Scrutiny Programme Committee as part of the scrutiny work programme.
- 4.3 *Make sure there is help for cleanliness and hygiene where needed*
 - 4.3.1 One strong concern we had as a Panel was that the 'basics' such as a cleanliness and hygiene should be important considerations for the social care at home service. We understand that cost constraints mean that it is no longer possible to provide services such as cleaning directly but we feel that any service should be doing as much as possible to help people to access these services by other means. We believe that it is detrimental to ignore this because it could lead to deterioration in physical health but also many people may become depressed if they have to live in poor conditions. More fundamentally we believe that everyone is entitled to the dignity that comes with basic cleanliness and hygiene.
 - 4.3.2 One issue linked to this that we concerned about was the availability of incontinence pads. We believe that it is more difficult than it should be to get access to these vital support items and we would urge the Cabinet Member to ask the Health Board to look at whether the current system can be improved.
 - 4.3.3 As a panel we recommend that issues of cleanliness and hygiene are monitored and reported by paid care staff in a way that will allow early intervention and support to be provided.

4.4 *Improve access to the information and help that people need*

- 4.4.1 As the service moves from providing care to supporting independence so the provision of information and the signposting of services will become more and more important. We note also that this is a central component of the Social Services and Wellbeing (Wales) Act 2014. While we understand that the service is being expanded with the help of Welsh Government Grant Funding we believe that the Council needs to invest more in this aspect of the service in order to support independence and reduce demand for services further down the line.
- 4.4.2 Better information starts with information about the social care at home system itself. During our inquiry we were unable to find a concise and clear explanation of the process that we were able to fully understand. Given that we spent many months exploring these issues we suspect that ordinary members of the public will certainly struggle. Given this difficulty and given that this is a requirement of the Act we ask that a simple map of the process is produced and published as soon as is reasonable.
- 4.4.3 The second issue is the provision of basic information about the service. While we recognise that everything that needs to be is published we also believe that this information could be presented in a simpler and more accessible way than through the use of fact sheets, as is currently the case. In the short term we suggest that a simple, short list of contacts is published on the website so that it can be downloaded and used in doctors' surgeries, by councillors etc. In the medium term we recommend that the website is redesigned following a review of user needs of the type conducted by the Government Digital Service. Such a review should also ensure that the needs of all communities in Swansea are being met particularly those BME communities that we understand are not accessing services to the same degree as others.
- 4.4.4 Third issue is that of active signposting that, again, is a requirement of the Social Services and Wellbeing (Wales) Act. This is clearly an issue that the Council has been working on and as a Panel we fully endorse the Community Connectors as a way to link older people to relevant initiatives in their communities. We also heard from the Carers Centre that the Connectors were a 'brilliant addition' and 'very effective'.
- 4.4.5 However, and while we recognise that this is a challenging issue, we believe that awareness of many services is still low. Members on the Panel, for example, were previously unaware of the SPICE project, provided through the health service, to support end of life care. While this is of course one anecdotal example we feel that steps need to be taken in order to ensure that awareness of services is widespread. We expect that future joint working with health will go some way to support this.
- 4.4.6 There is a wider point here about end of life care that we wish to stress. We are concerned that information about available services is not easy to access and we would urge the Cabinet Member to look into this as a matter of urgency.

- 4.4.7 While welcoming the Community Connectors initiative we wish to point to its limitations. It cannot be a replacement for other services and we do not expect that a large number of voluntary connectors will come forward to support the paid staff.
- 4.4.8 We also believe that more information needs to be provided about the Community Connectors themselves and that they could have better links with councillors and other 'unofficial' connectors. Our suggestion is that events are held regularly to allow relationships to be built in this regard.
- 4.5 *Make the most of the first contact*
- 4.5.1 We believe that support for independence should be the primary concern at in all aspects of the social care at home services and that this starts with the first contact. Currently this first contact is with the Council's Intake Team whose role is to assess the eligibility of potential new clients and either refer them into the system or signpost them elsewhere. We believe that this first contact could be made better.
- 4.5.2 First we think that the emphasis of the intake team could be shifted to more of an advice and signposting role. While this may mean added investment this could provide major support for prevention and reducing service demand if done well. We heard about Neath Port Talbot's placement of a voluntary sector advisor in their equivalent team, for example, and feel that this is an option worth pursuing. Such a team should be the single point of contact for all independence enquiries.
- 4.5.3 We would also suggest that the name of the team is changed. The current name of 'intake team' is far from user friendly and does not describe the kind of service we believe should be provided. Any new name should reflect that the team provides advice on independence issues first and foremost. This change would signal the new role and should provide a more positive face to the public.
- 4.5.4 We are concerned about the use of telephone assessments by the intake team. We do not think that these can be effective and in many cases may gather incorrect or insufficient information from unpaid carers or clients. The assessment process that the British Red Cross uses, for example, is face to face and seeks to build up an understanding of the person's issues and needs over more than one meeting. We appreciate that there may be cost implications associated with introducing such an approach but, as before, we feel this will lead to better outcomes and savings in the longer term.
- 4.5.5 To support such an approach it is important that those in the intake team have the right skills and training. One concern we had, for example, was the lack of qualified social workers in the intake team. This is an important issue given the nature of the assessments. We recommend therefore that the skills and training needs of the intake team are reviewed.
- 4.5.6 One further issue to note at this stage is the delays between assessment and brokerage. As mentioned above, people can wait up to seven weeks, and sometimes longer, from first contact to receiving their care package. We

would like to see the Cabinet Member undertake an urgent investigation of this issue to see what short term improvements might be made.

4.6 *Roll out the Gower model*

- 4.6.1 One particularly positive development that we learnt about was the Integrated Gower Team. This is a pilot scheme that brings together Council domiciliary care staff with health professionals in order to support independence. We understand that further evaluation is being undertaken and we do not therefore want to go into too much detail. There are however some points that we would like to make.
- 4.6.2 The presentation that we received from those involved convinced us that the pilot is working very well and this is therefore an approach we want to endorse. It is an approach based on outcomes that uses face to face assessments and is open to anyone to 'refer in'. It is therefore consistent with other arguments in this report.
- 4.6.3 A clear strength of the model is the locality approach. The focus on localities for social care services is a Council policy commitment and rightly so. By focusing on one geographic area it allows for a more compact and cost effective service to be provided. Professionals working with the team are able to build up good local knowledge and understanding of the local community. The compatibility of this approach with the Community Connectors initiative is also obvious. Another opportunity associated with this approach is that of utilising unused community buildings and we urge the Cabinet Member to ensure this is looked into.
- 4.6.4 A second strength is the close interaction between different professionals particularly between council and health staff. We heard about a range of benefits associated with a multi agency team including shared knowledge, shared training and improved access between professionals. We welcome any initiatives that can foster closer working with health and particularly with GPs.
- 4.6.5 For these reasons we are pleased to hear about the development, through the Western Bay Regional Partnership, of an intermediate care tier. We believe that this scheme, funded through a Welsh Government grant, can offer citizens a simpler, more seamless way to access local health and social care services. Positive aspects of the scheme include the plans for a shared access point, three network hubs and multi agency teams as is the case in Gower.
- 4.6.6 In rolling out these plans we ask the Cabinet Member to ensure that local ward councillors are able to engage and contribute. Councillors have an important role in terms of signposting and advocacy and this needs to be recognised.
- 4.6.7 In terms of social care at home, however, the challenge for this model as it is rolled out, is that of working with external providers. Currently the Integrated Team provides care directly through council staff and, given the apparent

higher costs associated with Council compared with private provision, this will not be possible on a bigger scale.

4.7 Work with external care providers as partners

4.7.1 After listening to the views of external providers we believe that they can have a positive role not just in delivering the service but in improving it as well. We wish to acknowledge the difficulties that these providers have given the low hourly rates paid by the local authority and the fact that these rates have not increased over a number of years.

4.7.2 We were impressed that the private providers were interested in the wellbeing of their clients and the quality of the service as much as any potential profit. There was a general feeling among the external providers that we spoke to that the delays between assessment and brokerage were too long and that the time and task system needed to be replaced by an outcomes approach. As a Panel we endorse the policy commitment to put 'public interest above private profit' in this context but do not see the pursuit of private profit as being of major concern.

4.7.3 We were concerned to hear that the external providers felt that the local authority did not listen to their concerns and that communications with social workers seemed to be poor. We believe that an effective transformation of the service will require meaningful input from all stakeholders. We recommend, therefore, that the Cabinet Member looks at good practice examples such as Thurrock and Wigan where aspects of the service have been co-designed with the providers.

4.8 Invest in the paid carers

4.8.1 The quality of the social care at home service and the effective of prevention and independence initiatives will be dependent upon the staff working with older people on the frontline. Decent pay and conditions as well as appropriate training for paid carers, regardless of employer, are a pre condition of an effective service.

4.8.2 As a Panel we want to acknowledge that providing social care at home can often be a difficult job in difficult circumstances. This is a role that attracts neither the recognition nor the rewards that it deserves. We note that one of the fundamentals of the TASS programme is a new model of social work. We suggest that there also needs to be a new model of social care work. We hope that this is an issue that can be picked up by the Cabinet Member.

4.8.3 One further cause for concern is the difference in pay and conditions between the Council and other providers when it comes to paid carers. External providers told us that it was difficult to retain staff when positions at the Council were more attractive. While we are certainly not suggesting that Council conditions are reduced we do recognise that this difference causes a staff retainment problem that is ultimately detrimental to the quality of care provided.

- 4.8.4 Linked to this we wish to highlight the difficulties we had in obtaining detailed information about how the costs for paid carers were broken down. We had difficulty in particular clarifying how travel costs in different areas affected the rates for council paid staff and this made it difficult to get a true picture of the difference between council and external provision.
- 4.8.5 We heard evidence from UNISON about their ethical care charter that seeks to ensure that staff are able to provide quality care. We believe that the charter is entirely consistent with the principles set out in this report and would therefore urge the Cabinet Member to consider whether the Council could sign up. At the same time we believe that all care staff, whether employed by the Council or otherwise, should be entitled to a living wage. We would ask that this point is also considered by the Cabinet Member.
- 4.8.6 On the issue of zero hours contracts the Panel felt that, broadly speaking, they should not be used if possible. However, while some Panel members wished to see the use of such contracts ruled out in any circumstance, others felt that there were occasions when they could be of benefit to both employer and employee.
- 4.9 *Care for the unpaid carers*
- 4.9.1 Beyond the paid carers we need to recognise the army of family, friends, neighbours and other volunteers who make independent living possible for many older people. These unpaid carers also need support if they are to continue caring.
- 4.9.2 The recently introduced focus on unpaid carers in the assessment process is a positive step that we would like to recognise. We also heard from the Carers Centre that the intake team were 'excellent to deal with' in this regard. However, the 'pre-set script' used by the team was raised as a limitation especially when carers were talking to the team directly. As with client assessments we believe that face to face conversations will always be preferable to phone contact and checklists. A concern we identified is that carers often feel guilty about asking for help because that could suggest that they cannot cope, and this does not get picked up by phone.
- 4.9.3 While we welcome the introduction of assessments for all carers we heard some evidence to suggest that not all carers are being assessed and that not all annual reassessments are being carried out. We therefore ask that the Cabinet Member checks the extent to which this is the case.
- 4.9.4 One important issue raised by the Carers Centre was that of respite and the closure of day centres. We recognise that the provision of day centres and similar services has a double benefit. They not only provide a benefit for the older people that attend them but also provide an often essential break for their unpaid carers. We urge the Cabinet Member to consider this when making decisions about such services in future.
- 4.9.5 Unpaid carers are important stakeholders and need to be involved in improving the service. We understand that the Council already has

arrangements for consulting and involving unpaid carers and we hope that these continue to be utilised and enhanced.

4.9.6 We support the Council's relationship with the Carer's Centre and hope that it can continue to be meaningful. We also recognise, however, that this organisation does not represent all carers and that the the Council needs to ensure that consultation and engagement is advertised more widely.

4.10 Ensure that the voices of older people can be heard

4.10.1 Having discussed various stakeholders in the social care at home system we now come to the most important group of all – the older people who receive the service. Ensuring that older people have a voice in the system is another clear requirement of the Social Services and Wellbeing (Wales) Act 2014. We spoke to a small number of older people both in day care settings and in their own homes. While this was too small a sample from which general conclusions can be reached, combined with the rest of the evidence we collected it allows a number of conclusions to be reached.

4.10.2 Two routes through which the voice of older people can be heard are advocacy and complaints. We believe that, for the system to be effective, both routes need to be working well.

4.10.3 Advocacy means having someone on your side; someone who can represent you views and interests, access information for you and make sure your rights are being defended.

4.10.4 We fully support the advocacy work being conducted in the voluntary sector by organisation such as Age Cymru Swansea Bay and the Carers Centre. We hope that advocacy initiatives such as these can be supported and maintained. The presentation we heard from the British Red Cross suggested that all of their work contained an element of low level advocacy. We believe that this principle could be extended as the social care at home service is developed so that advocacy for older people is everybody's business.

4.10.5 We heard from Age Cymru Swansea Bay that they had received such a high number of concerns that they are now about to embark upon a campaign to highlight complaints made about domiciliary care. Most of the concerns have been in relation to cuts in time spent with clients associated with 'time and task'.

4.10.6 We found it difficult to understand the complaints system and in particular found it unhelpful that a different process existed depending on whether someone received their care from the council or from an external provider. We note, however, that people have the choice of which complaints process to use. We were also concerned that information about complaints did not seem to be routinely shared between different parts of the system. In particular we think that social services should be aware of all relevant complaints. We believe, therefore, that the complaints system should be subject to a wider, more detailed review than we are able to provide while appreciating that national bodies such as CSSIW would need to be involved. In the short term we ask the Cabinet Member to review the information

provided to the public about making a complaint to ensure that it is fit for purpose.

4.11 Build a 'community of support'

- 4.11.1 During the course of our inquiry we spoke to a wide range of people all of whom had a genuine commitment to providing the best for our older people and all of whom recognised the importance of supporting older people to be independent on their own terms.
- 4.11.2 What is missing, we feel, is a strong sense of community amongst the various stakeholders in the system. We also came across stakeholders who felt that communication with the council could be improved or that they were not being listened to.
- 4.11.3 We believe that it will only be possible to achieve the system we need to support independence for older people if all stakeholders are actively involved in building it. To this end we propose that the Cabinet Member actively builds a 'community of support' around social care at home services. We suggest, as a first step, that a conference is held for all stakeholders, including councillors and trade unions, to discuss how we support older people and to jointly establish some principles going forward. Trafford Council provides an example of this type of approach.

5 RECOMMENDATIONS

The Panel commends Cabinet to consider all issues and ideas raised by this inquiry and, in particular, the recommendations set out below.

The Panel recognises that the Authority

- (a) will need to ensure that any subsequent actions are legal and meet the requirements of any relevant legislation;
- (b) has a responsibility to make the best use of limited resources and that any additional costs will need to be considered carefully as part of the annual budget setting process.

The Panel has kept these principles in mind in the course of its investigations.

The Panel recommends that Cabinet:

5.1 Long term challenges

- 5.1.1 Expands and enhances the reablement service
- 5.1.2 Moves the social care at home service from 'time and task' to an outcome based system
- 5.1.3 Implements the Gower model across the Swansea area as planned
- 5.1.4 Protects day centres and respite services wherever possible

5.2 Medium term improvements

- 5.2.1 Includes social contact as an element of care plans
- 5.2.2 Includes cleanliness and hygiene as an element of care plans
- 5.2.3 Undertakes a review of the information provided on the Council's website with carers and service users
- 5.2.4 Expands the role of the intake to team to be an 'independence advice team'
- 5.2.5 Reviews the assessment process including the training needs and qualifications of the Intake Team
- 5.2.6 Ensures that local ward councillors are effectively engaged in locality approaches such as the Gower Model
- 5.2.7 Involves external providers when any significant aspects of the service are redesigned
- 5.2.8 Adopts and implements the UNISON Ethical Care Charter
- 5.2.9 Stipulates living wage in contracts
- 5.2.10 Reviews the use of zero hours contracts

5.2.11 Holds a stakeholder conference for all partners and providers to discuss the future of social care at home and shared principles going forward – models of home care

5.3 *Quick wins*

5.3.1 Publishes a simple 'map' of the home care process on the Council's website that can be downloaded and printed

5.3.2 Provides a simple up to date list of who to contact when you need help on the Council's website that can be downloaded, printed and circulated

5.3.3 Ask the Health Board to review the system for providing basic support items e.g. incontinence pads

5.3.4 Holds local events for community connectors to network with councillors and other informal connectors

5.3.5 Investigates the delays between assessment and brokerage while broader changes are being considered

5.3.6 Checks whether all unpaid carers are receiving their assessments and annual reviews

5.3.7 Ensure that complaints information is easy to find on the Council website

6 FURTHER SCRUTINY NEEDED

As well as our recommendations for the Cabinet we have also come across a number of issues that we believe may require further scrutiny. We propose to the Scrutiny Programme Committee, therefore, that it examines:

- 6.1.1 The break down of costs for the Council associated with directly providing paid care and why these differ from the costs associated with external providers
- 6.1.2 Alternatives to residential and home care and how the Council might provide these alternatives
- 6.1.3 The brokerage system for social Care at home (should the time and task approach be retained)
- 6.1.4 Social Care at Home for groups of people other than older people

7 ACKNOWLEDGEMENTS

The Panel is very grateful to everyone who contributed to the inquiry.

Particular thanks go to the service users and their carers who kindly allowed panel members to talk to them in their homes and to the service users and staff at Norton Lodge Day Centre and Rose Cross Day Centres.

Also to Nicola Russell-Brooks (Age Cymru Swansea Bay) who acted as an expert witness for a number of the evidence gathering sessions.

The Panel would like to thank Councillor Mark Child (Cabinet Member for Wellbeing), Carol Rea, Director of Adult Services, Paul Littlewood, Senior Principal Officer and Fiona Broxton, Contracting Officer, for all of their help and for the information provided.

The Panel would like to record its thanks to the following people who came and gave evidence:

Ali Williams (Contracting Manager, Social Services)
Alison Ransome, Community Nursing Network Manager (ABMU)
Alison Thomas (Alpha Homecare)
Amanda Lince (Crosshands Home Services)
Anne Williams (50+ Network CCOS)
Bill Williams (UNISON)
David Tovey (Coastal Housing)
Deborah Denis (Intake Team Manager)
Emma Lewis (Village Homecare)
Helen Carmichael (Aylecare Nursing Services)
Ian Millington (GP)
Jan Worthing (ABMU)
Janet Hooper (Directorate Lawyer-Social Services & Education)
Janet John, Senior Services Manager (British Red Cross)
Julia Crawley (Principal Officer Community and Intermediate Care)
Karen Gronert (ABMU Health Board)
Kathryn Chapman, Deputy Director (Swansea Carers Centre)
Linda Hughes (Senior Care Worker), Carol Rea, Head of Adult Services
Mark Hopkins (Family Housing Association)
Mark Parker (Home Care)
Mary Pitson (CEX Age Cymru Swansea Bay)
Rachel Brooks (Lawyer)
Shirley Bowen, Director (Swansea Carers Centre)
Stephen Francis (Home Comforts)
Stuart Bryce-Jones (Alpha Homecare)

8 ABOUT THE INQUIRY PANEL

The **Social Care at Home Scrutiny Inquiry Panel** is a team of Councillors who are not members of the Cabinet. Their role is to examine a strategic issue of concern and to make recommendations about how policies and services can be improved.

Members of the Panel

Uta Clay (Convener)

Jane Harris (Convener until September 2014)

Ann Cook

Jan Curtice

Chris Holley

Paxton Hood-Williams

Lynda James

Yvonne Jardine

Susan Jones

David Lewis

Hazel Morris

Gloria Tanner

Ceinwen Thomas

Linda Tyler-Lloyd

The inquiry was supported by Juliet Rees, Rosie Jackson and Dave Mckenna from the Council's Scrutiny Unit.


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Report of the Cabinet Member for Finance and Strategy

Cabinet - 20 January 2015

CORPORATE PLAN 2015-17

Purpose:	To agree the Corporate Plan <i>Delivering for Swansea</i> for 2015-17
Policy Framework:	<i>Sustainable Swansea – Fit for the Future</i>
Reason for Decision:	To agree the Corporate Plan 2015-17 and comply with statutory guidance Part 1 Local Government (Wales) Measure 2009
Consultation:	Legal, Finance, Access to Services.
Recommendation(s):	It is recommended that: 1) The Corporate Plan <i>Delivering for Swansea</i> for 2015-17 is agreed.
Report Author:	Richard Rowlands
Finance Officer:	Carl Billingsley
Legal Officer:	Tracey Meredith
Access to Services Officer:	Euros Owen

1.0 Introduction

1.1 This report presents the Council's Corporate Plan *Delivering for Swansea* for 2015-17. The revised Corporate Plan forms part of the Council's new performance improvement framework.

2.0 Background

2.1 The Corporate Plan for 2015-17 consists of 5 key priorities.

2.2 The five priorities are listed below:

- 1) Safeguarding vulnerable people.
- 2) Improving pupil attainment.
- 3) Creating a vibrant and viable city and economy.
- 4) Tackling poverty.
- 5) Building sustainable communities.

- 2.3 These priorities represent the overriding objectives for the Council. A public consultation exercise is currently underway. The priorities:
- a) represent key *Policy Commitments*;
 - b) reflect the *Budget Principles* to support those people at greatest risk, sustainable outcomes and personal responsibility.
- 2.4 The Corporate Plan will fulfil the Council's statutory obligations to set 'Improvement Objectives' under the Local Government (Wales) 2009 Measure and 'Wellbeing Objectives' under the Well-Being of Future Generations (Wales) Bill when it becomes law.
- 2.5 The Corporate Plan also describes links to *Sustainable Swansea – fit for the future* and other underpinning themes.
- 2.6 Some services will directly deliver these priorities. Others will make a contribution either on their own or by working in partnership with others.
- 2.7 In some aspects the Priorities are complementary and the Council's approach to delivery recognises the cross cutting nature of the outcomes the Council wants to achieve.
- 2.8 The Corporate Plan does not include everything that the Council carries out as it provides lots of other services that are important and are valued by residents, but not everything can be a priority. The Corporate Plan focuses on what is most important for Swansea.

3.0 Structure of the Corporate Plan

- 3.1 The Corporate Plan will set out:
- *Our Vision*
 - *Our Priorities*
 - *Our Values*
 - *Our Principles*
 - *Our Delivery*
- 3.1.1. And, for each Priority:
- *Why is this a priority?*
 - *What needs improving?*
 - *What are we going to do?*
 - *What difference will our actions make?*
 - *How will we measure progress?*

3.2 A summary of the key priorities is attached at **Appendix A**. A copy of the full Plan is attached at **Appendix B**.

4.0 Equality & Engagement Implications

4.1 Where required, individual Equality Impact Assessments will be undertaken on each priority during 2015-17 by the responsible service areas.

5.0 Financial Implications

5.1 Whilst there are no immediate financial implications arising directly from this report, acceptance of the plan could result in additional expenditure at a future time. Acceptance of the plan does not mean that additional resources will be made available and it should be assumed that future spending needs will need to be contained within existing budget provision. Additionally, the focus of a number of the priorities is on preventative action to reduce future costs.

6.0 Legal Implications

6.1 Under the Local Government (Wales) Measure 2009 for each financial year the Council must set itself objectives for improving the exercise of its functions during that year (“improvement objectives”) and further must have regard to guidance issued by the Welsh Ministers.

Background Papers: None.

Appendices: Appendix A – Summary of key priorities.
Appendix B – Draft Corporate Plan 2015-17

CORPORATE PLAN PRIORITIES

PRIORITY	WHY THIS IS IMPORTANT	AREAS OF FOCUS
Safeguarding Vulnerable People	<ul style="list-style-type: none"> Swansea Council is committed to ensuring vulnerable people are safe and protected from harm. We want people to live as independently as possible and we want children to be supported within family settings. 	<ul style="list-style-type: none"> Effective arrangements are in place for safeguarding and protecting those at risk from significant harm and exploitation. Safeguarding, including corporate arrangements
Improving Pupil Attainment	<ul style="list-style-type: none"> We want every young person to achieve their potential. Too many children are not attending school and are not achieving the educational outcomes they should to succeed in life. 	<ul style="list-style-type: none"> Improve primary and secondary attendance Improve literacy and numeracy levels in English and Welsh English and Welsh assessments and tests – Foundation Phase and Key Stage 2 Improve the key indicator at key stage 4 - the Level 2 Threshold Inclusive of English or Welsh and Maths
Creating a Vibrant and Viable City and Economy	<ul style="list-style-type: none"> Swansea is at the heart of the City Region and the future success of the region depends on a vibrant and viable City Centre. A thriving mixed use City Centre will support the prosperity of our citizens and help to deliver the anti-poverty ambitions for Swansea 	<ul style="list-style-type: none"> Vibrant new retail and leisure development at St David's. Better quality commercial floor space enabling the provision of increased employment. Employment & training opportunities created. Improved City living opportunities.

PRIORITY	WHY THIS IS IMPORTANT	AREAS OF FOCUS
Tackling Poverty	<ul style="list-style-type: none"> • Poverty limits aspirations, damages relationships and reduces life changes • We need everyone to be living and achieving their full potential • Swansea faces particular challenges on educational achievement, employment rates, debt and early mortality • Preventative action will support our aim of a sustainable budget 	<ul style="list-style-type: none"> • Poverty Strategy • Readiness for School Strategy • Youth Progression and Engagement Framework. • Young people not in Education employment and training age 16-18 years • Staff trained in welfare rights and benefits advice – Universal Credit. • Local Delivery Plan for the roll out of Universal Credit • Achievement of the Purple Flag award – for a healthy nightlife.
Building Sustainable Communities	<ul style="list-style-type: none"> • We need to build and support sustainable communities because this will result in better outcomes for people, support stronger and more resilient communities and reduce the cost of services 	<ul style="list-style-type: none"> • Older people looked after at home / within the community • Supporting residents, families and communities to be more self-reliant and resilient and do more things for themselves. • Community action, running local services. • Planning Policy supporting sustainable communities. • Community asset reviews.

Corporate Plan 2015/17

***Delivering for
Swansea***

Contents

1. Foreword
 2. Our Vision
 3. Our Priorities
 4. Our Values
 5. Our Principles
 6. Our Delivery
 7. Priority 1 - Safeguarding vulnerable people
 8. Priority 2 - Improving pupil attainment
 9. Priority 3 – Creating a vibrant and viable city and economy
 10. Priority 4 - Tackling poverty
 11. Priority 5 - Building sustainable communities
 12. Next Steps
- Appendix – Swansea: Profile and Challenges

Foreword

What this document covers

This Corporate Plan for 2015/17, *Delivering for Swansea*, describes the Council's vision for Swansea, our 5 key Council priorities and our organisation values and principles that will underpin the delivery of our priorities and overall strategy. This Plan does not include everything that we do but focusses on what is most important for Swansea.

What we have achieved in recent years

Swansea has achieved much in recent years. Some highlights include:

Swansea became the first local authority in the UK to adopt the United Nations Convention on the Rights of the Child (UNCRC) reflecting our commitment to children and young people.

Rolled-out the *Swansea Standard*, which focuses on the Council and our staff providing excellent customer service.

Swansea was named as the UK's UNESCO Learning City and has adopted entrepreneurial skills as its key focus and has signed the Beijing Declaration on Learning City.

Worked with partners and the Welsh Government to launch the City Region and a strategy has been adopted to attract investment and create the right conditions for jobs, businesses and wealth.

Launched a review of the City Centre, which includes public consultation and engagement to help shape the future development strategy and support future funding bids.

Finalised a Tackling Poverty Strategy and developed an external Swansea Poverty Partnership Forum to help deal with poverty and the effects of poverty.

Worked with Welsh Government and with others through the South West Wales Councils and SWWITCH to lobby the Government in London to extend the electrification of the main railway line from London to Swansea.

Agreed a strategy to safely reduce the number of looked after children in Swansea.

The challenges ahead

Swansea faces a number of challenges in the years ahead, which include:

- Attracting economic investment.
- Regenerating Swansea's city centre and communities across Swansea.
- Creating high quality employment opportunities.
- Addressing inequalities in health, education, employment and life chances between people living within different communities in Swansea
- Demographic pressures and increasing demand for public services at a time when there are significant reductions public spending.

Our ambitions and commitments to residents

We want to:

- Safeguard Vulnerable People – so that our citizens are free from harm and exploitation.
- Improve Pupil Attainment – so that every child and young person in Swansea gains the skills and qualifications they need to succeed in life.
- Create a viable and vibrant City and Economy – so that Swansea has a thriving mixed use City Centre that will support the prosperity of our citizens.
- Tackle Poverty – so that every person in Swansea can achieve their potential.
- Build Sustainable Communities – so that the places where people live and work meet the diverse needs of existing and future residents.

We will do this by:

- Focussing on meeting people's needs and delivering outcomes.
- Working with others where this is beneficial and helps us meet people's needs.
- Looking at different ways of working in order to meet challenges and improve services to the people of Swansea.
- Containing spending pressures, reducing costs and delivering services more efficiently.
- Investing or switching resources into our priorities.
- Intervening earlier and preventing need from escalating.
- Equipping our employees to meet the challenges and to improve service delivery.
- Ensuring that we have a sharp focus on the delivery of our commitments.

Our **Vision** is for

**A safer, greener, smarter,
fairer, healthier, richer
Swansea**

DRAFT

Our Priorities

We want Swansea to be a place that is more prosperous with a skilled and well-educated population, less characterised by the contrasts and extremes of poverty across the city. We want to improve well-being so that communities are safer, healthier, more cohesive and resilient so that everyone can be enabled to fulfil their potential.

This Corporate Plan sets out what the Council aims to achieve and how we will measure progress. The Corporate Plan fulfils our statutory obligations to set **'Improvement Objectives'** under the **Local Government (Wales) 2009 Measure** and **'Wellbeing Objectives'** under the **Well-Being of Future Generations (Wales) Bill**.

Our five key priorities are outlined below.

- **Safeguarding vulnerable people**
- **Improving pupil attainment**
- **Creating a vibrant and viable city and economy**
- **Tackling poverty**
- **Building sustainable communities**

These priorities represent the overriding objectives for the Council. Some services will directly deliver these priorities. Others will make a contribution either on their own or by working in partnership with others.

This Plan does not include everything that we do, the Council provides lots of other services that are important and are valued by residents, but not everything can be a priority. **This Plan focuses on what is most important for Swansea.**

This Plan sets out for each Priority:

- *Why is this a priority?*
- *What needs improving?*
- *What are we going to do?*
- *What difference will our actions make?*
- *How will we measure progress?*

Our Values

Our Plans will be built on three clear Values which will guide the way that we work, how we develop as an organisation and our decision making through the years ahead.

People Focus

We will focus on community needs and outcomes and on improving the lives of the people who live and work in Swansea. We will also respect, value and support our employees and demonstrate the highest standards of integrity.

Working Together

We will promote a whole partnership approach, working across services to maximise resources and knowledge and joining forces with others outside the Council to ensure we prioritise our resources and get the best for our communities.

Innovation

We will promote and support a culture of innovation. We will think and work differently to improve our ability to deliver and to meet the financial, demographic and societal challenges we face.

Clear plans will be developed across all Services for how these three Values will be delivered and how we will share learning across the Council, as part of our Innovation Programme.

Our Principles

Our Plans and Priorities will be underpinned by three key principles. These principles are essential to deliver our Priorities and will be woven through all that we do.

Sustainability

We will work to improve the economic, social and environmental well-being of Swansea. This means making sure that the needs of the present are met without compromising the ability of future generations to meet their aspirations. It is a key principle at the heart of our *Sustainable Swansea – Fit for the Future* strategy, which is about transforming Council services, ensuring the financial viability of the Council and improving outcomes for residents. As part of this we will continue to engage with and seek the views of residents and service users. The principle of sustainability has prevention and integration at its heart and we will develop long term plans for addressing our Priorities, working with others. We will also ensure that, through this approach, we meet the requirements of the Well Being and Future Generations Bill.

Prevention

We will intervene earlier in order to support people at greatest risk, change behaviours and prevent the need for costly specialist services, often with a long-term support programme. This will help to make families and communities more resilient, reduce the demand for Council services, reduce costs and achieve better outcomes. We will adopt a whole Council approach to managing the demand for services and aim to deepen our understanding of customer contact and how services can be redesigned to eliminate, reduce or divert demand.

Partnerships

We will work together with our partners across the public, business and voluntary sectors through the Local Service Board and through other collaborative means in order to meet the shared challenges that face Swansea and its communities. We will take a 'Team Swansea' approach, working as a whole Council to ensure that every service can play a part in contributing to our Priorities and that we share resources and expertise. The needs of our residents and the major challenges facing Swansea can only be tackled through productive partnerships, greater integration of our services and pooling of resources.

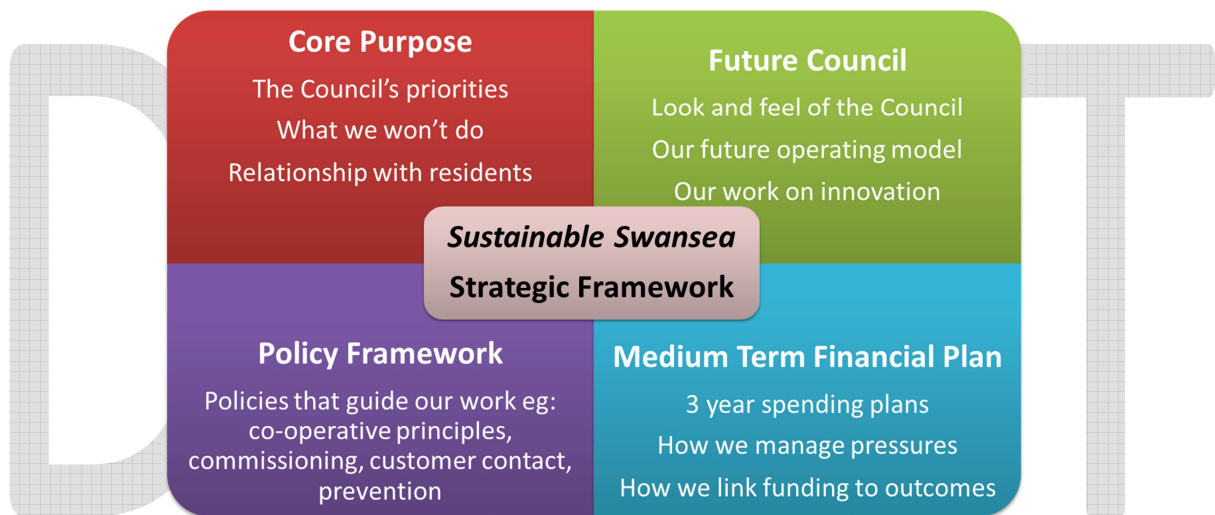
We will expect all Services to demonstrate how these Principles are being used as part of their business planning and day to day service delivery.

Our Delivery

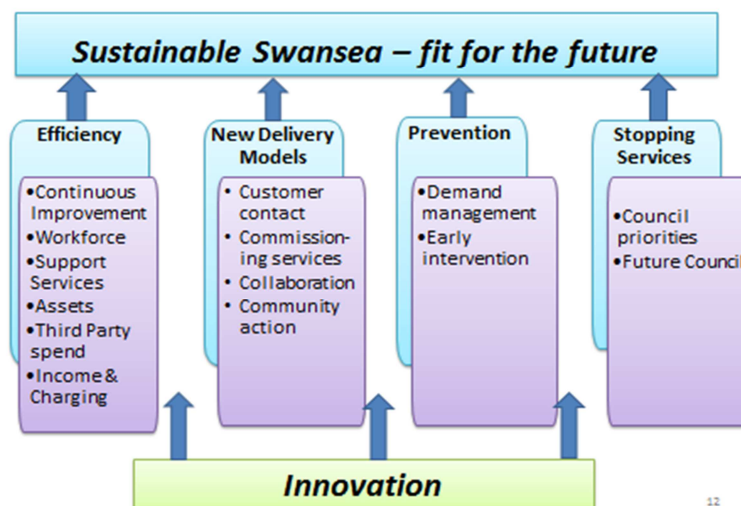
To meet the challenges facing Swansea and to deliver our Priorities we need a sharp focus on resourcing, delivery and performance improvement. This requires a strong programme for change and a clear approach to future funding, our relationship with customers and how we manage and support employees.

Sustainable Swansea – Fit for the Future

The Council's strategic framework for the future is set out within our *Sustainable Swansea – Fit for the Future* strategy. This has four key elements:



Sustainable Swansea has four Workstreams and 14 delivery strands which will deliver the changes we wish to see in support of the Priorities set out in this Corporate Plan:



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Our funding

Funding from central government has been cut over recent years and, based upon current estimates, this trend will continue until at least 2020. The Council has already made significant savings in recent years and has reduced senior management by a third.

The latest indications from the Welsh Government are that local authorities should plan for a 4.5% reduction in grant in each of the next 3 years. Taken together with other demographic and service pressures, the estimated funding gap for Swansea Council is £30m for 2015/16, rising to some £70m over the following two years.

To ensure our services are cost-effective, we will review all areas of spend. We will work to ensure that services contain spending pressures within their allocated budgets. We will seek efficiencies before services are cut. We will look for innovative ways to increase our income. We will look at new and innovative models of delivery for services and how communities can be enabled to help themselves. We will ensure that resources are targeted onto areas of disadvantage and on preventative services and demand management.

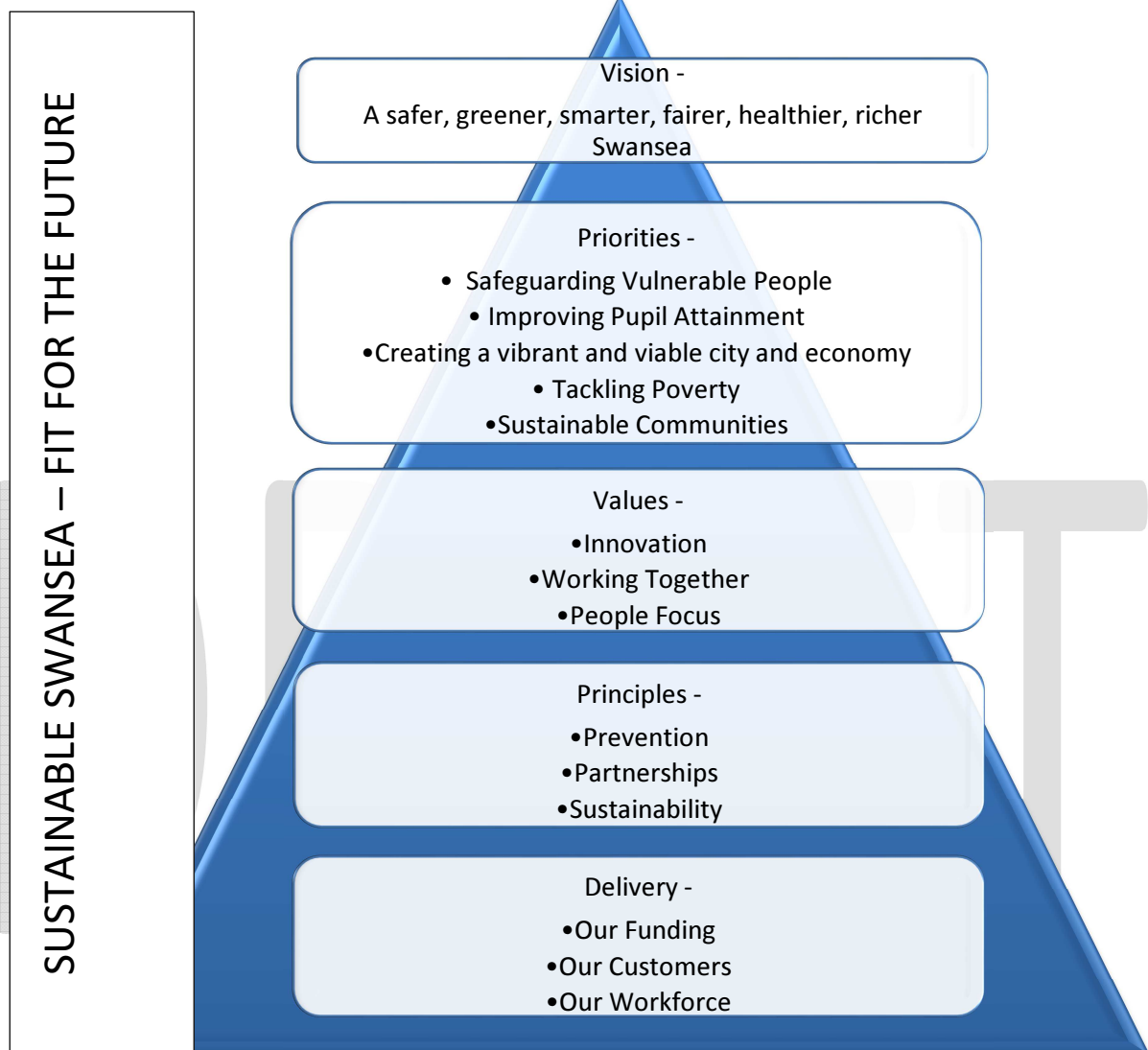
Our Customers

Despite these challenges, there is a reasonable expectation from residents that services will improve. People no longer want a 'one size fits all' approach. They want services that are responsive and adaptable to their needs. They want to access services in different ways and in ways that are more convenient for them. We will shift customer contact to digital self-service channels, whilst promoting digital inclusion. We will use customer insight, engagement and feedback to improve services. We will consolidate our customer services into a single service and we will support customers to use the new contact methods. But the challenges ahead also require a new relationship between residents and public services – which is reflected in Priority 5: Building Sustainable Communities. We will support residents, families and communities to be more self-reliant and resilient and to do more things for themselves.

Our Workforce

The workforce and the culture of an organisation are vital in achieving our aims and overall success. Our employees will need to work differently to meet our challenges and will need to be equipped with new skills and approaches in order to do so and to fulfil their potential. We will embed our corporate values promoting empowerment, innovation and personal responsibility into the organisational culture so that we can improve services and outcomes. We want employees to be aware of risks but not to inhibit innovation. We want an organisation where innovative thinking is enabled, encouraged and rewarded. We want an organisation where employees feel valued and supported and where success is rewarded. We want an organisation where there is a 'no blame' culture and where mistakes are seen as an opportunity to learn and improve.

Our Corporate Plan on a page





Priority One

Safeguarding Vulnerable People

Why is this a priority?

Swansea Council is committed to ensuring that its citizens are free from harm and exploitation, including domestic abuse, child sexual exploitation, human trafficking and modern day slavery. We want people to be able to live as independently as possible, in their own homes. We also want children to stay with their families or be supported in family settings, where it is safe for them to do so.

What needs improving?

Safeguarding vulnerable people needs to be seen as everybody's business in every service within the Council. We also need to raise awareness within our communities and with our partner organisations.

“Safeguarding” is a wider concept than the protection of children and adults and deals with the promotion of:

- Physical, emotional and mental well-being
- Protection from harm and neglect;
- Education, training and leisure;
- Contribution to society and the economy

What are we going to do?

Every organisation working with children, young people and adults should be committed to safeguarding, and to promoting their wellbeing and health.

- We will ensure there is clear understanding amongst staff, volunteers, councillors and those working on behalf of the Council about the corporate safeguarding policy and guidelines for safeguarding children and adults;
- We will ensure that each service in the Council has a clear understanding about how it contributes to safeguarding people and monitors how it does this.

- We will develop and deliver a safeguarding training package to be used across all council services as well as specialist training for councillors.
- We will develop a performance Improvement and reporting framework to measure the impact of the *Corporate Operational Safeguarding* policy.
- We will make sure that the United Convention on the Rights of the Child is incorporated into the Council's corporate safeguarding arrangements.
- We will ensure that we have effective arrangements for safeguarding and protecting those at risk from significant harm and exploitation , including domestic abuse, child sexual exploitation, human trafficking and modern day slavery
- We will ensure that local citizens know where to go to for advice and assistance regarding any safeguarding concerns they may have.

What difference will our actions make and how will we measure progress?

Outcome	How we will measure progress	Target 2015/16	Target 2016/17
Data Development – key performance indicators and targets to be developed			
Improved awareness of corporate safeguarding policy and arrangement amongst Council employees	Number / % who have received training in safeguarding vulnerable people a) (Targeted) Staff b) Designated Leads c) Elected Members	Data Development - key performance indicators and targets to be developed	
	Number of hits on the Safeguarding Children and Child Protection in the Authority StaffNet web page		
All directorates can evidence that they understand how they contribute to safeguarding people and monitor their effectiveness	Safeguarding is appropriately included in Business plans and risk registers.	Data Development - key performance indicators and targets to be developed	
	Number / % of DBS checks: a) Positive b) Outstanding		

Outcome	How we will measure progress	Target 2015/16	Target 2016/17
All new employees are provided with information about their role in respect of safeguarding	Number / % of new employees completing induction training (e-learning)	Data Development- key performance indicators and targets to be developed	
	% of (survey) respondents had explained to them their responsibilities for safeguarding and child protection explained to them when they first started their role in the Council/School		
Council employees feel confident about how to identify, discuss and report concerns in respect of children and adults	% of (survey) respondents had explained to them their responsibilities for safeguarding and child protection explained to them when they first started their role in the Council/School	Data Development- key performance indicators and targets to be developed	
	% staff (survey) who know who the Lead Councillor is for safeguarding		
	% staff (survey) who know who their departmental Designated lead for safeguarding is		
	Number / % of referrals in relation to Safeguarding: a) Whistleblowing b) Complaints c) Anonymous referrals d) Contracting		
Effective arrangements are in place for safeguarding and protecting those at risk from significant harm and exploitation	Number of best interest assessments for Adults that lack capacity	Data Development- key performance indicators and targets to be developed	
	The number of services in escalated concerns		
	Number of children who are disabled and in the child protection system		
	Number of child / adult practice reviews		

Outcome	How we will measure progress	Target 2015/16	Target 2016/17
Effective arrangements are in place for safeguarding and protecting those at risk from significant harm and exploitation	Number / rate of safeguarding referrals a) Adult Social Services b) Child & Family Services	Baseline within normal range/ month a) 100-150 b) 100-150	a) & b) To reduce referrals by 5%, through better general awareness, and preventative measures
	a) Number/ children on the CPR b) Rate per 1000 (0-17 population)	a) 200-250 b) between 40-60	a) 200-250 b) between 40-60
	Number / % of children on the CPR who have been de-registered and then re-registered.	12-16%	10-15%
	% Children who are subject to Child exploitation concerns, where risk managed	100%	100%
	% of missing children looked who returned safely within 24hrs	Baseline to be set	90-100%
	Number / % of Safeguarding decisions taken within 24 hours: a) Adult Social Services b) Child & Family Services	a) Baseline to be set b) 100%	a) 100% b) 100%
	% of (Adult Social Care) safeguarding referrals where the risk has been managed	a) 90%	b) 92%
	% safeguarding referrals where risk managed, relating to person who lacks capacity, under Mental Capacity Act	a) Baseline to be set	b) Target to be set following baseline



Improving pupil attainment

Why is this a priority?

We want every child and young person in Swansea gain the skills and qualifications they need to succeed in life. Currently too many children and young people are not attending school regularly and are not achieving the skills and qualifications that they need to go on into further education, employment or training.

What needs improving?

We need to ensure that all children and young people attend school regularly so that they have a better chance of improving their skills and qualifications. Educational outcomes in Swansea have shown good improvement in recent years. However, poverty and disadvantage will continue to hold back improvement unless the focus on improving outcomes for all children and young people remains.

What are we going to do?

Schools with low attendance will be challenged to improve. Officers of the authority will work with each of these schools to ensure they know what they have to do to improve.

The focus on improving literacy in English and Welsh at all ages will remain so that pupils are able to read and follow the curriculum. Pupils' success will be monitored at the end of key points in statutory education up to age 16.

Schools with low performance will be challenged to improve. There will be an increased emphasis on schools helping each other as well as being supported by the authority

What difference will our actions make and how will we measure progress?

Outcome	How we will measure progress	Target 2015/16 (Academic Yr 2014-15)		Target 2016/17 (Academic Yr 2015-16)	
Improved pupil educational attainment	Improved primary school attendance rates	94.6%		94.7%	
	Improved secondary school attendance rates	93.5%		93.6%	
	Improved attainment at age 16 as measured through the Level 2 Inclusive of English/Welsh & Maths	57%		58%	
	ENGLISH and WELSH assessments and tests	English	Welsh	English	Welsh
	Foundation Phase	84.4%	89.8%	85.4%	90.0%
	KS2 Level 4+	90.4%	91.7%	91.4%	91.7%
	National Literacy Tests for Years 2-9 combined – Standardised score 85+ / Wales ranking	Improve from the 2013-14 baseline of 84.9 / 6th	Improve from the 2013-14 baseline of 84.5 / 13th	Improve ¹	
	National Numeracy Tests for Years 2-9 combined – Standardised score 85+ / Wales ranking	Procedural Improve from the 2013-14 baseline of 84.7 / 9th	Reasoning Improve from the 2013-14 baseline of 84.5 / 8th	Improve ¹	

¹ 2013-14 was the first year of testing with robust outcomes so cannot set quantifiable targets yet



Creating a vibrant and viable City and Economy

Why is this a priority?

Swansea is at the heart of the City Region and the future success of the region depends on a vibrant and viable City Centre. A thriving mixed use City Centre will support the prosperity of our citizens and help to deliver the anti-poverty ambitions for Swansea.

What needs improving?

- Attractiveness and vibrancy of the City centre
- Creating better quality retail, office, leisure, & residential floor space
- Creating more and better quality jobs
- Helping the long-term unemployed and economically inactive into jobs.
- Creating a destination for visitors, shoppers, businesses and residents
- Consolidating the City Centre's role at the heart of the city region

What are we going to do?

To Realise the Potential, we will:

- § work to deliver physical regeneration of the City Centre in line with our revised City Centre Strategic Framework – in particular, property construction and enhancement and delivering enabling infrastructure to support site development
- § secure regional, Welsh Government and European funding support for the regeneration of the City Centre
- § expedite the completion of development briefs, marketing of sites and appointment of developers
- § attract new indigenous and inward investment development
- § create employment and training opportunities through the application of Beyond Bricks and Mortar
- § recognise the importance of a competitive digital infrastructure to support the city's economic growth, investment and productivity gains.

What difference will our actions make and how will we measure progress?

Outcome	How we will measure progress	Target 2015/16	Target 2016/17
Vibrant new retail and leisure development at St David's	Market site and select preferred developer. Secure planning consent.	Site marketed/ developer selected -1	Planning Consent secured - 1
Better quality commercial floor space enabling the provision of increased employment	Tracking development and recording floor space	1,000sqm of floor space created	1,000sqm of floor space created
Employment & training opportunities created	Monitored by Beyond Bricks & Mortar	200 training weeks provided	950 training weeks provided
Improved City living opportunities	Housing Land Availability monitoring	55 new units Created	90 new units Created

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Priority Four

Tackling Poverty

Why is this a priority?

Our vision is that Swansea citizens will be aspirational and have the confidence and resources to make their aspirations a reality. We want everyone, regardless of where they live, to live in a vibrant, supportive place, where they feel proud to belong to the community. We want people to have aspirations for their communities and families that are challenging, rewarding and uplifting. We want to have communities of ambition, where young people strive for a better future, and get the help and support they need to make it a reality. We want to provide strong role models for children and adults, from whom they can learn and with whom they can try out new options for themselves, which may have been beyond their wildest dreams. Most of all, we want people to be proud to be a part of the place that is Swansea.

For the purpose of the Welsh Index of Multiple Deprivation, Wales is divided into 1896 Lower Super Output Areas (LSOAs). Swansea has an above average share of LSOAs featured in the top 10% most deprived in Wales, with 17 (12%) of its 147 LSOAs now ranked in the top 190 (10%) most deprived. The degree of inequality in Swansea can be expressed by the fact that Swansea also has the third most affluent LSOA in Wales.

What needs improving?

The Council needs to do things differently, and to ensure that the whole organisation is focused on efforts to tackle poverty. The recently approved Tackling Poverty Strategy outlines three key areas for the Council to develop:

- Empowering Local People
- Changing Cultures
- Targeting Resources.

Specific areas of improvement are outlined in the Strategy Action Plan under each of these headings. The outcomes we are seeking to change are outlined below.

What are we going to do?

The Council has developed a Tackling Poverty strategy and Action Plan which focuses on a clear set of activities to tackle poverty and involve those who are experiencing it.

We will;

- Seek to re-direct resources to support this agenda
- Introduce a partnership to better co-ordinate services at a local level
- Seek to relocate more of our workforce into the community
- Introduce high profile opportunities for people who experience poverty to challenge faith, business and civic leaders
- Devise more opportunities for local people to have greater say on what happens in their area.
- Continue to further develop our existing work in this area through a number of programmes such as Communities First, Families First and Flying Start.

What difference will our actions make and how will we measure progress?

We will monitor the Tackling Poverty action plan to ensure the Council is delivering its key objectives, as outlined above. The measures below list the progress the Council will make, with the Tackling Poverty Performance Framework involving partners in the delivery of the outcomes which are listed below.

Outcome	How we will measure progress	Target 2015/16	Target 2016/17
Children have a good start in life - Children are ready for school and ready to learn	Finalising and delivering the Readiness for School Strategy (Early Years Strategy)	Delivery of the action plan	Narrowing the gap in the CDAP data between deciles 1-10.
Young people and adults have good jobs Young people are in work	Implementation of the Youth Progression and Engagement Framework	Development and provision of the Lead Worker role for Young people and their families	The most vulnerable young people are receiving support
	Number of young people not in Education employment and training age 16-18 years	NEET rate 3.7%	NEET rate 3.5%

Outcome	How we will measure progress	Target 2015/16	Target 2016/17
People have a decent standard of living – People are claiming appropriate benefits More people are supported who are facing Welfare Reform changes	Development of the Local Delivery Plan for the roll out of Universal Credit	Single claimants on JSA transition onto Universal Credit within minimal disruption and debt	Further roll out of residents onto UC is planned with partners and implemented
	Number of staff trained in welfare rights and benefits advice – Universal Credit	600	700
People are healthy, safe and independent - fewer people are affected by crime Purple Flag Award	Achievement of the Purple Flag award – for a healthy nightlife	Awarded the Purple Flag award	Maintenance of the Purple Flag award, and on-going improvements in the city's healthy nightlife
Swansea is reducing and mitigating the impacts of poverty through the delivery of the tackling poverty strategy	Delivery of the tackling poverty action plan	40% of activities started within the first year	80% activities started within the second year



Building Sustainable Communities

Why is this a priority?

We need to build and support sustainable communities because this will result in better outcomes for people and reduce the cost of services. Sustainable Communities are ones people want to live, work and bring up their families within. These are communities in which vulnerable find support, people run businesses, and families work well and stay together.

Current models of service delivery are unsustainable and do not always provide the best outcomes for people. Swansea is changing and residents' needs are changing too. Transformation of services is vital to meet the challenges of the future and this is made more urgent by the significant budget cuts we are facing.

We also need a new relationship between residents and public services. Residents, families and communities need to be more self-reliant and resilient and to do more things for themselves. Planning policy and our approach to asset management needs to ensure that communities can be sustained and that they have the assets they require

What needs improving?

There are six main areas where sustained and long term change is needed:

- Supporting people and communities to help themselves and to run more local services
- A significant focus on early intervention and preventative actions
- A new understanding with residents about the future role of the Council and what we will and will not do in the future
- System wide change, working with partners across Swansea
- Ensure that our Planning Policy and Local Development Plan contribute towards building communities which remain cohesive and viable.
- Ensuring that community assets (people and places) provide the most effective and efficient way of providing services to those that need them most.

What are we going to do?

We plan to:

- Implement a range of new schemes using a Prevention Budget aimed at reducing the need for services over the longer term.
- Promote independence to keep people living at home or in the community for longer and reduce admissions to residential care.
- Work with the voluntary and community sector in Swansea to promote community action, build capacity and develop projects for communities to run services, manage assets and build cohesion
- Undertake further widespread community engagement about the future role of the Council and what we expect residents, families and communities to do in the future to support themselves
- Agree a new approach to service integration, pooled and community budgets and joint delivery with the Local Service Board.
- Through our Planning Policy and the Local Development Plan ensure that development is sustainable and communities have the assets and support that they need.
- Commit to undertake area reviews of all assets and explore opportunities for community asset transfer.

What difference will our actions make and how will we measure progress?

Outcome	How we will measure progress	Targets 2015/16	Targets 2016/17
More people running local services	Number of projects in each Ward	Baseline to be set	To be decided
	Number of successful bids from the Community Transformation Fund	Baseline to be set	To be decided
More people living at home or in the community	Number of projects in the Prevention Budget achieving their objectives	All projects in the Prevention Budget to be independently evaluated for value for money	To be decided
	% of adult clients who are supported in the community during the year	To be decided following the completion of the Older Person's Review	To be decided

Outcome	How we will measure progress	Targets 2015/16	Targets 2016/17
People live in resilient communities ²	% of people across Swansea who believe they live a good place	Not less than 89%	More than 89%
	% of people who believe that they can take part in decisions affecting their neighbourhood	Not less than 28%	More than 28%
	% of people who believe that people from different cultures get on well together	Not less than 76%	More than 76%
Increase in multi-agency working	Number of joint locality teams	3	3
	Number of local area co-ordinators	3	13
	Amount of pooled budgets	Develop the methodology	To be decided
Planning Policy supports sustainable communities	Progress the adoption of the Swansea Local Development Plan (LDP)	Prepare and submit the Deposit LDP to Welsh Government for independent examination	Adoption of LDP
Community asset reviews completed	Area reviews of assets and explore opportunities for community asset transfer	-	Complete by June 2016

² This outcome will be achieved by partners working together. Targets are provisional pending partnership agreement.

Next Steps

How we will monitor progress

- As part of the regular performance improvement framework, the Swansea Performance Dashboard.
- Monthly reports to Performance & Financial Monitoring Meetings and Executive Board.
- Council's Poverty Forum – Action plan and performance framework within the Poverty Strategy.
- Accountability for delivery built into the Objectives for Cabinet Members and Directors/Heads of Service.

How we will report achievements

- Quarterly through Cabinet
- Six monthly report to Council
- Annual Review of Performance
- Via the Council's website to publicise achievements using case studies

When and how this plan will be updated

- Annual update, approved by Council

Other useful information eg: how this links with the One Swansea Plan

- The Priorities in this Corporate Plan are closely linked to the *One Swansea Plan* and are informed by the joint needs assessment
- All of the actions will require collaboration with our partners to achieve the outcomes, including our joint approach on community engagement
- We will work with the Swansea Local Service Board to ensure that this happens

Appendix – Swansea Profile and Challenges

Swansea is the second largest city in Wales and the regional centre for South West Wales. It is situated in the middle of the South Wales coastline and is bordered by Neath Port Talbot in the east and by Carmarthenshire in the west.

It covers a land area of 378 square kilometres and can be broadly divided into four geographic areas; the open moorlands of the Lliw Uplands in the north, the rural Gower Peninsula in the west including the Gower Area of Outstanding Natural Beauty (AONB), the suburban areas stretching from the edge of Swansea towards settlements in the west and around the M4 corridor and the coastal strip around Swansea Bay.

Swansea's natural environment is of outstanding quality and is one of the most biodiverse Counties in the UK. Approximately 17% of the County's area is protected by European or National designations such as Special Protection Areas (SPAs), Ramsar Sites and Sites of Special Scientific Interest (SSSIs). A further 30% has been identified as being of significant local ecological interest, including Local Nature Reserves and Wildlife Trust reserves.

Key demographics

The total population of the City and County of Swansea currently stands at 240,300 (Mid-Year Estimate 2013), indicating an increase of 0.3% (700) compared to the 2012 estimate. Swansea is now has the second largest local authority population in Wales after Cardiff and has experienced 11 consecutive years of growth since 2001.

The key driver of population growth in Swansea is migration, with the majority of growth each year being driven by either internal/UK migration³.

The proportion of people aged between 20-24 yrs has increased by 31.4% over the last 10 years, linked to increasing levels of student migration, including those from overseas.

However, Swansea's population is also ageing with a significant increase in people aged 65 yrs+ between 2001 and 2012. In addition, Swansea has a higher proportion of elderly people aged 80 yrs than the average for Wales and the UK.

Although the proportion of people from a non-white ethnic group living in Swansea is relatively low at 6% of the total population, it is higher than the current average for Wales at 4.4% and has increased by 198% (9,500) between 2001 and 2012. The largest non-white ethnic groups in Swansea are; Chinese (0.9%) and Bangladeshi (0.8%) communities.

³ Although there has been a small increase in the birth rate since 2008.

Currently there are 104,000 resident households in Swansea, indicating an increase of 9.3% (8,900) households since 2001 and slightly higher than the average rate of household growth for Wales at 7.5%.

The most common household structure in Swansea is single 'adult' households, followed by two person households (no children). The number and proportion of single parent families (1 adult and 1 or more child) has increased between 2002 and 2012 and currently represents 11.7% of all households in Swansea.

Economic activity and employment rates in Swansea are below the Wales average and even further below equivalent UK rates (although the large number of students in Swansea does have an effect on these figures). The proportion of people in Swansea who are economically active in Swansea has increased between 2001 and 2011, although this is slightly lower than the current average for Wales.

Of the 101,700 people currently in employment living within Swansea, almost 9 out of 10 people (91,000) are employed within the service sector. Almost a third of people in employment (32,000) work within the Public Sector, which is higher than both the average for Wales at 26.1% and the UK.

Overall, the number and proportion of people claiming Jobseekers Allowance in Swansea over the last 10 years has fallen significantly but lower than the equivalent reductions for Wales and the UK. In Swansea, there are more claimants of Employment and Support Allowance (ESA) and the earlier incapacity benefits (IB/SDA) than both the average for Wales and the UK.

The Welsh Index of Multiple deprivation (WIMD) 2013 indicates that Swansea has an above average share of its LSOAs (17 out of 147, or 12%) featuring in the top 10% most deprived in Wales. Only 7 of Wales' 22 local authorities have a higher proportion of deprived LSOAs. Overall, levels of deprivation in Swansea are most significant in respect of the Education, Income and Health domains, with lower than average levels of deprivation in the Access to services, Housing and Physical environment domains.

Over the last ten year period, life expectancy in Swansea has increased by around 2 years for both males and females. However, statistics from the Public Health Wales Observatory (2005-09) suggest that Swansea has a life expectancy gap between the most and least deprived areas of around 12 years for males and 7 years for females. The healthy life expectancy gap is nearly 23 years for males and 15 years for females.

Almost 1 in 4 people (23.3%) living in Swansea have a long terms health condition, or disability which is slightly above the average for Wales at 24.7%, but lower than the proportion in 2001 at 24.7%. 1 in 8 (12.7%) people living in Swansea currently provide unpaid care to a relative or friend. Approximately 43% of people who provide unpaid care, provide 20 hours or more of care each week.

Challenges

Key challenges for Swansea include attracting economic investment, the regeneration of Swansea's city centre and communities across Swansea, the creation of high quality employment opportunities, demographic pressures and an increasing demand for public services, against a backdrop of significant reductions in funding to public spending.

There is an increasing level of demand for public services – linked to the recession, welfare reforms and an aging population - placing greater pressure on health and social care services at the same time that budgets for public services are facing unprecedented cuts.

Related pressures for public services include attempts to manage demand, improving efficiency, prevention and early intervention, new models and cultural change programmes with both its workforce and customers.

One of the most entrenched challenges facing Swansea is reducing the inequalities in health, education, employment and life chances between people living within different communities in Swansea, which has recent been starkly illustrated by research undertaken by Public Health which found a 12 year differential in terms of life expectancy between people living in the east and the west of the city.

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Report of the Cabinet Member for Finance and Strategy

Cabinet – 20 January 2015

PLANNING APPLICATION IN RESPECT OF LAND AT PENTYLA PLAYING FIELDS, COCKETT, SWANSEA

Purpose:	The purpose of this report is to obtain approval to submit a planning application for residential development for land at Pentyla Playing Fields, Cockett, Swansea
Policy Framework:	Council's Constitution
Reason for Decision:	The Council Constitution requires Cabinet approval to submit a planning application.
Consultation:	Legal, Democratic Services and Procurement, Finance, Planning, Access to Services.
Recommendation(s):	It is recommended that: 1) Approval for the submission of a planning application for residential development of the site at Pentyla Playing Fields be given.
Report Author:	Paul Jenkins
Finance Officer:	Jayne James
Legal Officer:	Chris Allingham
Access to Services Officer:	Phil Couch

1.0 Introduction

1.1 The site is located within Pentyla Playing Fields and fronts directly onto Pentyla Road and is within a predominantly residential area (**Appendix A**). The site is located on the boundary of the Uplands and Townhill Wards and consequently, we have consulted with Members for both wards and no comments were received.

1.2 Pentyla Playing Fields have an overall area of 6.05 hectares, the subject site area is 0.33 hectares some 5.56% of the overall.

There have been extensive discussions with the then Swansea Metropolitan University who expressed an interest in acquiring the site for development as formal sports pitches. However, as the focus of the University has now moved to a site at Fabian Way the University choose not to pursue its interest.

- 1.3 The entire playing field area has been declared surplus by the Council and it currently vests in the Corporate Property and Building Services division pending possible disposal. The entire site is used for informal recreation and the Council does not provide any pitches or play or sport facilities on the site.
- 1.4 It must be noted that 94.44% of the playing field is unaffected by this proposed planning application and the great bulk of the site and its current use will be unaffected.

2. Planning Policy Issues

- 2.1 Policy HC23 states that “Development proposals that involve the loss of *land for community recreation purposes*, whether in public or private ownership, will only be considered favourably where:
- a) Facilities can best be retained and enhanced through the development of a small part of the site; or
 - b) Alternative provision of equivalent community benefit is made available; or
 - c) There is an excess of provision in the area; or
 - d) A wider community benefit arises; or
 - e) The existing and potential recreational or amenity or natural heritage or historic environment value of the land is maintained.”
- 2.2 It is important to note that the policy does not seek to preclude development on such sites provided that one or more of the relevant criteria can be met.
- 2.3 It is believed that the change of use of this site will need to satisfy at least one of the above criteria, for example that sale of this land will help to enhance the existing park facility.

3.0 Equality and Engagement Implications

- 3.0 There are no direct Equality and Engagement Implications at this stage as the report is only requesting Cabinet approve the submission of a planning application. If Cabinet approval is given, a full Equality Impact Assessment will be carried out.

4.0 Financial Implications

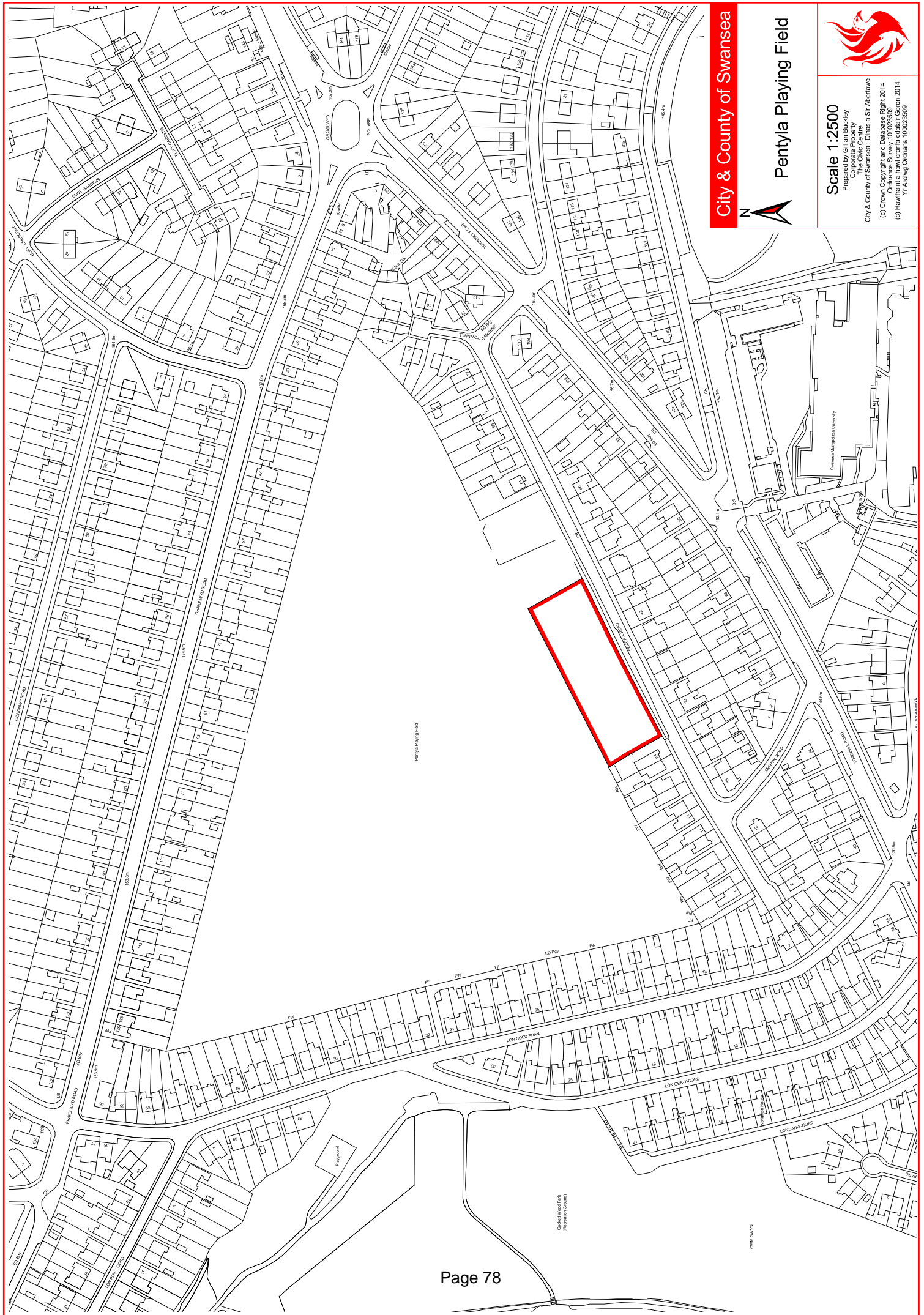
- 4.1 The City & County of Swansea will obtain a capital receipt from the disposal of this land which will be higher if the land has planning permission for residential development on the site.
- 4.2 In accordance with current policy, the relevant capital receipt will contribute towards the Council’s overall capital receipts target and will not be allocated for any other specific purpose.

5.0 Legal Implications

- 5.1 The Constitution provides (at Part 3: Page 7 and Part 3: Page 14) that authority must be obtained from Cabinet to enable officers to make any application for development (including change of use) on Council owned land. Consideration of any application for consent is a matter for the relevant Area Development Control Committee.

Background Papers: None.

Appendices: Appendix A Location Plan.



Scale 1:2500
Prepared by Gillian Buckley
Corporate Property
City & County of Swansea : Dinas a Sir Abertawe

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Report of the Cabinet Member for Finance and Strategy

Cabinet – 20 January 2015

REQUEST TO SEEK PLANNING CONSENT TO ENLARGE AND INCORPORATE THE OLD PETROL STATION INTO THE CIVIC CENTRE WEST CAR PARK

Purpose:	To seek approval to submit a planning application to facilitate a change of use of the former petrol station on Oystermouth Road to provide additional car parking within the Civic Centre to support the relocation of the Joint Health / Social Services Community Hub.
Policy Framework:	Council Constitution.
Reason for Decision:	The Council Constitution requires Cabinet approval to submit a planning application.
Consultation:	Legal, Democratic Services & Procurement, Finance and Access to Services.
Recommendation(s):	It is recommended that :- 1) A planning application is submitted for change of use of the former petrol station to provide the maximum number of car parking spaces.
Report Author:	Geoff Bacon
Finance Officer:	Jayne James
Legal Officer:	Christopher Allingham
Access to Services Officer:	Phil Couch

1.0 Introduction

- 1.1 The previous Esso petrol station on Oystermouth Road (**Appendix A**) has been vacant for some time and due to its proximity to the junction and the busy nature of Oystermouth Road, stand alone development would not be considered acceptable.
- 1.2 The only possible alternative is to reconfigure the site to permit additional car parking accessed from the existing Civic Centre west car park.
- 1.3 Previous investigations have been undertaken to establish if there is a business case, however, the cost of undertaking such works has not been considered economically viable.

2. MAIN BODY OF REPORT

- 2.1 As part of ongoing discussions with the Health Board around the creation of a Community Hub to assist Older Person Services, there will be a relocation into part of the Civic Centre. This will predominantly provide touch down accommodation which limits the need for office space; however, there will be a requirement for additional short-term car parking.
- 2.2 The funding for this scheme would be via Welsh Government as part of the wider Community Hub project and there is no cost to the authority or any future liability for the area. In addition, the ownership of the land in question remains with the City and County of Swansea.

3. GENERAL ISSUES

- 3.1 This will provide a benefit to the specific working of the Community Hub without there being additional impact on existing parking arrangements to be funded externally.
- 3.2 Due to the relatively limited nature of the proposals this will not impact on any future proposals for the Civic Centre. The fact that the future use of the Civic Centre is under consideration has been made known as part of the Community Hub discussions.

4. EQUALITY & ENGAGEMENT APPLICATIONS

- 4.1 There are no direct Equality and Engagement Implications at this stage as the report is only requesting Cabinet approve the submission of a planning application. If Cabinet approval is given, a full Equality Impact Assessment will be carried out.

5. FINANCIAL IMPLICATIONS

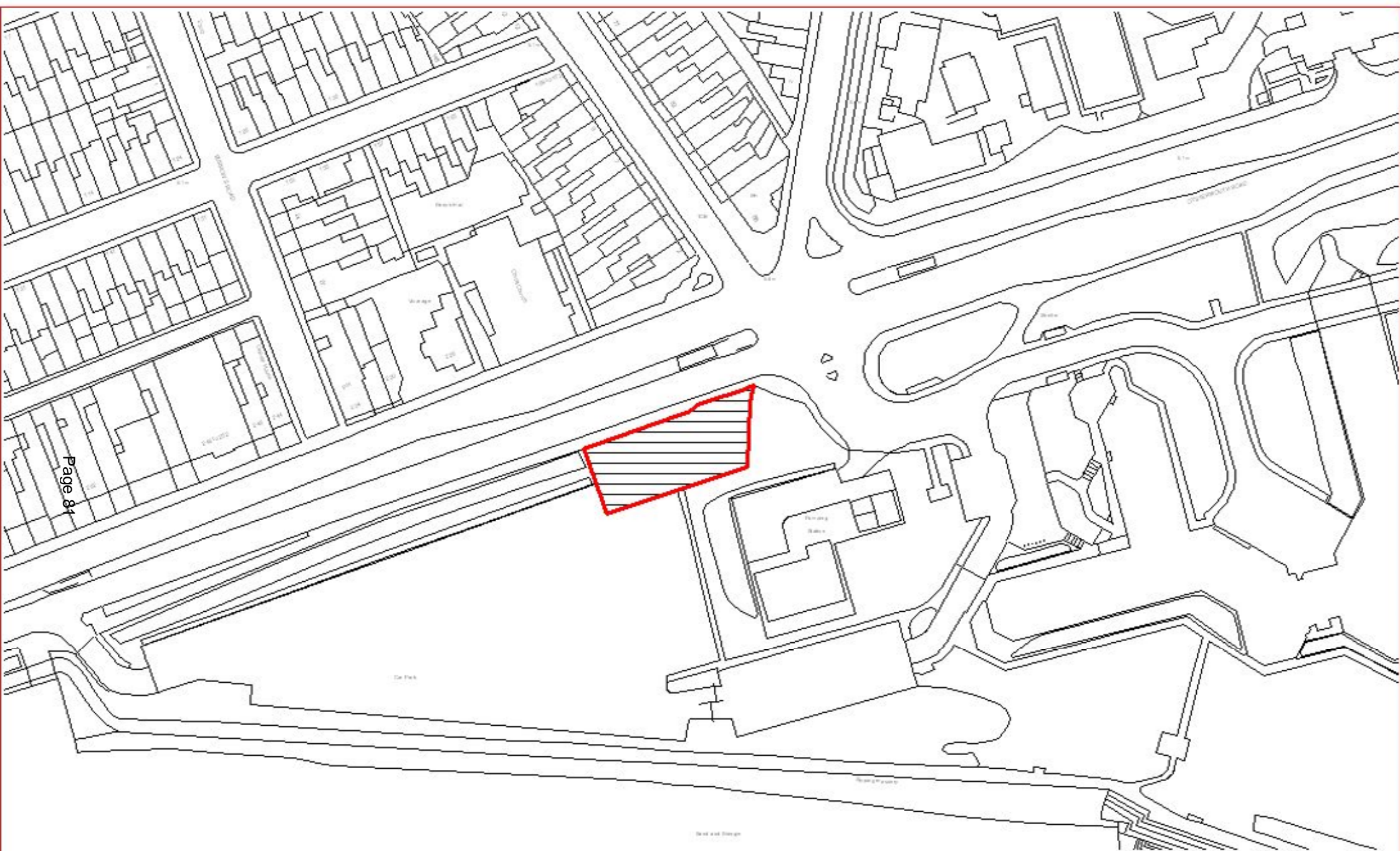
- 5.1 There are no financial implications relating to this request to seek planning. The financial implications of the scheme will be included in a separate report.

6. LEGAL IMPLICATIONS

- 6.1 The Constitution provides (at Part 3: Page 7 and Part 3: Page 14) that authority must be obtained from Cabinet to enable officers to make any application for development (including change of use) on Council owned land. Consideration of any application for consent is a matter for the relevant Development Control Committee.

Background Papers: None.

Appendices: Appendix A – Location Plan.



Agenda Item 9.a

Report of the Cabinet Member for Enterprise, Development and Regeneration

Cabinet – 20 January 2015

RESPONSE TO THE REPORT OF THE INWARD INVESTMENT SCRUTINY INQUIRY PANEL

“HOW CAN WE INCREASE INWARD INVESTMENT TO SWANSEA AND REGIONALLY TO SOUTH WEST WALES”

Purpose:	To outline a response to the scrutiny recommendations and to present an action plan for agreement.
Policy Framework:	None
Reason for Decision:	To comply with the requirements of the Council Constitution.
Consultation:	Legal, Finance and Access To Services.
Recommendation(s):	It is recommended that: 1) The response as outlined in the report and related action plan be agreed.
Report Author:	Steve Marshall
Finance Officer:	Ben Smith
Legal Officer:	Nigel Havard
Access to Services Officer:	Maxine Bromfield

1.0 Introduction

- 1.1 The Inward Investment Inquiry report was submitted to Cabinet on the June 2014 after a detailed inquiry into how inward investment activity can be increased in Swansea and across the Swansea Bay City Region.
- 1.2 Having considered the contents of the scrutiny report, and specific recommendations made, advice to Cabinet on whether it should agree, or not agree, with each recommendation is detailed in this report.
- 1.3 Cabinet is also asked to consider, for each of the responses, any relevant policy commitments and any other relevant activity.

2.0 Response to Scrutiny Recommendations

Recommendation 1
It ensures that there is a clear mechanism in place within the City Regions Strategy that will make it accountable to local Politicians
Relevant Policy Commitments: The Swansea Bay City Region (SBCR) Economic Regeneration Strategy was adopted by Council in November 2013 as the overarching economic and regeneration policy for Swansea. Other Swansea Bay City Region local authorities similarly adopted the Strategy at this time.
Action already being undertaken: Swansea Council has political representation on the SBCR Board.
New actions following from the recommendation: No new actions necessary.
Cabinet Member Comments: Recommendation is NOT AGREED – the mechanism is currently in place

Recommendation 2
The City Region has a clear and positive brand that will be recognisable on the world stage.
Relevant Policy Commitments:
Action already being undertaken: The SBCR Board at its meeting on 19 November 2014 agreed to schedule discussion on SBCR brand, communications and marketing at a future meeting.
New actions following from the recommendation: Ensure that the SBCR Board schedules discussion on its brand at the earliest opportunity.
Cabinet Member Comments: Recommendation is AGREED

Recommendation 3
The City Region develops an effective support network including allocating resources to do proactive work around seeking inward investment
Relevant Policy Commitments:
Action already being undertaken: The Welsh Government has seconded a senior manager to establish and lead a Support Unit to resource SBCR Board requirements. In relation to the SBCR Strategy, City and County of Swansea Officers are represented on a regional Officer group (SBCR Strategy Delivery

Group) to co-ordinate progress on actions to meet the strategic and operational aims of the Strategy.
New actions following from the recommendation: Ensure that the SBCR Board schedules discussion on creating a co-ordinated City Region inward investment proposal and support network.
Cabinet Member Comments: Recommendation is AGREED

Recommendation 4
The City Region map the services that are available to businesses across the region and work to develop relationships with those services in order to avoid duplication; and to use all the resources wider than the Councils that are available.
Relevant Policy Commitments:
Action already being undertaken: The mapping of services to businesses was carried out when the strategy was first published, and these service providers (for the most part funded by the Welsh Government) are identified.
New actions following from the recommendation: No new actions necessary.
Cabinet Member Comments: Recommendation is NOT AGREED – the mapping has been carried out

Recommendation 5
A single contact point for business/investment inquiries is introduced (this does not necessarily need to be the local authority).
Relevant Policy Commitments:
Action already being undertaken: This has been a feature of the discussions held to date on the region combining resources to attract inward investment
New actions following from the recommendation: Subject to SBCR Board approval, consideration of a single contact point is likely to be included in development proposals.
Cabinet Member Comments: Recommendation is AGREED

Recommendation 6
Look at good practice in how other Local Authorities/regions and countries are doing it.
Relevant Policy Commitments:
Action already being undertaken: Research into inward investment marketing activity in other areas has been undertaken by Swansea Officers, which is informing the development of key messages and a suitable marketing approach for Swansea.
New actions following from the recommendation: Subject to SBCR Board approval of creating a regional Inward Investment proposal and support network, a review of good practice is likely to be conducted to inform development proposals.
Cabinet Member Comments: Any issues not covered above
Recommendation is AGREED

Recommendation 7
It develops measures that will monitor success and that these are monitored on a regional and on a Swansea basis.
Relevant Policy Commitments:
Action already being undertaken: An indicative performance measure on the number of inward investments secured has been submitted to the SBCR Board as part of a wider matrix.
New actions following from the recommendation: Performance measures are developed further as systems and activity increases for agreed inward investment proposals.
Cabinet Member Comments: Any issues not covered above
Recommendation is AGREED

Recommendation 8
Successes in Swansea and the region are marketed therefore raising the profile of Swansea (and the region) to both people locally and more widely.
Relevant Policy Commitments:
Action already being undertaken: The use of case studies and success stories is already a widely used promotional tool employed by the Council
New actions following from the recommendation Publicity is generated on any inward investment secured.
Cabinet Member Comments:
Recommendation is AGREED

Recommendation 9
It develops user friendly policies and practices which are welcoming and quick to respond to investor queries.
Relevant Policy Commitments:
Action already being undertaken: Policies and practices continue to be discussed as the City Region develops across a broad range of subject matter
New actions following from the recommendation: Quality standards should be created to ensure effective responses to Inward Investment enquiries.
Cabinet Member Comments: Any issues not covered above
Recommendation is AGREED

Recommendation 10
Take active steps to make better use of social and digital media by developing a digital media strategy around business and investment issues
Relevant Policy Commitments: (list briefly)
Action already being undertaken: Both the Council and now the City Region has used social media extensively to promote events, news and views. This will continue to increase as the City Region concept and organisation develops.
New actions following from the recommendation: Subject to SBCR Board discussions on brand, communications and marketing and subject to securing resources, development proposals should include provision of social media activity as part of marketing approach.
Cabinet Member Comments:
Recommendation is AGREED

Recommendation 11
The concept of developing a <i>portfolio of offerings</i> be investigated.
Relevant Policy Commitments:
Action already being undertaken: This portfolio is already being developed both regionally and in Swansea. It will form a cornerstone of the promotion of the city region and response to enquiries.
New actions following from the recommendation: Subject to SBCR Board discussions on brand, communications and marketing and subject to securing resources, marketing materials should identify capacity and facilities that will attract potential investors.
Cabinet Member Comments:
Recommendation is AGREED

Recommendation 12
It develops a tool that can be used to <i>keep in touch</i> with the business community locally now that the Business Forum has ceased.
Relevant Policy Commitments:
Action already being undertaken: The Council has reactivated the Swansea Economic Regeneration Partnership (SERP) to look at economic and regeneration matters in Swansea. There is also a link with the City Region and this local partnership has a substantial business representation provided by the South Wales Chamber of Commerce, the Business Improvement District and the Regional Business Forum (a successor to the former Business Forum.).
New actions following from the recommendation: Subject to SBCR Board approval of creating a regional Inward Investment proposal and support network, inward investment proposals should include proposals to recruit business leaders across the region to act as Ambassadors for the City Region and actively support inward investment enquiries and visits.
Cabinet Member Comments:
Recommendation is AGREED

3.0 Equality and Engagement Implications

- 3.1 An Equalities Impact Assessment (EIA) screening of the report has been undertaken which confirms that a full EIA screening is not required, as the report has a low direct impact on the general public. However, individual actions in the action plan may have a more significant direct impact on the public and it may be appropriate for them to undergo the EIA screening process during their development, to assess if they require a full EIA.

4.0 Legal Implications

- 4.1 There are no specific legal implications at this stage

5.0 Financial Implications

- 5.1 There are no financial implications associated with this report

Background Papers: None.

Appendices: Appendix A – Scrutiny Inquiry of Inward Investment – Cabinet Action Plan.

Scrutiny Inquiry of Inward Investment – Cabinet Action Plan

Recommendation		Action already being undertaken	New Action Proposed	Timescale	Responsible Officer
1.	It ensures that there is a clear mechanism in place within the City Regions Strategy that will make it accountable to local Politicians	Swansea Council has political representation on the SBCR Board.	No new actions necessary.		
2.	The City Region has a clear and positive brand that will be recognisable on the world stage.	The SBCR Board at its meeting on 19 November 2014 agreed to schedule discussion on SBCR brand, communications and marketing at a future meeting.	Ensure that the SBCR Board schedules discussion on its brand at the earliest opportunity.	3 Months	Steve Marshall
3.	The City Region develops an effective support network including allocating resources to do proactive work around seeking inward investment	<p>The Welsh Government has seconded a senior manager to establish and lead a Support Unit to resource SBCR Board requirements.</p> <p>In relation to the SBCR Strategy, City and County of Swansea Officers are represented on a regional Officer group (SBCR Strategy Delivery Group) to co-ordinate progress on actions to meet the strategic and operational aims of the Strategy</p>	Ensure that the SBCR Board schedules discussion on creating a co-ordinated City Region inward investment proposal and support network.	3 Months	Steve Marshall
4.	The City Region map the services that are available to businesses across the region and work to develop relationships with those services in order to avoid duplication; and to use all the resources wider than the Councils that are	The mapping of services to businesses was carried out when the strategy was first published, and these service providers (for the most part funded by the	No new actions necessary.		

	available.	Welsh Government) are identified.			
5.	A single contact point for business/investment inquiries is introduced (this does not necessarily need to be the local authority).	This has been a feature of the discussions held to date on the region combining resources to attract inward investment	Subject to SBCR Board approval, consideration of a single contact point is likely to be included in development proposals.	6 Months	Steve Marshall
6.	Look at good practice in how other Local Authorities/regions and countries are doing it.	Research into inward investment marketing activity in other areas has been undertaken by Swansea Officers, which is informing the development of key messages and a suitable marketing approach for Swansea.	Subject to SBCR Board approval of creating a regional Inward Investment proposal and support network, a review of good practice is likely to be conducted to inform development proposals.	6 Months	Steve Marshall
7.	It develops measures that will monitor success and that these are monitored on a regional and on a Swansea basis.	An indicative performance measure on the number of inward investments secured has been submitted to the SBCR Board as part of a wider matrix.	Performance measures are developed further as systems and activity increases for agreed inward investment proposals.	6 Months	Steve Marshall
8.	Successes in Swansea and the region are marketed therefore raising the profile of Swansea (and the region) to both people locally and more widely.	The use of case studies and success stories is already a widely used promotional tool employed by the Council	Publicity is generated on any inward investment secured.	On securing inward investment; review within 12 Months	Steve Marshall
9.	It develops user friendly policies and practices which are welcoming and quick to respond to investor queries.	Policies and practices continue to be discussed as the City Region develops across a broad range of subject matter	Quality standards should be created to ensure effective responses to Inward Investment enquiries.	12 Months	Steve Marshall
10.	Take active steps to make better use of social and digital media by developing a digital media strategy around business and investment issues	Both the Council and now the City Region has used social media extensively to promote events, news and views. This will continue to increase as the City Region concept and organisation develops.	Subject to SBCR Board discussions on brand, communications and marketing and subject to securing resources, development proposals should include provision of social media activity as part of marketing	6 Months	Steve Marshall

			approach.		
11.	The concept of developing a portfolio of offerings be investigated.	This portfolio is already being developed both regionally and in Swansea. It will form a cornerstone of the promotion of the city region and response to enquiries.	Subject to SBCR Board discussions on brand, communications and marketing and subject to securing resources, marketing materials should identify capacity and facilities that will attract potential investors.	12 Months	Steve Marshall
12.	It develops a tool that can be used to keep in touch with the business community locally now that the Business Forum has ceased.	The Council has reactivated the Swansea Economic Regeneration Partnership (SERP) to look at economic and regeneration matters in Swansea. There is also a link with the City Region and this local partnership has a substantial business representation provided by the South Wales Chamber of Commerce, the Business Improvement District and the Regional Business Forum (a successor to the former Business Forum.).	Subject to SBCR Board approval of creating a regional Inward Investment proposal and support network, inward investment proposals should include proposals to recruit business leaders across the region to act as Ambassadors for the City Region and actively support inward investment enquiries and visits.	6 Months	Steve Marshall

Report of the Cabinet Member for Enterprise, Development and Regeneration

Cabinet – 20 January 2015

SWANSEA CITY CENTRE STRATEGIC FRAMEWORK REVIEW

Purpose:	To seek Cabinet agreement to: <ul style="list-style-type: none">▪ undertake consultation on the draft Swansea City Centre Strategic Framework (SCCSF) Review;▪ market the St Davids and Civic Centre sites;▪ undertake a series of implementation actions to support delivery of the SCCSF Review
Policy Framework:	Swansea City Centre Strategic Framework.
Reason for Decision:	To allow City Centre regeneration to be progressed.
Consultation:	Legal, Finance, Access to Services, Corporate Property
Recommendations:	It is recommended that Cabinet: - <ol style="list-style-type: none">1) Authorises that the Draft SCCSF Review, is approved as a basis for public consultation prior to a report back for final approval by Cabinet.2) Authorises a) the marketing of the St Davids and Civic Centre sites and b) delegated authority be granted to the Director of Place to finalise the marketing briefs based on the principles and land take set out in this report.3) Authorises that the disposal of the Civic Centre site be agreed in principle subject to a detailed Business Case being prepared and a report back to Cabinet for approval.4) Authorises that the principle of constructing a replacement Civic building at The Kingsway be agreed and that officers prepare an implementation plan with a report back to Cabinet for approval.5) Authorises the principle of a programme of strategic property acquisitions at The Kingsway to support the delivery of a Central Business District.6) Authorises that the Welsh Government be requested to grant aid acquisitions as they arise.7) Notes that the Leader in conjunction with the Cabinet Member for Enterprise, Regeneration and Development will exercise powers to accept any grant offers and to approve property acquisitions to ensure transactions are able to be completed in 14/15.8) Authorises that the regeneration of The Kingsway forms the basis of the Council's priority submission for future European infrastructure funding and that the Director of Place be instructed to proceed with the application process.

- 9) Authorises the Director of Place to engage with Welsh Government to discuss funding requirements to implement the SCCSF Review and that authority be given to submit formal funding applications as they arise with regular reports on progress to the External Funding Panel.
- 10) Authorises the submission of any planning or other applications required to deliver the SCCSF Review.
- 11) Notes that the budget implications for individual actions associated with delivery of the SCCSF Review will be submitted for Cabinet approval in compliance with Financial Procedure Rules.

Report Author: Huw Mowbray

Finance Officer: Jayne James / Jeff Dong

Legal Officer: Nigel Havard / Chris Allingham

Access to Services Officer: Maxine Bromfield

1.0 Introduction

- 1.1 Swansea City Centre (CC) is the economic driver of Swansea Bay City Region and should be the regional shopping, leisure, education and administrative centre. However, the CC does not currently fully fulfil this role, and is at a critical point in its evolution. The economic recession has severely affected the ability to deliver the development promoted within the SCCSF, and a radical review of this document has been undertaken that will influence the direction of future uses and fundamentally affect the way in which the CC will move forward.
- 1.2 The redeveloped CC that emerged after the War was planned on a grid-pattern of roads including the main thoroughfares of, The Kingsway, Princess Way, West Way and Oystermouth Road, creating an urban structure which is still a major influence on the functions, environment and perceptions of the CC. This redevelopment shifted the commercial focus from the pre-war axis around High Street and Wind Street towards Oxford Street and The Kingsway and new uses were based on retail, with the substantial residential community being relocated outside the CC.
- 1.3 Alongside the 'structural change' described above, subsequent out of centre developments, such as the Enterprise Zone, Morfa, SA1, and Fforestfach, have displaced significant numbers of retail and office occupiers from the CC and have substantially weakened the CC's offer and attraction.

- 1.4 The CC suffers from: a small resident population; a limited number of jobs; poor quality office accommodation which delivers low rents; low footfall; a limited retail offer with significant vacant floorspace; and the lack of major attractions to make it a destination.
- 1.5 The catchment perceive the CC as tired, dated and declining with an average offer, coupled with a complex traffic system, congestion and poor/expensive car parking. The ambition of the catchment remains strong for an, integrated and coherent CC capable of supporting city region status and delivering a 24 hour economy.
- 1.6 However the CC remains a place of opportunity for developers with a strong established, supportive planning policy framework, a number of development sites in Council ownership, a proactive and supportive public sector, established, effective partnership working and the availability of public funding as a pump primer.

2. Review of the Swansea City Centre Strategic Framework

- 2.1 The SCCSF, adopted in 2009, sets out a clear Vision for the CC - to create a mixed-use location with a strong retail, commercial and leisure heart supported by a vibrant resident population.
- 2.2 The economic recession has severely curtailed property development nationally, however physical regeneration works have continued in Swansea. Public sector investment in the fabric of the City's public realm has been widespread, and in addition the railway station has been refurbished and a new bus station constructed. The Council and Welsh Government have also acquired the outstanding leasehold interests in the St David's shopping centre and Oldway House, and subsequently demolished them ready for redevelopment.
- 2.3 A current and relevant Strategic Framework for the CC is essential to guide future new development and investment, and provide a robust evidence base on which to plan future regeneration. To this end a Review of the SCCSF has been commissioned which will help to inform emerging LDP policy and will provide the confidence and certainty in the Council's policies for key sites that developers and investors require. The Review will ensure that all resources, including Welsh Government and potential EU funding opportunities, are appropriately targeted and focused on a clear set of objectives for the CC which ensure that regeneration benefits are maximised.
- 2.4 The Design Commission for Wales in partnership with CCS held a conference in Swansea on 10th October 2014. The conference was entitled City Futures and leading speakers from around the world looked at addressing service and infrastructure needs, securing good living conditions and harnessing human capital. Keynote speaker Professor Ken Mayer of HASSELL explored ideas of planning and

decision making through the design process and ensuring that the process of engaging in the understanding of places incorporated the imperatives of sustainability, good governance, community engagement and support. He also highlighted a necessarily different approach to risk in order to liberate future opportunities in the making of our cities.

- 2.5 All contributors brought an international perspective and expertise. The details of all speakers' contributions are available at the link below.

https://www.dropbox.com/sh/mii6wpgbg9xugdx/AAAbwqdwTsx_P8sjcfRwPsYa?dl=0

- 2.6 The Conference has informed the preparation of the draft SCCSF Review

- 2.7 The purpose of the Review is to:

- Identify a role for the CC and express this through regeneration proposals
- Evaluate development economics as they affect the CC
- Prepare a CC accessibility strategy to support development
- Provide a design framework for the CC
- Produce a comprehensive, integrated, deliverable regeneration strategy and action plan for the CC

- 2.8 The aim of the Review is to make the CC a real destination where people want to live, work, visit and to act as an exemplar of the new approach to regeneration, post-recession. The CC must have a vibrant mix of leisure, cultural, retail, office and residential uses; all delivered in a legible way, with high quality buildings and public spaces, which explore culture, and differentiate Swansea from other cities.

- 2.9 The Review will promote and support deliverable schemes across the short, medium and longer term timeframes, and there needs to be a balance of quick wins and longer term strategic projects to stimulate regeneration, funded through a combination of both public and private sector investment.

- 2.10 The Draft SCCSF Review has 4 overall objectives:

- 1 **Sustainability** - strengthening the whole CC by developing it as a true mixed use environment, from which there will be economic longevity, social inclusivity and environmental equilibrium.
- 2 **Design** - Creating new urban environments where the spaces between the buildings contribute as much to the quality of the CC as the buildings themselves.
- 3 **Accessibility and Movement** - Re establishing connections to the waterfront and strengthening links to the river through intuitive routes which are designed to put pedestrians first.
- 4 **Distinctiveness** - Ensure that the qualities, history and associations whether cultural, social, industrial, community or

physical are considered in each and every development opportunity or intervention.

2.11 Strategic interventions are proposed for a number of Priority and Complementary areas in the CC. There are four main development proposals which will collectively transform the CC, as outlined below:

2.12 St David's mixed use scheme

- i. The Council and WG acquired the outstanding leasehold interests in the failing St David's shopping centre and now have the freehold interest. Buildings have been demolished including the adjacent Oldway House, and a temporary surface car park created. Land assembly is now almost complete which allows the site to be marketed.
- ii. The redevelopment of this area to create a retail and leisure destination is of strategic importance as it will seek to address the underperformance of the CC. In support of the primary retail/leisure (cinema and restaurants) uses, an appropriate element of other non-retail uses could be appropriate on upper floors, e.g. residential, offices, library or community uses.
- iii. Market testing has demonstrated significant developer and occupier interest from national and local retailers and cinema operators. An office development of 100,000 sq ft is a potential option for the St Davids MSCP site.
- iv. A new multi storey car park is required to serve the development and this can be accommodated on the LC Car Park site which provides opportunities to create strong linkage between the CC and the waterfront which could include a high quality at grade crossing, or a high level landmark pedestrian cycle way crossing which provides seafront views and views to the surrounding area, and a visual reference to the city's connection to the waterfront.
- v. The St Davids development is likely to require public sector funding to support demolition of the existing St Davids MSCP, the construction of a new MSCP on the LC car park site and associated highway infrastructure works and likely future property grant to support building development

2.13 Parc Tawe

- i. Parc Tawe is a poor quality 1980's retail park and investment in the fabric of the buildings and infrastructure is required if the location is to continue in its current form. The land currently has an open retail consent and a recent planning application has been approved but with conditions restricting the retail element to protect the viability of the CC

- ii. The draft SCCSF Review indicates that an alternative use for the site in the medium to long term could be considered to create a new residential quarter for the CC.

2.14 Paxton Street - Civic Centre

- i. Paxton Street/Civic Centre is the only remaining development site of scale that can link the CC to the sea. The SCCSF Review envisages uses that are complementary, not competing, with those in the core CC and the vision for the area is to redevelop the existing site, car parks and buildings for a comprehensive iconic mixed use waterfront destination that generates high levels of activity and makes a positive use of Swansea's seafront.
- ii. The site is predominantly freehold owned by the Council, which will assist with the deliverability of any development.
- iii. The redevelopment will require the disposal of the Councils' Civic Centre offices and library. A replacement civic building will need to be provided at a location within the core CC, where it will actively support footfall and economic activity and act as a pump primer for a new business district, potentially centred on The Kingsway.
- iv. As part of the Council's adopted accommodation strategy, to improve efficiencies and generate significant revenue and capital benefit, a programme has been developed to relocate the Council's back office staff to the Guildhall and Civic Centre. The aim has been to release the maximum number of satellite offices, including Penllergaer Civic Centre, Social Services satellite buildings and leased space in the CC.
- v. Once this exercise is completed and due to the likely future significant maintenance works which will be required for the Civic Centre within the next 10-15 years, if an alternative location could be found for back office staff and other functions which are currently accommodated within the existing Civic Centre - Library, Archives, Registrars and Contact Centre, then this should be considered.
- vi. Furthermore, due to the changing face of Local Government it could be that the future space requirement for back office functions could be adequately provided for in the recently refurbished Guildhall along with an additional facility within the CC within an agreed specification.
- vii. A decision is required as to whether disposing of the Civic Centre site and the construction of a replacement civic building in the CC is acceptable in principle to allow a detailed business case and specification to be prepared

2.15 The Kingsway/ Orchard Street

- i. One of the key strategic objectives for the CC is to increase office provision and employment opportunities, inject a wider mix of uses and add to the vibrancy which will increase footfall and worker expenditure and will improve retail and leisure performance.
- ii. The SCCSF Review identifies The Kingsway as underperforming and its role within the CC needs redefining. The opportunity exists to create a Central Business District at The Kingsway. This could have 3 key elements and would be delivered in phases:
 - The Council could act as a catalyst for creating a new employment district within the CC through the relocation of its civic offices.
 - A 'tech hub' could be created, using links with the universities in particular. The existing business incubator spaces (e.g. Technium in SA1) are already fully let and there is a need for similar space.
 - Relocation of professional services from areas such as Mansel Street to modern facilities which would allow businesses to 'right size' in accordance with their business requirements
- iii. Redevelopment of The Kingsway would be multi-phased and delivered over time primarily in order to allow site assembly and servicing. It is likely that the use of compulsory purchase powers would also be required for later phases.
- iv. The creation of a Central Business District at The Kingsway will require property acquisition, site infrastructure works, highway infrastructure works and property grant (and loan) to support building construction.
- v. Whilst, the transformation of The Kingsway has the potential to be delivered with or without a new civic building, the likelihood of a satisfactory private led scheme progressing in the short term at The Kingsway, would be extremely low should another site be chosen to accommodate functions currently undertaken at the Civic Centre. It is unlikely that the private sector would be able to deliver the first phase of this transformation within the next 5-7 years at the earliest.
- vi. Cabinet agreement is requested towards a programme of strategic property acquisitions at The Kingsway to support the delivery of a Central Business District subject to funding for this being identified. Specific authority to accept any grant offer and acquire properties will need to be agreed using delegated powers because of the extremely tight deadlines likely to achieve this.
- vii. The construction of a new civic building at The Kingsway would materially improve the prospects of the early regeneration of the area into a vibrant mixed-use business quarter.

- viii. To facilitate the redevelopment of The Kingsway, infrastructure and highway/public realm improvements would need to be delivered in advance of building construction not only to change the character of the street but also to service and access sites
- 2.16 Other significant proposals include contained within the SCCSF Review include:
- High Street - Promote as a mixed use area for city living working and learning, promote new development and refurbishment of buildings and improved accessibility.
 - Wind Street - Protect and enhance built environment, improve the quality of the public realm and potentially including a new shared surface arrangement.
 - Mansel Street and Alexandra Road - Conserve protect and enhance Alexandra Road, and promote as an area for City living working and learning. Also a range of highway infrastructure improvements will be considered.
 - Lower Oxford Street - To contribute to the CC's mixed use retail heart, and retain the individuality creativity and independence while improving the physical environment and upgrading the public realm.
 - Maritime Quarter/Sailbridge - To encourage and retain a mix of uses, and new high quality development on vacant sites such as the Sailbridge site.
- 2.17 Cabinet are recommended to agree the enclosed Draft SCCSF Review (Appendix A – via web link) as the basis for public consultation. The Review will present a robust, evidence based and delivery focused plan. It seeks to promote a projects based on a sound economic rationale, rather than being reliant on a particular use or project, and whilst being visionary also needs to be capable of being flexible and phased.

3. Launch of SCCSF Review

- 3.1 The formal launch will not occur until September 2015, after the consultation exercise has been completed, and the final SCCSF Review reported to Cabinet for adoption. However, work is already underway on how best to launch the ultimate Framework in the most effective way.
- 3.2 As part of this workshops are being organised to discuss how best to 'brand', and 'define', the CC. In addition, the Council is supporting a Project called 'You are Here', using existing vacant Council CC retail units, which aims to capture people's views on how best to celebrate Swansea's distinctiveness and culture. The results of these exercises will be incorporated into the finalised SCCSF Review Report.

4. Marketing of St Davids and Civic Centre sites

- 4.1 A Marketing and Procurement Strategy has been prepared for the following sites based upon proposals contained in the SCCSF Review.
- Former St David's shopping centre
 - St David's Multi storey car park
 - LC Car Park
 - Civic Centre, and adjoining car parks
- 4.2 The Strategy outlines the various options open to the Council related to this Marketing exercise, and recommends that the Council markets the above sites using the 'Competitive Dialogue' procurement route, which is considered the most appropriate process due to the complex nature of the Sites and desired Council objectives, and associated required contracts.
- 4.3 The Strategy advises that the sites are marketed under two 'lots', as follows:
- Former St David's Centre/St David's MSCP/LC Car Park
 - Civic Centre and adjoining car parks
- 4.4 The two 'lots' would be marketed at the same time, under one process (contract notice), but allowing developers to bid for one or both areas. This will maximise developer interest, and flexibility, whilst also maximising the marketing campaigns positive impact and profile.
- 4.5 Cabinet is recommended to agree the marketing of the sites as described and delegates agreement of the final marketing Briefs to the Director of Place in consultation with the Cabinet Member for Enterprise, Regeneration and Development

5.0 External Funding Bids

- 5.1 Infrastructure funding from the next round of European Structural funds will be limited with only 3 bids likely from the Swansea Bay City Region Area with the maximum grant available being no more than £10m per scheme. The CC has been identified as a priority but to move this forward to application stage specific proposals are required to allow a business case to be prepared. It is recommended that The Kingsway infrastructure be confirmed as Swansea's priority European bid and that the Director of Place be authorised to engage with WEFO and submit grant applications in support of this
- 5.2 Discussions are ongoing with Welsh Government in terms of funding opportunities. There is the potential that funding applications will be invited, possibly at short notice to take advantage of end of year underspends to support property acquisitions. Cabinet are recommended to authorise the Director of Place to submit applications as they arise.

- 5.3 For future years WG support is required to specifically fund:
- Further acquisition of properties at The Kingsway
 - Additional infrastructure works at The Kingsway, to supplement European funds
 - Grant and loan to support the construction of a new Civic building at The Kingsway
 - Demolition of St Davids MSCP
 - Construction of LC MSCP and highway facilitation works
- 5.5 Cabinet are recommended to authorise the Director of Place to engage with Welsh Government and submit funding bids as they arise in support of the implementation of the SCCSF Review.
- 5.6 Regular updates on progress with funding applications will be made to the External Funding Panel.

6.0 Equality and Engagement Implications

- 6.1 A full Equality Impact Assessment will be undertaken alongside the SCCSF Review consultation

7.0 Financial Implications

- 7.1 The report seeks approval for the principles informing the SCCSF. It is envisaged that the majority of the funding for the proposals contained within the SCCSF will be met by WG or European grant funding with the preliminary marketing/feasibility contained within existing Regeneration budgets.
- 7.2 The full budget implications of each of the proposals identified in paragraphs 2.12 – 4. above will be compiled, considered and approved in accordance with Financial Procurement Rules in due course.

8.0 Legal Implications

- 8.1 It is recommended that prior to any marketing initiative of the properties and sites referred to in this Report that the Head of Legal and Democratic Services be instructed to prepare full Reports on Title. Such reports should also be prepared in respect of any properties or sites which the Council may wish to acquire
- 8.2 Paragraph 4.2 above is noted. Advice as to the proposed process should be sought from the Head of Legal and Democratic Services and Procurement at an appropriate stage

Background Papers: Swansea City Centre Strategic Framework

Appendix A: Draft SCCSF Review - accessed via <http://www.swanseacitycentre.com/invest-business/city-centre-strategic-framework/>

Report of the Cabinet Member for Environment and Transportation

Cabinet – 20 January 2015

SWWITCH DEED OF TERMINATION

Purpose:	To seek Cabinet approval for the formal termination of the legal agreement between the Local Authorities in the SWWITCH Consortium.
Policy Framework:	Transport (Wales) Act 2006. This Plan will be a new policy, replacing the Regional Transport Plan 2010 – 2015.
Reason for Decision:	The Welsh Government has instructed that Local Authorities are to dissolve Consortia working arrangements.
Consultation:	None required.
Recommendation(s):	It is recommended that: - 1) The Director of Place be given delegated authority to agree the terms of the Deed of Termination to dissolve the SWWITCH Consortium.
Report Author:	Ben George
Finance Officer:	Paul Roach
Legal Officer:	Chris Allingham
Access to Services Officer:	Phil Couch

1.0 Background

- 1.1 The South West Wales Integrated Transport Consortium (SWWITCH), comprising Carmarthenshire County Council, City & County of Swansea, Neath Port Talbot County Borough Council and Pembrokeshire County Council, was formally constituted by legal agreement in 2005. SWWITCH has formerly provided a regional resource for transport policy, planning and programme management.
- 1.2 The decision by Edwina Hart, Minister for Economy, Science and Transport, in January 2014, to direct funding back to Local Councils has made the existing SWWITCH agreement (Appendix 1) superfluous to requirements.

- 1.3 Consequently, Members at the final SWWITCH Joint Committee on 28th March 2014 determined that the Consortium should be formally dissolved.
- 1.4 The final draft of the 'Deed of Termination' to be signed by each of the four Councils involved is attached in Appendix 2.
- 1.5 It is anticipated that the role of regional transport planning will be assumed by the Swansea Bay City Region Board, although the pathway and framework for this is yet to emerge.

2.0 Equality and Engagement Implications

- 2.1 There are no implications to equality and engagement.

3.0 Financial Implications

- 3.1 There are no financial implications.

4.0 Legal Implications

- 4.1 There are no legal implications.

Background Papers: None.

Appendices: Appendix 1 – SWWITCH Agreement.
Appendix 2 – Deed of Termination.

Appendix 1 – SWWITCH Agreement

THIS AGREEMENT is made the 10th day of October 2005

BETWEEN:

- (1) THE CITY AND COUNTY OF SWANSEA
- (2) NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
- (3) CARMARTHENSHIRE COUNTY COUNCIL
- (4) PEMBROKESHIRE COUNTY COUNCIL

AGREEMENT

DATED

10th October

2005

BETWEEN:

PARTIES:

- (1) **THE CITY AND COUNTY OF SWANSEA** of County Hall Oystermouth Road Swansea SA1 3SN ("Swansea")
- (2) **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL** of Civic Centre Port Talbot SA13 1PJ ("Neath Port Talbot")
- (3) **CARMARTHENSHIRE COUNTY COUNCIL** of County Hall Carmarthen SA31 1JP ("Carmarthenshire") and
- (4) **PEMBROKESHIRE COUNTY COUNCIL** of County Hall Haverfordwest SA61 1TP ("Pembrokeshire")

(together described as the "Authorities")

WHEREAS

- (1) Currently the Authorities have in place an informal arrangement between them in respect of the co-ordination of their respective transportation functions
- (2) The Authorities have resolved to replace that informal arrangement with this Agreement
- (3) The Authorities have agreed to establish a joint committee for the purpose of carrying out duties and responsibilities more particularly described in this Agreement with the following core aims and objectives;

- (i) To achieve a better co-ordinated and more effective transport system in the Region
- (ii) To work in partnership with the people and with organisations with a stake in transport in the Region
- (iii) To co-ordinate the delivery of an integrated transport strategy for the Region, seeking to influence the development and use of more sustainable forms of accessible public modes of transportation through an appropriate mix of transport projects and supporting policies in the transport and related fields
- (iv) To promote the essential role of transport in economic and land use planning, and to influence land development to make the necessary provision for transport and in particular public transport in the Region
- (v) To ensure that full account is taken of safety, sustainability and social inclusion in transport plans and schemes in the Region.
- (vi) To seek to increase the resources for transport for Wales and to maximise the share available for the Region.
- (vii) To pursue appropriate standards for transport across the Region based on best practice; to seek cost-effective use of resources; and to identify and monitor targets to judge the success of its Strategy
- (viii) To drive the policy debate as a champion for transport, and in particular public transport; and to raise awareness of the role of local government in transport in the Region.

NOW IT IS HEREBY AGREED as follows:-

1. Definitions and Interpretation

D16 3355DAR/E/SWWITCH AGT 08.06.05

3

1.1. For the purpose of this Agreement the following definitions apply:

"The Authorities" shall mean the Councils who from time to time are parties to this Agreement and any reference to Authority shall mean reference to one of the Councils who are from time to time parties to this Agreement;

"Approved Strategies" shall mean such plans including policies within the remit of this Agreement as approved in accordance with Clause 3.2.

"Budget" shall mean an itemised summary of intended revenue and capital expenditure for the Financial Year as approved in accordance with Clause 3.2.

"Chair" shall mean a Member acting as chair of meetings of the Committee in accordance with this Agreement

"Committee" shall mean such joint committee as is established in accordance with this Agreement

"Constitution" shall mean a document produced, approved and maintained by an Authority setting out that Authority's arrangements including any procedural rules relating to contracts, finance and land and such other information as required by Section 37 of the Local Government Act 2000

"Funding" means funding provided to the Committee otherwise than from the Authorities

"Financial Year" shall mean a year beginning on 1st April

"Host Authority" shall mean Swansea or such other Authority appointed pursuant to this Agreement

"Member" shall mean a person elected to hold the office of member of an Authority in accordance with Section 79 of the Local Government Act 1972

"The Region" shall mean the areas of South West Wales for which the Authorities shall have responsibility

"Treasurer" shall mean such officer who shall have responsibility for maintaining the financial accounts of the Committee in relation to this Agreement

"Vice Chair" shall mean such Member serving in the place of the Chair in accordance with this Agreement

1.2. In this Agreement:-

1.2.1. any references to a specific statute include any statutory extension or modification amendment or re-enactment of such statute and any regulations or orders made under such statute

1.2.2. references to any clause, sub-clause, schedule or paragraph without further designation shall be construed as a reference to the clause, sub-clause schedule or paragraph to this Agreement so numbered

1.2.3. the clause, paragraph and schedule headings do not form part of this Agreement and shall not be taken into account in its construction or interpretation

1.2.4. person shall mean corporation, partnership, firm, unincorporated association and natural person

1.2.5. the singular includes the plural and vice versa

- 1.2.6. the Schedules form part of the Agreement and have the same force and effect as if expressly set out in the body of the Agreement and any reference to this Agreement shall include the Schedules

2. Authority for Agreement

This Agreement is made under the powers conferred by Sections 101, 102 and 113 of the Local Government Act 1972 and Sections 2 and 20 of the Local Government Act 2000

3. The Committee

- 3.1. The Authorities agree to establish a Committee in accordance with the provisions of the First Schedule presently to be called SWWITCH (the South West Wales Integrated Transport Consortium) to undertake the duties and responsibilities set out in Clause 4 of this Agreement
- 3.2. Subject to Clause 4 the Committee shall recommend such matters relating to the Budget and Approved Strategies within the ambit of this Agreement to the Authorities for consideration and decision in accordance with each Authority's Constitution

4. The Duties and Responsibilities of the Committee

The Committee shall:

- 4.1. prepare regional strategies including transportation policies, proposals and programmes
- 4.2. approve bids for Funding in pursuit of Approved Strategies and refer such to the Host Authority to apply for funding in accordance with Clause 5.1.3.

- 4.3. to the extent only that a project is the subject of Funding facilitate the implementation of Approved Strategies
- 4.4. obtain appropriate advice assistance and services together with the approval of the staffing structure and procurement of consultants and advisers
- 4.5. respond to consultations which have regional transportation implications
- 4.6. provide advice to the Authorities on strategic regional and local policy and operational transportation issues in the Region
- 4.7. approve such contractual arrangements as are proposed to be entered into on behalf of all the Authorities by the Host Authority and for avoidance of doubt this shall exclude contracts entered into by individual Authorities
- 4.8. do such other things in accordance with the terms of this Agreement as may be agreed from time to time by the Authorities

5. Host Authority

5.1. The Host Authority shall mean Swansea or such other Authority as may be agreed by all the Authorities and the Host Authority shall carry out the administrative functions of the Committee which shall include the following:

5.1.1. Subject to Clause 4 employ sufficient people to enable the Committee to operate in an effective manner within the approved Budget

5.1.2. enter into and use its reasonable endeavours to perform all contracts approved by the Committee

5.1.3. apply for Funding as directed by the Committee

5.1.4. receive and make payments out of all monies dedicated to the Committee (and the other parties expressly agree that Funding shall be paid to the Host Authority who shall hold the same in accordance with its financial regulations)

5.1.5. act as clerk and host the general committee support services and other requisite support services

5.1.6. comply with the provisions of this Agreement and do all such things as authorised from time to time by the Committee

5.2. The Host Authority shall also:

5.2.1. subject to the statutory role of each Authority's monitoring officer in accordance with Section 5(A)(1) of the Local Government and Housing Act 1989 and the Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (Wales) Order 2002 SL 2002 2002/808 in relation to their Authority, provide for the purposes of the Committee the services of its monitoring officer; and

5.2.2. subject to the statutory role of each Authority's Chief Financial Officer in accordance with section 151 of the Local Government Act 1972 in relation to their Authority, provide the services of its Chief Financial Officer as Treasurer to the Committee

5.2.3. from time to time the Host Authority shall be entitled to recover from the Budget dedicated to the Committee an amount equal to the costs and outgoings which it has properly incurred in undertaking the responsibilities allocated to it under this Agreement

5.2.4. make available for inspection the accounts of the Committee at all reasonable times free of charge by any Member of the Authorities or

any officer of any of the Authorities duly authorised for the purpose and such accounts shall be subject to audit as accounts to which Section 2 of the Audit Commission Act 1998 applies

5.2.5. as soon as may be after the conclusion of every Financial Year send to each of the Authorities a copy of the final accounts of the Committee for such Financial Year this provision being in addition to and not in substitution for any obligation to furnish to each of the Authorities copies of the auditor's report on such accounts and of the financial statement thereof

6. Financial Records

6.1. At the first meeting of the Committee after the date of this Agreement, the Committee shall take over the existing Budget which has already been adopted by the Authorities under the previous informal arrangements

6.2. Thereafter the Host Authority will prepare a Budget each year which Budget shall include the cost of the provision of services by the Host Authority in accordance with this Agreement for the approval of the Committee and the Authorities where appropriate

6.3. Subject to Clause 6.2. the Committee shall be informed of the Budget at the first of its meetings to take place in each Financial Year

6.4. In respect of Funding, the Host Authority shall notify the Authorities in writing of the sums which have been granted to the Host Authority as and when the Host Authority becomes aware of such grants

6.5. The Committee shall only operate within its Budget as supplemented by any additional Funding unless otherwise agreed by all of the Authorities

6.6. Each of the Authorities shall contribute an equal amount of the net costs of operating the Committee in accordance with this Agreement such contribution shall be made in such manner and at such times as may be from time to time directed by the Host Authority

6.7. If any of the Authorities fail to pay their share of the net costs within 31 working days of the delivery of an invoice in respect of the same then the Host Authority shall be entitled to interest on the outstanding amount until payment is made. Interest shall be calculated at the rate of one per centum per annum in excess of the base lending rate of the Bank of England applicable for the relevant period

7. Ownership of Assets

7.1. The Host Authority shall hold all the assets belonging to the Committee on trust for the four Authorities in equal shares

7.2. Upon termination of this Agreement the Host Authority shall distribute any assets belonging to the Committee as directed by the Authorities and in the event of dispute shall comply with the provisions of paragraph 12 of the Second Schedule of this Agreement relating to dispute resolution

8. Indemnities

8.1. Each of the other Authorities shall indemnify and keep indemnified the Host Authority against a due proportion of all liabilities, actions, claims, demands, proceedings, damages, costs, charges, losses and expenses whatsoever and howsoever arising in respect of or in any way arising whether in contract, tort or otherwise, directly or indirectly, out of or in consequence of or in connection with its role as Host Authority pursuant to this Agreement except where the liability arises from any fraud, dishonesty, negligence, unlawful expenditure, libel or

slander on the part of the Host Authority and/or where the Host Authority has acted outside the scope of its authority

- 8.2. The Host Authority shall indemnify and keep indemnified the other Authorities against all liabilities, actions, claims, demands, proceedings, damages, costs, charges, losses and expenses whatsoever and howsoever arising in respect of or in any way arising whether in contract, tort or otherwise, directly or indirectly, out of or in consequence of or in connection with the Host Authority's fraud, dishonesty, negligence, unlawful expenditure, libel or slander and/or where the Host Authority has acted outside the scope of its authority
- 8.3. If an Authority other than the Host Authority undertakes a specific role as directed by the Committee e.g. managing a particular project it shall indemnify the other Authorities in accordance with clause 8.2. and be indemnified by the other Authority in accordance with clause 8.1. on the same basis as the Host Authority

9. Termination

- 9.1. Any of the Authorities may terminate its involvement in this Agreement by giving to the other Authorities notice in writing to expire 12 months from the end of the Financial Year in which the notice is given and that notice shall have the effect of terminating the entire Agreement unless the other Authorities resolve otherwise within 6 months of the end of the Financial Year in which the notice is given
- 9.2. In the event that this Agreement is terminated in accordance with Clause 9.1. the Authorities shall remain equally liable for the following costs:-
- 9.2.1. the operational costs referred to in Clause 6 calculated to the date of termination

9.2.2. costs arising as a consequence of the indemnities referred to in Clause

8

9.2.3. the cost of any redundancies consequent upon the termination

9.2.4. any other costs properly incurred in connection with this Agreement or its termination

9.3. In the event that this Agreement continues notwithstanding the withdrawal of one of the Authorities the Authority so withdrawing shall remain liable for its share of the costs referred to in Clause 9.2. calculated to the date upon which its notice expires provided that it specifically shall remain liable for the costs of any redundancy as follows:-

<i>a redundancy in respect of which notice has been given within</i>	<i>% of equal share</i>
1st year after withdrawal	100
2nd year after withdrawal	80
3rd year after withdrawal	60
4th year after withdrawal	40
5th year after withdrawal	20

9.4. In the event that the Agreement continues notwithstanding the withdrawal of one of the Authorities subject to the liability of the withdrawing Authority with regard to the costs as provided in Sub Clause 9.3. the remaining Authorities shall be liable for the balance of costs of any redundancy in equal shares after deducting the costs of the withdrawing Authority

10. **Supplemental Provisions**

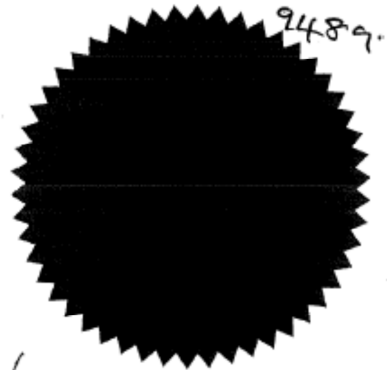
The provisions of the Second Schedule shall apply to this Agreement

11. **Governing Law**

This Agreement shall be governed by and construed in accordance with the laws of England and Wales

IN WITNESS whereof the Commons Seals of the respective Authorities were hereunto affixed the day and year first before written

THE COMMON SEAL of the)
COUNCIL OF THE CITY AND)
COUNTY OF SWANSEA was)
affixed in the presence of:)



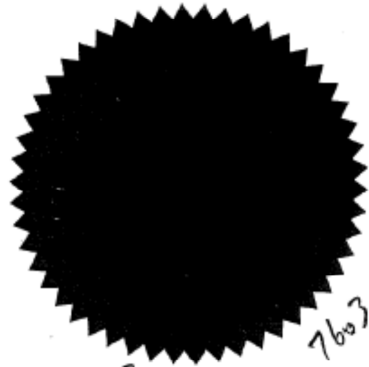

HEAD OF LEGAL SERVICES
A duly authorised officer

THE COMMON SEAL of)
NEATH PORT TALBOT)
COUNTY BOROUGH COUNCIL)
was affixed in the presence of:)




Proper Officer

THE COMMON SEAL of)
CARMARTHENSHIRE)
COUNTY COUNCIL was)
affixed in the presence of:)



A. J. Thomas
A duly authorised officer

THE COMMON SEAL of)
PEMBROKESHIRE)
COUNTY COUNCIL)
Was affixed in the)
presence of:



Phil Davies
A duly authorised officer

FIRST SCHEDULE

CONSTITUTION AND OPERATION OF THE COMMITTEE

1. Establishment and Constitution

- (a) There shall be constituted a Committee:-
- (i) consisting of one voting member and up to two non-voting members to be appointed by each of the Authorities
 - (ii) having the functions, powers and duties described in this Agreement and
 - (iii) upon and subject to the terms and conditions described in this Agreement
- (b) The Committee may adopt or authorise the use of a brand name, logo or similar method to describe itself or its activities

2. Nomination of Deputy to attend Meetings

Each Authority shall from time to time evidenced in writing by their chief executive officer or other authorised officer as the case may be nominate a deputy for any Member appointed by them to attend and, subject to paragraph 11(a), to vote at any meeting of the Committee or of a sub-committee in place of the Member so appointed who for any reason is unable to attend that meeting

3. Appointment of Representative Members and Period of Office

Each of the Authorities shall appoint Members as mentioned in paragraph 1 and a Member so appointed shall hold office until

- (a) the Member dies;

- (b) the Member resigns;
- (c) the Member becomes disqualified in accordance with Section 80 of the Local Government Act 1972;
- (d) the Member ceases to be a Member of the Authority he represents
- (e) the Authority which the Member represents has decided that another Member should act in his place, or;
- (f) the Member is suspended

4. Failure to Attend Meetings/Filling of Casual Vacancies

- (a) The Host Authority shall notify an Authority if one of their Members fails to attend three consecutive meetings of the Committee
- (b) If for any reason there shall be a vacancy in the representation of any of the Authorities on the Committee allowed under the terms of this Agreement for the time being the Authority in whose representation the vacancy occurs may forthwith fill such vacancy by appointment evidenced in writing by their chief executive officer or other authorised officer as the case may be

5. Election of Chairperson and Vice-Chairperson

- (a) The first Chair of the Committee after signing this Agreement shall be a Member representing Pembrokeshire who shall hold office until the first meeting of the Committee after 1st May 2005 or as otherwise agreed between the Authorities
- (b) Subsequently at the first meeting held after 1st May in each year a new Chair shall be appointed to hold office for the following year
- (c) Following the appointment of the first Chair of the Committee the right to appoint the Chair shall rotate annually as follows:-

Carmarthenshire
Swansea
Neath Port Talbot
Pembrokeshire

- (d) The first Vice Chair of the Committee after signing this Agreement shall be a Member representing Carmarthenshire who shall hold office until the first meeting of the Committee after 1st May 2005 or as otherwise agreed between the Authorities
- (e) Subsequently at the first meeting held after 1st May in each year a new Vice Chair shall be appointed from amongst the voting Members to hold office for the following year
- (f) Following the appointment of the first Vice Chair, the Vice Chair of the Committee shall rotate annually as follows:

Swansea
Neath Port Talbot
Pembrokeshire
Carmarthenshire

- (g) In the absence of the Chair at a meeting, the Vice Chair shall take the Chair and in the absence of the Chair and the Vice Chair, a Chair for that meeting shall be appointed by the Committee from amongst the voting Members
- (h) The Chair at any meeting shall not have a casting vote

6. Co-opted persons

- (a) The Committee may appoint to the Committee or any of its sub-committees such number of co-opted persons as it shall determine;

- (b) Such persons may be individuals or representatives of such organisations as the Committee shall determine;
- (c) Such co-opted persons may not vote at meetings of the Committee or its sub-committees

7. Meetings of the Committee

The Committee may hold such meetings at such intervals as they shall find necessary or convenient

8. Sub-Committees

The Committee shall have the power to appoint sub-committees for any purpose which in their opinion could better be managed or considered by means of a sub-committee. The constitution and the terms of the reference of the sub-committee(s) shall be determined by the Committee


9. Convening of Meetings

The meetings of the Committee and any sub-committees shall be convened by the Host Authority or by the Chair and every meeting shall be convened by notice in writing by the Host Authority and delivered to each Member of the Committee and co-opted person or sent by post to or delivered to the Member's or co-opted person's residence or place of business at least three clear working days before the day of the meeting.

10. Quorum of Meetings

To constitute a meeting of the Committee not less than four voting Members shall be present

11. Voting

- 
- (a) Whilst the Committee shall endeavour to work by consensus, each Authority shall be entitled to one vote at meetings of the Committee. Prior to any formal vote taking place each Authority shall indicate to the Chair which of their Members will exercise that Authority's vote at that meeting;
 - (b) If the Committee reaches a decision where fewer than four of the Authorities voted in support of the decision, the Committee shall not implement the decision.

12. Minutes of Meetings

- (a) The minutes of the proceedings of every meeting of the Committee or sub – committee thereof shall be made by the Host Authority.
- (b) Copies of the draft minutes of the proceedings of every meeting of the Committee shall after each meeting be sent by the Host Authority to the chief executive officers of the Authorities for circulation to the Members and co-opted persons.

13. Special Meetings

The Chair of the Committee shall call a special meeting of the Committee within ten working days of the receipt of a requisition signed on behalf of two or more Authorities. That requisition must set out in detail the matter to be discussed at such meeting and that requisition must be sent to all the Authorities with the notice summoning that special meeting and that meeting shall be convened in accordance with paragraph 9 of this First Schedule

14. Standing Orders etc

For the avoidance of doubt the Committee shall, where relevant and subject to the provisions of this Agreement, operate in accordance with the Host Authority's Constitution including without limitation, contract procedure rules and financial procedure rules

**SECOND SCHEDULE
SUPPLEMENTARY PROVISIONS**

1. Confidentiality/Transparency

- 1.1. The provisions of Sections 100 100A - 100I and 100K of the Local Government Act 1972 shall apply to proceedings of the Committee
- 1.2. Without limiting the generality of the above paragraph 1.1. the Authorities shall comply with the Data Protection Act 1998 and Freedom of Information Act 2000 as applicable and appropriate
- 1.3. With the exception of the matters referred to in paragraph 1.2. above the Authorities shall jointly agree a protocol for the disclosure of information relating to this Agreement
- 1.4. None of the Authorities shall make any communication otherwise than in accordance with a jointly agreed protocol for disclosure of information relating to this Agreement

2. Force Majeure

- 2.1. Notwithstanding anything else contained in this Agreement, no Authority hereto shall be liable for any breach of its obligations hereunder resulting from causes beyond its reasonable control including but not by way of limitation national emergency, war, flood, earthquake, strike, or lockout other than a strike or lockout induced by the Authority so incapacitated, imposition of governmental regulations or law which renders performance of the Agreement impossible.
- 2.2. Each of the Authorities hereto agrees to give written notice forthwith to the other upon becoming aware of the reasons likely to result in a delay and of the likely duration of the delay. Subject to the giving of such

notice, the performance of such notifying Authority's obligations shall be suspended during the period such circumstances persist and such notifying Authority's obligations shall be granted an extension of time for performance equal to the period of the delay. Any costs arising from such delay shall be borne by the Authority incurring the same.

- 2.3. The other Authorities may if the delay continues for more than 10 (ten) working days terminate the Agreement forthwith on giving written notice to the notifying Authority signed by all the other Authorities
- 2.4. The notifying Authority may if the delay continues for more than twenty (20) working days terminate its participation in the Agreement forthwith on giving written notice to the other Authorities

3. Variation

At any time the Committee or one or more of the Authorities may recommend changes to this Agreement by giving notice in writing to the Authorities or other Authorities as the case may be. The Authorities in receipt of the notice shall use all reasonable endeavours to consider within six weeks of such receipt whether to accept the recommendation. If all the Authorities agree to the recommended changes a memorandum of variation shall be prepared by the Host Authority for execution on behalf of all the Authorities and appended to this Agreement.

4. No Partnership

Nothing in this Agreement shall be construed as establishing or implying any partnership between the Authorities and except as stated in this Agreement nothing in this Agreement shall be deemed to constitute any of the Authorities hereto as the agent of the other Authorities or authorise any Authority (i) to incur any expenses on behalf of any other Authority (ii) to enter into any engagement or make

any representation or warranty on behalf of any other Authority (iii) to pledge the credit of or otherwise bind or oblige any other Authority or (iv) to commit any other Authority in any way whatsoever without in each case obtaining that other Authority's prior written consent

5. **Successors**

This Agreement shall be binding upon and enure to the benefit of the Authorities and their respective successors in title

6. **Notices**

6.1. Any demand notice or other communication given or made under or in connection with this Agreement will be in writing.

6.2. Any such demand notice or other communication will if given or made in accordance with this clause be deemed to have been duly given or made as follows:-

6.2.1. if sent by prepaid first class post on the second working day after the date of posting; or

6.2.2. if delivered by hand upon delivery at the address provided for in this Agreement; or

6.2.3. if sent by facsimile on the day of transmission provided that a confirmatory copy is sent by pre-paid first class post on the same working day that the facsimile is transmitted

provided however that if it is delivered by hand or sent by facsimile on a day which is not a working day or after 4.00 p.m. on a working day it will instead be deemed to have been given or made on the next working day

6.3. Any such demand notice or other communication will in the case of the service by post or delivery by hand be addressed to the recipient's

address stated in this Agreement or at such other address as may from time to time be notified in writing by the Authorities as being the address for service

- 6.4. Any such demand notice or other communication will in the case of service by facsimile be sent to the recipient using a facsimile number then used by the recipient at an address which in accordance with this clause could have been used for service by post

7. Severability

If any of the provisions of this Agreement is found by a Court or other competent authority to be void or unenforceable such provisions shall be deemed to be deleted from this Agreement and the remaining provisions of this Agreement shall continue in full force and effect. Notwithstanding the foregoing the Authorities shall thereupon negotiate in good faith in order to agree the terms of a mutually satisfactory provision to be substituted for the provision so found to be void or unenforceable

8. Entire Agreement

- 8.1. This Agreement constitutes the entire agreement and understanding of the Authorities and supersedes any previous agreement between the Authorities relating to the subject matter of this Agreement
- 8.2. Each of the Authorities acknowledges and agrees that in entering into this Agreement it does not rely on and shall have no remedy in respect of any statement representation warranty or understanding whether negligently or innocently made of any person whether party to this Agreement or not other than as expressly set out in this Agreement

9. **The Contracts (Rights of Third Parties) Act 1999**

The parties to this Agreement agree that the provisions of the said Act are hereby excluded

10. **Co-operation**

The Authorities agree at their own cost to co-operate fully with each other and provide such information and assistance as the other may reasonably require in connection with any actual or potential legal proceedings arbitration hearings inquiries ombudsman enquiries inspections internal investigations and disciplinary hearing arising out of or in connection with the provisions of this Agreement provided that such obligation shall not extend to any such proceedings between the Authorities

11. **Litigation**

The Authorities agree to promptly notify the others by written notice upon becoming aware of or in receipt of any process or other notice of the commencement of proceedings in which any Authority is named in connection with this Agreement. No litigation will be commenced in connection with anything arising out of this Agreement without the other Authorities prior written consent such consent not to be unreasonably withheld or delayed. The Authorities shall fully and effectively co-operate with each other in the prosecution, defence and settlement negotiations of any proceeding. No settlement of any claim made against any Authority in connection with or arising from this Agreement, will be made by any Authority without the others consent not to be unreasonably withheld or delayed.

Pat
AM
Key Board

12. **Dispute Resolution**

12.1. Prior to any dispute difference or disagreement being referred to mediation pursuant to the remaining provisions of this paragraph 12 the Authorities shall seek to resolve the matter as follows:-

12.1.1 in the first instance the issue shall be considered by chief officers with delegated responsibility for transportation matters

12.1.2 if the aforementioned chief officers are unable to resolve the matter within 30 working days then the issue shall be referred to the chief executive officers of each of the Authorities

12.1.3 if the chief executive officers are not able to resolve the matter within a further thirty (30) working days the provisions of paragraph(s) 12.2 and 12.3 shall take effect

12.2

12.2.1 For the purpose of this paragraph 12.2. a dispute shall be deemed to arise when one Authority serves on the other a notice in writing stating the nature of the dispute

12.2.2 Every dispute notified under this paragraph 12.2. shall first be referred to mediation in accordance with the mediation procedures of the Alternative Dispute Resolution Group London

12.2.3 The mediator shall be agreed upon by the Authorities and failing such agreement within fifteen (15) working days of one Authority requesting the appointment of a mediator and providing their suggestion thereof then the mediator shall be appointed by the President or the Vice -President for the time being of the Law Society

12.2.4 Unless agreed otherwise the Authorities shall share equally the costs of mediation

12.2.5 The use of mediation will not be construed under the doctrines of laches waiver or estoppel to affect adversely the rights of any Authority and in particular any Authority may seek a preliminary injunction or other judicial relief at any time if in its judgment such action is necessary to avoid irreparable damage

12.3.

12.3.1 In the event of the Authorities failing to reach agreement on their dispute or difference following mediation pursuant to paragraph 12.2 one Authority may serve on the other a notice in writing stating the nature of the matters still in dispute

12.3.2 the dispute or difference shall then be referred to the arbitration of a sole arbitrator to be appointed in accordance with Section 16(3) of the Arbitration Act 1996 ("the Arbitration Act") the seat of such arbitration being hereby designated as Wales

12.3.3 In the event of failure of the Authorities to make the appointment pursuant to Section 16(3) of the Arbitration Act the appointment shall be made by the President or if the President be unwilling, unable or unavailable the Vice President for the time being of the Law Society

12.3.4 The arbitration will be regarded as commenced for the purposes set out in Section 14(1) of the Arbitration Act when one Authority sends to the other written notice in accordance with the Arbitration Act

12.3.5 The arbitration shall be conducted in accordance with the Rules of the Chartered Institute of Arbitrators / The Rules of the London Court of International Arbitration for the Chartered

Institute of Arbitrators or any amendment or modification thereof
being in force at the date of commencement of the arbitration.

Appendix 2 – Deed of Termination

THIS DEED is dated

2014

PARTIES

THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA of the Civic Centre Oystermouth Road Swansea SA1 3SN (**Swansea**).

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL of the Civic Centre Neath Port Talbot SA13 1PJ (**Neath Port Talbot**).

CARMARTHENSHIRE COUNTY COUNCIL of County Hall Carmarthen SA31 1JP (**Carmarthen**).

PEMBROKESHIRE COUNTY COUNCIL of County Hall Haverfordwest SA61 1TP (**Pembrokeshire**).

BACKGROUND

The parties entered into an agreement dated 10 October 2005 under which they agreed to establish a joint committee for the purpose of carrying out duties and responsibilities more particularly described in that Agreement (**Agreement**).

The parties agree to terminate the Agreement with effect from 1 April 2014 (**Termination Date**) on the terms set out in this Deed of Termination (**Deed**).

AGREED TERMS

DEFINITIONS

- 1.1 Agreement means the agreement dated 10 October 2005 under which the Authorities agreed to establish a joint committee for the purpose of carrying out duties and responsibilities more particularly described in that Agreement attached at Schedule 2

Deed means this Deed of Termination

Termination Date means 1 April 2014

- 1.2 In this Deed, expressions defined in the Agreement and used in this Deed shall have the meaning set out in the Agreement. The rules of interpretation set out in the Agreement apply to this Deed.
- 1.3 The Schedules form part of this Deed and shall have effect as if set out in full in the body of this Deed. Any reference to this Deed includes the Schedules.

TERMINATION OF THE AGREEMENT

The Agreement is, subject to clause 2.2 of this Deed, terminated with effect from the Termination Date.

On termination of the Agreement, the following clauses from the Agreement shall continue in force between the parties:

7.2

8.1

8.2

8.3

Second Schedule Supplementary Provisions:

1.1-1.4 Confidentiality/ Transparency

10 Co-operation

11 Litigation

12 Dispute Resolution

Following termination of the Agreement in accordance with clause 2.1 of this Deed the Authorities shall remain equally liable for the following costs arising after termination and incurred in connection with the Agreement:

- (a) the operational costs referred to in clause 6 of the Agreement arising or remaining outstanding after the Date of Termination
- (b) costs arising as a consequence of the indemnities referred to in clause 8 of the Agreement
- (c) the cost of any redundancies consequent upon the termination
- (d) any other costs properly incurred in connection with the Agreement or its termination

GOVERNING LAW

This Deed and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

JURISDICTION

Each party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this deed or its subject matter or formation (including non-contractual disputes or claims).

This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

IN WITNESS whereof the parties have executed this agreement as a deed the day and year first before written

EXECUTED as a Deed (but not delivered until the date appearing at the head of this Agreement) by **SWANSEA** affixing its Common Seal in the presence of:

Head of Legal, Democratic Services & Procurement/Authorised Signatory
.....

EXECUTED as a Deed (but not delivered until the date appearing at the head of this Agreement) by **NEATH PORT TALBOT** affixing its Common Seal in the presence of:

Head of Legal, Democratic Services & Procurement/Authorised Signatory
.....

EXECUTED as a Deed (but not delivered until the date appearing at the head of this Agreement) by **CARMARTHENSHIRE** affixing its Common Seal in the presence of:

Head of Legal, Democratic Services & Procurement/Authorised Signatory
.....

EXECUTED as a Deed (but not delivered until the date appearing at the head of this Agreement) by **PEMBROKESHIRE** affixing its Common Seal in the presence of:

Head of Legal, Democratic Services & Procurement/Authorised Signatory
.....

Agenda Item 11.a

Report of the Cabinet Member for Adults and Vulnerable People

Cabinet – 20 January 2015

WESTERN BAY SHARED LIVES REGIONAL ADULT PLACEMENT

Purpose:	<p>To align timescales with Neath and Port Talbot County Borough Council and Bridgend County Borough Council, in order for the tender to progress.</p> <p>To inform Cabinet of proposals for the commissioning arrangements of the Shared Lives schemes currently provided by Bridgend County Borough Council, Neath Port Talbot County Borough Council and the City and County of Swansea.</p> <p>To seek approval for Bridgend County Borough Council to invite tenders on behalf of the three authorities, with an independent provider to manage the scheme as a collaborative contract.</p> <p>To seek approval for City and County of Swansea to enter into an 'inter-authority agreement' with Neath Port Talbot County Borough Council and Bridgend County Borough Council which will set out the governance and financial arrangements associated with this commissioning and contracting exercise.</p>
Policy Framework:	Sustainable Social Services for Wales: A Framework for Action
Reason for Decision:	To seek approval for Bridgend County Borough Council to invite tenders on behalf of the three authorities, with an independent provider to manage the scheme as a collaborative contract.
Consultation:	Legal, Finance and Access to Services.
Recommendation(s):	It is recommended that Cabinet:
1)	Approve the proposal to combine the three existing Shared Lives schemes into a collaborative scheme on behalf of the Western Bay authorities and for Bridgend County Borough Council to undertake a procurement exercise to identify a partner to manage the scheme.

- 2) Agree for Bridgend County Borough Council to invite tenders and act as lead authority for the procurement and contracting arrangements on behalf of the Western Bay authorities.
- 3) Authorise the Council to enter into a collaborative agreement on terms to be agreed by the Section 151 Officer and Bridgend County Borough Council and Neath Port Talbot County Borough Council, which will set out the finance and governance arrangements for the collaborative Shared Lives Service.
- 4) Delegate authority for the Principal Officer, Learning Disability and Mental Health Services (or, as his deputy, the Contracting Officer for Learning Disability and Mental Health Services) to represent the Council on a Shared Lives Project Board, which, once established, will manage the day to day aspects of the service including the monitoring arrangements and financial governance. The appointed officer for the Council will identify if there are any fundamental changes or impact to the agreed contracting arrangements, these will be reported back to Cabinet for approval.
- 5) Note that an update report seeking Cabinet approval to enter into a contract with the successful tenderer will be submitted once the outcome of the procurement process is known.

Report Author: Carol Rea

Finance Officer: Chris Davies

Legal Officer: Janet Hooper

Access to Services Officer: Catherine Window

1.0 Introduction

- 1.1 Shared Lives is a scheme where adults with learning disabilities, mental health difficulties and/ or with physical disabilities are offered short term, long term or emergency care by Shared Lives Carers. The care is delivered in the home of a Shared Lives Carer, thereby enabling people referred to the scheme to live in the community as independently as possible in a family environment.
- 1.2 Shared Lives carers are recruited, trained and supported by the local authorities and it is this element of the schemes that will be combined and operated as one scheme across the three authorities.

1.3 Shared Lives carers receive a payment for the services they provide when a person is placed with them and an agreement is made with the carers to ensure that the national minimum standards for Shared Lives schemes are complied with. The schemes are registered with and inspected by the Care and Social Services Inspectorate for Wales.

1.4 For 2013/14, the number of service users in the three authorities was as follows:

	Swansea	Neath Port Talbot	Bridgend	Overall
Number of service users:	75	18	41	134
Number of long term service users:	33	13	28	74
Number of respite service users:	42	5	13	60

1.5 Learning Disability is one of the key projects of the Western Bay Collaboration. This project has a number of work streams designed to develop collaborative and integrated working arrangements between the three authorities, with the aim of improving the quality and cost effectiveness of services. One of these work streams has focussed on the Shared Lives schemes and it has been agreed by the Western Bay Programme Team that a collaborative arrangement should be put in place. This arrangement involves the amalgamation of the three existing schemes into one scheme and proposes that the management of this scheme is transferred to a partner in the independent sector. Bridgend County Borough Council has been identified as the lead Authority for this work.

2.0 Current Situation / Proposal

2.1 As described above there has been substantial planning for Shared Lives Schemes across the Western Bay and the partner authorities have developed a business model which sets out plans for the delivery of such a scheme, including clear plans for growth of the Shared Lives services regionally.

2.2 The regional Shared Lives working group has developed a specification which sets out the model of care to be delivered. The group has agreed that Bridgend will be the lead authority for the commissioning exercise and will enter into a contract with the provider on behalf of the three authorities.

2.3 It is proposed that a contract for four years with an option to extend by up to two years should be awarded to the successful bidder. The anticipated start date for the new contract is April 2015. The three authorities will require a provider to deliver the service in accordance with

a fixed budget, to include the delivery of support to a number of existing Shared Lives arrangements. The specification has also built in an expectation for growth which will require the provider to recruit a number of new Shared Lives Carers over the duration of the contract. The yearly contributions from each of the partners will be fixed and the contributions of each of the commissioning authorities for each of the contract years will be as follows:

Over 6 Years	Yearly Contribution	Overall Contribution
City and County of Swansea	£86,000	£516,000
Bridgend Council	£40,000	£240,000
Neath Port Talbot Council	£40,000	£240,000
Total Cost	£166,000	£996,000

- 2.4 The three authorities have identified a fixed budget for the delivery of the service in each of the geographic areas. The provider will be required as part of the tender process to offer a clear commitment to recruit new Shared Lives Carers to at least the growth indicated below.

	Baseline Number of Placements at Commencement of Contract	Minimum Yearly Growth	Anticipated Minimum End of Year 4
City and County of Swansea	48	6/year *	90
Bridgend Council	25	3/year	37
Neath Port Talbot Council	19	3/year	31

*note growth Year 1 of 6, then 12 thereafter.

- 2.5 The partner authorities recognise that there are some geographical differences between the current Shared Lives models which may need to continue in the short term, until greater consistency can be achieved. These include differences in the particulars of payment during holidays or short breaks and the alignment of payments of Shared Lives. These functions will remain the responsibility of the authorities' financial assessment teams.
- 2.6 In order to bring greater consistency to the scheme it has been agreed that the specification will set out the requirement for the bidder to work closely with the three authorities, Shared Lives Carers and service users to align aspects of the model during the lifetime of the contract.

- 2.7 Cabinet approval to enter into a contract with the successful tenderer will be sought once the outcome of the procurement exercise is known.
- 2.8 An inter-authority agreement to underpin this joint commissioning project is being developed. This agreement will specify the need for the service to be contract managed by a Project Board which will consist of representatives from each Western Bay Authority. The Project Board's remit will be to monitor the service and govern the contractual arrangements entered into by Bridgend County Borough Council on behalf of the other authorities.

Market Testing

- 2.9 In readiness for the regional procurement exercise a supplier development event was arranged. This was facilitated by Business Wales, and a provider engagement day was arranged for the 10th of November at the Liberty Stadium, Swansea. This gave the authorities the opportunity to present the model to providers and helped finalise the service specification.

3.0 Equality and Engagement Implications

- 3.1 The Equality Impact screening (Appendix 1) has been completed which has identified that change will not significantly disadvantage individuals.

As part of the collaboration exercise it has been agreed that EIA's will also be undertaken in the Neath Port Talbot County Borough and Bridgend County Council so that all partners are clear on the impact of the change on individuals in their respective localities.

4.0 Financial Implications

- 4.1 There are no significant cost savings to the Authority as a result of transferring the Shared Lives scheme to a partner organisation, however the arrangement will enable additional carers to be recruited to offer additional long and short term placements at no additional cost to the Authority. The current scheme is currently at capacity in terms of the workload of the existing staff who support the carers.

- 4.2 The City and County of Swansea currently has two posts administering the scheme, one of whom has transferred to another post, the other post holder will be redeployed or seek to retire. The registered manager role is being undertaken by a team leader in addition to her substantive post. Bridgend and Neath Port Talbot Councils have staff who are currently assigned on a temporary basis from other duties, who will return to their substantive posts. Given the above, officers consider that there will be no TUPE implications to the tendering of the service, but this of course will be kept under review.

5.0 Legal Implications

5.1 There are no legal implications associated with this report however clarification in respect of a number of issues will be addressed via the Inter Authority Legal Agreement.

5.2 Issues to be addressed via the Inter Authority Legal Agreement

- Assurance that delivery arrangements are maintained on a locality footprint
- Business Continuity Plans re any service failures required to be fully detailed
- Arrangements to ensure contract compliance including quality assurance
- Clarification regarding responsibilities in relation to service user assessment and matching processes
- Identify how differentials in supply and demand will be managed within the contract
- The overall governance of the regional management arrangements to be clarified

Background Papers: None

Appendices: None

Agenda Item 12.

Report of the Head of Legal, Democratic Services & Procurement

Cabinet – 20 January 2015

EXCLUSION OF THE PUBLIC

Purpose:	To consider whether the Public should be excluded from the following items of business.	
Policy Framework:	None.	
Reason for Decision:	To comply with legislation.	
Consultation:	Legal.	
Recommendation(s):	It is recommended that:	
1)	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	Item No.	Relevant Paragraphs in Schedule 12A
	13a	14
Report Author:	Democratic Services	
Finance Officer:	Not Applicable	
Legal Officer:	Patrick Arran – Head of Legal, Democratic Services and Procurement (Monitoring Officer)	

1. Introduction

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

2. Exclusion of the Public / Public Interest Test

- 2.1 In order to comply with the above mentioned legislation, Cabinet will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government

Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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

3. Financial Implications

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

4. Legal Implications

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

Background Papers: None.

Appendices: Appendix A – Public Interest Test.

Public Interest Test

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

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

Agenda Item 13.a

By virtue of paragraph(s) 14 of Schedule 12A
of the Local Government Act 1972
as amended by the Local Government (Access to
Information) (Variation) (Wales) Order 2007.

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