

CITY AND COUNTY OF SWANSEA

MINUTES OF THE MEETING OF COUNCIL

**HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, SWANSEA ON
TUESDAY, 4 NOVEMBER 2014 AT 5.00 PM**

PRESENT: Councillor D W W Thomas (Presiding Member) Presided

Councillor(s)	Councillor(s)	Councillor(s)
J C Bayliss	T J Hennegan	G Owens
N S Bradley	C A Holley	D Phillips
J E Burtonshaw	P R Hood-Williams	C L Philpott
M C Child	B Hopkins	J A Raynor
R A Clay	D H Hopkins	T H Rees
U C Clay	L James	I M Richard
A C S Colburn	A J Jones	C Richards
D W Cole	J W Jones	R V Smith
A M Cook	M H Jones	R J Stanton
J P Curtice	S M Jones	R C Stewart
N J Davies	E T Kirchner	D G Sullivan
A M Day	A S Lewis	G J Tanner
P Downing	D J Lewis	M Theaker
C R Doyle	R D Lewis	C M R W D Thomas
V M Evans	C E Lloyd	M Thomas
W Evans	P Lloyd	L G Thomas
E W Fitzgerald	K E Marsh	L J Tyler-Lloyd
R Francis-Davies	P M Matthews	G D Walker
F M Gordon	P M Meara	L V Walton
J E C Harris	H M Morris	N M Woollard

113. **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors P M Black, S E Crouch, W J F Davies, J A Hale, Y V Jardine, J Newbury, B G Owen, P B Smith, C Thomas and T M White.

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

The Head of Legal, Democratic Services and Procurement gave advice regarding the potential personal and prejudicial interests that Councillors and / Officers may have on the agenda.

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

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

- 1) Councillors M C Child, A M Day, R Francis-Davies, T J Hennegan, A S Lewis, J A Raynor and C Richards declared a personal interest in Minute 119 "Public Presentation - Gower College Swansea - Swansea, Enterprising Britain Award Winners";
- 2) Councillors J P Curtice, V M Evans, J E C Harris, T J Hennegan, E T Kirchner, S M Jones, P Lloyd, P M Meara, H M Morris, G Owens, J A Raynor and L J Tyler-Lloyd declared a Personal Interest in Minute 120 "Corporate Parenting Forum Annual Report 2013-2014";
- 3) Councillors J C Bayliss, P Downing, C E Lloyd, J A Raynor and L G Thomas declared a Personal Interest in Minute 121 "Standards Committee Annual Report 2013-2014";
- 4) Councillors T J Hennegan, J W Jones, M H Jones, D S Lewis, C L Philpott and L V Walton declared a Personal Interest in Minute 124 "Proposal to Pass a Resolution Not to Issue Casino Licences and Proposed Amendments to the Council's Gambling Policy".

115. **MINUTES.**

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

- 1) Ordinary Meeting of Council held on 30 September 2014.

116. **ANNOUNCEMENTS OF THE PRESIDING MEMBER.**

1) Condolences

- a) Mother of Councillor T Mike White

The Presiding Member referred with sadness to the recent death of Marjorie Joyce White, mother of Councillor T Mike White.

He stated that the funeral would be taking place at 11.00am on Wednesday, 5 November 2014 at Swansea Crematorium.

All present were asked to stand as a mark of respect and sympathy.

2) Chartered Institute of Personnel and Development (CIPD)

The Presiding Member stated that on 16 October 2014 the Chartered Institute of Personnel and Development South West Wales Branch held its inaugural People Management Awards in order to celebrate outstanding achievements and contributions to people management made by individuals and teams in Human Resources, Organisational Development and Learning and Development across South West Wales.

The Human Resources and Organisational Development Service was invited by the Vice Chair to make a submission in respect of the Innovation Programme's work, i.e. the Purple Room, its purpose and the various events

run within it, for the 'Excellence in Learning and Development' Award. The Innovation Programme is focus for the Councils work on cultural change.

The Innovation team were successful and won the award.

The Sponsor for this award was Hugh James Solicitors who presented the award to Khan Prince, on behalf of the Authority.

Steve Rees, Deb Yeates and Khan Prince from the Human Resources and Organisational Development Service were present to receive the Award.

3) Chartered Institute of Public Relations Cymru - Silver Award

The Presiding Member congratulated the Authority's Recycling and Communications Teams who have won the Chartered Institute of Public Relations Cymru silver award for the "Keep it To 3 campaign". The campaign has also been shortlisted for an award at the UK Sustainability and Resource Industry Awards.

4) Rob Morgan, Poundfald Farm, Three Crosses

The Presiding Member congratulated Rob Morgan of Gower Fresh Christmas Trees at Poundfald Farm in Three Crosses for winning the runner-up prize in a competition run by the British Christmas Tree Growers' Association. He won his class but was second overall and as a result, one of his trees will be displayed at 10 Downing Street over the Christmas period.

5) Claire Warlow – Teacher at Tre Uchaf Primary School

The Presiding Member congratulated Claire Warlow, a Teacher at Tre Uchaf Primary School for winning "Teacher of the Year" at the recent Pearson Teaching Awards in London. Claire Warlow works with young children with learning difficulties at the School. She was described by the judges of the Pearson Teaching Awards as "one very special teacher" whose care and dedication to her pupils and team is "simply exceptional".

6) Swansea 2014 IPC Athletics European

The Presiding Member stated that the Chartered Institute of Public Relations had awarded the Gold Award to Swansea 2014 in the Best Sporting Campaign Category. Swansea 2014 took place at the Swansea University International Sports Village in August 2014 and saw around 600 of Europe's best athletes compete for honours.

Swansea 2014 won the Gold Award in the Best Sporting Campaign Category at the Chartered Institute of Public Relations (CIPR) Cymru Wales PRide Awards. This means that the public relations campaign for Swansea 2014 was the best for sport in Wales, Great Britain, during 2014. The CIPR PRide Awards represent the best, most creative and most effective public relations work across Great Britain.

117. **ANNOUNCEMENTS OF THE LEADER OF THE COUNCIL.**

1) Development Advisory Group (DAG)

The Leader of the Council stated that he had established a Development Advisory Group (DAG) tasked with reviewing the strategy for the City Centre and then to embark on a 7 year programme of regeneration for the City Centre.

He stated that the Development Advisory Group would be chaired by the Leader of the Council and shall have the following membership:

City and County of Swansea Representatives

Cllr Rob C Stewart	Leader of the Council & Chair of the Development Advisory Group
Cllr Robert Francis-Davies	Enterprise, Development and Regeneration Cabinet Member
Jack Straw	Chief Executive
Phil Roberts	Director of Place
Phil Holmes	Head of Economic Regeneration and Planning
Huw Mowbray	Property Development Manager

External Stakeholders

David Goldstone	Welsh Government Advisor
Ken Maher	Chair of Hassell Architects
Alan Francis	Gaunt Francis Architects
Carole-Anne Davies	Design Commission for Wales
Chris Sutton	Jones Lang LaSalle Property Consultants
Paul Ellis	DTZ Property Consultants and CCS Advisor
Helen Powell	Strategic Insight Company, Branding and Retail / Leisure Specialist
Ben Francis	Residential Developer & Swansea Bay Branch Secretary for Federation of Small Businesses
Juliet Loporini	Chair of Swansea Business Improvement District (BID)

He stated that he would circulate the Group's Terms of Reference following this meeting.

2) United Nations Convention on the Rights of the Child (UNCRC) Member Champion

The Leader of the Council stated that he had appointed Councillor Mitch Theaker as the Authority's United Nations Convention on the Rights of the Child (UNCRC) Member Champion.

3) Scrutiny Dispatches

The Leader of the Council stated that following requests by the Chair of the Scrutiny Programme Committee and the Political Group Leaders, discussions had taken place regarding the monthly Scrutiny Dispatches Report.

It has been agreed to remove the monthly Scrutiny Dispatches report from Council Meetings and to replace it with a new trial system whereby the Scrutiny Dispatches report will be presented to Council on a quarterly basis. Full discussion will be allowed on the report during the trial basis.

118. **PUBLIC QUESTIONS.**

A number of questions were asked by members of the public. The relevant Cabinet Member responded accordingly. Those questions requiring a written response are listed below:

- 1) Peter East asked the Section 151 Officer questions in relation to Minute 125 "Mid Term Budget Statement 2014-2015":
 - a) What percentage of salary currently representing Employers contributing to Employee and Councillor Pension Scheme?
 - b) What percentage of salary currently representing Chief Financial Officer Pension contribution made by Employer (current annual)?

The Section 151 Officer stated that a written response would be provided.

119. **PUBLIC PRESENTATION - GOWER COLLEGE SWANSEA - SWANSEA, ENTERPRISING BRITAIN AWARD WINNERS.**

Sue Poole of Gower College Swansea gave a presentation to Council on Swansea winning the Enterprising Britain Awards.

She stated that the Enterprising Britain Awards were part of the Government's drive to increase entrepreneurial activity in the UK. They are managed by Young Chamber Ltd (YCUK) on behalf of the Department for Business Innovation and Skills (BIS). This competition is also used to identify the UK entries to the European Enterprise Promotion Awards for 2014.

Gower College Swansea won the Building Enterprise Skills category with its "From Primary to Professional" project. It was an education project that provides bespoke courses for all budding entrepreneurs from primary school children through to 18 to 30 year olds. "Primary to Professional" is developing entrepreneurial spirit and skills across the city and county of Swansea.

Gower College Swansea's 'From Primary to Professional' project received a Special Mention in the category - Investing in Entrepreneurial Skills, during the European Enterprise Promotion Awards Ceremony at the SME Assembly in Naples, Italy.

The awards formally recognise innovation and reward the success of public bodies and public-private partnerships in promoting enterprise across the EU were open to all local, regional and national initiatives looking to encourage small businesses and promote entrepreneurship.

Primary to Professional (P2P) engages primary and secondary school pupils introducing them to important entrepreneurial skills including creativity, innovation and risk taking and leads to a specialist enterprise academy for start-up businesses.

This has developed into supporting business start-ups with the first Start up Weekend in Wales and the new Tech Hub for new Tech Entrepreneurs. More than 4,000 secondary school pupils have taken part in Young Business Dragons and enterprise is now embedded in a number of educational institutions across Swansea.

The Enterprise, Development and Regeneration Cabinet Member, Councillor R Francis-Davies gave thanks for the presentation.

120. **CORPORATE PARENTING FORUM ANNUAL REPORT 2013-2014.**

The Chair of the Corporate Parenting Forum submitted the Corporate Parenting Forum Annual Report 2013-2014 which updated Councillors on the activities of the Forum during the financial year 2013-2014.

RESOLVED that the report be accepted.

121. **STANDARDS COMMITTEE ANNUAL REPORT 2013-2014.**

The Chair of the Standards Committee, Adrian Novis presented the Standards Committee Annual Report 2013-2014 for information. The report set out the work of the Standards Committee and Community / Town Councils Standards Sub Committee from June 2013 to May 2014.

122. **TACKLING POVERTY STRATEGY.**

The Director of People and Anti Poverty Cabinet Member jointly submitted a report which sought to provide Council with the final Tackling Poverty Strategy which has taken into account feedback from the consultation.

RESOLVED that:

- 1) The final Tackling Poverty Strategy be approved;
- 2) The consultation responses be noted.

(Notes:

- a) The Anti Poverty Cabinet Member stated that he would circulate the Domestic Abuse Action Plan to all Councillors.
- b) Councillor M H Jones referred to a Welsh Government initiative whereby each Primary School child is provided with toothpaste and a toothbrush and encouraged to clean their teeth. She queried why this was not referred to in the report.

The Anti Poverty Cabinet Member stated that a written response would be provided).

123. **MEMBERSHIP OF COMMITTEES.**

The Transformation and Performance Cabinet Member submitted a report which outlined the changes that the Leader of the Council had made to the Authority's Outside Bodies. He also added one change in relation to the Swansea Stadium Management Company. Those changes are outlined below:

Outside Bodies

- 1) **Welsh Local Government Association (WLGA)**
Remove Councillors J E Burtonshaw and M Theaker.
Add Councillors R C Stewart and C E Lloyd.
- 2) **WLGA Co-ordinating Committee**
Remove Councillor D Phillips.
Add Councillor R C Stewart.
- 3) **West Wales Region of the Valuation Tribunal for Wales**
Remove Councillor M Thomas.
Add Councillor V M Evans.
- 4) **Visually Impaired West Glamorgan**
Remove from the list of Outside Bodies.
- 5) **Swansea Stadium Management Company**
Remove Councillor N S Bradley as Voting Member.
Remove Councillor R Francis-Davies as Substitute Member.
Add Councillor N S Bradley as Substitute Member.
Add Councillor R Francis-Davies as Voting Member.

Additionally, the report sought approval to amend the membership of Council Bodies.

RESOLVED that the membership of the Council Bodies listed below be amended as follows:

- 1) **Licensing Committee**
Remove Councillor C E Lloyd.
Add Councillor V M Evans.
- 2) **LA Governor Panel**
Remove Councillor W J F Davies.
Add Councillor A M Cook.

124. **PROPOSAL TO PASS A RESOLUTION NOT TO ISSUE CASINO LICENCES AND PROPOSED AMENDMENTS TO THE COUNCIL'S GAMBLING POLICY.**

The Wellbeing and Healthy City Cabinet Member submitted a report which considered the outcome of the consultation on proposed amendments to the City and County of Swansea's Statement of Principles (Gambling Policy) in respect of a proposal to pass a resolution not to issue casino premises licences and to make a decision regarding passing a resolution not to issue casino premises licences.

RESOLVED that:

- 1) Council considers the outcome of the consultation on proposed amendments to the City and County of Swansea's Statement of Principles (Gambling Policy) regarding the proposal to pass a resolution not to issue casino premises licences;
- 2) Council takes into account the matters identified in paragraph 4 of the report and agrees to pass a resolution not to issue casino premises licences;
- 3) The Council agrees the amendments to the Gambling Policy and cease to issue casino premises licences from 5 December 2014;
- 4) The Wellbeing and Healthy City Cabinet Member write to the Welsh Local Government Association (WLGA) and the Local Government Association (LGA) asking them to lobby for the need of greater control in relation to online betting.

125. **ADJOURNMENT OF MEETING**

The meeting stood adjourned for a 10 minute comfort break.

126. **MID TERM BUDGET STATEMENT 2014-2015.**

The Section 151 Officer submitted a report which set out the latest position with regard to the 2014-2015 Revenue and Capital Budgets together with an initial assessment of the 2015-2016 Revenue and Capital Funding positions and updates the Medium Term Financial Plan (MTFP).

RESOLVED that:

- 1) The position in Section 2 of this report in respect of the 2014-2015 Revenue Budget and actions being taken to achieve a balanced outcome for the year be noted;
- 2) The forecast Revenue position for 2015-2016 and the MTFP period as shown in Section 7 of the report be noted;
- 3) The indicative funding position regarding Delegated Schools' budgets as set out in Section 8 of this report be noted.

127. **TREASURY MANAGEMENT - MID YEAR REVIEW REPORT 2014-2015. (FOR INFORMATION)**

The Section 151 Officer submitted an information report which was in line with the recommendations contained within the Chartered Institute of Public Finances and Accountancy's (CIPFA) Code of Practice on Treasury Management which requires a six month review of Treasury Management operations to be presented to Council.

The Treasury Management - Mid Term Review Report 2014-2105 was received and noted.

128. **AMENDMENTS TO THE COUNCIL CONSTITUTION.**

The Presiding Member, Monitoring Officer and Head of Democratic Services jointly submitted a report which sought to make amendments in order to simplify, improve and / or add to the Council Constitution in relation to the following areas:

- 1) Part 4 – Council Procedure Rules;
- 2) Part 4 – Access to Information Procedure Rules;
- 3) Part 4 – Cabinet Procedure Rules;
- 4) Part 4 – Contract Procedure Rules;
- 5) Part 4 – Land Transaction Procedure Rules.

RESOLVED that the changes to the Council Constitution as outlined in Paragraph 3 of the report be adopted subject to the Land Transaction Procedure Rules element being withdrawn and passed to the Constitution Working Group for consideration.

129. **URGENT ITEM**

The Presiding Member stated that pursuant to paragraph 100B(4)(b) of the Local Government Act 1972, he considered that the report of the Leader of the Council “The Council’s Response to the Proposed Re-Organisation of Local Authorities in Wales” should be considered at this meeting as a matter of urgency.

130. **THE COUNCIL'S RESPONSE TO THE PROPOSED RE-ORGANISATION OF LOCAL AUTHORITIES IN WALES.**

Reason for Urgency - In order to allow the Council to submit its response to the Welsh Government before the end of November 2014 deadline.

The Leader of the Council submitted a report which sought to determine a response to the Minister for Public Services in relation to Local Government reorganisation.

RESOLVED that the Leader of the Council be authorised to respond to the Minister for Public Services as indicated within the report.

131. **COUNCILLORS' QUESTIONS.**

1) **Part A ‘Supplementary Questions’**

Five (5) Part A ‘Supplementary Questions’ were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

The following question(s) required a written response:

- a) Question 2. Councillor A M Day asked the following supplementary question:

“What are the key milestones in order to meet the set targets?”

The Education Cabinet Member stated that a written response would be provided.

- b) Question 4. Councillor P M Meara asked the following supplementary question:

“Can you please provide specific examples of your outcomes in relation to Sustainable Development?”

The Transformation and Performance Cabinet Member stated that a written response would be provided.

- 2) Part B ‘Questions not requiring Supplementary Questions’

One (1) Part B ‘Questions not requiring Supplementary Questions’ were submitted.

132. **SCRUTINY DISPATCHES.**

The Chair of the Scrutiny Programme Committee submitted an information report which provided Council with a progress report on various scrutiny activities.

133. **WRITTEN RESPONSES TO QUESTIONS ASKED AT THE LAST ORDINARY MEETING OF COUNCIL.**

The Head of Legal, Democratic Services and Procurement submitted an information report setting out the written responses to questions asked at the last Ordinary Meeting of Council.

134. **NOTICE OF MOTION FROM COUNCILLORS A S LEWIS, R C STEWART, C RICHARDS, R FRANCIS-DAVIES, D H HOPKINS, M THOMAS, M C CHILD, J A RAYNOR, J E C HARRIS, C E LLOYD, W EVANS, V M EVANS, E T KIRCHNER, N S BRADLEY, D W W THOMAS, P LLOYD & P M MATTHEWS.**

Councillor A S Lewis proposed an amendment to the motion prior to any discussion taking place. The amendment being to add the word ‘new’ prior to each reference to ‘Psychoactive Substances’.

The following amended motion was proposed by Councillor A S Lewis and seconded by Councillor M C Child.

This Council calls on Central Government to introduce legislation to ban the sale of all "New Psychoactive Substances", thereby making them illegal. This will enable Local Authorities, in collaboration with the Police, to prosecute High Street Traders, Businesses and Online Companies that provide or sell all products known as "Legal Highs".

‘Legal highs’ contain one or more chemical substances which produces similar effects to illegal drugs (like cocaine and ecstasy).

'Legal highs' cannot be sold for human consumption. They are often sold as incense, salts or plant food to get around the law. The packaging may describe a list of ingredients but there is no regulation to ensure that this is what the product will contain.

This Council recognises the destructive impact these substances can have on the families of impressionable children and adolescents who are targeted by these companies to consume these highly addictive, psychoactive products. This can in turn cause extreme cases of anti-social behaviour which has a detrimental impact in our communities and on our High Streets with trade being curtailed as shoppers feel intimidated by the unpredictable behaviour of youths under the influence of these toxic products.

We call upon other Welsh Local Authorities, the WLGA and LGA to join us in supporting the introduction of this legislation to empower Councils and the Police to prosecute Traders selling "New Psychoactive Substances" and ultimately eliminate these toxic products.

RESOLVED that the motion as outlined above be approved.

The meeting ended at 8.21 pm

CHAIR