

CITY AND COUNTY OF SWANSEA

MINUTES OF THE MEETING OF CABINET

**HELD AT COMMITTEE ROOM 1, CIVIC CENTRE, SWANSEA ON
THURSDAY, 16 JULY 2015 AT 4.00 PM**

PRESENT: Rob Stewart (Leader) presided

Councillor(s)	Councillor(s)	Councillor(s)
M C Child	J E C Harris	M Thomas
W Evans	D H Hopkins	
R Francis-Davies	J A Raynor	

21. **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors C E Lloyd and C Richards.

22. **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 interest was declared:

- 1) Councillors E T Kirchner, A S Lewis and M Thomas declared a Personal and Prejudicial interest in Minute 30 "Local Authority Governor Appointments" as they were named in the report and withdrew from the meeting prior to its consideration;
- 2) Councillors P Downing, J E C Harris and M Thomas declared a Personal interest in Minute 31 "EU Rural Development Plan 2014-2020 'LEADER' Programme Grant Acceptance" as their Electoral Wards were mentioned in the report;
- 3) Jack Straw (Chief Executive) declared a Personal and Prejudicial interest in Minute 39 "Disposal of Land Adjacent to the Tivoli, Mumbles Road, Mumbles" and withdrew from the meeting prior to its consideration.

23. **MINUTES.**

RESOLVED that the Minutes of the meetings listed below be approved as a correct record:

- 1) Cabinet held on 18 June 2015.

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

The Leader of the Council indicated that he had no announcements.

25. **PUBLIC QUESTION TIME.**

No questions were asked.

26. **COUNCILLORS' QUESTION TIME.**

No questions were asked.

27. **SCRUTINY REPORT(S): NONE.**

There were no Scrutiny Reports.

28. **21ST CENTURY SCHOOLS PROGRAMME - PENTRE'R GRAIG PRIMARY - CURRICULUM LED REMODELLING SCHEME.**

The Cabinet Member for Education submitted a report which sought authorisation to proceed with the Curriculum Led Remodelling scheme at Pentre'r Graig Primary School and to appoint Corporate Building and Property Services to undertake the work.

CABINET DECISION

- 1) The scheme as detailed at Pentre'r Graig Primary be authorised together with financial implications, be included in the Capital Programme;
- 2) Corporate Building and Property Services be authorised to proceed with the scheme as the principle contractor.

Policy Framework

One Swansea Plan;
The Revenue and Capital Budget as reported to and approved by Council on the 10th February 2015;
QEd 2020 programme;
Corporate Priority to review the overall provision of schools;
Corporate Priority to improve opportunities for children and young people;
Corporate Priority improving school performance;
Corporate Priority effective corporate and strategic management of assets.

Reason for Decision

To comply with Financial Procedure Rule 7 to approve and include new Capital schemes in the Capital Programme.

Consultation

Education, Poverty, Corporate Building and Services, Finance and Legal.

29. **21ST CENTURY SCHOOLS PROGRAMME - GORSEINON PRIMARY SCHOOL.**

The Cabinet Member for Education submitted a report which sought to approve and commit to the Capital Programme the scheme for the new build for Gorseinon Primary School subject to confirmation of the grant and entering into a contract with Welsh Government (subject to planning approval). It also sought authorisation to award the Contract for the works to Tender No. 4, under the agreement that following the contract award the contractor must obtain planning approval and all risks associated with not achieving planning approval are those of the contractor, and subject to confirmation of the grant and entering into a contract with Welsh Government (subject to planning approval) and finally to approve the appropriation of the proposed site at Parc Y Werin.

CABINET DECISION

- 1) The capital scheme as detailed together with the financial implications set out in Appendix A be approved, subject to confirmation of the grant and entering into a contract (subject to planning approval) with Welsh Government;
- 2) The contract for the design and construction of a new school for Gorseinon Primary School be awarded to Tender No. 4 under the agreement that following the contract award the contractor must obtain planning approval and all risks associated with not achieving planning approval are those of the contractor, and subject to confirmation of the grant and entering into a contract (subject to planning approval) with Welsh Government;
- 3) As no objections to the appropriation have been received, the Appropriation of the land at Parc Y Werin from the Director of Place to the Director of People be approved which will enable the building of the proposed new Gorseinon Primary School;
- 4) The Head of Legal, Democratic Services and Procurement be authorised to enter into any necessary documentation required to complete the contract and achieve the scheme.

Policy Framework

One Swansea Plan;
The Revenue and Capital Budget as reported to and approved by Council on the 10th February 2015;
QEd 2020 programme;
Corporate Priority to review the overall provision of schools;
Corporate Priority to improve opportunities for children and young people;
Corporate Priority improving school performance;
Corporate Priority effective corporate and strategic management of assets.

Reason for Decision

To comply with Financial Procedure Rule 7 (Capital programming and Appraisals) – to commit and authorise schemes as per the Capital Programme

To comply with Contract Procedure Rule 13.12 the evaluation and award of contract.

Statutory requirement under S.123 (2A) of the Local Government Act 1972 to consider any objections to the proposed appropriation of an open space.

Consultation

Education, Finance, Legal, Democratic Services and Procurement, Corporate Building and Property Services.

30. **LOCAL AUTHORITY GOVERNOR APPOINTMENTS.**

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

CABINET DECISION

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

a)	Parkland Primary School	Mr Christopher Terence O'Brien
b)	Penclawdd Primary School	Councillor Mark Thomas
c)	Seaview Primary School	Mr Ken Jones Mrs Sue James
d)	St Helens Primary School	Councillor Erika Kirchner
e)	Talycopa Primary School	Mrs Linda Irene Lewis
f)	Morrison Comprehensive School	Councillor Andrea Lewis

Policy Framework

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

Reason for Decision

To ensure vacancies are to be filled expeditiously.

Consultation

Education, Legal, Finance.

31. **EU RURAL DEVELOPMENT PLAN 2014-2020 'LEADER' PROGRAMME GRANT ACCEPTANCE.**

The Cabinet Member for Enterprise, Development and Regeneration submitted a report which set out the progress achieved in respect of the Rural Development Plan in Swansea and sought approval to deliver the 2014-2020 phase of the programme.

CABINET DECISION

- 1) The progress achieved by the project in securing full approval from the Welsh Government (WG) be noted;
- 2) The Head of Financial Services, acting as the Authorising Contact for the Project, to accept the Grant Offers made by WG be authorised;
- 3) Regular reports be made on progress to the External Funding Panel;
- 4) A Service Level Agreement be entered into with local delivery organisations where required, with any provisions necessary to protect the Council's interests, subject to evidenced proof of match funding contributions from those organisations.

Policy Framework

Swansea Bay City Region Economic Regeneration Strategy.

Reason for Decision

To approve and agree delivery of the Rural Development Plan 2014-2020 'LEADER' programme in Swansea. This is a 6-year EU-funded initiative providing

a mixture of small-scale capital and revenue funding to eight wards designated as rural in City and County of Swansea.

Statutory requirement under S.123 (2A) of the Local Government Act 1972 to consider any objections to the proposed appropriation of an open space.

Consultation

Access to Services, Finance, Legal.

32. **REVENUE FINANCIAL OUTTURN 2014/15.**

The Cabinet Member for Finance and Strategy submitted a report which detailed the Revenue financial outturn for 2014-2015.

CABINET DECISION

- 1) The comments and variations in the report be noted;
- 2) The proposed reserve transfers detailed in Section 5.3 of the report be approved.

Policy Framework

Sustainable Swansea Budget Plan 2014-2015.

Reason for Decision

The report is presented in accordance with the Financial Procedure Rules.

Consultation

Cabinet Members, Executive Board, Legal Services and Corporate Equalities Unit.

33. **REVENUE OUTTURN 2014/15 - HOUSING REVENUE ACCOUNT [HRA].**

The Cabinet Member for Finance and Strategy submitted a report which detailed the City and County of Swansea's Housing Revenue Account (HRA) outturn compared with the approved revenue budget for 2014-2015.

CABINET DECISION

- 1) The variations detailed in the report be noted.

Policy Framework

Budget Plan 2014-2015.

Reason for Decision

The report is presented in accordance with the Financial Procedure Rules.

Consultation

Cabinet Members, Executive Board, Legal, Access to Services.

34. **CAPITAL OUTTURN AND FINANCING 2014/15.**

The Cabinet Member for Finance and Strategy submitted a report which detailed the capital outturn and financing for the year ended 31 March 2015.

CABINET DECISION

- 1) The net under spending of the approved budget of £27.413m be carried forward to 2015-2016.

Policy Framework

Budget Plan 2014-2015.

Reason for Decision

The report is presented in accordance with the Financial Procedure Rules.

Consultation

Cabinet Members, Executive Board, Legal, Access to Services.

35. **BUSINESS RATES - TEMPORARY RETAIL RATE RELIEF SCHEME (WALES).**

The Cabinet Member for Finance and Strategy submitted a report which sought to provide information and to consider the adoption of the temporary retail relief scheme relating to Business Rates that was introduced by Welsh Government (WG) in 2014 and is continued for the current financial year.

CABINET DECISION

- 1) The details of the scheme as detailed in the report be noted;
- 2) The retail relief scheme as outlined in paragraph 2 of the report be adopted.

Policy Framework

None.

Reason for Decision

Legislative requirement and Welsh Government grant funding condition.

Consultation

Access to Services, Legal, Finance.

36. **EXTERNAL FUNDING PANEL.**

The Cabinet Member for Finance and Strategy submitted a report which sought to amend the membership of the External Funding Panel.

CABINET DECISION

- 1) The Voting Members of the External Funding Panel be increased so as to include all 10 Cabinet Members.

Policy Framework

Medium Term Financial Plan;
Sustainable Swansea - Fit for the Future.

Reason for Decision

To increase the voting membership of the External Funding Panel.

Consultation

Access to Services, Legal, Finance.

37. **ANNUAL 2014/15 PERFORMANCE MONITORING REPORT.**

The Cabinet Member for Finance and Strategy and Cabinet Member for Finance and Strategy jointly submitted a report which sought to report Corporate and Service Performance for 2014-2015.

CABINET DECISION

- 1) 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 a better Swansea' Corporate Improvement Plan 2013-2017 - Updated fro 2014-2015.

Reason for Decision

To receive and review the performance results for 2014-2015.

Consultation

Access to Services, Legal, Finance.

38. **SUSTAINABLE SWANSEA - FIT FOR THE FUTURE: DELIVERY PROGRAMME REVIEW.**

The Cabinet Member for Transformation and Performance submitted a report which sought to revise the Delivery Programme for the Sustainable Swansea - Fit for the Future strategy following a review of progress so far and the changes required to address the targets contained in the Medium Term Financial Plan.

CABINET DECISION

- 1) The revised Delivery Programme for the Sustainable Swansea - Fit for the Future strategy as set out in the appendix to the report be approved;
- 2) The Delivery Programme be referred to Council.

Policy Framework

Sustainable Swansea - Fit for the Future;
Medium Term Financial Plan and Budget.

Reason for Decision

To seek Cabinet approval for the revised Delivery Programme for Sustainable Swansea.

Consultation

Access to Services, Legal, Finance, Cabinet Members, Executive Board.

39. **DISPOSAL OF LAND TO ADJACENT TO THE TIVOLI, MUMBLES ROAD, MUMBLES.**

The Cabinet Member for Finance and Strategy submitted a report which sought in principle approval to proceed with the disposal of land to facilitate a regeneration scheme and to advise Councillors of objections received following publication of the Council's intention to dispose of the said land.

CABINET DECISION

- 1) The objections to the disposal of the open space were considered and in light of the objections an in principle decision to dispose of the property set out in this report be authorised;
- 2) Delegated power be granted to the Director of Place in consultation with the Head of Finance and Delivery, the Head of Legal and Democratic Services

& Procurement and the Chief Operating Officer to negotiate and settle all final terms for the disposal;

- 3) The Council enter into any appropriate documentation necessary to further the disposal referred to in the above recommendations.

Policy Framework

One Swansea – Single Integrated Plan;
Swansea Bay City - Region Economic Regeneration Strategy;
Destination Swansea Bay 2013-2016.

Reason for Decision

To enable the Council to enter into an agreement for the disposal of land and statutory requirement under S.123 (2A) of the Local Government Act 1972 to consider any objections to the proposed disposal of an open space.

Consultation

Access to Services, Legal, Finance, Corporate Building and Property Services, Cultural Services.

NOTE: Councillors considered that this item should be dealt with in the public session.

40. **EXCLUSION OF THE PUBLIC**

Cabinet were requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendations to the report(s) 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(s).

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(s) of business.

CLOSED SESSION

41. **DISPOSAL OF LAND AT MYNYDD NEWYDD ROAD, (FORMER LEO'S SITE), PENPLAS, SWANSEA.**

The Cabinet Member for Finance and Strategy submitted a report which sought to consider acceptance of an offer to purchase an area of Council land.

CABINET DECISION

1) The recommendations as set out in the report be approved.

Policy Framework

Asset Management Plan.

Reason for Decision

Potential disposal for a Capital Receipt which is in excess of delegated limits.

Consultation

Access to Services, Legal, Finance, Planning.

42. **PROPOSED SALE OF THE FREEHOLD OF THE FORMER ALBERTO CULVER FACTORY, ALBERTO ROAD, ENTERPRISE PARK.**

The Cabinet Member for Finance and Strategy submitted a report which sought to agree the proposed freehold sale of the former Alberto Culver Factory.

CABINET DECISION

1) The recommendations as set out in the report be approved.

Policy Framework

None.

Reason for Decision

The proposed disposal requires a Cabinet decision in line with the Council Constitution.

Consultation

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

43. **EQUAL PAY.**

The Cabinet Member for Transformation and Performance submitted a report which provided Cabinet with an update and sought instructions, as appropriate, for negotiations with the Trae Unions.

CABINET DECISION

1) Option ii as set out in the report be approved.

Policy Framework

None.

Reason for Decision

To provide Officers with authority to negotiate.

Consultation

Access to Services, Legal, Finance.

The meeting ended at 4.55 pm

CHAIR

Published: 20th July 2015