

CITY AND COUNTY OF SWANSEA

NOTICE OF MEETING

You are invited to attend a Meeting of the

DEVELOPMENT CABINET ADVISORY COMMITTEE

At: Committee Room 5, Guildhall, Swansea

On: Wednesday, 18 November 2015

Time: 3.00 pm

AGENDA

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4 Cabinet Member for Wellbeing & Healthy City - Councillor Mark Child. (Verbal)	
5 Procedure for Establishing Public Space Protection Orders - Gareth Pritchard. (Verbal)	
6 Feedback on Ffynone & Uplands Conservation Area Review Task & Finish Group. (Verbal)	
7 Updates from Chair. (Verbal)	
8 Workplan Discussion 2015-2016.	

Next Meeting - Wednesday, 16 December 2015 at 3.00 pm



Patrick Arran
Head of Legal and Democratic Services
Thursday, 12 November 2015

Contact: Democratic Services: 01792 636923

DEVELOPMENT CABINET ADVISORY COMMITTEE

Labour Councillors: 9

C A Anderson	P M Matthews
J C Bayliss (Vice Chair)	P B Smith
D W Cole	C Thomas
P Downing (Chair)	T M White
P Lloyd	

Liberal Democrat Councillors: 2

Independent Councillor: 1

Conservative Councillor: 1

Officers and Relevant Cabinet Members:

Councillor Robert Francis - Davies	Cabinet Member for Enterprise Development and Regeneration (For Info)
Councillor David Hopkins	Cabinet Member for Environment & Transportation (For Info)
Phil Roberts	Director of Place
Phil Holmes	Head of Economic Regeneration & Planning
Ryan Thomas	Head of Planning
Lee Wenham	Head of Marketing, Communications & Scrutiny
Democratic Services	
Archives	

Total Copies Needed:

20

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 DEVELOPMENT CABINET ADVISORY COMMITTEE

HELD AT COMMITTEE ROOM 5, GUILDHALL, SWANSEA ON
WEDNESDAY, 21 OCTOBER 2015 AT 5.00 PM

PRESENT: P Downing (Chair) Presided

Councillor(s)	Councillor(s)	Councillor(s)
D W Cole P Lloyd	T M White C Anderson	C Thomas

9 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors J C Bayliss and P B Smith.

10 **DISCLOSURES OF PERSONAL & PREJUDICIAL INTERESTS.**

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

Councillors D W Cole, P Lloyd and T M White – Minute No.12 – Personal – Members of the Planning Committee.

11 **MINUTES.**

RESOLVED that the minutes of the Development Cabinet Advisory Committee held on 16 September 2015 be approved and signed as a correct record.

12 **REPORT OF THE HEAD OF ECONOMIC REGENERATION AND PLANNING.**

The Planning Control Manager and Senior Planning Policy Officer provided an update report on the implementation of the recommendations of the Section 106 Agreements Audit – Action Plan.

It was outlined that an audit of the Planning Control Section had been carried out in 2014/2015 to assess the procedures and controls associated with Section 106 Agreements (Planning Obligations) within the Authority.

It was added that the mechanism for the receipt and payment of Section 106 contributions had been in place for many years and there was no evidence to indicate that this system had failed or that contributions had not been collected or spent in accordance with the terms of the relevant Agreements or otherwise accounted for. Since May 2008, a total of 51 Section 106 Agreements had been signed, 29 of which involved financial contributions to the sum of £4,835,136. To date, £2,877,558 had been paid to the Authority with £1,957,578 outstanding as trigger points had not been met or there were outstanding issues to be addressed.

A Central Housing Land Availability/Section 106 Database had been procured by Planning Services and had been populated with data relating to all Section 106 Agreements secured since May 2008.

Details were also provided in relation to the action plan agreed with the Internal Audit Section which was provided at Appendix A. Reference was made to the Section 106 Register, case files, database records, financial contributions and trigger points, monitoring of Agreements, Completion Reports, IT controls and Community Infrastructure Levy.

The Committee asked a number of questions of the officers who responded accordingly. Discussions centred on the following:

- recognising trigger points for Section 106 Agreement;
- providing Councillors with details of Section 106 Agreements in their wards once agreed by the Planning Committee;
- the purpose of Section 106 Agreements was to make developments acceptable in accordance with Planning Regulations;
- utilising Section 106 Agreement money
- in which budget the 106 Agreement money was held prior to being spent and authorisation for spending.
- The requirements for CIL.
- Access to the HLA/S database

RESOLVED that the contents of the report be noted.

13 **UPDATES FROM CHAIR. (VERBAL)**

The Trading Standards Divisional Officer provided an update in relation to the work he had been undertaking on Public Space Protection Orders (PSPO) as part of the Anti-Social behaviour, Crime and Policing Act 2014.

He outlined that several "trial" areas had been identified where Anti-Social Behaviour problems had been encountered, including issues around Psychoactive Substances (commonly known as Legal Highs). The Authority has been working closely with the Police in order to develop an audit trail of reported cases. This was required to prevent organisations challenging the Authority in cases where they had issued PSPO's.

The Committee discussed the following:

- The role of Councillors in acting as advocates for PSPO's by encouraging the reporting of Anti-Social Behaviour by local residents / businesses;
- PCSO's also gathering evidence and reporting where applicable;
- The selling of legal highs on the street.

RESOLVED that:

- 1) The update be noted;
- 2) Gareth Pritchard, Partnership Enforcement Officer be invited to the next meeting to brief the Committee on the procedure for establishing Public Space Protection Orders.

14 **FEEDBACK ON FFYNONE & UPLANDS CONSERVATION AREA REVIEW TASK & FINISH GROUP. (VERBAL)**

The Chair reported that there was currently no feedback available as the meeting had not taken place due to holidays and pre-arranged Committee meetings. The meeting would take place within the next 2 weeks.

RESOLVED that feedback be provided at the next meeting.

15 **FEEDBACK FROM SITE VISITS TO KILLAY AND SKETTY DISTRICT SHOPPING CENTRES. (VERBAL)**

Killay

The Chair reported that Killay District Shopping Centre is 5 km west of Swansea City Centre and is the smallest of all the District Centres in Swansea. It has a frontage onto Gower Road as well as a number of units arranged around the Swan Court Precinct at its eastern end, which is the focus of the primary retail area. The Precinct has a concentration of A1 shop units but also features non-retail uses including a bank, restaurant and pub. There are two small supermarkets within the Centre, each being less than 1000 sqm gross floor area. A1 shops also front Gower Road on its north side, but west of the supermarket these are noticeably less concentrated than the Swan Court Precinct. Retailing along this frontage has been diluted by incremental use class changes. Existing non-retail premises along the Gower Road frontage include a betting shop, salon, opticians, pub, offices and a residential property.

The total number of units / premises within the defined boundary is 45, which is less than the minimum number of 50 units normally expected for District Centres. However there are a further 12 commercial units / facilities that lie within very close proximity, and it is on this basis that the critical mass is considered sufficient for Killay to warrant District Centre designation. Those commercial units and services located outside the defined Centre.

Parking facilities are available on-street at marked bays on Gower Road (approx. 30 spaces). In addition, an off-street car park comprising around 60 spaces is accessed via Cygnet Close. Hourly bus services run on Gower Road which connects to the City Centre as well as surrounding residential areas at Upper Killay, Duvant and Derwen Fawr.

The majority of premises were rented. Most of the feedback was positive, however some commented on the need for cheaper business rates for new shops, more activities like Uplands Market to encourage shoppers and the possibility of a "face lift" eg replace paving slabs, however it was noted that part of the precinct was privately owned and not the responsibility of the Local Authority.

Sketty

Sketty District Centre is located approximately 2.5 km from the City Centre and is just over a kilometre west of the nearby Uplands District Centre. Although not one of the largest in terms of unit numbers, it has a sprawling, fragmented layout that extends along a number of streets that interest with Gower Road, mainly Vivian Road, Dillwyn Road and Eversley Road. There is also a scattering of shops near the junction of Vivian Road and Frogmore Avenue.

In total there are 74 premises within the defined Centre boundary. A1 shops include 2 mini market convenience stores on Gower Road, each less than 1000m sqm gross floor area, which lie at the heart of the primary retail frontage. The Centre features a range of other uses including A2 units (banks, estate agents, betting office), a number of A3 units, B1 offices and vehicle repairs (B2 use).

Sketty benefits from being located on a high frequency bus route that links to the City Centre and other areas. A pay and display car park is located off Eversley Road, which provides around 40 spaces. There are also limited on street parking facilities, the majority on Eversley Road. Car parking regularly occurs at the bus lay by located on the south side.

Comments received from those questioned were that cheaper business rates would be advantageous. The pavements required extensive repairs. There were serious concerns that due to the pub closing down, the Eversley Road car park would be lost due to flats being built in its place. Parking had already been highlighted as a concern with taxi's from the local Taxi firm taking up many spaces. The general feeling was that the area would benefit from a "face lift".

The Chair went on to explain that a further visit would also be made to Morriston District Shopping Area in the next few weeks.

16 **WORKPLAN DISCUSSION 2015-2016.**

RESOLVED that the Committee scheduled for 18 November 2015 receive reports / presentations on the following issues:

- Feedback on Ffynone & Uplands Conservation Area Review Task & Finish Group;
- Further updates on Section 106 Agreements;
- Presentation on the procedure for establishing Public Space Protection Orders.

17 **DATE OF NEXT MEETING - WEDNESDAY, 18 NOVEMBER 2015**

A discussion ensued regarding the start time of meetings for the remainder of the municipal year.

RESOLVED that all future meetings of the Development Cabinet Advisory Committee for the 2015-2016 municipal year commence at 3 pm.

The meeting ended at 6.16 pm

CHAIR