

CITY AND COUNTY OF SWANSEA

MINUTES OF THE SCRUTINY PROGRAMME COMMITTEE

HELD AT COMMITTEE ROOM 3, CIVIC CENTRE, SWANSEA ON
THURSDAY, 4 FEBRUARY 2016 AT 5.15 PM

PRESENT: Councillor R V Smith (Vice Chair) presided

Councillor(s)

U C Clay
A M Cook
N J Davies
P M Meara

Councillor(s)

A C S Colburn
S E Crouch
E W Fitzgerald
G Owens

Councillor(s)

D W Cole
J P Curtice
T J Hennegan
G J Tanner

Co-opted Member(s)

D Anderson-Thomas

Co-opted Member(s)

Councillor R A Clay

Co-opted Member(s)

Councillor F M Gordon

Officer(s)

Brij Madahar
Debbie Smith
Jeremy Parkhouse

- Overview & Scrutiny Co-ordinator
- Directorate Lawyer
- Democratic Services Officer

Apologies for Absence

None.

124 **DISCLOSURES OF PERSONAL & PREJUDICIAL INTEREST.**

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

Councillor R A Clay – personal – Llansamlet Ward Councillor.

Councillor U C Clay – personal – Llansamlet Ward Councillor.

Councillor D W Cole – personal - Ward Member from Penyrheol which abuts two candidate sites.

Councillor A M Cook - personal - Ward Member from Cockett - one of the wards that was shortlisted.

Councillor J P Curtice - personal - Ward Member from Penyrheol which borders two of the five previously nominated sites.

Councillor T J Hennegan – personal – One of five prospective sites is Penderry Ward, the Ward I represent.

125 **PROHIBITION OF WHIPPED VOTES AND DECLARATION OF PARTY WHIPS.**

In accordance with the Local Government (Wales) Measure 2011, no declarations of Whipped Votes or Party Whips were declared.

126 **MINUTES.**

The Chair reported that he had been made aware of issues relating to the content and accuracy of the minutes of the meeting on 9 July 2015 by Councillor D Phillips, who appeared at this meeting for a question and answer evidence session.

He referred to a copy of prepared notes supplied by Councillor Phillips after the evidence session which had aided the production of minutes, but were not reproduced in full. A copy of these prepared notes was circulated to committee members with words highlighted, for the benefit of Members that were not used in the minutes. The Chair proposed inclusion of these notes in the evidence pack for completeness. He stated that these should be read in conjunction with the Minutes of the meeting on 9 July 2015.

RESOLVED that: -

- 1) The Minutes of the special meeting held on 9 July 2015 be approved as a correct record;
- 2) The prepared notes supplied by Councillor D Phillips (*appended to these minutes*) following his appearance at the meeting held on 9 July 2015 be included and published in the evidence pack.

127 **SCRUTINY OF GYPSY TRAVELLER SITE SEARCH PROCESS - FINAL REPORT.**

The Chair presented the final report for the scrutiny review into the Gypsy Traveller Site Search Process for agreement. This would bring the scrutiny review of the Gypsy Traveller Site Search Process to a conclusion.

It was stated that since February 2014, a series of special meetings of the Scrutiny Programme Committee had been held to review the process adopted to date, in the search for further Gypsy Traveller site provision.

The purpose of the scrutiny review was to:

- Review the process adopted to date and seek assurance on quality;
- Identify any learning points as appropriate and recommend any changes for the future.

The final report arising from the Scrutiny Review into the Gypsy Traveller Site Search Process was presented to the Committee at Appendix 1 for agreement. The report presented the key findings and learning points arising from the review that sought to answer the following question:

Was the process, leading up to the report to Council on 21 October 2013, robust?

The report was structured in the following way:

- Why We Produced This Report
 - Overview
 - Aim of the Scrutiny Review
 - Intended Contribution
- The Evidence Collected
- Background to the Process
 - Specific Demands for Additional Appropriate Accommodation
 - Policy Drivers for Additional Appropriate Accommodation
- The Process
 - Assessing Need
 - Role of Cabinet and the Task & Finish Group
 - The Site Selection Process
 - Consultation with Gypsy Traveller Community
- The Importance of Community Cohesion
- Independent Scrutiny and Assurance
- Was this a robust process?
- Summary of Learning Points
- Acknowledgements
- About the Committee

The Chair added that the report was not, and was never intended to be, a summary of the evidence gathered by the committee. He stated that all of that material has been published and was available separately on the Council's scrutiny web pages in a single file. Instead the final report drew out key aspects of the issue reviewed and conclusions, from which a number of learning points were identified, which are to be recommended to Cabinet.

The Directorate Lawyer confirmed that the report would be reported to Cabinet as it required an Executive decision.

The Scrutiny Programme Committee was asked to agree the report for submission to Cabinet for response. It was noted that the Committee was entitled to schedule a follow up on the scrutiny report and progress, with the relevant Cabinet Member following Cabinet response on the learning points, in due course.

Discussions centred around the following:-

- The length of time it had taken to complete the scrutiny review and report;
- The value of the scrutiny review and evidence gathering, and learning points / recommendations to Cabinet;
- The respective responsibilities between Cabinet and Council in the process;
- The need for progress to be made on the issue;
- The recent decision as part of the LDP process, about expanding the Pant y Blawd site, which had not been part of previous discussions;

- The need for the Executive to have access to independent legal advice regarding the obligations and rights of the authority in relation to this issue;
- The use of a Member Task & Finish Group within the process;
- The extent to which Members of the Task and Finish Group were prevented from speaking out regarding the process;
- The effectiveness of the consultation process;
- The role and relationship between Officers and Members throughout the process;
- The need to introduce clear methods of working in the future in order to avoid public suspicion;
- The negative effect of the process upon the reputation of the Authority.

The Chair commented that a number of issues had been raised by the scrutiny review which would hopefully signpost future process, and highlighted the importance of accountability and transparency. He added that the remit of this report was specifically about the process followed and not about identifying sites. It was remarked that the learning points were very much about good governance and decision-making and applicable to other major issues.

RESOLVED that the report be agreed and submitted to Cabinet.

The meeting ended at 5.45 pm

CHAIR