



City and County of Swansea

## Minutes of the Council

Council Chamber, Guildhall, Swansea

Thursday, 26 October 2017 at 5.00 pm

**Present:** Councillor D W W Thomas (Chair) Presided

### Councillor(s)

C Anderson  
M C Child  
N J Davies  
C R Doyle  
C R Evans  
S J Gallagher  
D W Helliwell  
P R Hood-Williams  
O G James  
M H Jones  
L R Jones  
E T Kirchner  
R D Lewis  
P Lloyd  
P N May  
C L Philpott  
J A Raynor  
B J Rowlands  
A H Stevens  
G J Tanner  
M Thomas  
T M White

### Councillor(s)

P M Black  
S E Crouch  
A M Day  
M Durke  
E W Fitzgerald  
L S Gibbard  
T J Hennegan  
B Hopkins  
L James  
S M Jones  
J W Jones  
M A Langstone  
W G Lewis  
I E Mann  
H M Morris  
S Pritchard  
C Richards  
M Sherwood  
R C Stewart  
L G Thomas  
L J Tyler-Lloyd

### Councillor(s)

J E Burtonshaw  
J P Curtice  
P Downing  
V M Evans  
R Francis-Davies  
F M Gordon  
C A Holley  
D H Hopkins  
Y V Jardine  
P Jones  
E J King  
M B Lewis  
A S Lewis  
P M Matthews  
D Phillips  
A Pugh  
K M Roberts  
R V Smith  
D G Sullivan  
W G Thomas  
L V Walton

### Apologies for Absence

Councillor(s): W Evans, K M Griffiths, J A Hale, C E Lloyd, P B Smith and M Sykes

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## 87. Disclosures of Personal and Prejudicial Interests.

The Head of Legal, Democratic Services and Business Intelligence 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 B Lewis and L G Thomas declared a Personal Interest in Minute 94 "Standards Committee Annual Report 2016-2017".
- 2) Councillors D W Helliwell, P R Hood-Williams, O G James, J W Jones, M H Jones, L J Jones, M A Langstone, W G Thomas and L V Walton declared a Personal Interest in Minute 99 "Proposal to Pass a New Resolution Not to Issue Casino Licences and Proposed Amendments to the Council's Gambling Policy".
- 3) Councillors C Anderson and M Durke declared a Personal and Prejudicial Interest in Minute 99 "Proposal to Pass a New Resolution Not to Issue Casino Licences and Proposed Amendments to the Council's Gambling Policy" and left prior to discussion.
- 4) Councillors C Anderson, J P Curtice, J W Jones, M H Jones, W G Lewis, S M Pritchard, D G Sullivan and T M White declared a Personal Interest in Minute 100 "Amendments to the Constitution."

**88. Minutes.**

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

- 1) Extraordinary Meeting of Council held on 28 September 2017;
- 2) Ordinary Meeting of Council held on 28 September 2017.

**89. Written Responses to Questions asked at the Last Ordinary Meeting of Council.**

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

**90. Announcements of the Presiding Member.**

**1) Condolences**

**a) Former Councillor A C S (Tony) Colburn**

The Presiding Member referred with sadness to the recent death of former Councillor Tony Colburn. Former Councillor Colburn served the Oystermouth Electoral Ward between 1 May 2008 and 4 May 2017.

**b) Ruth Thomas, Grandmother of Councillor Clive E Lloyd**

The Presiding Member referred with sadness to the recent death of Ruth Thomas, grandmother of Councillor Clive E Lloyd.

All present stood as a mark of sympathy and respect.

**2) Recognition / Awards**

**a) Team Around the Family (TAF) Service**

The Presiding Member referred to the Team Around the Family (TAF) Service which had been shortlisted for honours in the Guardian Public Service Awards 2017. This initiative supports children and significantly reduces pressure on the Council by empowering primary school staff to tackle early-stage social challenges faced by families. He congratulated all involved and wished them good luck at the awards in November.

**b) Childcare Legal Team**

The Presiding Member referred to the Childcare Legal Team who had been shortlisted as a finalist in the Lawyers in Local Government Awards for 2017. The award is for People Related Team of the Year, which recognises outstanding achievement by a Local Authority Team in any field of law relating to people including children law, adult social care, health and employment.

He congratulated the Team for this excellent peer recognition. This is an outstanding achievement as it is a UK wide award with the winner being announced on 24 November 2017 in Birmingham.

**c) Go Awards Wales, Excellence in Public Procurement**

The Presiding Member referred to two of Swansea Council's initiatives which have reached the final of the Go Awards Wales, Excellence in Public Procurement.

Beyond Bricks and Mortar has been shortlisted under the Procurement Innovation in Government and Housing. A joint submission between Adult Social Care, the Procurement Team and Beyond Bricks and Mortar is also shortlisted in Procurement Innovation in Social Care and Health Category.

**d) St Helen's Primary School - Pearson Teaching Awards**

The Presiding Member referred to Mark Thompson, who leads St Helen's Primary School. Mr Thompson will be attending the grand finale of the Pearson Teaching Awards in London shortly where he's shortlisted for a Gold Award in the Head Teacher of the Year category. There's been a remarkable transformation at St Helen's, both in its physical appearance and in pupil achievement and attendance. Mark was recognised for his exceptional leadership when he won the Welsh category earlier this year.

**e) Flying Start**

The Presiding Member referred to one of Swansea Council's Flying Start projects which has had a fantastic inspection report from the Care and Social Care Inspectorate Wales (CSSIW). Inspectors looked at four areas at the Seaview project and gave the following ratings:

Excellent - "Children's Wellbeing" and "Environment";  
Good - "Care & Development" and "Leadership & Management".

**f) European Para Table Tennis Championships – Slovenia 2017**

The Presiding Member referred to Paul Karabardak of Cockett. Mr Karabardak started playing Table Tennis with Swansea based charity "Friends of the Young Disabled" many years ago. He has recently won the Gold Medal for Team GB at the European Para Table Tennis Championships 2017 in Slovenia.

**g) Invictus Games - Toronto 2017**

The Presiding Member referred to Matthew Neve of Three Crosses. Mr Neve was a Senior Aircraftman in the Royal Air Force before being discharged in 2004. His mental health difficulties have led to a number of challenges including depression, and a lack of self-worth and purpose. Since taking up archery, Matt has used the sport to give his life focus again and help him on his recovery journey.

The Presiding Member stated that he was delighted to announce that Matthew won a Gold Medal for Archery at the Invictus Games - Toronto 2017.

**3) Amendments / Additions to the Council Summons**

***Item 13 "Amendments to the Constitution".***

The Presiding Member stated that an amended extract of Paragraph 3.5 of the report had been circulated.

***Item 14 "Membership of Committees".***

The Presiding Member stated that an amended report had been circulated.

***Urgent Notice of Motion***

The Presiding Member stated that he had accepted an urgent Notice of Motion relating to Universal Credit. The Notice of Motion had been circulated.

**91. Announcements of the Leader of the Council.**

**a) Religion & Heritage Councillor Champion**

The Leader of the Council stated that he'd appointed Councillor Sam Pritchard as the "Religion & Heritage" Councillor Champion.

**b) City Deal Update**

The Leader of the Council provided an update on the City Deal.

**c) City of Culture Visit**

The Leader of the Council thanked all involved for ensuring that the Bid Committee's visit to Swansea was successful.

**d) Skyline (New Zealand) Visit**

The Leader of the Council stated that Skyline (New Zealand) had recently visited Swansea as part of them seeking a European location for extreme sports and a 5 star restaurant on Kilvey Hill.

**e) Liberty Stadium**

The Leader of the Council provided an update on the ongoing negotiations with Swansea City Football Club in relation to the Liberty Stadium.

**f) E-voting**

The Leader of the Council stated that Cabinet Meetings would be using the Council Chamber's e-voting system later in 2017 and that the system would be rolled out wider once the trials had been undertaken.

**g) Webcasting**

The Leader of the Council stated that the Webcasting tender would be issued later in 2017. This in time would allow certain meetings to be webcast.

**92. Public Questions.**

A question was asked by a member of the public. The relevant Cabinet Member responded accordingly. No questions required a written response.

**93. Public Presentation - None.**

No Public Presentations were received.

**94. Standards Committee Annual Report 2016-2017.**

The Chair of the Standards Committee, Jill Burgess presented the Standards Committee Annual Report 2016-2017 for information. The report set out the work of the Standards Committee from 19 May 2016 to 24 May 2017.

**95. Urgent Item**

The Presiding Member stated that pursuant to Paragraph 100B (4) (b) of the Local Government Act 1972 he considered that the "Urgent Notice of Motion - Councillors R C Stewart, C A Holley, C E Lloyd, J A Raynor, D H Hopkins, R Francis-Davies, M Thomas, J E Burtonshaw, M Sherwood, M C Child, A S Lewis, W Evans, M H Jones, E W Fitzgerald and D G Sullivan" in relation Universal Credit should be considered at the meeting for the reasons given.

**96. Urgent Notice of Motion - Councillors R C Stewart, C A Holley, C E Lloyd, J A Raynor, D H Hopkins, R Francis-Davies, M Thomas, J E Burtonshaw, M Sherwood, M C Child, A S Lewis, W Evans, M H Jones, E W Fitzgerald and D G Sullivan**

**Reason for Urgency:** On the grounds of the imminent roll out of Universal Credit.

Proposed by Councillor R C Stewart and Seconded by Councillor C A Holley.  
*"Council agrees that the intention of Universal Credit (UC) to make benefits less complicated and to allow those in low paid work to keep more of their wages is a good idea, but believes that the evidence demonstrates that the Universal Credit process is flawed and causing unnecessary hardship to local families. Council notes that UC was deliberately introduced on a slow rollout so that any issues could be seen and corrected before the benefit was introduced to all claimants.*

*Council further notes that the evidence of this council and others across the country is that UC is causing huge increases in rent arrears and in general debt levels amongst claimants, many of whom have never been in debt before. In addition, evidence demonstrates that most private landlords and even some housing associations are refusing to accept tenants receiving UC, leading to an increase in those registering as homeless and seeking temporary accommodation.*

*Council therefore resolves that the Leader on behalf of the Council to write to the Secretary of State for Work and Pensions, making these points, requesting that the Government addresses these issues, and that the roll-out is halted until the problems are fixed."*

Councillor R C Stewart proposed an amendment which amended the final paragraph by calling on all Political Group Leaders to write to the Secretary of State for Work and Pensions. Councillor C A Holley indicated that he accepted the amendment.

The substantive Notice of Motion was therefore as follows:

*"Council agrees that the intention of Universal Credit (UC) to make benefits less complicated and to allow those in low paid work to keep more of their wages is a good idea, but believes that the evidence demonstrates that the Universal Credit process is flawed and causing unnecessary hardship to local families. Council notes that UC was deliberately introduced on a slow rollout so that any issues could be seen and corrected before the benefit was introduced to all claimants.*

*Council further notes that the evidence of this council and others across the country is that UC is causing huge increases in rent arrears and in general debt levels*

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Cont'd

*amongst claimants, many of whom have never been in debt before. In addition, evidence demonstrates that most private landlords and even some housing associations are refusing to accept tenants receiving UC, leading to an increase in those registering as homeless and seeking temporary accommodation.*

*Council therefore resolves that the Political Group Leader on behalf of the Council write to the Secretary of State for Work and Pensions, making these points, requesting that the Government addresses these issues, and that the roll-out is halted until the problems are fixed.”*

In accordance with Council Procedure Rule 30 “Voting” a recorded vote was requested. The voting was recorded as follows:

<b>For (63 Councillors)</b>		
<b>Councillor(s)</b>	<b>Councillor(s)</b>	<b>Councillor(s)</b>
C Anderson	B Hopkins	D Phillips
P M Black	D H Hopkins	C L Philpott
J E Burtonshaw	O G James	S Pritchard
M C Child	L James	A Pugh
S E Crouch	Y V Jardine	J A Raynor
J P Curtice	J W Jones	C Richards
N J Davies	L R Jones	K M Roberts
A M Day	M H Jones	B J Rowlands
P Downing	P Jones	M Sherwood
C R Doyle	S M Jones	R V Smith
M Durke	E J King	A H Stevens
C R Evans	E T Kirchner	R C Stewart
V M Evans	M A Langstone	D G Sullivan
E W Fitzgerald	A S Lewis	G J Tanner
R Francis-Davies	M B Lewis	D W W Thomas
S J Gallaher	R D Lewis	L G Thomas
L S Gibbard	W G Lewis	M Thomas
D W Helliwell	P Lloyd	W G Thomas
T J Hennegan	I E Mann	L J Tyler-Lloyd
C A Holley	P M Matthews	L V Walton
P R Hood-Williams	H M Morris	T M White

<b>Against (0 Councillors)</b>		
<b>Councillor(s)</b>	<b>Councillor(s)</b>	<b>Councillor(s)</b>
-	-	-

<b>Abstain (0 Councillors)</b>		
<b>Councillor(s)</b>	<b>Councillor(s)</b>	<b>Councillor(s)</b>
-	-	-

**RESOLVED** that:

- 1) The Notice of Motion as amended be approved.

**97. Mid Term Budget Statement 2017/18. (Verbal Update)**

The Section 151 Officer gave a presentation on the Mid Term Budget Statement 2017-2018. He outlined the current year's financial performance together with an updated assessment of savings requirements over the period of the Medium Term Financial Plan.

The Leader of the Council also provided a statement.

**Resolved** that:

- 1) The presentation be noted.

**98. Review of Revenue Reserves.**

The Section 151 Officer submitted a report, which outlined the mid-term review of the Revenue Reserves position and sought to agree any suggested reclassification of reserves based on current requirements.

**Resolved** that:

- 1) Sections 3.13 to 3.16 of the report be noted and approved.

**99. Proposal to Pass a New Resolution Not to Issue Casino Licences and Proposed Amendments to the Council's Gambling Policy.**

The Commercial Opportunities and Innovation Cabinet Member submitted a report, which considered the outcome of the consultation in respect of a proposal to pass a new resolution not to issue casino premises licences; and proposed amendments to the City and County of Swansea's Statement of Principles (Gambling Policy). It also sought a decision regarding passing a new resolution not to issue casino premises licences.

**Resolved** that:

- 1) The outcome of the consultation in respect of a proposal to pass a new resolution not to issue casino premises licences and proposed amendments to the City and County of Swansea's Statement of Principles (Gambling Policy) be considered;
- 2) The matters identified in paragraph 4 of the report be taken into account and a new resolution not to issue casino premises licences be agreed;
- 3) The proposed amendments to the Gambling Policy be agreed for publication and that it specifies the date of the 6 December 2017 as the date on which the resolution takes effect.



## 100. Amendments to the 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.

The proposed changes related to the following area of the Council Constitution:

- i) Part 3 "Responsibility for Functions", "Terms of Reference", "Local Authority (LA) Governor Panel".

The Head of Democratic Services stated that an Amended report had been circulated and he also made a few other amendments.

**Resolved that:**

- 1) The changes to the Council Constitution as outlined below be adopted:

*"Part 3 "Responsibility for Functions - Terms of Reference". 2.4.4 Local Authority (LA) Governor Panel:*

- a) **Be removed** from Part 3 "Responsibility for Functions - Terms of Reference";
- b) **Be renamed** the Local Authority (LA) Governor Appointments Procedure and added to Part 4 "Rules of Procedure" of the Council Constitution;
- c) **Be redrafted** as follows:
  1. All Local Authority Governor Appointments shall be made by Cabinet following a recommendation from the Chief Education Officer in conjunction with the Cabinet Member for Children, Education and Lifelong Learning and the Councillor(s) representing the ward(s) in the catchment area of the schools' views will be sought to input into the decision-making (Referred to within this document as Local Councillor(s)).
  2. The Chief Education Officer in conjunction with the Cabinet Member for Children, Education and Lifelong Learning and Local Councillor(s) will consider any applications in line with the governing body skills matrix alongside each individual governor application which will include a brief description by the applicant about the experience and knowledge they can offer the governing body.
  3. The Local Authority Governor Application Form will be amended to include opportunity for applicants to include details (up to 300 words) of experience, knowledge and skills to demonstrate how

*their appointment will help address any skill gap identified within the school governing body skill matrix.*

4. *The Chief Education Officer, Cabinet Member and Local Councillor(s) will make recommendation on the appointment of the governor who is deemed to have the most appropriate skills and expertise to support and challenge the governing body, and make recommendations to Cabinet for filling LA vacancies on Governing Bodies.*
5. *The Councillor(s) representing the ward(s) in the catchment area of the schools' views will be sought to input into the decision-making.*
6. *The following criteria shall be used in considering applications:*
  - a. *Firstly the Councillor(s) representing ward(s) in the catchment area of the relevant school if they meet the skills criteria provided by the school. The School and Governor Unit shall assist Councillors in acquiring those skills (where possible) by utilising the training courses available within the Authority. Each Councillors training record is available at [www.swansea.gov.uk/councillors](http://www.swansea.gov.uk/councillors);*
  - b. *Secondly, if the Councillors(s) representing ward(s) in the catchment area of the relevant school do not express an interest, the vacancy be offered to other Councillors of the Local Authority if they meet the skills criteria provided by the school;*
  - c. *Following application of the above criteria, vacancies be offered to persons who, in the opinion of the Chief Education Officer in conjunction with the Cabinet Member for Children, Education and Lifelong Learning and Local Councillor(s), would be suitable to the role of governor and who would contribute effectively to the school in terms of skills and experience in meeting the skills criteria provided by the school.*
7. *In each of the above categories whenever there are more candidates than vacancies, Local Authority representatives will be recommended to Cabinet on the basis of whom, in the opinion of the Chief Education Officer in conjunction with the Cabinet Member for Children, Education and Lifelong Learning and Local Councillor(s), will make the most effective contribution to the management of the school concerned as provided for in the skills criteria provided by the school.*
8. *The Chief Education Officer in conjunction with the Cabinet Member for Children, Education and Lifelong Learning and Local Councillor(s), shall receive, discuss and determine any representations made to them whenever they make any change to representation on a particular Governing Body.*

9. *The Chief Education Officer in conjunction with the Cabinet Member for Children, Education and Lifelong Learning and Local Councillor(s), shall hear any request made to them to remove an LA Governor in Accordance with Regulation 27 of the Government of Maintained Schools (Wales) Regulations 2005 2005 and make a recommendation to Cabinet for approval.*
10. *The Chief Education Officer in conjunction with the Cabinet Member for Children, Education and Lifelong Learning and Local Councillor(s), will expect all newly appointed Governors to undertake mandatory governor training in accordance with Welsh Government requirements within a year of them taking up the position in order to prepare them for their role and improve understanding of their responsibility to both challenge and support the school and Head teacher.*
11. *Applications must be submitted no later than 7 clear working days before the date of the Chief Education Officer in conjunction with the Cabinet Member for Children, Education and Lifelong Learning and Local Councillor(s) meeting / discussion and late applications will only be considered at their discretion.”*

#### **101. Membership of Committees.**

The Service Transformation & Business Operations Cabinet Member stated that an amended report had been circulated.

He referred to the report stating that the Leader of the Council had also made changes to the Authority's Outside Bodies as outlined below:

- 1) **Gower College Swansea**  
Remove Councillor JA Raynor.  
Add Councillor K M Roberts.

**Resolved that:**

- 1) The membership of the Council Bodies listed below be amended as follows:
  - i) **Challenge Panel**  
Remove Councillors J E Burtonshaw, N J Davies, H M Morris, M Sherwood, & M Sykes.  
Add Councillors C Anderson, M B Lewis, P Lloyd, S Pritchard & T M White.
  - ii) **Safeguarding Policy Development & Delivery Committee**  
Remove Councillor K M Roberts.  
Add Councillor C Anderson.

**102. Councillors' Questions.**

**1) Part A 'Supplementary Questions'**

Ten (10) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

No supplementary question(s) required a written response.

**2) Part B 'Questions not requiring Supplementary Questions'**

Three (3) Part B 'Questions not requiring Supplementary Questions' were submitted.

The meeting ended at 7.45 pm

**Chair**