



## City and County of Swansea

### Notice of Meeting

You are invited to attend a Meeting of the

## Scrutiny Performance Panel – Development & Regeneration

**At:** Committee Room 3A - Guildhall, Swansea

**On:** Thursday, 11 April 2019

**Time:** 11.00 am

**Convenor:** Councillor Jeff Jones

**Membership:**

Councillors: P M Black, E W Fitzgerald, S J Gallagher, J A Hale, D W Helliwell, T J Hennegan, C A Holley, P R Hood-Williams, L James, M H Jones, P K Jones, S M Jones and T M White

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### Agenda

### Page No.

- |          |   |                |
|----------|---|----------------|
| <b>1</b> | <b>Apologies for Absence.</b>   |                |
| <b>2</b> | <b>Disclosure of Personal and Prejudicial Interests.</b><br><a href="http://www.swansea.gov.uk/disclosuresofinterests">www.swansea.gov.uk/disclosuresofinterests</a>  |                |
| <b>3</b> | <b>Notes</b><br>To approve & sign the Notes of the previous meeting(s) as a correct record.   | <b>1 - 9</b>   |
| <b>4</b> | <b>Project Update Report</b> <ul style="list-style-type: none"><li>• Phil Homes – Head of Planning and City Regeneration</li><li>• Huw Mowbray - Development and Physical Regeneration Strategic Manage</li></ul> | <b>10 - 19</b> |
| <b>5</b> | <b>Exclusion of the Public</b>  | <b>20 - 24</b> |
| <b>6</b> | <b>Business Case Update</b>   |                |
| <b>7</b> | <b>Work Plan 2018/2019</b>  | <b>25 - 27</b> |

**Next Meeting:** Monday, 20 May 2019 at 1.00 pm

*Huw Evans*

**Huw Evans**  
**Head of Democratic Services**  
**Friday, 5 April 2019**  
**Contact: Scrutiny 636292**

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Councillor Jeff Jones  
Convener  
Development and Regeneration  
Performance Panel

*Please ask for:* Councillor Rob Stewart  
*Direct Line:* 01792 63 6141  
*E-Mail:* [clr.rob.stewart@swansea.gov.uk](mailto:clr.rob.stewart@swansea.gov.uk)  
*Our Ref:* RS/CM  
*Your Ref:*  
*Date:* 11th March 2019

## BY EMAIL

Dear Councillor Jones

Thank you for your letter dated 6<sup>th</sup> February 2019.

Your observations are noted.

In answer to your question in relation to “timescales and resources that are currently flagged as ‘red’ is this down purely to some team vacancies within the service? What plans are in place to deal with this?”

I can confirm that extra resources are being made available via capitalisation of existing staff budgets. This is providing sufficient funding to the regeneration team to allow new appointments of regeneration officers based on the current and anticipated future workload. The recruitment process will be underway very shortly and officers will update you at future meetings.

Yours sincerely



**COUNCILLOR ROB STEWART**  
**LEADER & CABINET MEMBER FOR ECONOMY & STRATEGY**



To/  
**Councillor Rob Stewart**  
**Cabinet Member for Economy and Strategy**

**BY EMAIL**

*Please ask for:*  
*Gofynnwch am:*

*Direct Line:*  
*Llinell Uniongyrochol:*

*e-Mail*  
*e-Bost:*

*Date*  
*Dyddiad:*

Overview & Scrutiny

01792 636292

scrutiny@swansea.gov.uk

12<sup>th</sup> February 2019

**Summary:** This is a letter from the Service Improvement and Finance Performance Panel to the Cabinet Member for Economy and Strategy. The Panel met on 12<sup>th</sup> February 2019. This letter relates to the Annual Budget 2019/20.

Dear Councillor Stewart,

On the 12<sup>th</sup> February 2019 the Panel met to discuss the Annual Budget 2019/20.

The Panel are grateful to Cabinet Members and officers who attended all Panels to provide information and answer questions.

Each Panel had the opportunity to scrutinise the Budget in relation to their performance panels. Each Panel was then asked to produce the points they wish the raise.

Please find below the comments from each Performance Panel;

#### Development and Regeneration

- There is a risk associated with the governance review – if the governance review is unfavourable this may impact the money which is due to come to Swansea Council to offset what has already been spent.
- There is a risk in relation to the Business Case still not having been signed off. Until this has been done, no money can flow to Swansea Council – again this means that the money which has already been spent is at risk. This would be a significant problem. There is no indication of timescales of when the business case will be signed off, or if this will impact project timescales. Can you advise?
- There needs to be enough business support to deliver regeneration projects – clarification on how ‘top slicing’ works (taking a percentage from externally funded projects to fund business support roles) would be helpful.

**OVERVIEW & SCRUTINY / TROSOLWG A CHRAFFU**

**SWANSEA COUNCIL / CYNGOR ABERTAWE**

**GUILDHALL, SWANSEA, SA1 4PE / NEUADD Y DDINAS, ABERTAWE, SA1 4PE**

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I dderbyn yr wybodaeth hon mewn fformat arall neu yn Gymraeg, cysylltwch â'r person uchod  
To receive this information in alternative format, or in Welsh please contact the above

## Adult Services

- 80% of proposed savings have been achieved in this financial year. The savings target for next financial year therefore seems to be ambitious especially as much of the expenditure is demand-led.
- With us overspending by £1 million this year due to 'resistance from the LHB to discuss equitable and appropriate contributions towards identified packages of care' there was concern in the panel that this will be an ongoing issue in the next financial year. The panel felt that this needs to be resolved as soon as possible if we are to keep to budget for 2019-20
- It is not fully clear when savings kick in from each of the service commissioning reviews or which savings relate to which review. This process appears to be fairly opaque as far as the panel is concerned and we would welcome a more detailed breakdown.
- We will be revisiting the budget again in October so we can more closely monitor the outcomes of the planned efficiency savings.

## Education

- The Panel were pleased to see that education has 'relative prioritisation' in the budget again this year.
- The Panel were concerned about the impact of the cost of the increase in teachers pensions not being covered (at present) by the UK Government. The panel want to ensure that Cabinet are doing everything possible to ensure that schools are not disadvantaged by this substantial amount.
- The Panel were pleased to hear that the school music service will receive extra funding this year from Welsh Government and were keen to emphasise the importance of pupils being able to access and be engaged in music.
- The Panel were pleased to hear about the planned improved clarity and transparency of grant funding that is distributed via ERW but they are keen for these improvements to be monitored moving forward.

## Child and Family Services

- No real concerns as far as budget is concerned. All issues were addressed at the meeting.
- Pleased to see budget for CFS is increasing next year, we understand that it is not increasing in real terms as the increase is to cover increases in salary and accommodation costs.
- The Panel acknowledges that it is difficult to forecast what is going to transpire during the year as it is a demand driven service.
- The CFS Panel will continue to scrutinise the Service going forward and make suggestions and recommendations for improvement.

## Service Improvement and Finance

- We are concerned about the potential £8m overspend projected for 2018/2019 and would like to know how this will be addressed. What is the contingency plan for not meeting targets?
- Regarding the Medium Term Financial Plan, we do not have indications of core government grant income over the next 3 years. This makes it very difficult to create meaningful strategies.
- The increase of funding of the NHS is detrimental to Local Authorities who have not had such an increase, there needs to be effective collaboration over cost sharing.
- 161 job posts being deleted is a concern. This links in with the issue around increased sickness. Job losses and sickness go hand in hand and the pressure on remaining staff in this difficult time leads to further sickness compounding the issue. What is the contingency plan for not meeting sickness targets?
- There should be a new profile of the Capital Borrowing envelope to reflect the £20m received from Welsh Government, making the sum £180m.
- We are concerned about the impact of this unsupported borrowing on the Council in general, despite reassurances.
- Finally, we cannot continue to accept continuing austerity when there is a risk that even protected services could now fail.

I will present these points at the meeting on 14<sup>th</sup> February 2019.

We would welcome comments on any aspect of this letter but would like answers on the following queries;

### Development and Regeneration

1. There is a risk in relation to the Business Case still not having been signed off. Until this has been done, no money can flow to Swansea Council – again this means that the money which has already been spent is at risk. This would be a significant problem. There is no indication of timescales of when the business case will be signed off, or if this will impact project timescales. Can you advise?
2. There needs to be enough business support to deliver regeneration projects – clarification on how ‘top slicing’ works (taking a percentage from externally funded projects to fund business support roles) would be helpful.

### Adult Services

3. With us overspending by £1 million this year due to ‘resistance from the LHB to discuss equitable and appropriate contributions towards identified packages of care’ there was concern in the panel that this will be an ongoing issue in the next financial year. The panel felt that this needs to be resolved as soon as possible if we are to keep to budget for 2019-20.

4. It is not fully clear when savings kick in from each of the service commissioning reviews or which savings relate to which review. This process appears to be fairly opaque as far as the panel is concerned and we would welcome a more detailed breakdown.

Service Improvement and Finance

5. We are concerned about the potential £8m overspend projected for 2018/2019 and would like to know how this will be addressed. What is the contingency plan for not meeting targets?
6. 161 job posts being deleted is a concern. This links in with the issue around increased sickness. Job losses and sickness go hand in hand and the pressure on remaining staff in this difficult time leads to further sickness compounding the issue. What is the contingency plan for not meeting sickness targets?
7. There should be a new profile of the Capital Borrowing envelope to reflect the £20m received from Welsh Government, making the sum £180m.

I would be grateful if you could respond to this letter by Tuesday 5<sup>th</sup> March 2019.

Yours sincerely,



**Councillor Chris Holley**  
**Convener, Service Improvement and Finance Scrutiny Performance Panel**  
✉ [cllr.chris.holley@swansea.gov.uk](mailto:cllr.chris.holley@swansea.gov.uk)





Councillor Chris Holley  
Convener  
Service Improvement & Finance Scrutiny  
Performance Panel

*Please ask for:* Councillor Rob Stewart  
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*Our Ref:* RS/CM  
*Your Ref:*  
*Date:* 21st March 2019

**BY EMAIL**

Dear Councillor Holley

Thank you for your letter dated 12th February 2019 and I would respond as follows.

**DEVELOPMENT AND REGENERATION**

**There is a risk in relation to the Business Case still not having been signed off. Until this has been done, no money can flow to Swansea Council – again this means that the money which has already been spent is at risk. This would be a significant problem. There is no indication of timescales of when the business case will be signed off, or if this will impact project timescales. Can you advise?**

Successful regeneration is a complex process that relies on a great deal of vision, planning, commitment and investment. Risks of funding shortfalls, programme delays and cost increases are all inherent in the process of regeneration. It is our job to manage these risks to ensure that we deliver the regeneration that is so badly needed to revitalise our city and to stimulate further investment by the private sector. The City Deal Governance Review is an independent process that is currently underway, and whilst I would not wish to pre-judge the outcome of this review, I am confident that this will not unduly delay, nor increase the cost of delivering Swansea Central Phase 1. I can confirm that following the conclusion of the independent review our business case is recommended for immediate sign off by Government.

**There needs to be enough business support to deliver regeneration projects – clarification on how ‘top slicing’ works (taking a percentage from externally funded projects to fund business support roles) would be helpful.**

The 5 case business model is a very detailed and multifaceted assessment of the merits of the City Deal projects. Whilst at this stage we have not had final sign-off of our business case, we have mitigated the risk by responding to all queries with fully developed answers, addressing all points with empirical evidence and justifications based on the thorough research and market analysis that underpins the design of our project and business case. I am confident that we will shortly receive sign off of our business case, removing the risk you have correctly identified.



The top slicing of grants is a process that our Economic Development & External Funding Team has maximised in recent times to deliver and administer grant funded projects. The team are currently delivering and administering circa £54m worth of grant funded projects for Swansea and the region. The majority of these projects involve top slicing of grant to provide the human capital needed for delivery and to ensure full compliance with grant conditions and outcomes. This process involves strict agreement with the funding body and is based on a percentage of the total grant available, which varies from funder to funder. The ability to top slice grant is therefore specific to the funders' requirements and grant conditions. We will continue to explore all opportunities to attract new funding to Swansea and the region, and wherever possible and eligible, maximise the top slicing potential to minimise any costs to the Council's revenue budget.

## **ADULT SERVICES**

**With us overspending by £1 million this year due to 'resistance from the LHB to discuss equitable and appropriate contributions towards identified packages of care' there was concern in the panel that this will be an ongoing issue in the next financial year. The panel felt that this needs to be resolved as soon as possible if we are to keep to budget for 2019-20.**

This remains a risk but late in this financial year, we have made some progress with negotiations with the health board particularly in relation to funding of care packages for individuals with a learning disability. We will be recommending that a strategic objective for the region should be the establishment of pooled funding arrangements for this particular cohort of the population.

**It is not fully clear when savings kick in from each of the service commissioning reviews or which savings relate to which review. This process appears to be fairly opaque as far as the panel is concerned and we would welcome a more detailed breakdown.**

This is a reasonable challenge which mirrors that of the Cabinet Member to officers. A more transparent timetable for different aspects of the review has now been developed and will be shared with scrutiny.

## **SERVICE IMPROVEMENT AND FINANCE**

**We are concerned about the potential £8m overspend projected for 2018/2019 and would like to know how this will be addressed. What is the contingency plan for not meeting targets?**

The over spend remains an estimate and action has been agreed by Cabinet and the Corporate Management Team to reduce the overspending. I accept it as not likely that service spending will be contained. The S151 officer has already set out clearly what action is intended to be taken re the use of earmarked reserves and unallocated contingency and inflation sums to ensure 18-19 is technically balanced. The budget has now been set for 19-20 and work is in hand via our agreed Zero Based budgeting strategy to develop the next wave of savings options over the medium term.

**161 job posts being deleted is a concern. This links in with the issue around increased sickness. Job losses and sickness go hand in hand and the pressure on remaining staff in this difficult time leads to further sickness compounding the issue. What is the contingency plan for not meeting sickness targets?**

The total is a planning assumption based on the maximum number of roles identified at risk by the budget proposals including the removal of existing vacant posts. The intention remains to minimise the risk of compulsory redundancies but that cannot be ruled out as a result of the continued austerity at national level which very much continues to affect all Councils. Sickness levels remain a concern and senior officers continue to work with staff and the Trade Unions to ensure sickness policies are followed but I agree that continued austerity places an enormous burden on our workforce which continues to deliver quality services to residents despite that imposed austerity.

**There should be a new profile of the Capital Borrowing envelope to reflect the £20m received from Welsh Government, making the sum £180m.**

I agree with this statement and indeed the budget report to Cabinet and Council already fully and clearly set out that as a result of the extra funds provided by Welsh Government the “affordable” capital envelope and the associated capital financing costs in the medium term financial plan have been reduced to £180m

Yours sincerely

A handwritten signature in black ink, appearing to be 'Rob Stewart', written in a cursive style.

**COUNCILLOR ROB STEWART  
LEADER & CABINET MEMBER FOR ECONOMY & STRATEGY**

# City Regeneration Programme Board

Dashboard Report  
March 2019



# Swansea Central - Phase 1

RAG Status	Timescales	Budget	Resource
	Red	Red	Red

## Progress highlights

- **Early Works to Wellington Street:**  
Phase 2 - Tesco agreement being negotiated.
- **Main Contract/ PCSA:**
  - Buckingham are working up detailed design and final cost.
  - BB&M strategy agreed – ‘meet the buyer’ event held, 2 more planned.
  - Delegated approval of November Cabinet released for early works funding released. Buckingham instructed and preparing to start early works on site.
- **Design:**
  - Buckingham progressing stage 4 detailed design.
  - GI Consultants appointed to advise on green walls.
  - **Rights to Light (S203):** Negotiations progressing with tenant representative.
- **Hotel:**
  - Bids received & currently undergoing shortlisting.
  - Visit Wales supportive of bids received.
- **Residential/ MSCP/ Commercial:**
  - Discussions progressing with Pobl on North side residential options.
  - S 73 planning amendment be submitted to amend the North side designs.
- **Arena:** Discussions continuing with ATG linked to the Design process as their sign-off is required.
- **Bridge:** NMA to be submitted to allow cycling across the bridge to conform to WG policy of access for all. Statement issued to consultation group.
- **St David's commercial units** – 6-month termination notices have been served on the tenants.
- **Digital:** Discussions being programmed with digital providers.
- **Church Hall Relocation:** Options currently being investigated.

## Actions to be completed for next CRPB

- Continue to work up stage 3 North Block design.
- Progress Residential Pobl discussions.
- Planning amendments to be submitted.
- Tesco approval to agreement at Wellington Street
- Conclude Hotel procurement tender shortlist.
- Ongoing review of maintenance, running costs, events and lifecycle costs.
- Continue Preparation of Management Plan
- Ongoing discussions with Church, LC and Waterfront Museum
- Agree Digital Strategy including public realm WIFI and look to procure Day 1 connection
- Continue negotiation with Residents on Rights to Light.

## Risks

- Internal resource is an issue with insufficient staff immediately available to manage workstreams
- If sufficient grant assistance isn't forthcoming for the Hotel and if alternative gap funding is not secured a full service hotel can not progress. This could affect ATG service yard access.
- Resultant changes from the current review process – e.g.: North Block
- ATG Variations & ATG Gateway 3 sign-off will affect programme.
- Current cost estimate variance from existing budget.
- Digital Strategy: wider strategy to inform 'Day-one' connection.
- City Deal T&C's
- Not reaching agreement with Pobl for residential element.
- Tender cost exceeds estimates.

## Financial update

Stage 4 spend: £1,308,090.71 NET February 2019

## Decisions

- None.

# Kingsway – Infrastructure & Public Realm

## Phase 2: Main Contract Works

Timescales	Budget	Resource
Red	Amber	Red

### Progress highlights

- Stakeholder meeting held on 03/04/19.
- Council’s resources employed to make site safe and secure.
- VEAT notice issued with a view to appoint contractor and new contractor discussions on programme and price underway.

### Actions to be completed

- Appoint new contractor.
- Expenditure programme projection to be presented.

### Key Risks

- Any change in the design of The Kingsway Infrastructure Project will have implications on programme and the delivery of the 2 way ‘switch’ in 2019 and budget. It would also impact on the WEFO funding for which an agreed scheme has been presented.
- Limited compound areas available in proximity to city centre, which needs addressing. Becoming critical with the contractor potentially claiming costs against the availability of sufficient local space. Impact on cost and Programme. **No change.**
- The agreed budget contingency must be protected during the project lifetime to guard against compensation events and unforeseen costs, with any final underspend redirected within The Kingsway Regeneration Programme. **No change.**

### Decisions required

- None

# Kingsway – Strategy & Digital Services

RAG Status

Timescales

Budget

Resource

Green

Green

Green

## Progress highlights

## Actions to be completed for next CRPB

### Strategy Review

- As reported previously, the completion of this pre consultation draft is on hold pending the completion/ advance work on the WSP Parking Strategy.
- Completion of strategy review.
- Agreed way forward for digital strategy.

### Digital Strategy

- Internal meeting held to agree way forward.

### Key Risks

### Decisions required

### Parking Strategy

The final completion of the Review of The Kingsway and Orchard Street Strategy and Digital Village will be delayed if there are any delays to the delivery of the Parking Strategy.

None.

# Kingsway - Digital Village

Timescales	Budget	Resource
Green	Green	Amber

Progress highlights	Actions to be completed for next CRPB
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<b>Digital Village</b>	
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<ul style="list-style-type: none"> <li>Operation and Occupational Strategy brief agreed and work commenced.</li> <li>Design Commission for Wales meeting to be arranged once Operation strategy completed.</li> <li>Cost estimate – scheme within budget tolerances. Further refinement of fit out spec and scheme design required to bring greater certainty to cost estimate linked to operational review.</li> </ul>	<ul style="list-style-type: none"> <li>Formal response to Operation and Occupational Strategy proposal to be received from WSP</li> <li>Stage 2 report to be updated with commercial commentary and business case elements.</li> <li>Procurement route agreed– SEWSCAP3.</li> <li>Masterplan for Picton Yard and surrounding area to be further developed, with aim to market properties in a phased approach, commencing before the end of FY19/20.</li> </ul>
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<b>232/233 Oxford Street</b>	
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<ul style="list-style-type: none"> <li>Projected completion end of April, 2019.</li> </ul>	None.
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Key Risks	Decisions required
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<b>Digital Village</b>	
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<ul style="list-style-type: none"> <li>Terms and Conditions of City Deal currently unknown.</li> <li>Budget for branding &amp; identity development, and letting strategy to be identified. Governance and operational model yet to be defined. Model selected will influence timeline (for example procuring an operator), and supporting business case</li> <li>Initial ratification of the budget within tolerance but design at early stages and scope to be defined in terms of fit out and public realm.</li> <li>Outcome of parking strategy and implications for development not yet known.</li> </ul>	None.
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<b>232/233 Oxford Street</b>	
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<ul style="list-style-type: none"> <li>Unknown issues may present when in the ground at basement level. <b>No change.</b></li> </ul>	None.
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# City Deal

RAG Status

Timescales

Budget

Resource

Green

Amber

Amber

## Progress highlights

- The Government Review is now complete. Whilst some governance issues with Carmarthenshire have been identified, it recommends that Swansea Digital Waterfront project and Yr Egin are progressed immediately. It is anticipated funding will commence within the next 4-weeks.
- Business Case - response has been provided to Government.
- Joint Committee formally approved submission of Business Case.
- Digital Business case being prepared.

## Actions to be completed for next CRPB

- Discussions with Mike Galvin on the Digital business case.

## Key Risk

- T&C's for funding unknown
- Timing of funding unknown. Regional discussions continue.

## Decisions required

None

# Strategic Sites and Projects Overview

Project	Update	Timescale	Budget	Resource
<b>Castle Square</b>	<ul style="list-style-type: none"> <li>Inception meeting held</li> <li>Work commenced.</li> <li>Contracts issued by Legal/Procurement.</li> </ul>	G	G	R
<b>Felindre</b>	<ul style="list-style-type: none"> <li>DPD distribution facility commenced on site.</li> <li>Marketing utilising the DPD commitment being undertaken.</li> </ul>	G	G	G
<b>Green Infrastructure Strategy</b>	<ul style="list-style-type: none"> <li>Stakeholder engagement undertaken</li> <li>Consultants progressing draft, and further targeted Regeneration team workshop planned for 26.03.19.</li> </ul>	G	G	G
<b>Mariner Street</b>	<ul style="list-style-type: none"> <li>Agreements signed.</li> <li>Developer programming site works for a start on site.</li> <li>Meet the Buyer currently being arranged with Developer.</li> </ul>	A	G	G
<b>Swansea Central – Phase 2</b>	<ul style="list-style-type: none"> <li>Project launched by the Department of Industry &amp; Trading (DIT) for promotion by the Department to investors/ developers.</li> <li>PIN notice to be issued to seek Strategic Partner</li> </ul>	G	G	G
<b>Swansea Vale</b>	<ul style="list-style-type: none"> <li>Re-profiled anticipated spend/income for the next 5 years awaiting WG approval. Resource required to take the implementation of programme forward.</li> <li>Relocation of Landore P&amp;R to Swansea Vale Central Business Park to be reported to Cabinet April 2019.</li> </ul>	G	G	R
<b>SPG</b>	Discussion required about wider work plan considerations and pending new staff resources.	G	G	G
<b>Swansea Bay Regeneration</b>	<ul style="list-style-type: none"> <li>Corporate Property are progressing feasibility work on a limited number of specific sites, and proposal to issue PIN notice to advertise potential availability of sites</li> <li>Mumbles Community Council have commissioned a Regeneration Strategy for Mumbles - this should be used to inform a co-ordinated approach.</li> </ul>	G	G	G

# Tawe Riverside Corridor

Programme/ Project	Update	Actions to be completed by next CRPB	Timescale	Budget	Resource
<b>Tawe Riverside Strategy/ Masterplan</b>	<ul style="list-style-type: none"> <li>Ongoing work to draft wider Tawe Riverside Strategy, ongoing internal consultation with Highways, Ext Funding Planning and Culture- work on St Thomas Station yard and wider corridor considerations</li> <li>Internal working group now established to discuss and refine HCW masterplan based on emerging Skyline requirements, and other technical considerations arising from consultations.</li> </ul>	Confirm work packages and wider programme following response to TRI bid.	G	G	G
<b>Skyline Kilvey Hill</b>	<ul style="list-style-type: none"> <li>Ongoing dialogue between Welsh Government and Skyline regarding the level of funding support</li> <li>Further clarifications sought from Skyline on the lower terminal to inform Master planning of HCW site.</li> <li>Further scale, layout and design information requested for the Kilvey top terminal and structures -required to support further dialogue with mast owners Arqiva to determine advice in respect of clear signal requirements for the communications and tv dishes on the masts. Information not received to date</li> </ul>	Skyline UK advisors to be asked again to supply additional design /layout information to facilitate Arqiva advice	G	G	G
<b>Landore Park and Ride Relocation</b>	<ul style="list-style-type: none"> <li>Corporate Property preparing a report for Cabinet on potential relocation to Swansea Vale</li> </ul>	Resource needs to be identified to progress work on the Swansea Vale Park and Ride.	G	G	R
<b>Powerhouse Redevelopment</b> Penderyn/HLF/ SU	<ul style="list-style-type: none"> <li>A key element of Permission to Start (PTS) is the signed lease agreement being in place. To avoid delay in next stages of the project, PTS has been granted on the condition that no grant can be released until the agreement to lease is signed,</li> <li>Schedule of meetings in line with Governance arrangements are being arranged. First project Board meeting scheduled for the end of March 2019.</li> <li>Design programme remains on schedule.</li> <li>The first volunteer day held at the site has been undertaken, as part of the Activity and Audience Development Plan.</li> </ul>	<ul style="list-style-type: none"> <li>Feedback from NLHF regarding agreement to lease timeline.</li> <li>Final ecology report and requirements confirmed as a result.</li> <li>First Project Board to have been held.</li> <li>Development of Heritage Skills Programme is underway – led by Swansea University.</li> </ul>	A	G	G
<b>Key Risks</b>			<b>Decisions</b>		
<b>Powerhouse</b>	<ul style="list-style-type: none"> <li>Date of Signed Lease Agreement between Swansea Council and Penderyn needs to be in place. Until such time, no grant will be released.</li> <li>Total cost implications to ecology requirements (winter hibernation survey outcome) to be undertaken, if necessary to be realised.</li> </ul>				

# External Funding Overview

Programme/Project	Update	Timescale	Budget	Resource
<b>01. Welsh Government external funding sources</b>				
<b>VVP Swansea City Centre 2012- 2016</b>	Output returns being finalised.	G	G	G
<b>VVP Pipeline 2017/18</b>	All grant payments issued to solicitors holding accounts.	G	G	G
<b>Targeted Regeneration and Investment Programme 2018 – 2021</b>	Year 1 schemes progressing well, all approved Regional SLA for grant schemes circulated to other LAs Copperopolis grant offer letter received. year 1 spend claim submitted.	G	G	G
<b>Town Centre Loan Fund</b>	Increasing interest & enquiries in the scheme across the eligible areas. Approval of additional £1m loan from WG expected in March to be earmarked for the BHS proposal.	A	G	G
<b>02. ERDF Priority 4</b>				
<b>Building for the Future</b>	Various schemes progressing through system BHS top priority following by Kings Building, Orchard House, Albert Hall, Palace	A	G	G
<b>Kingsway Infrastructure</b>	Regular monitoring ongoing, expenditure ahead of WEFO profile. Re-profile of expenditure expected to be invited in April 2019.	G	G	G
<b>Dyfatty/ Strand</b>	Watching brief on further funding availability. – signs from WEFO that further funding availability is becoming more likely.	A	A	A
<b>City Centre wider infrastructure (marina bridge etc.)</b>	Watching brief on further funding availability.	A	A	A
<b>03. Heritage Lottery Fund/Cadw</b>				
<b>Morrison Townscape Heritage Initiative (HLF)</b>	Early planning for wider HLF scheme.	G	G	G

# Tawe Riverside: Hafod Copperworks

Programme/Project	Update	Timescale	Budget	Resource
<b>01. Targeted Regeneration Investment Programme</b>				
<b>Musgrave Engine House</b>	Works continuing on site..	G	A	G
<b>Weighbridge Office &amp; Porters Lodge</b>	Detailed design beyond RIBA stage 3 for shell and core redevelopment approved to commence in January with GWP architects as a variation to the current Powerhouse contract. This option will also require a VEAT notice on Sell2Wales to inform OJEU of the actions undertaken	G	G	G
<b>Vivian Engine House</b>	Structural condition survey anticipated to be carried out in January to focus on: <ol style="list-style-type: none"> <li>1) Visual assessment of condition of accessible structure.</li> <li>2) Generally an overview, focussed on obvious areas of deterioration (e.g. copper slag brickwork to NW elevation, notably poorer than elsewhere)</li> <li>3) Assess roof trusses for re-use. Note that truss ends are embedded in brickwork so inspection of bearings likely to be limited.</li> <li>4) Timber purlins – generally quite advanced decay.</li> </ol> <p>Results of above will be used to inform a programme of repair works</p>	A	G	G
<b>Bascule Bridge</b>	Meeting held with Alun Griffiths and Mann Williams under the SHP contract commissioned by CCS. Discussions held and ongoing with potential crane operator regarding lift operation. Meeting held with Cadw on the 20 <sup>th</sup> December to outline the proposal and agree the approach to SAM consent required. Draft heritage impact assessment to be finalised w/c 14 <sup>th</sup> January. NRW and Duke of Beaufort possible consent's for access to be investigated.	A	G	G
<b>White Rock Site</b>	Quotation being sought for structural condition survey of Smiths canal walls and for tunnel structure. Additional ecological surveys to be carried out imminently. Outline discussion of TRI proposals held with Cadw on the 20 <sup>th</sup> December.	A	G	G
<b>Hafod/Morfa canal bridges</b>	Brief for archaeological investigation of second bridge location to be defined early January 2019	G	G	G

# Agenda Item 5



## Report of the Chief Legal Officer Development and Regeneration Performance Panel – 11<sup>th</sup> April 2019

### Exclusion of the Public

<b>Purpose:</b>	To consider whether the Public should be excluded from the following item of business.	
<b>Policy Framework:</b>	None.	
<b>Consultation:</b>	Legal.	
<b>Recommendation(s):</b>	It is recommended that:	
1)	The public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	<b>Item No.</b>	<b>Relevant Paragraphs in Schedule 12A</b>
	6	14
<b>Report Author:</b>	Scrutiny	
<b>Finance Officer:</b>	Not Applicable	
<b>Legal Officer:</b>	Tracey Meredith – Chief Legal Officer (Monitoring Officer)	

#### 1. Introduction

- 1.1 Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.
- 1.2 Such a resolution is dependent on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

#### 2. Exclusion of the Public / Public Interest Test

- 2.1 In order to comply with the above mentioned legislation, the Panel will be requested to exclude the public from the meeting during consideration of the item of business identified in the recommendation to the report on the grounds that it involves the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.
- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

### **3. Financial Implications**

- 3.1 There are no financial implications associated with this report.

### **4. Legal Implications**

- 4.1 The legislative provisions are set out in the report.
- 4.2 Councillors must consider with regard to each item of business set out in paragraph 2 of this report the following matters:
- 4.2.1 Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.
- 4.2.2 If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test as set out in paragraph 2.2 of this report.
- 4.2.3 If the information falls within paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test but must consider whether they wish to waive their privilege in relation to that item for any reason.

**Background Papers:** None.

**Appendices:** Appendix A – Public Interest Test.

## Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
<b>12</b>	<b>Information relating to a particular individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. His view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
<b>13</b>	<b>Information which is likely to reveal the identity of an individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. His view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
<b>14</b>	<b>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. His view on the public interest test was that:</p> <p><b>a)</b> Whilst he was mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or</p> <p><b>b)</b> Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.</p> <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>



No.	Relevant Paragraphs in Schedule 12A
15	<p><b>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. His view on the public interest test was that whilst he is mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them he was satisfied that in this case disclosure of the information would prejudice the discussion in relation to labour relations to the disadvantage of the authority and inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
16	<p><b>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</b></p>
	<p>No public interest test.</p>
17	<p><b>Information which reveals that the authority proposes:</b>  <b>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</b>  <b>(b) To make an order or direction under any enactment.</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. His view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by the public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
18	<p><b>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. His view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis he felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when</p>

	determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.
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# Agenda Item 7

## Development and Regeneration Scrutiny Performance Panel Work Plan 2018/19

Date	Agenda
<p><b><u>Meeting 1</u></b></p> <p>19<sup>th</sup> July 2018 1pm Committee Room 3B</p>	<p><b>Finance and Budget Update</b></p> <ul style="list-style-type: none"> <li>• Ben Smith - Head of Financial Services &amp; Service Centre</li> </ul>
<p><b><u>Meeting 2</u></b></p> <p>12<sup>th</sup> September 2018 Committee Room 5</p>	<p><b>Dashboard Project Update</b></p> <ul style="list-style-type: none"> <li>• Phil Holmes – Head of Planning and City Regeneration</li> <li>• Huw Mowbray - Development and Physical Regeneration Strategic Manager</li> </ul>
<p><b><u>Meeting 3</u></b></p> <p>7<sup>th</sup> November 2018 Committee Room 5</p>	<p><b>Dashboard Project Update</b></p> <ul style="list-style-type: none"> <li>• Phil Holmes – Head of Planning and City Regeneration</li> <li>• Huw Mowbray - Development and Physical Regeneration Strategic Manager</li> </ul> <p><b>Penderyn – An Update</b></p> <ul style="list-style-type: none"> <li>• Paul Relf - Economic Development and External Funding Manager</li> <li>• Huw Mowbray - Development and Physical Regeneration Strategic Manager</li> <li>•</li> </ul>
<p><b><u>Special</u></b></p> <p>28<sup>th</sup> November Committee Room 5</p>	<p><b>Pre-Decision Scrutiny – Swansea Central Phase 1 and FPR7 Report</b></p> <ul style="list-style-type: none"> <li>• Councillor Rob Stewart</li> <li>• Phil Holmes – Head of Planning and City Regeneration</li> <li>• Ben Smith – Head of Financial Services and Service Centre</li> </ul>
<p><b><u>Meeting 4</u></b></p> <p>9<sup>th</sup> January 2019 Committee Room 5</p>	<p><b>Dashboard Project Update</b></p> <ul style="list-style-type: none"> <li>• Phil Holmes – Head of Planning and City Regeneration</li> <li>• Huw Mowbray - Development and Physical Regeneration Strategic Manager</li> </ul>

	<p><b>Planning and Student Accommodation</b></p> <ul style="list-style-type: none"> <li>• Paul Meller - Strategic Planning and Natural Environment Manager</li> <li>• Ryan Thomas - Development Conservation and Design Manager</li> </ul>
<p><b><u>Special</u></b></p> <p>Budget Meeting 11<sup>th</sup> February 2019 Guildhall Council Chamber</p>	<p><b>Budget Meeting</b></p> <ul style="list-style-type: none"> <li>• Panel to discuss their thoughts on the 2018/19 budget relating to Development and Regeneration matters.</li> </ul>
<p><b><u>Meeting 5</u></b></p> <p>19<sup>th</sup> March 2019 Committee Room 5</p>	<p><b>Dashboard Project Update</b></p> <ul style="list-style-type: none"> <li>• Phil Holmes – Head of Planning and City Regeneration</li> <li>• Huw Mowbray - Development and Physical Regeneration Strategic Manager</li> </ul> <p><b>The Arena (Phase 1)</b></p> <ul style="list-style-type: none"> <li>• Cllr Rob Stewart – Cabinet Member for Economy and Strategy</li> <li>• Phil Holmes – Head of Planning and City Regeneration</li> <li>• Huw Mowbray - Development and Physical Regeneration Strategic Manager</li> </ul>
<p><b><u>Meeting 6</u></b></p> <p>11<sup>th</sup> April 2019 Committee Room 3A</p>	<p><b>Dashboard Project Update</b></p> <ul style="list-style-type: none"> <li>• Phil Holmes – Head of Planning and City Regeneration</li> <li>• Huw Mowbray - Development and Physical Regeneration Strategic Manager</li> </ul> <p><b>Business Case Update</b></p> <ul style="list-style-type: none"> <li>• Huw Mowbray - Development and Physical Regeneration Strategic Manager</li> </ul>
<p><b><u>Meeting 7</u></b></p> <p>20<sup>th</sup> May 2019 1pm – 2.30pm Committee Room 5</p>	<p><b>Local Government Services to Rural Communities – Wales Audit Office Report</b></p> <ul style="list-style-type: none"> <li>• Cllr Mary Sherwood – Cabinet Member for Better Communities (People)</li> </ul>

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|  | <ul style="list-style-type: none"><li>• Paul Relf - Economic Development and External Funding Manager</li></ul> |
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