

Cyngor

Rydych dan wŷs trwy hyn i ddod i gyfarfod **Cyngor Dinas a Sir** i'w gynnal yn Siambr y Cyngor, Neuadd y Ddinas, Abertawe ar Dydd Iau, 22 Tachwedd 2018 am 5.00 pm.

Cynigir trafod y materion canlynol:

1. **Ymddiheuriadau am absenoldeb.**
2. **Datgeliadau o fuddiannau personol a rhagfarnol.**
www.abertawe.gov.uk/DatgeliadauBuddiannau
3. **Cofnodion.** **1 - 9**
Cymeradwyo a llofnodi cofnodion y cyfarfod(ydd) blaenorol fel cofnod cywir
4. **Ymatebion ysgrifenedig i gwestiynau a ofynnwyd yng Nghyfarfod Cyffredinol Diwethaf y Cyngor.** **10 - 12**
5. **Cyhoeddiadau'r Aelod Llywyddol.**
6. **Cyhoeddiadau Arweinydd y Cyngor.**
7. **Cwestiynau gan y Cyhoedd.**
Rhaid i'r cwestiynau ymwneud â materion ar ran agored agenda'r cyfarfod, ac ymdrinnir â hwy o fewn 10 munud.
8. **Cyflwyniad Cyhoeddus - Dim.**
9. **Cyfrifo Sylfaen Treth y Cyngor - 2019/20** **13 - 17**
10. **Adroddiad Blynyddol Drafft Panel Annibynnol Cymru ar Gydabyddiaeth Ariannol (PACGA) 2019-2020 - Ymgynghoriad.** **18 - 27**
11. **Adolygiad o Lawlyfr y Cynghorwyr** **28 - 40**
12. **Newidiadau i'r Cyfansoddiad.** **41 - 45**
13. **Adroddiadau Craffu - Adroddiad Effaith Chwarterol.** **46 - 51**
14. **Cwestiynau gan y Cynghorwyr.** **52 - 59**
15. **Hysbysiad o gynnis - Cynghorydd C A Holley, M H Jones, P M Black, A M Day and J W Jones.** **60 - 62**

Huw Evans

**Huw Evans
Pennaeth Gwasanaethau Democrataidd
Neuadd y Ddinas,
Abertawe.**

Dydd Mawrth, 13 Tachwedd 2018

I: Bob Aelod o'r Cyngor

Agenda Item 3.



City and County of Swansea

Minutes of the Council

Council Chamber, Guildhall, Swansea

Thursday, 25 October 2018 at 5.00 pm

Present: Councillor D W W Thomas (Chair) Presided

Councillor(s)	Councillor(s)	Councillor(s)
C Anderson	D H Hopkins	S Pritchard
P M Black	O G James	A Pugh
M C Child	L James	J A Raynor
J P Curtice	Y V Jardine	K M Roberts
N J Davies	M H Jones	B J Rowlands
A M Day	P K Jones	M Sherwood
P Downing	S M Jones	R V Smith
C R Doyle	L R Jones	A H Stevens
M Durke	J W Jones	R C Stewart
V M Evans	E J King	D G Sullivan
C R Evans	M A Langstone	M Sykes
W Evans	M B Lewis	G J Tanner
E W Fitzgerald	R D Lewis	L G Thomas
R Francis-Davies	W G Lewis	W G Thomas
S J Gallagher	A S Lewis	M Thomas
L S Gibbard	C E Lloyd	L J Tyler-Lloyd
J A Hale	P Lloyd	G D Walker
D W Helliwell	P M Matthews	L V Walton
T J Hennegan	P N May	T M White
C A Holley	H M Morris	
B Hopkins	C L Philpott	

Apologies for Absence

Councillor(s): J E Burtonshaw, S E Crouch, K M Griffiths, P R Hood-Williams, E T Kirchner, I E Mann, D Phillips, C Richards and P B Smith

68. Disclosures of Personal and Prejudicial Interests.

The Chief Legal Officer 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:

Councillors:

- 1) Councillors P M Black, M C Child, J P Curtice, N J Davies, A M Day, M Durke, C R Evans, R Francis-Davies, C A Holley, B Hopkins, O G James, Y V Jardine, S M Jones, A S Lewis, M B Lewis, C E Lloyd, P Lloyd, P M Matthews, P N May, C L Philpott, S Pritchard, A Pugh, K Roberts, B J Rowlands, M Sherwood, R V Smith, A H Stevens, R C Stewart, D G Sullivan, M Sykes, D W W Thomas, M Thomas, W G Thomas, G D Walker, L V Walton and T M White declared a Personal Interest in Minute 79 "City & County of Swansea Pension Fund Statement of Accounts 2017-2018".
- 2) Councillors M A Langstone, P N May, B J Rowlands and W G Thomas declared a Personal and Prejudicial Interest in Minute 80 "Outcome of Swansea LDP Examination & Requirements for Public Consultation on Proposed Amendments to the Plan".
- 3) Councillors P M Black and M C Child declared a Personal and Prejudicial Interest in Minute 81 "Nomination of Lord Mayor and Deputy Lord Mayor Elect 2019-2020" and withdrew from the meeting prior to its discussion.
- 4) Councillors A M Day, C R Evans, C A Holley, J W Jones, M H Jones, P Lloyd, P N May, J A Raynor, G J Tanner and L G Thomas declared a Personal Interest in Minute 81 "Nomination of Lord Mayor and Deputy Lord Mayor Elect 2019-2020".
- 5) Councillor V M Evans declared a Personal and Prejudicial Interest in Minute 84 "Notice of Motion - Swansea Tidal Lagoon" and withdrew from the meeting prior to its discussion.

Officers:

- 6) Huw Evans, Allison Lowe, Martin Nicholls, Phil Roberts, Ben Smith and Deb Smith declared a Personal Interest in Minute 79 "City & County of Swansea Pension Fund Statement of Accounts 2017-2018".
- 7) Huw Evans declared a Personal Interest in Minute 80 "Outcome of Swansea LDP Examination & Requirements for Public Consultation on Proposed Amendments to the Plan".

69. Minutes.

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

- 1) Ordinary Meeting of Council held on 20 September 2018.

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

The Chief Legal Officer submitted an information report setting out the written responses to questions asked at the last Ordinary Meeting of Council.

71. Announcements of the Presiding Member.

1) Condolences - Former Councillor Brian Ludlam

The Presiding Member referred with sadness to the recent death of former Councillor Brian Ludlam. Former Councillor Ludlam served the Castle Electoral Ward. Former Councillor Ludlam was also a former Chair of the West Glamorgan County Council 1991-1992.

All present stood as a mark of sympathy and respect.

2) Lawyers in Local Government (LLG) People Related Lawyer / Team of the Year Award

The Presiding Member stated that Stephanie Williams and Stephen Holland of the Authority's Legal Education Team had been shortlisted for the Lawyers in Local Government (LLG) People Related Lawyer / Team of the Year Award. This is in recognition of the excellent service that they provide to Schools.

3) Chartered Institute of Personnel and Development (CIPD) National Wellbeing Innovation Awards

The Presiding Member stated that the Stress Management & Counselling Team & the Helping Hands volunteers had made the final of the CIPD Wales Awards again this year. The award ceremony, will take place on the 22 November 2018 at the National Museum in Cardiff.

4) Government Opportunities (GO) Excellence in Public Procurement Awards Wales 2018-2019

The Presiding Member stated that the Facilities Team within Corporate Property along with Ministry of Furniture had been selected as a finalist at this year's GO awards for the Agile Working Project. The Social and Community Benefit in Procurement Award highlights the good work that has been done in the refurbishment of the new agile office environment.

The award recognises the crucial role that public procurement in Wales can play in providing a more sustainable and equitable society. It highlights organisations who have embedded social and community benefit requirements at the heart of their procurement and supply chain activities to enable better outcomes for the citizens of Wales.

The winner will be announced in Cardiff on the 8 November 2018.

5) Amendments / Corrections to the Council Summons

i) Agenda Item 4 "Written Responses to Questions Asked at the Last Ordinary Meeting of the Council"

Page 12. Question 2. The question was asked by Councillor A M Day, not Councillor W G Thomas as the report implies.

ii) Agenda Item 19 "Notice of Motion - Tidal Bay Lagoon"

Councillor R C Stewart's name to be removed from the list of those submitting the Notice of Motion.

72. Announcements of the Leader of the Council.

1) Housing Fund Grant

The Leader of the Council stated that the Council had received excellent news as it had been awarded a Housing Fund Grant.

2) Congratulations to the Child & Family Services Section of the Authority

The Leader of the Council stated that the Authority's Child and Family Services had been described as an excellent service. The Leader of the Council congratulated the work of the Section and Councillors W Evans and E J King.

3) Ill-Judged Words by the Cabinet Secretary for Local Government and Public Services

The Leader of the Council stated that he would be raising the issue of the ill-judged words used by the Cabinet Secretary for Local Government and Public Service.

He stated that Local Government required a fair funding deal in order to meet the pressures placed upon it.

4) Tidal Bay Lagoon

The Leader of the Council stated that the PIN notice had been issued, inviting people to see how they can financially support the Tidal Bay Lagoon Scheme 2.0.

73. Public Questions.

A number of question was asked by a members of the public in relation to Minute 77 "Review of Revenue Reserves", Minute 78 "Mid Term Budget Statement 2018-2019", Minute 79 "City and County of Swansea Pension Fund Statement of Accounts 2017-2018" and Minute 80 "Outcome of Swansea Local Development Plan (LDP)

Examination and Requirement for Public Consultation on Proposed Amendments to the Plan”.

The relevant Cabinet Member responded accordingly. There were no questions requiring a written response.

74. Public Presentation - None.

No Public Presentations were received.

75. Audit Committee Annual Report 2017/18.

The Chair of the Audit Committee, Paula O'Connor submitted the Audit Committee Annual Report 2017-2018 for information. The report set out the work of the Audit Committee during 2017-2018.

76. Annual Review of Well-being Objectives and Corporate Plan 2018/22.

The Business Transformation & Performance Cabinet Member submitted a report, which sought to adopt and publish a refreshed Corporate Plan containing the Council's Well-Being Objectives for 2018-2022 in line with the requirements set out within the Well-Being of Future Generations (Wales) Act 2015 and statutory guidance relating to public bodies.

Resolved that:

- 1) The Corporate Plan 2018-2022 be adopted.

77. Review of Revenue Reserves.

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

Resolved that:

- 1) The recommendations made within the report at Sections 3.11 to 3.13 be considered and approved.

78. Mid Term Budget Statement 2018/19. (Verbal)

The Section 151 Officer gave a presentation on the Mid Term Budget Statement 2018-2019. 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.

79. City & County of Swansea Pension Fund Statement of Accounts 2017/18.

The Section 151 Officer submitted a report which sought approval for the Statement of Accounts 2017-2018 for the City and County of Swansea Pension Fund.

Resolved that:

- 1) The City and County of Swansea Pension Fund Statement of Accounts 2017-2018 as attached at Appendix 1 of the report be approved;
- 2) The recommendations and findings of the Wales Audit Office ISA 260 Report as attached at Appendix 2 of the report be noted.

80. Outcome of Swansea Local Development Plan (LDP) Examination and Requirement for Public Consultation on Proposed Amendments to the Plan.

The Delivery Cabinet Member submitted a report, which sought consideration of the main issues that have emerged from the Examination of the Swansea Local Development Plan (LDP), the need for the Council to recommend 'Matters Arising Changes' (MACs) to the Deposit Plan, and to authorise a public consultation exercise on the MACs and associated documents.

Resolved that:

- a. The Matters Arising Changes to the Deposit LDP be as referenced in Appendix A of the report be approved for public consultation;
- b. The updated Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) as referenced in Section 5 of the report be approved for public consultation.

Note: Councillor E W Fitzgerald asked:

- i. What are the overrun costs of the LDP?*
- ii. Please provide the details of the Third Party Costs associated with the LDP (Consultants etc.)?*
- iii. The number of new houses outlined in the report seems to differ from those referred to by the Planning Inspectorate. How many new homes are predicted in the LDP?*

81. Nomination of Lord Mayor and Deputy Lord Mayor Elect 2019-2020.

The Head of Democratic Services submitted a report which sought to nominate the Lord Mayor Elect and Deputy Lord Mayor Elect 2018-2019 in order to enable the arrangements for the Inauguration of the Lord Mayor and Deputy Lord Mayor event to proceed.

He stated that Councillor P Lloyd was scheduled to be considered for the role of Deputy Lord Mayor 2019-2020 in line with the Seniority List; however he asked for his Term of Office to be deferred for an unspecified length of time.

This deferment led to a situation where four Councillors all had exactly the same length of service. In line with the Lord Mayor and Deputy Lord Mayor Protocol, the Head of Democratic Services drew lots on 20 September 2018 in order to establish the order of the Term of Office of the four Councillors. The outcome of the draw being: Councillors M C Child, M H Jones, A M Day and L G Thomas.

Resolved that:

- 1) Councillor Peter M Black be nominated as Lord Mayor Elect 2019-2020;
- 2) Councillor Mark C Child be nominated as Deputy Lord Mayor Elect 2019-2020.

82. Scrutiny Annual Report 2017-18.

The Chair of the Scrutiny Programme Committee, Councillor M H Jones presented the Scrutiny Annual Report 2017-2018 for information. The report set out the work of the Scrutiny Programme Committee during 2017-2018.

83. Councillors' Questions.

1) Part A 'Supplementary Questions'

Two (2) 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'

Five (5) Part B 'Questions not requiring Supplementary Questions' were submitted.

84. Notice of Motion from Councillors P K Jones, M Sherwood, R C Stewart, C E Lloyd, J P Curtice, D W W Thomas, A S Lewis, K M Roberts, M B Lewis, L V Walton, W G Lewis, M C Child, R Francis-Davies.

Proposed by Councillor P K Jones and Seconded by Councillor M Sherwood.

"Swansea was awarded Fairtrade Town status by the Fairtrade Foundation in December 2004; in 2008, Wales was the first country to be awarded Fairtrade Nation status.

In this tenth anniversary year of Wales' Fairtrade Nation status, this Council resolves to reaffirm its commitment to Fairtrade principles and products. The Council is

committed to implementing sustainable development, as expressed through the seven well-being goals and five ways of working set out in the Welsh Government Well-being of Future Generations Act. The well-being goal for 'A globally responsible Wales', which commits to making a 'positive contribution to global well-being', is of particular relevance. Fairtrade status expresses the Council's commitment to supporting, both financially and ethically, farmers, growers, producers and their families in low-income developing countries, and to ensuring for them a viable and sustainable future, free from exploitation.

On a practical level, the Council commits to source, use and provide Fairtrade products, wherever possible, in its canteens, cafe outlets and schools; we encourage retail outlets across Swansea to follow the Council's example.

The Council will also ensure that it has a representative on the Swansea Fair Trade Forum, which is the designated community group that manages Swansea's Fairtrade County status.

This Council will do what it can to improve the lives and opportunities of people across the planet: Fairtrade makes an important contribution to achieving this objective."

Resolved that:

1) The Notice of Motion be approved.

85. Notice of Motion from Councillors M C Child, A S Lewis, J P Curtice, R Francis-Davies, M B Lewis, L V Walton, E J King, C E Lloyd & K M Roberts.

Proposed by Councillor M C Child and Seconded by Councillor A S Lewis.

"Swansea Tidal Lagoon

This Council is appalled at the UK government's decision not to support the Swansea Tidal Lagoon despite overwhelming support in Swansea and in Wales and a clear recommendation in the Governments' own Hendry report. This concept remains a viable reliable green energy producing project. This energy project offers over 125 years of clean reliable energy, creating the start of a new industry for the UK and allowing Wales to take a significant step to become a renewable energy sufficient nation and demonstrate our commitment to long term thinking on energy under the Wellbeing of future generations act.

This deplorable decision comes after a decision not to invest in electrification of the rail lines West of Cardiff and demonstrates the lack of fairness and concern for the people and economy of South and West Wales, by the Conservative Government in London. Seldom has such an imaginative and bold infrastructure project gained such a level of public support and the rejection of the proposal on inaccurate or extremely narrow value for money arguments is a blow to the economy of Swansea and the region. This is an ominous signal of the Conservative Government's approach to investment in Wales and their promises to replace European money with money from the UK Government when we leave the EU in 2019.

1. *This Council resolves to continue to support the delivery of a Tidal Energy Scheme in Swansea Bay.*
2. *We thank the Welsh Government for their continued support and specifically the First Minister and Cabinet Secretary for Finance for the in principle offer of support for a new funding model, the Swansea Bay City Region who have endorsed activity to bring together a new business model, businesses and the people of Wales for their continued and overwhelming support.*
3. *We support the Leader's convening of a steering group bringing together parties to explore alternative business models which could allow the Tidal Bay Lagoon to be delivered differently and potentially without UK Government involvement. We call on all interested in long term investment in Carbon Free energy, new technologies and the future prosperity of Swansea and the South West Wales region to continue to work to bring a scheme to fruition.*

This Council notes that yet again the Secretary of State for Wales has failed to deliver for Swansea and South West Wales and calls on him to ensure that Wales gets a fairer share of funding and investment."

Resolved that:

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

The meeting ended at 8.00 pm

Chair

Agenda Item 4.



Report of the Chief Legal Officer

Council – 22 November 2018

Written Responses to Questions Asked at the Last Ordinary Meeting of Council

The report provides an update on the responses to Questions asked during the Ordinary Meeting of Council on 25 October 2018.

For Information

1. Introduction

- 1.1 It was agreed at Council on 8 April 2010 that a standing item be added to the Council Summons entitled “Written Responses to Questions Asked at the Last Ordinary Meeting of Council”.
- 1.2 A “For Information” report will be compiled by the Democratic Services Team collating all written responses from the last Ordinary Meeting of Council and placed in the Agenda Pack;
- 1.3 Any consequential amendments be made to the Council Constitution.

2. Responses

- 2.1 Responses to questions asked during the last ordinary meeting of Council are included as Appendix A.

Background Papers: None

Appendices: Appendix A (Questions & Responses)

**Providing Council with Written Responses to Questions at Council
25 October 2018**

1.	<p>Councillor E W Fitzgerald</p> <p>In relation to Agenda Item 14 – Outcome of Swansea Local Development Plan (LDP) Examination and Requirement for Public Consultation on Proposed Amendments to the Plan.</p> <p>i) What are the overrun costs of the LDP?</p> <p>ii) Please provide the details of the Third Party Costs associated with the LDP (Consultants etc.)?</p> <p>iii) The number of new houses outlined in the report seems to differ from those referred to by the Planning Inspectorate. How many new homes are predicted in the LDP?</p> <p>Response of the Cabinet Member for Delivery</p> <p>i) An updated LDP Delivery Agreement (DA) was approved by the Welsh Government in July 2017, prior to the submission of the Swansea LDP for Examination. This revised DA anticipated adoption of the Plan in Summer 2018. LDP adoption is currently anticipated for the early part of 2019. This approximate 6 month delay is primarily due to the Examination being ongoing for a longer period than originally anticipated, in order to allow sufficient time for the extensive range of issues that are covered by the Plan to be adequately scrutinised during examination and, where relevant, to provide adequate time for all parties involved in the process to submit material in advance of scheduled Hearings. This delay in the anticipated adoption date does not equate to any directly quantifiable increase in costs incurred. The costs associated with officer time are those associated with staff undertaking their expected and normal duties. Any fees associated with external services procured for the Examination, as well as the costs of the Programme Officer and Planning Inspectorate, cannot be necessarily directly attributed to the specific length of time taken to conclude the Examination process. These are costs that must be met to fulfil the Council's obligations in relation to the Examination. The Inspectors appointed by the Ministers work on a time charged basis. The Inspectors have put the Examination process 'in suspension' at intervals throughout the process, for example to allow parties to submit further evidence, and the Planning Inspectorate has not invoiced the Council for any time charged for these periods.</p> <p>ii) Since the commencement of the LDP in 2010, third party costs borne by the planning authority in the engagement of external services and consultants to deliver the LDP (including Examination) has amounted to £205,838.91. These costs have been met by the department's allocated budgets over this 8 year period. The Authority has also benefitted from some grant support for LDP related costs amounting to £56,462. The Council is also obliged to meet the salary and expenses costs of the LDP Programme Officer (engaged to facilitate the administrative procedures of the Examination), and the costs incurred by the Planning Inspectorate associated with the Examination process, including the Inspectors time.</p>
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	<p>These services are ongoing until the Examination process is formally closed, and current costs incurred are £17,760 and £84,795 respectively.</p> <p>iii) Following a comprehensive update in 2017 of the evidence base relating to projected levels of economic and population growth in Swansea, the total housing provision within the Deposit LDP changed from 17,106 homes to 17,645 homes, to support the potential creation of 13,600 additional jobs over the Plan period. The total provision within the plan incorporates the up to date evidence about site allocations, commitments (planning permissions already awarded), and future windfall sites. The 17,645 figure was accurately referenced in the Report of the Cabinet Member for Delivery of the 25th October 2018, and is consistent with the figures that the Examination Planning Inspectors have agreed should be subject to consultation during the Matters Arising Changes consultation scheduled to run until 14th December 2018.</p>

Agenda Item 9.



Report of the Cabinet Member for Business Transformation and Performance

Council – 22 November 2018

Council Tax Base Calculation 2019/2020

Purpose:	This report details the calculation of the Council Tax Base for the City and County of Swansea, its Community Councils and the Swansea Bay Port Health Authority for 2019/20. The Council is required to determine the Council Tax Bases for 2019/20 by 31 December 2018.																																								
Policy Framework:	None																																								
Consultation:	Legal, Finance and Access to Services.																																								
Recommendation:	<p>It is recommended that the calculation of the Council Tax Base for 2019/20 be approved.</p> <p>In accordance with the Local Authorities (Calculation of Tax Base) (Wales) Regulations 1995, as amended, the calculation by the City and County of Swansea Council for the year 2019/20 shall be:</p> <table><tr><td>For the whole area</td><td>90,069</td></tr><tr><td colspan="2">For the area of Community Councils:</td></tr><tr><td>Bishopston</td><td>1,943</td></tr><tr><td>Clydach</td><td>2,622</td></tr><tr><td>Gorseinon</td><td>3,263</td></tr><tr><td>Gowerton</td><td>1,951</td></tr><tr><td>Grovesend & Waungron</td><td>416</td></tr><tr><td>Ilston</td><td>318</td></tr><tr><td>Killay</td><td>2,146</td></tr><tr><td>Llangennith, Llanmadoc & Cheriton</td><td>505</td></tr><tr><td>Llangyfelach</td><td>940</td></tr><tr><td>Llanrhidian Higher</td><td>1,595</td></tr><tr><td>Llanrhidian Lower</td><td>332</td></tr><tr><td>Llwchwr</td><td>3,402</td></tr><tr><td>Mawr</td><td>744</td></tr><tr><td>Mumbles</td><td>9,651</td></tr><tr><td>Penllergaer</td><td>1,363</td></tr><tr><td>Pennard</td><td>1,468</td></tr><tr><td>Penrice</td><td>412</td></tr><tr><td>Pontardulais</td><td>2,305</td></tr></table>	For the whole area	90,069	For the area of Community Councils:		Bishopston	1,943	Clydach	2,622	Gorseinon	3,263	Gowerton	1,951	Grovesend & Waungron	416	Ilston	318	Killay	2,146	Llangennith, Llanmadoc & Cheriton	505	Llangyfelach	940	Llanrhidian Higher	1,595	Llanrhidian Lower	332	Llwchwr	3,402	Mawr	744	Mumbles	9,651	Penllergaer	1,363	Pennard	1,468	Penrice	412	Pontardulais	2,305
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	Pontlliw & Tircoed	1,042
	Port Eynon	423
	Reynoldston	300
	Rhossili	183
	Three Crosses	713
	Upper Killay	556
	For the area of the Swansea Bay Port Health Authority	62,600
Report Author:	Julian Morgans	
Finance Officer:	Ben Smith	
Legal Officer:	Debbie Smith	
Access to Services Officer:	Catherine Window	

1. Council Tax Base Calculation

- 1.1 The City and County of Swansea Council is required to determine the Council Tax Base for 2019/20 based on its estimated position.
- 1.2 The Tax Base is used by the Council to calculate its Council Tax for 2019/20.
- 1.3 The Police and Crime Commissioner for South Wales will be informed of the Council's Tax Base in relation to their precepts and levies.
- 1.4 The Tax Base must be calculated as follows:
 - take the number of dwellings for each valuation band as at 31 October 2018
 - adjust for the estimated changes during the year, i.e. additions, reductions (including those for disabled adaptations), deletions and exemptions
 - reduce by the number of discounts allowed
 - adjust for any premiums allowed
 - convert each Band to a Band D equivalent by applying the relevant multiplier, e.g. for Band A multiply by 6 and divide by 9
 - sum the Band D equivalent for each band
 - multiply this by the estimated collection rate
 - add the Band D equivalent of exempt class O properties, i.e. dwellings owned by the Ministry of Defence

The following assumption has been made –

- the collection rate will be 98%

- 1.5 The estimated 2019/20 Council Tax Base for the whole of the City and County of Swansea has been calculated as 90,069. The comparable figure for 2018/19 was 89,962.
- 1.6 The calculation of the Council's Tax Base is set out in Appendix A. Percentage changes are shown in Appendix B.

2. Financial Implications

- 2.1 The gross tax base, before applying the collection rate, has slightly increased and will be reflected in the Revenue Support Grant which the Council receives from Welsh Government, so that there will in total only be a marginal net impact of increased income to the Council.

3. Legal Implications

- 3.1 There are no additional legal implications to those set out in the report.

4. Equality and Engagement Implications

- 4.1 There are no equality implications. The calculation is a statutory requirement using formulae set out in regulations for Council Tax setting purposes.

Background Papers: None

Appendices:

Appendix A – Council Tax Base 2019/20 – Calculation

Appendix B – Council Tax Base 2019/20 – Percentage changes

Council Tax Base 2019/20 - Calculation

Appendix A

Band	*A	A	B	C	D	E	F	G	H	I	Total
Estimated no of chargeable dwellings		16,028	26,693	22,909	15,481	11,864	7,714	3,704	1,143	511	106,047
Disabled Dwelling Adjustment	37	121	14	-5	-13	-43	-56	-31	14	-38	
Sub Total (1)	37	16,149	26,707	22,904	15,468	11,821	7,658	3,673	1,157	473	106,047
Discounts Adjustment	-4	-2,642	-3,391	-2,448	-1,489	-936	-527	-221	-69	-21	-11,748
Premium Adjustment	0	0	0	0	0	0	0	0	0	0	0
Sub Total (2)	33	13,507	23,316	20,456	13,979	10,885	7,131	3,452	1,088	452	94,299
Ratio to Band D	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	21/9	
Band D Equivalent	18	9,005	18,135	18,182	13,979	13,304	10,300	5,753	2176	1,055	91,907

Estimated Collection Rate%	98%
Sub Total	90,069
Class O - Band D Equivalent	0
Council Tax Base 2019/20	90,069

Appendix B

Council Tax Base 2019/20 – Percentage Changes

	2019/20	2018/19	No.	%
For the whole area	90,069	89,962	107	0.12
Bishopston	1,943	1,961	-18	-0.90
Clydach	2,622	2,622	0	0.00
Gorseinon	3,263	3,179	84	2.64
Gowerton	1,951	1,953	-2	-0.10
Grovesend & Waungron	416	412	4	0.97
Ilston	318	323	-5	-1.55
Killay	2,146	2,113	33	1.56
Llangennith, Llanmadoc and Cheriton	505	494	11	2.23
Llangyfelach	940	947	-7	-0.74
Llanrhidian Higher	1,595	1,592	3	0.19
Llanrhidian Lower	332	328	4	1.22
Llwchwr	3,402	3,400	2	0.06
Mawr	744	745	-1	-0.13
Mumbles	9,651	9,694	-43	-0.44
Penllergaer	1,363	1,366	-3	-0.22
Pennard	1,468	1,459	9	0.62
Penrice	412	419	-7	-1.67
Pontarddulais	2,305	2,281	24	1.05
Pontlliw & Tircoed	1,042	1,031	11	1.07
Port Eynon	423	435	-12	-2.76
Reynoldston	300	292	8	2.74
Rhossili	183	188	-5	-2.66
Three Crosses	713	711	2	0.28
Upper Killay	556	572	-16	-2.80
Swansea Bay Port Health Authority	62,600	62,577	23	0.04

Agenda Item 10.



Report of the Head of Democratic Services

Council - 22 November 2018

Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2019-2020 - Consultation

Purpose:	To approve the recommendations of the Democratic Services Committee as the Authority's response to the Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2019-2020.
Policy Framework:	None.
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	The Democratic Services Committee recommended that: 1) The comments and observations as set out in Appendix A of the report form the Authority's formal response to the IRPW.
Report Author:	Huw Evans
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar

1. Introduction

- 1.1 The Independent Remuneration Panel for Wales (IRPW) is tasked with setting the remuneration levels for Councils in Wales. Each year, they publish a Draft Annual Report which is circulated for consultation. The Draft Report may be viewed at <https://gov.wales/docs/dsjlg/publications/181002-irp-draft-report-en.pdf>. The consultation period closes on 27 November 2018. The final IRPW report will be published in February 2019.
- 1.2 This report sets out the determinations affecting the City and County of Swansea and proposes responses as necessary.
- 1.3 The Democratic Services Committee considered the Independent Remuneration Panel for Wales' Draft Annual Report 2019 at its meeting on 6

November 2018 and recommended that Council adopt its comments and observations as the Authority's formal response to the consultation.

2. Determinations within the IRPW Draft Annual Report 2019

- 2.1 The IRPW Draft Annual Report contains a number of determinations that don't affect the City and County of Swansea and are omitted from this report.
- 2.2 An "Extract of the Determinations of the IRPW Draft Annual Report and City and County of Swansea's Comments" is appended as **Appendix A**. The Appendix seeks to stimulate debate and ultimately a formal response to the IRPW consultation.

3. Equality and Engagement Implications

- 3.1 An Equality Impact Assessment (EIA) screening process took place prior to the consultation period. The outcome indicated that it was low priority and a full report was not required.

4. Financial Implications

- 4.1 The IRPW has proposed an increase of 1.97% to the Basic Salary in order to avoid further erosion in relation to average earning. The overall change proposed by the IRPW sees Civic Salaries and Senior Salaries ranging negatively and positively from (-7.13%) to 2.48%.
- 4.2 The total theoretical financial cost envelope as a result of these draft IRPW determinations is £22,152 and this will need to be fully reflected in future budgets from 2019-2020. The actual cost in any one year will depend upon who holds any of the Civic or Senior Salary Offices in year (i.e. where one Councillor might discharge two roles but only receive one higher allowance).
- 4.3 The IRPW determinations suggest a number of increases and decreases to a number of Salaries as outlined below:
- **Basic Salary.** £268 Increase per Councillor;
 - Senior Salaries:**
 - Band 1 (Leader & Deputy Leader). £800 Increase (Inclusive of £268);
 - Band 2 (Executive / Cabinet Members). £800 Increase (Inclusive of £268);
 - Band 3 (Committee Chairs). £268 Increase (Inclusive of £268);
 - Band 4 (Leader of Largest Opposition Group). £268 Increase (Inclusive of £268);
 - Band 5 (Leader of Other Political Groups). £268 Increase (Inclusive of £268);
 - Civic Salaries:**
 - Civic Salary (Civic Head). £1,732 Decrease.
 - Civic Salary (Deputy Civic Head). £732 Decrease.

5. Legal Implications

5.1 There are no specific legal implications associated with this report.

Background Papers: None.

Appendices:

Appendix A Extract of the Determinations of the IRPW Draft Annual Report and City and County of Swansea's Comments.

Appendix A

Extract of the Determinations of the IRPW Draft Annual Report 2019 and the City and County of Swansea's Comments

NOTE: For ease this report only outlines the salary figures of Group A Council's to which the City and County of Swansea belongs.

General Observations

1)	Use of the terms "Elected Member" and "Elected Members. The Authority suggests that the terms "Councillor" and "Councillors" be used instead, to make the document more user friendly for the public.
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Section 3 - Payments to Elected Members of Principal Councils: Basic, Senior and Civic Salaries

Determination 1	Basic salary in 2019/20 for elected members of principal councils shall be £13,868.
Comments	This is a rise of £268 per Councillor. No comment.

Determination 2	The Panel has determined that senior salary levels in 2019/20 for members of principal councils shall be as set out in Table 4 (of the IRPW Report). <i>The proposed and current levels are outlined below for ease.</i>
Comments	Senior Salaries include the Basic Salary element. They have all raised by £268 in line with Determination 1. However Senior Salary Payments in Band 1 and Band 2 have increased by £800 per Councillor (Inclusive of the £268 Basic Salary amount quoted above). There has been no further change to Senior Salaries. No comment. Determination 2 of the IRPW would have the following effect:

Senior Salaries (inclusive of basic salary) - Group A Councils	Current 2018/19	Proposed 2019/20
Band 1		
Leader	£53,300	£54,100
Deputy Leader	£37,300	£38,100
Band 2		
Executive Members	£32,300	£33,100
Band 3		
Committee Chairs (if remunerated)	£22,300	£22,568
Band 4		
Leader of the Largest Opposition Group	£22,300	£22,568
Band 5		
Leader of Other Political Groups	£17,300	£17,568

Determination 3	The Panel has determined that (where paid) a Civic Head must be paid a Band 3 salary of £22,568 and (where paid) a Deputy Civic Head must be paid a Band 5 salary of £17,568.
Comments	Civic Salaries include the Basic Salary element. They have all raised by £268 in line with Determination 1. There were formally 3 Responsibility Levels set for Civic Salaries; however following feedback from Council's the IRPW have agreed to remove these. They are now replaced by single fixed payment which is lower than the current Level 1 which this Authority pays. This determination would lead to the Civic Head (Lord Mayor) seeing a £1,732 reduction and the Deputy Civic Head (Deputy Lord Mayor) seeing a £732 reduction. No comment.

Civic Salaries (inclusive of Basic Salary)	Current 2018/19		Proposed 2019/20	
	Civic Leader	Dep Civic Leader	Civic Leader	Dep Civic Leader
Responsibility Level	£24,300	£18,300	£22,568	£17,568

Determination 4	The Panel has determined that, where appointed and if remunerated, a Presiding Member must be paid a Band 3 senior salary of £22,568.
Comments	This determination does not alter the salary of a paid Presiding Member other than the element of £268 included in the Basic Salary. The Presiding Member within the City and County of Swansea is not remunerated. No comment.

Determination 5	The Panel has determined that the post of Deputy Presiding Member will not be remunerated.
Comments	No Change. Agreed.

Determination 6	The Panel has determined that each Authority, through its Democratic Services Committee, must ensure that all its Elected Members are given as much support as is necessary to enable them to fulfil their duties effectively. All Elected Members should be provided with adequate telephone, email and internet facilities giving and electronic access to appropriate information.
Comments	No Change. Agreed.

Determination 7	The Panel has determined that such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective Authority as a contribution towards the cost of support which the Authority has decided necessary for the effectiveness and / or efficiency of members.
Comments	No Change. Agreed.

Determination 8	The Panel has determined to include a provision for specific or additional senior salaries that do not fall within the current Remuneration Framework.
Comments	No Change. Agreed.

Section 5 - Pension provision for Elected Members of Principal Councils

Determination 9	The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.
Comments	No Change. Agreed.

Section 6 – Entitlement to Family Absence

Determination 10	An elected member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.
Comments	No Change. Agreed.

Determination 11	When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.
Comments	No Change. Agreed.

Determination 12	It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.
Comments	No Change. Agreed.

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Determination 13	If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.
Comments	No Change. Agreed.

Determination 14	When a Council agrees a paid substitution for family absence, the Panel must be informed, within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.
Comments	No Change. Agreed.

Determination 15	The Council's schedule of remuneration must be amended to reflect the implication of the family absence.
Comments	No Change. Agreed.

Section 7 - Payments to Members of National Park Authorities

Determinations 16-22 relate to Members of National Park Authorities. The Authority does not have any Councillors that are Members of National Park Authorities. No comment.

Section 8 - Payments to Members of Welsh Fire and Rescue Authorities

Determination 23	The basic salary for FRA ordinary members shall be £1,780.
Comments	There are 7 Swansea Councillors that are Members of Welsh Fire and Rescue Authorities. This determination would lead to an increase of £35 per Councillor. No comment.
Determination 24	The senior salary of the Chair of an FRA shall be £10,480.
Comments	This determination would lead to an increase of £35 per Councillor. No comment.
Determination 25	An FRA senior salary can be paid to the Deputy Chair and up to two Chairs of committees where there is significant and sustained responsibility. This shall be paid at £5,480.
Comments	This determination would lead to an increase of £35 per Councillor. No comment.
Determination 26	The Panel has determined to include a provision for FRAs to apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.
Comments	No Change. Agreed.
Determination 27	Members must not receive more than one FRA senior salary.
Comments	No Change. Agreed.
Determination 28	An FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.
Comments	No Change. Agreed
Determination 29	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated.
Comments	No Change. Agreed.

Section 9 - Payments to Co-opted Members of Principal Councils, National Park Authorities and Fire and Rescue Authorities

Determination 30	Principal Councils, NPAs and FRAs must pay the following fees to Co-opted Members (who have voting rights)
Comments	The Authority welcomes the amendment in the table below which clarifies that a payment can only be made to Community / Town Councillors sitting on Principal Council Standards Committees. No Change. Agreed.

Chairs of Standards, and Audit Committees	£256 (4 hours and over) £128 (up to 4 hours)
Ordinary members of Standards Committee who also Chair Standards Committees for Community / Town Councils	£226 daily fee (4 hours and over) £113 (up to 4 hours)
Ordinary members of Standards Committees; Education Scrutiny Committee, Crime and Disorder Scrutiny Committee and Audit Committee	£198 (4 hours and over) £99 (up to 4 hours)
Community and Town Councillors sitting on Principal Council Standards Committees	£198 (4 hours and over) £99 (up to 4 hours)

Determination 31	Reasonable time for pre meeting preparation is to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.
Comments	Minor change aimed at strengthening the determination. Agreed.

Determination 32	Travelling time to and from the place of the meeting is to be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).
Comments	Minor change aimed at strengthening the determination. Agreed.

Determination 33	The appropriate officer within the authority can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
Comments	No Change. Agreed.

Determination 34	Fees must be paid for meetings and other activities including other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.
Comments	Minor change aimed at strengthening the determination. Agreed.

Determination 35	The Panel has determined that each authority, through its Democratic Services Committee or other appropriate committee, must ensure that all voting co-opted members are given as much support as is necessary to enable them to fulfil their duties effectively. Such support should be without cost to the individual member.
Comments	This is a new determination aimed at ensuring that Co-opted Members receive appropriate support from the Authority in the same way that a Councillor would. The Authority already complies with this determination. Agreed.

Section 10 – Reimbursement of Costs of Care

Determination 36	All authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement must be for the additional costs incurred by members in order for them to carry out their approved duties. Reimbursement shall only be made on production of receipts from the carer.
Comments	No Change. Agreed.

Section 13 - Payments to Members of Community and Town Councils

Determinations 37-45 relate to Community / Town Councils. They are listed below for information only. No Comment.

Determination 37	All community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses.
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Determination 38	Community and town councils in Group A must make available an annual payment of £500 each to a minimum of 1 and a maximum of 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.
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Determination 39	Community and town councils in Groups B or C can make an annual payment of £500 each to up to 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.
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Determination 40	<p>Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties. Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:</p> <ul style="list-style-type: none"> • 45p per mile up to 10,000 miles in the year. • 25p per mile over 10,000 miles. • 5p per mile per passenger carried on authority business. • 24p per mile for private motor cycles. • 20p per mile for bicycles.
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Determination 41	<p>If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:</p> <ul style="list-style-type: none"> • £28 per 24-hour period allowance for meals, including breakfast where not provided. • £200 - London overnight. • £95 - elsewhere overnight. • £30 - staying with friends and/or family overnight.
Determination 42	<p>Community and town councils can pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties as follows:</p> <ul style="list-style-type: none"> • Up to £54.00 for each period not exceeding 4 hours. • Up to £108.00 for each period exceeding 4 hours but not exceeding 24 hours.
Determination 43	<p>All community and town councils must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement must be for the additional costs incurred by members in order for them to carry out their approved duties. Reimbursement shall only be made on production of receipts from the carer.</p>
Determination 44	<p>Community and town councils can provide a Civic Head payment to the mayor/chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>
Determination 45	<p>Community and town councils can provide a Deputy Civic Head payment to the deputy mayor/deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>

Agenda Item 11.



Report of the Head of Democratic Services

Council - 22 November 2018

Review of Councillors Handbook

Purpose:	To approve the recommendations of the Democratic Services following its review of Section A “Councillor and Co-opted Member Remuneration (Salaries, Allowances & Expenses)” of the Councillors Handbook.
Policy Framework:	None.
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: 1) The amendments to Section A “Councillor and Co-opted Member Remuneration (Salaries, Allowances & Expenses)” of the Councillors Handbook as outlined in Appendix A of the report be adopted.
Report Author:	Huw Evans
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar

1. Introduction

- 1.1 The Councillors Handbook provides information to Councillors / Co-opted Members. Section A of the Councillors Handbook was last reviewed by the Democratic Services Committee on 7 November 2017 with Council adopting the proposed changes at its meeting on 14 December 2017.
- 1.2 A further review of Section A of the Councillors Handbook has been undertaken in order to ensure that it remains in line with the determinations of the Independent Remuneration for Wales (IRPW), workable with the Councillors Self Service (Oracle) system and avoids duplication of content with the Members’ Schedule of Remuneration.

- 1.3 The Members' Schedule of Remuneration, sets out the regulations and payments made to Councillors and Co-opted Members as determined by the IRPW and the Authority has a duty to publish it.
- 1.4 The Democratic Services Committee at its meeting on 6 November 2018 recommended that the amendments proposed by the Head of Democratic Services be recommended to Council for adoption.
2. **Section A "Councillor and Co-opted Member Remuneration (Salaries, Allowances & Expenses)"**
 - 2.1 **Appendix A** below sets out a tracked changes version of the changes proposed by the Head of Democratic Services to Section A "Councillor and Co-opted Member Remuneration (Salaries, Allowances & Expenses)".
 - 2.2 The entire Councillors Handbook may be viewed at www.swansea.gov.uk/cllrshandbook
3. **Equality and Engagement Implications**
 - 3.1 There are no equality or engagement implications associated with this report.
4. **Financial Implications**
 - 4.1 There are no financial implications associated with this report.
5. **Legal Implications**
 - 5.1 There are no specific legal implications associated with this report.

Background Papers: None.

Appendices:

Appendix A Councillor and Co-opted Member Remuneration (Salaries, Allowances & Expenses).

Councillor and Co-opted Member Remuneration (Salaries, Allowances & Expenses)

1. Introduction

- 1.1 The Independent Remuneration Panel for Wales (IRPW) determines the remuneration of Councillors on an annual basis. Whilst Councillors & Co-opted Members are not employees, the treatment of their remuneration for most purposes is the same as if they were employees.
- 1.2 This document provides Councillors and Co-opted Members with practical information relating to Salaries, Allowances and Expenses. For further information, please contact the Head of Democratic Services, Cabinet Office, Democratic Services or Payroll.
- 1.3 Additional information and guidance may be found at:

- i) [Members' Schedule of Remuneration;](#)
- ii) www.swansea.gov.uk/travelandexpenses;
- iii) [Independent Remuneration Panel for Wales \(IRPW\) Annual Report.](#)

2. Councillors Salaries, Allowances and Expenses

- 2.1 The [Members' Schedule of Remuneration Council Constitution \(Part 6 "Members Allowances Scheme"\)](#), sets out the [payments made to Councillors and Co-opted Members as determined by the Independent Remuneration Panel for Wales \(IRPW\). Salaries, and Expenses set by the IRPW.](#)
- 2.2 [The Councillors' ICT Allowances - May 2017 & Beyond Policy \(Hyperlink\)](#) sets out ~~and~~ the Allowances set by the Council [aimed at supporting the work of Councillors and Co-opted Members.](#)
- ~~2.3 Councillor Salary payments are paid automatically on a monthly basis.~~
- ~~2.4 Councillor / Co-opted Member Allowance claims must be made by completing the appropriate forms:~~
- ~~• ICT Allowance;~~
 - ~~• Reimbursement of Costs of Care.~~
- ~~2.4 Claims for the following allowances must be made by providing the Cabinet Office / Democratic Services Team with evidence of the bill including your address and telephone number on an annual basis:~~
- ~~• Broadband & Telephone Allowance;~~
 - ~~• Mobile Phone Allowance.~~

2.3 Councillor Expenses claims must be made via the Authority's Oracle system. Co-opted Members should submit their claims in writing via Democratic Services. www.swansea.gov.uk/staffnet/mileageandexpenses

2.4 Councillors / Co-opted Members may claim for travel expenses incurred when undertaking an Approved Duty / Official Business (See Members' Schedule of Remuneration for definition)~~Defined below~~).

2.5 Attendance at Meetings. Councillors must sign the Attendance Book and should check the published minutes to ensure that their presence was recorded. If the minute is incorrect the Councillor should inform Democratic Services before the next meeting. For ease of reference, Councillors are required to print their name along with their signature.

2.6 Representation on Outside Bodies. Councillors may not claim for meetings of 'Outside Bodies' unless they are the named representative or the named substitute. When claiming for attendance at Outside Bodies the onus is on the Councillor to be able to provide adequate evidence of attendance at the meetings claimed.

2.7 Examples where meetings would NOT constitute an approved duty:

- Political, Political Group, Private Matters / Personal Meetings;
- Electoral Division Meetings where Officers are not present;
- An Invitation to a function;
- School Governors meetings (Unless you are the Local Authority (LA) Representative. You may be able to claim from the school.

~~2.7 Further information relating to Councillors / Co-opted Members' Salaries, Allowances and Expenses are set out in:~~

- ~~Published Schedule of Remuneration;~~
- ~~Constitutional Matters Report;~~
- ~~IRPW Annual Report.~~

3. Reimbursement of Costs of Care

~~3.1 Information relating to the Reimbursement of Costs of Care may be viewed at Members' Schedule of Remuneration. The Independent Remuneration Panel for Wales (IRPW) have determined that all Authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs to a set maximum per month.~~

~~3.2 Further information relating to the Reimbursement of Costs of Care may be viewed at [IRPW Annual Report Publication Page](#).~~

3.2 For Councillor / Co-opted Member reimbursement they must complete the Reimbursement of Costs of Care Claim form which must be accompanied by a receipt from the carer. These documents are available [here](#).

~~4. Foregoing of Salary and / or Allowance~~

~~4.1 The prescribed salary and expenses must be paid in full to each member unless an individual has independently and voluntarily opted in writing to the Authority's Proper Officer to forego all or any element of the payment. It is fundamental that there is transparency in this process so that any possible suggestion that Members are put under pressure to forego some of the salaries is avoided.~~

~~5. Approved Duties / Official Business~~

~~5.1 Official Business is defined in Section 142 (10) of the Local Government (Wales) Measure 2011.~~

~~5.2 The list of approved duties is laid out in each Independent Remuneration Panel for Wales Annual Report which may be viewed at the [IRPW Annual Report Publication Page](#).~~

~~5.3 **Attendance at Meetings.** Councillors must sign the Attendance Book and should check the published minutes to ensure that their presence was recorded; otherwise, they will be deemed not to have attended the meeting. For ease of reference, Councillors are required to print their name along with their signature.~~

~~5.4 **Representation on Outside Bodies.** Councillors may not claim for meetings of 'Outside Bodies' unless they are the named representative or the named substitute. When claiming for attendance at Outside Bodies the onus is on the Councillor to be able to provide adequate evidence of attendance at the meetings claimed.~~

~~5.5 Examples where meetings would **NOT** constitute an approved duty:~~

- ~~• Political, Political Group, Private Matters / Personal Meetings;~~
- ~~• Electoral Division Meetings where Officers are not present;~~
- ~~• An Invitation to a function;~~
- ~~• School Governors meetings (Unless you are the Local Authority (LA) Representative. You may be able to claim from the school.~~

4. Travel

4.1 Councillors and Co-opted Members must always be mindful of choosing the most cost effective method of travel. This means that Economy Class Travel will be the norm for Rail, Road, Air or any other method of travel. The Chief Executive in consultation with the Section 151 Officer may allow an alternative class of travel in exceptional circumstances only.

- 4.2 Should a Councillor or Co-opted Member wish to pay to upgrade to a higher class of travel, they may do so, providing them pay for the total difference from Economy Class.

5. Travel by Rail

- 5.1 Councillors may not use First Class Rail Travel unless they have outlined a genuine business case in writing (preferably e-mail) to the Head of Democratic Services. The Head of Democratic Services shall review the request in consultation with the Section 151 Officer and decide accordingly.
- 5.2 Authorisation from the Budget Holder / Head of Service who will be paying for Rail Travel will be required in writing (preferably e-mail) prior to any bookings being made by the relevant Officers.
- 5.3 The Cabinet Office or Democratic Services Team should make all rail bookings for journeys beyond Cardiff on behalf of Councillors / Co-opted Members. Where possible, costs shall be paid by the use of the Authority's Corporate Purchasing Card. If the purchase card method is not possible, the council standard ordering and payment processes should be applied.
- 5.4 Should the event which led to the need for Rail Travel be cancelled or the Councillor can no longer attend then the cost incurred by the Authority will still be attributed to that Councillor and reported to Council via the annual "Councillors Allowances and Expenses" report.
- 5.5 **Rail Cards** may be purchased for Councillors who travel on Council business, if it reduces the cost to the Council. The Councillor must provide all necessary documentation for the railcard to the DS Team / Cabinet Office who will obtain the railcard on the Councillors behalf. Privately purchased rail cards may be reimbursed providing it is deemed to be of benefit to the Authority. Should a Councillor lose their Authority purchased Railcard, the Councillor will have to pay the charge for a replacement.
- 5.6 An Oyster Card has been purchased for Councillors to use for tube travel in London instead of having to purchase daily Travel Cards for this purpose. The Oyster Card can be "topped up" as and when necessary by the DS Team / Cabinet Office. Should a Councillor lose the Authority purchased Oyster Card they will have to pay the remaining balance currently on the card in order for a new card to be purchased.
- 5.7 Should a Councillor wish to repay any monies owed to the Authority in relation to travel, i.e. cancelled tickets, upgrading to first class travel or paying for a lost Railcard or Oyster Card then the payment **MUST** be by cheque or cash made payable to the City & County of Swansea (Salary deduction is not permitted).

6. Travel by Private Car

- 6.1 Councillors must consider what is the most cost effective and efficient form of travel prior to using their own car. They should seek the optimum match between the efficient use of time, a fair reimbursement of costs and the economical use of public resources. Distances will be calculated using the RAC Route Planner website. <http://route.rac.co.uk/>
- 6.2 Councillors shall personally cover the cost of their travel:
- For direct journeys between their home and private place of work;
 - When attending any venue in a private capacity;
 - When undertaking their Electoral Ward duties.
- 6.3 The Authority will hold a list of the distances relating to the most frequent or routine journeys undertaken by each Councillor (usually home to Civic Centre and return). This list will be reviewed and updated at the First Annual Meeting of Council following an election. For all mileage claims checked using the RAC Route Planner, distances will be rounded up or down to the nearest mile.
- 6.4 Mileage Claims from a Councillors Private Place of Work (excluding qualifying address)**
- 6.5 The maximum allowance for journeys from a Councillor's workplace to the location of approved duty will be for the amount the Councillor would have claimed if they were travelling from their home.
- 6.6 Site Visits** - Councillors are expected to use the transport provided to attend Site Visits. Where the distance to the Guildhall would be in excess of the mileage to the Site Visit itself a car can be used and mileage claimed for that shorter journey. This must be made clear on the claim form. Councillors should travel together wherever possible. **Note: Mileage cannot be claimed if transport is provided, unless agreed in advance and in writing by the Head of Democratic Services.**
- 6.7 Authorised **journeys** are reimbursed at the approved mileage rates as set by the IRPW.
- 6.8 **For journeys over 150 miles in total** (from a starting point of the Guildhall, Swansea, SA1 4PE) then the Councillor should **consider the most financially viable and economic form of transport available**. If that Councillor chooses to use their own vehicle they would only receive the cost of the most financially viable and economic form of transport for that journey. If travelling outside of the Swansea & Neath Port Talbot areas, please check travelling arrangements with the DS Team / Cabinet Office in advance of the journey as train travel may be cheaper.

- 6.9 **Incidental costs** (e.g. fuel, tolls, ferries and parking fees) will be reimbursed subject to production of receipts and the completion of Oracle / claim form. Relevant VAT receipts for fuel are required to be kept by Councillors / Co-opted Members for a period of 7 years for all mileage claims for potential inspection by HMRC. Dates on receipts must reflect the period of the claim.
- 6.10 If using a private vehicle whilst on Council business, Councillors should ensure that they have comprehensive vehicle insurance specifically including business and commuting use. The Authority will be unable to financially support Councillors in the event of an accident without comprehensive cover.

7. Travel by Hired / Pool Car

- 7.1 Councillors and Officers may hire a B Class vehicle (currently Ford Focus style of car). A larger style car may be booked depending on distance travelled and number of passengers in the car. Authorisation to hire a larger car must be obtained in advance in writing (e-mail) from the Head of Democratic Services. Information regarding Pool Cars is available on StaffNet [here](#).

8. Travel by Taxi

- 8.1 Travel by Taxi claims for journeys taken **within** the City and County of Swansea shall only be allowed with the production of a relevant receipt and with prior authorisation in writing (e-mail) from the Head of Democratic Services in consultation with the Section 151 Officer.
- 8.2 Travel by Taxi claims for journeys taken **outside** of the City and County of Swansea shall only be allowed with the production of a relevant receipt and if it is a reasonable journey to have made i.e. from event to Train Station.

9. Travel by Air

- 9.1 Flights will be arranged via the DS Team / Cabinet Office. Councillors and Officers will travel Standard Class. Permission to fly must be obtained in advance and in writing (e-mail) from the relevant Head of Service. The relevant Service Unit shall fund the Airfare costs. **Note:** Foreign travel must be approved by the Chief Executive in advance and in writing (e-mail).

10. Travel by Bicycle

- 10.1 A cycling allowance is available as outlined by the Independent Remuneration Panel for Wales.

11. Travel by Bus

- 11.1 Bus fares will be reimbursed subject to the production of the appropriate tickets.

12 Subsistence

12.1 Councillors are able to claim for subsistence expenses incurred when undertaking an Approved Duty. Subsistence is paid in addition to the Basic, Civic and Senior Salaries **and are subject to the following rules:**

12.2 Subsistence within the Authority's area will not be paid.

12.3 Subsistence for approved duties outside the Authority's area are payable up to a maximum and in line with the IRPW determinations. **Claims without a valid receipt will not be authorised.**

12.4. Overnight Costs

12.5 Where an approved duty involves an overnight stay the accommodation should be organised via the Cabinet Office / Democratic Services.

12.6 The Head of Democratic Services has discretion in this area but the decision is mainly based on:

- Where the round trip is more than 250 miles and the relevant meeting / duty starts before 12.00 noon (for the night before) and / or where the relevant meeting / duty finishes after 4.00 pm (for the night after);
- Where the round trip is more than 500 miles and the relevant meeting / duty starts before 1.00pm and / or finishes after 3.00pm.

12.7 Councillors should obtain prior written authorisation (e-mail) from the relevant Head of Service in relation to overnight expenditure.

12.8 Accommodation

12.9 Accommodation should be booked in advance by the Cabinet Office / Democratic Services Team.

13. Overseas (Foreign) Travel, Foreign Currency and Council Related Business Communication

13.1 Councillors **MUST** gain written (e-mail) authority from the Chief Executive prior to travelling abroad. A detailed itinerary of the trip giving the names of all people travelling, modes of transport between venues and specifying items of expenditure which have been paid in advance by the Authority or likely to be paid by the Authority or provided by an outside body must also be provided to the Chief Executive. In any cases of urgency, approval must be obtained under the Chief Executive's delegated powers, exercised after consultation with the Leader of the Council.

- 13.2 **Foreign Currency.** To obtain foreign currency a Councillor can obtain a cash advance from Cashiers and arrange to have the money converted into the appropriate currency themselves. The expenditure receipt(s) should be retained for submission with the Oracle expense claim. Any surplus money left over from an overseas visit need not be returned to the Authority as the cash advance amount has already been deducted from the Councillors salary and reimbursed to Cashiers.
- 13.3 **Council related business communication.** The Head of Democratic Services will consider all reasonable requests for other valid business costs relating to the trip providing relevant receipts are attached.

14. Claiming

- 14.1 Councillor Expenses claims must be made via the Authority's Oracle system. Co-opted Members should submit their claims in writing via Democratic Services. www.swansea.gov.uk/staffnet/mileageandexpenses
- 14.2 The responsibility lies with the Councillor / Co-opted Member for the accuracy of the claim. Councillors need to keep an accurate record of expenses claimed to avoid duplication of claims. They should ensure that they actually attended the events that they are claiming for otherwise it could be deemed as a fraudulent claim.
- ~~14.3 The Head of Democratic Services in consultation with the Section 151 Officer may waive any of the rules on claiming in exceptional circumstances by giving authorisation in writing (e-mail).~~
- ~~16.3 When attending more than one meeting a day and claiming more than one journey, the times and place of 'commencement' and 'completion' of duties must be inserted for every journey.~~
- ~~16.4 If the period between meetings spent is less than 1 hour then Councillors will only be entitled to claim one return journey.~~
- ~~16.5 Councillors must therefore judge whether it would be constructive whenever possible to remain within the area if meetings are within a reasonable period of one another. This also applies to rota visits. Councillors are requested where possible to visit establishments in the same vicinity at the same time.~~
- 14.4 No payment shall be made without a valid receipt.
- 14.5 Co-opted Member claims should be submitted no later than **5th of the month for payment on the 25th of the month** (or the previous working day if falling on a Saturday, Sunday or Bank Holiday). Councillor claims should be made via Oracle.

14.6 Claims must be submitted within 3 months of the meeting claimed for save for any exceptional circumstances which will be considered by the Head of Democratic Services in conjunction with the Section 151 Officer. Ideally Councillors should submit their claim forms on a monthly basis.

14.7 If a Councillor attempts to claim more mileage than set by Council, the mileage will be amended to the maximum level approved by Council.

14.8 Checking of Travelling and Subsistence Allowances

14.9 The Cabinet Office / Democratic Services Team will carry out a random 10% audit check of submitted claims. However, the duty remains on the person submitting the claim that it is a valid claim. They will check:

- Accurate Mileage;
- The claim matches the correct name of the Meeting;
- The Date of the Meeting;
- The Councillor / Co-opted Member actually attended;
- ~~Attendance Records at Outside Bodies and Officer meetings;~~
- Other checks as necessary to clarify any ~~on other~~ unclear claim entries.

14.10 Cash Advances

14.11 Cash advances of Travelling and Subsistence Allowances ~~can only be obtained if the amount is £56 or over and~~ must be authorised by the Section 151 Officer (normally £56 is the minimum, however the Head of Democratic Services may consider each case on merit). The cash advance can then be made via the Cashiers Office.

14.12 Any unused monies from a cash advance must **not** be returned to the Authority (Cashiers) but kept by the Councillor as the original advance amount has already been deducted from their salary and reimbursed to Cashiers.

15. Car Parking Permits

15.1 As a result of a scheme introduced by Cabinet in January 2011, Councillors will have to apply for a permit to enable them to park in Council car parks, whilst on Council duties.

15.2 Councillors are entitled to reclaim the cost incurred for their car parking permit by using the reclaim. If Councillors re-claim this charge it will be included on the Councillors Annual Allowances & Expenses spreadsheet which is presented to Council and published on the City & County of Swansea website. All applications for car parking permits and any amendments or cancellations should be made via [the self-service option in Oracle](#).

15.3 There is a charge to be paid by Councillors to replace a lost car parking permit.

16. Interests, Gifts and Hospitality of Councillors

- 16.1 Information on Interests, Gifts and Hospitality of Councillors is laid out within the Council Constitution under Council Procedure Rules and within the [Councillors Code of Conduct](#).

17. Income Tax

- 17.1 Basic Salaries, Civic Salaries, Senior Salaries, Broadband and Telephone Allowance, Mobile Phone Allowance, ICT Allowance and the Reimbursement of Costs of Care are all taxable. Councillors will be automatically taxed under the normal Pay as you Earn (PAYE) system. The tax code applied will depend on the statement ticked on the Councillor Personal Information Sheet at the time of starting. Any changes to the initial code operated would be on instruction from HMRC.
- 17.2 Additionally, Councillors should contact the Payroll section of the Service Centre if they are aware they should be taxed at a rate higher than the basic rate.
- 17.3 Currently there is no “profit” element on Mileage due to the fact that the Council pays the rate determined by the IRPW. As it is deemed there is no profit, no end of year report (P11D) is submitted.

18. National Insurance Contributions

- 18.1 Since the current levels of Councillors Allowances exceeds the current lower earnings limit for all Councillors under 65 years of age (Sliding scale from Age 60 for women depending on Date of Birth), there is a liability for Class 1 National Insurance contributions at the standard rate. Any Councillor over 65 years of age (Sliding scale from Age 60 for women depending on Date of Birth) will need to provide a copy of their passport or birth certificate for exemption from National Insurance.
- 18.2 Married women and certain widows who have exercised their right not to pay the full rate will need to produce their reduced liability certificate.
- 18.3 Each employment is considered separately for contribution purposes and no account is taken of the fact that a Councillor may have another job or be self-employed.
- 18.4 However, there is an annual maximum for contribution liability and in certain instances a Councillor may be entitled to a refund. Information regarding this can be obtained from the DWP.

19. Social Security Benefits

- 19.1 Social Security benefits is an area of growing complexity and detailed specialist advice must be obtained from the local office of the relevant Benefits Agency.
- 19.2 Councillors must notify the Department of Social Security Office from which they receive the benefits that they are an elected Councillor.
- 19.3 If a Councillor is minded to renounce his / her Basic Salary, Civic Salary or Senior Salary, because of the potential impact on benefit entitlement, s/he should consult the Benefits Agency before doing so. In most cases it is the amount to which a Councillor is entitled, not the amount actually claimed, which will be taken into account in calculating benefit.
- 19.4 The treatment of Councillor's Allowances varies from benefit to benefit. For some benefits, the very fact that they are undertaking Council duties (whether or not they get paid for them) can affect their rights to claim. In other cases, it is the level of income from the Allowance that affects entitlement.

20. Insurance

- 20.1 Brief details of the 'Personal Accident & Travel Policy' are as follows:

Under the Personal Accident section, this insurance provides cover to the Insured for accidental bodily injury to an insured person, which results in death, a permanent disability or temporary disability within 24 months of an accident. Under the Travel section, this insurance provides cover to the Insured for medical and emergency travel expenses, medical repatriation, political and natural disaster evacuation expenses, personal liability, loss of or damage to personal property, business equipment or money, cancellation, curtailment, alteration expenses and hijack, kidnap and ransom costs for an insured person. There are also sections providing cover for legal expenses, crisis containment expenses and vehicle rental expenses.

- 20.2 For full details of the policy and a copy of the Lifeline Plus Travel Pack to use on business trips away from the office and abroad contact:

Principal Insurance Officer

Insurance Team, Financial Services & The Service Centre, Civic Centre,
Swansea, SA1 3SN

01792 63 6741

Huw Evans
Head of Democratic Services

Agenda Item 12.



Joint Report of the Presiding Member, Monitoring Officer & Head of Democratic Services

Council - 22 November 2018

Amendments to the Council Constitution

Purpose:	To make amendments in order to simplify, improve and / or add to the Council Constitution. A decision of Council is required to change the Council Constitution.
Policy Framework:	Council Constitution.
Consultation:	Access to Services, Finance, Legal & Constitution Working Group.
Recommendation(s):	It is recommended that: 1) The amendments to the Council Constitution as outlined in Paragraphs 4-11 together with any further consequential changes be approved.
Report Author:	Huw Evans
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar

1. Introduction

- 1.1 In compliance with the Local Government Act 2000, the City and County of Swansea has adopted a Council Constitution. From time to time it is necessary to review the Council Constitution in line with legislative requirements and to ensure good governance arrangements.
- 1.2 A number of issues have arisen since adoption and in order to maintain the aims, principles and procedures set out in Articles 1 and 15 of the Council Constitution, it is proposed that the amendments set out below should be made to the Constitution.

1.3 The terms of reference of the Constitution Working Group includes keeping under review the Council Constitution and to make appropriate recommendations for change.

2. Delegated Minor Corrections to the Council Constitution

2.1 There are no delegated minor corrections to the Council Constitution.

3. Amendments to the Council Constitution

3.1 This report outlines a number of suggested amendments to the Council Constitution. The amendments are within the following area of the Council Constitution:

- a) Part 3 “Responsibility for Functions” - Corporate Parenting Board & Pension Fund Committee Terms of Reference;
- b) Part 4 “Rules of Procedure” - Council Procedure Rules - “Extraordinary Meeting of Council” and “Public Presentation & Question Time”;
- c) Part 4 “Rules of Procedure” - Cabinet Procedure Rules - “Call In Procedure”;
- d) Part 4 “Rules of Procedure” - Contract Procedure Rules - Dispensations, Single Tender Procedures and Waivers;
- e) Part 6 “Councillors’ Allowances Scheme”.

4. Part 3 “Responsibility for Functions” – Corporate Parenting Board Terms of Reference

4.1 The Corporate Parenting Board at its meeting on 15 October 2018 asked that its Terms of Reference be amended in order to allow the Board to meet quarterly instead of every 2 months.

4.2 It is proposed to amend Paragraph 7. a) of the Terms of Reference to read:

“7 a) The Board would normally meet on a quarterly basis but may meet as required”.

5. Part 3 “Responsibility for Functions” - Pension Fund Committee Terms of Reference

5.1 Currently Council has a duty to approve the Authority’s Statement of Accounts, including the Pension Accounts. Following a recent change to Regulations, as a simplification measure, the Pension Accounts no longer have to form part of the main accounts, and thus do not necessarily require Council approval as part of the accounts process.

- 5.2 The Chief Finance Officer believes that the Pension Fund Committee is the best placed body with the relevant expertise to approve these accounts, given all other Pension matters are already delegated to it by Council. It is therefore proposed be amend the Terms of Reference of the Pension Fund Committee by adding the following paragraph:

“12. To approve the Authority’s Pension Statement of Accounts”.

6. Part 4 “Rules of Procedure” - Council Procedure Rules - Extraordinary Meeting of Council

- 6.1 The Council Procedure Rules relating to “Extraordinary Meeting of Council” excludes “Announcements / Communications from the Presiding Member”, “Announcements / Communications from the Leader of the Council” and “Public Questions” being made at the meeting. In order to ensure there is a platform for such announcements to be made and to maintain the Council’s approach to being open and transparent, it is suggested that the three areas be added to the list outlined in Council Procedure Rule 10 “Extraordinary Meeting of Council”.

7. Part 4 “Rules of Procedure” - Council Procedure Rules - Public Presentations and Question Time

- 7.1 Council Procedure Rule 26 relates to “Public Presentations and Question Time”. This Procedure Rule has evolved over time and during the past 3 years, the working practice has been to limit Public Presentations to third sector organisations such as disability groups and other organisations such as the Fire Brigade, Police etc. It is proposed to amend this Procedure Rule in order to clarify this.

- 7.2 It currently reads:

“26.5 At the discretion of the Presiding Member any Swansea resident may make a presentation to Council on a matter for which the Council has responsibility. Presentations will be allocated on a first come, first served basis.”

- 7.3 It is proposed that it be amended to read:

“26.5 At the discretion of the Presiding Member any Third Sector Organisation or other Organisation may make a presentation to Council on a matter for which the Council has responsibility. Presentations will be allocated on a first come, first served basis.”

- 7.4 The title of Council Procedure Rule 26 will also need to be amended to read “Presentations & Public Question Time”.

8. Part 4 “Rules of Procedure” - Cabinet Procedure Rules - Order of Business

- 8.1 The working practice for Cabinet Meetings allows the Leader of the Council to make announcements at the meeting. It is proposed to formalise this working practise by amending Cabinet Procedure Rule 14 “Order of Business”. The following line is to be added as 14 d) and to renumber as necessary:

“Announcements / Communications from the Leader of the Council”.

9. Part 4 “Rules of Procedure” - Cabinet Procedure Rules - Call In Procedure

- 9.1 Council at its meeting on 26 July 2018 adopted a new Call In Procedure which is set out within the Cabinet Procedure Rules. Cabinet Procedure Rule 18.3 outlines the “Validity of Call In”. Within that section it states:

“18.3.1 It is not made by midnight on the 3rd clear working day of the publication of the decision;”

- 9.2 This paragraph has led to some confusion and in order to provide absolute clarity it is proposed to amend the reference “midnight” to read “23.59”. This shortens the period to allow a valid Call In by one minute, however, the deadline date and time become clearer.

10. Part 4 “Rules of Procedure” - Contract Procedure Rules - Dispensations, Single Tender Procedures and Waivers

- 10.1 Contract Procedure Rule 20 relates to “Dispensations, Single Tender Procedures and Waivers”. The Procedure Rule currently places a duty on the Monitoring Officer to consider approving or waiving all Dispensations, Single Tender Procedures and Waivers and that a register be kept.
- 10.2 The Monitoring Officer is not the best placed Officer to carry out this work and it is therefore proposed that the duty should be transferred to the Head of Commercial Services.

11. Part 6 “Councillors’ Allowances Scheme”.

- 11.1 The Councillors’ Allowance Scheme sets out the Allowances Scheme for Councillors and Co-opted Members together with the rates paid.
- 11.2 The Independent Remuneration Panel for Wales (IRPW) determines the remuneration of Councillors and Co-opted Members in its Annual Reports. The Authority is under a duty to annually publish the [“Member’ Schedule of Remuneration”](#) on its website.

- 11.3 This requirement effectively makes this section of the Council Constitution redundant. It is therefore proposed to delete the content of Part 6 “Councillors’ Allowance Scheme” in its entirety and to replace it with the following line:

“Information relating to Councillor and Co-opted Members’ Remuneration may be viewed at [Member’ Schedule of Remuneration](#).”

12. Financial Implications

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

13. Legal Implications

- 13.1 There are no legal implications associated with this report.

14. Equality and Engagement Implications

- 14.1 There are no equality and engagement implications associated with this report.

Background Papers: None

Appendices: None

Agenda Item 13.



Report of the Chair of the Scrutiny Programme Committee

Council – 22 November 2018

Scrutiny Dispatches – Quarterly Impact Report

Purpose:	To present the quarterly report from the Scrutiny Programme Committee to Council on the impact of scrutiny.
Policy Framework:	None
Consultation:	Finance, Legal, Access to Services
Report Author:	Brij Madahar
Finance Officer:	Paul Cridland
Legal Officer:	Tracey Meredith
Access to Services Officer:	Catherine Window
For Discussion	

1. Introduction

- 1.1 The Scrutiny Programme Committee is responsible for the overall work programme, including the various informal scrutiny activities, and monitoring progress to ensure that the work is effective.
- 1.2 The Committee is also concerned about improving communication and public engagement, and getting more coverage in the media so that the public are more aware of the work of scrutiny.
- 1.3 In order to provide ‘headlines’ from scrutiny activity and give the work of scrutiny greater visibility, both for Council and public audience, a quarterly ‘Scrutiny Dispatches’ report is published.

2. Scrutiny Dispatches

- 2.1 ‘Scrutiny Dispatches’ is intended to demonstrate scrutiny achievements and outcomes. It is effectively a regular report about

impact and how scrutiny is making a difference, rather than a descriptive account of scrutiny activities. The aim is to focus on and promote a small number of ‘significant stories’. A chair’s roundup is also featured to highlight other work.

- 2.2 The quarterly report is attached for Council discussion – see **Appendix 1**.
- 2.3 As well as being a report to Council the content will be shared more widely, with advice and support from the Council’s Communications Team and utilising social media. This should help raise awareness of the work and impact of scrutiny, and hopefully encourage more public engagement and participation in scrutiny. It is anticipated that some of the impact stories within Scrutiny Dispatches will generate press releases.
- 2.4 In order to ensure that people are informed more generally about the work of scrutiny a monthly newsletter is also being produced. This list is shared via an email subscription (www.swansea.gov.uk/scrutinyemail), and includes details of:
 - Forthcoming panel and working group meetings
 - Topics being looked at by scrutiny
 - Progress with current activities

3. Equality & Engagement Implications

- 3.1 There are no specific equality and engagement implications raised by this report.

4. Financial Implications

- 4.1 There are no specific financial implications raised by this report.

5. Legal Implications

- 5.1 There are no specific legal implications raised by this report.

Background papers: None

Appendices:

Appendix 1 – Scrutiny Dispatches

Scrutiny Dispatches

City & County of Swansea – 2018/2019 (No. 1)

‘How scrutiny councillors are making a difference’

Developing regional working

(Lead: Councillor Lyndon Jones)

Work carried out by scrutiny councillors will help develop and improve the way the Council and partners work with each other across the region for the benefit of citizens.

An in-depth Scrutiny Inquiry into Regional Working published findings that were presented to Council in June. The report includes a view on the current picture, the national reform agenda, challenges to collaborative working, and arrangements for the accountability of regional working. Scrutiny Councillors held a number of evidence gathering sessions including discussion with different council departments and partners to discuss the experience of regional working activities that are taking place.

All 11 recommendations made by the cross-party Scrutiny Panel were agreed by Cabinet in August. This means action on the following:

- A review of governance arrangements of the three main regional partnerships (Education, through Regional Working, Western Bay Health & Social Care Programme; and Swansea Bay City Region) to ensure they are fit for purpose.
- The authority undertaking a lessons learnt exercise across the three main regional collaborations and develop an action plan/s with resource implications to address any specific and remaining barriers.
- An assessment of the value to the Council from being involved in existing or new partnerships, including an analysis of costs and benefits.
- Greater use of technology e.g. on-line meetings, amongst partners to reduce travelling and Councillor / officer time and further encourage participation in partnership working.
- More engagement of the third sector in existing partnerships.
- Pressure on Welsh Government for a more streamlined grant process to support regional working
- An annual report to Council on the progress made across main regional collaborations.

The Panel had particular concerns about the accountability to local councillors of some regional collaborations. They stressed the need for the big three partnerships to have clear accountability and scrutiny process built into their governance arrangements.

Councillor Lyndon Jones, convener of the Panel said:

‘We felt it was important to look at this issue because there was some concern about the transparency of current regional working and the extent to which the public understood such activities. We found regional working in Wales to be a complex and confusing picture. Regional working must have a real benefit for the people of Swansea and therefore needs to add value and not be seen as another layer of bureaucracy, and be accountable. We hope that this piece of scrutiny will go some way in helping Swansea map the way forward for its regional working activities.’

The Inquiry Panel will reconvene during 2019 in order to follow up on the implementation of recommendations and assess the impact of their work.

Promoting Community Cohesion

(Lead: Councillor Louise Gibbard)

Scrutiny has been myth busting whilst looking at what the Council is doing to support and promote community cohesion.

Having already looked at efforts to tackle hate crime in the area last year a Scrutiny Working Group met in June to focus on this issue, and spoke with representatives from the Councils Poverty and Prevention Team, South Wales Police and the Regional Community Cohesion Coordinator.

The Working Group considered progress and wrote to the Cabinet Member for Better Communities (People), Councillor Mary Sherwood, highlighting a number of issues and suggested areas for improvement. One of these was around myth busting. Councillors found that there is good [myth busting information](#) available but felt that it needed to be shared/used more widely.

Having now received a response from the Cabinet Member this piece of scrutiny is leading to action on:

- Developing a stronger role for Councillors and Local Area Co-ordinators in mainstreaming community cohesion.
- Myth busting information being made available online and shared via social media.
- Better links with and information to Governing Bodies, so they can have a direct impact on community cohesion in Swansea schools.
- Making more use of local media including using corporate communications to get more good news stories and myth busting out into local community.

Tackling Poverty

(Lead: Councillor Sybil Crouch)

Scrutiny heard about the impact it has made in tackling poverty, following an in-depth inquiry carried out in 2017.

The Panel of Councillors which carried out the scrutiny met in October to follow up on the implementation of inquiry recommendations and assess the difference made. The inquiry had focused on ways in which the Council could improve its Tackling Poverty Strategy. Their main conclusion was that, when developing and delivering a strategy it is vital that those people experiencing poverty were not only involved, but involved in a powerful and meaningful way.

The Panel recently heard that the inquiry and its recommendations:

- has supported raising the profile of the tackling poverty agenda as everyone's business, and improved understanding and awareness
- has provided the role of a critical friend, supporting and reaffirming the direction of travel that the development of the revised Tackling Poverty Strategy took
- engaged a number of partners and organisations including The Bevan Foundation, Joseph Rowntree Foundation and Leeds Truth Commission, whose input has proved useful in the development of the revised plan

The Panel Convener, Councillor Sybil Crouch, said about the original inquiry that: 'Tackling Poverty is key to delivering the health and well-being of our citizens and of our city. We heard powerful testimony from people experiencing poverty and I am especially grateful to them for taking time to tell us what they face on a daily basis. I was moved by their testimony and by their courage in the face of complex problems. The Tackling Poverty Strategy lays considerable emphasis on the need to involve people experiencing poverty, without whom there is no delivery'.

Scrutiny – fit for the future?

(Lead: Councillor Mary Jones)

Our scrutiny arrangements have received positive feedback from Wales Audit Office (WAO).

Following an external audit to assess whether scrutiny was fit for the future the review praised a number of aspects of scrutiny practice in Swansea. The WAO report recognised that scrutiny is well-placed to respond to future challenges, regularly challenges decision-makers, and has arrangements to review its own effectiveness. Whilst there is much to be pleased about the report also makes a number of proposals for improvement to develop scrutiny further. This challenges us to think about development needs for scrutiny councillors, the relationship between scrutiny and the Council's Policy Development Committees, and how we can better demonstrate the impact and outcomes of scrutiny.

Councillor Mary Jones, Chair of the Scrutiny Programme Committee said: 'We welcome the auditor's assessment of scrutiny in Swansea. Overall it is a positive report and this is down to the hard work everyone in Swansea has put into developing scrutiny over many years. But it is also a reminder that we must keep on pushing and continue to develop. We will be preparing an action plan to address the proposal for improvement.'

The Wales Audit Office published its findings having conducted a review of scrutiny in all Welsh Councils, looking at the environment scrutiny is operating in, practice, and its effectiveness. As well as desktop research, the WAO held a number of focus groups with Councillors here, interviewed key officers, and observed meetings.

Chair's Roundup:

This is my first quarterly roundup of the work of scrutiny for 2018/19, as Chair of the Scrutiny Programme Committee.

Priorities for 2018/19

The Scrutiny Work Programme was agreed by the Committee in July, following a Work Planning Conference in June. Every year we invite all scrutiny councillors to participate in an informal discussion on priorities for scrutiny, and invite suggestions. The Conference reflected on last year's programme, and heard about council priorities and challenges, and views gathered from surveys, including issues raised by the public. The Work Programme contains a varied selection of topics that show the focus for scrutiny over the coming year. It represents strategic issues balanced with community concerns to ensure that scrutiny is always looking at the right things, and making good use of limited time and resources. A significant feature of the Work Programme is regular in-depth monitoring and challenge of performance in key areas, including Education and Social Services, through a number of Performance Panels. However we also identify topics either for in-depth Inquiry or light-touch Working Groups. The first inquiry will look at Equality issues and a 'call for evidence' has just been issued by the Inquiry Panel. This invites interested people to submit views that will help the Panel to explore how effectively the Council is meeting and embedding requirements under the law. This inquiry will go on until March 2019. The already in progress inquiry on the Natural Environment is coming to a conclusion and will report before the end of 2018. In terms of one-off Working Groups, this will include a look at Air & Noise Pollution, Residents Parking, Welfare Reform, Environmental Enforcement, Tourism, Anti-Social Behaviour, Digital Inclusion and the Archive Service.

Annual Report published

Looking back at 2017/18 the Scrutiny Annual Report was presented to Council (Oct). It highlights the work carried out, shows how scrutiny has made a difference, and supports continuous improvement for the scrutiny function. It gives examples of specific activities to demonstrate impact, and show our contribution to better services, policies and decisions. I think it gives good indication about the 'health' of scrutiny – using facts and opinions – and there is much to be pleased about.

Improving scrutiny

One of the hallmarks of an effective scrutiny function is one that reflects on and learns from experience. Following a process of self-evaluation the Committee has identified five scrutiny improvement objectives. This was informed by annual councillor, staff, and public scrutiny survey findings as well as Committee members' reflection on scrutiny process and practice, taking into account characteristics of effective scrutiny. An action plan to address the WAO proposals and deliver the Committee's own improvement objectives is being developed.

Questioning Cabinet Members

The Committee continues to focus on holding cabinet members to account, through monthly Q & A sessions to discuss their work. As I write we are due to meet with the Cabinet Member for Care, Health & Ageing Well in December. Acting as a 'critical friend' we question and challenge them on their priorities, actions, achievements and impact. We invite the public and all scrutiny councillors to contribute ideas to ensure the Committee asks the right questions. A summary of each session and views of the Committee are published in a letter to relevant Cabinet Members. We have recently put questions to the Cabinet Members for Children Services, Education Improvement, Learning & Skills, Business Transformation & Performance, and Homes & Energy.

Challenging proposed decisions

Pre-decision scrutiny enables us to question Cabinet Members on proposals and present views and any concerns to Cabinet ahead of decisions. Since May scrutiny has looked at reports on: More Homes Parc Yr Helyg Site Options Appraisal (Jun); The Future Structure and Delivery of the Ethnic Minority Achievement Unit (Jul); and the future of Residential Care & Day Services for Older People (Sep). The Committee has also given views on the draft Homelessness Strategy 2018-2022 ahead of formal pre-decision scrutiny that will take place in November.

Calling-in decisions

Scrutiny has the power to call-in Cabinet decisions following the agreement of new arrangements by Council in July. Any valid call-in of cabinet decisions will now lead to the calling of a special meeting of the Scrutiny Programme Committee. A call-in can be made by the Chair or Vice-Chair of the Scrutiny Programme or by any four councillors by giving notice in writing to the Head of Democratic Services within a specific call-in period.

Scrutinizing the City Deal

A new Joint Scrutiny Committee has been established to provide accountability and challenge to the agreed Swansea Bay City Deal. Swansea councillors will work with councillors from Pembrokeshire, Carmarthenshire and Neath Port Talbot Councils, also involved in the City Deal, who together will scrutinise the work and decisions of the Joint Committee responsible for delivering the regional City Deal Programme. Scrutiny of local City Deal projects remain a matter for each authority so our Development & Regeneration Performance Panel will be keeping a close eye on work happening in Swansea.

Making the work of scrutiny transparent and accessible

All scrutiny agenda packs are available on the Council's '[agenda and minutes](#)' webpage. There you can also find all scrutiny letters sent to cabinet members following meetings and responses. Scrutiny meetings are open to the public and anyone living or working in Swansea can [suggest a topic for scrutiny](#). There are also opportunities to suggest questions, and submit views. To keep an eye on what's going on check out the links below, subscribe to our newsletter, or even follow us on Twitter.

Councillor Mary Jones

Connect with Scrutiny:

Gloucester Room, Guildhall, Swansea. SA1 4PE (Tel. 01792 637732)

Web: www.swansea.gov.uk/scrutiny

Twitter: @swanseascrutiny

Email: scrutiny@swansea.gov.uk

Blog: www.swanseascrutiny.co.uk

Agenda Item 14.



Council – 22 November 2018

Councillors' Questions

Part A – Supplementaries

1	<p>Cllrs Myles Langston, Lyndon Jones & Will Thomas</p> <p>Could the Cabinet Member please explain the process and framework (if any) when changing the AONB boundaries.</p> <p>Response of the Cabinet Member for Delivery</p> <p>Any change to an AONB boundary would require a Boundary Variation Order to be submitted by Natural Resources Wales under s82 Part IV Countryside and Rights of Way Act 2000 to the relevant Welsh Government Minister. No boundary Variation Orders have been submitted for the Gower AONB. The original boundary remains unchanged since the Designation Order was confirmed on 10th December 1956.</p>
2	<p>Cllrs Myles Langston, Lyndon Jones & Will Thomas</p> <p>Are AONB boundaries changes purely the decision of CCS.</p> <p>Response of the Cabinet Member for Delivery</p> <p>CCS is not able to amend the boundary of the AONB and has never sought to do so.</p> <p>The original boundaries for the AONB were drawn on paper Ordnance Survey (OS) maps scaled at 1" to 1 mile, and the map published with the original Designation Order in 1956 remains the formal legal boundary. The level of accuracy of this map is therefore far less than expected with modern mapping and there are inherent limitations of transposing a map drawn at 1" to 1 mile to the sophisticated level of detail required for digitised mapping drawn at over 25" to 1 mile. Any perceived minor boundary variations when transposing the original map from paper to digital versions at different scales do not represent a legal change as no boundary variations have ever been made.</p>
3	<p>Cllrs Peter Black, Graham Thomas & Gordon Walker</p> <p>Will the Cabinet Member provide an update on the transition funding associated the winding down of Community First.</p> <p>Response of the Cabinet Member for Better Communities - People</p> <p>Communities First was phased-out across Wales during the 'Transition Year' 2017/18. Communities First funding continued at 70% of 2016/17 levels during this period; £1,991,368 until 31/3/18.</p>

Welsh Government approved Swansea as one of four 'Early Adopters' of the Communities for Work Plus employability support programme, and as such, the Communities First Programme in Swansea transitioned to the Communities for Work Plus programme from January 1st 2018. Communities for Work Plus continues to be funded in 2018/19 from Welsh Government and works alongside other employment support activity as a part of the wider 'Swansea Working' employability support provision.

A Legacy Fund of £537,067 in 2018/19 has been allocated to Swansea to maintain some of the most effective aspects of Communities First.

This is funding the below projects:

1. Third Party Delivery Partners;
 - a. Faith in Families; parent and children projects
 - b. Bonymaen Kids Play Initiative; after school homework club and holiday club.
2. Single Employability Coordination
3. Welfare Benefits support
4. Digital Inclusion support
5. Financial Inclusion support
6. Employment skills support

Indicative allocations of funding have been provided by the Welsh Government to continue the Legacy Funded and Communities for Work Plus activity in 2019/20.

4 Cllrs Mike Day, Cheryl Philpott & Lynda James

Will the Cabinet Member tell Council what is the latest news on the future of Home Farm.

Response of the Cabinet Member for Investment, Regeneration & Tourism

Officers from our Property team continue to consider carefully options for the future use of Home Farm. Key to any future changes will be the requirement to continue delivering top class services, to offer best value to council tax payers and to protect and improve the environment. No significant decision have yet been taken. Members, staff and the public will be kept fully informed.

5 Cllrs Chris Holley, Mike Day & Gareth Sullivan

Will the Cabinet Member tell Council what is the current method of inspection for our road and pavements for repairing them or resurfacing them.

Response of the Cabinet Member for Environment & Infrastructure Management

There are three types of inspection/survey carried out on the highway

Safety Inspections

The method of inspection follows the Code of Best practice. Inspections are carried out on all roads on a frequency defined by hierarchy. Frequency varies

	<p>from monthly to annual. It is a very defined and rigid process with all defects that meet investigatory levels being logged for action dependant on severity. Main carriageway inspections are driven at slow speeds whilst footway inspections are walked.</p> <p>Condition Inspections These inspections focus on structural condition. They are coarse visual inspections that follow an All Wales procedure. The condition is logged and is used to produce the 5 programme and any adhoc programmes of road/footway resurfacing. These inspections are carried out on both an adhoc basis (where condition problems are reported) and on a 3-5 year cycle.</p> <p>Scanner Survey This is a measured inspection of the roads condition carried out by Contractors as part of an All Wales programme organised by the Welsh Government. A roads and B roads are scanned for structural condition issues on a 50% a year basis. C roads are scanned on a 25% a year basis and U roads are 10% per year although a full survey was carried out 2 years ago.</p> <p>Resurfacing The surveys above are used to score roads to give them a priority. Variables also considered include hierarchy, bus use, social factors, accident statistics etc.</p>
6	<p>Cllrs Jeff Jones, Mary Jones & Chris Holley</p> <p>Will the Cabinet Member tell Council if there has been any inspection into the effective use of weed spraying around the city.</p> <p>Response of the Cabinet Member for Environment & Infrastructure Management</p> <p>The use of the current weed spraying programme has been reviewed a number of times recently both from the point of view of effectiveness and from a point of environmental friendliness. The Welsh Local Government association also reviewed the subject and confirmed that weed spraying is the only practicable method for Highway Authorities at present. The contractor is regularly monitored on a sample basis and in additional all complaints/quality issues raised will be investigated and a re-visit will be arranged at the contractor's expense.</p>
7	<p>Cllrs Chris Holley, Mary Jones & Wendy Fitzgerald</p> <p>Will the Cabinet Member tell Council if he thinks there will be of any adverse effects on the running of the Grand Theatre when the Friends of the Theatre finish in December 2018.</p> <p>Response of the Cabinet Member for Investment, Regeneration & Tourism</p> <p>The Friends of the Grand Theatre voted at their last meeting in September to wind up the organisation in its present form. The group played no part in</p>

running of the theatre but did assist the venue in some fundraising activity from time to time.
 The Theatre as part of its transformation plans have put in place a new box office system that can offer and manage a new membership scheme that will have a wider reach and can offer more benefits to residents than the Friends membership did. This scheme will be launched in the new year with an ambitious target of 2000 new members.
 Presently we are offering advice to the former members of the Friends on the option of helping them become a new charitable organisation.
 There is no envisaged impact on the running of the Theatre caused by the Friend's decision.

8 Cllrs Myles Langston, Lyndon Jones & Will Thomas

Could the Cabinet Member please confirm how many times our AONB boundaries have been changed since inception.

Response of the Cabinet Member for Delivery

The Gower AONB boundary has never been changed.

Part B – No Supplementaries

9 Cllrs Peter Black, Chris Holley & Susan Jones

Can the Cabinet Member update Council on recent A' level exam grades achieved at the Council's schools.

Response of the Cabinet Member for Education Improvement & Learning

Swansea Advanced Level (A2) Results 2018 - Analysis of Provisional Data

Table 1 : Grade Distribution for All Sixth Form Schools

Key for colours used to show higher and lower results {

<10%	<50%	<95%
>=25%	>=75%	=100%



Percentages of entries for each subject				
Subject	Entries	A*-A	A*-C	A*-E

Arabic	3	67%	67%	100%	<i>Students can enter more than one art subject</i>
Art & Design	23	26%	78%	100%	
Art & Design (3D)	11	27%	55%	91%	
Art & Design (Fine Art)	1	0%	100%	100%	
Art & Design (Graphics)	17	41%	88%	100%	
Art & Design (Photography)	11	0%	55%	100%	
Biology	125	26%	68%	97%	
Business	31	6%	58%	100%	
Chemistry	91	37%	78%	96%	
Chinese	2	100%	100%	100%	
Classical Civilisation	1	0%	0%	100%	
Computer Science	23	22%	65%	96%	
Design and Technology	15	33%	80%	100%	
Drama	23	4%	91%	100%	
Economics	15	20%	60%	100%	
Electronics	12	0%	50%	100%	
English Language	4	25%	75%	100%	
English Language and Literature	7	14%	100%	100%	
English Literature	66	15%	76%	100%	
Film Studies	1	0%	100%	100%	
French	12	42%	83%	100%	
Further Mathematics	22	55%	95%	100%	
Geography	38	29%	66%	97%	

Government & Politics	12	17%	83%	100%
Health and Social Care	22	23%	91%	100%
History	86	35%	95%	100%
ICT	8	0%	38%	100%
Mathematics	171	41%	78%	97%
Media Studies	25	12%	68%	100%
Music	4	25%	75%	100%
Music Technology	5	0%	0%	100%
Physical Education	22	14%	68%	95%
Physics	66	29%	73%	97%
Polish	6	0%	50%	100%
Psychology	64	8%	81%	98%
Religious Studies	31	23%	77%	97%
Sociology	44	20%	70%	95%
Spanish	1	100%	100%	100%
Travel and Tourism	2	0%	50%	100%
Welsh First Language	13	31%	85%	100%
Welsh Second Language	8	0%	50%	100%
Totals	1144	26%	75%	98%
<i>Totals from 2017</i>		24%	72%	97%

Table 2 :
Overall Results

Please see the notes below

School	Average point score (1)	Level 3 threshold (2)	2 or more A*-A grades (3)	3 or more A*-C grades (4)	Advanced Welsh Bacc (5)
Bishop Gore	635	93	13	47	49
Bishop Vaughan	548	99	4	37	35
Gowerton	739	97	23	67	65
Morrison	676	96	13	43	49
Olchfa	959	98	28	80	90
YG Bryn Tawe	622	97	11	53	54
YG Gwyr	745	99	14	57	78
Swansea Overall	697	97	16	57	60
<i>Wales Overall</i>	<i>739</i>	<i>98</i>	<i>13</i>	<i>58</i>	<i>60</i>

Notes

(1) Average performance points scored by students aged 17.

(2) The percentage of age 17 students entering 2 or more A levels or equivalent who pass 2 or more A levels or equivalent at grades A* to E.

(3) The percentage of students aged 17 who pass at least two A levels with grades A* to A.

(4) The percentage of students aged 17 who pass at least two A levels with grades A* to C.

(5) The percentage of students aged 17 who pass the advanced Welsh Baccalaureate.

Each school sets their own entry requirement for their sixth form

10

Cllrs Peter Black, Chris Holley & Susan Jones

Will the Cabinet Member tell Council what progress is being made in discussions with Gower College Swansea on Post-16 education provision for Swansea young people.

Response of the Cabinet Member for Education Improvement & Learning

	<p>Gower College Swansea and Swansea Council are in regular communication through a number of networks and one to one meetings.</p> <p>A post 16 network has been established to share good practice across the sector and discuss the curriculum that is on offer. Last year the group worked together with the 14-19 officer to discuss a number of relevant areas including;</p> <ul style="list-style-type: none"> · advice, information and guidance, · curriculum and programme of study, · teaching, assessment and learning, and · care, support and guidance. <p>Gower College Swansea is also working with sixth forms and 11-16 schools as part of a working group to develop an alternative to UCAS Progress; an online search and apply facility for learners wishing to study at post 16 in Swansea; this would be a unique service not offered in any other Local Authority.</p> <p>The coordinator for Education Skills (14-19) regularly meets with Gower College colleagues to discuss its work with all schools and the transition processes that are in place. In particular the transition of vulnerable learners from school to college as part of the Cynnydd project.</p>
11	<p>Cllrs Peter Black, Graham Thomas & Mary Jones</p> <p>Will the Leader give Council the attendance statistics for the Council representatives on the Governing Body of Gower College Swansea for each of the last 3 full municipal years, and for the current municipal year to date.</p> <p>Response of the Leader</p> <p>This information is not held by Education or the council. Members may wish to contact Gower College directly who may be able to provide this information.</p>

Agenda Item 15.



Council – 22 November 2018

Notice of Motion from Councillors C A Holley, M H Jones, P M Black, A M Day and J W Jones

Council notes that:

- A. The Treasury have stated that a no-deal Brexit could require the UK to borrow £80 billion more by 2033, the Conservative Government have begun releasing the 84 no-deal technical notes, and the UK health sector are stockpiling medicines in case of a no-deal.
- B. The Chequers plan is unworkable, rejected by both the EU and Conservative European Research Group MPs.
- C. A conclusive agreement has not yet been reached on many of the issues arising from the Brexit referendum, including Government red lines, and both sides have stated that “nothing is agreed until everything is agreed”.
- D. Whilst the principle of a Northern Ireland backstop has been agreed, the UK’s plan to temporarily avoid a hard border on the island of Ireland has not been agreed and there is still no agreement on a long-term solution.
- E. During the transition period, which is due to end in 2020, the UK will remain in the Single Market and Customs Union.
- F. The draft Withdrawal Agreement stipulated that EU citizens will have to apply for pre-settled or settled status and if they fail to do so will be at risk of deportation; Irish citizens do not have to apply but can if they choose to.
- G. EU citizens, who are not Irish or Commonwealth citizens, living in the UK are excluded from voting in UK General Elections or referendums and voting rights have been left outside the scope of Brexit negotiations by the EU Commission; many UK nationals living outside of the UK were excluded from participation in the referendum despite the result substantially affecting their lives.
- H. The status of EU citizens regarding their right to stand and vote in local elections is unclear, despite frequent requests for the government to clarify

the matter and despite the hard work of councillors who are EU citizens and their valued contribution to civic life.

- I. The 2016 EU referendum gave no clear destination for Brexit, as the terms of the deal were not yet known.
- J. The Electoral Commission's finding of overspending and illegal operations made by the Leave Campaign, which may lead to criminal prosecution.

Council believes that:

- i. There is no deal that could be negotiated through the Article 50 process that could be more beneficial than continued membership of the EU, leaving the EU would therefore be damaging to the UK's fundamental national interests.
- ii. Given the assertion that "nothing is agreed until everything is agreed", the risk of a no-deal remains, which would mean the UK crashes out of the EU without any final Withdrawal Agreement in place.
- iii. The recent shifts in global affairs, including the USA withdrawing from the UNHRC, re-emphasise the vital importance of UK membership of the EU and the values upon which the EU was formed.
- iv. The 2016 referendum and subsequent General Election had a severe impact on EU citizens living in the UK and UK citizens living in the EU, leaving them in a place of uncertainty; referendums and elections will also disproportionately impact these citizens for decades to come.
- v. The people of Swansea will be adversely affected by the UK government and the Welsh Government not being able to fund the council to run its services effectively and there will be further cuts in services.

Council condemns the Conservative Government's ideological, disastrous approach to Brexit negotiations and the exclusion of EU citizens' voices from political decisions that have had an unprecedented impact upon their lives.

Council further believes that:

- a. A fight for an "exit from Brexit" referendum should be held once the outcome of the UK-EU negotiations is known, for the public to choose between "the deal" or Britain remaining a full member of the EU and to lobby local MPs and Ministers accordingly.
- b. That Britain should remain a full and active member of the EU.

- c. That all UK citizens living abroad should be able to vote for MPs and participate in UK referendums.
- d. That the Government should Introduce votes at 16 for all elections and referendums across the UK.

Council calls for:

1. The Government to release full impact assessments of all options, prior to any meaningful parliamentary vote, thereby demonstrating that there is no Brexit deal on offer that will deliver the promises of the Leave campaign.
2. The Government to seek to extend Article 50 if required to legislate for a referendum offering a choice of whatever deal is negotiated or of remaining in the EU, or to provide enough negotiating time to avoid a catastrophic no-deal scenario, and if such extension is not agreed to withdraw the Article 50 notification.
3. The right to full participation in civic life, including the ability to stand for office or vote in UK referendums, Local Elections and General Elections, to be extended to all EU citizens not already entitled to vote as Irish or Commonwealth citizens, who have lived in the UK for five years or longer.
4. The UK Government to guarantee unilaterally in law, including in a no-deal scenario, the rights of all EU citizens living in the UK, ring-fencing the Withdrawal Agreements' Chapter on citizens' rights.
5. The UK Government to engage with the European Commission and the member states to grandfather the rights of UK citizens, their families and their dependents living and/or in the remaining member states of the European Union, including access to health care and disability support, as well as to uprating of pensions.