



City and County of Swansea

## Minutes of the Council

Council Chamber, Guildhall, Swansea

Thursday, 22 November 2018 at 5.00 pm

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

<b>Councillor(s)</b>	<b>Councillor(s)</b>	<b>Councillor(s)</b>
C Anderson	B Hopkins	S Pritchard
P M Black	O G James	A Pugh
J E Burtonshaw	L James	J A Raynor
S E Crouch	Y V Jardine	C Richards
J P Curtice	M H Jones	K M Roberts
N J Davies	P K Jones	B J Rowlands
P Downing	S M Jones	M Sherwood
C R Doyle	L R Jones	P B Smith
M Durke	J W Jones	R V Smith
V M Evans	E J King	A H Stevens
W Evans	E T Kirchner	R C Stewart
E W Fitzgerald	M A Langstone	D G Sullivan
R Francis-Davies	M B Lewis	G J Tanner
S J Gallagher	W G Lewis	L G Thomas
L S Gibbard	A S Lewis	W G Thomas
F M Gordon	C E Lloyd	M Thomas
K M Griffiths	P Lloyd	L J Tyler-Lloyd
J A Hale	I E Mann	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	
P R Hood-Williams	C L Philpott	

### Apologies for Absence

Councillor(s): M C Child, A M Day, C R Evans, D H Hopkins, R D Lewis, D Phillips and M Sykes

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## 86. 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:

- 1) Councillors C Anderson, P M Black, J E Burtonshaw, S E Crouch, J P Curtice, N J Davies, P Downing, C R Doyle, M Durke, V M Evans, W Evans, E W Fitzgerald, R Francis-Davies, S J Gallagher, L S Gibbard, F M Gordon, K M Griffiths, J A Hale, D W Helliwell, T J Hennegan, C A Holley, P R Hood-Williams, B Hopkins, O G James, L James, Y V Jardine, J W Jones, L R Jones, M H Jones, P K Jones, S M Jones, E J King, E T Kirchner, M A Langstone, A S Lewis, M B Lewis, W G Lewis, C E Lloyd, P Lloyd, I E Mann, P M Matthews, P N May, H M Morris, C L Philpott, S Pritchard, A Pugh, C Richards, J A Raynor, K M Roberts, B J Rowlands, M Sherwood, P M Smith, R V Smith, A H Stevens, R C Stewart, D G Sullivan, G J Tanner, D W W Thomas, L G Thomas, M Thomas, W G Thomas, L J Tyler-Lloyd, G D Walker, L V Walton & T M White declared a Personal Interest in Minute 94 "Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2019-2020 – Consultation".

#### **87. Minutes.**

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

- 1) Ordinary Meeting of Council held on 25 October 2018.

#### **88. 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.

#### **89. Announcements of the Presiding Member.**

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

The Presiding Member stated that he was delighted to announce that Stephanie Williams and Stephen Holland of the Authority's Legal Education Team had recently won 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.

The judges were hugely impressed by the value placed on the Team's bespoke service by Head Teachers across Swansea, who described it as "a vital extension of the school community" and praise the "sheer professionalism" and courteous approach of the specialist lawyers involved".

Stephanie Williams and Stephen Holland from Legal Services were present to receive the award.

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

The Presiding Member stated that he was delighted to announce that the Facilities Team within Corporate Property along with Ministry of Furniture were highly commended 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.

**3) APSE (Association for Public Service Excellence) Annual Service Awards**

The Presiding Member stated that the APSE (Association for Public Service Excellence) Annual Service Awards which took place in September recognise and celebrate the delivery of outstanding local government frontline services. They received over 370 submissions this year from Local Authorities across the whole of the UK, with Swansea Council being shortlisted in five categories. The Awards were held in Edinburgh and I am delighted to announce that Building Services were announced as the winners of the Best Workforce Initiative Award.

Swansea Council's Building Services department were recognised for this prestigious award due to its staff training and development programme and for its apprenticeship program which has taken on almost 200 apprentices since it was initiated in 2003. The department recognised and replicated this best practice approach across its entire service provision which will ensure future capacity and "fit for purpose" skills for the team.

Emma Lewis and Malcolm Jones from Building Services were present to receive the award.

**4) Apprenticeship Scheme & Apprentice of the Year**

The Presiding Member stated that the Authority's Apprenticeship Scheme had been running since 2003 with an intake of almost 200 apprentices during that period. The Apprenticeship Scheme allows the Authority to develop a new generation of carpenters, plumbers, electricians, plasterers and multi-trade personnel.

The overall Apprentice of the Year was Luke Evans who had just completed his 4<sup>th</sup> year.

The other winners being:

**1<sup>st</sup> Year Apprentice Award**

Mechanical & Electrical Apprentice of the Year goes to Lewis Morgan;  
Craft Apprentice of the Year goes to Joshua Collins.

**2<sup>nd</sup> Year Apprentice Award**

Mechanical & Electrical Apprentice of the Year goes to Connor Phillips;  
Craft Apprentice of the Year goes to Joshua Phelps.

**3<sup>rd</sup> Year Apprentice Award**

Mechanical & Electrical Apprentice of the Year goes to Llewellyn Richards;  
Craft Apprentice of the Year goes to Rory Grey.

**5) Armed Forces - Gold Award from the Defence Employer Recognition Scheme**

The Presiding Member stated that he was delighted that the Authority's efforts to support the Armed Forces have been recognised with a Gold Award from the Defence Employer Recognition Scheme. We're the only council in Wales to have received this award which is organised by the Ministry of Defence. Spencer Martin and Stephen Jenkins went to London recently to receive the award.

Spencer Martin and Stephen Jenkins were present to receive the award.

**6) Diamond Project Wins a Diana Award**

The Presiding Member stated that the Diamond Project is a scheme that helps Swansea's Looked After Children find out more about life in university to inspire them, raise aspirations, increase confidence and self-esteem, and empower their voice has recently won a Diana Award.

The Diamond Project started out as a one-day taster session for older children but has grown thanks to their enthusiasm and support from Swansea Council's Looked After Children's Education Team and the South West Wales Reaching Wider Partnership. The young people now attend regular meetings and days out at Swansea University and are planning on extending it further so they can mentor younger children like themselves to seize opportunities they might have thought would never be within their grasp.

The Diana Award was established in 1999 by the British Government who wanted to continue Princess Diana's legacy by establishing a formal way to recognise young people who were going above and beyond the expected in their local communities.

The young people involved in the Diamond Project will now be invited to attend a ceremony in Cardiff to receive their award. This is the second time they have been recognised for their work recently after winning an award at Swansea Council's own High Five Awards last month. He congratulated all involved.

**7) National Fleet Awards**

The Presiding Member stated that he was delighted to announce that the Authority has been selected as finalists for two National Fleet Awards. The first is the Green Fleet Awards to be held in Leeds on 22 November 2018, where the Authority are finalists in the Public Sector Fleet of the Year (Medium to Large) category. The second is the What Van Awards to be held in London on 13 December 2018, where the Authority are finalists in the Green Fleet of the Year category

These nominations are based on the introduction of 40 fully electric vans, the general approach that the Authority has adopted to reduce the environmental impact of our fleet and the proposed adoption of a Green Fleet Policy.

**8) White Ribbon Campaign**

The Presiding Member stated that the White Ribbon Campaign was a global movement working to end violence against women and girls. He stated that the Authority would be marking White Ribbon Day by hosting a number of events in the Civic Centre, Swansea on 26 November 2018.

**9) Amendments / Corrections to the Council Summons**

**i) Agenda Item 15 "Notice of Motion"**

The Presiding Member stated that Councillor C A Holley had asked that the Notice of Motion printed on Pages 60-62 of the Council Summons be withdrawn.

**ii) Urgent Notice of Motion**

The Presiding Member stated that pursuant to paragraph 100B (4)(b) of the Local Government Act 1972, he considered the circulated Notice of Motion as an urgent matter.

**90. Announcements of the Leader of the Council.**

**1) Christmas Parade**

The Leader of the Council apologised for the Christmas Parade held on 18 November 2018 stated that it fell far short of expectations. He stated that action had been taken swiftly and that the contract with the external company had been terminated.

He stated that the Authority had organised the successful Christmas Parade in 2017 and committed to bringing it fully back in-house next year using the Authority's in-house team that delivered the Wales Airshow and partnered with the BBC to deliver the blockbuster BBC Music Biggest Weekend.

## **2) Welsh Government Settlement**

The Leader of the Council stated that the Authority had received some better news on the budget for a change. Whilst, the Authority has only had headline all-Wales figures so far, it looks like at least £1.5m extra will be coming in during 2018-2019.

This money will help the Authority meet some of the shortfall in funding for teachers pay (which will help relieve schools pressures) and winter social care pressures.

## **3) Changes to Cabinet Portfolios**

The Leader of the Council stated that he'd made the following amendments to Cabinet Portfolio's:

- i) The responsibility for Petitions sits within the Deputy Leader of the Council Cabinet Portfolio.
- ii) Communities First has been removed from the Children Services Cabinet Portfolio and added to the Better Communities Cabinet Portfolio.

## **91. Public Questions.**

One question was asked by a member of the public relating to the following agenda items:

- 1) Urgent Notice of Motion – Brexit.

The relevant Cabinet Member responded accordingly.

No questions requiring a written response.

## **92. Public Presentation - None.**

No Public Presentations were received.

## **93. Council Tax Base Calculation 2019/2020.**

The Business Transformation and Performance Cabinet Member submitted a report detailing the calculation of the Council Tax Base for the City and County of Swansea, its Community / Town Councils and the Swansea Bay Port Health Authority for 2019-2020. The Council is required to determine the Council Tax Bases for 2019-2020 by 31 December 2018.

**Resolved that:**

- 1) The calculation of the Council Tax Bases for 2019-2020 be approved;
- 2) 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 2019-2020 shall be:

**For the whole area** 90,069

**For the area of Community / Town Councils:**

Bishopston	1,943
Clydach	2,622
Gorseinon	3,263
Gowerton	1,951
Grovesend	416
Ilston	318
Killay	2,146
Llangennith, Llanmadoc and 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
Pontarddulais	2,305
Pontlliw and 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

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

The Head of Democratic Services submitted a report informing Council of the Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2019 and outlined the determinations proposed by the IRPW. The report also contained the recommended draft response of the Democratic Services Committee of 6 November 2018 to the consultation.

**Resolved that:**

- 1) The comments and observations as set out in Appendix A of the report be adopted as the Authority's formal response to the IRPW.

**95. Review of Councillors Handbook.**

The Head of Democratic Services submitted a report seeking approval of the recommendations of the Democratic Services Committee of 6 November 2018 following its review of Section A "Councillor and Co-opted Member Remuneration (Salaries, Allowances & Expenses)" of the Councillors Handbook.

**Resolved 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.

**96. Amendments to the Council Constitution.**

The Presiding Member, Monitoring Officer and Head of Democratic Services jointly submitted a report seeking to amend in order to simplify, improve and / or add to the Council Constitution in relation to the following areas:

- 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".

**Resolved that:**

- 1) Paragraph 7 a) of the Terms of Reference of the Corporate Parenting Board as set out in Part 3 "Responsibility for Functions" of the Council Constitution be amended to read:

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

- 2) The following Paragraph be added to the Terms of Reference of the Pension Fund Committee as set out in Part 3 "Responsibility for Functions" of the Council Constitution:

*"12. To approve the Authority's Pension Statement of Accounts".*

- 3) Council Procedure Rule 10 relating to "Extraordinary Meeting of Council" as set out in Part 4 "Rules of Procedure" of the Council Constitution be amended to include the following items of business:



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- a) *Announcements / Communications from the Presiding Member;*
- b) *Announcements / Communications from the Leader of the Council;*
- c) *Public Questions.*

- 4) Paragraph 26.5 of Council Procedure Rule 26 relating to “Public Presentations and Question Time” as set out in Part 4 “Rules of Procedure” of the Council Constitution 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.”*

- 5) The title of Council Procedure Rule 26 be amended to read:

*“26. Presentations & Public Question Time”.*

- 6) Cabinet Procedure Rule 14 relating to “Order of Business” as set out in Part 4 “Rules of Procedure” of the Council Constitution be amended and re-numbered to include the following:

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

- 7) Paragraph 18.3.1 of Cabinet Procedure Rule 18.3 relating to “Validity of Call In” as set out in Part 4 “Rules of Procedure” of the Council Constitution be amended to read:

*“18.3.1 It is not made by 23.59 on the 3<sup>rd</sup> clear working day of the publication of the decision;”*

- 8) Contract Procedure Rule 20 relating to “Dispensations, Single Tender Procedures and Waivers” as set out in Part 4 “Rules of Procedure” of the Council Constitution be amended so that the duty to consider approving or waiving all Dispensations, Single Tender Procedures and Waivers and that a register be kept be transferred to the Head of Commercial Services.

- 9) The Councillors’ Allowance Scheme as set out in Part 6 “Councillors’ Allowances Scheme” be deleted in its entirety and replaced with:

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

**97. Scrutiny Dispatches – Quarterly Impact Report.**

The Chair of the Scrutiny Programme Committee submitted an information report setting out the Scrutiny Dispatches - Quarterly Impact Report.

**98. Councillors' Questions.**

- 1) Part A ‘Supplementary Questions’**

Eight (8) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

Those supplementary question(s) required a written response are shown below:

**Question 6.** Councillor C L Philpott asked:

*"Can the Cabinet Member provide a briefing note to all Councillors outlining the rules in place in relation to the Authority's weed spraying scheme?"*

The Environment & Infrastructure Management Cabinet Member stated that a written response would be provided.

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

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

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

This item was withdrawn.

### **100. Urgent Item**

The Presiding Member stated that pursuant to paragraph 100B (4)(b) of the Local Government Act 1972, he considered that the "Notice of Motion from : Councillors R C Stewart, C A Holley, P M Black, J E Burtonshaw, M C Child, A M Day, W Evans, R Francis-Davies, D H Hopkins, J W Jones, M H Jones, E J King, A S Lewis, C E Lloyd, J A Raynor, M Sherwood and M Thomas in relation to Brexit should be considered at the meeting as a matter of urgency.

### **101. Urgent - Notice of Motion from Councillors R C Stewart, C A Holley, P M Black, J E Burtonshaw, M C Child, A M Day, W Evans, R Francis-Davies, D H Hopkins, J W Jones, M H Jones, E J King, A S Lewis, C E Lloyd, J A Raynor, M Sherwood and M Thomas**

**Reason for Urgency:** It is widely reported in the press that the Prime Minister is hoping to achieve a Brexit deal on 25 November 2018, when she attends an emergency EU summit in Brussels for that express purpose. It is widely understood that the vote could take place as early as 7 December 2018. Therefore there is a clear need to treat this Notice of Motion as urgent.

Proposed by Councillor R C Stewart and Seconded by Councillor C A Holley.

*"It has become clear that over the last two weeks the deal to exit the EU in March 2019 is a deal that pleases neither remainers nor Brexiteers, and has little chance of being agreed in Parliament.*

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*To give the UK Government a clear view of how we think they should resolve this situation, this Council calls on the Government to either call a General Election and / or provide the people including 16 and 17 year olds an opportunity to vote on the deal via a People's Vote. This vote should include an option to remain in the EU or exit with no deal.*

*Given that the Brexit referendum was dogged by huge amounts of misinformation, this Council calls on all Government agencies to ensure that any relevant information is made easily available to the public.*

*We resolve to call upon the Leader of Council to write to the Prime Minister setting out the views stated in this motion."*

**Resolved** that the Notice of Motion outlined above as amended by adopted.

The meeting ended at 6.12 pm

**Chair**