



City and County of Swansea

Notice of Meeting

You are invited to attend a Meeting of the

Scrutiny Performance Panel – Development & Regeneration

At: Committee Room 5 - Guildhall, Swansea

On: Tuesday, 19 March 2019

Time: 10.00 am

Convenor: Councillor Jeff Jones

Membership:

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

Co-opted Members:

Other Attendees: R C Stewart

	Agenda	Page No.
1	Apologies for Absence.	
2	Disclosure of Personal and Prejudicial Interests. www.swansea.gov.uk/disclosuresofinterests	
3	Notes To approve & sign the Notes of the previous meeting(s) as a correct record.	1 - 10
4	Project Update Report <ul style="list-style-type: none">• Phil Homes – Head of Planning and City Regeneration• Huw Mowbray - Development and Physical Regeneration Strategic Manager	
5	Exclusion of the Public	11 - 15

6 Swansea Central Phase 1 - Presentation

- A presentation on the progress and detail of Swansea Central Phase 1.

There will also be opportunity for a question and answer session.

7 Work Plan 2018/2019

16 - 18

Next Meeting: Wednesday, 10 April 2019 at 10.00 am



Huw Evans
Head of Democratic Services
Friday, 8 March 2019
Contact: Scrutiny 636292

Councillor Jeff Jones
Convenor
Development & Regeneration Performance
Panel

BY EMAIL

Please ask for: Councillor Rob Stewart
Direct Line: 01792 63 6141
E-Mail: clr.rob.stewart@swansea.gov.uk
Our Ref: RS/CM
Your Ref:
Date: 3rd December 2018

Dear Councillor Jones

Thank you for your letter dated 13th November 2018 and I would respond as follows.

QUESTION 1

The Panel are concerned that there seems to be a substantial delay in signing off the business case. It was expected earlier in the year and it still has not been received. Can you comment on this please?

RESPONSE

Our five case business model was submitted in December 2017. We have received three rounds of comments from Welsh and UK Governments - February, May and the latest comments on 5th November. We have promptly responded to all queries and are busily compiling our response to the latest set of queries. We are hopeful that this will conclude matters and will allow the final sign off of the project.

QUESTION 2

The Panel have concerns regarding how funding will be impacted for the overall regeneration projects with no City Deal money currently released. As the accompanying work to support the large scale projects is being funded by us, there are risks associated if the funding (for any reason) is not released or not release quickly enough. Can you comment on this?

RESPONSE

A public sector overall subsidy for the scheme is expected. The very nature of a City Deal and a co-investment in wider spillover benefits by the UK and Welsh Governments, and local authorities to pump prime future direct and indirect private sector investment in the City is because of existing market failure: without it there would be insufficient a case to proceed. The wider public sector, as well as Council, must take a lead to stimulate regeneration. That decision in principle has already been taken, with unanimous Council approval of the City Deal.

In the interim spending commitments are having to be made before any revenue certainty, before any capital financing revenue, overall affordability certainty and before any City Deal grant certainty.

The sums proposed on an interim basis are very substantial and thus financial risk increases at each stage of approval.

In extremis, if for any reason schemes could not progress and all spend to date, plus now sought, was deemed ultimately abortive capital costs to be written off to revenue, it would exceed the totality of General Fund Reserves and clearly breach the Council's fiduciary duty. That is one of several reasons why the capital equalisation reserve was established by Council on top – predominantly to smooth future costs of the whole scheme when it fully progresses – but also to provide "insurance" in the worst case scenario. It is intended that the capital equalisation reserve is actually used to offset some of the future costs as shown in the capital financing table above, even further.

The interim source of funding is almost exclusively unsupported capital borrowing at present with the promise of some future offset from City Deal Grant, capital receipts and some limited future net revenue income streams.

Any capital spending within the envisaged affordability envelope in the medium term is predicated on creating the necessary headroom to increase overall capital financing costs by 50% and making all current and planned future revenue savings to achieve that headroom. Deviation from that plan will limit the ability to finance the future capital ambition. There is already substantial current adverse deviation from the revenue planning assumptions in the current year of over £8m per annum, most of which will roll forward as a future pressure into 2019-20.

The current planning assumption is that in agreeing these step phases all necessary action will be taken at officer and member and Cabinet level to assure and ensure no material deviation from revenue savings plans in the current and all future years to enable capital to proceed in stepwise fashion requested.

Future FPR 7 reports on the scheme will set out fully the sources of likely funding the interim position pending flows of city Funding money and the consequent risks and costs falling to both revenue and capital

Yours sincerely

COUNCILLOR ROB STEWART
LEADER & CABINET MEMBER FOR ECONOMY & STRATEGY



City and County of Swansea

Minutes of the **Scrutiny Performance Panel – Development & Regeneration**

Committee Room 5 - Guildhall, Swansea

Wednesday, 9 January 2019 at 10.00 am

Present: Councillor J W Jones (Chair) Presided

Councillor(s)
E W Fitzgerald
C A Holley
S M Jones

Councillor(s)
S J Gallagher
M H Jones
T M White

Councillor(s)
T J Hennegan
P K Jones

Officer(s)

Tom Evans
Phil Holmes
Paul Meller
Ryan Thomas
Huw Mowbray

Principal Planning Officer (Policy)
Head of Economic Regeneration and Planning
Strategic Planning and Natural Environment Manager
Planning Control Manager
Development and Physical Regeneration Strategic
Manager

Apologies for Absence

Councillor(s): D W Helliwell, P R Hood-Williams and D H Hopkins

Co-opted Member(s):

Other Attendees: D H Hopkins

1 Disclosure of Personal and Prejudicial Interests.

- None

2 Minutes.

- Approved

3 Project Update Report

Phase 1

- Cabinet approved some early works
- Looking to get some local subcontractors involved
- Timescales and resources flagged red – some team vacancies
- Hotel and Arena moved due to some right to light issues
- Discussed warranties

Kingsway

- Work has restarted – North side due to be done next
- Positive public feedback
- Discussed parking strategy
- Architects producing designs on the Kingsway Digital Village
- Public protection elements in place

City Deal

- Governance review in January

Strategic Sites

- Swansea Central Phase 2 – looking at the future of City Centres
- Looking at the mix of leisure and quality retail

Tawe River Corridor

- Resolved flood mitigation issues with NRW
- Skyline discussions continuing
- NRW and Skyline was to see the ecology improved on Kilvey Hill
- Awaiting start date for Penderyn

4 Planning and Student Accommodation

- Policy drafted with significant public consultation
- Student accommodation in Swansea grown in recent years with two Universities making a positive contribution to the economy
- Growth in the number of planning applications made
- Uplands and Castle have the highest level of demand with St Thomas following
- Encourage appropriate accommodation with sustainable resources
- Discussion around car parking and students
- Student accommodation fees on campus can be expensive and only for first years
- The Supplementary Planning Guidance will be contained in the Local Development Plan which has statutory weight
- Some plans for development above shops for non-student accommodation on Kingsway – supporting some developers with this
- Residential plans will feature as part of Phase 2
- Purpose built student accommodation likely to be more expensive
- Some discussion around the data informing development – e.g. expected student numbers, demand vs supply etc
- Number of student developments in Swansea is not high

5 Work Plan 2018/2019

- Discussed

The meeting ended at 11.45 am

Chair

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

*Please ask for:
Gofynnwch am:*

*Direct Line:
Llinell Uniongyrochol:*

*e-Mail
e-Bost:*

*Date
Dyddiad:*

Overview & Scrutiny

01792 636292

scrutiny@swansea.gov.uk

6th February 2019

BY EMAIL

Summary: This is a letter from the Development and Regeneration Scrutiny Performance Panel to the Cabinet Member for Economy and Strategy following the meeting of the Panel on 9th January 2019 with the Head of Planning and City Regeneration and various officers from the service. The meeting concerned the Dashboard Update and Planning and Student Accommodation.

Dear Councillor Stewart,

We are grateful to officers for attending the meeting on 9th January 2019. The Panel had in depth updates and asked questions which the officers responded to. Unfortunately the Cabinet Member for Delivery was unable to attend on the day.

We had the usual monitoring update in relation to the Dashboard Report and also received an overview of Planning and City Regeneration.

We are pleased by the progress and updates on these projects overall but do have some observations we would like to share with you.

Dashboard Update Report

Regarding Phase 1 of the City Centre, we heard how Cabinet had approved some early works and the intention is to have some local contractors involved in the City Centre development projects. We were told that the Arena and Hotel will be moved slightly to accommodate some issues around residents 'right to light' and these issues have now been resolved.

OVERVIEW & SCRUTINY / TROSOLWG A CHRAFFU

SWANSEA COUNCIL / CYNGOR ABERTAW

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We heard how work has restarted on the Kingsway with the North side of the road due for development next. It was explained that architects are working on the design of the new Digital Village and so far, there has been positive public feedback on the work which has already been completed. It is encouraging that public protection issues are in place as the Panel feel this is an important aspect of the developments.

The Swansea Central Phase 2 plans, which looks at the future of the City Centre with the mix of leisure and quality retail is starting to be considered. We will look forward to hearing how Phase 2 develops and what ideas are generated.

We did hear how Timescales and Resources are currently flagged as 'red' and this is down to some team vacancies within the service. We are keen to know if this has been resolved yet.

Relating to the Tawe River Corridor, it is reassuring that flood mitigation issues with Natural Resources Wales have been resolved, the Penderyn start date is imminent and that discussions with Skyline are ongoing.

The Panel were disappointed that the City Deal Business Case had still not been signed off but were informed that the Business Case would be signed off shortly. The Panel looks forward for confirmation of this.

Planning and Student Accommodation

We heard how the policy in relation to planning and student accommodation was drafted with significant public consultation. The student accommodation in Swansea has grown in recent years with both universities making a positive contribution to the economy.

We did have some queries in relation to the data which informed the demand for student accommodation but were told that the number of student developments in Swansea is actually fairly low.

We heard how Uplands and Castle wards have the highest level of demand in planning applications for student housing with St Thomas following. We are aware that on campus accommodation is usually quite expensive and only allowed for first year students so an increase in demand outside of campus housing is inevitable.

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It was explained that although there has been a growth in the number of planning applications made, any accommodation which is developed is encouraged to be appropriate and have sustainable resources - this is very positive.

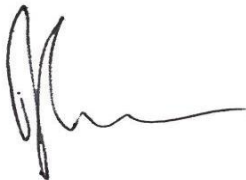
We had some discussion around students and the issue of car parking as certain areas are very congested during term time in particular. However it was explained that there is no way to restrict students bringing their cars when they come to University and that most purpose built student accommodation does not provide for car parking.

We also heard that there are plans on the Kingsway to have development above shops for non-student accommodation and we are supporting developers with this as part of Phase 2.

We would welcome your thoughts on any issue within this letter, but would request a written response to the following issue by 27th February 2019.

1. Timescales and Resources are currently flagged as 'red' is this down purely to some team vacancies within the service? What plans are in place to deal with this?

Yours sincerely,



Councillor Jeff Jones
Convener, Development and Regeneration Performance Panel
✉ cllr.jeff.jones@swansea.gov.uk

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City and County of Swansea

Minutes of the **Scrutiny Performance Panel – Development & Regeneration**

Council Chamber - Guildhall, Swansea

Monday, 11 February 2019 at 10.00 am

Present: Councillor J W Jones (Chair) Presided

Councillor(s)

P M Black
D W Helliwell
M H Jones
T M White

Councillor(s)

E W Fitzgerald
C A Holley
P K Jones

Councillor(s)

S J Gallagher
P R Hood-Williams
S M Jones

Officer(s)

Phil Holmes
Bethan Hopkins

Head of Economic Regeneration and Planning
Scrutiny Officer

Apologies for Absence

Councillor(s):

Co-opted Member(s):

Other Attendees:

1 Disclosure of Personal and Prejudicial Interests.

- Cllr Paxton Hood-Williams - Chairman – Swansea Local Access Forum (question in relation to Rights of Way budget)

2 Public Questions

- None

3 Development and Regeneration Draft Budget Proposals

- Discussed relevant budget items, assistance from Phil Holmes Head of Services for Planning and City Regeneration

4 Summarising Views and Making Recommendations

- The views of the Development and Regeneration Panel will be fed back to the Service Improvement and Finance Panel as follows;

1. Risk associated with the governance review – aborted costs of spend so far if the governance review unfavourable.
2. Risk in relation to the Business Case sign off – aborted costs of spend so far if the business case is not signed off.
3. There needs to be enough business support to deliver projects – clarification on how 'top slicing' works.

The meeting ended at 10.55 am

Chair

Agenda Item 5



Report of the Chief Legal Officer Development and Regeneration Performance Panel – 19th March 2019

Exclusion of the Public

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

1. Introduction

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

2. Exclusion of the Public / Public Interest Test

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

3. Financial Implications

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

4. Legal Implications

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

Background Papers: None.

Appendices: Appendix A – Public Interest Test.

Public Interest Test

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

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

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

Development and Regeneration Scrutiny Performance Panel Work Plan 2018/19

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

	<p>Planning and Student Accommodation</p> <ul style="list-style-type: none"> • Paul Meller - Strategic Planning and Natural Environment Manager • Ryan Thomas - Development Conservation and Design Manager
<p><u>Special</u></p> <p>Budget Meeting 11th February 2019 Guildhall Council Chamber</p>	<p>Budget Meeting</p> <ul style="list-style-type: none"> • Panel to discuss their thoughts on the 2018/19 budget relating to Development and Regeneration matters.
<p><u>Meeting 5</u></p> <p>19th March 2019 Committee Room 5</p>	<p>Dashboard Project Update</p> <ul style="list-style-type: none"> • Phil Holmes – Head of Planning and City Regeneration • Huw Mowbray - Development and Physical Regeneration Strategic Manager <p>The Arena (Phase 1)</p> <ul style="list-style-type: none"> • Cllr Rob Stewart – Cabinet Member for Economy and Strategy • Phil Holmes – Head of Planning and City Regeneration • Huw Mowbray - Development and Physical Regeneration Strategic Manager
<p><u>Meeting 6</u></p> <p>10th April 2019 Committee Room 5</p>	<p>Dashboard Project Update</p> <ul style="list-style-type: none"> • Phil Holmes – Head of Planning and City Regeneration • Huw Mowbray - Development and Physical Regeneration Strategic Manager <p>Skyline</p> <ul style="list-style-type: none"> • Cllr Robert Francis – Davies Cabinet Member for Investment, Regeneration and Tourism • Phil Holmes – Head of Planning and City Regeneration • Huw Mowbray - Development and Physical Regeneration Strategic Manager

	<p>Local Government Services to Rural Communities – WAO Report</p> <p>TBC</p>
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