

Cyd-Bwyllgor Dinas-Ranbarth Bae Abertawe

Lleoliad: Ystafell Dderbyn yr Arglwydd Faer - Neuadd y Ddinas, Abertawe

Dyddiad: Dydd Mawrth, 29 Hydref 2019

Amser: 2.00 pm

Cadeirydd: Cyngorwyr Rob Stewart (Cyngor Abertawe)

Aelodaeth:

Cyngorwyr:

Emlyn Dole	Cyngor Sir Gar
Rob Jones	Cyngor Castell-nedd Port Talbot
David Simpson	Cyngor Sir Benfro

Cynrychiolwyr Cyfetholedig Heb bleidlais:

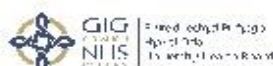
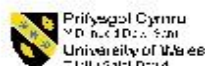
Maria Battle	Bwrdd Iechyd Prifysgol Hywel Dda
Yr Athro Medwin Hughes	Prifysgol Cymru y Drindod Dewi Sant
Edward Tomp	Cadeirydd y Bwrdd Strategaeth Economaidd
Steve Wilks	Prif Ysgol Abertawe
Emma Woollett	Bwrdd Lechyd Prifysgol Bae Abertawe

Agenda

Rhif y Dudalen

- 1 Ymddiheuriadau am absenoldeb.**
- 2 Datgeliadau o fuddiannau personol a rhagfarnol.**
www.abertawe.gov.uk/DatgeluCysylltiadau
- 3 Cofnodion.**
Cymeradwyo a llofnodi, fel cofnod cywir, gofnodion y cyfarfod blaenorol.
- 4 Cyhoeddiad/Cyhoeddiadau'r Cadeirydd.**
- 5 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.

1 - 3



6	Diweddariad am Brosiectau Bargaen Ddinesig Bae Abertawe. (ar lafar)	
7	Cofnod o Faterion y Prosiect a Chofrestr Risgiau'r Rhaglen.	4 - 10
8	Adroddiad Monitro Ariannol 2019/20 - Sefyllfa Alldro Bargaen Ddinesig Bae Abertawe.	11 - 15
9	Cynnig Ariannu Adnodd Ychwanegol.	16 - 18
10	Sefydlu Is-Bwyllgor Trafnidiaeth.	19 - 21
11	Crynodeb o Lif Arian a Phroffil Grantiau.	22 - 28
12	Llythyr gan Cydbwyllgor Craffu Ardal Dinas-ranbarth Bae Abertawe.	29 - 33
13	Cydbwyllgor Dinas-ranbarth Bae Abertawe - Dyddiadau yn y Dyfodol 2020-2021.	34 - 36
14	Gwahardd y cyhoedd.	37 - 40
15	Achos Busnes Prosiect Morol Doc Penfro.	41 - 48
16	Creu rhestr fer ar gyfer Cyfarwyddwr Rhaglen.	49 - 58

Cyfarfod nesaf: Dydd Mawrth, 26 Tachwedd 2019 ar 2.00 pm

Huw Evans

Huw Evans
Pennaeth Gwasanaethau Democrataidd
Dydd Mercher, 23 Hydref 2019

Cyswllt: Gwasanaethau Democrataidd (01792) 636923

Agenda Item 3



City and County of Swansea

Minutes of the Swansea Bay City Region Joint Committee

Lord Mayors Reception Room -
Guildhall, Swansea

Tuesday, 10 September 2019 at 1.30 pm

Present: Councillor Rob Stewart (Swansea Council) Presided

Councillors:

Emlyn Dole	Carmarthenshire Council
Rob Jones	Neath Port Talbot Council
David Simpson	Pembrokeshire Council

Co-opted Non-Voting Representatives:

Edward Tomp	University of Wales Trinity Saint David
	Chair of Economic Strategy Board
	Swansea University

Officers:

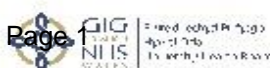
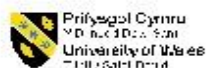
Richard Arnold	Swansea City Region Finance Manager (Swansea Bay City Region)
Huw Evans	Head of Democratic Services (Swansea Council)
Nicola Lewis	Acting Deputy Chief Finance Officer (Pembrokeshire Council)
Tracey Meredith	Joint Committee Monitoring Officer (Swansea Council)
Chris Moore	Joint Committee S151 Officer (Carmarthenshire County Council)
Helen Morgan	Economic Development Manager (Carmarthenshire Council)
Rhian Phillips	Regional Office (Carmarthenshire Council)
Steve Phillips	Chief Executive (Neath Port Talbot Council)
Phil Roberts	Chief Executive (Swansea Council)
Wendy Walters	Chief Executive (Carmarthenshire Council)

Apologies for Absence:

Councillor(s)

Maria Battle (Hywel Dda University Health Board), Medwin Hughes (University of Wales Trinity Saint David), Steve Wilks (Swansea University) and Emma Woollett (Swansea Bay University Health Board)

Jon Haswell (S151 Officer (Pembrokeshire County Council)) and Ian Westley (Chief Executive (Pembrokeshire Council))



13 Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

14 Minutes.

Resolved that the Minutes of the Swansea Bay City Region Joint Committee meeting held on 30 July 2019 be signed and approved as a correct record.

15 Announcement(s) of the Chair.

1) Programme Director Update

The Chair stated that interest in the Programme Director post was positive and that the Monitoring Officer and Regional Office would be meeting on 16 September 2019 in order to discuss the recruitment process.

2) Next Meeting – 2.00pm on 24 September 2019

The Chair stated that the next meeting of the Swansea Bay City Region was scheduled for 2.00pm on 24 September 2019. All reports needed to be submitted to the Regional Office and Head of Democratic Services by 16 September 2019. It was hoped that the “Terms and Conditions” report would be considered at that meeting.

16 Public Questions

There were no public questions.

17 Statement of Accounts - Annual Return 2018/19.

The Swansea Bay City Region (SBCR) Section 151 Officer presented the “Statement of Accounts – Annual Return 2018-2019” where he highlighted that the accounts were for the period 29 August 2018 (the first formal Joint Committee) to the 31 March 2019. He drew the Committee’s attention to the current funding being provided from the partner contributions and identified that there was a carried forward balance as at 31 March 2019 of £99,871.

He also stated, that on the basis he expected the main City Deal grant funding from both Governments to start flowing in 2019-2020 that there would be a requirement to produce a full Statement of Accounts for this year.

Jason Garcia of the Wales Audit Office then presented his Audit report in accordance with the requirements of Section 12 and Section 14 of the Public Audit (Wales) Act 2004. He confirmed that on the basis of their review, in their opinion, the information contained in the Annual Return was in accordance with proper practices and no matters had come to their attention giving cause for concern that relevant legislation and regulatory requirements have not been met. He did however state that the Auditor General for Wales had made the following two recommendations:

- 1) *Going forward the joint Committee will need to review the robustness of these new governance arrangements to ensure they are operating effectively;*
- 2) *An Officer Group needs to be established to agree what income, expenditure, assets and liabilities are included in future year's Committee financial statements".*

Jason Garcia (WAO) responded to questions of an audit nature whilst Chris Moore (Joint Committee Section 151 Officer) responded to questions relating to the position of the Swansea Bay City Region.

The Committee indicated that it was content with both recommendations, however it would seek to utilise an existing Group such as the SBCR Section 151 Officer Group (as per the Joint Agreement) and the Programme Board to meet the requirement of the second recommendation above.

Resolved that:

- 1) The Joint Committee approve the 2018-2019 post-audited accounts and Annual Return of the Swansea Bay City Deal, to comply with the Accounts and Audit (Wales) Regulations 2014.

The meeting ended at 1.45 pm

Chair

Agenda Item 7



Swansea Bay City Deal Joint Committee – 29 October 2019

Project Issue Log and Programme Risk Register

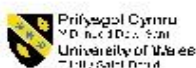
Purpose:	To consider current project issues and immediate SB CD programme risks.
Policy Framework:	Swansea Bay City Deal.
Consultation:	Project leads Programme Board
Recommendation(s):	It is recommended that: 1) Joint Committee are informed of the latest project issues and programme risks.
Report Author:	Helen Morgan, Regional Office, SB CD
Finance Officer:	Chris Moore, Section 151 Officer, SB CD
Legal Officer:	Tracey Meredith, Monitoring Officer, SB CD
Access to Services Officer:	

1. Introduction

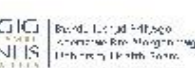
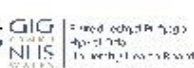
- 1.1 The Joint Committee requested that project issue logs and SB CD Programme Risks be submitted to each meeting of the Joint Committee for consideration.

2. SB CD Project Issues Log

- 2.1 Any risks which pose a potentially significant or immediate risk to the overall City Deal programme and/or project delivery will be highlighted and escalated to the Joint Committee via the monthly project issues log (attached). The issues log captures the most current position and will be updated and submitted to Programme Board and Joint Committee on a monthly basis.



Page 4



3. SBCE Programme Risk Register

- 3.1 A detailed Programme Risk Register has been developed for the Swansea Bay City Deal Programme and will be managed, revised and updated by the Regional Office. The risk register will be updated on a quarterly basis or as otherwise required. The Programme Board will review the risk register at each Programme Board meeting and escalate key risks to the attention of Joint Committee via a risk register summary (attached) which will be tabled at every Joint Committee meeting.
- 3.2 Each Swansea Bay City Deal project will carry its associated risks which will be mitigated throughout the application and delivery process. A detailed risk analysis will be undertaken for all projects by the Project Delivery Lead as part of the development of the 5 case business model process, with a project specific Risk Register established to assist in the ongoing management and mitigation of all risks. These will be available to Joint Committee as project business cases develop.

4. Financial Implications

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

5. Legal Implications

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

Background Papers: None

Appendices:

Appendix A	Project Issue Log & Summary Risk Register
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Key
New Issue
Resolved since last update
Ongoing Issues

SBCD Project Issue Log – October 2019

The project issue log highlights current pressing issues and risks currently or potentially have a significant or immediate affect to overall City Deal programme and/or project delivery including delays to project development, implementation or achievement of outcomes for example. The issue log should be considered alongside the wider project risk register (where available) and the SBCD programme risk register.

Skills and Talent				
Issue	Description	Owner	Implications	Action / Update
Business Case Development	A considerable amount of work has already been undertaken to identify the skills needs but we cannot move ahead further without the commitment of funding. Working with new Government officials on a revised approach to business planning	WG / UKG	Delay in business case / funding approval will mean that the skills training required for other projects who have received approval may not be progressed or progressed at risk.	

Digital Infrastructure				
Issue	Description	Owner	Implications	Action / Update
Project management resource	Dedicated digital project manager is required. Identified project leads in each of the partner organisations is also required.	Project lead authority	Pace of delivery will be compromised without a digital project manager.	Currently no resource available.
Changes in UK Government Policy	Government policy will possibly be substantially enhanced following pre-PM announcements from Boris Johnson.	Mike Galvin	This will impact the Digital Project, and possibly impact the existing business case.	It is a case of staying close to the UK government actions and announcements on this and see how/if broadband policy and funding arrangements change. Currently the pre prime minister appointment statements from Boris Johnson are aspirational and the reality of any changes, especially around funding, are yet to be seen.

Swansea Waterfront and Digital District				
Issue	Description	Owner	Implications	Action / Update
Funding approval	Approval of Council funding is dependent on Government sign off of City Deal business case.	SBCD / UKG / WG	Delay to approval of City Deal funding will impact on the delivery timescales for the projects	Announcement of business case approval in principle on 15 th July 2019. Awaiting full details of approval to be communicated. terms and conditions.
Terms and Conditions	The approval of the initial funding is subject to terms and conditions, but these terms and conditions have not yet been provided by Governments	Swansea Council / UKG / WG	Unable to finalise the funding package and seek approval of final funding package from Cabinet without terms and conditions.	Terms and conditions to be provided by Government

Yr Egin - Creative Digital Cluster				
Issue	Description	Owner	Implications	Action / Update
Funding approval	Yr Egin phase one has been completed and is fully occupied	SBCD / UKG / WG	Delay in approval of City Deal funding will increasingly impact on project delivery timetable for phase 2.	Announcement of business case approval in principle on 15th July 2019. Awaiting terms and conditions.

Centre of Excellence in Next Generation Services (CENGs)				
Issue	Description	Owner	Implications	Action / Update
Outstanding funding approval	£3m ERDF secured as match funding. Deadline of Dec 2022 to spend the ERDF	GN	Risk to European funding	Technology Centre is identified in the revised programme business case 'Supporting Innovation and Low Carbon Growth' to be reviewed by the City Deal Economic Strategy Board and Joint Committee. Policy workshop with UKG and WG held on 6/9/19 – NPT to address areas raised and revise business case. Follow up workshop proposed for end of October

Life Science and Well-being Campuses				
Issue	Description	Owner	Implications	Action / Update
None reported as at 11 October 2019				

Life Science and Well-being Village				
Issue	Description	Owner	Implications	Action / Update
Delay in phase 1 funding	Funding for phase 1 will need to be confirmed in line with procurement of a construction contractor.	Project lead	Potential delay in September 2021 'go live' date for education, skills and training components.	Chair of Joint Committee confirmed at JC meeting on 28 th March 2019 that no City Deal project is on hold following completion of reviews. Revised business case informally reviewed by ESB in July 2019.
Full Business Case (FBC)	Delay in confirming higher education partner	Project lead	Delay of City Deal FBC submission, with consequential impact on programme	Discussions held with higher education partners. Letter of intent sought.
General Election	General Election is called prior to, or following, the UK's proposed departure from the EU (currently 31st October 2019).	Project lead	Purdah is enforced, deferring the approval and/or funding process for City Deal projects	It is aimed to submit the FBC to Economic Strategy Board and Joint Committee in October.
Project investment	Investment from financial market not realised or maximised	Project lead	Full scope of project not realised. Potential impact on benefits realisation.	Financial appraisal of the project has been undertaken and confirms the investability with reasonable confidence of the whole project. Information Memorandum compiled and will be issued to a shortlist of financial institutions to seek expressions of interest.
Adverse media	Ongoing investigation generates negative PR	Project lead	Negative impact on how the project is perceived	The Council is cooperating fully with the investigators.

Homes as Power Stations				
Issue	Description	Owner	Implications	Action / Update
Funding approval	Funding assurance required to support match funding bids for ERDF and IHP funding	SBCD / UKG / WG	Until formal approval of City Deal business case is received project can only provide assurance in principle which may pose a risk to securing match funding	Workshop held with UK and Welsh Government in July 2019. Agreed next steps to progress business case for formal submission in mid Autumn.

Pembroke Dock Marine				
Issue	Description	Owner	Implications	Action / Update
NNDR	Clarity required on NNDR arrangements specifically how NNDR will be apportioned	Acc. Body / Project authority lead	Project viability is subject to discussions relating to NNDR	SBCD Section 151 in discussion with UK and Welsh Government. Meeting to be convened between Leaders and Chief Executives to discuss.
Project delivery timescale	Clarity required on when the five year delivery period begins	JC	Will ensure project implementation and benefits realisation timescales are accurate.	To be considered by Joint Committee.
!!! Funding / borrowing	There has been no recognisable progress towards resolving the funding / borrowing for the project	Project lead, project lead authority, SBCD, UKG & WG	The lack of resolution of this one issue is putting the entire Pembroke Dock Marine project in jeopardy. Other sources of funding including circa £16m ERDF are time limited and due to the ongoing delay there is a very high risk this will be lost.	Pembroke Dock Marine project identified as a Tranche 2 project for development at Joint Committee on 28th March 2019. We and our project partners continue to undertake significant work at risk in order to mitigate the effect of the delay. Several discussions have taken place to address the funding gap for the project.

Factory of the Future				
Issue	Description	Owner	Implications	Action / Update

Steel Science				
Issue	Description	Owner	Implications	Action / Update

Summary - Immediate Risks

This summary details the risks which pose the most pressing potential challenges to deliveyr of the City Deal Programme.
The summary provides a snapshot in time.
Full details of all programme risks are detailed in the individual tabs and should be considered alongside this summary

Risk Group	Risk Description	Category	Owner	Potential Consequence	Inherent Probability	Inherent Impact	Inherent Rank	Latest Review Date	Latest Update/Contr of Actions	Current Probability	Current Impact	Current Rank
Developmental	Delay in approval of JCA	C6 C14	All	Unable to formally establish governance structures. Unable to draw down city deal funding. Unable to sign off project business cases. Risk of withdrawal of local authority / other partner from City Deal (see risks below)	3	5		21.10.19	Further to the findings and recommendations of the two SBCD reviews changes to the JCA have been made. The revised JCA has been considered and approved by all four Authorities. The revised JCA must also be agreed by both Governments which may delay the process.	3	2	
Page 6 Implementation	Slippage in delivery of programme	C6 C14	JC	City Deal doesn't achieve the outcomes intended within the timescales agreed. Borrowing and recouperation does not accurately reflect spend	4	4		21.10.19	Both independent and internal reviews have been completed and action plan agreed to take forward the recommendations which has been accepted by SBCD Joint Committee. Implementation of the recommendations will require changes to existing procedures and may result in delays in programme delivery and project approvals for tranche two projects if these cannot be achieved quickly. Both Governments have confirmed that no project approvals, beyond those for Yr Egin and Digital District, will be granted until the Actica review recommendations have been implemented. Recruitment process for the appointment of the Programme Director is well underway and a Joint appointments panel has been established. The revised JCA has been approved by all four Authorities. The appointments process for the recruitment of specialist advisors to the ESB is also well underway.	3	2	
	Business case is not approved / project falls	C3 C11	RPAL / Delivery Lead	Project unable to proceed	3	5		01.July.19	Further to findings of the SBCD reviews a number of projects have been reviewed and substituted for an alternative scheme. This reflects recommendations of the SBCD reviews to increase flexibility of the programme. In addition outstanding issues around the funding package pose a threat to the Pembroke Dock Marine project in particular and if this continues to be unresolved the project may not be able to meet the required start date of their match funders. This may result in the project being unable to deliver certain elements as planned / at all. Control actions are as previous update.	3	4	
	Change in project scope pre-business case approval	C11 C6	Delivery lead	Project no longer requires same amount of funding. Project no longer achieves the necessary outcomes required for City Deal funding. Project is not approved and therefore unable to proceed / proceed as planned.	4	4		21.10.19	Change in scope of the Pembroke Dock Marine project has been approved by Joint Committee. Further to findings of the SBCD reviews some projects have been reviewed. This reflects recommendations of the SBCD reviews to increase flexibility of the programme. Any changes in scope will following the agreed review process as detailed in the JCA. Control actions are as per previous update.	3	4	
	Delay in development of business plans	C11 C14	RPAL / Delivery Lead	Delay in project start. Depending on critical timescale could impact projects ability to deliver proposed outcomes. Potential knock on affect for other projects ability to deliver and achieve outcomes.	5	3		21.10.19	Two projects have been formally approved - Swansea Waterfront and Yr Egin subject to terms and conditions being received by Governments. A second tranche of projects are currently being progressed. In addition it has been agreed with both Governments that an independent peer review be undertaken at a regional level prior to formal submission of business cases to Governments. This will provide a quicker and more effective process for all parties going forward which should reduce time required to develop business cases to an appropriate standard.	3	3	
	Delay in approval of business plans	C11	PAL / RO / JC / Govs	Delay in project start. Depending on critical timescale could impact projects ability to deliver proposed outcomes. Potential knock on affect for other projects ability to deliver and achieve outcomes.	3	4		21.10.19	Further to findings of the SBCD reviews changes are required to the processes by which business cases are approved. Whilst this will not delay approval of tranche 1 projects it could potentially have an impact on the approval of future tranches of projects.	3	3	
Financial	Failure to agree NNDR (rates retention) flexibility	C3	Accountable Body	Local authorities unable to borrow required for projects	4	5		21.10.19	In-principle letter received from Cabinet Secretary stating intention to initiate arrangements to allow the region to retain 50% of the additional net yeild in non-domestic rates generated by the 11 projects. Section 151 officers working up a proposal, so the mechanics and alloaction is acceptable to all.	3	3	

FIR	Timeframe for end of current EU funding programmes	C3	All	Unable to deliver full funding package at both project and programme level.	3	3		21.10.19	Completion date for EU funded projects mid 2023 at the latest with all expenditure to be paid out by this date. This increases pressure to begin delivery of EU funded projects including those under the City Deal. Without City Deal sign off this may not be possible. Therefore timely approval of relevant projectsi.e. Pembroke Dock Marine and Supporting Innovation and Low Carbon Growth projects is essential to mitigating this risk.	3	4	

Agenda Item 8



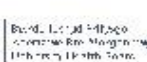
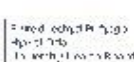
Swansea Bay City Region Joint Committee – 29 October 2019

Financial Monitoring Report 2019/20 – Swansea Bay City Deal Outturn Position

Purpose:	The purpose of this report is to inform the Joint Committee of the year end outturn position in respect of the PMO, Accountable Body and Joint Committee administration functions.
Policy Framework:	Swansea Bay City Deal.
Consultation:	Accountable Body
Recommendation(s):	It is recommended that: 1) The Joint Committee review the annual accounts of the Swansea Bay City Deal.
Report Author:	Chris Moore
Finance Officer:	Chris Moore, Section 151 Officer, SBCD
Legal Officer:	Tracey Meredith, Monitoring Officer, SBCD
Access to Services Officer:	

1) Introduction

- 1.1 This report details the projected outturn position of the Programme Management Office, Accountable Body and Joint Committee functions of the City Deal Programme.
- 1.2 The Financial Monitoring Report presents the City Deal Accounts in a detailed format, in line with the Carmarthenshire County Council's financial management system. The outturn position demonstrates the forecasted current financial year end position, as at August 2019.



2. Financial Monitoring Report – Income and Expenditure

2.1. Supplementary Information

- 2.1.1 The outturn position excludes any top slice of Government Grants in terms of income. Any contribution from Government grants received within the financial year will be transferred to a ring-fenced reserve at year end, for utilisation in future years.
- 2.1.2 On receipt of government grants, 1.5% (£723k) of this will be utilised to support the PMO and the direct administration functions of the Programme. There is no requirement to call on this additional contribution by the end of this financial year. Consideration will be required as to whether the additional contribution within this financial year is to be used in another manner, or distributed back to projects.
- 2.1.3 The Programme Director has an assumed commencement date of 01st January 2020, therefore only salary expenditure in respect of one quarter (quarter 4 2019/20) has been included within the accounts.
- 2.1.4 An annual interim budget was agreed (JC - 30th July 2019) for the current financial year (2019/20). Included within is an agreement between the four Local Authority partners to individually absorb indirect costs associated with the provision of key allocated functions, thus bequeathing a benefit to the programme in respect of reduced centralised costs of £792k. These indirect costs have been omitted for the full year (Appendix 2).

2.2. Programme Management Office

- 2.2.1 To the period ended 31st March 2019 the expenditure forecast position is £274k. At present the PMO is not fully staffed, only two positions have been appointed into, with further support being provided by staff employed by CCC. Direct staffing costs are estimated at £118k (including one quarter of a programme director) with recharges in relation to CCC support staff being estimated at £105k. Other costs include office rental of £22k, Projects and Activities £5k and fees £10k.

2.3. Accountable Body

- 2.3.1 The Accountable Body yearend position is estimated at £69k. This is attributable to one staff member and the annual external audit fee. This has increased from 2018/19 due to the requirement (if grant receipted) to produce a full set of financial statements.

2.4. Joint Committee

- 2.4.1 The Joint Committee expenditure forecast relates solely to legal fees in respect of amendments to the JCA and funding agreements. This has been estimated at £25k.

2.5. Joint Scrutiny Committee

- 2.5.1 No costs have been incurred in respect of the Joint Scrutiny Committee, as this will be funded as a benefit in kind by Neath Port Talbot County Borough Council.

2.6. Income

- 2.6.1 Total income for the year demonstrates £350k. This is solely from partner contributions (£50k per partner). One Co-opt partner's contribution has been omitted with clarification sought as to their position within the City Deal programme.


3. Financial Monitoring - Statement of Balances

- 3.1. The prior year (2018/19) balance carried forward in reserve demonstrates £100k. Currently the estimated year end position of the City Deal accounts resides at a deficit of £19k, this will be offset via the City Deal reserve at year end, taking the total reserve figure to £80k.
- 3.2. Debtor amounts represent the contributions outstanding from partners to the programme. As at the 6th October 2019 the outstanding balances amount to £75k.

Appendices: These will be included within the report.

Appendix A	Swansea Bay City Deal – Financial Monitoring Report 2019/20
Appendix B	Breakdown of Benefit in Kind

Appendix A

<div style="display: flex; justify-content: space-between; align-items: center;">  <div> Swansea Bay City Deal Financial Monitoring Report For the period ended 31st March 2020 </div> </div>				
Description	Actuals 2018/19 £	Interim Budget* 2019/20 £	Forecast 2019/20 £	Variance 2019/20 £
Programme Management Office				
Pay - NJC	65,284	350,696	118,002	232,694
Recharges - Employee costs Grant (direct)	182,617	-	106,238	(106,238)
National Insurance	6,878	36,483	3,416	33,067
Superannuation	11,621	62,424	5,749	56,675
Apprentice Levy	326	-	160	(160)
Training of Staff	-	15,000	-	15,000
Rents General	13,648	15,450	15,450	0
National Non Domestic Rates	-	-	6,575	(6,575)
Electricity	-	2,472	-	2,472
Gas	-	618	-	618
Response Maintenance	630	500	-	500
Public Transport - Staff	21	1,800	-	1,800
Staff Travelling Expenses	1,575	17,820	2,536	15,284
Admin, Office & Operational Consumables	16,738	1,000	-	1,000
Printing & Copying	-	1,000	200	800
Fees (Monitoring & Evaluation)	-	10,000	10,000	0
Translation/Interpret Services	819	10,000	-	10,000
ICTs & Computer Hardware	-	10,000	-	10,000
Subsistence & Meetings Expenses	717	1,000	213	787
Promotions, Marketing & Advertising	47,404	100,000	1,592	98,408
Projects & Activities Expenditure	-	60,000	5,000	55,000
Photocopying Recharge	77	-	57	(57)
Furniture	-	10,500	-	10,500
Total Programme Management Office Expenditure	348,355	706,763	275,188	431,575
Accountable Body				
Pay - NJC	-	77,471	40,832	36,639
Recharges - Employee costs Grant (direct)	100,349	-	-	0
National Insurance	-	8,309	1,216	7,093
Superannuation	-	13,790	2,103	11,687
Apprentice Levy	-	-	58	(58)
Staff Recruitment Expenses	597	-	-	0
Audit Fee (Wales Audit Office)	10,000	25,000	25,000	0
Total Accountable Body Expenditure	110,946	124,570	69,209	55,361
Joint Committee				
Admin, Office & Operational Consumables	-	-	-	0
Legal Fees	3,671	25,000	25,000	0
Subsistence & Meetings Expenses	726	-	-	0
Total Joint Committee Expenditure	4,397	25,000	25,000	0
Joint Scrutiny Committee				
Subsistence & Meetings Expenses	7,611	-	-	0
Total Joint Scrutiny Committee Expenditure	7,611	-	-	0
Total Expenditure	471,308	856,333	369,397	486,936
Funding Contributions				
SBCD Programme Contribution (top slice 1.5%)**	-	723,000	-	(723,000)
Government Grants - WAG	57,632	-	-	0
Partner Contributions (LA & Co-Opt)	400,000	400,000	350,000	(50,000)
Total Income	457,632	1,123,000	350,000	(773,000)
Net Annual Total - Surplus/(Deficit)	(13,676)	266,667	(19,397)	(286,064)

*As agreed by Joint Committee - 30th July 2019.

**Omitted 'Top Slice' element due to no grant being received to date.

Movement to Reserves		
Description	2018/19	2019/20
Balance Brought Forward from previous year	113,547	99,871
Appropriation/Contribution To Ring-fenced City Deal Reserve	(13,676)	(19,397)
Balance Carry Forward	99,871	80,474

Breakdown of Benefit in Kind

	2019/20	2020/21	2021/22	2022/23	Total
<u>Carmarthenshire</u>					
Finance Services Support (Section 151 Officer)	54,244	54,244	54,244	54,244	216,976
Total	54,244	54,244	54,244	54,244	216,976
<u>Pembrokeshire</u>					
Audit Support Function (Internal Audit Fees)	15,000	15,000	15,000	15,000	60,000
Total	15,000	15,000	15,000	15,000	60,000
<u>Swansea</u>					
Legal and Democratic Support (inclusive of Monitoring Officer)	103,849	103,849	103,849	103,849	415,398
Total	103,849	103,849	103,849	103,849	415,398
<u>Neath Port Talbot</u>					
<u>Joint Committee</u>					
Room Hire	1,890	1,890	1,890	1,890	7,560
Meeting Expenses	1,200	1,200	1,200	1,200	4,800
Travel	1,800	1,800	1,800	1,800	7,200
Joint Scrutiny	20,000	20,000	20,000	20,000	80,000
Total	24,890	24,890	24,890	24,890	99,560
Total Absorbed Cost	197,984	197,984	197,984	197,984	791,934



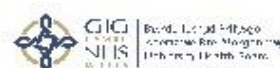
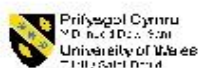
Swansea Bay City Region Joint Committee – 29 October 2019

Additional Resource Funding Proposal

Purpose:	To seek approval of the Joint Committee to develop a detailed proposal for expenditure of additional resource funding from Welsh Government in accordance with the outline proposal provided in this report.
Policy Framework:	Swansea Bay City Deal
Consultation:	Programme Board Welsh Government
Recommendation(s):	It is recommended that: 1) Joint Committee authorise the Programme Board to develop detailed proposals for the expenditure of additional resource funding from Welsh Government 2) Proposals for the expenditure of additional resource funding from Welsh Government be based on the achievement of the three key objectives as detailed in this report 3) That the Joint Committee submit the outline proposal detailed in this report to UK and Welsh Government for endorsement
Report Author:	Helen Morgan, Regional Office
Finance Officer:	Chris Moore, Section 151 Officer, SBCD
Legal Officer:	Tracey Meredith, Monitoring Officer, SBCD
Access to Services Officer:	

1. Introduction

- 1.1 On 15th July 2019 the UK and Welsh Governments announced the release of £18m of City Deal funding based on the approval of business cases for the Yr Egin and Swansea City and Waterfront Digital District projects and subject to project specific terms and conditions being agreed.



- 1.2 At the same time Governments also announced that a further £18m may also be available this year for other projects within the City Deal. Release of this additional £18m is subject to the region meeting clear terms and conditions which will relate to the implementation of the recommendations of the Swansea Bay City Deal Independent Review.
- 1.3 In order to assist the region in meeting these terms and conditions in a prompt manner, the Welsh Government have made an additional £100k of funding available to the region.

2. Key facts:

- Revenue funding
- Total = £100k
- deadline - 31st March 2020

2.1 What the money can be used for:

- 2.1.1 The funding is available to the region for additional resources which will ensure achievement of the recommendations made in the Independent ACTICA review of the Swansea Bay City Deal and any other terms and conditions associated with the release of a second tranche of £18m City Deal money.
- 2.1.2 The additional £100k is intended “to compliment the money already being spent in the region to implement the recommendations of the Independent Review to manage the City Deal as a Portfolio and to develop an Integrated Assurance and Approval Plan. This will support a stocktake of the remaining deal projects ensuring the region’s readiness for city deal and joint strategic authority delivery.”

2.2 What the money cannot be used for:

- 2.2.1 Welsh Government have clearly noted that the additional funding cannot be used for any of the following activity:
- To fund existing resources
 - To fund existing work
 - To fund the salary of the new Programme Director
 - To fund the salaries of the new Portfolio Management Office

2.3 Proposal:

- 2.3.1 It is proposed that the additional resource funding of £100k be used to fulfil the following objectives;
- (i) Undertaking of peer reviews:
Both Governments have suggested that an independent better business case accredited consultant be appointed to informally review draft

business cases for all City Deal projects before they are formally submitted to Governments for formal review. This process would replace the previous iterative review process with both Governments and is intended to speed up the appraisal process. It is proposed that the same consultant is appointed to conduct peer reviews across all forthcoming City Deal projects to ensure consistency across the programme.

(ii) Development of an Integrated Assurance Framework for the City Deal: Recommendation 3 of the ACTICA SBCD Review requires that an Integrated Assurance and Approval Framework (IAAP) be established in order to support the management of the City Deal as a portfolio of projects. It is proposed that the additional £100k of resource funding be used to fund a consultant to undertake the development of the IAAP which will also feed in to monitoring and evaluation plans.

(iii) Stock take of the City Deal programme:

In order to gain a clear perspective of the readiness of the current City Deal programme it is proposed that the additional £100k of resource funding be used to fund a consultant to conduct a stock take of the entire programme. The findings of this stock take can then be used by the newly appointed Programme Director and existing SBCD Governance structures to help ensure the City Deal is managed as a portfolio and to strengthen joint strategic delivery.

2.4 How:

- 2.4.1 The SBCD will look to utilise opportunities to call off Welsh Government's existing frameworks to allow swift appointment of appropriate consultants. This is particularly important in the case of the Peer review activity so as to prevent potential delays in the approval of projects which are coming forward in the next few months. The Programme Board will also consider whether the development of the IAAP and the stock take activity can be delivered as one contract award.

3. Financial Implications

- 3.1 The £100k funding must be spent by 31st March 2020.

4. Legal Implications

- 4.1 The procurement of a Consultant/s must comply with all relevant procurement legislation and the standing orders/Contract Procedure Rules of the employing authority. The procurement route highlighted in paragraph 2.4.1 above should satisfy these requirements.

Background Papers:

- ACTICA Independent Review Report January 2019
- Internal SBCD Review Report January 2019



Report of the Chief Executive (Neath Port Talbot Council)

Swansea Bay City Region Joint Committee – 29 October 2019

Establish a Transport Sub Committee

Purpose:	To establish a formal subcommittee of the City Region Joint Committee to take an overview of transport issues and develop the first stage of proposals to take forward the Swansea Bay Metro proposition.
Policy Framework:	None.
Consultation:	All 4 Chief Executives, Joint Committee Monitoring Officer & Joint Committee Section 151 Officer.
Recommendation(s):	It is recommended that: <ol style="list-style-type: none"> 1) The Joint Committee formally establish a sub-committee with a specific remit on transport, to consist of Cabinet Members or their nominees from the four constituent authorities with relevant officer support; 2) In the short term, the sub-committee oversee the completion of a proposition to be put to Welsh Ministers and other stakeholders outlining the region's priorities for stage one of the Metro project and related programmes. This work should draw on existing funding streams (circa £200,000) and sign off a proposal by <u>31 March 2020</u>; 3) The Joint Committee request that specific Terms of Reference are drawn up for approval at the November meeting to achieve (2) above; 4) If recommendations 1-3 above are agreed, that the Chair of the Joint Committee formally write to Ministers to notify them of our intentions.



Report Author:	Steven Phillips
Finance Officer:	Chris Moore
Legal Officer:	Tracey Meredith
Access to Services Officer:	N / A

1. Introduction

- 1.1 To establish a formal subcommittee of the City Region Joint Committee to take an overview of transport issues and develop the first stage of proposals to take forward the Swansea Bay Metro proposition.

2. Background

2.1 The Swansea Bay City Deal governance structure does not currently include a specific transport strand. However, at an earlier stage (when in shadow form) the Joint Committee recognised that transport and related infrastructure would be key to future growth prospects in the region and a vitally important adjunct to the projects covered by the Deal, so as to ensure maximum benefit.

2.2 It is therefore timely for this and a number of other reasons (see below) to return to the issue. These overlapping dynamics include:

- i) The Welsh Government developing legislative proposals in the context of the Public Transport (Wales) Bill which will cover many of these issues – work has already begun in terms of reforming key components of the wider system e.g. concessionary fares;
- ii) A separate proposal from Ministers on local government reform, expected imminently (and to be followed by legislation), that is near certain to include proposals for statutory Corporate Joint Committees in four areas – one of which is transport;
- iii) Professor Mark Barry’s commission from the Welsh Government to develop proposals for a Metro system for the region, which has been the subject of discussion in the Joint Committee. There is further analysis to be done; but a broad recognition that the rail proposals form a “backbone” to the transport proposal and that any proposition must reflect regional connectivity. This would effectively be a first/preliminary stage of the Regional Metro. However, whilst Professor Barry’s work concentrates on rail, there is a wider transport agenda to be considered including bus services, wider public transport system, active travel, highway infrastructure and other matters;
- iv) It is likely that further powers on rail will be devolved to the Welsh Government from Westminster in the short term. There also seems to be far more engagement on offer from the likes of the UK Government and others than previously;

- v) Whilst this is a long term agenda, it is also important that the region move beyond high level aspirations into the arena of specific proposals – not another strategy per se - for an initial phase of a comprehensive approach to transport in the region. The current proposals put forward for Velindre Parkway are welcome in principle but now needs to be considered as part of the wider strategic picture for the Region; and
- vi) It will be necessary to define roles and responsibilities so as to ensure that there is no duplication of effort. Informal contacts with the Welsh Government suggest that the basic approach would be for the region to define strategic priorities and Transport for Wales to act as the delivery arm. However, further discussion between stakeholders is necessary.

Background Papers: None.

Appendices: None

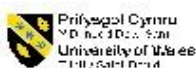


Report of the Director of Corporate Services (Carmarthenshire Council) & Section 151 Officer (SBCR)

Swansea Bay City Region Joint Committee – 29 October 2019

Cash Flow and Grant Profile Summary

Purpose:	The purpose of this report is to inform Joint Committee of the recommendations submitted by the Programme Section 151 Officer, in respect of programme cash surpluses, programme lending and support for the delivery of the PDM project.
Policy Framework:	Swansea Bay City Deal.
Consultation:	Accountable Body, Programme Board.
Recommendation(s):	It is recommended that: 1) The Joint Committee review the scenario analysis undertaken, evaluating the financial support that can be provided to Pembrokeshire County Council in delivering the PDM project; 2) The Joint Committee consider the recommendations put forward by the Programme Section 151 Officer (in consultation with Regional Section 151 Officer's), to support Lead Authorities with financial pressures borne in delivering projects within the Programme.
Report Author:	Chris Moore
Finance Officer:	Chris Moore, Section 151 Officer, SBCD
Legal Officer:	Tracey Meredith, Monitoring Officer, SBCD
Access to Services Officer:	N / A



Introduction

This report outlines the cash flow and grant profiling analysis undertaken, defining the different modelling and assumptions adopted within the scenarios demonstrated. Detailed within are the assumptions used in compiling the analysis undertaken and explanation in respect of the varying models presented.

1. Cash Flow Analysis

- 1.1 Base Funding Agreement - Fifteen Year Grant Profile (as per JCA)
- 1.2 The funding profile is based on the current agreement in place as per the terms of the JCA, releasing funding to the projects proportionately over a 15 year term. The grant receipt profile has been adjusted following discussions with Welsh Government to reflect their intended profile which is based on front loading grant in the first two years, with the balance over the remaining 13 years (£18m year 1 and 2, and £15.5m thereafter). The funding profiles have been amended to align to this adjusted grant receipt profile.
- 1.3 The LS and WB Campus project (lead by the City and County of Swansea) is profiled to incur the majority of expenditure in the latter years of the programme term, this directly concludes in a consistent surplus balance of £3m projected throughout the programme's 15 year duration.
- 1.4 Desirable Grant Profile
- 1.5 The funding profile for this model is based on the current agreement in place as per the terms of the JCA as noted above (1.1. Base Funding Agreement - Fifteen Year Grant Profile).
- 1.6 Local Authorities were asked to submit a desired funding profile to review of the impact on the programme's cash flow forecast. Due to the majority of projects incurring the expenditure within the first seven years of the programme term, the desired funding profile is heavily unbalanced, weighted towards the early years of the programme term.
- 1.7 With the grant receipted as per the base agreement over a 15 year profile, this scenario concludes in a programme deficit at its peak of £116m in year 6, which will require financing through borrowing.
- 1.8 Fifteen Year Grant Profile, with PDM Financed Over 5 Years
- 1.9 This model is based on the original funding agreement as outlined above (1.1. Base Funding Agreement - Fifteen Year Grant Profile), with only one amendment in respect of the PDM project. All projects are aligned over a fifteen year funding profile, with the exception of the PDM project which is demonstrated over a reduced funding profile of five years.

- 1.10 Treating PDM as a special case, through fully funding the project over this reduced period of five years, financial strain is placed on the programme, resulting in a consistent deficit position, which at its peak concludes in a £13m shortfall in year 6.
- 1.11 Fifteen Year Grant Profile, with PDM's Grant Leveraged
- 1.12 This model is based on the original funding agreement as outlined above (1. Base Funding Agreement - Fifteen Year Grant Profile), with only one amendment in respect of the PDM project. All projects are aligned over a fifteen year funding profile, with the exception of the PDM project which is front loaded, financing £11m to year 4, with the remaining grant balance funded equally over the remaining 11 year term.
- 1.13 Due to the LS and WB Campus projects spend profile heavily concentrated in the latter years of the programme, a surplus balance is consistently projected throughout the term of the programme. This balance along with the accrued income from the delay in receipt of Government grants can absorb this arrangement.
- 1.14 Treating PDM as a special case, leveraging funds over 4 years, the programme slips in to a very minor deficit which can be managed naturally as projects drift.
- 1.15 Through adopting this model, inequality within the programme is recognised, with all other projects aligned to the original base agreement terms, borrowing and incurring interest charges as projects demand. Furthermore it eradicates any potential income that could derive from investment opportunities of programme balances.

2. Grant Profile Analysis

- 2.1 Seven Year Grant Receipt Profile
- 2.2 The funding profile is based on the provided expenditure profiles with the grant receipt profile being adjusted to reflect grant receipted over seven years. The grant receipt profile has been adjusted following discussions with Welsh Government to reflect their intended profile which is based on front loading grant in the first two years, with the full balance then demonstrated as being equally receipted over the remaining 5 years (£18m in year 1 and 2, and £40m thereafter).
- 2.3 This grant receipt profile would require both Governments to increase their annual grant award by £25m per annum over a 5 year period. If this profile was accepted, distributing the grant based on the expenditure profiles would result in a programme deficit, with year 4 being the highest point of £48m.

2.4 Ten Year Grant Receipt Profile

2.5 The funding profile is based on the provided expenditure profiles with the grant receipt profile being adjusted to reflect grant receipt over ten years. The grant receipt profile has been adjusted following discussions with Welsh Government to reflect their intended profile which is based on front loading grant in the first two years, with the full balance then demonstrated as being equally receipted over the remaining 8 years (£18m in year 1 and 2, and £25m thereafter).

2.6 This grant receipt profile would require both Governments to increase their annual grant award by £10m per annum over an 8 year period. If this profile was accepted, distributing the grant based on the expenditure profiles would still result in a programme deficit, with year 5 being the highest point of £90m.

3. Assumptions

3.1 Cashflow Assumptions

- i) All the returns received demonstrated expenditure matching the full grant amount, these have been adjusted by a 1.5% reduction to reflect the 'top slice' required to fund the Programme Management Office.
- ii) Desirable Grant Profile includes the PDM project at full grant. Currently Pembrokeshire County Council are reviewing the affordability of the 1.5% top slice on the project. All other scenarios have been adjusted down to account for the top slice element.
- iii) The grant funding profiles have been aligned with spend incurrence.
- iv) It is assumed that business cases in respect of Phase 1 and 2 will be approved within this financial year (2019/20), with Phase 3 assuming approval in the next financial year (2020/21).
- v) The Life Science & Well Being Campus project expenditure profile is over 15 years, all scenarios have been matched to this timescale.
- vi) Neath Port Talbot CBC's revised projects demonstrate City Deal grant of £51m which is less than the original business case (and HoT) of £53m. The additional £2m has been included within the Swansea Bay Technology Centre project funding profile to ensure it is allocated to NPT and included within the programme.

3.2 Grant Profile Assumptions

- i) Both Grant Profiles have been based on a funding profile reflecting the expenditure profiles provided.

- ii) All the returns received demonstrated expenditure matching the full grant amount, these have been adjusted by a 1.5% reduction to reflect the 'top slice' required to fund the Programme Management Office.
- iii) The grant funding profiles have been aligned with spend incurrence.
- iv) It is assumed that business cases in respect of Phase 1 and 2 will be approved within this financial year (2019/20), with Phase 3 assuming approval in the next financial year (2020/21).
- v) The Life Science & Well Being Campus project expenditure profile is over 15 years, all scenarios have been matched to this timescale.
- vi) Neath Port Talbot CBC's revised projects demonstrate City Deal grant of £51m which is less than the original business case (and HoT) of £53m. The additional £2m has been included within the Swansea Bay Technology Centre project funding profile to ensure it is allocated to NPT and included within the programme.

3.3 Assumed Project Business Case Approval Period

Lead Authority	Project	Assumed BC Approval (Financial Year)
Phase 1		
City and County of Swansea	Swansea District & Waterfront Digital District	2019/20
Carmarthenshire County Council	Yr Egin	2019/20
Phase 2		
Neath Port Talbot County Borough Council	Swansea Bay Technology Centre	2019/20
Neath Port Talbot County Borough Council	National Steel Innovation Centre	2019/20
Neath Port Talbot County Borough Council	Decarbonisation	2019/20
Neath Port Talbot County Borough Council	Industrial Futures Programme	2019/20
Regional	Regional Homes as PowerStation's	2019/20
Carmarthenshire County Council	Life Science and Wellbeing Village	2019/20
Pembrokeshire County Council	Pembroke Dock Marine	2019/20
Phase 3		
City and County of Swansea	Life Science & Well Being Campus	2020/21
Regional	Regional Skills and talent initiative	2020/21
Regional	Regional Digital infrastructure	2020/21

4. Section 151 Officer Recommendations

4.1 Meeting Scope

- 4.1.1 All four regional Lead Authority Section 151 Officers convened (17th October 2019), with attendance from Welsh Government, to review the City Deal Programme cash flow forecast, the impact of reduced grant award profiles and review the cash flow concerns within the PDM project.

- 4.1.2 On reviewing all scenarios and profiles presented, recommendations were concluded, ensuring affordability of the programme throughout the 15 year term, temporary cash surpluses are treated in an equal and objective manner and the PDM project is supported constructively without detriment placed on the delivery of the programme.

4.2 Cashflow Recommendations

- i) Programme cash surpluses made available for lending to Lead Authorities. Lending offered on an annual basis (over 12 month term as required), subject to annual review.
- ii) An interest rate attached to any lending facilities engaged, based on a charge of the Bank of England base rate, plus 0.25%, as an annual percentage rate.
- iii) Programme cash surpluses not utilised in lending facilities, invested on behalf of the Programme by the Accountable Body and in line with the nominated Authorities Treasury Policy.
- iv) Income generated through Programme investing activities, dispersed to each of the projects on a pro rata basis.

4.3 Grant Profile Recommendations

- i) JC to request Accountable Body Section 151 Officer and a SBCR Chief Executive Officer (or second S 151 Officer) to formally approach and consult with UK and Welsh Governments to review the current grant award profile, with a request to reduce this profile of funding from 15 years to a lesser term e.g. 7 or 10 years. This will allow the funding to be front loaded more in line with the Programme expenditure

4.4 Conclusion

- 4.4.1 Through the adoption of the suggested recommendations (4.2 Recommendations) a clear, transparent and impartial approach will be concluded in respect of programme cash surpluses, programme lending and support for the delivery of the PDM project.
- 4.4.2 The recommendations allow for the support of the front loading of grant to the PDM project in line with scenario 1.4 Fifteen Year Grant Profile, with PDM's Grant Leveraged. To ensure equality throughout the programme delivery, any grant forwarded above that of the projects entitlement will be treated as a lending facility between that of the programme and the Lead Authority.

4.4.3 Any lending facilities within in the programme will be favourable to the engaged Authority, with the advantage of borrowing at a reduced interest rate. However, with the applied interest rate recommended (4.2 Recommendations), lending facilities would not be to the detriment of the Programme, should investing activities have been otherwise engaged.

Background Papers: None.

Appendices: None



Report of the Monitoring Officer

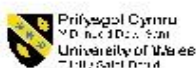
Swansea Bay City Region Joint Committee – 29 October 2019

Letter from the Swansea Bay City Region Joint Scrutiny Committee

Purpose:	To report to the Joint Committee on correspondence received from the Joint Scrutiny Committee.
Policy Framework:	Joint Committee Agreement
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that the Joint Committee: 1) Consider the recommendations made by the Joint Scrutiny Committee and decide whether any amendments should be made to the Joint Committee Agreement
Report Author:	Tracey Meredith

1. Introduction

- 1.1 The Joint Committee approved amendments to the Joint Committee Agreement at their meeting on 30 July 2019. Constituent Authorities have now all approved the amendments and a deed of variation will be signed shortly by all authorities ratifying the changes made.
- 1.2 The amendments to the Joint Committee Agreement were based on the two reviews undertaken by Actica Consulting Ltd and Pembrokeshire County Council.



2. Joint Committee Agreement amendments

- 2.1 The Pembrokeshire County Council review noted that the Terms of Reference of the Joint Scrutiny Committee restricted their remit to scrutiny of regional projects, scrutiny of individual Authority projects are a matter for the relevant Constituent Authorities Scrutiny Committee. The review considered this detracted from the regional approach of the Swansea Bay City Deal.
- 2.2 To address the review findings the Terms of Reference for the Joint Scrutiny Committee were amended to include the following at Paragraph 2.2:

Scrutiny of individual Authorities projects' shall be a matter for the relevant Constituent Authorities' Scrutiny Committee. Where individual projects have the potential to impact materially on the overall portfolio of the City Deal Projects the Joint Scrutiny Committee may consider provided that the relevant constituent Authority Scrutiny Committee is in agreement and does not wish to undertake scrutiny themselves.

3. Joint Scrutiny Committee letter

- 3.1 Attached at Appendix A is a letter received from the Chair of the Joint Scrutiny Committee dated 13 September 2019.
- 3.2 At their meeting on 2 September they considered the Joint Committee Agreement following which they wished the Joint Committee to consider the following prior to finalising the Agreement:
- (a) A reduction in the quorate number of the Joint Scrutiny Committee to 6.
 - (b) Clause 9.3 to be rewritten to provide additional clarity on what is being indemnified and by whom.
 - (c) The caveat requiring the Joint Scrutiny Committee to seek permission of the constituent Authority Scrutiny Committee be removed.
- 3.3 In relation to the quorate number there is unlikely to be any issue with reducing the quorate to 6. The present Agreement provides for a quorate of 8 which must include at least 1 member from each of the 4 authorities.
- 3.4 In relation to clause 9.3 this is standard wording for an indemnity clause designed to protect the Accountable Body as employer of the Programme Director and Portfolio Management Office but recognising that the Programme Director receives his instructions from and is accountable to the Joint Committee. Therefore if the Programme Director or Portfolio Management Office act in a way that causes any loss to the Councils arising from an instruction given by the Joint Committee, then the Councils agree to share those losses equally. Where such losses

arise as a result of the Accountable Body's negligent actions as employer of the Programme Director or Portfolio Management Office, then those losses will be borne by Carmarthenshire County Council. In the circumstances it is considered that the clause is appropriately worded from a legal perspective.

- 3.5 The caveat around the Joint Scrutiny of individual projects was inserted to protect the integrity of individual constituent scrutiny committees and to avoid any potential for duplication of work. Individual scrutiny committees would be expected to be sympathetic to any request by the Joint Scrutiny Committee and work with the Committee to avoid any duplication of scrutiny work. It is not felt appropriate to remove the caveat but it is suggested that any requests for joint scrutiny are monitored and should there be any issues then the matter can be reconsidered by the Joint Committee as to whether the Terms of Reference do need further amending.

4. Equality and Engagement Implications

- 4.1 There are no specific equality or engagement implications associated with this report.

5. Financial Implications

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

6. Legal Implications

- 6.1 All authorities have now approved the version of the Joint Committee Agreement which was approved by the Joint Committee. The deed of variation is awaiting sign off subject to government approval. Any further amendments may result in further delay.

Background Papers: Joint Committee Agreement

Appendices:

Appendix A Letter from Joint Scrutiny Committee dated 13 September 2019

Date Dyddiad 13 September 2019
Direct line Rhif ffôn 07532 789482
Email Ebost RobJames@cararthenshire.g
Contact Cyswllt Councillor R.James
Your ref Eich cyf
Our ref Ein cyf

Cllr. Rob Stewart
Chair of the Swansea Bay City Region
Joint Committee
C/o City & County of Swansea
Civic Centre
Oystermouth Road
Swansea
SA1 3SN

By e-mail

Dear Councillor Stewart

RE: Swansea Bay City Region

As Chair of the Swansea Bay City Region Joint Scrutiny Committee, I am writing to you, to share the views of the Joint Scrutiny Committee on the revised Joint Working Agreement (JWA).

In our meeting on 2 September 2019, we received and considered the amendments to the Joint Working Agreement (JWA) which had been approved by yourselves on 30 July 2019.

Following this the Scrutiny Committee have raised the following points for you, as the Joint Committee, to consider prior to finalising the Joint Working Agreement.

- Reducing the quorum for the Swansea Bay City Region Joint Scrutiny Committee to 6;
- Point 9.3 of the Joint Working Agreement (JWA) be rewritten to provide additional clarity on what is being indemnified and by whom;

- That the caveat written into the Joint Working Agreement (JWA) which gives the joint scrutiny committee powers to scrutinise all projects be removed – i.e. the requirement to seek the permission of local relevant scrutiny committees.

I look forward to your response in relation the points raised in this letter.

Yours sincerely,

PP

A handwritten signature in cursive script that reads "Rob James".

Councillor Rob James

Chair of the Swansea Bay City Deal Joint Scrutiny Committee

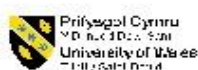


Report of the Head of Democratic Services (Swansea Council)

Swansea Bay City Region Joint Committee – 29 October 2019

Swansea Bay City Region Joint Committee – Future Dates 2020-2021

Purpose:	The last diarised meeting of the Swansea Bay City Region Joint Committee is scheduled for 25 February 2020. This report seeks to extend the scheduled meetings until April 2021.
Policy Framework:	None.
Consultation:	All 4 Council Leaders & All 4 Chief Executives, Joint Committee Monitoring Officer & Joint Committee Section 151 Officer.
Recommendation(s):	It is recommended that: 1) The Future dates as outlined in Paragraph 3.3 of the report be approved; 2) The suggestion to hold Economic Strategy Board (ESB) meetings in Swansea on the same day as the Joint Committee, be made to the ESB for it to consider; 3) The suggestion to hold the Programme Board approximately two weeks before the joint Committee, be made to the Programme Board for them to consider.
Report Author:	Huw Evans
Finance Officer:	Chris Moore
Legal Officer:	Tracey Meredith
Access to Services Officer:	N / A



1. Introduction

- 1.1 The last diarised meeting of the Swansea Bay City Region Joint Committee is scheduled for 25 February 2020. This report seeks to extend the scheduled meetings until April 2021.
- 1.2 Following consultation with the four Leaders of Council, four Chief Executives, Joint Committee Monitoring Officer and the Joint Committee Section 151 Officer, a schedule of Joint Committees for 2020-2021 is proposed as outlined below.

2. Rationale for Dates of Joint Committees

- 2.1 The Swansea Bay City Region Joint Committee (where possible) be held on the 2nd Thursday of the Month (excluding April 2020 & 2021).

3. Swansea Bay City Region Joint Committee Future Dates 2020-2021

- 3.1 The Swansea Bay City Region Joint Committee meetings will commence at 10.30 and last for approximately two hours.
- 3.2 They will be held in the Guildhall, Swansea; however the Chair may vary this as required.
- 3.3 Future Dates (*Meetings Dates in Italics previously Agreed*)

<i>28 January 2020</i>	13 August 2020	14 January 2021
<i>25 February 2020</i>	10 September 2020	11 February 2021
2 April 2020	8 October 2020	11 March 2021
11 June 2020	12 November 2020	15 April 2021
9 July 2020	10 December 2020	-

4. Economic Strategy Board (ESB)

- 4.1 The Chair of the Swansea Bay City Region Joint Committee (Councillor Rob Stewart) suggests that the ESB meetings be held in Swansea on the same day as the Joint Committee, so as to make logistics easier for Partners involved in both meetings.
- 4.2 This is a matter for the ESB to consider.

5. Swansea Bay City Region Programme Board

- 5.1 It is suggested the Programme Board meet approximately 2 weeks before the Joint Committee, so as to allow adequate time for the Programme Board to influence the Joint Committee agenda and for any administration to be carried out in a timely manner.
- 5.2 This is a matter for the Programme Board to consider.

6. Equality and Engagement Implications

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

7. Financial Implications

7.1 There are no financial implications associated with this report.

8. Legal Implications

8.1 There are no legal implications associated with this report.

Background Papers: None.

Appendices: None



Report of the Chief Legal Officer, Swansea Council

Swansea Bay City Region Joint Committee – 29 October 2019

Exclusion of the Public

Purpose:	To consider whether the Public should be excluded from the following items 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(s) of business on the grounds that it / they involve(s) 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
	15	14
	16	12 & 13
Report Author:	Democratic Services	
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, Cabinet will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the grounds that it / they involve(s) 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. Their 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 they 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. Their 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 they 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. Their view on the public interest test was that:</p> <ul style="list-style-type: none"> a) Whilst they were 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 b) Disclosure of the information would give an unfair advantage to tenderers for commercial contracts. <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis they 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	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.
	The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. Their view on the public interest test was that whilst they are mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them they were 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 they 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.
16	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
	No public interest test.
17	Information which reveals that the authority proposes: (a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) To make an order or direction under any enactment.
	The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. Their 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 they 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.
18	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
	The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. Their 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 they 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.

Agenda Item 15

By virtue of paragraph(s) 14 of Schedule 12A
of the Local Government Act 1972
as amended by the Local Government (Access to
Information) (Variation) (Wales) Order 2007.

Document is Restricted

Agenda Item 16

By virtue of paragraph(s) 12, 13 of Schedule 12A
of the Local Government Act 1972
as amended by the Local Government (Access to
Information) (Variation) (Wales) Order 2007.

Document is Restricted

By virtue of paragraph(s) 12, 13 of Schedule 12A
of the Local Government Act 1972
as amended by the Local Government (Access to
Information) (Variation) (Wales) Order 2007.

Document is Restricted

By virtue of paragraph(s) 12, 13 of Schedule 12A
of the Local Government Act 1972
as amended by the Local Government (Access to
Information) (Variation) (Wales) Order 2007.

Document is Restricted

By virtue of paragraph(s) 12, 13 of Schedule 12A
of the Local Government Act 1972
as amended by the Local Government (Access to
Information) (Variation) (Wales) Order 2007.

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