

## Council

You are hereby summoned to attend an Extraordinary Meeting of the **Council of the City and County of Swansea** to be held Remotely via Microsoft Teams on Thursday, 4 June 2020 at 10.30 am.

Watch online: <http://bitly.ws/8EdG>

The following business is proposed to be transacted:


1. **Apologies for Absence.**
2. **Disclosures of Personal and Prejudicial Interests.**  
[www.swansea.gov.uk/disclosuresofinterests](http://www.swansea.gov.uk/disclosuresofinterests)
3. **Minutes.** **1 - 16**  
To approve & sign the Minutes of the previous meeting(s) as a correct record.
4. **Written Responses to Questions asked at the Last Ordinary Meeting of Council.** **17 - 19**
5. **Announcements of the Presiding Member.**
6. **Announcements of the Leader of the Council.**
7. **Public Questions.**  
Questions must be submitted in writing, no later than noon on the working day prior to the meeting. Questions must relate to items on the agenda. Questions will be dealt with in a 10 minute period.
8. **Appointment of Lord Mayor's Cadet.** **20 - 21**
9. **Membership of Committees.** **22 - 23**
10. **Amendments to the Constitution.** **24 - 26**
11. **Councillors' Questions.** **27 - 32**

**Webcasting:** This meeting may be filmed for live or subsequent broadcast via the Council's Internet Site. By entering the Council Chamber you are consenting to be filmed and the possible use of those images and sound recordings for webcasting and / or training purposes.

**You are welcome to speak Welsh in the meeting.**

Please inform us by noon, two working days before the meeting.

**Next Meeting:** Thursday, 2 July 2020 at 10.30 am



**Huw Evans  
Head of Democratic Services  
Guildhall,  
Swansea.**

**Wednesday, 27 May 2020**

**To: All Members of the Council**

# Agenda Item 3.



City and County of Swansea

## Minutes of the Council

Council Chamber - Guildhall, Swansea

Thursday, 5 March 2020 at 5.00 pm

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

### Councillor(s)

C Anderson  
P M Black  
M C Child  
J P Curtice  
N J Davies  
A M Day  
P Downing  
C R Doyle  
M Durke  
V M Evans  
W Evans  
E W Fitzgerald  
R Francis-Davies  
S J Gallagher  
L S Gibbard  
F M Gordon  
K M Griffiths  
T J Hennegan  
C A Holley  
P R Hood-Williams

### Councillor(s)

B Hopkins  
D H Hopkins  
L James  
Y V Jardine  
J W Jones  
M H Jones  
P K Jones  
S M Jones  
E J King  
E T Kirchner  
M A Langstone  
A S Lewis  
M B Lewis  
R D Lewis  
W G Lewis  
C E Lloyd  
P Lloyd  
I E Mann  
P M Matthews  
P N May

### Councillor(s)

H M Morris  
D Phillips  
C L Philpott  
S Pritchard  
A Pugh  
J A Raynor  
C Richards  
K M Roberts  
M Sherwood  
R V Smith  
A H Stevens  
R C Stewart  
D G Sullivan  
M Sykes  
M Thomas  
G D Walker  
L V Walton  
T M White

### Officer(s)

Huw Evans  
Tracey Meredith  
Phil Roberts  
Ben Smith  
Gareth Borsden

Head of Democratic Services  
Chief Legal Officer / Monitoring Officer  
Chief Executive  
Chief Finance Officer / Section 151 Officer  
Democratic Services Officer

### Apologies for Absence

Councillor(s): J E Burtonshaw, C R Evans, J A Hale, D W Helliwell, O G James, L R Jones, B J Rowlands, P B Smith, G J Tanner, L G Thomas, W G Thomas and L J Tyler-Lloyd

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**120. Disclosures of Personal and Prejudicial Interests.**

The Chief Legal Officer gave advice regarding the potential personal and prejudicial interests that Councillors and / Officers may have on the agenda. Advice was also given as to predetermination and predisposition.

She reminded Councillors and Officers that the “Disclosures of Personal and Prejudicial Interests” sheet should only be completed if the Councillor / Officer actually had an interest to declare. Nil returns were not required. Councillors and Officers were also informed that any declarable interest must be made orally and in writing on the sheet.

In accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea the following interests were declared:

- 1) Councillors C Anderson, J P Curtice, M Durke, K M Griffiths, W G Lewis, P N May, A Pugh and T M White declared a Personal Interest in Minute 127 “Medium Term Financial Planning 2021/22 - 2023/24”;
- 2) Councillors M Durke, T J Hennegan, C A Holley, P R Hood-Williams, K M Griffiths, M B Lewis, R D Lewis, C E Lloyd, P Lloyd, P N May, R V Smith and G D Walker declared a Personal Interest in Minute 128 “Revenue Budget 2020/2021”;

Note: Councillor Chris A Holley had been granted dispensation to Stay, Speak, Vote and make oral and written representations in respect of issues involving Adult Social Services.

- 3) Councillors P M Black, M Durke, K M Griffiths, W G Lewis, P N May and T M White declared a Personal Interest in Minute 129 “Capital Budget & Programme 2019/20- 2024/25”;
- 4) Councillor T J Hennegan declared a Personal Interest in Minute 130 “Housing Revenue Account (HRA) - Revenue Budget 2020/21”;
- 5) Councillor T J Hennegan declared a Personal Interest in Minute 131 “Housing Revenue Account – Capital Budget and Programme 2019/20 - 2023/24”;
- 6) Councillors P N May and C Richards declared a Personal Interest in Minute 132 “Statutory Resolution - Resolutions to be Made in Accordance with the Regulations in the Setting of the Council Tax 2020/2021”;
- 7) Councillors C A Holley and P N May declared a Personal Interest in Minute 133 “The Capital Strategy 2019/20- 2024/25”;
- 8) Councillor P N May declared a Personal Interest in Minute 134 “Treasury Management Strategy Statement, Prudential/Treasury Indicators, Investment Strategy and Minimum Revenue Provision Policy Statement 2020/21”;

- 9) Councillors A M Day, C A Holley, K M Griffiths and P N May declared a Personal Interest in Minute 135 "Nomination of Lord Mayor and Deputy Lord Mayor Elect 2020-2021";
- 10) Councillors M C Child, J W Jones and M H Jones declared a Personal and Prejudicial Interest in Minute 135 "Nomination of Lord Mayor and Deputy Lord Mayor Elect 2020-2021" and withdrew from the meeting prior to its discussion.

**121. Minutes.**

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

- 1) Ordinary Meeting of Council held on 23 January 2020.

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

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

**123. Announcements of the Presiding Member.**

**1) Condolences**

**i) Former Councillor John Miles**

The Presiding Member referred with sadness to the recent death of former Councillor John Miles. Former Councillor Miles served the Tâl-y-Bont and Pontarddulais Electoral Wards for 17 years. Former Councillor Miles served the:

- City & County of Swansea 4 May 1995 to 3 May 2012.

**ii) Haydn Tanner, Husband of Councillor Gloria Tanner**

The Presiding Member referred with sadness to the recent death of Haydn Tanner, husband of Councillor Gloria Tanner. The funeral will be at 12.30 on 11 March 2020 at Swansea Crematorium.

All present stood as a mark of sympathy and respect.

**2) Filming, Recording and Photography at Council Meetings**

The Presiding Member stated that under the Authority's "Filming, Recording and Photography at Council Meetings" Policy (adopted on 24 November 2011), he had allowed a film crew from Amazon News Media to film this Council Meeting.

**3) Councillor Paulette B Smith**

The Presiding Member wished Councillor P B Smith best wishes for her operation today and for a speedy recovery.

**4) Billy Evans, Husband of Councillor V Mandy Evans**

The Presiding Member wished Billy Evans, husband of Councillor V M Evans best wishes during his period of illness.

**5) Great British Market Awards 2020**

The Presiding Member stated that the Swansea Indoor Market had been voted the Best Indoor Market in the Great British Market Awards 2020. The awards run by the National Association of Market Authorities (NAMBA) helps celebrate and promote the excellent markets throughout Britain.

He thanked Lisa Wells and the Swansea City Centre Management Team for their efforts with the Swansea Indoor Market.

**6) International Women's Day, 8 March 2020**

The Presiding Member welcomed the fact that so many Councillors were wearing something purple today as a celebration of the forthcoming International Women's Day on Sunday, 8 March 2020. International Women's Day is a global day celebrating the social, economic, cultural and political achievements of women.

**7) Review of the Electoral Arrangements for the City and County of Swansea**

The Presiding Member stated that the Local Democracy and Boundary Commission for Wales (LDBCW) published their Final Recommendations report in relation to their Review of the Electoral Arrangements for the City and County of Swansea on 3 March 2020. There is now a 6 week window for anybody to make representations. Representations should be emailed to the Local Government Democracy Team on [lgdtmailbox@gov.wales](mailto:lgdtmailbox@gov.wales)

Their Final Recommendations are available at [www.ldbc.gov.wales](http://www.ldbc.gov.wales)

He asked that should Councillors have any questions about the Final Recommendations, they should liaise with the Head of Democratic Services.

**8) Lord-Lieutenant for West Glamorgan**

The Presiding Member thanked and congratulated Byron Lewis for his work as Lord-Lieutenant for West Glamorgan 2008-2020. Byron Lewis retired from the Office of Lord Lieutenant of West Glamorgan on the 14 February 2020.

Louise Fleet, a former High Sheriff for West Glamorgan (2017-2018) and former employee of this Authority takes on the role of Lord-Lieutenant of West Glamorgan on 16 March 2020. Louise is a Justice of the Peace, appointed to the Swansea Bench in 1993. Louise has a significant wider background including a number of leadership roles and has recently retired from a senior role in the Wales Audit Office as Performance Specialist.

He congratulated Louise on her forthcoming role as Lord-Lieutenant of West Glamorgan.

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

**i) Item 9 “Revenue Budget 2020-21”**

Page 40, Recommendations 1 & 2. Delete the reference to “2019/20” in both recommendations and replace with “2020/21”.

**ii) Item 13 “Statutory Resolution - Resolutions to be Made in Accordance with the Regulations in the Setting of the Council Tax 2020/2021”**

Page 152, Recommendation (5). Delete the reference to “Grovesend & Waugron” and Replace with “Grovesend & Waungron”.

**124. Announcements of the Leader of the Council.**

**1) Financial Support for Swansea Residents / Businesses with Flood Damage to their Property**

The Leader of the Council thanked Officers of the Authority and Councillor Mark Thomas (Environment & Infrastructure Management Cabinet Member) for their excellent work during the recent flooding within Swansea.

He stated that the Council had already provided support to around 35 residents who needed support with making applications for Welsh Government’s emergency assistance payments for people whose homes have been damaged by the recent storms.

He had determined to award additional financial support by using the Council’s discretion under the Local Government Finance Act 1992 to reduce the net Council Tax payable for homes that were flooded as a result of the recent storms to nil, for a six month period from the date of the flooding. Residents whose homes were flooded to the extent that they had to move out, may be entitled to a full exemption from Council Tax until they can move back in for up to a maximum period of up to 12 months. People in that situation should contact the Council Tax Section, or their Local Councillor.

For business properties, a similar provision exists to help those affected by the floods. Under the Local Government Finance Act 1988 Act, Authorities have powers to grant relief of up to 100% to a ratepayer who is experiencing hardship if the ratepayer would sustain hardship if the Authority did not award

relief and it is reasonable for the authority to do so, having regard to the interests of local taxpayers.

**Note:** Councillor E W Fitzgerald asked that all relevant information relating to monies that is available for those affected by the recent flooding be circulated to all councillors.

The Section 151 Officer stated that he would circulate the information to all Councillors.

**2) Coronavirus**

The Leader of the Council provided an update on the Coronavirus and reassured Councillors that the Authority was working closely with all relevant agencies.

**3) Launch of Shaping Swansea**

The Leader of the Council stated that the “Shaping Swansea” event launch took place on 4 March 2020. The event was an opportunity for the Authority to outline its ideas to investors and developers. He was seeking a £1 billion redevelopment of seven sites, on top of existing projects, to make Swansea more of a 21st Century City.

**4) Meeting with Secretary of State for Wales**

The Leader of the Council stated that he had met with the Secretary of State for Wales, Simon Hart, MP and had highlighted the key Swansea projects.

**125. Public Questions.**

A number of questions were asked in relation to items on the agenda. Those questions requiring a written response are outlined below.

Susie Jewell asked a question in relation to Minute 137 “Councillors’ Questions” - Question 12:

- a) *“How much of the £55 million pounds budget for the centre of excellence in digital technology here in Swansea is earmarked for the gathering, collation and examination of human environmental safety data? How does the public access this information?”*

The Leader of the Council stated that a written response would be provided.

**Note:** The Leader of the Council reminded Ms Jewell of the offer to meet that he made at Council on 26 November 2019 in order to discuss 5G. He reiterated the offer and stated that it would be followed up with an email reminder.



## 126. Technical Budget Presentation

The Section 151 Officer gave a technical presentation relating to the following budget reports:

- i) Medium Term Financial Planning 2021/22 to 2023/24;
- ii) Revenue Budget 2020/2021;
- iii) Capital Budget & Programme 2019/20-2024/25;
- iv) Housing Revenue Account (HRA) Revenue Budget 2020/21;
- v) Housing Revenue Account (HRA) Capital Budget and Programme 2019/20 - 2023/24;
- vi) Capital Strategy 2019/20 - 2024/25;
- vii) Treasury Management Strategy Statement, Prudential / Treasury Indicators, Investment Strategy and Minimum Revenue Provision Policy Statement 2020/21.

Councillors asked technical questions of the Section 151 Officer. The Section 151 Officer responded accordingly.

Following the technical questions, the Leader gave a general political overview of the budget situation followed by a political presentation of the budget reports referred to above.

Councillors asked political questions of the Leader of the Council. The Leader and relevant Cabinet Members responded accordingly.

## 127. Medium Term Financial Planning 2021/22 – 2023/24.

The Section 151 Officer submitted a report which set out the rationale and purpose of the Medium Term Financial Plan and detailed the major funding assumptions for the period and proposed a strategy to maintain a balanced budget.

**Resolved** that:

- 1) The Medium Term Financial Plan 2021/22 to 2023/24 be approved as the basis for future service financial planning.

**Note:** Councillor C A Holley asked the Section 151 Officer for further information relating to the Mutual Investment Model which was referred to in Paragraph 2.11 of the report.

The Section 151 Officer stated that a written response would be provided.

## 128. Revenue Budget 2020/2021.

The Section 151 Officer stated that Councillors C A Holley, E W Fitzgerald, J W Jones & M H Jones had submitted a budget amendment.

**Amendment**

Councillor C A Holley proposed an amendment. The amendment was seconded by Councillor E W Fitzgerald. The amendment being:

- "1) *£1m of the anticipated balance of contingency fund at outturn is held back at year end for 2019-20 and transferred to General Reserves at year end outturn and in the Statement of Accounts; thus ensuring the overall impact on the General Reserve balance is neutralised over the two years;*
- 2) *The budget requirement be consequently reduced by £1m as a result of drawing £1m from General Reserves and that the following base budget proposals for 2020-21, totalling £260,000 new spending also be removed:*
- |  |                 |
|--|-----------------|
| ➤ <i>Human Rights Funding</i>                          | <i>£50,000</i>  |
| ➤ <i>Community Engagement Fund</i>                     | <i>£60,000</i>  |
| ➤ <i>Free Wi-Fi in Commercial Areas</i>                | <i>£50,000</i>  |
| ➤ <i>Additional Funding for Digital Transformation</i> | <i>£100,000</i> |
- 3) *The total sum required for the budget requirement for 2020-21 be reduced by £1,260,000;*
- 4) *The total sum required for financing for 2020-21 be reduced by a corresponding £1,260,000, by reducing the total sum raised by Council Tax by equal amount;*
- 5) *The Band D Council Tax for 2020-21 and all subsequent Council Tax calculations for the Statutory Resolution be amended to substitute a Council Tax at Band D of £1,392.62, representing a 3.56% increase."*

Following debate, the amendment was put to the vote. The amendment was not supported and did not become part of the substantive recommendation.

The debate commenced on the original budget as outlined within the report.

**Resolved that:**

- 1) The Revenue Budget for 2020/21 as detailed in Appendix A to the report be approved.
- 2) A Budget Requirement and Council Tax Levy for 2020/21 as detailed in Section 9 of the report be approved.

**129. Capital Budget & Programme 2019/20- 2024/25.**

The Section 151 Officer submitted a report which proposed a revised capital budget for 2019/20 and a capital budget for 2020/21 - 2024/25.

**Resolved that:**

- 1) The revised capital budget for 2019/20 and a capital budget for 2020/21 - 2024/25 as detailed in Appendices A, B C, D, E, F and G of the report be approved.

**130. Housing Revenue Account (HRA) Revenue Budget 2020/21.**

The Section 151 Officer submitted a report which proposed a Revenue Budget for 2020/21 and a rent increase for properties within the Housing Revenue Account (HRA).

**Resolved that:**

- 1) Rents be increased in line with the Welsh Government policy as detailed in Section 3 of the report;
- 2) Fees, charges and allowances as outlined in Section 4 of the report be approved.
- 3) The Revenue Budget proposals as detailed in Section 4 of the report be approved.

**131. Housing Revenue Account – Capital Budget and Programme 2019/20 – 2023/24.**

The Section 151 Officer and Director of Place submitted a joint report which proposed a revised Capital Budget for 2019/20 and a Capital Budget for 2020/21 - 2023/24.

**Resolved that:**

- 1) The transfers between schemes and the revised budgets for schemes in 2019/20 be approved;
- 2) The budget proposals for 2020/21 - 2023/24 be approved;
- 3) Where individual schemes in Appendix B are programmed over the 4 year period described in this report, then these are committed and approved and that their financial implications for funding over subsequent years be approved.

**Note:** Councillor E W Fitzgerald asked for a full site and unit breakdown of costs associated with the More Homes Strategy. Councillor A S Lewis stated that a written response would be provided.

**132. Statutory Resolution – Resolutions to be Made in Accordance with the Regulations in the Setting of the Council Tax 2020/2021.**

The Section 151 Officer submitted a report which outlined a number of statutory resolutions to be made in accordance with the Regulations in the setting of the Council Tax 2020-2021.

**Resolved that:**

- 1) The statutory resolutions as set out below be noted and adopted;
- 2) It be noted that at its meeting on 27 November 2019 the Council calculated the following amounts for the year 2020/2021 in accordance with Regulations made under Section 33(5) of the Local Government Finance Act 1992 (as amended):

a) 91,923 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) (Wales) Regulations 1995, as amended, as its Council Tax base for the year;

b) Parts of the Council's Area:

Bishopston	1,986
Clydach	2,661
Gorseinon	3,319
Gowerton	1,972
Grovesend & Waungron	426
Ilston	327
Killay	2,148
Llangennith, Llanmadoc and Cheriton	508
Llangyfelach	947
Llanrhidian Higher	1,626
Llanrhidian Lower	341
Llwchwr	3,446
Mawr	762
Mumbles	9,822
Penllergaer	1,437
Pennard	1,482
Penrice	426
Pontarddulais	2,340
Pontlliw and Tircoed	1,039
Port Eynon	433
Reynoldston	300
Rhossili	190
Three Crosses	715
Upper Killay	589

being the amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amounts of its Council Tax base for dwellings in those parts of its area to which special items relate;

- 3) The following amounts be now calculated by the Council for the year 2020/2021 in accordance with Section 32 to 36 of the Local Government Finance Act 1992:
- (a) £754,648,943 being the aggregate of the amounts which the Council estimates for the items set out in Sections 32(2)(a) to (d) of the Act;
  - (b) £284,811,933 being the aggregate of the amounts which the Council estimates for the items set out in Sections 32(3)(a), 32(3)(c) and 32(3a) of the Act;
  - (c) £469,837,010 being the amount by which the aggregate at (3)(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year;
  - (d) £338,980,555 being the aggregate of the sums which the Council estimates will be payable for the year into its Council Fund in respect of redistributed non-domestic rates, and revenue support grant less discretionary Non Domestic Rate relief;
  - (e) £1,423.54 being the amount at (3)(c) above less the amount at (3)(d) above, all divided by the amount at (2)(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year;
  - (f) £1,582,010 being the aggregate amount of all special items referred to in Section 34(1) of the Act;
  - (g) £1,406.33 being the amount at (3)(e) above less the result given by dividing the amount at (3)(f) above by the amount at (2)(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relate;
  - (h) Parts of the Council's Area:

Bishopston	1,432.51
Clydach	1,449.74
Gorseinon	1,444.33
Gowerton	1,423.50
Grovesend & Waungron	1,423.94
Ilston	1,421.33
Killay	1,415.64
Llangennith, Llanmadoc and Cheriton	1,421.88
Llangyfelach	1,431.67
Llanrhidian Higher	1,487.88
Llanrhidian Lower	1,414.13
Llwchwr	1,431.83

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Mawr	1,492.94
Mumbles	1,464.32
Penllergaer	1,414.68
Pennard	1,461.74
Penrice	1,433.85
Pontarddulais	1,455.94
Pontlliw and Tircoed	1,433.07
Port Eynon	1,420.19
Reynoldston	1,448.00
Rhossili	1,423.70
Three Crosses	1,448.57
Upper Killay	1,438.59

being the amounts given by adding to the amount at (3)(g) above the amounts of the special items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at (2)(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(i) Parts of the Council's Area:

	Band	Band	Band	Band	Band	Band	Band	Band	Band
	A	B	C	D	E	F	G	H	I
	£	£	£	£	£	£	£	£	£
Bishopston	955.00	1,114.17	1,273.34	1,432.51	1,750.85	2,069.19	2,387.51	2,865.02	3,342.53
Clydach	966.49	1,127.57	1,288.66	1,449.74	1,771.91	2,094.07	2,416.23	2,899.48	3,382.73
Gorseinon	962.88	1,123.37	1,283.85	1,444.33	1,765.29	2,086.26	2,407.21	2,888.66	3,370.11
Gowerton	949.00	1,107.16	1,265.33	1,423.50	1,739.84	2,056.17	2,372.50	2,847.00	3,321.50
Grovesend & Waungron	949.29	1,107.51	1,265.72	1,423.94	1,740.37	2,056.81	2,373.23	2,847.88	3,322.53
Ilston	947.55	1,105.48	1,263.40	1,421.33	1,737.18	2,053.04	2,368.88	2,842.66	3,316.44
Killay	943.76	1,101.05	1,258.35	1,415.64	1,730.23	2,044.82	2,359.40	2,831.28	3,303.16
Llangennith, Llanmadoc & Cheriton	947.92	1,105.90	1,263.89	1,421.88	1,737.86	2,053.83	2,369.80	2,843.76	3,317.72
Llangyfelach	954.44	1,113.52	1,272.59	1,431.67	1,749.82	2,067.97	2,386.11	2,863.34	3,340.57
Llanrhidian Higher	991.92	1,157.24	1,322.56	1,487.88	1,818.52	2,149.16	2,479.80	2,975.76	3,471.72
Llanrhidian Lower	943.42	1,100.65	1,257.89	1,415.13	1,729.61	2,044.08	2,358.55	2,830.26	3,301.97
Llwchwr	954.55	1,113.64	1,272.74	1,431.83	1,750.02	2,068.20	2,386.38	2,863.66	3,340.94
Mawr	995.29	1,161.17	1,327.06	1,492.94	1,824.71	2,156.47	2,488.23	2,985.88	3,483.53
Mumbles	976.21	1,138.91	1,301.62	1,464.32	1,789.73	2,115.13	2,440.53	2,928.64	3,416.75
Penllergaer	943.12	1,100.30	1,257.49	1,414.68	1,729.06	2,043.43	2,357.80	2,829.36	3,300.92
Pennard	974.49	1,136.91	1,299.32	1,461.74	1,786.57	2,111.41	2,436.23	2,923.48	3,410.73
Penrice	955.90	1,115.21	1,274.53	1,433.85	1,752.49	2,071.12	2,389.75	2,867.70	3,345.65
Pontarddulais	970.62	1,132.40	1,294.17	1,455.94	1,779.48	2,103.03	2,426.56	2,911.88	3,397.20
Pontlliw and Tircoed	962.04	1,122.39	1,282.73	1,443.07	1,763.75	2,084.44	2,405.11	2,886.14	3,367.17
Port Eynon	946.79	1,104.59	1,262.39	1,420.19	1,735.79	2,051.39	2,366.98	2,840.38	3,313.78

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Reynoldston	965.33	1,126.22	1,287.11	1,448.00	1,769.78	2,091.56	2,413.33	2,896.00	3,378.67
Rhossili	949.13	1,107.32	1,265.51	1,423.70	1,740.08	2,056.46	2,372.83	2,847.40	3,321.97
Three Crosses	965.71	1,126.66	1,287.62	1,448.57	1,770.48	2,092.38	2,414.28	2,897.14	3,380.00
Upper Killay	959.06	1,118.90	1,278.75	1,438.59	1,758.28	2,077.97	2,397.65	2,877.18	3,356.71
All other parts of the Council area	937.55	1,093.81	1,250.07	1,406.33	1,718.85	2,031.37	2,343.88	2,812.66	3,281.44

being the amounts given by multiplying the amounts at (3)(g) and (3)(h) above by the number which, in the population set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of the categories of dwellings listed in the different valuation bands;

- 4) It be noted that for the year 2020/2021 the Police and Crime Commissioner for South Wales have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwelling shown below:

	Band	Band	Band	Band	Band	Band	Band	Band	Band
	A	B	C	D	E	F	G	H	I
	£	£	£	£	£	£	£	£	£
The Police and Crime Commissioner for South Wales	181.81	212.11	242.41	272.72	333.32	393.92	454.53	545.43	636.34

- 5) Having calculated the aggregate in each case of the amounts at (3)(l) and (4) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2020/21 for each of the categories of dwelling shown below:

	Band	Band	Band	Band	Band	Band	Band	Band	Band
	A	B	C	D	E	F	G	H	I
	£	£	£	£	£	£	£	£	£
Bishopston	1,136.81	1,326.28	1,515.75	1,705.23	2,084.17	2,463.11	2,842.04	3,410.45	3,978.87
Clydach	1,148.30	1,339.68	1,531.07	1,722.46	2,105.23	2,487.99	2,870.76	3,444.91	4,019.07
Gorseinon	1,144.69	1,335.48	1,526.26	1,717.05	2,098.61	2,480.18	2,861.74	3,434.09	4,006.45
Gowerton	1,130.81	1,319.27	1,507.74	1,696.22	2,073.16	2,450.09	2,827.03	3,392.43	3,957.84
Grovesend & Waungron	1,131.10	1,319.62	1,508.13	1,696.66	2,073.69	2,450.73	2,827.76	3,393.31	3,958.87
Ilston	1,129.36	1,317.59	1,505.81	1,694.05	2,070.50	2,446.96	2,823.41	3,388.09	3,952.78
Killay	1,125.57	1,313.16	1,500.76	1,688.36	2,063.55	2,438.74	2,813.93	3,376.71	3,939.50
Llangennith, Llanmadoc & Cheriton	1,129.73	1,318.01	1,506.30	1,694.60	2,071.18	2,447.75	2,824.33	3,389.19	3,954.06
Llangyfelach	1,136.25	1,325.63	1,515.00	1,704.39	2,083.14	2,461.89	2,840.64	3,408.77	3,976.91

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Cont'd

Llanrhidian Higher	1,173.73	1,369.35	1,564.97	1,760.60	2,151.84	2,543.08	2,934.33	3,521.19	4,108.06
Llanrhidian Lower	1,125.23	1,312.76	1,500.30	1,687.85	2,062.93	2,438.00	2,813.08	3,375.69	3,938.31
Llwchwr	1,136.36	1,325.75	1,515.15	1,704.55	2,083.34	2,462.12	2,840.91	3,409.09	3,977.28
Mawr	1,177.10	1,373.28	1,569.47	1,765.66	2,158.03	2,550.39	2,942.76	3,531.31	4,119.87
Mumbles	1,158.02	1,351.02	1,544.03	1,737.04	2,123.05	2,509.05	2,895.06	3,474.07	4,053.09
Penllergaer	1,124.93	1,312.41	1,499.90	1,687.40	2,062.38	2,437.35	2,812.33	3,374.79	3,937.26
Pennard	1,156.30	1,349.02	1,541.73	1,734.46	2,119.89	2,505.33	2,890.76	3,468.91	4,047.07
Penrice	1,137.71	1,327.32	1,516.94	1,706.57	2,085.81	2,465.04	2,844.28	3,413.13	3,981.99
Pontarddulais	1,152.43	1,344.51	1,536.58	1,728.66	2,112.80	2,496.95	2,881.09	3,457.31	4,033.54
Pontlliw	1,143.85	1,334.50	1,525.14	1,715.79	2,097.07	2,478.36	2,859.64	3,431.57	4,003.51
Port Eynon	1,128.60	1,316.70	1,504.80	1,692.91	2,069.11	2,445.31	2,821.51	3,385.81	3,950.12
Reynoldston	1,147.14	1,338.33	1,529.52	1,720.72	2,103.10	2,485.48	2,867.86	3,441.43	4,015.01
Rhossili	1,130.94	1,319.43	1,507.92	1,696.42	2,073.40	2,450.38	2,827.36	3,392.83	3,958.31
Three Crosses	1,147.52	1,338.77	1,530.03	1,721.29	2,103.80	2,486.30	2,868.81	3,442.57	4,016.34
Upper Killay	1,140.87	1,331.01	1,521.16	1,711.31	2,091.60	2,471.89	2,852.18	3,422.61	3,993.05
All other parts of the Council area	1,119.36	1,305.92	1,492.48	1,679.05	2,052.17	2,425.29	2,798.41	3,358.09	3,917.78

**133. The Capital Strategy 2019/20- 2024/25.**

The Section 151 Officer submitted a report which sought approval of the Capital Strategy which informs the four year capital programme which was presented for approval.

**Resolved that:**

- 1) The Capital Strategy be approved.

**134. Treasury Management Strategy Statement, Prudential/Treasury Indicators, Investment Strategy and Minimum Revenue Provision Policy Statement 2020/21.**

The Section 151 Officer submitted a report which recommended the Treasury Management Strategy Statement, Prudential Indicators, Investment Strategy and Minimum Revenue Provision Policy Statement for 2020/21.

**Resolved that:**

- 1) The Treasury Management Strategy and Prudential Indicators (Sections 2-7 of the report) be approved;
- 2) The Investment Strategy (Section 8 of the report) be approved;
- 3) The Minimum Revenue Provision (MRP) (Section 9 of the report) be approved.



**135. Nomination of Lord Mayor and Deputy Lord Mayor Elect 2020-2021.**

The Head of Democratic Services submitted a report which sought to nominate the Lord Mayor Elect and Deputy Lord Mayor Elect 2020-2021 in order to enable the arrangements for the Inauguration of the Lord Mayor and Deputy Lord Mayor event to proceed.

He reminded Councillors that a number of Councillors all had exactly the same length of service and in line with the Lord Mayor and Deputy Lord Mayor Protocol, the Head of Democratic Services had drawn lots on 20 September 2018, in order to establish the order of the Term of Office of the four Councillors. The outcome of the draw led to the four Councillors being considered in the following order: Councillors M C Child, M H Jones, A M Day and L G Thomas.

**Resolved** that:

- 1) Councillor Mark C Child be nominated as Lord Mayor Elect 2020-2021;
- 2) Councillor Mary H Jones be nominated as Deputy Lord Mayor Elect 2020-2021.

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

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

**137. Councillors' Questions.**

1) **Part A 'Supplementary Questions'**

Thirteen (13) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

No supplementary questions required a written response.

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

Four (4) Part B 'Questions not requiring Supplementary Questions' were submitted.

The meeting ended at 8.50 pm

**Chair**



**City and County of Swansea**

**Minutes of the Council**

**Council Chamber - Guildhall, Swansea**

**Thursday, 26 March 2020 at 5.00 pm**

**Present:**

**Councillor(s)**

**Officer(s)**

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The meeting being inquorate was cancelled.

# Agenda Item 4.



## Report of the Chief Legal Officer

Extraordinary Council – 4 June 2020

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

The report provides an update on the responses to Questions asked during the Extraordinary Meeting of Council on 5 March 2020.

#### For Information

#### 1. Introduction

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

#### 2. Responses

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

**Background Papers:** None

**Appendices:** Appendix A (Questions & Responses)

**Providing Council with Written Responses to Questions asked at Council  
5 March 2020**

1	<p><b>Councillor E W Fitzgerald</b></p> <p><b>In relation to Minute 124 “Announcements of the Leader of the Council”.</b></p> <p>That all relevant information relating to monies that is available for those affected by the recent flooding be circulated to all Councillors.</p> <p><b>Response of the Section 151 Officer</b></p> <p>Information circulated to all Councillors on 6 March 2020.</p>
2	<p><b>Councillor C A Holley</b></p> <p><b>In relation to Minute 127 “Medium Term Financial Planning 2021/22 – 2023/24”.</b></p> <p>Asked the Section 151 Officer for further information relating to the Mutual Investment Model which was referred to in Paragraph 2.11 of the report.</p> <p><b>Response of the Section 151 Officer</b></p> <p>The Welsh Government now have a strategic partner for the Mutual Investment Model (MIM) and will be seeking to maintain progress in developing a first package of schemes to fund and deliver on the ground. The Council does not, as yet, have any schemes that we would be looking to be included in the early MIM packages but this is always under review.</p> <p>There is a wealth of technical information on the MIM model provided directly by Welsh Government and the main link is as follows:</p> <p><a href="https://gov.wales/mutual-investment-model-infrastructure-investment">https://gov.wales/mutual-investment-model-infrastructure-investment</a></p>
3	<p><b>Councillor E W Fitzgerald</b></p> <p><b>In relation to Minute 129 “Capital Budget &amp; Programme 2019/20-2024/25”.</b></p> <p>Asked for a full site and unit breakdown of costs associated with the More Homes Strategy.</p> <p><b>Response of the Cabinet Member for Homes, Energy &amp; Service Transformation</b></p> <p>As you will be aware the project is still under construction but I thought it might be helpful to provide you with a copy of the previous report approved by Cabinet on the 21st June 2018 using the following link:-</p> <p><a href="https://democracy.swansea.gov.uk/ieListDocuments.aspx?CId=124&amp;MId=7936&amp;Ver=4&amp;LLL=0">https://democracy.swansea.gov.uk/ieListDocuments.aspx?CId=124&amp;MId=7936&amp;Ver=4&amp;LLL=0</a></p>

I also recall that the report was discussed in detail at a pre decision scrutiny on the 19<sup>th</sup> June and detailed costs were provided for this session. The council is still on target to deliver the scheme against these original costs and I would of course be happy to report back to Scrutiny / Cabinet once the scheme is complete.

In addition I am sure you will appreciate these are not basic standard homes but state of the art, highly energy efficient properties and I would be more than happy to invite Scrutiny members to attend the site and see the work in progress and speak to our excellent Housing and Building Services team who are delivering such an exciting project receiving national praise and recognition. If you wish for me to arrange this I can link in with officers for an appropriate date.

# Agenda Item 8.



## Report of the Cabinet Member for Delivery & Performance

Extraordinary Council – 4 June 2020

### Appointment of Lord Mayor's Cadet

<b>Purpose:</b>	The report presents the process of appointing and details of the role of a Lord Mayor's Cadet starting from the 2020/21 municipal year.
<b>Report Author:</b>	Joanne Jones
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar
<b>For Information</b>	

#### 1. Background

##### 1.1 Appointment of Lord Mayor's Cadet

1.2 The Lord Mayor of the City and County of Swansea for the municipal year 2020/21 will appoint an outstanding cadet from the Swansea Sea Cadet, Army Cadet Force and RAF Air Cadet Forces to become his/her Cadet for the municipal year.

1.3 The Cadet's formal duties will be to attend civic functions with the Lord Mayor as and when appropriate in the course of official duties. A Cadet will be nominated annually on a rotational basis through the respective services and selected via a panel to consider applications for the position of Lord Mayor's Cadet. The panel will consist of the Lord Mayor (Elect), Armed Forces Champion, Cabinet Member Delivery and Performance and Corporate Marketing Manager/Civic Officer in consultation with Wing Commander P C Flower MBE.

1.4 Following the selection process the Cadet will be appointed at the ceremonial council to inaugurate the Lord Mayor and begin their term of office.

## **2. Requirements for the Role**

- 2.1 The Lord Mayor's Cadet is a high profile appointment and as such, it is expected that the candidate should be of the highest standard with good interpersonal skills with the ability to interact with a wide range of people. Nominations will normally be a senior Cadet who is under 18 on 1<sup>st</sup> of May of the year in which they take up the appointment. They would normally be expected to continue the Cadet Service for at least 12 months following their appointment as the Lord Mayor's Cadet.
- 2.2 It will be the responsibility of the appointed Cadet Force to liaise with the Lord Mayor's Office to determine the duties for which the Cadet will be required.

## **3. Ceremony Arrangements**

- 3.1 It is expected the Lord Mayor's Cadet will attend the Lord Mayor's Inauguration and be presented with a special badge to wear whilst undertaking official duties during the municipal year. At the end of the Cadet's term of office, they will be presented with a certificate.

## **4. Equality and Engagement Implications**

- 4.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

- 4.2 The proposal has no equality implications and an Equality Impact Assessment is not required in this instance.

## **5. Legal Implications**

- 5.1 There are no legal implications.

## **6. Financial Implications**

- 6.1 The cost of the badge and certificate and any hospitality relating to the Cadet's attendance at a civic function will be met from the Lord Mayor's Office.

**Background papers:** None

**Appendices:** None.

# Agenda Item 9.



## Report of the Cabinet Member for Delivery & Performance

Extraordinary Council – 4 June 2020

### Membership of Committees

<b>Purpose:</b>	Council approves the nominations/amendments to the Council Bodies.
<b>Policy Framework:</b>	None.
<b>Consultation:</b>	Political Groups.
<b>Recommendation:</b>	It is recommended that:  1) The amendments to the Council Bodies listed in paragraph 2 be approved, and the changes made in paragraph 3 be noted.
<b>Report Author:</b>	Gareth Borsden
<b>Legal Officer:</b>	Tracey Meredith
<b>Finance Officer:</b>	N/A
<b>Access to Services Officer:</b>	N/A

#### 1. Introduction

- 1.1 Meetings of Council regularly agree and amend the membership of the various Committees/Council Bodies as reflected in the lists submitted by the Political Groups.

#### 2. Changes to Council Body Membership

- 2.1 The political groups have indicated that they have changes to the following Council Bodies:

##### **Democratic Services Committee**

Remove Councillor P M Black  
Add Councillor L James

##### **Local Pension Board**

Remove Councillor T M White  
Add Councillor M B Lewis

##### **Scrutiny Programme Committee**

Remove Councillors M Durke & M H Jones  
Add Councillors P M Black & T M White



### **3. Outside Bodies**

- 3.1 The Leader has made the following amendments to the following outside bodies:

#### **South Wales Police & Crime Panel**

Removed Councillor E T Kirchner

Added Councillor W Evans

#### **West Glamorgan Regional Partnership Board. (Formerly known as the Western Bay Regional Partnership Board)**

Removed Councillor M C Child

Added Councillor C E Lloyd

### **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:** None

# Agenda Item 10.



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

Extraordinary Council – 4 June 2020

### Amendments to the Council Constitution

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

#### 1. Introduction

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

## **2. Delegated Minor Corrections to the Council Constitution**

- 2.1 Article 15 “Review and Revision of the Constitution” allows the Monitoring Officer to make changes / updates to the Council Constitution in relation to:
- a) Legislation;
  - b) Changes to the Officer structure or changes of responsibility within the Officer Structure;
  - c) The need to correct any administrative or typing errors.
- 2.2 The Monitoring Officer has not made any changes.

## **3. Amendments to the Council Constitution**

- 3.1 This report outlines a suggested amendment to the Council Constitution. The amendment is within the following area of the Council Constitution:
- a) Part 3 “Responsibility for Functions” - “Terms of Reference” - “External Funding Panel”.

## **4. Part 3 “Responsibility for Functions” - “Terms of Reference” - “External Funding Panel”.**

- 4.1 The purpose of the External Funding Panel is:
- a) *“To oversee the allocation of all third sector funding across the Council.*
  - b) *To oversee the Council’s external funding opportunities.*

### *Terms of Reference:*

- a) *Third Sector Funding.*
- b) *Determine the Criteria for the Swansea Change Fund and other Council grant pots, including the Community Action Transformation Fund.*
- c) *Allocate the Swansea Change Fund and other funds according to the criteria adopted.*
- d) *Maintain an overview of all Third Sector and community funding across the City & County of Swansea Council, including outcomes achieved.*
- e) *Determine and support the Council’s Third Sector policy and relationship across the City & County of Swansea (including the formal Compact with the Third Sector).*
- f) *Support collaboration and joint working between Third Sector and community organisations and between Third Sector organisations and the Council.*
- g) *External Funding.*
- h) *Oversee the Council’s policy for seeking external funding to support its priorities.*

- i) Provide a gateway for all Council applications for external funding.*
- j) Review outcomes from external funding.*
- k) Rural Development Partnership Fund.”*

4.2 The External Funding Panel is made up of all ten Cabinet Members and is an Executive Function. Following discussions between the Leader of Council, Chief Finance Officer and Head of Democratic Services, it has been recommended that the External Funding Panel be abolished and that all of its work be transferred to Cabinet.

## **5. Financial Implications**

5.1 There are no financial implications associated with this report.

## **6. Legal Implications**

6.1 There are no legal implications associated with this report.

## **7. Equality and Engagement Implications**

7.1 There are no equality & engagement implications associated with this report.

**Background Papers:** None.

**Appendices:** None.



Extraordinary Council – 4 June 2020

## Councillors' Questions

### Part A – Supplementaries

1	<p><b>Councillors Mike Day, Mary Jones &amp; Susan Jones</b></p> <p>We are sure that the Cabinet Members are as disappointed with the findings of the multi-agency, Probation-led inspection of the Western Bay YOS last year. The service, covering Swansea, Neath Port Talbot and Bridgend, was deemed inadequate. Can Councillors be told what actions have been and are being taken, to address the shortcomings identified in this important service for our young people.</p> <p><b>Response of the Cabinet Member for Children Services</b></p> <p>The Improvement and action plan developed to track progress, has been updated for March's YJB. Of the 32 areas identified for improvement, 27 have achieved a green rag status, with required actions completed or on track, with 5 achieving an amber status.</p> <p>Key areas for improvement identified at the time of inspection were</p> <ul style="list-style-type: none"><li>• Governance arrangements - the Board's understanding of the service and ability to monitor the quality of provision.</li><li>• Safeguarding practice.</li><li>• Staff culture, supervision and support.</li><li>• Narrow range of performance information made available to the Board.</li></ul> <p>Summary of improvements</p> <p>Green status – Key themes</p> <ul style="list-style-type: none"><li>• A partner in practice was identified in June 2019 - Wrexham YJB who are supporting service development.</li><li>• Practice around safeguarding activity and risk management, including CSE has seen improvement with support from Wrexham and quality assurance processes put in place. Escalating concerns mechanisms are in place.</li><li>• Internal supervision processes to support the improvement journey are in place, and performance reported to the Board. This also includes caseload information.</li><li>• An induction process is in place for staff and Board members and a training and development plan in place to support the needs of individual workers and the service. A whole service development day took place on 07/02/2020.</li><li>• Service mapping and analysis is underway to better understand the needs of service users and to ensure interventions are delivered specific to meeting need; this is supported, by the youth justice</li></ul>
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	<p>participation group, which requires embedding. Positive feedback has been received from service users and a new range of programmes/interventions developed.</p> <ul style="list-style-type: none"> <li>• Positive relationships with education partners are being built, specifically with the PRU and joint packages are being developed to ensure CYP are receiving an education offer. Work is in progress to identify CYP who are at risk of NEET and provide interventions to prevent this occurring.</li> <li>• Policies and procedures are under review and clear eligibility criteria are being developed – a concern from inspection. One of the criteria provides confirmation that YOT only work with CYP aged 10-18 years.</li> <li>• The quality of assessments was cause for concern and training and development of staff has resulted in improvements within this area. This includes asset plus assessments being undertaken on all cases, including out of Court disposals.</li> <li>• A new management Board is in place to oversee improvements as governance was identified as a cause of concern. The Board meets bimonthly, and induction sessions were offered in September and October 2020.</li> <li>• Support from a dedicated speech and language service is in place and service users are able to access a CAMHS nurse 2.5 days a week.</li> </ul> <p>Amber status – key themes</p> <ul style="list-style-type: none"> <li>• Development of a new performance framework – this will enable more robust oversight by Board members.</li> <li>• Information sharing protocols are under development.</li> <li>• A literacy and numeracy strategy is under development with a completion date of March 2020. This will support CYP to develop skills to improve their chance of a future free from offending.</li> </ul>
2	<p><b>Councillors Mary Jones, Mike Day &amp; Jeff Jones</b></p> <p>In light of the recent delay in appointing/reappointing LA Governors will the Cabinet Member agree to review this whole process.</p> <p><b>Response of the Cabinet Member for Education Improvement, Learning &amp; Skills</b></p> <p>Current delays in the process of appointing local authority (LA) governors arise for a number of reasons which include inability of applicants to identify skills required, delays in responses from headteachers and chairs despite regular reminders, skills matrices not be available or recently completed and delays in submitting forms for reappointment when term end dates are nearing. In addition to this, the requirement to meet deadlines for circulation of papers and the need to produce a report for Cabinet and subsequent approval processes mean an LA governor appointment can take a number of months.</p> <p>The School and Governor Team send regular reminders to headteachers, clerks and chairs during the appointment process. They also send sample skills matrices and reminders that these need to be completed. Recruitment campaigns have had limited success and tend to attract parents or those with previous education experience. The team are continuing to try new approaches to recruitment and have established a working group to review the administration of the process and to see if it can be improved. The School and</p>

	<p>Governor Team are also exploring options for improved communications with governors and governing bodies which can be used to provide regular reminders on the appointment process. There have also been some issues with capacity in the School and Governor Team which we are working to resolve and may help.</p>
	<p><b>Part B – No Supplementaries</b></p>
<p>3</p>	<p><b>Councillors Peter May &amp; Irene Mann</b></p> <p>Recently the High Court rejected Swansea Council’s application to appeal the Planning Inspectorate’s decision to grant permission for an HMO at 1 Montpelier Terrace in the Uplands Ward. It was reported that the council was also ordered to pay £2,807 costs to the Welsh Government.</p> <ol style="list-style-type: none"> <li>a. What was the total cost of the proceedings to the council (i.e. application fees and lawyers’ time to prepare and present the case).</li> <li>b. What was the total amount paid to Lichfield’s, the planning consultants based in Cardiff for the time in formulating the HMO policy H9.</li> <li>c. From which budgets were the costs in a and b above funded.</li> </ol> <p><b>Response of the Cabinet Member for Delivery &amp; Performance</b></p> <ol style="list-style-type: none"> <li>a. The total cost to the Council in taking Statutory Review proceedings against the Planning Inspectorate decision to grant Planning Permission for the HMO at 1 Montpelier Terrace is <b>£5783.00</b>. This total cost is broken down as follows: <ol style="list-style-type: none"> <li>i) Court Fee £528.00, ii) External Legal advice £2448.00, iii) Welsh Government Legal Costs £2807.00</li> </ol> <p>In addition, 8 hours legal officers time were spent preparing the case.</p> </li> <li>b. The answer to this question is the same as that given to the question submitted by Councillors Mann and May for the June 2018 Council Meeting, as follows: <p>Litchfields were originally commissioned in September 2016 for a fee of £24,950 to produce a comprehensive planning strategy and policy framework for determining planning applications for HMOs and purpose built student accommodation developments in Swansea, including the following key tasks: undertake extensive evidence base review, stakeholder engagement, public consultation exercise, production of draft and final versions of supplementary planning guidance (SPG), and attend multiple meeting including Planning Committee. This work commission ended on July 2017, when Members of the Council’s Planning Committee resolved not to adopt the final version of the SPG that had been produced.</p> <p>Litchfields were subsequently re-commissioned in September 2017 for a fee of £15,000 to undertake further work that was necessary having regard to the resolutions of the July 2017 Planning Committee, including: a further review of the evidence, data analysis and testing, additional stakeholder engagement, consideration of the impact of imposing different HMO threshold limits (including the impact of introducing a 15% threshold in certain areas); assessing the potential for</p> </li> </ol>

	<p>introducing a policy approach that precludes ‘sandwiching’ of non-HMO properties by HMOs, and the production of revised recommendations for new SPG/planning policy on the issue of HMOs and purpose built student accommodation.</p> <p>c. The costs incurred were met from the Council’s Planning and City Regeneration budget.</p>
4	<p><b>Councillors Peter May &amp; Irene Mann</b></p> <p>The recent delegated planning decision to reject an HMO for 1 Montpelier Terrace was overturned by the Planning Inspectorate. The council’s application to review the Planning Inspectorate’s overturn was subsequently rejected by the High Court.</p> <p>The Planning Inspector in his decision made it clear that he was satisfied that HMO planning permission could be granted as an exceptional circumstance as it had been unsuccessfully marketed as a C3 family dwelling for more than 6 months.</p> <p>Since this ruling there have been 2 applications for HMOs in the Uplands Ward which are openly citing this 6 month rule to support their case. The first is 2020/0127 (17 Waterloo Place) which provides an estate agents letter on the public file confirming that the property has been marketed for “just over 6 months”. The second is a resubmission of (2019/1861/FUL), 42 Cambridge Street which was rejected on 7<sup>th</sup> October 2019. This resubmission also has correspondence from an estate agent relying on the 6 month rule. We await the council’s determination of these applications with interest.</p> <p>Later this year the LDP will have its first statutory Annual Monitoring Review.</p> <ol style="list-style-type: none"> <li>a. It is important that when a planning decision is made in Swansea, it stays in Swansea. Does this review accommodate provision to modify a policy with a weakness if the application of it is being overturned on appeal?</li> <li>b. What changes are the council considering making to policy H9 to make it robust and defensible at appeal in the future?</li> </ol> <p><b>Response of the Cabinet Member for Delivery &amp; Performance</b></p> <ol style="list-style-type: none"> <li>a. Following the adoption of the Swansea LDP in February 2019 the Council now has in place the most prescriptive and restrictive policy on HMOs in Wales. <b>Since the LDP was adopted there have been 82 planning applications submitted to establish HMOs, of which 33 have been refused planning permission and/or found unlawful having regard to the new LDP policies.</b> Since LDP adoption, within the HMO Management Area only 2 appeals have been allowed, as described below. There was also an appeal dismissed [Ref 2019/0076/FUL, <b>Rhyddings Terrace, Brynmill</b>]</li> <li>b. In the first appeal allowed [<b>Ref 2019/0148/FUL 91 Brynymor Road</b>] the Council had refused the application as it would give rise to nearly 50% of HMOs within the immediate area. The appeal Inspector concluded however that although the proposal would breach the HMO maximum concentration threshold of 25% and would be contrary to LDP policy, she considered the</li> </ol>



circumstances of the individual case meant that an exception was justified. She found that the property being on the upper floors of a commercial building, in the heart of a mixed use commercial area, meant that the characteristics of the property and its location are inherently suitable for an HMO use rather than family home. In the second appeal allowed [**2019/0466/FUL 1 Montpelier Terrace Mount Pleasant**], the Council had refused planning permission as it would result in 'sandwiching' the adjoining property between two HMOs. The appeal inspector concluded however that, notwithstanding the sandwiching that would occur, there were in his view 'exceptional circumstances' that apply to render the proposal acceptable. The Council applied to have this decision reviewed by the High Court as it considered the inspector had misapplied the LDP policy on a point of detail. The High Court decision however was that, whilst it was possible the Inspector may have misapplied the policy, the judge did not need to reach a formal judgement on that because he was of the view that in any event the inspector was entitled to consider other material considerations outside LDP policy requirements to reach a conclusion on the appeal, and therefore the judge considered the inspector would have reached the same decision in any event. For that reason the judge refused the Council's application for the decision to be overturned. Going forward the Planning Authority has reminded the Planning Inspectorate that, if an inspector is minded to allow a HMO proposal that would lead to sandwiching because of what they consider are overriding material considerations that apply, they must make that decision whilst clearly acknowledging it would be a departure to the adopted LDP policy.

In summary, in both of the aforementioned cases the appointed inspectors allowed the appeals on the basis of site specific circumstances and other material considerations that they considered were overriding to warrant a departure from the adopted LDP policy. Inspectors have always been allowed to do this within the provisions of planning legislation, and this will continue to be the case. This can be a frustration for Local Authorities that make local decisions in line with adopted policies, in the interests of local communities.

Whilst the Council's restrictive adopted development plan on HMOs will continue to be the starting point for planning decision making, inspectors can continue to consider other factors that they consider fit depending on the circumstances of an individual case, and as long as this aligns with national guidance.

The LDP Annual Monitoring Report to be published later in 2020. This Report will include a measurement having regard to LDP Monitoring Indicator No. 10 which measures the proportion of HMOs within the Castle and Uplands Wards, having regard to the overall numbers of registered HMO properties as a proportion of the residential properties. The policy target is to ensure the number of HMOs as a proportion of the total number of residential properties within the HMO Management Area does not significantly exceed the 25% threshold. The trigger point for further investigation/review of the policy that is specified in the LDP is that the average concentration of HMO's within the LSOAs of the HMO Management Area either reduces or increases by +/- 2% from the base level, which is currently around 25%. The trigger point is not related to the outcome of appeal decisions.

	<p>b. Given the above it is clear that changing adopted Council policy (e.g. to try and make the restrictions even tighter) would be neither appropriate nor productive, There is no recognised flaw or weakness in the LDP policy and in fact the records clearly show a significant increase in the number of applications for HMOs being refused since LDP adoption. Rather, the outcome of the appeals that are referenced above are a product of the retained right of individual planning inspectors to consider other material circumstances outside the Council’s restrictive adopted LDP policy, where that Inspector sees fit in order to determine an appeal.</p>
5	<p><b>Councillors Chris Holley, Jeff Jones &amp; Wendy Fitzgerald</b></p> <p>Will the Cabinet Member tell Council what was the net result of the sale of the two former school buildings at Felindre and Craigeffnparc including the costs of auctioneers fees and any other associated costs incurred.</p> <p><b>Response of the Cabinet Member for Delivery &amp; Performance</b></p> <p>Both schools are now under offer of sale; Felindre at £150,000, Craig Cefn Parc at £142,000. The sales cost the council nothing as all Council costs fees are recovered by way of a “buyer’s premium” paid by the purchaser</p>