



City and County of Swansea

Notice of Meeting

You are invited to attend a Special Meeting of the

Cabinet

At: Remotely via Microsoft Teams

On: Thursday, 30 July 2020

Time: 9.00 am

Chair: Councillor Rob Stewart

Membership:

Councillors: R Francis-Davies, D H Hopkins, E J King, A S Lewis, C E Lloyd, A Pugh, J A Raynor, A H Stevens and M Thomas

Also Invited: S Pritchard

Watch online: <https://bit.ly/2OL1vIE>

Webcasting: This meeting may be filmed for live or subsequent broadcast via the Council's Internet Site. By participating 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.

Agenda

Page No.

1. **Apologies for Absence.**

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

www.swansea.gov.uk/disclosuresofinterests

3. **Minutes.**

To approve & sign the Minutes of the previous meeting(s) as a correct record.

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4. **Announcements of the Leader of the Council.**

5. **Public Question Time.**

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.

6. Councillors' Question Time.

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.

7. Local Authority Governor Appointments.

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8. Financial Procedure Rule 7 – Active Travel Fund Capital Grant 2020/21.

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9. Exclusion of the Public.

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10. Installation of Solar Photovoltaic (PV) on Council Assets.

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Next Meeting: Thursday, 17 September 2020 at 10.30 am

Huw Evans

**Huw Evans
Head of Democratic Services
Tuesday, 21 July 2020**

Contact: Democratic Services - Tel: (01792) 636923

Agenda Item 3.



City and County of Swansea

Minutes of the **Cabinet**

Remotely via Microsoft Teams

Thursday, 16 July 2020 at 10.30 am

Present: Councillor R C Stewart (Chair) Presided

Councillor(s)

R Francis-Davies
C E Lloyd
E J King

Councillor(s)

D H Hopkins
J A Raynor
A H Stevens

Councillor(s)

A S Lewis
M Thomas
A Pugh

Officer(s)

Tracey Meredith
Huw Evans
Ben Smith
Phil Roberts

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

Also present

Councillor(s): S Pritchard

Apologies for Absence

Councillor(s): Nil

209. Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interest was declared:

- 1) Councillor J A Raynor declared a Personal & Prejudicial Interest in Minute 222 "Local Authority Governor Appointments" and stated that she had dispensation from the Standards Committee to Stay, Speak but Not Vote on matters relating to the Appointment of Local Authority Governors;
- 2) Councillor A H Stevens declared a Personal & Prejudicial Interest in Minute 223 "The Impact of Covid-19 and the Recommendation for the Treatment of Rents at Swansea Market" and withdrew from the meeting prior to its consideration.

210. Minutes.

Resolved that the Minutes of the meeting(s) listed below be approved and signed as a correct record:

- 1) Cabinet held on 18 June 2020.

211. Announcements of the Leader of the Council.

i) Former Councillor W Gethin Evans

The Leader of the Council referred with sadness to the recent death of former Councillor W Gethin Evans. Former Councillor Evans served the Kingsbridge Electoral Ward for 17 years. Former Councillor James served the:

- Lliw Valley Borough Council – 2 May 1991 to 31 March 1996;
- West Glamorgan County Council – 6 May 1993 to 31 March 1996;
- City & County of Swansea – 4 May 1995 to May 2008.

Councillor Gethin Evans also served as Chair of the Planning Committee.

212. Public Question Time.

No questions were asked.

213. Councillors' Question Time.

No questions were asked.

214. Revenue Outturn and Savings Tracker 2019/20.

The Section 151 Officer submitted a report which detailed the Revenue financial outturn for 2019/20.

Resolved that:

- 1) The comments and variations as detailed in the report be noted;
- 2) The proposed revenue transfers as detailed in Section 7.3 of the report be approved.

215. Revenue Outturn 2019/20 – Housing Revenue Account (HRA).

The Section 151 Officer submitted a report which detailed the City & County of Swansea's HRA outturn compared with the approved revenue budget for 2019/20.

Resolved that:

- 1) The comments and variations as detailed in the report be noted;
- 2) The proposed revenue transfers as detailed in Section 2.1 of the report be approved.

216. Capital Outturn & Financing 2019/20.

The Cabinet Member for Economy, Finance & Strategy submitted a report which detailed capital outturn and financing for year ended 31 March 2020.

Resolved that:

- 1) The net underspending of the approved budget of £29.38m be carried forward to 2020/21.

217. Welsh Government Transforming Towns Green Infrastructure Projects.

The Cabinet Member for Investment, Regeneration & Tourism submitted a report which sought to comply with Financial Procedure Rule 7 "Capital Programming & Appraisal", to commit and authorise the inclusion of the green infrastructure projects to the capital programme.

Resolved that:

- 1) The addition of the Welsh Government funded green infrastructure projects to the capital programme in 2020/21 be approved.

218. WLGA Correspondence: Further Funding for Music Services in Schools 2019-20.

The Cabinet Member for Education Improvement, Learning & Skills submitted a report which advised of the award of funding from the WLGA in relation to Music Services Provision in Schools for 2019-2020.

Resolved that:

- 1) The implications contained in the report be noted;
- 2) The Grant be accepted and retrospectively approved.

219. 21st Century Schools Welsh Education Partnership – Strategic Partnering Agreement.

The Cabinet Member for Education Improvement, Learning & Skills submitted a report which advised that the Welsh Government has been procuring a private sector partner to work with it on the delivery of education and community facilities in Wales, under the Mutual Investment Model (MIM) 21st Century Schools Programme. The report explains the process and seeks approval to enter into a Strategic Partnering Agreement (SPA) with the Welsh Education Partnership Company (WEPCo).

Resolved that:

- 1) The outcome of the Preferred Bidder Stage of the Competitive Dialogue Procedure under the Public Contracts Regulations 2015 as outlined in the report be noted;

- 2) The Strategic Partnering Agreement at Appendix F of the report and summarised in Section 3 of the report be approved and the Chief Legal Officer be authorised to enter into the agreement on behalf of the Council , subject to Resolution 3) below;
- 3) The Director of Education, after consultation with the Director of Place and the Chief Legal Officer be given delegated power to:
 - a) Approve the final terms of the Strategic Partnering Agreement; and
 - b) Approve any further deeds and documents which are ancillary to the Strategic Partnering Agreement.
- 4) The appointment of the Director of Place as 'Participant Representative' to sit on the Strategic Partnering Board (SPB) be approved;
- 5) In agreeing to the Strategic Partnering Agreement, it is noted that it is not being asked to decide to proceed with any Pathfinder Project, and that nothing within the Strategic Partnering Agreement commits the Council to make any such commitment. Any decision to proceed with a Pathfinder Project or indeed any new MIM project will be reported to Cabinet for decision.

220. Welsh Government Valleys Taskforce Empty Homes Grants Scheme Phase 2 and Western Valleys Empty Homes Grant Scheme Pilot External Funding Bid and Programme 2020-21.

The Cabinet Member for Homes, Energy & Service Transformation submitted a report which provided details of the bid for Welsh Government Empty Homes Grant Phase 2 and Western Valleys Empty Homes Grant pilot and sought approval to include schemes within the 2020/2021 capital programme to comply with Financial Procedure Rule 7 "Capital Programming and Appraisals", to commit and authorise schemes as per the Capital Programme.

Resolved that:

- 1) The bid for Welsh Government Empty Homes Grant Phase 2 scheme and Western Valleys Empty Homes Grant scheme pilot be approved;
- 2) The Welsh Government Empty Homes Phase 2 scheme and Western Valleys Empty Houses Grant scheme be included in the 2020-21 capital programme;
- 3) Authority be delegated to the Head of Service in conjunction with the Chief Finance Officer to accept the grant awards and the offer terms and conditions when these are received from Welsh Government.

221. Financial Procedure Rule 7 – Local Transport Fund and Local Transport Network Fund Capital Grants 2020/21.

The Cabinet Member for Environment Enhancement & Infrastructure Management submitted a report which confirmed the outcome of the bid for Local Transport Fund (LTF) and Local Transport Network Fund (LTNF) monies and sought approval for expenditure on the associated projects in 2020/21. To comply with Financial Procedure Rule 7 “Capital Programming and Appraisals” to commit and authorise scheme in the Capital Programme.

Resolved that:

- 1) The LTF and LTNF Schemes, together with their financial implications be approved.

222. Local Authority Governor Appointments.

The Local Authority Governors Appointment Group submitted a report, which sought approval of the nominations submitted to fill Local Authority (LA) Governor vacancies on School Governing Bodies.

Resolved that:

- 1) The following nominations recommended by the Director of Education in conjunction with the Cabinet Member for Education Improvement, Learning & Skills be approved:

1)	Cila Primary School	Cllr Paxton Hood-Williams
2)	Clwyd Primary School	Christine Steward
3)	Crwys Primary School	Cllr Paxton Hood-Williams
4)	Gowerton Primary School	Pamela Jefferies
5)	Gwrosydd Primary School	Donna Saunders
6)	Llangyfelach Primary School	Cllr Gareth Sullivan
7)	Mayals Primary School	Cllr Lynda Tyler-Lloyd
8)	Pentre'r Graig Primary School	Michael Fuge
9)	Pentre'r Graig Primary School	David Titerickx
10)	Pontlliw Primary School	Cllr Gareth Sullivan
11)	St Thomas Primary School	Cllr Joe Hale
12)	Whitestone Primary School	Cllr Des Thomas
13)	Ynystawe Primary School	Michael Hedges
14)	YGG Brynymor	Dr Stephen Bassett
15)	YGG Brynymor	Ceri Hughes
16)	YGG Brynymor	Cllr Peter May
17)	YGG Llynderw	Cllr Des Thomas
18)	YGG Tirdenaw	John James
19)	Cefn Hengoed Community School	Cllr Paul Lloyd
20)	Pentrehafod School	Cllr Peter Black

223. The Impact of COVID-19 and the Recommendation for the Treatment of Rents at Swansea Market.

The Cabinet Member Investment, Regeneration & Tourism submitted a report which sought to agree an approach to the treatment of rents at Swansea Market as an interim measure for the support of Swansea Market traders to adapt and re-build their businesses following the COVID-19 pandemic.

Resolved that:

- 1) The collection of rent at Swansea Market resumes following the rent free period already granted (9 March - 28 June 2020);
- 2) Rents are initially discounted and increase in increments over the next 5 months - with full rent recovery due by the rental period 16 November to 13 December 2020;
- 3) The application of this rental discount be backdated to 29 June 2020;
- 4) For special cases, rents continue to be waived in full as a short term measure (subject to criteria set out in paragraphs 9.4.1 and 9.4.2 of the report).

224. Leisure Partnerships Financial Support and Options Appraisal.

The Cabinet Member Investment, Regeneration & Tourism submitted a report which provided an update on the costs of temporary closure of the existing portfolio of Leisure Centres and Plantasia and sought Cabinet approval for the levels of financial support needed and variations to contracts to ensure the facilities can reopen sustainably in the short to medium term.

Resolved that:

- 1) The current relief variation agreement and level of financial support required for both Freedom Leisure and Parkwood Leisure be extended to 31st July, anticipating a 4 month closure of April-July, noting that the level of support for the 4 month period is likely to be £800,000 in total;
- 2) In the event that the facilities are required to remain closed after 31st July, authority be delegated to the Director of Place in conjunction with the Chief Finance Officer to extend the relief approved in resolution 1 for a further period up to a maximum of 3 months;
- 3) The additional support for Freedom staff that remain on furlough during the closure phase and / or reopening phases be agreed. A fixed top up to the JRS scheme by 20% across the subsequent months of July, August and September, on the basis of the anticipated costs set out in resolutions 1 and 4 be agreed;

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Cont'd

- 4) Freedom Leisure's Option 2 reopening plan be approved which requires a Council underwriting of an additional deficit of up to £1M, in addition to the contractual monthly management fee for the anticipated phased opening period from August to the end of December 2020 (or equivalent 5 month period), reconciled under an open book approach;
- 5) Parkwood Leisure's reopening plan be approved which requires a Council underwriting of additional deficit of up to £100k, in addition to the contractual monthly management fee for an anticipated phased opening period from August until the end of January 2021 (or equivalent 6 month period);
- 6) Authority be delegated to the Director of Place to enter into commercial discussions and negotiations on the terms and conditions to be agreed in regard to any additional underwriting over extended relief period to include any pay back terms, reprofiling of management fees, changes to profit share or other measures;
- 7) Authority be delegated to the Chief Legal Officer to enter into any documentation necessary to implement any of the recommendations in this report and to protect the Council's interests

The meeting ended at 11.30 am

Chair

Call In Procedure – Relevant Dates	
Minutes Published:	16 July 2020
Call In Period Expires (3 Clear Working Days after Publication):	23.59 on 21 July 2020
Decision Comes into force:	22 July 2020

Agenda Item 7.



Report of the Local Authority Governor Appointment Group

Special Cabinet – 30 July 2020

Local Authority Governor Appointments

Purpose:	To approve the nominations submitted to fill Local Authority Governor vacancies in School Governing Bodies
Policy Framework:	Local Authority (LA) Governor Appointments Procedure (Adopted by Council on 26 October 2017)
Consultation:	Access to Services, Finance, Legal
Recommendation(s):	It is recommended that: 1) The nominations recommended by the Director of Education in conjunction with the Cabinet Member for Education Improvement, Learning and Skills be approved.
Report Author:	Agnieszka Majewska
Finance Officer:	Chris Davies
Legal Officer:	Stephen Holland
Access to Services Officer:	Catherine Window

1. The nominations referred for approval

1.1 The nominations are recommended for approval as follows:

1. Casllwchwr Primary	Mr Jeff Bowen
2. Casllwchwr Primary	Cllr Christine Richards
3. Cwm Glas Primary	Cllr Paul Lloyd

4. Danygraig Primary	Cllr Clive Lloyd
5. Hafod Primary	Cllr Beverley Hopkins
6. Hafod Primary	Mrs Hayley Purcell
7. Knelston Primary	Cllr Richard Lewis
8. Penllergaer Primary	Cllr Wendy Fitzgerald
9. Plasmarl Primary	Cllr Beverley Hopkins
10. Plasmarl Primary	Mr Colin Goulding
11. St Helens Primary	Mr Perry Morgan
12. Terrace Road Primary	Ms Jo Walter
13. Waun Wen Primary	Mrs Jennifer Berndt
14. Waunarlwydd Primary	Mr Adrian Rees
15. Ynystawe Primary	Mr Nigel Thomas
16. YGG Lon Las	Mrs Patricia Evans
17. YGG Pontybrenin	Cllr Robert Smith
18. Bishop Gore Comprehensive	Mrs Margaret George
19. Cefn Hengoed Community School	Cllr Mandy Evans
20. Gowerton Comprehensive	Cllr Susan Jones
21. Pentrehafod Comprehensive	Cllr Graham Thomas
22. Pentrehafod Comprehensive	Cllr Michael White
23. Penyrheol Comprehensive	Mr Jeff Bowen
24. Pontarddulais Comprehensive	Mrs Jane Harris
25. Pontarddulais Comprehensive	Cllr Wendy Fitzgerald
26. Olchfa Comprehensive	Cllr Jeff Jones

27. Olchfa Comprehensive	Cllr Jennifer Raynor
28. YG Gwyr	Cllr Robert Smith

2. Financial Implications

- 2.1 There are no financial implications for the appointments; all costs will be met from existing budgets.

3. Legal Implications

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

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.
- 4.2 Our Equality Impact Assessment process ensures that we have paid due regard to the above.
- 4.3 There are no equality and engagement implications associated with this report.

Background papers: None

Appendices:

Appendix A - Equality Impact Assessment Form

Equality Impact Assessment Screening Form – Appendix A

Please ensure that you refer to the Screening Form Guidance while completing this form. If you would like further guidance please contact the Access to Services team (see guidance for details).

Section 1

Which service area and directorate are you from?

Service Area: Education

Directorate: People

Q1(a) WHAT ARE YOU SCREENING FOR RELEVANCE?

Service/ Function	Policy/ Procedure	Project	Strategy	Plan	Proposal
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(b) Please name and describe here:

Appointing Local Authority governors to schools in Swansea

Q2(a) WHAT DOES Q1a RELATE TO?

Direct front line service delivery	Indirect front line service delivery	Indirect back room service delivery
<input type="checkbox"/> (H)	<input checked="" type="checkbox"/> (M)	<input type="checkbox"/> (L)

(b) DO YOUR CUSTOMERS/CLIENTS ACCESS THIS...?

Because they need to	Because they want to	Because it is automatically provided to everyone in Swansea	On an internal basis i.e. Staff
<input type="checkbox"/> (H)	<input type="checkbox"/> (M)	<input checked="" type="checkbox"/> (M)	<input type="checkbox"/> (L)

Q3 WHAT IS THE POTENTIAL IMPACT ON THE FOLLOWING...

	High Impact (H)	Medium Impact (M)	Low Impact (L)	Don't know (H)
Children/young people (0-18)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Q4 WHAT ENGAGEMENT / CONSULTATION / CO-PRODUCTIVE APPROACHES WILL YOU UNDERTAKE?

Please provide details below – either of your planned activities or your reasons for not undertaking engagement

This activity does not require consultation

Equality Impact Assessment Screening Form – Appendix A

Q5(a) HOW VISIBLE IS THIS INITIATIVE TO THE GENERAL PUBLIC?

High visibility <input checked="" type="checkbox"/> (H)	Medium visibility <input type="checkbox"/> (M)	Low visibility <input type="checkbox"/> (L)
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(b) WHAT IS THE POTENTIAL RISK TO THE COUNCIL'S REPUTATION?
(Consider the following impacts – legal, financial, political, media, public perception etc...)

High risk <input type="checkbox"/> (H)	Medium risk <input type="checkbox"/> (M)	Low risk <input checked="" type="checkbox"/> (L)
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Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes x No If yes, please provide details below

Q7 HOW DID YOU SCORE?
Please tick the relevant box

MOSTLY H and/or M → HIGH PRIORITY → EIA to be completed
 Please go to Section 2

MOSTLY L → LOW PRIORITY / NOT RELEVANT → Do not complete EIA
 Please go to Q8 followed by Section 2

Q8 If you determine that this initiative is not relevant for an EIA report, you must provide a full explanation here. Please ensure that you cover all of the relevant protected groups.

There are no equality and engagement implications associated with this process. Under the Government of Maintained Schools (Wales) Regulations 2005, it is a statutory requirement for all schools to have Local Authority governors who are appointed by the Direction of Education in conjunction with the Cabinet Member for Education Improvement, Learning and Skills. The Councillor(s) representing the ward(s) in the catchment area of the schools', the Headteacher and Chair of governors views will be sought to input into the decision-making and recommendations are taken to Cabinet for ratification as agreed by the Council Constitution.

Section 2

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email – no electronic signatures or paper copies are needed.

Screening completed by:
Name: Gemma Wynne
Job title: Governor Support Officer
Date: 03/06/19
Approval by Head of Service:
Name: Nick Williams
Position: Director of Education
Date: 03/06/19

Agenda Item 8.



Report of the Cabinet Member for Environment Enhancement & Infrastructure Management

Special Cabinet – 30 July 2020

Financial Procedure Rule 7 – Active Travel Fund Grant 2020/21

Purpose:	<p>To confirm the outcome of the bid for Active Travel Fund (ATF) monies and seek approval for expenditure on the associated projects in 2020/21.</p> <p>To comply with Financial Procedure Rule No. 7 (Capital Programming and Appraisals): to commit and authorise schemes in the Capital Programme.</p>
Policy Framework:	Local Transport Plan 2015 – 2020
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	That the ATF schemes, together with their financial implications, are approved.
Report Author:	Ben George
Finance Officer:	Ben Smith
Legal Officer:	Caritas Adere
Access to Services Officer:	Rhian Millar

1. Introduction / Background

- 1.1 A funding bid for the Active Travel Fund (ATF) was originally submitted to the Welsh Government on 13th February 2020 in accordance with guidance from the Welsh Government. The funding bid was ultimately approved under delegated decision by the Leader as Chair of the External Funding Panel and the Cabinet Member for Environment Enhancement and Infrastructure Management, and the Council was successful in securing £5,117,500 for the development and delivery of three schemes.
- 1.2 The guidance stated that there was a total funding pot of £30 million for the Active Travel Fund in 2020/21, comprising £20 million available to local authorities through the application process, up to £9 million to provide local authorities with core allocation funding and up to £1 million to support Welsh Government to enhance the implementation of the Active Travel Act. This funding is available to all Welsh Local Authorities. The Welsh Government elected not to set a maximum value for each scheme, but rather elected to set a banded scoring criteria, with higher values attracting a lower point allocation. Whilst match funding is not a requirement of the funding bids, it was made clear that those schemes that benefited from match funding would be more likely to receive an allocation.
- 1.3 The City & County of Swansea submitted bids totalling £6,932,000, and the Welsh Government ultimately awarded funding amounting to £5,117,500 for FY2020/21.
- 1.4 This report seeks approval to commit these funds to the capital programme in accordance with the Financial Procedure Rules.

2. Submitted Bids

- 2.1 A total of £6,932,000 was bid for by the City & County of Swansea, and the Welsh Government has subsequently allocated £5,117,500 for the delivery of three schemes with ATF in 2020/21. The bid and the successful funding allocation are shown in the tables below.

Table One – Summary of Bids for ATF 2020/21

Fund		Total Bid (£k)	Match funding (£k)	Total project cost (£k)
ATF	01 - City Centre Links	3428	1200	4628
ATF	02 - Sketty & Mayals Network Links	1877	0	1877
ATF	03 – Pontarddulais Link	854	0	854
ATF	Core Allocation	773	0	773
Total		6932	0	8132

Table Two – Summary of Allocations for ATF 2020/21

Fund		Total Bid (£k)	Match funding (£k)	Total project cost (£k)
ATF	City Centre Links	2467	1200	3667
ATF	Sketty & Mayals Network Links	1877	0	1877
ATF	Core Allocation	773	0	773
Total		5117	1200	6317

3. Details of Schemes - ATF

3.1 The projects approved for funding from the Active Travel Fund 2020/21 are summarised below.

3.2 City Centre Links: The Welsh Government has allocated £2.467m to deliver four project, providing off-road connections to a number of communities to the existing off-road network for walking and cycling. Details of the individual schemes to be constructed in 2020/21 are listed below:

3.3 *Swansea Central Bridge* – This element will provide a contribution to a prominent infrastructure investment which will span Oystermouth Road, linking the Swansea Central retail development in the city centre with the new City Centre Arena. The bridge will accommodate both pedestrians and cyclists, providing off-road access for sustainable travel to and from these prestigious developments and linking users with the exiting shared use provisions adjacent to Oystermouth Road, to National Cycle Network Route 4 and 43.

3.4 *The Ravine* – This 1.46km route will provide an important route, connecting the community of Townhill to Carmarthen Road, which serves as an arterial route into the city centre. A major proportion of this route will provide access to the communities at the highest point of Townhill, providing good quality walking and cycling infrastructure to enable otherwise difficult journeys with the challenging topography that is present in the area. Switchbacks will be created through the middle section of this route to alleviate the steep incline that is only accessed through the use of steps at present to provide an accessible route for both pedestrians and cyclists.

3.5 *Townhill Road* – This 1.21km route will provide an important link between ‘The Ravine’ and Broadway Interchange, enabling active travel journeys through the centre of Townhill. This connecting link will cater for both north and southbound journeys as well as providing improved access and active

travel choices for those travelling to the local primary school, Townhill Community School and local amenities.

- 3.6 *St. Helens Shared Use Path* – At 0.6km, this small section will provide a key link from existing active travel routes to the Guildhall, a major employment centre, and the Crown Court.
- 3.7 Sketty and Mayals Network Links: The Welsh Government has allocated £1.877m to the projects contained within this scheme. The scheme elements which make up this project will continue the investments made in 2019/21, by further extending the city centre active travel networks, to bring it into the sphere of an ever increasing proportion of the local population. The projects contained in this bid will bring 8,120 households within 500 metres of an active travel route.
- 3.8 *Mayals Road Link* – This link will create infrastructure for cycling along this important distributor link. The improvements will deliver a route measuring 1.6km, which will principally provide connectivity and access for those living in Mayals and West Cross, and will facilitate a wider strategic route for South Gower in the coming years. The enhancement will take the form of an on-road hybrid cycle track, segregated from both vehicle and pedestrians.
- 3.9 *Sketty Park Links* – This 2km shared use path will be constructed adjacent to Sketty Park Road, Sketty Park Drive and Park Way, and provide enhanced connectivity into the active travel networks serving the city.
- 3.10 *Olchfa Link* – This 2.5km link will provide a large area of Killay with off-road access to a multitude of destinations by linking onto the NCN Route 4. Olchfa Link will also provide an alternative walking route to school for pupils attending Olchfa Comprehensive School.
- 3.11 Core Allocation: The Welsh Government reserved a proportion of available funds for the pro-rata distribution to all Local Authorities in Wales. A grant allocation has subsequently been apportioned to Swansea Council for £773k for FY 2020/21.
- 3.12 This grant allocation will allow the Council to undertake; feasibility, survey, design, consultation, promotion and minor infrastructure improvements for the County's current and planned active travel networks.

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.
- 4.2 Our Equality Impact Assessment process ensures that we have paid to regard to the above.
- 4.3 An Equality Impact Assessment Screening Form has been completed. The outcome of the Assessment is that full Equality Impact Assessments is not needed at this time, If these schemes are progressed individual screenings will be undertaken on each and full EIA's completed if needed.
- 4.4 All schemes will be designed in accordance with the national design guidance and will be compliant with the Equality Act 2010.

5. Financial Implications

- 5.1 The schemes described in this report, rely upon the Active Travel Fund to provide grant funding to secure their delivery.
- 5.2 The schemes are 100% reliant upon grant to secure their delivery, but one scheme also includes a match fund element which will be required to achieve full spend.
- 5.3 Swansea Central Bridge: Match funding of £1.2m was put forward by Swansea Council upon submission of the bid to Welsh Government. This funding will be provided from the Swansea Central Regeneration project.
- 5.4 Claims are to be made to the Welsh Government on a quarterly basis. The grant must be claimed in full by 31 March 2021 otherwise it will be lost.
- 5.5 Any revenue costs arising from capital schemes will be met by existing revenue budgets.

6. Staffing / IT Implications

- 6.1 There are none.

7. Legal / Procurement Implications

- 7.1 When delivering Transport Schemes, compliance will be required with the relevant Highways and Transport Act measure and guidelines. The Active Travel (Wales) Act 2013 puts an obligation on local authorities to provide walking and cycling infrastructure.
- 7.2 It will be necessary to ensure that all terms and conditions attached to external grant funding are complied with and that the Council's Financial Procedure Rules Regarding Grant Applications and Acceptances are followed.

- 7.3 Land agreements whether by purchase or lease should be in place prior to the commencement of scheme construction and delivery.
- 7.4 Planning Consent is required for the Swansea Central Bridge and this is already in place. All other projects listed in this report are expected to be delivered under Permitted Development regulations.
- 7.5 Separate legal advice will need to be sought regarding any contract and procurement issues relevant to the schemes.

Background Papers: Active Travel Fund Bid Documents & EIA Screening Form

Appendices:

Appendix A – Swansea Central Bridge Financial Summary

Appendix B – The Ravine Financial Summary

Appendix C – Townhill Road Financial Summary

Appendix D – St. Helens Shared Use Path Extension Financial Summary

Appendix E – Mayals Road Links Financial Summary

Appendix F – Sketty Park Links Financial Summary

Appendix G – Olchfa Link Financial Summary

Appendix H – Core Allocation Financial Summary

APPENDIX A – SWANSEA CENTRAL BRIDGE FINANCIAL SUMMARY

Portfolio: PLACE

Service : HIGHWAYS

Scheme : ATF – SWANSEA CENTRAL BRIDGE

<u>1. CAPITAL COSTS</u>	2020/21 £'000				TOTAL £'000
<u>Expenditure</u>					
Materials Purchase	2400				2400
EXPENDITURE	2400				2400
<u>Financing</u>					
ATF grant	1200				1200
CCS Match Funding	1200				1200
FINANCING	2400				2400

<u>2. REVENUE COSTS</u>	2020/21 £'000				FULL YEAR £'000
<u>Service Controlled - Expenditure</u>					
Employees	)				0
	) To be met from existing budgets				0
Maintenance	)				0
Equipment	)				0
Administration	)				0
NET EXPENDITURE	0	0	0	0	0

APPENDIX B –THE RAVINE FINANCIAL SUMMARY

Portfolio: PLACE
Service : HIGHWAYS
Scheme : ATF – THE RAVINE

<u>1. CAPITAL COSTS</u>	2020/21 £'000				TOTAL £'000
<u>Expenditure</u>					
Works	858				858
EXPENDITURE	858				858
<u>Financing</u>					
ATF Grant	858				858
FINANCING	858				858

<u>2. REVENUE COSTS</u>	2020/21 £'000				FULL YEAR £'000
<u>Service Controlled - Expenditure</u>					
Employees	)				0
	) To be met from existing budgets				0
Maintenance	)				0
Equipment	)				0
Administration	)				0
NET EXPENDITURE	0	0	0	0	0

APPENDIX C –TOWNHILL ROAD FINANCIAL SUMMARY

Portfolio: PLACE
Service : HIGHWAYS
Scheme : ATF – TOWNHILL ROAD

<u>1. CAPITAL COSTS</u>	2020/21 £'000				TOTAL £'000
<u>Expenditure</u>					
Works	231				231
EXPENDITURE	231				231
<u>Financing</u>					
ATF Grant	231				231
FINANCING	231				231

<u>2. REVENUE COSTS</u>	2020/21 £'000				FULL YEAR £'000
<u>Service Controlled - Expenditure</u>					
Employees	)				0
Maintenance	) To be met from existing budgets				0
Equipment	)				0
Administration	)				0
NET EXPENDITURE	0	0	0	0	0

APPENDIX D –ST. HELENS SHARED USE PATH FINANCIAL SUMMARY

Portfolio: PLACE

Service : HIGHWAYS

Scheme : ATF – ST. HELENS SHARED USE PATH

<u>1. CAPITAL COSTS</u>	2020/21 £'000				TOTAL £'000
<u>Expenditure</u>					
Works	178				178
EXPENDITURE	178				178
<u>Financing</u>					
ATF Grant	178				178
FINANCING	178				178

<u>2. REVENUE COSTS</u>	2020/21 £'000				FULL YEAR £'000
<u>Service Controlled - Expenditure</u>					
Employees	)				0
	) To be met from existing budgets				0
Maintenance	)				0
Equipment	)				0
Administration	)				0
NET EXPENDITURE	0	0	0	0	0

APPENDIX E – MAYALS ROAD LINK FINANCIAL SUMMARY

Portfolio: PLACE
Service : HIGHWAYS
Scheme : ATF – MAYALS ROAD LINK

<u>1. CAPITAL COSTS</u>	2020/21 £'000				TOTAL £'000
<u>Expenditure</u>					
Works	805				805
EXPENDITURE	805				805
<u>Financing</u>					
ATF Grant	805				805
FINANCING	805				805

<u>2. REVENUE COSTS</u>	2020/21 £'000				FULL YEAR £'000
<u>Service Controlled - Expenditure</u>					
Employees	)				0
Maintenance	) To be met from existing budgets				0
Equipment	)				0
Administration	)				0
NET EXPENDITURE	0	0	0	0	0

APPENDIX F – SKETTY PARK LINK FINANCIAL SUMMARY

Portfolio: PLACE
Service : HIGHWAYS
Scheme : ATF – SKETTY PARK LINK

<u>1. CAPITAL COSTS</u>	2020/21 £'000				TOTAL £'000
<u>Expenditure</u>					
Works	485				485
EXPENDITURE	485				485
<u>Financing</u>					
ATF Grant	485				485
FINANCING	485				485

<u>2. REVENUE COSTS</u>	2020/21 £'000				FULL YEAR £'000
<u>Service Controlled - Expenditure</u>					
Employees	)				0
Maintenance	) To be met from existing budgets				0
Equipment	)				0
Administration	)				0
NET EXPENDITURE	0	0	0	0	0

APPENDIX G – OLCHFA LINK FINANCIAL SUMMARY

Portfolio: PLACE
Service : HIGHWAYS
Scheme : ATF – OLCHFA LINK

<u>1. CAPITAL COSTS</u>	2020/21 £'000				TOTAL £'000
<u>Expenditure</u>					
Works	587				587
EXPENDITURE	587				587
<u>Financing</u>					
ATF Grant	587				587
FINANCING	587				587

<u>2. REVENUE COSTS</u>	2020/21 £'000				FULL YEAR £'000
<u>Service Controlled - Expenditure</u>					
Employees	)				0
Maintenance	) To be met from existing budgets				0
Equipment	)				0
Administration	)				0
NET EXPENDITURE	0	0	0	0	0

APPENDIX H – CORE ALLOCATION FINANCIAL SUMMARY

Portfolio: PLACE
Service : HIGHWAYS
Scheme : ATF – CORE ALLOCATION

<u>1. CAPITAL COSTS</u>	2020/21 £'000				TOTAL £'000
<u>Expenditure</u>					
Design	569				569
Minor Works	204				204
EXPENDITURE	773				773
<u>Financing</u>					
ATF Grant	773				773
FINANCING	773				773

<u>2. REVENUE COSTS</u>	2020/21 £'000				FULL YEAR £'000
<u>Service Controlled - Expenditure</u>					
Employees	)				0
	) To be met from existing budgets				0
Maintenance	)				0
Equipment	)				0
Administration	)				0
NET EXPENDITURE	0	0	0	0	0

Agenda Item 9.



Report of the Chief Legal Officer

Special Cabinet – 30 July 2020

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's	Relevant Paragraphs in Schedule 12A
	10	14
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 dependant 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	<p>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. 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.</p>
16	<p>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>
	<p>No public interest test.</p>
17	<p>Information which reveals that the authority proposes:</p> <p>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</p> <p>(b) To make an order or direction under any enactment.</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. 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.</p>
18	<p>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. 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.</p>

Agenda Item 10.

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

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of the Local Government Act 1972
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