



## City and County of Swansea

### Notice of Meeting

You are invited to attend a Meeting of the

## Cabinet

**At:** Council Chamber - Guildhall, Swansea / Remotely via Microsoft Teams

**On:** Thursday, 18 November 2021

**Time:** 10.00 am

**Chair:** Councillor Rob Stewart

**Membership:**

Councillors: M C Child, R Francis-Davies, L S Gibbard, D H Hopkins, E J King, A S Lewis, R V Smith, A H Stevens and M Thomas

**Also Invited:** A Pugh

**Watch Online:** <https://bit.ly/3jQfuGB>

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**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

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<b>1. Apologies for Absence.</b>	
<b>2. Disclosures of Personal and Prejudicial Interests.</b> <a href="http://www.swansea.gov.uk/disclosuresofinterests">www.swansea.gov.uk/disclosuresofinterests</a>	
<b>3. Minutes.</b> To approve & sign the Minutes of the previous meeting(s) as a correct record.	1 - 5
<b>4. Announcements of the Leader of the Council.</b>	
<b>5. Public Question Time.</b> Questions must be submitted in writing to Democratic Services <a href="mailto:democracy@swansea.gov.uk">democracy@swansea.gov.uk</a> 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.	

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*\* **Call In Procedure - Subject to Pre-Decision Scrutiny:** This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".*

*\*\* **Call In Procedure - Urgency:** This decision is exempt from the Authority's Call In Procedure as "either the Head of Paid Service, the Section 151 Officer or the Monitoring Officer certifies that any delay likely to be caused by the Call In Procedure could seriously prejudice the Council or the Public Interest including failure to comply with Statutory requirements".*

**Next Meeting:** Thursday, 16 December 2021 at 10.00 am



**Huw Evans**  
**Head of Democratic Services**  
**Friday, 5 November 2021**

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**Contact: Democratic Services - Tel: (01792) 636923**

# Agenda Item 3.



City and County of Swansea

## Minutes of the **Cabinet**

Multi-Location Meeting - Council Chamber, Guildhall / MS

Teams

Thursday, 21 October 2021 at 10.00 am

**Present:** Councillor R C Stewart (Chair) Presided

**Councillor(s)**

M C Child  
E J King  
R V Smith

**Councillor(s)**

R Francis-Davies  
A S Lewis  
A H Stevens

**Councillor(s)**

D H Hopkins  
A Pugh  
M Thomas

**Officer(s)**

Gareth Borsden  
Huw Evans  
Tracey Meredith  
Phil Roberts  
Ben Smith

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

**Also present**

Councillor(s): L S Gibbard, W Thomas

**Apologies for Absence**

Councillor(s): - Nil

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## 52. Disclosures of Personal and Prejudicial Interests.

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

- 1) Councillors E J King, A S Lewis and R J Stewart declared a Personal Interest in Minute 58 "Local Authority Governor Appointments".
- 2) Councillors R Francis-Davies & A H Stevens declared a Personal & Prejudicial Interest in Minute 58 "Local Authority Governor Appointments" and withdrew from the meeting prior to its consideration.
- 3) Councillor R V Smith declared a Personal & Prejudicial Interest in Minute 58 "Local Authority Governor Appointments" and stated that he had dispensation from the Standards Committee to Stay, Speak but Not Vote on matters relating to the Appointment of Local Authority Governors.

**53. Minutes.**

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

- 1) Cabinet held on 16 September 2021.

**54. Announcements of the Leader of the Council.**

**1) Minutes Silence**

**a) Aberfan Disaster**

The Leader of the Council stated that 55 years ago to the day, 116 children and 28 adults died, in the Aberfan disaster when a coal waste tip came crashing down at Pantglas Junior School and surrounding houses.

**b) Sir David Amess (MP)**

The Leader of the Council referred to the tragic murder of Sir David Amess MP on 15 October 2021.

As a mark of sympathy and respect a minutes silence was observed.

**2) Multi-Location Meetings - Thanks**

The Leader of the Council stated that the meeting was one of the first multi-location meetings to take place in Wales following a legislative change. He thanked Councillor Andrew Stevens, Huw Evans, Darren Richards and Nerys Williams for working to make it all possible. He also thanked the Welsh Government for their grant to make it possible.

**55. Public Question Time.**

Nortridge Perrott submitted 4 questions in relation to Minute 59 "Financial Procedure Rule 7 - Mumbles Coastal Protection Flood and Coastal Erosion Risk Management Grant 2018-22".

Councillor Mark Thomas responded.

**56. Councillors' Question Time.**

No questions were asked.

**57. Annual Review of Performance 2020/21.**

The Cabinet Member for Business Improvement & Performance submitted a report that sought approval to publish the Annual Review of Performance 2020/21 reporting progress undertaking the steps to meet the Council's Well-being Objectives described in the Corporate Plan and to meet other requirements set out within

statutory guidance concerning the Well-being of Future Generations (Wales) Act 2015.

**Resolved** that:

- 1) The report content be approved for publication.

**58. Local Authority Governor Appointments.**

The Local Authority Governor Appointment Group submitted a report which sought approval of the nominations submitted to fill Local Authority Governor vacancies in School Governing Bodies.

**Resolved** that:

- 1) The following nominations recommended by the Director of Education in conjunction with the Cabinet Member for Education and Lifelong Skills be approved:

1.	Birchgrove Primary School	Helen Thomas
2.	Clwyd Primary School	Douglas Thomas
3.	Gorseinon Primary School	Deborah Rowberry
4.	Mayals Primary School	Brian Arthur
5.	Penyrheol Primary School	Cllr Andrew Stevens
6.	Pontarddulais Primary School	Jane Harris
7.	Waun Wen Primary School	Lynwen Barnsley
8.	YGG Y Logyn Fach	Cllr Wendy Lewis
9.	Dylan Thomas Community School	Cllr Michael Durke
10.	Morrison Comprehensive School	Cllr Robert Francis-Davies
11.	Olchfa Comprehensive School	Cllr Mike Day

**59. Financial Procedure Rule 7 - Mumbles Coastal Protection Flood and Coastal Erosion Risk Management Grant 2018-22.**

The Cabinet Member for Environment Enhancement & Infrastructure Management submitted a report that sought to confirm the updated Flood and Coastal Risk Management (Capital) grant from Welsh Government and include the expenditure in the capital programme for 2021/22 to comply with Financial Procedure Rule 7 – to commit and authorise a scheme to the Capital Programme.

**Resolved** that:

- 1) The Flood and Coastal Risk Management (Capital) grant of £1,735,130.19 be confirmed, being 100% total funding for the design stage of this scheme and that this is included in the capital programme for years 2021/22 through to 2022/23. The total cost for the initial phase of the scheme is £1,735,130.19.

**60. Financial Procedure Rule 7 – Active Travel Fund Additional Grants 2021/22.**

The Cabinet Member for Environment Enhancement & Infrastructure Management submitted a report that sought to:

- i) Approve the funding application for Active Travel Fund (ATF) Additional Funding, and confirm the outcome of the bid, and seek approval for expenditure on the associated projects in 2021/22.
- ii) Approve the delegation of any remaining details associated with the schemes, in-line with the grant approval, to enable the scheme to be delivered within the grant term, to the Cabinet Member for Environment Enhancement & Infrastructure Management and Director of Place.
- iii) Comply with Financial Procedure Rule No. 7 (Capital Programming and Appraisals): to commit and authorise schemes in the Capital Programme.

**Resolved that:**

- 1) The additional Active Travel Fund 2021/22 schemes, together with their financial implications be approved.

**61. Proposed Appropriation of General Fund Sites by Housing Revenue Account.**

The Cabinet Member for Climate Change & Service Transformation and Cabinet Member for Delivery & Operations jointly submitted a report that sought to consider the potential appropriation of identified General Fund residential development sites to the Housing Revenue Account (HRA) in order to support affordable housing provision via the More Homes initiative.

**Resolved that:**

- 1) The General Fund sites named in the table in Section 4.3 of the report be appropriated to the HRA at the suggested market value, noting a potential reduction in Capital receipt.
- 2) Authority be delegated to the Director of Place in conjunction with the Chief Finance Officer, the Cabinet Member for Climate Change & Service Transformation and the Cabinet Member for Delivery & Operation to agree the final value for the Midland Place site to be determined in accordance with the scheme viability process.

**62. Exclusion of the Public.**

Cabinet were requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendations to the report(s) on the grounds that it / they involve the likely disclosure of exempt information as set out in the exclusion paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 relevant to the items of business set out in the report(s).

Cabinet considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item of business where the Public Interest Test was relevant as set out in the report.

**Resolved** that the public be excluded for the following item(s) of business.

**(Closed Session)**

**63. The Kingsway Infrastructure Project FPR7.**

The Cabinet Member for Investment, Regeneration & Tourism and the Cabinet Member for Environment Enhancement & Infrastructure Management jointly submitted a report that sought to comply with Financial Procedure Rule 7 (Capital Programming and Appraisals) - to authorise a variation to an existing capital scheme in the Capital Programme, arising from the impact of prolongation arising from both the original contractor falling into contract administration, and the impact of the Covid 19 pandemic.

**Resolved** that the recommendations as detailed in the report be approved.

The meeting ended at 11.05 am

**Chair**

<b>Call In Procedure – Relevant Dates</b>	
Minutes Published:	<b>21 October 2021</b>
Call In Period Expires (3 Clear Working Days after Publication):	23.59 on 26 October 2021
Decision Comes into force:	27 October 2021

# Agenda Item 7.



## Report of the Cabinet Member for Climate Change and Service Transformation

Cabinet – 18 November 2021

### Climate Change - Progress Update

<b>Purpose:</b>	To update Cabinet on progress following the 'Climate Emergency Declaration – Policy Review and Proposed Action' Report to Cabinet, November 2020.
<b>Policy Framework:</b>	Notice of Motion declaring a Climate Emergency to Council on 27 <sup>th</sup> June 2019.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that Cabinet approves: <ol style="list-style-type: none"><li>1) The proposal to expand work to include both Climate Change and Nature and subsequent changes to governance.</li><li>2) The 2021-2030 Climate Change &amp; Nature Strategy (Appendix 2) and delegates authority to make further changes to the Deputy Leader and Cabinet Member for Climate Change and Service Transformation, along with the Director of Place.</li><li>3) Supporting further work required in developing the longer term Strategy and striving towards net zero carbon by 2050 for Swansea.</li><li>4) The continuation of the emission reporting via the Council developed methodology of calculating carbon emission with the associated implications set out in the report</li></ol>
<b>Report Author:</b>	Martin Nicholls
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar



## 1. Introduction.

- 1.1 The report provides an update on the approved recommendations from the Cabinet report presented in November 2020, 'Climate Emergency Declaration – Policy Review and Proposed Action'.
- 1.2 Beyond the original proposals, there has been additional activity driven in the main by Welsh Government, which has also helped frame Swansea's future actions.
- 1.3 Emissions reporting guidelines were issued by Welsh Government in May 2021. Swansea is currently collating baseline year data for 19-20 and for 20-21, will have been submitted by 31<sup>st</sup> October 2021.
- 1.4 Welsh Government declared a Nature Emergency in July 2021 and Swansea Council has also put forward a Notice of Motion to Council on 4<sup>th</sup> November 2021 declaring a Nature Emergency.
- 1.5 A very successful Swansea Council survey campaign in March has provided vital information to help us shape our future actions.
- 1.6 Regional activity is building and it is envisaged that this will develop further in coming months.
- 1.7 With the forthcoming COP 26 event in Glasgow in November, this subject and local authority commitment to making a difference is becoming increasingly high profile and the recent appointment of a Climate Change Minister for Wales reflects this.
- 1.8 Pace is certainly accelerating, with a view that we need to 'Go faster, Go Further'

## 2. Progress to Date

Each section below outlines the previous agreed action heading, the progress to date and the further action being taken.

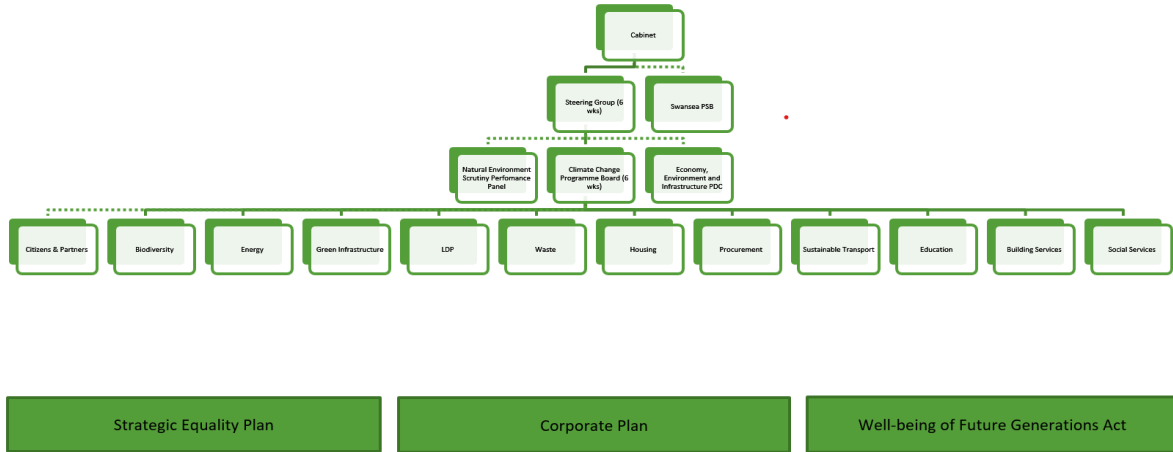
- 2.1 **Establish Sound Governance.** Governance has been formalised both internally and externally with partners, including PSB (Public Service Boards) and regular programme boards and steering group meetings have ensured good progressed throughout the last year.

Whilst the structure was never rigid, it has already come to light that a wider audience should play pivotal roles at programme board level. This includes Education, Resources and Social Services colleagues.

Also, Swansea Environment Forum, whilst still under contract to Swansea Council (March 22), will lead the main external partner forum for the remainder of this financial year. The tender process will begin for a future partner in the New Year.

As part of the regional agenda the 4 local authorities have progressed a new draft regional energy strategy due to be approved by cabinet in December. Further work is also progressing as part of the new CJC work programme also due to be reported to cabinet in December.

Fig 1. Swansea Council Governance



It is also encouraging to see the new Climate Change Minister for Welsh Government has set out five key areas of activity, all of which line up with the Swansea approach. Planning, Energy, Housing, Transport and Green Infrastructure.

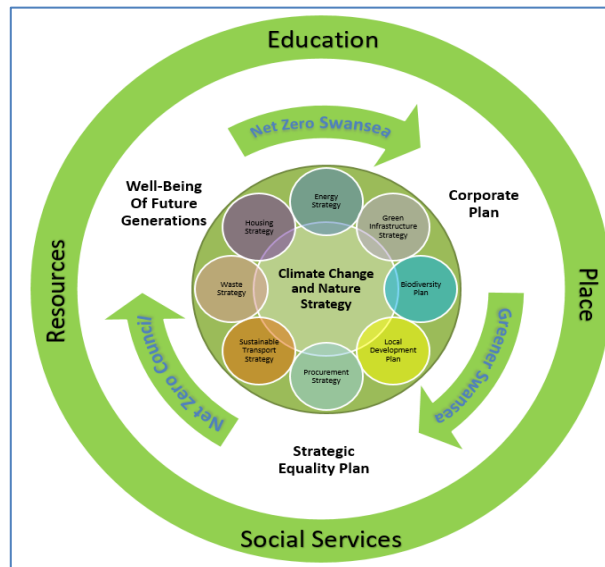
**Looking forward:** Council’s Well-being and Strategic Equality Objectives set out within the Corporate Plan and Strategic Equality Plan establish the Council’s overall strategic framework for maximising its contribution to a more resilient and a more equal Wales.

The plans are aligned and contain steps to tackle climate change and, through that work, address and improve equality.

In light of the recent ‘Nature Emergency’ announced by Welsh Government, it is recommended that the overall programme changes from ‘Climate Change’ to ‘Climate Change and Nature’, including natural resources.

This will be cascaded down through all future activities and also in the proposal to amend the Corporate well-being objective within the 2022/27 Corporate Plan and any subsequent changes necessary to the Strategic Equality Plan so as to maximise our contribution to a more resilient and a more equal Wales.

Fig 2. New Strategic Approach



2.2 **Develop two work streams** - The approved approach of Swansea Council net zero carbon by 2030 and Swansea net zero carbon by 2050 has worked well.

It is anticipated that this approach will remain and be enhanced with Swansea Council looking at training/education of all employees and developing a community of climate champions to help drive forward the internal targets.

Recent work with WLGA has demonstrated through their review of Climate Strategy status across all 22 authorities, that Swansea’s current position of ‘focus on what’s within our control’ appears to be mirrored across Wales.

**Looking Forward:** Work will continue to build on the external working relationships to develop a 2050 strategy for the county. The recent temporary appointment of a Project Manager for Strategic Climate Change funded by the economic recovery fund will support this programme of activity.

Similarly, other Welsh local authorities are of the same thinking that this is a challenge beyond our control and that Welsh Government need to support change via funding, technical resource, public incentives/disincentives etc. Lobbying must continue at pace.

The intention will be that the Nature Recovery action plan will also align with the Climate Change work.

2.3 **Develop a Sustainable Transport Strategy** – A task and finish group has been established to bring together all the great work currently being

undertaken across the Highways and Transportation service area. This includes:

- Green Fleet (strategy already approved)
- Grey Fleet
- Street Lighting
- Other transportation e.g. taxi, schools etc.
- Active travel

The proposed approach will have specific strategies for all areas, and then a brief overarching document aligning the service wide approach and it is expected to have a completed draft to report via the economy and Environment PDC prior to the end of 2021.

This will also include a new strategy for Ultra Low Emission Vehicles (ULEV) as part of the green fleet strategy which is required by Welsh Government to enable it to align it with any upcoming grant awards

**Looking Forward:** The work is targeted for completion by year end to align with the new corporate plan for 2020 onwards.

2.4 **Monitor & Record Carbon Emissions** - In November 2020 when the report was approved the Council was developing an in-house carbon calculator as the Welsh Government guidelines had been delayed due to the pandemic. Whilst the Welsh Government Methodology has now been issued there are some concerns about some of the calculation methods and indeed some of the included elements which outside of the core scope 1 and 2 emissions forming the Council’s 2030 target i.e. waste and procurement

An overview of the data collated is presented below when comparing “like for like”:

<b>Fig 3. Previously Reported Energy &amp; Transport</b>			
	<b>2018/19 (Swansea template)</b>	<b>2019/20 (WG Template)</b>	<b>2020/21 (WG Template)</b>
Natural Gas	11031	11769	11251
Electricity	8960	6997	5178
Street Lighting	2147	1955	1775
Fleet	4700	4932	3752
Grey Fleet	600	458	102
<b>Total</b>	<b>27,438 t/CO<sub>2</sub>e</b>	<b>26,111t/CO<sub>2</sub>e</b>	<b>22,058t/CO<sub>2</sub>e</b>

You will see from Fig 3 that Swansea’s own internal data collation for 18/19 base year has aligned extremely well with the WG methodology for the elements cabinet previously agreed as being in scope. These figures in columns 2 and 3 represent what was initially deemed to be within scope

1&2 emissions and net zero carbon 2030 target for the authority so on a “like for like” basis. Based on the figures above Swansea had confidence of being on track to deliver net zero carbon by 2030, **a reduction of 2,450t/CO<sub>2</sub>e per year**

Two other points of note in that the proposed WG methodology does not reflect any renewable energy purchased by the council nor does it take into account the estimated 1,255,765 kw/hrs (300t of CO<sub>2</sub> offset) of renewable electricity generated through solar PV, i.e., Re:Fit, SCEES and Egni projects.

It is believed this is a significant flaw in the approach set out by WG and whilst year 1 collections intended to be the opportunity to assess the process and outputs, it is clear that there needs to be robust challenge and understanding of the consequences prior to its adoption.

**As such the recommendation at this stage is to retain the council’s emissions calculation until such time as the WG methodology is agreed.**

### **2050 Target**

To date there are no reliable or consistent measures for what a net zero 2050 city looks like but as a guide details taken from Local Authority CO<sub>2</sub> interactive maps for the whole county - NAEI, UK (beis.gov.uk) show:

**Swansea = 1,029,700 tonnes/ CO<sub>2</sub> per year** (Cardiff = 1,626,056 tonnes of CO<sub>2</sub> per year).

Interestingly this is 2019 data and does not include water, waste and procurement data unlike the WG methodology and in the main it covers energy and transport.

Moving forward this figure starts the conversation of how we would have to lead by example and encourage others to reduce county wide emissions at a rate of **35,506t/ CO<sub>2</sub>e per year** for the next 29 years.

**Looking Forward:** In order to align with other Welsh authorities, a decision will be required, once Welsh Government reporting processes have been ratified, to agree that the Council moves from our internal PI’s to the Welsh Government method of monitoring, this will not only improve consistency but as the data builds across Wales, we will have excellent comparators to reflect on across the public sector.

The Energy Manager is working with CLAW colleagues to share learning experiences and concerns over the proposed reporting mechanisms regionally.

The intention is to also build Council dashboards with the software package already in place for measuring building energy usage – Sigma.

One positive from the WG emissions calculator is that they have created a way of calculating land and tree use by way of offsetting. Whilst not perfect it is a good start with the current emissions show as follows:

Fig 4

Current land use type	Land area in hectares (ha)	Emission factor (t CO <sub>2</sub> /ha/year)	Total t/ CO <sub>2</sub> e
Forest land	425.70	-5.42	-2,307
Cropland	12.80	1.08	13
Wetlands	147.20	N/A	
Grassland	3877.40	-1.44	-5,586
Settlements	964.60	2.10	2,030
Other land	30.80	N/A	
<b>Total</b>	<b>5458.5</b>		<b>-5,849</b>

Fig 4 indicates a current offset of -5,849t/ CO<sub>2</sub>e. For consideration regarding land use going forward - forest land has a 3.5 times greater carbon capture on the WG conversions than grassland so it is recommended that this type of offsetting is aligned for positive mitigation within the Tree Policy.

- Grassland offset -1.44
- Forest offset -5.42

This will hopefully align with the work to develop a tree policy which is due to be considered by the PDC and cabinet in the next few months. Further consideration will continue to review any policies that impact of Climate and Nature and other changes to this aspect of collection have been requested to make this offsetting aspect more accurate.

It is important to state that there isn't an opposition to measure emission for aspects such as waste and procurement but that the current methodology is flawed and it is believed as these two aspects sit outside of scope 1 and 2 emissions they should form part of a 2050 target and not a 2030 target. In any event, further actions will need to be developed but on potentially different timelines.

**2.5 Lobby Welsh Government** - In light of a variety of concerns it is critical that Welsh Government receive feedback on local authority views. Martin Nicholls and Rachel Lewis have met with Miller Research (On behalf of

WLGA) on 27<sup>th</sup> July 2021 to complete a questionnaire covering such concerns and position.

Concerns raised include:

- Lack of funding resource
- Accuracy of emissions data and respective reporting, e.g., league tables.
- Policy clashes.
- Supply issues – not only of all materials at present but more specifically new decarbonisation technologies.
- Lack of knowledge and skill within the business.
- Limited pool of talent in the recruitment marketplace.
- Incentives/disincentives required for wider behaviour change to happen.

The WLGA research report published November 2021, concurs with Swansea's concerns with the recently adopted Welsh Government reporting guidance.

- The lack of consultation on the guidance prior to publication and delay in publication
- The impact of the guidance on existing baseline measurement, which for some had been outsourced, making in some cases, previous work 'redundant, in other cases confusing communication of key headlines to decision makers
- Oversimplification of the approach to scope 3 emissions by using spend as a proxy for emissions. (local authorities who had undertaken procurement approaches focused on local or more sustainable purchasing felt they were being unfairly penalised under this approach)
- Limited data availability on procurement and the carbon impact of spend
- Lack of guidance on the measurement of the carbon sequestration
- The inability to 'claim' renewable energy generation as carbon reduction on local authority assets.
- How to account for the effect of the Covid pandemic as part of baseline data

**Looking Forward:** Further meetings continue to work collaboratively with Welsh Government on emissions monitoring.

- 2.6 **Develop a Communications and Engagement Plan.** This is the area where most work has been delivered since report approval. Temporary resources had been temporarily assigned one day a week to support this element of the programme and delivered many successes and a full-time resource is shortly due to commence. Some of the recent activity includes: -

Launch a Citizen/employee survey

Due to the pandemic, the original report in November last year had extremely limited public consultation behind it. An online survey was

developed and launched in March 2021 with over 1000 responses received. This was an amazing return, which includes some focus and hard to reach group too. The full summary is attached at **Appendix 1**.

The outcomes in the main revealed that citizens/employees believe we are on the right path both as a council and as a county. The key message was 'go faster' and 'go further'.

A few gaps were identified, with fewer responses from 'youth' and 'business' groups, which is already being addressed. We attribute the poor return in both these areas to the pandemic.

Relationships have been established with the Swansea Environment Forum to support wider engagement for the 2050 work, alongside a wider working group as an offshoot from PSB.

Relationships and strategies are starting to be developed within schools and further work is required within the Social Services Directorate and time allows. As noted above, a champion has been invited to sit on future programme boards.

#### Sign up of Charter

Following some concerns by members of the PSB a revised version has now been adopted which now has full sign up of all PSB partners. Wider sign up is current being sought.

#### Pledge Wall

Recently launched to encourage our citizens, businesses, community/voluntary groups, schools and young people to make their own pledge and join us in all working together for a Net Zero, Greener Swansea by 2050.

#### Training – Climate Literacy

Two pilots and one official course have been delivered on Climate Literacy, the proposal is to consider going for a bronze accreditation, provided resource is available to meet the standard.

#### Working with the Unions and front-line employees

The whole climate change journey has been presented to the Union/HR working group with incredibly positive feedback.

Work is already underway to look at toolbox talk style training for the frontline workforce who do not have online access to training materials. Subject matters will include, energy, nature recovery, transport etc.

#### Working with Facilities Team - Home Working Tool Kit

At the beginning of 2021 Swansea won 5 days consultancy with APSE Energy. We have chosen to progress an online Home Working tool kit.



The first version focuses on energy consumption encouraging staff to think wisely about energy use whilst working from home, but also more general advice on energy saving options that can be used around the home.

The aim is to encourage behaviour change with our own staff so they can in turn share the learning with friends and family. It is anticipated to have this online by year end.

We are working with Housing to gain a regular presence in 'Open House' the tenant magazine

#### Develop Communication Channels

A Climate Change web page has been created, with the communications team helping to market the site, including all the great work going on in the council currently. A dedicated email account has also been created.

We have recently set up an online pledge wall to encourage any Swansea partner, citizen, business etc. to commit to the agenda – however big or small.

#### Develop Brand

Design Print have created some brand logo concepts, 3 are currently shortlisted internally, and we are waiting on further partner discussions before these are agreed collaboratively and shared more widely.

The intention is if anyone or any company, charity group etc. signs up to the charter or pledge wall they will be able to use the logo within their business, group, school etc.

#### COP26

There is no doubt COP26 will have some clear outcomes on future approaches that we will have to align with. Activity working with COP Cymru, Swansea hosted the BEIS Bus Tour on 13<sup>th</sup> September 2021, involving regional councils, Carmarthenshire, Pembrokeshire, and Neath Port Talbot. The team are also working as part of a Regional Green Zone, Welsh Government initiative to deliver activities during the COP26 event.

**Looking Forward:** Further work will be required to develop this going activity, the plan will evolve as the communication and engagement campaign expands over time.

Swansea has agreed to be the first Welsh Council to pilot the highly innovative One Planet 'Ecological Footprint' accreditation. This accreditation aligns to our wider wellbeing objectives embedded in our Corporate Plan, alongside the Wellbeing of Future Generations Act.

- 2.7 **Create a Climate Change and Nature Strategy** – An overarching and emerging strategy is attached at **Appendix 2** for approval. This will remain under continual review in light of the recent WG emissions submission. It is recommended that approval for any subsequent

changes would be delegated to the Steering Group Chair – Deputy Leader and Cabinet Member for Climate Change and Service Transformation, along with the Director of Place.

**Looking Forward:** The intention would be to build on this and include a Nature Recovery action plan following the Council Notice of Motion declaring a Nature Emergency.

### 3 **Next Steps**

With approval the proposed next steps will be acted on in readiness for the release of the 2022 Corporate Plan.

- 3.1 Amend governance to reflect Climate and Nature alignment with our Corporate Plan, partner working group and inclusion of all Directorates.
- 3.2 Continue to work with the PSB, build partner relationships, develop strategy and programmes of work to deliver Swansea 2050 target.
- 3.3 Seek approval for a ULEV strategy and the overarching Sustainable Transport Strategy by March 2022 and take into account any financial implications as part of the budget process.
- 3.4 Consider amending Corporate Wellbeing objective to encompass 'Climate & Nature' in readiness for 2022 Corporate Plan.
- 3.5 Work with CLAW and Welsh Government to ensure accurate data monitoring and recording.
- 3.6 Establish performance monitoring targets for 2022-23, including offsetting on receipt of first data submission analysis from Welsh Government.
- 3.7 Obtain cabinet approval for Tree Policy.
- 3.8 Continue to lobby Welsh Government to resolve challenges listed.
- 3.9 Develop Nature Recovery action plan and align/integrate with approved Climate Change and Nature Strategy, continuing to work regionally and nationally to share and learn from best practice.
- 3.10 Continue to build on current communication and engagement plan, focusing on hard to reach communities and groups, the younger generation through schools and businesses.
- 3.11 Decide on investment and resource allocation for internal training delivery.
- 3.12 Continue to build communications networks across Swansea, the region and nationally.

- 3.13 Agree branding with partners.
- 3.14 Prepare for and act on COP26 outcomes.
- 3.15 Begin the Journey to gain One Planet Bronze accreditation.
- 3.16 Consider the future financial implications and approaches for funding to Welsh Government

#### **4. Integrated Assessment Implications**

4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, 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 Acts.
- 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.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

4.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

4.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

4.2 An IIA Screening Form has been completed with the agreed outcome that a full IIA report was not required. This report covers an overarching strategy, each action as and when pursued will be screened independently. The IIA screening form is attached as **Appendix 3**

## **5. Financial Implications**

- 5.1 There are no direct financial implications associated with this report. However, it is clear to reach both the 2030 and 2050 targets, significant investment is required and any such decisions would be subject to separate cabinet reports at the time with the council continuing to lobby both Welsh and UK Governments to seek appropriate funding

## **6. Legal Implications**

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

**Background Papers:** Climate Emergency Declaration – Policy Review and Proposed Action Report to Cabinet - November 2020.

### **Appendices:**

Appendix 1 Citizen Survey Report

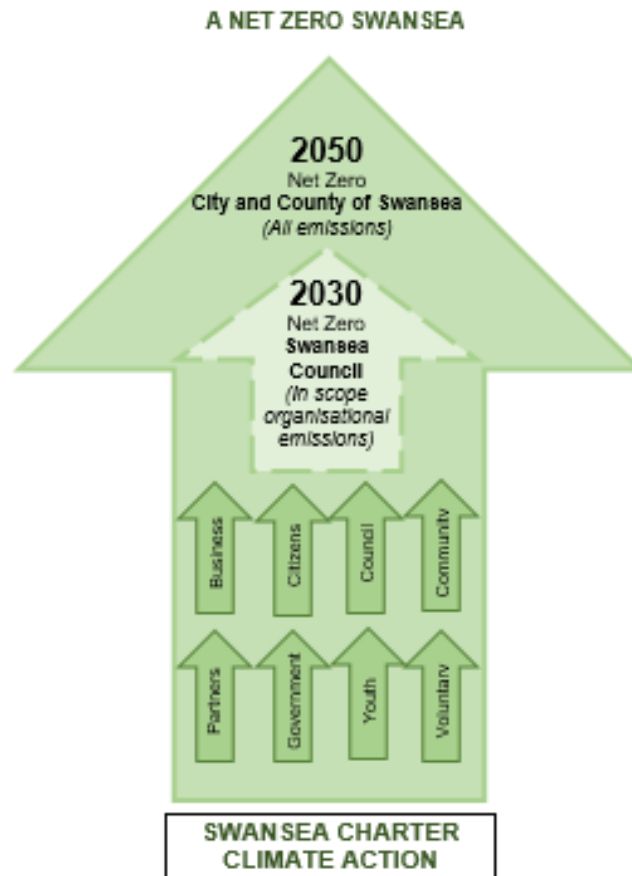
Appendix 2 Climate Change and Nature Strategy

Appendix 3 IIA screening form

# Swansea Council Climate Change Survey Report

## Go Faster! Go Further!

- 1 Introduction
- 2 Survey Objectives
- 3 Survey Methodology
- 4 Key Findings**
- 5 Attitudes to climate change
- 6 A Net Zero Swansea Council
- 7 A Net Zero Swansea
- 8 Cross Cutting Comments
- 9 Responses
- 10 Conclusions



[www.swansecouncil.gov.uk/climatechange](http://www.swansecouncil.gov.uk/climatechange)  
[climatechange@swansea.gov.uk](mailto:climatechange@swansea.gov.uk)

## **1 Introduction**

Swansea Council aims for a 'Net Zero Swansea' by 2050. This means that carbon emissions from the whole City and County are reduced as much as possible and what is left balanced by activities that remove an equivalent amount of carbon.

To provide leadership and drive action on areas within the Council's direct control, Swansea Council has set a 'Net Zero Swansea Council' objective to become a net zero organisation by 2030.

Swansea Council declared a Climate Emergency in June 2019 and has been taking action, setting objectives and developing plans set out in a 'Policy Review and Proposed Action' paper taken to Council in December 2020. Despite the constraints of the pandemic, action on climate change has continued although involvement and collaborative activities are significantly impacted.

Swansea Council understands it can't tackle climate change alone, our partners, citizens, young people, businesses and community and voluntary groups all need to play their part. We need to work together so the intention of this survey is to start an ongoing conversation driving collective and individual action on climate change.

## **2 Survey Objectives**

Our Climate Change Survey aimed to gain an understanding of how people in Swansea feel about three key areas.

### **1 Attitudes to climate change**

We wanted to understand how people in Swansea feel about climate change and the local appetite to make change happen.

### **2 Proposed actions towards a Net Zero Swansea Council**

We wanted to test if proposed key actions intended to ensure our organisation is Net Zero by 2030 are the right ones and gain feedback on other actions. (Key actions are specific, measurable actions with significant impacts but take place in the context of wider action taking place in every Council service. Find out more at [www.swansea.gov.uk/netzero2030](http://www.swansea.gov.uk/netzero2030).)

### **3 Key themes and priorities for action towards a Net Zero Swansea**

We wanted to know what people in Swansea prioritise as the best ways to take action on climate change, and the ways organisations, businesses, community and voluntary groups and individuals can make a difference. We needed to understand the themes people connect with and care about in Swansea. This will help us start a conversation about climate action. It is the first step towards a strategic city wide approach to achieving a Net Zero Swansea.

### **3. Survey Methodology**

#### **3.1 Our involvement approach**

Swansea Council recognises long term involvement with citizens and integrated collaborative activity with partners is essential to achieve our Net Zero objectives. This means we aim to reach out to all citizens and to the private, public and third sectors working across social, economic, environmental and cultural concerns in Swansea.

Climate justice is a key driver as disadvantaged and vulnerable groups are disproportionately impacted by climate change. Our approach also values and aims to facilitate further the important role played by children and young people in tackling climate change.

#### **3.2 Lockdown impact**

The impact of the pandemic has constrained wider involvement activity making this online survey the short term focus, rather than just an element of our 2021 engagement approach to date. As soon as it is safe and appropriate to do so involvement activity will be expanded to include offline and broader engagement mechanisms. In particular targeting audiences it was not possible or sensitive to focus on while in lockdown (schools and businesses for example have been under huge pressures).

Importantly Swansea Council recognises that climate change is too important an issue to delay starting engagement. While not all voices can be heard via an online survey, a widely distributed survey is an effective platform to build upon. We will be focusing on children and young people, business and digitally excluded people as a priority moving forward.

#### **3.3 Survey design**

The survey was co-designed by the Council's Climate Change Programme Board which consists of representatives from across Council services. This ensured we were able to build on the learning from previous engagement and climate related work across services.

#### **3.4 Survey distribution strategy**

The Council has thousands of employees who work with citizens and groups in every sector. We also work closely with partners in the private public and third sectors each of whom have networks. The support of Swansea Public Services Board was essential to ensure this reach was as far ranging as possible.

Our primary approach was to systemically map and approach 'gatekeepers' of wider networks so they could raise awareness of the survey in their spheres of influence. This 'piggyback' approach built on the existing relationships and trust built up over years by our colleagues to effectively introduce the topic of climate change and survey to their contacts and networks in a meaningful way to them.

We equipped our colleagues with the online information and tools to support their networks and contacts and enable them to support collective engagement by providing partners with tools including a Presentation (including discussion activities) so they would have the confidence to raise our survey as an agenda item at group meetings. This invited either a collective response or ideally directed organisations to our survey.

A Discussion and Response tool was developed to meet an identified gap in demand for a way for collective voices to express more qualitative opinions.



### 3.5 Stakeholders

Stakeholder mapping took place drawing on local knowledge from Climate Change Programme Board and Swansea Public Services Board. Swansea Council considers climate change to have social, economic and cultural as well as environmental impacts so employed a broad approach ensuring key groups and organisations with all these interests were identified. Climate change impacts everybody so we aimed to reach the diversity of Swansea’s population by sending the survey to representative networks also reflecting this diversity. This ensured that people with protected characteristics were reached and the survey was promoted as widely as possible in both rural and urban areas of Swansea.

- **Internal target audiences** - Swansea Council Members, Leadership and management, officers and frontline staff, social media account holders, newsletter writers, distribution and circulation list holders, group facilitators, partnership workers, welsh language champions, services representation



disadvantaged or minority groups, information and communications officers, officers working in communities, etc.

- **External audiences** - Elected representatives for the areas at all levels from Community Councils to Members of Parliament, third sector networks, press officers of partners, headteachers, governing bodies, Further education, Higher education, community and voluntary groups, unions, housing associations, disadvantaged and minority groups, environmental groups, cultural groups, social, faith and caring groups, business and economic regeneration networks, etc.

### 3.6 Mechanisms

- **Email** – The survey was shared widely with partners with the request it was shared within their networks.
- **Social media** - (Facebook and Twitter) was used to promote engagement activity and resources. A facebook survey which asked two basic attitude based questions reached out to the wider less climate focused community and was also intended to reach young people, and more seldom heard from individuals.
- **Have Your Say** - Council's consultation webpage, this page hosted an online questionnaire in a range of languages and formats. The survey (as with all documents) was available in both of our national languages and the public was invited to request any additional format or community language needed to meet their needs. A screen reader friendly version was also published online.
- **PR** – The surveys launch was promoted with a press released which was reported on by the Evening Post.
- **Elected members** - All councillors were sent a link to the questionnaire, tool kit materials and offered any support needed to encourage their ward residents to respond.
- **Swansea Council internal marketing** – PR via Staffnet, the Weekly newsletter, Phil's Blog, all officer email alerts, welsh language champions, corporate climate change board champions.
- **A Discussion and Response Toolkit** – This was designed to enable advocates to promote discussion and participation with people, groups and communities they represent, serve and work with.
- **Easy to read presentation** – While the survey was detailed and covered technical issues in order to meet demand from for example environmental groups to address concepts such as green infrastructure and the circular economy. The presentation for use with groups was written in Easy to Read style with 'Hard Words' or concepts defined in a glossary which is useful for everybody to access. It is hoped that individuals unable to engage with the survey's complexity would have the opportunity to engage via a group as support materials were designed to be accessible to facilitators and help them explain complex concepts or hard words.

## 4 Key Findings

### 4.1 Overview

The survey took place between 15 February and 29 March 2021. After cleaning the data, 967 responses and 396 Twitter poll responses have informed this report. A high number of qualitative comments in relation to every topic illustrates the depth of public interest in this agenda with the vast majority of comments demanding positive action and a small minority expressing negative opinion, concerns or alternatives.

### 4.2 Key message

The survey's key message can be summarised as – **Go Faster! Go Further!**

This reflects overwhelming demand evident in the quantitative and qualitative data collected for more positive action on climate change now. While concerns and alternatives are important, they formed a notably small proportion of the response.

### 4.3 Summary of responses

#### a) Attitudes

- Climate change is of concern for an overwhelming majority of survey respondents (93%). A Twitter poll asking the same question also found a majority of respondents were concerned about climate change (66%). However concern was markedly less on Twitter with a much higher proportion of responses 'very unconcerned' (2% compared to 24%).
- Almost three quarters of respondents had made conscious changes to reduce their carbon footprint since the pandemic.
- A majority of both survey and Twitter respondents stated they agreed they were ready to make changes towards a Net Zero Swansea. This indicates an appetite and widespread support for action on climate change.
- The majority of respondents stated help in the form of information, advice and funding would help them make changes for a Net Zero Swansea.

#### b) Proposed Swansea Council key actions

- Survey responses indicate overwhelming agreement proposed key actions will contribute to the objective of net zero Swansea Council by 2030. Positive support for each of the proposed actions ranged between from 80% and 98% (where respondents stated they strongly agree or tend to agree).
- However many responses suggested that this action may not be enough or have sufficient short term impact. Most comments suggested ways to expand and build on the key actions detailed.

- Additional or alternative actions focused on agile/working from home, regeneration, energy, green infrastructure Local Development Plan, procurement, waste, transport, finance, education, measurement,
- Comments focused not just on 'what' but how to take action with broader themes captured in the Cross Cutting themes section.

### c) Themes for a Net Zero Swansea

Swansea Council identified nine potential themes to tackle climate change in Swansea and potential areas for action. Respondent support was overwhelming with between 89% and 96% agreeing (strongly agree & tend to agree) the themes were right to help us work towards a Net Zero Swansea.

Additional themes suggested by respondents included pollution, reducing consumption, food security, indirect impacts, plastics, recycling issues and unnecessary packaging. Cross cutting themes were captured below.

### d) Cross cutting issues

These issues were consistently raised in comments throughout the survey and suggest approaches that should be considered both in relation to a Net Zero Swansea Council and Net Zero City and County of Swansea.

These included the need to consider in relation to most themes

**Funding** – The need for subsidy, incentives, discounts, rewards, grants and loans but alternatively fines or charges.

**Equality** - Equality issues protecting the vulnerable and disadvantaged were also often referenced

**Governance** – The need for direct accountability on climate change to leadership, importance of clear vision, measurable objectives and action.

**National drivers** – The need to lobby for legislation, taxation or national policy changes.

**'Just do it!'** - 2050 in particular was seen as an insufficiently urgent target to meet the pressing nature of the emergency.

**Balance** - There was a huge variety of passionate, intelligent but often conflicting suggestions. Comments often called for balance in decision making.

**Involvement** – Comments suggested citizen's assemblies, citizen science and a youth council. Consultation and engagement at the earliest opportunity with the community.

**Sound evidence** - Comments often reference the need for an evidence based, logical approach based on science and research.

**Collaboration** –Collaborate across sectors, work with and build on the work of local community and voluntary groups and expert organisations with skills and experience.

**Leadership** – A significant number of responses thanked the council for prioritising climate change to date and expressed a hope for continued future ‘bold’ leadership.

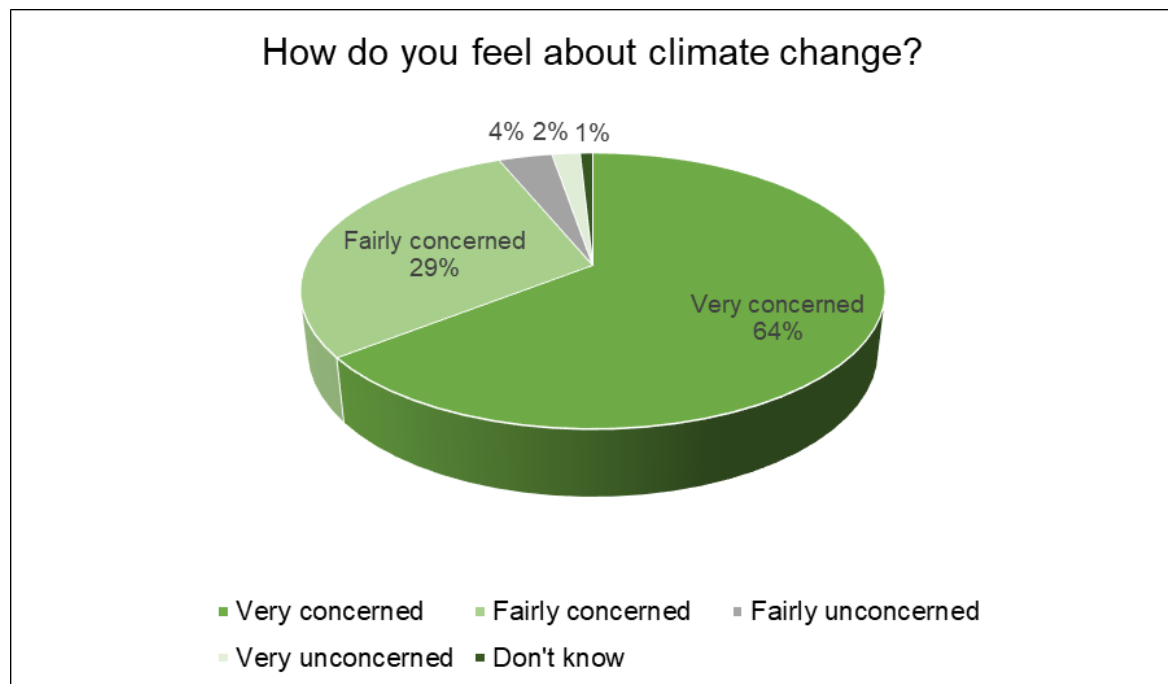
**Enforcement** - there was a frustrations at the perceived lack of consequences for people and businesses who fail to meet environment based expectations.

## 5. Attitudes to Climate Change

This is the first time Swansea Council has specifically asked residents about their attitudes to climate change. The survey response rate was particularly high with 967 survey responses (considerably above the average response to Council surveys) indicating a high level of interest in the subject. Responses were analysed geographically but no pattern in terms of distribution of response relating to attitudes was detected.

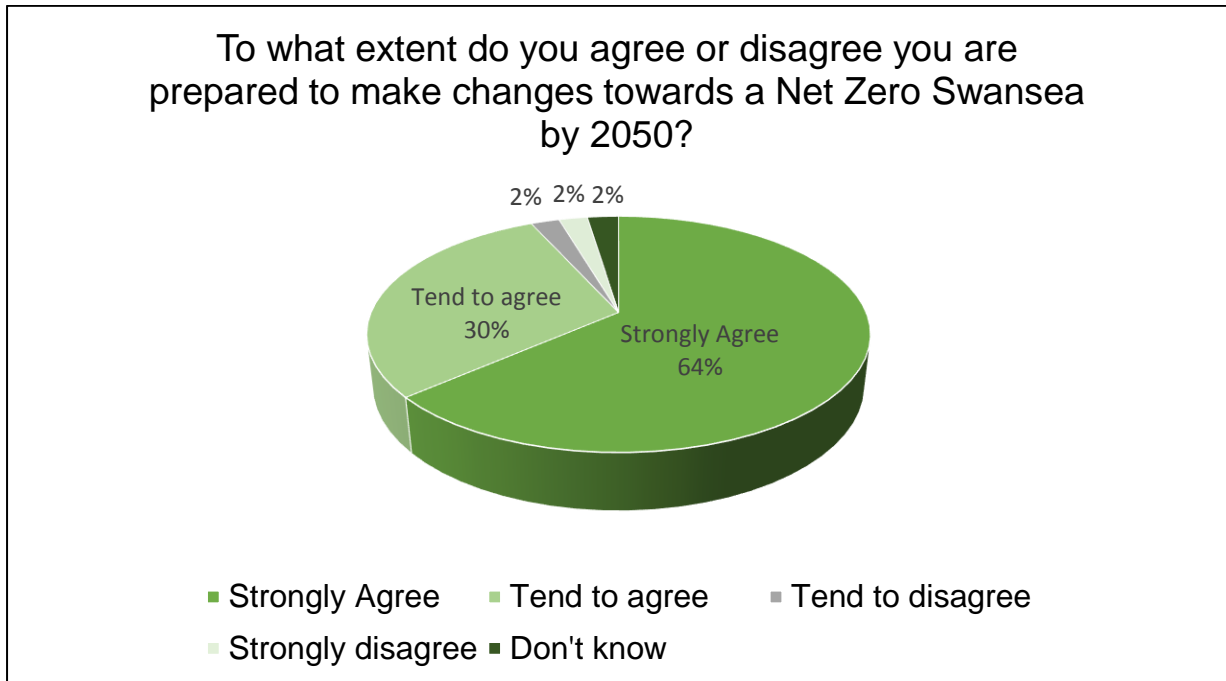
### 5.1 Concern about climate change

In order to understand how people in Swansea feel about climate change we asked about their level of concern. The positive response was remarkably high with over 93% of respondents being fairly concerned or very concerned. This reflects positive trends in national polling which indicate climate change is increasingly becoming a priority for the general public. Despite the universally life changing impact of Covid 19, the rising equalities debate and Brexit, respondents clearly see climate change as real and pressing concern.



## 5.2 Appetite for Change

Swansea Council's carbon footprint is a relatively small proportion of Swansea's carbon emissions. In order to meet our objective of Net Zero City and County of Swansea everyone will need to play their part so we wanted to find out how prepared people are to make changes. The results were really encouraging with 94% of respondents agreeing they were prepared to make changes towards Net Zero Swansea. This indicates respondents see climate change as a priority for action.

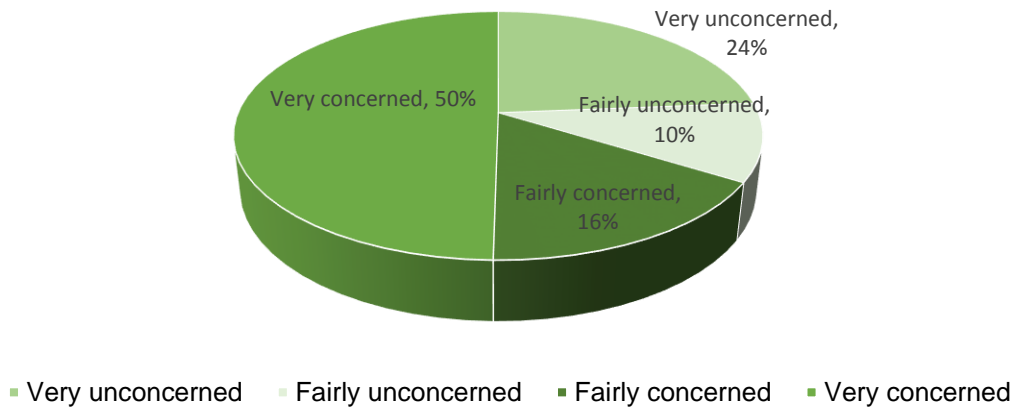


## 5.3 Twitter Poll

It was anticipated that the complex nature of the subject matter may discourage casual comment. To engage citizens with less interest in the climate issue (completing a survey takes effort) we commissioned a poll on Twitter to gauge attitudes amongst Swansea's online community.

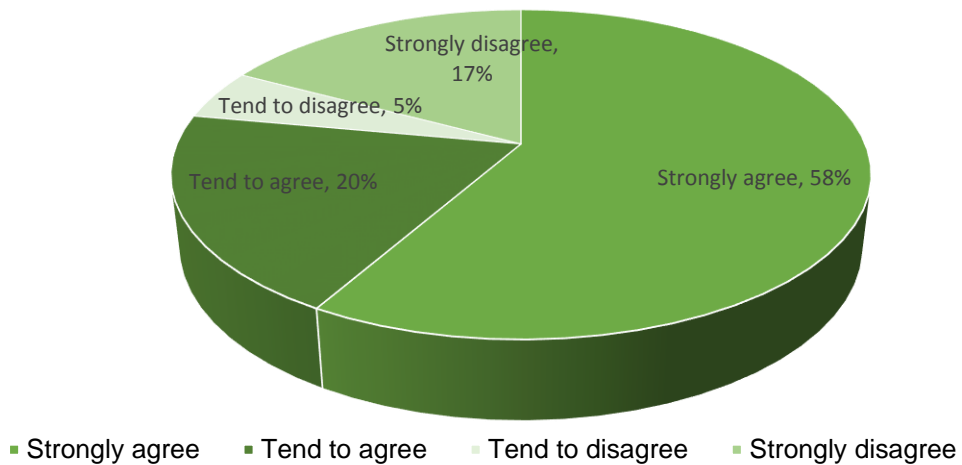
This indicated 66% of respondents were fairly or very concerned about climate change, considerably less than the 93% in the survey. This reflected both a higher level of dissent (24% were very unconcerned) and less emphatic levels of support. However, this still suggests a comfortable majority are concerned about climate change and are motivated for change.

Twitter Poll of 396 respondents - 3 March 2021  
How do you feel about climate change?



Twitter Poll of 196 respondents - 3 March 2021

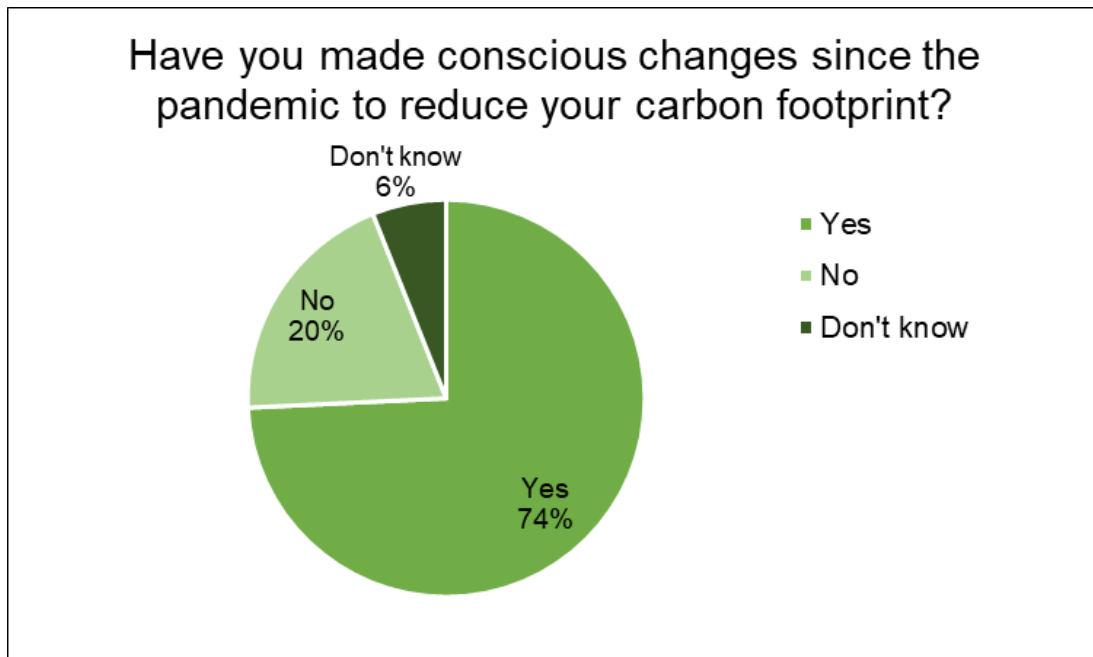
To what extent do you agree or disagree you are prepared to make changes towards a Net Zero Swansea by 2050?



#### 5.4 The Impact of Coronavirus

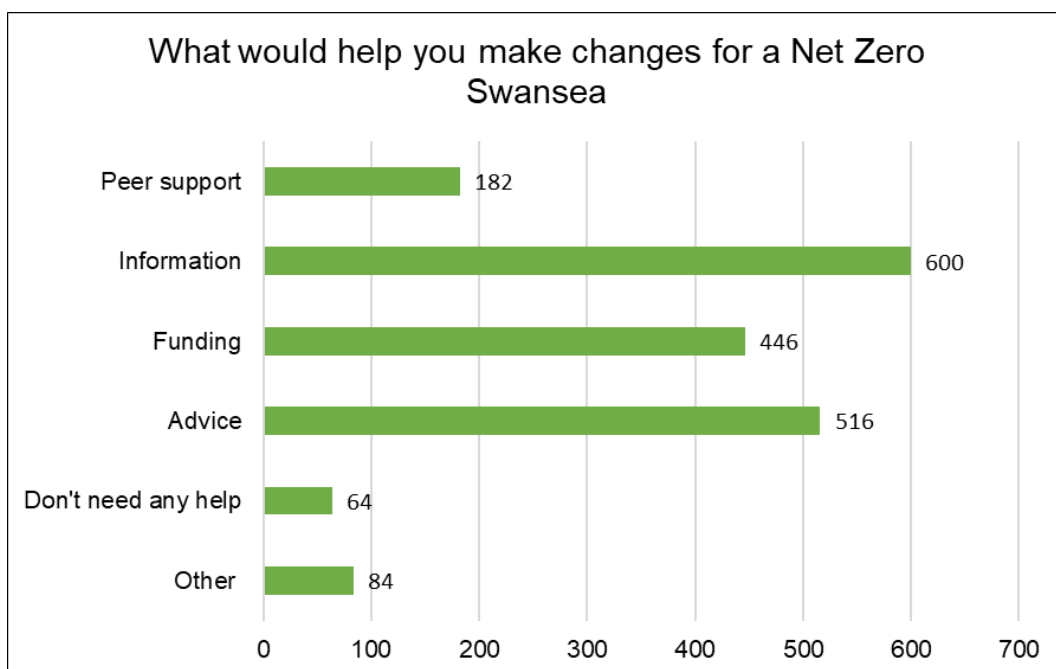
The impact of lockdown in reducing carbon emissions is well documented. But we wanted to know if the pandemic had resulted in people making conscious choices to reduce their carbon footprint as well as the changes that resulted automatically from having to 'stay at home'. Almost three quarters of respondents said they had made conscious choices to reduce their carbon footprint. While some responses made clear they had always tried to reduce carbon or suggested the actions were simply in, line with the rules rather than actively chosen. Overall the responses suggest the experience of lockdown has changed attitudes as well as behaviour.

Many responses referenced increasing walking and cycling and reducing driving. Several mentioned selling cars, a decision which suggests a longer term and genuine change in behaviour. Increased recycling, buying environmentally friendly products, reducing meat and dairy consumption, energy efficiency measures and using local suppliers were all new, conscious choices resulting from the pandemic.



### 5.5 Help and Support

We wanted to understand what might help respondents overcome the barriers to tackling climate change in the future and encourage behaviour change



Very few people (3%) said they did not need any help at all. The most requested form of help was information, followed by advice. As respondents could tick as many answers as applied, it is possible many people ticked both information and advice. This may reflect an often confusing and complex marketplace, media that often gives mixed messages and scientific data that can appear contradictory.

Funding was also a key form of requested help. This is significant given almost two thirds of respondents felt information would help and almost half suggested funding. In addition, in the comments responding to other questions across the survey, funding, incentives, loans, rewards and grants featured heavily with greater emphasis that perhaps the response above initially suggests.

Common themes also specified as other included

- Leadership – Council leadership at a local level and a proactive national and UK Government approach. A call for consistent practical action, initiatives and genuine commitment.
- Legislation and enforcement - Government legislation, enforcement and carbon centric joined up council policy
- Involvement – getting communities involved and encouraging participation
- Infrastructure -power, heating, transport, EV Charging points, renewables, cheaper efficient public transport support for active travel and more cycle paths, community hubs and employer support for agile working, improved recycling opportunities, tree planting and green space prioritisation and protection across county.
- Choices - clearly defined alternative options that reduce carbon.
- Training, media campaigns and education.



## **6. A Net Zero Swansea Council**

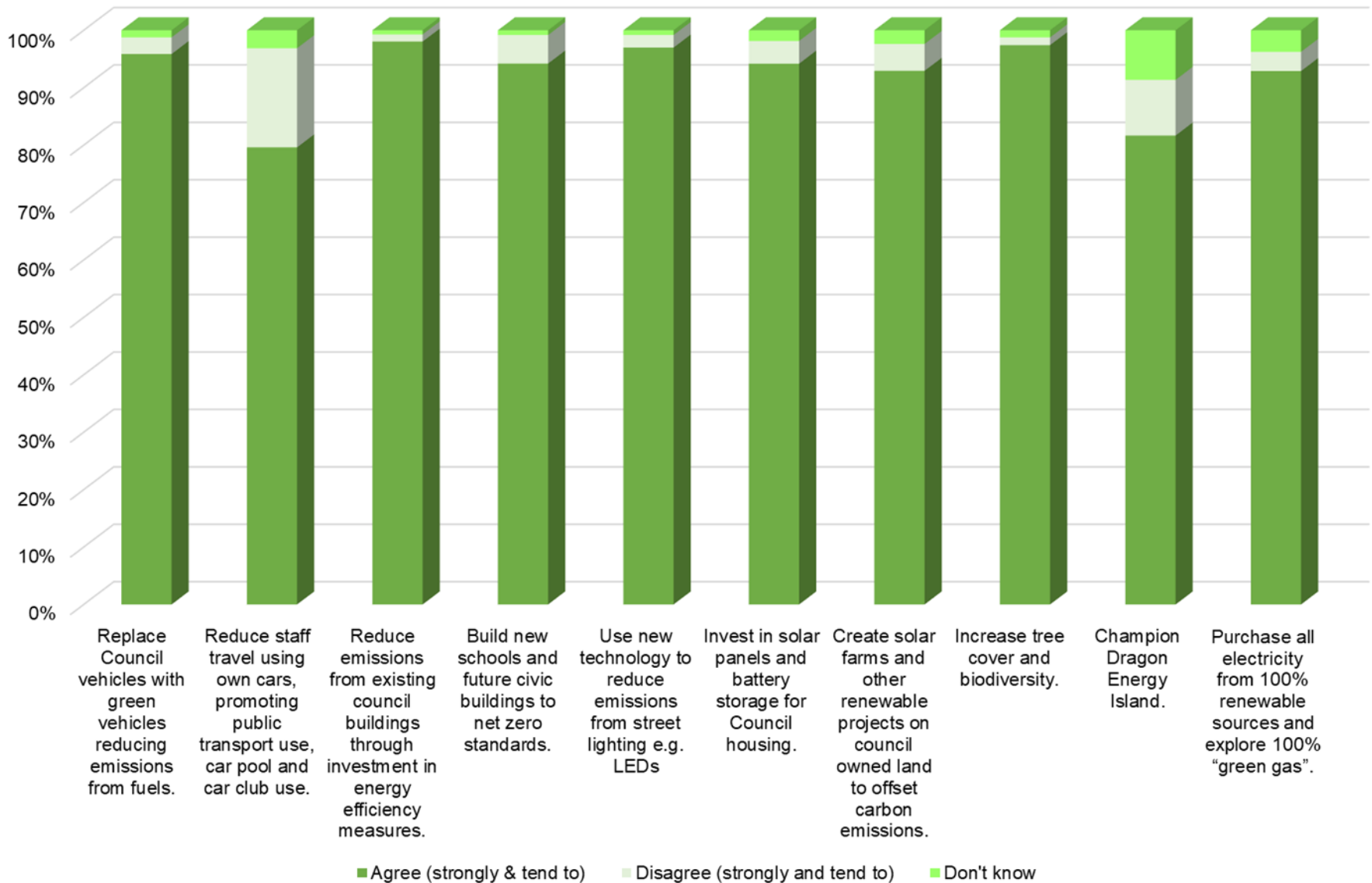
Swansea Council aims to be a Net Zero Carbon organisation by 2030. This means we will reduce or offset carbon emissions (that we have identified as within our control) to zero. While carbon reduction activity takes place within every service, the drive to ensure we achieve Net Zero is driven by particularly intense focus on key actions. We wanted to find out if the key actions and plans we have proposed (set out in our December 2020 Climate Emergency Review and Proposed Action report, the summary of which was referenced at the start of the questionnaire) are appropriate.

### **6.1 Overall Response to Key Actions**

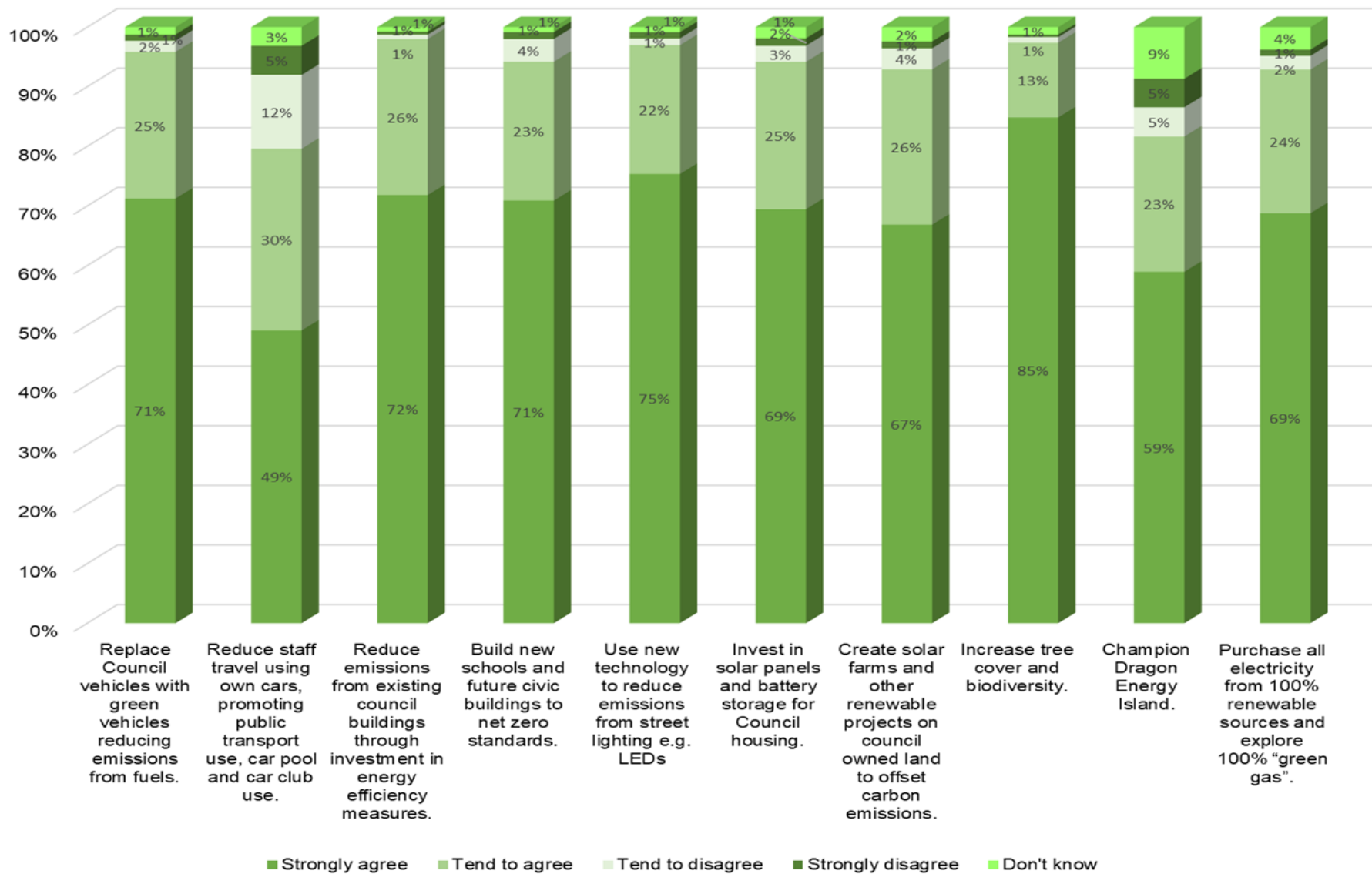
There was an overwhelmingly positive response to the Council's top ten proposed actions to ensure it becomes a Net Zero organisation by 2030. Positive support for each of the proposed actions ranged between from 80% and 98% (where respondents stated they strongly agree or tend to agree).

The greatest strength of agreement was in support of 'tree cover and biodiversity' at 85% strong agreement. While the priorities that attracted less relatively strong agreement were 'Dragon Energy Island' (59% strongly agree) and 'Staff Travel' (49% Strongly agree). Notably these proposals also attracted the greatest level of 'don't know' responses with Dragon Energy Island at 9%, Staff travel at 3% and renewable electricity and green gas purchase at 4% 'don't know'.

### The extent to which respondents broadly agreed or disagreed these key actions will contribute to Swansea Council becoming Net Zero carbon by 2030?



### To what extent to do you agree or disagree these key actions will contribute to Swansea Council becoming Net Zero Carbon by 2030?



## 6.2 Additional Key Actions for Net Zero Swansea Council

The survey asked what other actions Swansea Council should consider in addition to the specific key actions set out in the previous question.

The key actions are specific, quantifiable areas of high impact on the organisation which the Council can directly control and against which a measurement of progress can be assigned. However numerous additional actions also already take place in every Council service.

Many of the suggested additional actions related to wider Swansea wide action that are not within the Council's control to deliver via the work of its services but which can be influenced working with partners. These suggested areas have been addressed in relation to a Net Zero Swansea 2050. Broader trends are addressed as part of section on cross cutting themes.

Comments with suggestions as to how the identified actions are implemented have been collated and shared with the relevant services so specific feedback can be incorporated into service design and delivery.

### Suggested Additional Actions Included

#### Agile / Working from home

- *Invest in IT infrastructure to enable home working and prioritise virtual meetings.*
- *Move to a paperless system where possible, enabling notes to be made on tablets between appointments in transit.*
- *Continue to encourage staff to work at home post pandemic.*
- *Encourage office workers to work from community hubs closer to home.*
- *Invest in home working to reduce carbon footprint at home offices.*
- *Make Ecosia the default search engine for Council employees.*
- *Annually audit home to work travel enabling carbon reporting and travel plans.*
- *Lobby government for rural ICT improvements improving agile working*

#### Regeneration and Tourism

- *Retrofit and repair old buildings*
- *Ensure high levels of maintenance for buildings to prolong their useful life and gain maximum benefit from embedded carbon.*
- *Promote sustainable tourism*
- *Stop building with concrete and use low to 0 carbon materials.*
- *Cancel the airshow*

#### Energy

- *Offsetting carbon emission should be a last resource prioritise reducing them in the first place.*

- *Develop community renewable energy schemes*
- *improve construction and renewable energy skills to support building to zero emission standards;*
- *Behaviour change training for staff and schools*
- *Heat networks/district heating*
- *Support local renewable energy suppliers*
- *Support other renewable/low carbon initiatives such as hydro and tidal power*
- *nuclear*
- *bladeless turbines*
- *Reduce street lighting and non-essential lighting at night*
- *Promote private home owners to access funding for renewable energy - solar panels etc.*

### **Biodiversity and Green infrastructure**

- *Avoid unnecessary and reduce verge cutting and pesticide use*
- *Protection of carbon intensive habitats and ecosystems*
- *Include green infrastructure in all new development especially nature based solutions that capture carbon*
- *Appropriate tree planting ‘the right tree in the right place’*
- *Undertake take all actions with environment as key objective*
- *No unnecessary felling of mature trees unless dangerous or diseased ‘retain as the norm policy for over 10cm diameter trees*

### **Local Development Plan**

- *Implement and enforce sustainability standards on new developments*
- *Support 15 minute neighbourhoods*
- *Stop speculative development*
- *No development on greenfield sites*

### **Procurement**

- *Change procurement policy to incorporate sustainability criteria*
- *Source where possible from local suppliers*
- *Support water refill stations*
- *Help/encourage supplier chain /contractors to reduce their carbon footprint*
- *Only procure from low carbon, plastic free suppliers that source sustainable products*
- *Council food procurement (and schools) should exclude or minimise meat and dairy*
- *Assess carbon as part of procurement process*
- *Stop procuring single use plastics*
- *Measure and include the carbon footprint of all contractors and self-employed delivering services for the council*
- *Introduce a green charter all suppliers must adhere to*

### **Waste**

- *Recycle/reuse old council furniture*
- *Install recycling rather than general waste bins*
- *Reduce waste and consumption in Council*
- *Council services to all recycle all waste (and schools)*
- *Kerbside recycling to include more materials soft plastics*
- *Enforce recycling requirements with business and domestic with fines*
- *Enable all waste to be processed at local centres especially wood*

## **Transport**

- *Improve and expand cycle / active travel route network*
- *Charge for workplace parking*
- *Introduce travel hierarchy for business travel*
- *Work with Welsh gov etc. to reduce cost and improve public transport systems*
- *Traffic free zones*
- *Discourage dominance of car*
- *EV Charging infrastructure*
- *Electric buses and taxis*
- *HGV hydrogen options*

## **Finance**

- *Make improvements when programmed rather than just to meet climate targets*
- *Divest from fossil fuels*
- *Consider monetary consequences of actions*
- *Eco friendly financial management*
- *Incentivise, subsidise, reward, fund climate positive behaviours*

## **Education**

- *Environmental education*
- *School programmes*
- *Climate communications*
- *Staff training and support*
- *Public information enabling behaviour change*

## **Measurement**

*Carbon footprinting of scope 1, 2 and 3*

*Develop clear vision, performance indicators*

*Focus on carbon reduction, offsetting should be last resort*

*Increase understanding and measurement of scope 3 indirect emissions.*

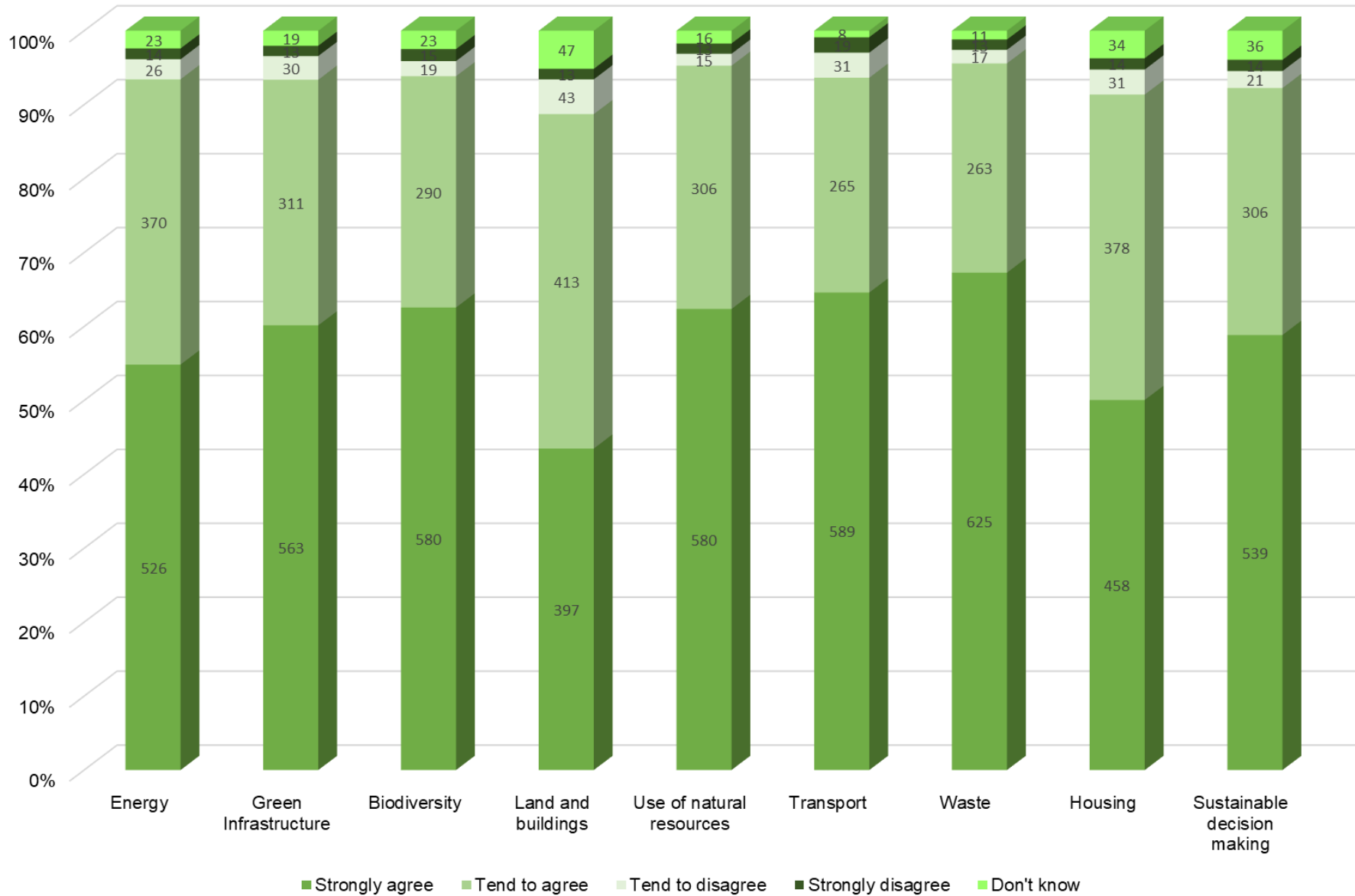
*Plan on a countywide basis understanding wider emissions e.g. household*

## **7. A Net Zero Swansea**

Swansea Council identified nine potential themes to tackle climate change in Swansea and key areas for action to both minimise the risk of climate change and help us adapt where it is already happening.

These themes were identified by reviewing city wide approaches to climate change from all over the UK. The survey asked respondents if these are the right themes to help us work towards a Net Zero Swansea and which areas for action should be prioritised.

### Do you agree or disagree that these topics are key themes to tackle climate change in Swansea?





## 7.1 The themes for a Net Zero Swansea

The graph below looks at if respondents agreed the themes identified were the right themes to help work towards a Net Zero Swansea. Looking at the themes in relation to each other as a collective group, respondent support was overwhelming with between 89% and 96% agreeing (strongly agree & tend to agree) the themes were right to help us work towards a Net Zero Swansea.

Land and buildings was the least strongly agreed with theme with a relatively low 43% strongly agreeing and the majority tending to agree (88% overall). The most strongly agreed with theme was waste although there were similar levels of support for the top 6 most agreed with themes. Disagreement was consistently between 3% and 6%

There was a correlation between a higher percentage of 'Don't knows' and relatively lower levels of agreement. Land and buildings, housing and sustainable decision-making attracted relatively less strong agreement (although overwhelmingly positive) perhaps reflecting less understanding of these themes.

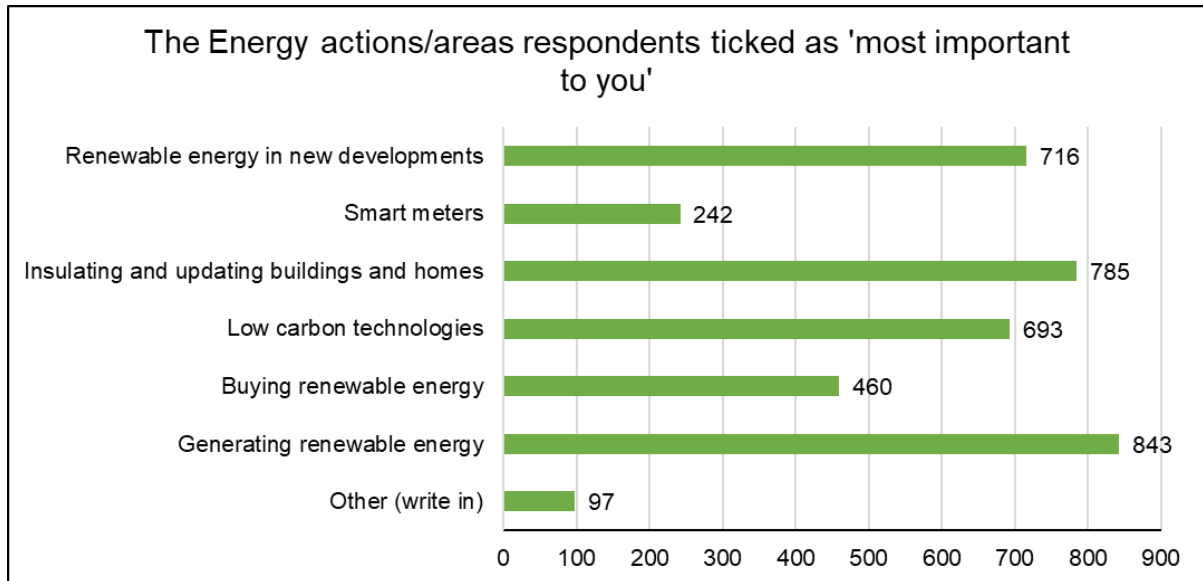
## 7.2 Qualitative comments

The survey included over a thousand ideas and comments expanding on the actions/areas identified in more detail, some outlining initiatives already in action, many setting out how more ambitious approaches could be adopted to implement existing policies more effectively.

## 7.3 Common responses that underpinned comments on every theme

- **Do it all!** - Every theme had a considerable number of responses supporting all of the suggested actions and suggesting climate change/environment is prioritised and underpins all activity.
- **Practical detail** - The majority of comments made in response to 'other (write in)' box detailed specific ways the actions/areas already identified could be into practice.
- **Act now** - Many responses urged immediate action if objectives are to be met.
- **Education** – Information, communication campaigns, training, advice for all ages on the concept of climate change but also in relation to helping change behaviour in relation to actions was consistently raised across themes.

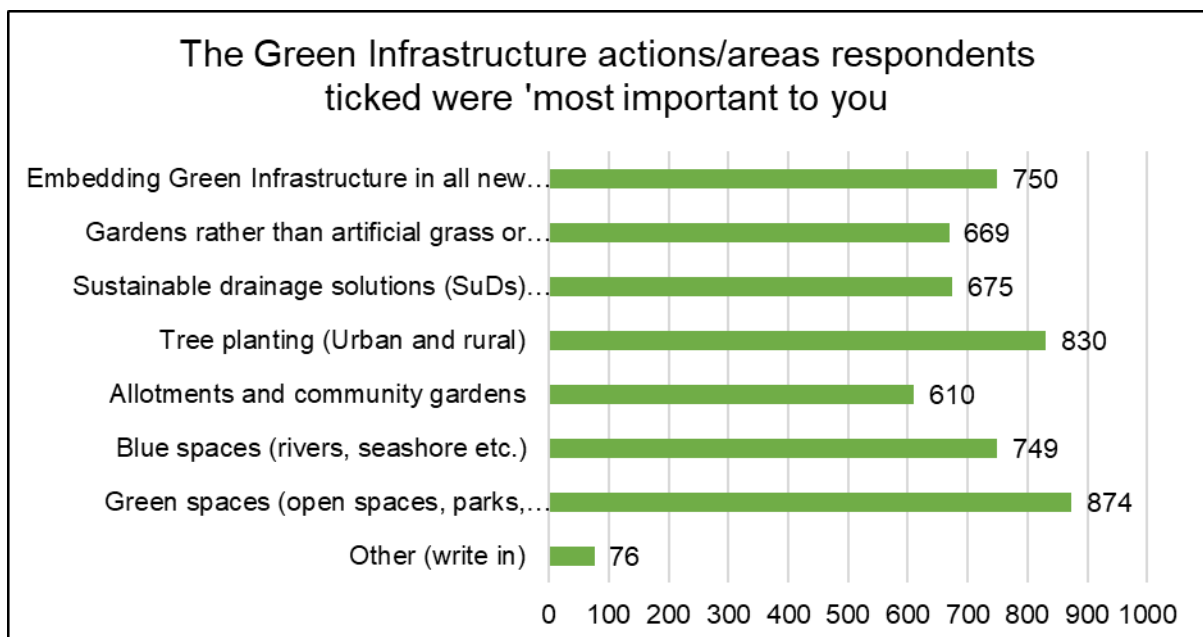
## a) Energy



Where 'other' was ticked, additional actions/areas relating to Energy were

- Carbon capture and storage
- Divestment in fossil fuels
- Heat networks and district heating systems
- Ground source/Air source heat pumps
- Smart cities technology systems e.g. pavegen
- Hydrogen technologies
- Nuclear for baseload
- Reduce energy demand via behaviour/culture change in wider consumption

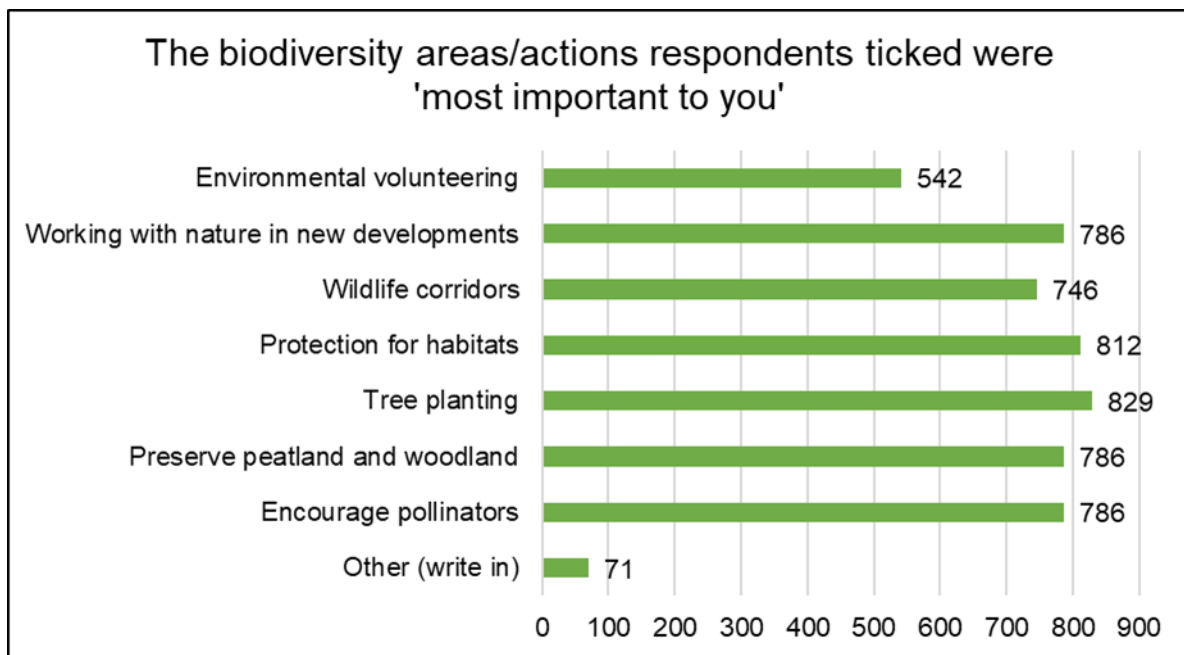
## b) Green Infrastructure



Where 'other' was ticked, additional actions/areas relating to Green Infrastructure were

- Hydroponics and vertical farming
- Rooftop gardens, Bee keeping
- Permeable surfaces as standard
- Grey water harvesting as standard
- Tree planting for coppice
- Farming shift from grass and horses to growing

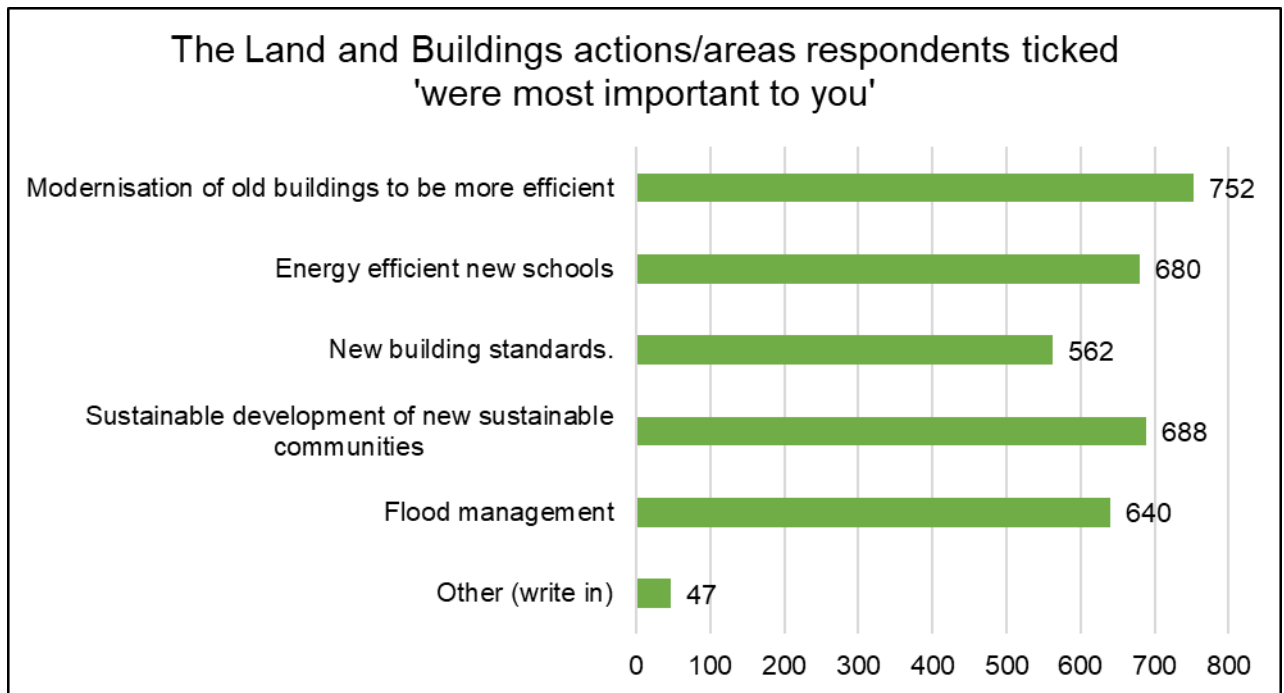
**c) Biodiversity**



Where 'other' was ticked, additional actions/areas relating to Biodiversity were

- Native wildflower planting
- Mapping and auditing biodiversity
- Use of neonicotinoids, pesticides, herbicides
- Use of peat based compost
- Rewilding including city and brownfield sites
- Seagrass and marine restoration
- Encourage community supported agriculture

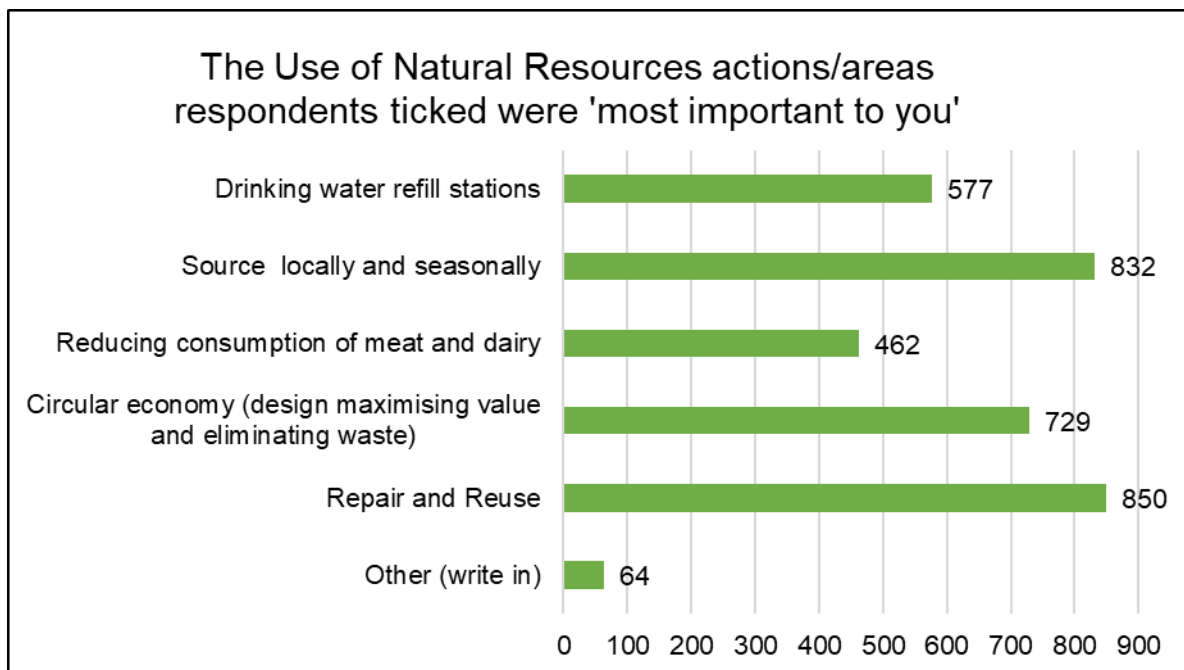
#### d) Land and Buildings



Where 'other' was ticked, additional actions/areas relating to Land and Buildings were

- Build on brownfield rather than greenfield sites
- Link flood risk to green infrastructure
- Construction using Welsh wood as standard
- Plan to facilitate a modal shift from cars

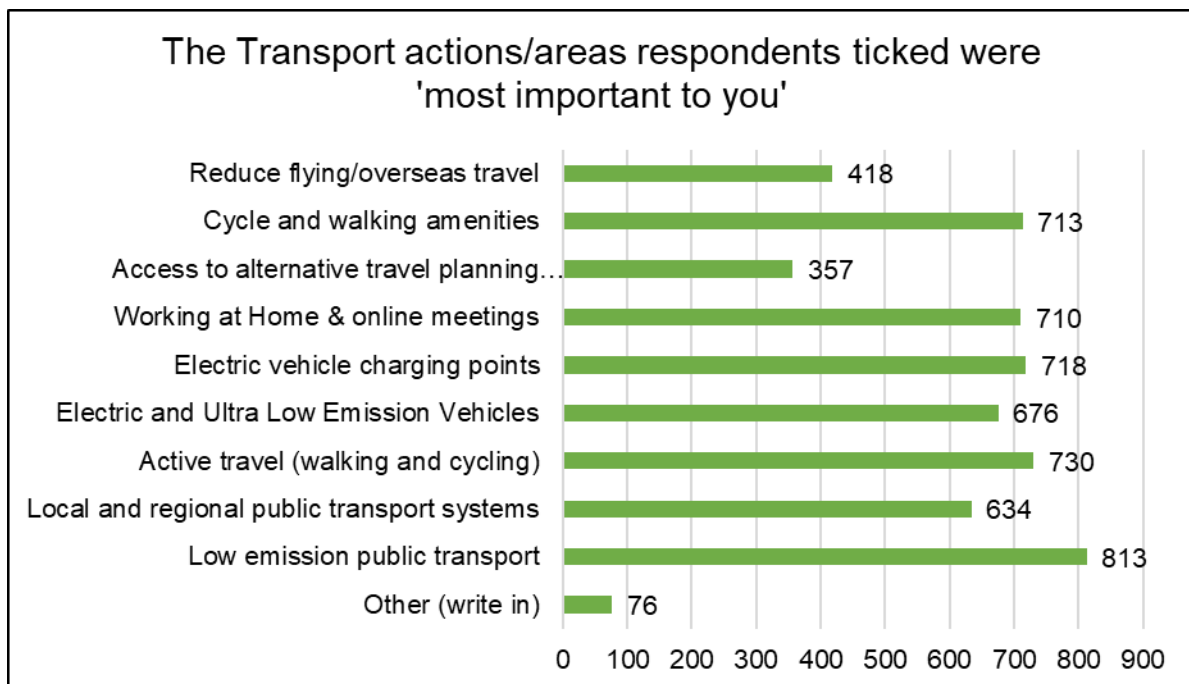
#### e) Use of Natural Resources



Where 'other' was ticked, additional actions/areas relating to Use of Natural Resources were

- Go paperless
- Reject in built obsolescence
- Plastic free communities
- Reduce demand for consumption
- Become deforestation free city
- Address in procurement clauses

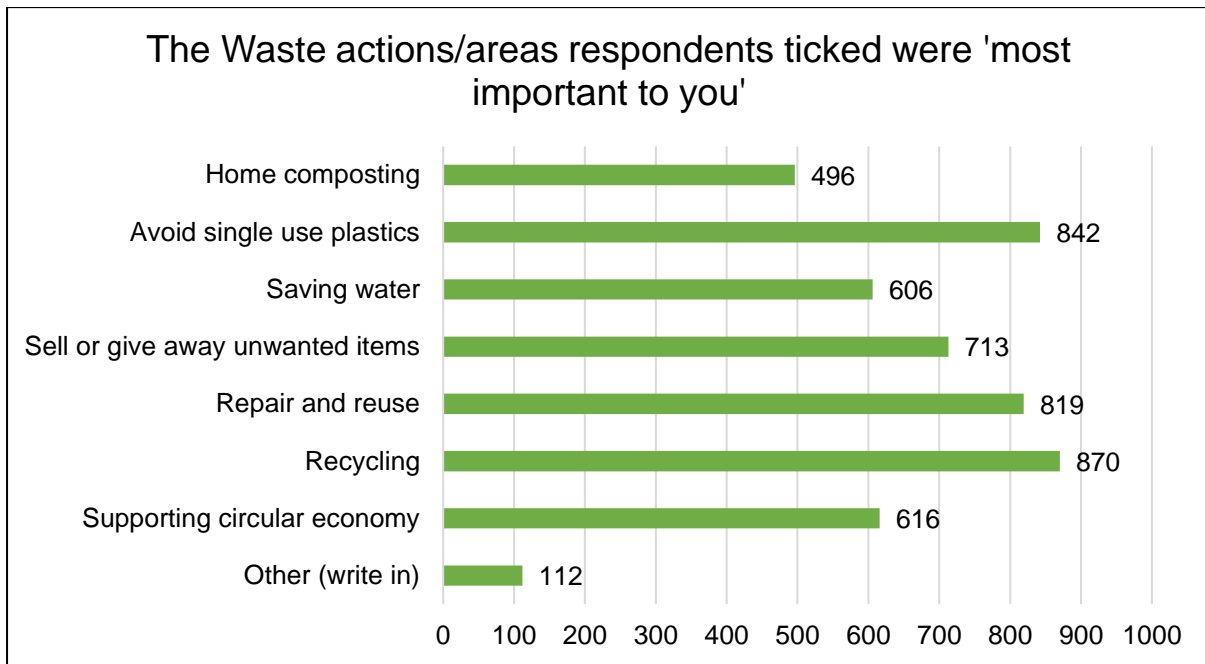
### f) Transport



Where 'other' was ticked, additional actions/areas relating to Transport were

- Separate walking and cycle routes
- Affordable public transport
- Address congestion and engine idling
- Discourage driving, congestion charge, on street charging
- Hydrogen vehicles and filling stations
- Trams, rickshaws, sea and river transport

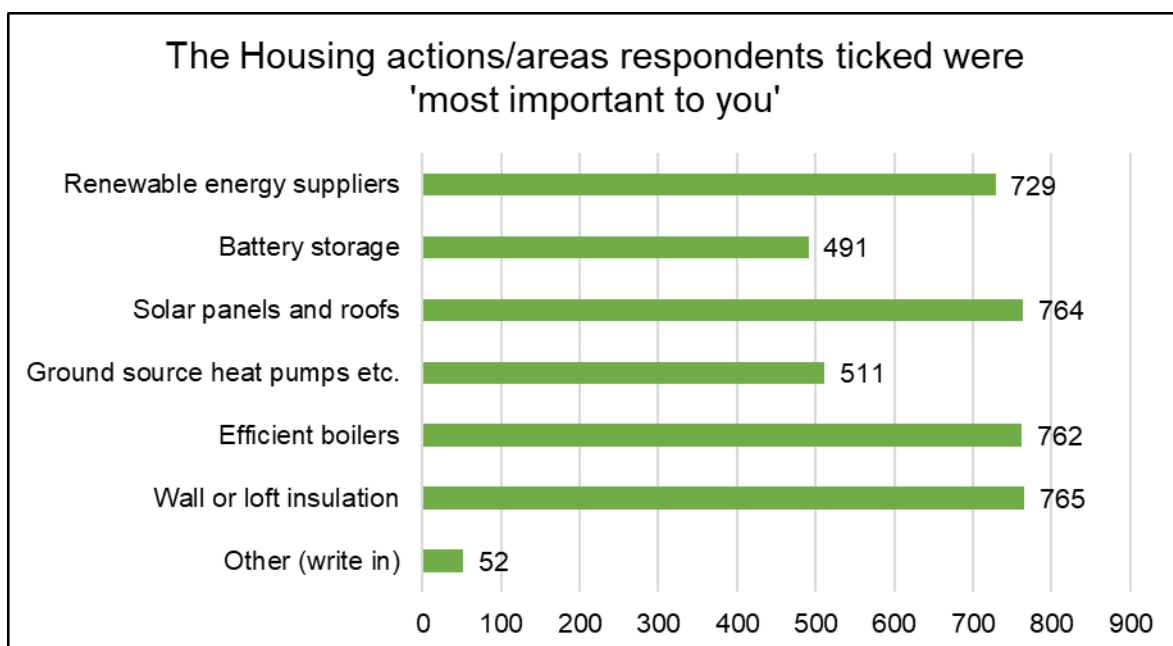
### g) Waste



Where 'other' was ticked, additional actions/areas relating to Waste were

- Coordinate community recycling schemes e.g. terracycle
- Home composting
- Bulky waste alternatives to discourage fly-tipping
- Deposit schemes
- Litter picking
- Introduce grey water systems and rainwater harvesting

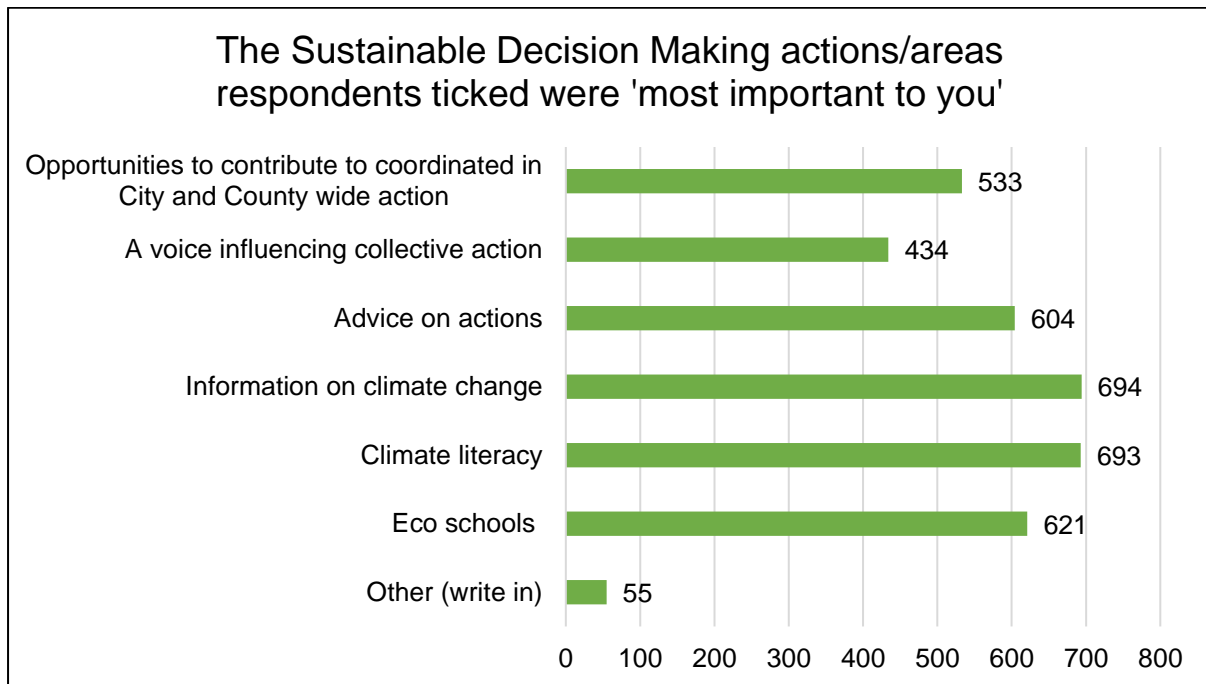
### h) Housing



Where 'other' was ticked, additional actions/areas relating to Housing were

- Double and triple glazing
- Hydrogen boilers
- Community heat systems
- Retrofit private and social housing
- Use of sustainable materials

### i) Sustainable Decision Making



Where 'other' was ticked, additional actions/areas relating to Sustainable Decision Making were

- Behaviour change /communications campaigns
- Citizens assemblies / youth council
- Collaboration with partners (especially third sector)
- Lifelong learning and training as well as education for young
- Protect the vulnerable
- Involve and engage citizens at earliest stage of decision making
- Green awards and celebration of eco achievements

## j) Other themes

Comments suggested these additional themes:

- **Pollution** – air pollution from industrial, domestic burners, car tyres, pesticides use and light pollution with support for dark skies
- **Reducing consumption** – sustainability is about less, manage demand and reduce consumerism
- **Food security** – local growing, farming and poverty
- **Indirect impacts**– ensuring awareness of unintended consequences e.g. impact of lithium mining essential for so many solutions, positive trend like agile working can result in displacement rather than carbon reduction, understanding new technologies have resource costs and the shift to electrification is not a panacea.
- **Plastics** –microplastics, littering and fly-tipping impact, recycling issues and single use/unnecessary packaging

## 8. Cross cutting themes

These themes were common to key actions towards a Net Zero Swansea Council. Themes for a Net Zero Swansea and were identified as further comments.

**Funding** – The need for subsidy, incentives, discounts, rewards, grants and loans but alternatively fines or charges. The scale of the challenge was also often referenced as justification for investment or subsidy in survey wide responses. Punitive measures were intended stimulate behaviour change. Perceived unfairness in terms of private householder and non-means tested access to support was frequently raised i.e. home owning communities not being offered the same opportunities to retrofit homes in the same way social housing is addressed.

**Equality** - Equality issues protecting the vulnerable and socially disadvantaged were also often referenced in terms of monetary poverty but also in terms of access to services, food security, fuel poverty, health inequalities etc. There was also concern that actions to tackle climate change would be imposed threatening people's ability to maintain their lifestyle e.g. fears over losing cars, flying, eating meat etc.

**Governance** – The need for direct accountability on climate change to leadership, importance of clear vision, measurable objectives and action.

**National drivers** - In many areas there was an understanding of the need for legislation, taxation or national policy so the focus was on lobbying Welsh Government and UK Government for appropriate frameworks to enable local action.

**'Just do it!'** - 2050 in particular was seen as an insufficiently urgent target to meet the pressing nature of the emergency. Although at the same time scepticism was expressed by some that even the 2030 target could be realistically be achieved at the current pace of change and in the context of investment necessary.



**Balance** - There was a huge variety of passionate, intelligent but often conflicting suggestions. Comments often acknowledged the need for economic, environmental, social and cultural priorities trade-offs. In particular, the financial investment required to reach Net Zero was both a concern for concern and a demand. The tension between the need for development to meet the need of a growing population and protection of the natural environment and resources was another recurring theme. Comments often called for balance in decision making with a comment referencing the Well-being of Future Generations Act to help make balanced choices.

**Involvement** – Comments suggested citizen’s assemblies, citizen science and a youth council as ways to engage people in tackling climate change. The need to bring everyone along was widely recognised and linked to recurring education. Consultation and engagement at the earliest opportunity with the community was requested with many respondents feeling this was not always the case.

**Sound evidence** - Comments often reference the need for an evidence based, logical approach based on science and research.

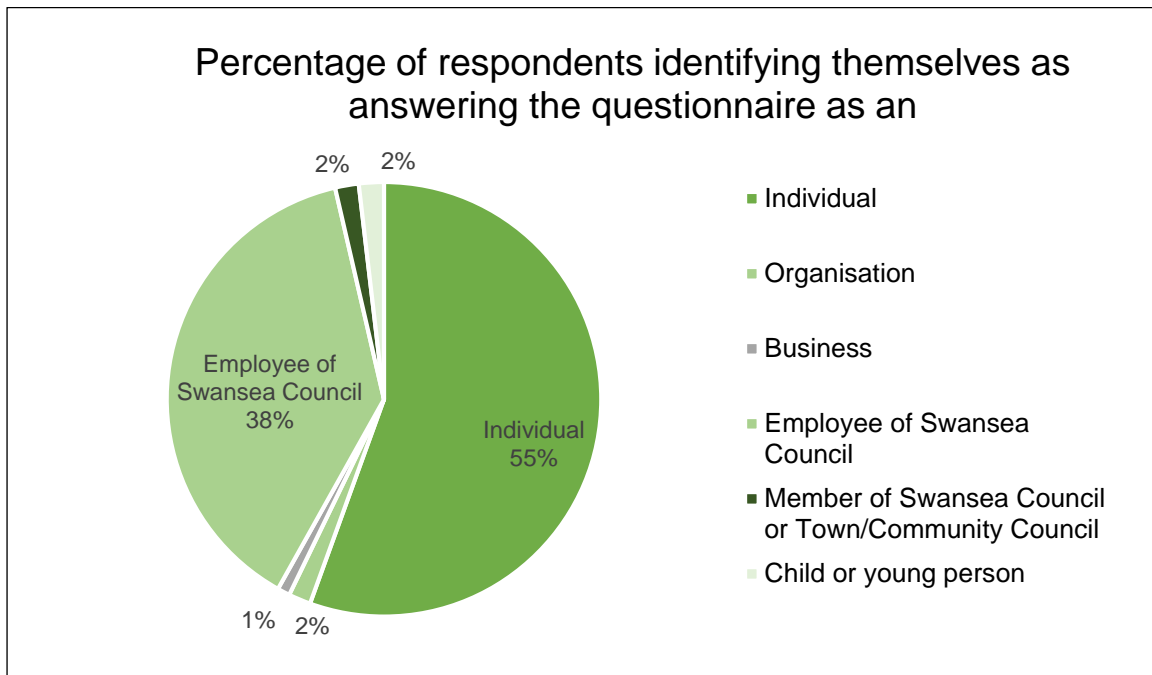
**Collaboration** – Feedback urged collaboration across sectors, councils, the Swansea Bay City Region and made particular reference to the third sector. Comments urged work with and build on the work of local community and voluntary groups and expert organisations with skills and experience.

**Leadership** – A significant number of responses thanked the council for prioritising climate change to date and expressed a hope for continued future ‘bold’ leadership.

**Enforcement** - there was a frustrations at the perceived lack of consequences for people and businesses who fail to meet environment based expectations from planning, industrial polluters, fly tippers and those who don’t recycle.

## 9. Responses

967 Responses were received from a cross section of the community. Geographical analysis revealed no discernible trends in terms of response.



### 9.1 Respondent's status

This included local and national organisations which included

- Community groups such as environmental, religious, sporting and caring groups
- Businesses from sole traders to national companies with Swansea based sites.
- Third and public sector education, environment and cultural and social institutions, non for profit organisations and charities
- Community Councils,

### 9.2 Business and organisations

The relatively low levels of organisations and businesses responding to the online survey were disappointing given the survey's wide distribution in the business community by email. However this was expected and is understandable given the pressures on most businesses and organisations due to the pandemic.

### 9.3 Children and Young People

Children and Young people were also under represented which was not surprising given the nature of the survey. However given the pressures facing schools and children's groups during lockdown this group was not specifically targeted during lockdown but and along with businesses will be involved later in the year when appropriate. A further group that we were not able to engage with due to lockdown

were digitally disengaged people, again when safe to do so face to face and other methods will be reemployed.

### 9.4 Individuals

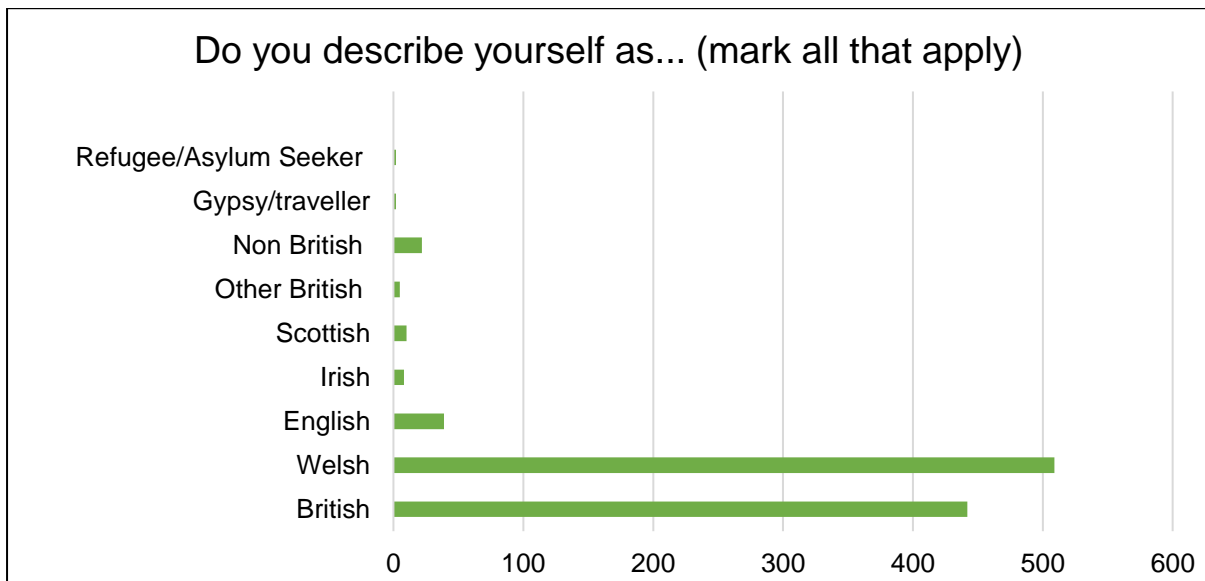
The survey's 967 respondents consisted of 39% men and 61% women, more females completed the survey than the Swansea average of 51%. 99.5% of people's genders were the same as at birth. The age profile of respondents was concentrated between 26 and 75 in comparison to the Swansea profile. This may reflect the online nature of the survey.

Under 16	1.6%
16 - 25	6.8%
26 - 35	13.7%
36 - 45	22.1%
46 - 55	26.4%
56 - 65	19.0%
66 - 75	7.9%
76 - 85	1.2%
Over 85	0.1%
Prefer not to say	1.2%

### 9.5 Employee Responses

A significant proportion (38%) of responses were received from people who identified as employees of Swansea Council. Responses from the 370 responses broadly mirrored trends in the total response.

### 9.6 Nationality and ethnicity



It is well documented that climate change disproportionately impacts the BAME community. The 2011 census reported 8.5% of Swansea's population were 'non-white British' (also including other white ethnic groups). The survey respondents identified as 96.6% white British (or any other white background). This means that the 3.4% response rate was slightly lower than the diversity of Swansea's population. No community language translation was requested for the survey.

## 9.7 Other characteristics

**Religion** - 57% of respondents had no religion and of those who held religious beliefs 24% actively practiced their religion.

**Sexuality**- 6.7% preferred not to state their sexuality, 3.8% were bisexual, 3.5% were gay/lesbian, 84.8% said heterosexual and 1.2% described themselves as other.

**Illness or Disability** – 16.5% of respondents had a longstanding illness disability or infirmity, 12.9% stated this limited their activities. In the 2011 census, 23.3% of Swansea residents had their day-to-day activities limited by a long-term health problem or disability.

## 9.8 Welsh Language

A small number of Welsh language responses (4) were received despite 9% of respondents identifying Welsh as the language they use day to day. This suggests while Welsh language speakers were aware and completed the survey, they elected to answer in English. This may be due to the international, jargon, science, technology based nature of the subject matter and the evolving new terminology used to describe it. It is possible people do not yet feel as confident speaking about climate in Welsh as English in the same way that some people lack the confidence to use 'business Welsh' at work. This could be an area to address in the same way people are encouraged and supported to use business Welsh.

## 10. Conclusions

This survey establishes an insight into Swansea attitudes to climate change and supports the Council's proactive approach to tackling climate change. It identifies key themes that people can connect with and actions seen by people in Swansea as priorities. This will inform the development of future climate change strategy.

The survey highlighted common gaps in knowledge and identified frequently asked questions. This will enable FAQs to be produced and used as a communications aid.

Detailed comments relating to council services will be shared with appropriate council services and used to inform future design and improvement of services.

An ongoing programme of involvement over the long term is planned so groups who we were unable to actively reach out to due to the pandemic and online, detailed nature of the survey will be prioritised in future engagement.

This table summarises many key themes of the consultation and the fit with Council actions to date and they influence actions now being taken is below. These and also other themes and actions will continue to be integrated into our evolving approach and inform setting of our 2022 well-being objectives and next Corporate Plan.

<b>You said, we did</b>	<b>You said we are doing</b>
<b>Agile and Working from Home</b>	
Move to a paperless system where possible,	Develop and encourage office workers to work from community hubs closer to home.
<b>Regeneration</b>	
Retrofit and repair old buildings Ensure maintenance for existing buildings to prolong their useful life and gain maximum benefit from embedded carbon.	Use low carbon materials and techniques to achieve Net Zero on all new builds
<b>Tourism</b>	
Promote sustainable tourism	Balance need for tourism and inwards investment with our climate change targets
<b>Energy</b>	
Offsetting carbon emission as a last resource prioritise reducing them in the first place.	Divest from fossil fuels
Develop community renewable energy schemes	Use alternative heat sources such as biomass, ground source, air source heat etc.
improve construction and renewable energy skills to support building to zero emission standards;	Invest in renewables, buildings as power stations and battery storage
<b>Green Infrastructure and Biodiversity</b>	
Avoid unnecessary and reduce verge cutting and pesticide use	Include green infrastructure in new developments especially nature based solutions that capture carbon
Protection of carbon intensive habitats and ecosystems	Appropriate tree planting 'the right tree in the right place' development of Tree Policy including no unnecessary tree felling.
<b>Planning</b>	

Development of Supplementary Planning Guidance	Future Local Development Plan and Strategic Development Plan to take into account the balance of the need for new homes and the need to protect the environment
<b>Procurement</b>	
Procurement policy incorporates sustainability criteria	Increase focus on carbon, avoidance of unnecessary plastics and other environmental impacts in procurement. Plus multiple green energy initiatives including sourcing of renewable energy, installation of solar panels as well as purchasing electric vehicles.
Prioritise sourcing from local suppliers	£100m spent with companies employing staff in Swansea in the last year
<b>Pollution</b>	
Action on litter and flytipping	Action on light, air and plastic pollutants
<b>Waste</b>	
Recycle/reuse old council furniture	Reduce waste and consumption across Council
Promote recycling and the circular economy	Repair Café Wales and Benthyc Cymru Library of things initiatives
<b>Transport</b>	
Improve and expand cycle / active travel route network	Work with Welsh gov etc. to reduce cost and improve public transport systems
Charge for workplace parking	Use travel hierarchy discouraging dominance of car
<b>Housing</b>	
Investment in reducing carbon emissions from Council housing stock	Lobby for support decarbonising other households across Swansea
<b>Education and Training</b>	
Environmental education	Develop staff training
Environmental volunteering	Increase climate communications
<b>Measurement</b>	
Carbon footprinting of scope 1, 2 and 3 emissions	Develop a clear vision, and performance indicators as part of corporate plan and reporting

<b>Decision making</b>	
Balanced Well-being of Future Generations led approach to impact assessments, and decision- making	Engagement Strategy to involve everybody in action to tackle climate change.
<b>Equality</b>	
Action on fuel poverty and food security	Action on climate related health inequalities and access to green space



# Climate Change & Nature Strategy 2021-2030



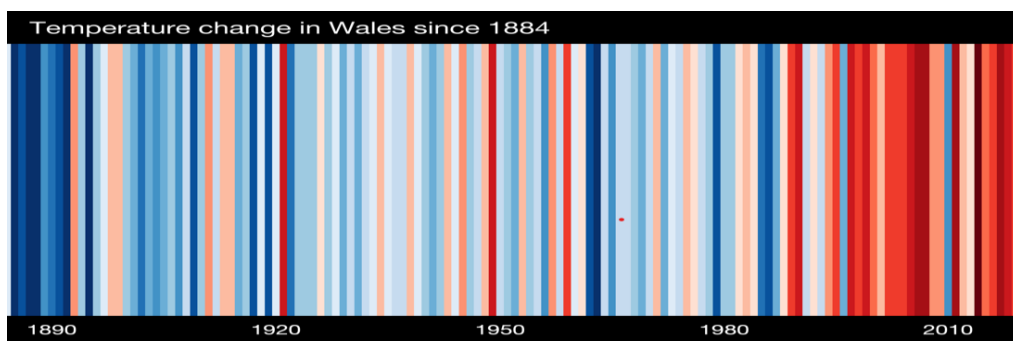


## 1. Introduction

Climate change is the long-term alteration of temperature and typical weather patterns largely caused by human activity, like burning fossil fuels, like natural gas, oil, and coal. Burning these materials releases what are known as greenhouse gases into the atmosphere. Human health and well-being is vulnerable to such change. This shift is expected to cause fluctuating weather- heat and fire, drought and flood, an increase in waterborne diseases, poor air quality, threats to wildlife and loss of food sources.

The image below shows how the temperatures across Wales are already increasing year on year, setting a clear trend towards a hotter climate which will bring significant consequences.

Wales Warming Stripes – 1884 -2020 (Professor Ed Hawkins MBE, University of Reading)  
[#ShowYourStripes](#).



We all have a responsibility to act now. A public sector target of 2030, ahead of the Welsh Government's target of 2050 for the whole of Wales, will give us our best chance of keeping global warming below 1.5°C.

This is the tipping point at which the climate impacts we're already experiencing will go from bad to potentially catastrophic. We'll see natural systems cross danger points, triggering lasting changes such as extreme storms, heatwaves, mass loss of natural habitats and species.

Nature Recovery is of equal parity.

## 2. So what are Swansea Council doing about it?

### Legislation, Regulation and Policy

There is a range of well publicised legislation and policy helping to drive this change:

#### Globally

The international Paris Accord 2015 which seeks to keep global temperature increases well below 2 degrees.

The IPCC (Intergovernmental Panel on Climate Change) - In their Climate Change 2021 report, conclude that:

- there is still time to limit the worst effects of climate change
- stabilising the climate will require the globe to reach net-zero CO2 emissions by 2050

- human activities have already caused around 1.1°C warming
- the planet’s climate is warming faster than anything experienced
- every part of our planet is already seeing multiple and increasing changes in their climate systems
- global warming is very likely to reach 1.5°C by 2040
- climate change is intensifying the water cycle affecting rainfall patterns
- coastal areas will see continued sea-level rise throughout the 21st century
- further warming will amplify impacts on frozen regions
- the ocean is warming and acidifying.

### **Nationally**

In 2019 the UK Government amended the Climate Change Act 2008 by increasing the target for reducing greenhouse gas emissions in the UK to at least 100% lower than 1990 levels by 2050. This is otherwise known as the Net Zero target.

The Welsh Government Well-being of Future Generations Act 2015 which requires accountability for the impacts of long term decision making.

The Environment (Wales) Act 2016 supports finding ways to secure healthy, resilient and productive ecosystems for the future whilst still meeting the challenges of creating jobs, housing and infrastructure.

Welsh Government has set out its legal commitment to achieve net zero emissions by 2050, but is pushing to “get there sooner”. It recognises that climate change will impact us all, but the stark reality remains our most vulnerable communities will be hit the hardest. Welsh Government recognises that transition towards a Net Zero Wales must be fair and just, in order to achieve a green and clean future with good quality jobs and leaves no communities behind.

Swansea will strive to align with the Net Zero Wales Carbon Budget 2 (2021-2025), embracing the Team Wales approach.

### **Regionally**

As part of the regional agenda the 4 local authorities – Carmarthenshire, Pembrokeshire, Neath Port Talbot and Swansea have progressed a new regional energy strategy. Further work is also progressing as part of the new CJC work programme.

### **Locally**

Following the Notice of Motion on Climate Change Emergency presented to Council on 27<sup>th</sup> June 2019, the Authority reaffirms its commitment to:

- Call upon the UK and Welsh governments to provide us with the necessary powers and resources to ensure Swansea Council becomes net zero by 2030.
- Publicise climate emergency and promote a greater awareness of the truth of climate change amongst the local population aiming for a county wide target of net zero by 2050
- Work with relevant experts in research and development to:
  - Review our current strategies and action plans for addressing climate change.
  - Identify any further policy changes or actions which we could undertake, within the scope of our powers and resources, to meet the challenge of climate emergency.

- Seek the help of local partners such as Swansea University and other research bodies to, within one year, produce a report to share with the community, explaining work already underway and achievements already made, as well as targets for the future.
  - Update on further work undertaken by the Council in this area on an annual basis through the Council Annual Review of Performance Report section on corporate objective - Maintaining and enhancing Swansea's natural resources and biodiversity.
- The Council undertook a citizen's survey in March 2021, with excellent response, but the key message taken on board is 'Go Faster, Go Further'.



## Climate Change Survey 2021

Overall survey results told us

**"Go Faster! Go Further!"**

967 people were surveyed

**93%**

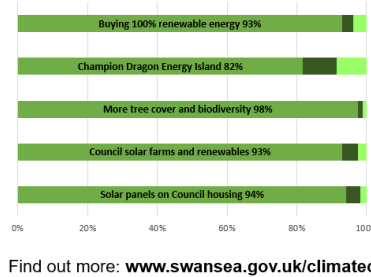
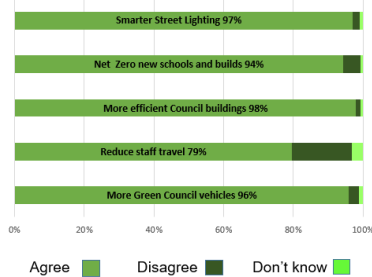
were concerned about climate change

A Twitter check of 396 people found

**66%**

were concerned about climate change

Percentage of agreement that these Council actions will help us reach a Net Zero Swansea



Find out more: [www.swansea.gov.uk/climatechange](http://www.swansea.gov.uk/climatechange)

### 3. The Vision

Swansea Council's commitment to addressing climate change is broken down into clearly defined work streams alongside its commitment to nature recovery.

*The council will lead by example and be the focal point for response to climate and nature action across the whole city and county.*

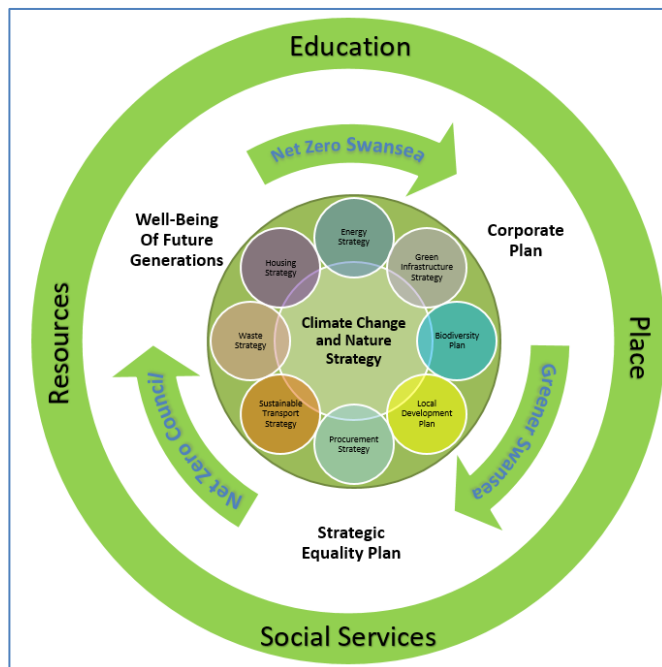
*The council business will strive for net zero carbon by 2030, establishing monitoring processes for emissions and developing a robust action plan in order to achieve the target.*

*Working with partners, the council will call on the whole City and County of Swansea, its major employers, its citizens, community groups and businesses to contribute to achieving net zero carbon by 2050. There will be a need for collective leadership and a shared ambition.*

**Nature Recovery** - A separate action plan will be formulated to sit alongside this strategy.

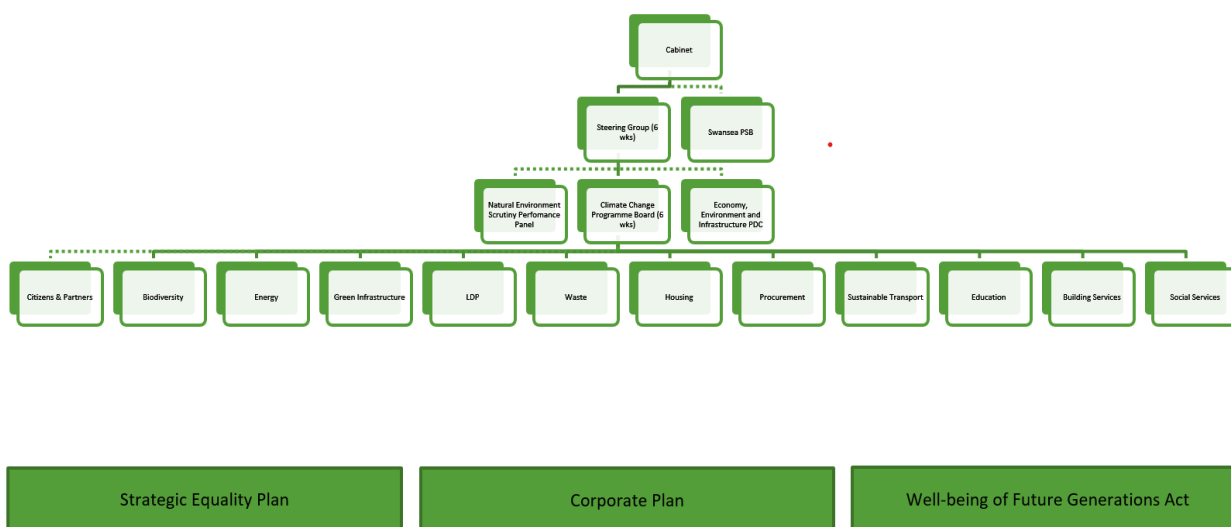
## 5. Governance

- 5.1 To enable the Council to continue to make progress one of the key actions from the NoM was to review the current policy framework and how this could contribute to the achieve achievement of net zero carbon and climate emergency response.
- 5.2 Therefore it has been necessary to review over 100 Council policies that contribute to this agenda and distil these down to 8 key themes as outlined below.



The infographic demonstrates that these policies overlap to firstly feed into the core short term target of net zero carbon for the council emissions by 2030 and the longer term goal of achieving a similar aim for the whole of the city by 2050. These policies are then intrinsically wrapped up in the overarching requirements of the Corporate Plan, Strategic Equality Plan and Wellbeing of Future Generations Act (Wales) 2015.

The governance structure represents a golden thread not only through the organisation, but externally with partners.



## 6. The journey so far

Swansea Council have achieved a great deal over several years to mitigate the impacts of Climate Change such as:

- Swansea Council procures its energy using Crown Commercial Services Framework Agreements, via the National Procurement Service (NPS), for its energy supplies. All electricity procured via the NPS framework is from 100% renewable energy sources; 41% sourced from Wales (Apr 20 – Mar 21); Gas – Total Gas and Power (TGP) procured as new gas supplier (from Apr 21), registered interest in purchasing 'Green Gas'- dependant on viability and cost impact.
- Refit Low Carbon Programme - Swansea Council is participating in the Welsh Government supported Re:fit Low Carbon Programme to implement energy efficiency saving opportunities in non-domestic buildings. A £1.3 million interest free loan has been secured from Welsh Government Wales Funding Programme (Salix) to deliver a Re:fit Cymru (Energy Efficiency) Phase 1 project comprising over 18 buildings which is projected to save an estimated 400 tCO<sub>2</sub>e every year. Quantifying the energy savings delivered by the Energy Conservation Measures (ECMs) will be validated using the Measurement and Verification (M&V) process.
- Carbon Reduction Retrofit (phase 2): Working towards developing a business case to implement Energy Conservation Measures for Education Services - Schools.
- Swansea Council with the support of Welsh Government Energy Services are progressing towards the development of a 3MW Ground Mounted Solar PV farm located on a capped waste land filled area. It is predicted over the asset lifespan (35 years) that 101,302,731 kWh of renewable energy will be generated equating 28,454 t/CO<sub>2</sub>. Part of this capital expenditure cost could be recovered as it would create revenue for the Authority, in the form of either Power Purchase Agreements (PPA) or private wire connection. There is the potential opportunity of extending the Solar PV site in future years as current additional waste land is capped.
- Public Sector Hub: Cabinet are considering moving from the Civic Centre to a new public sector hub in the heart of the city centre as part of Swansea Bay Central Phase 2, the £1bn project to revitalise the St David's area of the city centre. This is an opportunity for the Authority to show its commitment towards meeting its net zero carbon aspirations by 2030 incorporating renewable technologies into the design specifications.
- Progressing work towards a world-leading Swansea Bay Tidal Lagoon, estimated electricity generation of 504,854 MWh, equating to carbon emission savings of 94,913 mT CO<sub>2</sub>e.

### 6.1 Community Energy

Community energy covers aspects of collective action to reduce, purchase, manage and generate energy. Community energy projects have an emphasis on local engagement, local leadership and control and the local community benefiting collectively from the outcomes.

### 6.2 Homes as Power Stations

- 6.2.1 Since the first development at Colliers Way, the More Homes development team, in partnership with Corporate Building Services (CBS) have developed the Swansea Standard which has incorporated Homes as Power Stations (HAPS) owing to Welsh Government (WG) Innovative Housing Programme (IHP) funding enabling Swansea Council to build exemplar homes,

combining the latest Innovative renewable technologies such as Solar PV, Tesla Batteries, Mechanical Ventilation Heat Recovery (MVHR) and Ground Source Heat Pump (GSHP).

- 6.2.2 With a building fabric first approach integrating the Swansea Standard; Swansea Council has been able to build homes that are super energy efficient; achieving the EPC rating of A and which are almost self-efficient in producing their own energy to decrease energy demand and tackle fuel poverty typically generating around 60% - 80% of the energy consumed.
- 6.2.3 The HAPS properties are being monitored in collaboration with Welsh School of Architecture (WSA) at Cardiff University. The research team will work in collaboration with industry, government, academia and the public on built environment projects and evaluate renewable energy supply, energy storage and energy demand reduction technologies to create a low carbon-built environment that is both replicable and affordable.
- 6.2.4 The HAPS developments have now been completed at The Parc Yr Helyg development in Birchgrove (September 2020) and Phase 2 of the Colliers Way, Penplas development (April 2021). The Hill View Crescent/Beacons View Road HAPS development is scheduled to be completed by early 2022. The latest HAPS standard development is due to start in West Cross.
- 6.2.5 In addition, Swansea Council have retrofitted to HAPS standard several bungalows at Ffordd Ellen, Craig Cefn Parc which are also being monitored by WSA.

### 6.3 District Heating System

- 6.3.1 The latest consultant study from 2018 showed that there is an opportunity for Swansea Council to deliver a viable city centre District Heating System network, but this would not be without cost or risk. The options for delivery include a wholly Swansea Council owned and operated model through a Special Purpose Vehicle (SPV), or a joint venture partnership with the private sector to reduce the risk (and return). Assumptions were made that certain city centre buildings would connect to the network and the construction costs of £11.5m (excluding inflation and fees but including contingency at 30%) could attract a return of 8.2% over a 20-year period. The risks revolve around lower than forecasted energy demand, lower heat payments/tariffs, lower additional revenues and higher capital and operating costs, all of which would affect the Internal Rate Return (IRR) negatively. Since the biggest of these risks is demand, it should be noted that 55% of the energy demand came from three of our development sites (Copr Bay Phase 1, Sailbridge, Civic Centre), to date only Copr Bay has been developed, the other two are yet to come online.
- 6.3.2 The timescales of the District Heating System network proposal and the Copr Bay development weren't aligned with one another sufficiently enough for the heat network to be included within the Copr Bay scheme. Consideration was given to installing ductwork across Oystermouth Road during the Copr Bay construction which could be used in the future for district network pipework. Unfortunately the nature of the road construction, location of existing underground services and the additional complexities due to trench sizes and logistic issues with highway closures and noise considerations, there was no benefit in installing the ductwork during the Copr bay construction. That does not preclude the development from connecting to a heat network in the future, however. The heating solutions installed in Copr Bay could connect to such a heat network if one was established.

### 6.4 **Solar PV Schemes - Swansea Community Energy & Enterprise Scheme (SCEES) and EGNI/AWEL Co-Operative**

- 6.4.1 These are schemes exploring how local people in some of Swansea's most economically deprived areas can benefit from community renewable energy projects. They have installed Solar PV systems on a number of Swansea schools with a total estimated renewable generation of electricity amounting to 946,211 kWh/year (assuming 85% Solar PV generation

used by schools, this equates to 804,279kWh/yr at electricity corporate rates (£0.13/kWh), estimated financial savings of £104K).

6.4.2 As part of the Egni Co-operative's Solar PV proposal offer to Swansea Council, they have partnered with charity 'Energy Sparks' to provide educational and energy data visualisation programmes to several Swansea schools. Working in collaboration with Education Services and School ECO Clubs, Energy Sparks will provide access to their online energy analysis software to monitor the schools smart meter data to identify energy and financial savings, along with carbon emission reductions. The software will also show the Solar PV data generation from the Egni Co-op PV System. The programme is supported with an extensive list of built-in energy related activities and lesson plans categorised by education level (key stage); subject (Science) and topic (Climate Change).

## 6.5. **Swansea City Deal**

The Swansea Bay City Deal is a £1.3bn investment in 9 major projects across the Swansea Bay City Region – which is made up of Carmarthenshire, Neath Port Talbot, Pembrokeshire and Swansea together with the Abertawe Bro Morgannwg and Hywel Dda University Health Boards, Swansea University, the University of Wales Trinity Saint David, and private sector partners. The City Deal is being funded, subject to the approval of project business cases, by the UK Government, the Welsh Government, the public sector, and the private sector. Over the next 15 years, the City Deal will boost the regional economy by £1.8bn and generate almost 10,000 new, high-quality jobs. The new Swansea arena is part of the council's £135m Swansea Central Phase One transformation scheme which includes almost 1,000 parking spaces. The arena's external skin will be covered in tens of thousands of LED lights. It is due to open in 2021/22.

6.6. In addition, Swansea Council have been in collaboration with Welsh Government and Swansea Bay City Region partners to 'draft' a Regional Energy Strategy plan for South West Wales which will be completed towards by the end of 2021.

6.7 Promoting Welsh & UK Government campaigns and programmes to increase energy efficiency amongst private tenants and home owners, reducing fuel poverty and reducing emissions.

6.8 The Blue Eden Tidal Lagoon formally launch in October 2021, along with other community owned renewable energy schemes, like SCEES, to deliver clean energy and benefit local schools and community buildings. The lagoon alone has an estimated electricity generation of 504,854 MWh, equating to carbon emission savings of 94,913 mT CO<sub>2</sub>e.

6.9 Working with others nationally to urge Welsh Government to develop electric car charging infrastructure.

6.10 Being leaders of good practice in Wales through having Sustainable Development policies and approaches pre-dating the Well-Being of Future Generations Act.

6.11 Building the first council housing in a generation here in Swansea to a super-energy-efficient "Swansea Standard" that will enable all components to be procured locally and reducing emissions using solar battery storage and air source heat pumps.

6.12 Using innovation in construction for flagship projects such as Pentrehafod School, showcasing waste minimisation and sustainability.

6.13 Winning investment for innovative green technology, such as "Homes as Power Stations", as part of the City Region Deal.

- 6.14 Securing funding for a vast increase in Active Travel (walking and cycling) routes throughout the county and supported Swansea University's community cycle scheme.
- 6.15 Implementing agile working so that the workforce may reduce unnecessary travel.
- 6.16 Developing local procurement practices to reduce carbon footprint.
- 6.17 In Education, Swansea is an early joiner of the international EcoSchools programmes which encourages schools to promote recycling and reduce energy and water consumption.
- 6.18 Encouragement of Foundation Phase pupils to learn outdoors ensuring a respect for nature, biodiversity and eco-systems.
- 6.19 At KS4, developing partnerships with Universities to establish STEM workshops including the impact of climate change.
- 6.20 Recently incorporating care for the natural environment into the corporate plan as a new priority, recognising the hugely important contribution made by the extensive work of our Nature Conservation Team.
- 6.21 Working with Swansea Public Services Board to improve local services. The four statutory members of the Board are Swansea Bay University Health Board, Natural Resources Wales, the Fire and Rescue Service and the council who will continue to work collectively to improve local social, economic, environmental and cultural well-being as set out in the Well-being of Future Generations Act (Wales) 2015. For this part the focus will be on a Greener Wales.
- 6.22 Street lighting have upgraded 21,053 street lights to LED, along with the installation of City Touch, Central Management System commissioned to control the street light output around Swansea ring road (financial and carbon savings).
- 6.23 Council car parks have had electric vehicle charge points installed. A total of 16 dual-headed charge points have been installed, serving 32 recharging bays. With the exception of the two Park & Ride sites, the charge points provide 22kW 'fast' charging capabilities. The Park & Ride sites feature 7-22kW charge points (load balancing depending on how many vehicles are plugged-in at the same time). All charge points provide 100% renewable electricity to users. Users can access the charge points through an App or by calling a 24/7 customer service line (bi-lingual).
- 6.24 Active Travel. The total network has increased in length by 25% in the past three years, with over £12million of investment made in active travel infrastructure. Of the 72,000 households in Swansea, 60% now live within 500m of a dedicated off-road cycle route.

## 7.0 **Swansea Council Net Zero Carbon by 2030**

**As the governance structure implies, 8 critical areas of the authority are working on their action plans in order to deliver the 2030 target.**

### **i. Energy Strategy**

Swansea Council recognise and understand the importance of effective energy and carbon management and the implications and risks of climate change, rising energy costs and the preservation of finite energy sources. The preservation of our natural environment on a regional and national level and safeguarding of the wellbeing of our communities for current and future generations is a vital aim of the Authority.



It is within this context that the Energy and Carbon Management Strategic Plan was developed. The Energy and Carbon Management Plan provides a co-ordinated approach which will identify and analyse energy and carbon emissions from the delivery of the Authority's operational service deliveries and will:

- Provide an overarching programme that will align and integrate all legislations and policies that relate to energy, carbon management and climate change
- Clearly define Swansea Council's strategic ambition and intent for addressing energy and carbon management
- Quantify the Authority's baseline carbon emissions from its service property activities.
- Identify and evaluate energy saving projects towards reducing energy costs.
- Adaptable to the new Welsh Government Net Zero Carbon Reporting requirements.
- Adapt a low carbon / renewable technology way of working, reducing the dependency on conventional energy supplies.

## ii. **Green Infrastructure Strategy**

This strategy considers how green infrastructure can be increased in area and quality in the central area of Swansea in order to make it better adapted to climate change and better for people and wildlife. Green infrastructure is a term used to describe all the greenspace, soil, vegetation and water (ranging from parks to roof gardens) that provide the ecosystem services that make our cities liveable.

This strategy sets out a vision for the central area in Swansea to be much greener, creating green spaces and using a combination of street-level features like street trees and rain gardens as well as vegetation on buildings, including green roofs and green walls. The intention is to double the amount of green infrastructure (with the exception of open water) within 10 years.

The focus will be to create a green infrastructure network, centred on a Green Artery that will connect Swansea Station in the north, with the beach and marina in the south and the wider area, via existing, improved greenspaces including churchyards and Castle Square. Green infrastructure will be planned and designed to be multi-functional and will involve a partnership approach, using innovative solutions, including Supplementary Planning Guidance for green infrastructure and a Green Space Factor tool (GSF). Swansea Council is committed to using the GSF tool, designed for the Swansea Central Area, as a measure for the quantity and functionality of green space in development.

## iii. **Local Biodiversity Plan**

Promoting Swansea's Natural Environment is a strategy and action plan for the protection, management, enhancement and promotion of Swansea's outstanding natural environment and biodiversity. It outlines a number of strategic actions required for the conservation of the wider biodiversity resource together with a set of detailed actions for the protection of priority habitats and species.

The Local Biodiversity Strategy and Action Plan (LBAP) has three key parts:

**Part 1 Strategy** This part provides a background to the biodiversity action planning process, identifies key issues affecting biodiversity in Swansea and priorities for future work. It proposes a number of broad actions to meet these priorities, and outlines procedures for measuring progress.

**Part 2 Audit** This part provides an overview of Swansea's biodiversity resource and contains information on protected habitats and species present in the County, together with draft proposals for the identification of a network of non-statutory Sites of Interest for Nature Conservation or candidate SINC.s.

**Part 3 Habitat and species action plans** This part provides detailed action plans for priority habitats and species which occur in the County in accordance with UK and Welsh Assembly Government Guidance. At the time of printing 23 Habitat Action Plans (HAP.s) and 98 Species Action Plans (SAP's) have been included. There are plans to add additional HAP's and SAP's in due course.

#### **iv. Local Development Plan**

The 2010-2025 Plan provides a clear planning framework to address key issues facing the County, providing certainty and the basis for efficient planning decisions. Its policies and proposals will enable the delivery of sustainable development, and ensure that social, economic, environmental and cultural well-being goals are all suitably balanced in the decision making process so that the right development occurs in the right place.

The Plan is underpinned by an extensive and up to date evidence base which, in combination with extensive public and stakeholder engagement undertaken during Plan preparation, has been used to identify the key opportunities, land use requirements, and issues for the County over the Plan period.

#### **v. Procurement Strategy**

Swansea Council procurement is underpinned by maximising the economic, social, environmental and cultural benefits that may be obtained from buying power. Best value can be viewed as the optimum combination of whole-life costs in terms of not only generating savings and good quality outcomes for the organisation, but also benefit to society and the economy.

Procurement activity strives to deliver the goals of the Well-being of Future Generations Act through a holistic approach to procurement processes and including where relevant specific provisions within the procurement documents. There is commitment to strive to ensure that carbon reduction ambitions that underpin the sustainable development principle are integrated within procurement practice as appropriate.

#### **vi. Sustainable Transport Strategy**

A great deal of positive work has been carried out in this area to date with all activity becoming part of this overarching strategy. This includes how the council deals with its Council fleet, the grey fleet (personal mileage by employees), its emissions from street lighting, the continued promotion of active travel and the development of a local and regional sustainable public transport system.

Some specifics include:

- Continuation of planning for, and improving the active travel network. Refresh of the current Active Travel maps and consult on potential new routes for development, though a new Active Travel Network Map in 2021.
- Increase levels of active travel though promotion, engagement and encouragement of active travel with the general public, businesses,

communities and educational establishments, through a behaviour change campaign, Swansea Bayways.

- Further roll out of EV charging infrastructure.
- Continue to deliver a 5 % year on year reduction in council fleet emission via its green fleet strategy.
- The development of the ULEV strategy will support further emissions reductions. Targets will gradually increase over time up to 10% per annum to align with technological advances in coming years.
- Seek to embed the reductions in grey fleet mileage which achieved 50% and 1 million miles less in 2020/21 to date.
- South West Wales Metro - Continue the development of business cases for investment in active travel, bus and rail projects across the region.
- Investigate low-emission public transport alternatives through work with partners, such as Transport for Wales and First Cymru to establish how vehicle emissions could be reduced in the future.

## **vii. Waste Strategy**

The Council's existing strategy aligns to Welsh Government's recycling targets which aimed to achieve 64% recycling levels by 19/20 and this was achieved by Swansea. This target increases to 70% by 24/25 and the council is reviewing its option to achieve these increased levels.

In the meantime as part of the overall Climate change plan it will develop a new Waste Strategy which it will seek to align with the overarching Welsh Government plans over the coming 12 to 18 months.

## **viii. Housing Strategy (Decarbonisation)**

Following the publication of the report, Better Homes, Better Wales, Better World (BHBWBW), Welsh Government set up a working group made up of the Welsh School of Architecture (WSA) and selected social landlords to further develop decarbonisation targets and prepare guidance for social landlords on decarbonising their housing stock.

Officers from the Housing Service have participated in the development of the study document and so are included in regular update meetings with Welsh Government's Decarbonisation Team and academics from WSA on latest developments.

Welsh Government has taken a view that a retrofit decarbonisation programme can be delivered as an extension to the existing Welsh Housing Quality Programme due for completion at the end of 2020. The revised WHQS programme that will commence in April 2021 will set a target achieving EPC A/SAP 92 to 231,000 socially owned properties by 2030, which represents almost 17% of the entire housing stock in Wales.

The next stage for Swansea will be to develop a long term Decarbonisation Strategy alongside the excellent work that is already being undertaken. Examples include:

New Homes 'Swansea Standard' are currently being developed as HAPS at Parc y Helyg, Birchgrove, Colliers Ways, Penplas development 1 and 2 and Hillview Crescent, Clase. The properties will not have a traditional gas supply, but will generate, store and then release their own electricity.

Homes as Power Stations (HAPS): The Council has retrofitted and transformed into HAPS 6 bungalows at Ffordd Ellen, Craig Cefn Parc which include external wall insulation, Ground

Source Heat Pumps (GSHP), Mechanical Ventilation Heat Recovery unit (MVHRs), PV solar roofs and Tesla battery storage.

## 9 City & County wide Net Zero Carbon by 2050

All activity will be underpinned by the Well-being of Future Generations Act goals and ways of working, the Corporate Plan Priorities and the Strategic Equality Plan actions.

- i. **The Well-being of Future Generations Act (Wales) 2015** This legislation places a duty on the Council to carry out sustainable development improving social, economic, environmental and cultural well-being. It sets out the sustainable development principle's five ways of working and seven national well-being goals.
- ii. **Strategic Equality Plan** This sets out how the Council makes every effort to respect children's rights, promotes healthy lives, helps tackle poverty and play its part in treating people and communities are treated with fairness, dignity and respect. It promotes equal opportunities for all, making a real difference to the lives of those living and working in Swansea.
- iii. **Corporate Plan-** This details how the Council will improve well-being in practice. It lays out priorities for action in six well-being objectives and the steps to achieve them in line with the sustainable development principle.

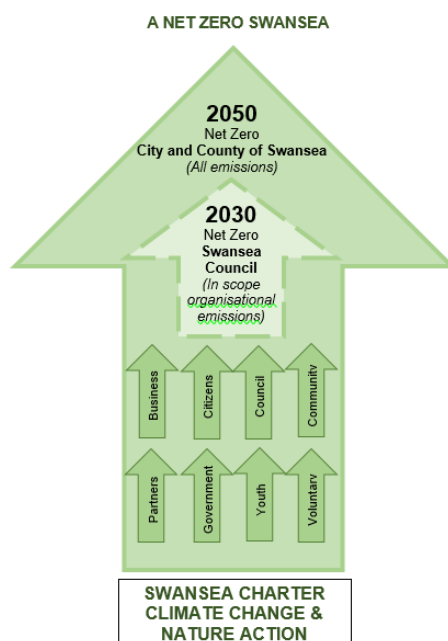
All activities must align to create a long term Climate Change and Nature Strategy and demonstrate the commitment asked of the Notice of Motions.

Governance accounts for Regional, Welsh, National and European directive alongside the additional policies and strategies sitting at Council level that will support delivery.

This approach aligns with the council's pledged to "Act in Response to the Climate Emergency" within its Corporate Plan 2020-23, aiming for carbon neutrality by 2030

### 9.1 Wider communication and engagement.

This will be established through a variety of routes as per below.



There will be a continued commitment to engage with **local people, groups and businesses** and help them be smarter and better prepared for the impacts of climate change and nature recovery. This will be enhanced via the Climate and Nature Charter and online pledge wall.

Swansea Council recognises that it must lead by example and use its 'Sphere of Influence' to reach out to as many citizens and businesses as possible. The Leader and Cabinet Members have signed the charter, and a more generic version for Swansea Citizens and public sector, business, charities, schools, groups etc. will be used, alongside the more simplistic pledge wall as mechanisms to seek wider buy in across the whole city and county.

Involving partners will be paramount to success, and will help support Swansea Council's ambition to lead by example. Agreed strategies will provide structure and governance to ensure delivery.

Listening to and acting on community groups, school groups ideas will help shape the strategy.

Swansea council will commit to making long term and embedded behaviour change via training and support not only within its own authority but also across the City and County, for all citizens. We want everyone to shape Swansea's vision for reaching net zero carbon.

We can make changes on a huge scale if we all make small changes to how we move, shop, eat, think and live, together.

Reducing emissions and recovering nature needs businesses and households to change. We must use more renewable energy sources such as wind, solar and geothermal. We also have to change how we use energy, by cutting down on the power we use. We need to be more mindful of food sources, the nature surrounding us, its recovery and how our communities need to adapt for the future.

Swansea Council cannot make Swansea net zero carbon on its own. We need everyone in Swansea to act now and consider what they can do to reduce their impact on the planet. We all need to take action at home, in the workplace, and across the county as a whole.

The Council is well placed to work with others. We can make the most of Swansea's collective potential and create solutions together. There will need to be major investments. We will have to make changes to existing systems of how we use and interact with energy. We must change how we live our lives. We will have to redefine how we manage and interact with our environment.

Above all, to meet this challenge, we need collective leadership and shared ambition.

# Integrated Impact Assessment Screening Form

Please ensure that you refer to the Screening Form Guidance while completing this form.

## Which service area and directorate are you from?

Service Area: Property Services

Directorate: Place

### Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

### (b) Please name and fully describe initiative here:

#### Climate Change and Nature Strategy Progress Update

1.1 The report provides an update on the approved recommendations from the Cabinet report presented in November 2020, 'Climate Emergency Declaration – Policy Review and Proposed Action'. The supplementary strategy and action plan are derived following over 1000 responses to a public survey undertaken in the spring of 21, who supported a 'go faster, go further approach to tackling climate change and nature recovery.

### Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

# Integrated Impact Assessment Screening Form

Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement.**

Over 1000 responses to public survey in March 2021, which have reinforced Swansea Council approach on this subject matter. Also working with PSB partners to align in readiness for the wider City and council of Swansea challenge to achieve net zero carbon by 2050.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?  
 Yes                       No
  
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
 Yes                       No
  
- c) Does the initiative apply each of the five ways of working?  
 Yes                       No
  
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
 Yes                       No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes

No

**If yes, please provide details below**

All key policies drivers that influence or emissions and nature recovery are now working as an established programme board, part of the governance structure to ensure priority is given to meeting targets.

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the*

## Integrated Impact Assessment Screening Form

*organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

Swansea Council recognises that it must lead by example and use its 'Sphere of Influence' to reach out to as many citizens and businesses as possible regarding climate change and nature recovery. The Leader and Cabinet Members have signed the climate charter, and a more generic version for Swansea Citizens and public sector, business, charities, schools, groups etc. will be used, alongside the more simplistic pledge wall as mechanisms to seek wider buy in across the whole city and county.

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Above all, to meet this challenge, we need collective leadership and shared ambition.

To note the Well-being of Future Generations is a pivot part of our project governance structure.

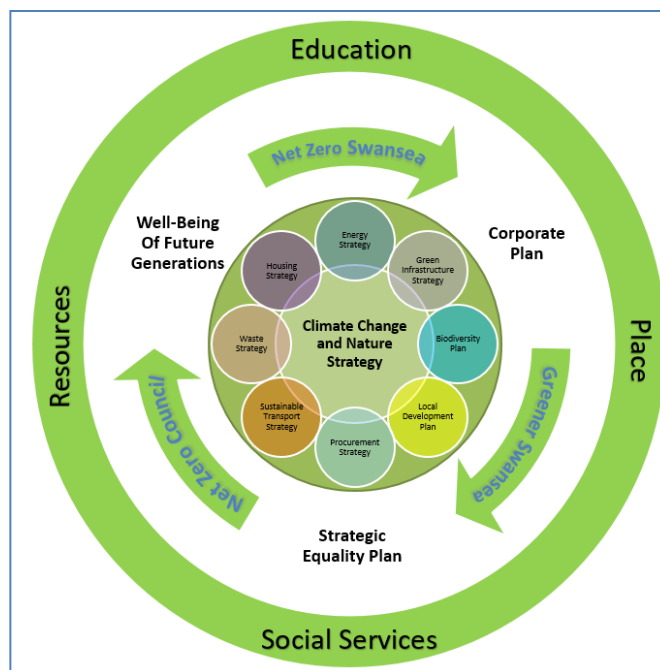


# Integrated Impact Assessment Screening Form

## Outcome of Screening

**Q8** Please describe the outcome of your screening below:

- **Summary of impacts identified and mitigation needed (Q2)** – If we move in the right direction and bring citizens along with us then all benefits could and should be very positive, eg reduction in fuel poverty, local food supply, improved health and well-being, reduced fire, flooding to name but a few.
- **Summary of involvement (Q3)** The initial survey provided very positive feedback, we will be continuing with more general engagement but will also looking to use partners to reach out to specific communities, schools, businesses etc.
- **WFG considerations (Q4)**
- To note the Well-being of Future Generations is a pivot part of our project governance structure.



- **Any risks identified (Q5)** – Risks are medium - financially we will need to continue to lobby WG to ensure funding available to make such changes – eg decarbonisation of homes, transportation, active travel.
- **Cumulative impact (Q7)** – A brilliant and exciting opportunity to maximise the wellbeing of future generation and equality plan principles to make for a better Swansea by 2050.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

## Integrated Impact Assessment Screening Form

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

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.

<b>Screening completed by:</b>
<b>Name:</b> Rachel Lewis
<b>Job title:</b> Directorate Project Manager
<b>Date:</b> 24 <sup>th</sup> October 2021
<b>Approval by Head of Service:</b>
<b>Name:</b> Martin Nicholls
<b>Position:</b> Director of Place
<b>Date:</b> 24 <sup>th</sup> October 2021

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 8.



## Cabinet Member for Environment Enhancement & Infrastructure Management

Cabinet – 18 November 2021

### Swansea Public Toilet Strategy: Progress Report

<b>Purpose:</b>	To seek approval from Cabinet on Swansea Council's Public Toilet Strategy and the progress of its action plan.
<b>Policy Framework:</b>	Part 8, Public Health Act (Wales) 2017
<b>Consultation:</b>	Access to Services, Finance, Legal. (This should always list Access to Services, Finance, Legal plus any other key posts or bodies that were consulted during the compilation of the report. Please refrain from using Head of/Director of).
<b>Recommendation(s):</b>	It is recommended that:  1) Cabinet approves Swansea's Public Toilet Strategy  2) Cabinet notes progress to date, approves future actions for delivery and delegates any amendments or changes to the delivery plan to the Director of place and Cabinet member for Environment Enhancement & Infrastructure Management
<b>Report Authors:</b>	Chris Howell/Andy Edwards
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

- 1.1 The Public Health (Wales) Act 2017 received Royal Assent on the 3 July 2017. Part 8 of the Act placed a duty on each Local Authority in Wales to prepare and publish a local toilets strategy for its area.
- 1.2 The Act provides that a strategy must include an assessment of the community's need for toilets, including changing facilities for babies and

changing places facilities for people with disabilities. The strategy must also provide details of how the Local Authority proposes to meet the identified need.

- 1.3 The Act is underpinned by guidance from Welsh Government, which Local Authorities are required to have regard to and to read in conjunction with the Act. There is no requirement for the strategies to be presented to the Welsh Government for approval, as the strategies should be subject to Local Authorities' existing scrutiny structures and public scrutiny.
- 1.4 Swansea's initial assessment of need and draft strategy was completed by the British Toilet Association. The consultation on Swansea's published, draft Public Toilet Strategy closed on 18<sup>th</sup> September 2020 and a report was presented to the Economy and Infrastructure Policy Development Committee, on 9<sup>th</sup> November 2020.
- 1.5 This report brings the strategy for formal approval, along with its action plan and a report on its progress.

## **2 Overview of Swansea's Public Toilet Strategy ("the Strategy")**

- 2.1 The Strategy, and its action plan, covers six key areas:
  - Strategy – the process of developing a public toilet strategy for the City and County of Swansea
  - Governance – the governance arrangements for overseeing the development and progress of the strategy;
  - Communication - mechanisms for communication about public toilet provision within the City and County of Swansea and how this will be developed to meet the needs of residents, visitors and businesses;
  - Facilities – the process of reviewing existing public toilet provision within the City and County of Swansea;
  - Development – the development of a plan to ensure that Swansea's public toilet provision meets the current and future needs of local residents, visitors and businesses; and
  - Funding – the development of a sustainable funding plan that enables Swansea Council to maintain and develop its public toilet provision in accordance with the plans set out in this strategy.
- 2.2 The detail of the strategy and the action plan, for which approval is sought, can be found in the appendices to this report.

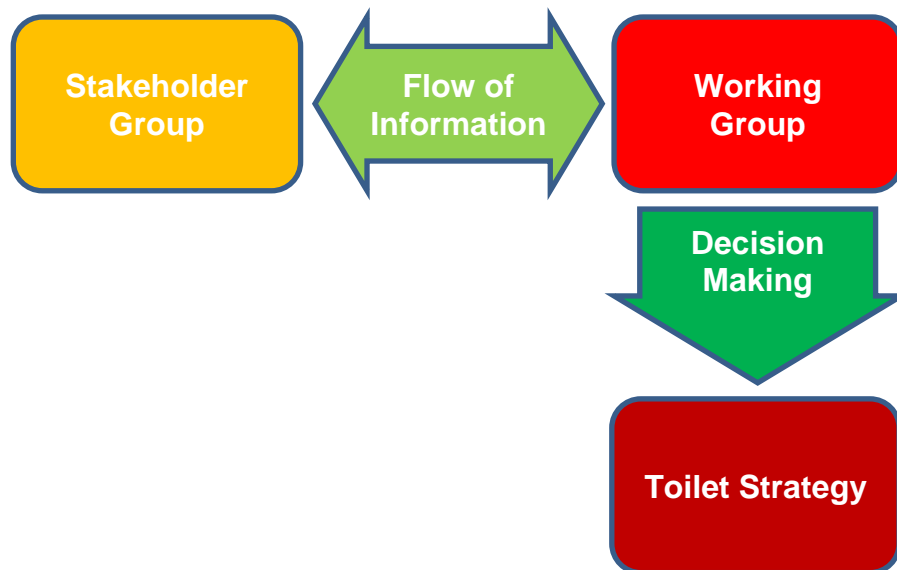
## **3 Progress Report**

- 3.1 Since the draft strategy was written and consulted on, in 2020, Swansea Council has continued to work to deliver improvements regarding the provision of public toilets throughout the city and county.
- 3.2 The Toilet Strategy

3.2.1 The strategy is the subject of this report so that it can be formally adopted and contribute to the work to improve Swansea as a place to live in and a place to visit.

### 3.3 Governance

3.3.1 In line with the Strategy, a formal structure has been established, with an internal working group driving the development of the strategy and the delivery of action plan. This is supported by a stakeholder group, drawn from key groups across the public, private and third sectors. Its purpose is to inform and shape the work of the working group.



### 3.4 Communication

3.4.1 The council's website has been updated to provide clear details of where all of our public toilets are, what facilities they have and when they are accessible.

3.4.2 Any new facilities made available to the public are being added to the website.

3.4.3 Funding has been approved, from the Economic Recovery Fund, to improve the physical signage regarding public toilet facilities. This will be integrated with a new Swansea Toilet Map that is being developed by the British Toilet Association.

### 3.5 Facilities

3.5.1 Existing public toilet provision has been reviewed and mapped (see 3.4).

3.5.2 A comprehensive programme of condition surveys are currently underway, at all sites controlled by Swansea Council. This information is being used to inform the maintenance and improvement programme.

3.5.3 Work has been undertaken to improve the accessibility of toilets, to the general public, in other public buildings.

3.5.4 Swansea Council has invested £200,000, since April 2020, to improve both the physical appearance of its public toilet facilities and to make them easier to clean well.

3.5.5 Toilet cleansing staff have received improved instruction, training, and equipment to maximise the quality of the service provision.

3.5.6 A pilot project has been funded, by the Economic Recovery Fund, to double the frequency of toilet cleaning in key tourist locations in peak season and measure its impact.

### 3.6 Development

3.6.1 Two new “Changing Places” have been installed alongside existing toilet facilities, providing improved accessibility, safety and dignity, for people who have more complex needs when using toilet facilities.

3.6.2 Swansea Marina toilets have been reopened, and new public toilets will be available shortly as part of the new Arena.

3.6.3 Libraries and leisure centres are being assessed for suitability for inclusion on the network of available public toilets.

### 3.7 Funding

3.7.1 Increased investment in condition of public toilet facilities, from existing budgets (see 3.5.4).

3.7.2 Two successful bids have been made to the Economic Recovery Fund (3.4.3 & 3.5.6), for a total of £65,000.

### 3.8 Action Plan Summary

3.8.1 The main areas of progress on the Action Plan are as follows:

- Swansea’s public toilet facilities have been mapped out, with the list made available on the council’s website, and regularly updated.
- The number of facilities, available for use by the general public, have been expanded through the re-opening of facilities, the inclusion of appropriate libraries and leisure centres, and the creation of new facilities.
- The quality of our existing public toilet stock has been improved through a refurbishment programme, which is ongoing.
- The cleanliness, of those facilities managed by Swansea Council, has been improved through the introduction of new cleaning practices and an increase in the frequency of cleaning, at peak times.
- Funding has been secured, through the Economic Recovery Fund, to further improve the mapping of facilities and integrating that with physical signage.
- An Internal Working Group and an External Stakeholder Forum set up to further develop, implement, and monitor Action Plan

3.8.2 Following the adoption of the strategy, the action plan will focus on the following work:

- Complete the programme of condition surveys and use this to information to inform the ongoing maintenance and improvement programme.
- Establish an ongoing programme of maintenance and renewal of public toilet facilities.
- Use the information gained from the cleaning pilot project to develop a long-term plan for the cleaning of the council's public toilet facilities.
- Explore the opportunities of bringing more public buildings into the network of toilet facilities available to the general public.
- Review the existing mapping work and identify priority areas for improving the access to public toilet provision, particularly with regard to facilities for people with additional health needs.
- Review existing provision to look at alternative set ups for some toilet blocks, if considered beneficial, such as converting from separate male and female toilet blocks to gender neutral toilet blocks.
- Identify opportunities for influencing the development new toilet facilities, within Swansea's wider programme of economic development.

#### **4. Integrated Impact Assessment Implications**

4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, 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 Acts.
- 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.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

4.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

- 4.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 4.3 This is a low risk proposal as it will deliver an improvement in service provision that should have a positive impact across the population, particularly those whose health conditions bring more complex needs when using toilet facilities. It has been consulted on and supports our ambitions with regard to the Wellbeing of Future Generations Act. Changes to the published action plan and actions arising from subsequent reviews will also be subject to an IIA.
- 4.4 A copy of the IIA screening confirms that a full IIA is not required, and can be found as an appendix to this report

## **5. Financial Implications**

- 5.1 Two successful bids have been made to the Economic Recovery Fund for a total of £65,000.
- 5.2 Swansea Council has invested £200,000, since April 2020, to improve both the physical appearance of its public toilet facilities and to make them easier to clean well.
- 5.3 A further bid to the Economic Recovery Fund is planned, on completion of the condition surveys, to accelerate the ongoing refurbishment of the Council's public toilet facilities.

## **6. Legal Implications**

- 6.1 This strategy will ensure that we are compliant with the relevant parts of Part 8, Public Health Act (Wales) 2017

### **Background Papers:**

Part 8, Public Health Act (Wales) 2017

(<https://www.legislation.gov.uk/anaw/2017/2/part/8/enacted>)

The Provision of Toilets in Wales: Local Toilets Strategies

<https://gov.wales/sites/default/files/publications/2019-05/the-provision-of-toilets-in-wales-local-toilets-strategies.pdf>

### **Appendices:**

- Appendix A Draft Swansea Toilet Strategy  
Appendix B Swansea Toilet Strategy – Action Plan  
Appendix C Swansea Toilet Strategy – Integrated Impact Assessment Screening



# Swansea Council



## Public Toilet Strategy

In accordance with the  
Public Health Act 2017 - Section 8

Prepared by

**Martin Nicholls**

Director - Place  
Swansea Council

In partnership with the British Toilet Association



SWANSEA PUBLIC TOILET STRATEGY

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### **Acknowledgements & Miscellaneous**

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## Foreword

Cllr Mark Thomas

As the Cabinet Member for Environmental Services



### **The Swansea Toilet Provision Strategy 2019 – 2021**

I am pleased to be able to support the publications of the Local toilet strategy for Swansea.

As well as enabling us to discharge our duty in line with the Public Health Act 2017, we hope it demonstrates the Council's commitment to ensuring adequate toilets are available for residents and the visiting public to maximise the accessibility and for all citizens to our wonderful City and region.

We are proud of our role as a leading provider and supporter of public toilets in our communities. The council provides 24 facilities around the city, including 15 RADAR disability toilets and supports 9 'Changing Places' which make it possible for people with severe disabilities to have access to much-needed facilities.

The feedback from consultation with local residents, groups, organisations and businesses will help shape public toilet services in our city in the years ahead. Ideas and views generated by the consultation have helped inform and strengthen this strategy and its action plan.

I want to stress that this strategy is not the end of the process. This is just the start of our journey, but I believe the actions listed within the strategy set a clear direction and commitment to the future of these important assets to our communities.

We will continue to engage with stakeholders during the development of the actions and have to duty to provide regular updates as to our progress.

Signed:

Councillor Mark Thomas  
(Cabinet Member)  
Swansea Council



Llywodraeth Cymru  
Welsh Government

# The Provision of Toilets in Wales: Local Toilets Strategies

Statutory Guidance  
June 2018

## **INTRODUCTION**

The Public Health (Wales) Act 2017 ('the Act') received Royal Assent on the 3 July 2017. The Act brings together a range of practical actions for improving and protecting health. Part 8 of the Act introduces provision of toilets and specifically local toilets strategies.

## **REQUIREMENTS**

To achieve this, the Act places a duty on each LA in Wales to prepare and publish a local toilets strategy for its area. The Act provides that a strategy must include an assessment of the community's need for toilets, including changing facilities for babies and changing places facilities for disabled people. The strategy must also provide details of how the LA proposes to meet the identified need. There is no requirement for the strategies to be presented to the Welsh Government for approval, as the strategies should be subject to LAs' existing scrutiny structures and public scrutiny.

The duty to prepare a strategy does not in itself require LAs to provide and maintain public toilets themselves, but they are required to take a strategic view across their area on how these facilities can be provided and accessed by their local population. In doing so it is envisaged that LAs will consider a full range of options for making facilities available to the public. By way of example, if a toilet is not available at a park but a LA identifies a need for one, then the LA should consider different ways of meeting that need. This could be by the LA directly providing the facility, or by the LA

working with a private business within or near to the park to make their facilities freely available to the public.

The Act's provisions on local toilets strategies are ultimately intended to benefit all those living in and visiting Wales. Accordingly, the provisions seek to ensure that appropriate engagement with local communities takes place as part of the development of the strategies, and that the process takes place, as well as with visitors and commuters, in a manner which is both transparent and supports local accountability.

## **THE DUTY ON LOCAL AUTHORITIES**

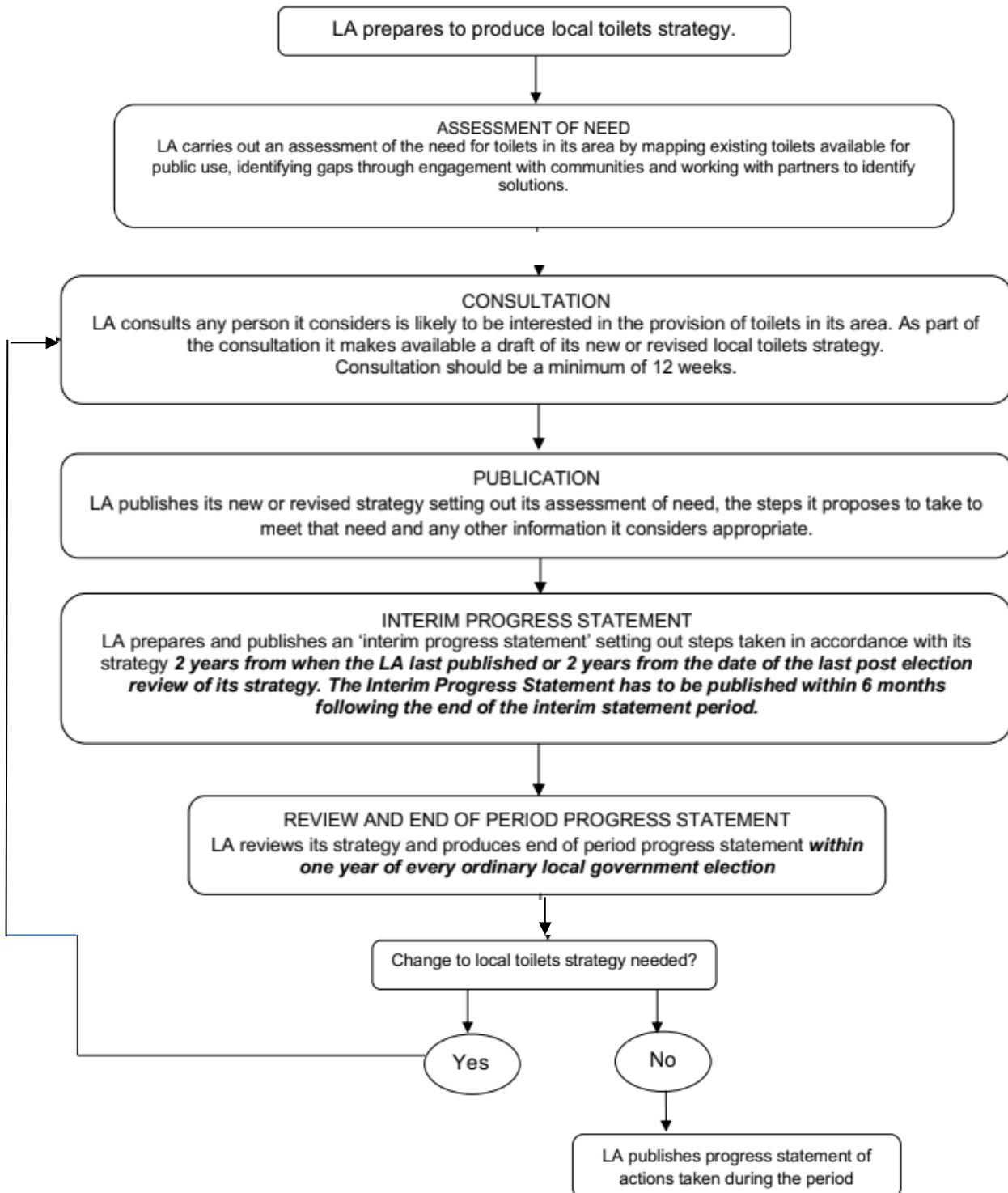
This guidance should be read in conjunction with the Act.

Part 8 of the Act deals with strategies and places the following duties on a LA:

- to prepare and publish a strategy before the end of the period of one year beginning with 31 May 2018 (section 113(1));
- to include an assessment of need and steps to be taken to meet that need (section 113(2));
- to review the strategy which includes a requirement to publish a statement of what steps have been taken following the last published strategy and to revise and publish any revisions considered necessary (section 113(3), (5) and (7));
- to publish interim progress statements (section 114);
- to consult any person they consider to be interested in the provision of toilets in their area before publishing the strategy (section 115); and
- to provide those persons with a draft copy of the strategy (section 115(2)).

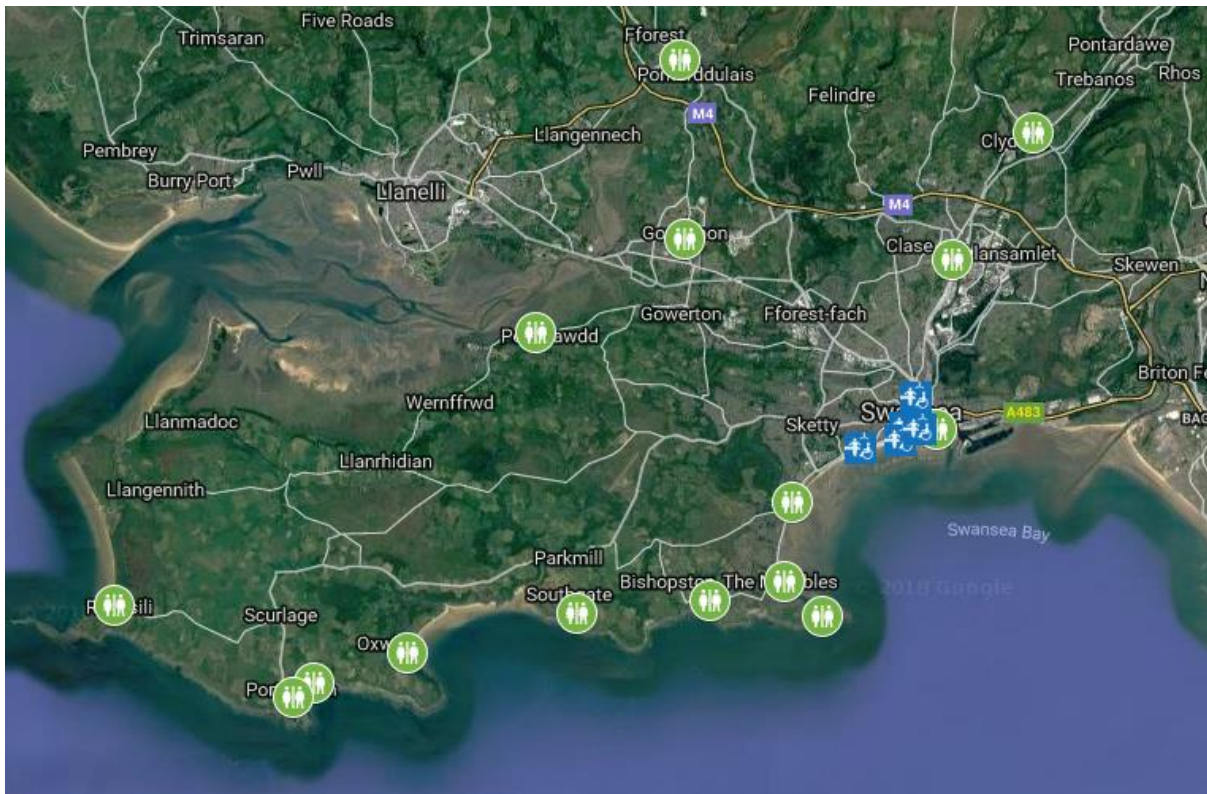
# Part 8 of the Public Health (Wales) Act 2017: Provision of Toilets

## THE LOCAL TOILETS STRATEGY PROCESS



# Council map of current toilet provision in Swansea

Taken from the Council website 22/10/2018



**Swansea Council currently controls and supervises the running and servicing of 46 x publicly accessible toilet blocks across the county.**

## Public toilets

Public toilets are available throughout Swansea. Disabled access and baby changing facilities are available in many of our toilets.

RADAR facilities are available at 15 toilets around Swansea. You can buy a RADAR key for £3 from the Civic Centre on Oystermouth Road (01792 636000).

Changing Places facilities are available in eight toilets. These have extra space for disabled people and their carers and a height adjustable changing bench and hoist.

Some of these units are not run by the Council.

Location	Charge	Opening hours	Unisex Unit	Disabled RADAR Key	Changing Places
<b>Quadrant Bus Station</b> Public Toilets Plymouth Street, SA1 3AR	30p charge	24 Hour - 7 Days			
<b>Civic Centre</b> Public Toilets Oystermouth Road SA1 3SN	No	Mon – Fri 07:30 – 19:00 Sat – Sun 09:00 – 16:00		YES	YES
<b>National Waterfront Museum</b> Public Toilets Oystermouth Road SA1 3RD	No	Mon – Fri 10:00 – 17:00 Sat – Sun 10:00 – 17:00	YES	YES	
<b>LC2 Swansea</b> Leisure Centre Oystermouth Road SA1 3ST	No	Mon – Fri 06:30 – 22:00 Sat – Sun 08:00 – 21:00		YES	YES
<b>Clydach Mond</b> Public Toilets High Street, Clydach SA6 5LW	No	Mon – Fri 09:00 – 17:00 Sat – Sun 09:00 – 17:00		YES	YES
<b>Morriston</b> Public Toilets, Woodfield Street SA6 8BW	No	Mon – Fri 09:00 – 17:00 Sat – Sun 09:00 – 17:00		YES	
<b>Gorseinon</b> Public Toilets Argyle Bus Station Gorseinon SA4 4AA	No	Mon – Fri 09:00 – 17:00 Sat – Sun 09:00 – 17:00		YES	
<b>Pontarddulais</b> Public Toilets Water Street SA4 8TH	No	Mon – Fri 09:00 – 17:00 Sat – Sun 09:00 – 17:00		YES	



Location	Charge	Opening hours	Unisex Unit	Disabled RADAR Key	Changing Places
<b>Blackpill Lido</b> Public Toilets Mumbles Road SA3 5AS	No	Mon – Fri 09:00 – 20:00 Sat – Sun 09:00 – 20:00		YES	
<b>Oystermouth Square</b> Public Toilets Mumbles SA3 4BU	No	Mon – Fri 09:00 – 19:30 Sat – Sun 09:00 – 19:30		YES	
<b>Bracelet Bay</b> Public Toilets (car park) SA3 4JT	No	24 Hour - 7 Days		YES	
<b>Caswell Bay</b> Public Toilets The Mumbles SA3 3BS	No	Mon – Fri 09:00 – 19:30 Sat – Sun 09:00 – 19:30		YES	
<b>Southgate</b> Public Toilets (car park) The Mumbles SA3 2DH	No	24 Hour - 7 Days	YES		
<b>Oxwich Village</b> Public Toilets (car park) The Mumbles SA3 1LS	No	24 Hour - 7 Days			
<b>Horton</b> Public Toilets (car park) The Mumbles SA3 1LQ	No	Mon – Fri 07:00 – 19:00 Sat – Sun 07:00 – 19:00		YES	
<b>Port Eynon</b> Public Toilets (car park) The Mumbles SA3 1NN	No	Mon – Fri 07:00 – 19:00 Sat – Sun 07:00 – 19:00			

Location	Charge	Opening hours	Unisex Unit	Disabled RADAR Key	Changing Places
<b>Rhossili</b> Public Toilets (near Hotel) Rhossili SA3 1PP	No	24 Hour - 7 Days		YES	YES
<b>Penclawdd</b> Public Toilets Seaview Terrace Penclawdd SA4 3YF	No	Mon – Fri 09:00 – 17:00 Sat – Sun 09:00 – 17:00			
<b>Southend</b> Public Toilets Mumbles The Mumbles SA3 5DL	No	Mon – Fri 09:00 – 16:30 Sat – Sun 09:00 – 16:30		YES	
<b>Knab Rock</b> Public Toilets Mumbles The Mumbles SA3 4EE	No	Mon – Fri 07:30 – 19:30 Sat – Sun 07:30 – 19:30			
<b>Langland</b> Public Toilets Newton SA3 4QP	No	Mon – Fri 09:00 – 16:30 Sat – Sun 09:00 – 16:30		YES	
<b>Oystermouth Castle</b> Public Toilets Oystermouth SA3 4BA	No	Mon – Fri 09:00 – 16:30 Sat – Sun 09:00 – 16:30		YES	
<b>Clyne Gardens</b> Public Toilets Mayals SA3 5BD	No	Mon – Fri 09:00 – 16:30 Sat – Sun 09:00 – 16:30		YES	

Location	Charge	Opening hours	Unisex Unit	Disabled RADAR Key	Changing Places
<b>Singleton Park</b> Public Toilets Sketty SA2 9DU	No	Mon – Fri 09:00 – 16:30 Sat – Sun 09:00 – 16:30		YES	
<b>Brynmill Park</b> Public Toilets Sketty Brynmill SA2 0JQ	No	Mon – Fri 09:00 – 16:30 Sat – Sun 09:00 – 16:30	YES		
<b>Botanical Gardens</b> Public Toilets Singleton Park Sketty SA2 9DU	No	Mon – Fri 10:00 – 18:00 Sat – Sun 10:00 – 18:00	YES	YES	
<b>Singleton Boating Lake</b> Public Toilets Singleton Park Sketty SA2 8PY	No	Mon – Fri 09:00 – 16:30 Sat – Sun 09:00 – 16:30		YES	
<b>Cwmdonkin Park</b> Public Toilets Uplands Sketty SA2 0PP	No	Mon – Fri 09:00 – 16:30 Sat – Sun 09:00 – 16:30		YES	
<b>Rotherslade Bay Beach</b> Public Toilets Newton SA3 4QW	No	Mon – Fri 09:00 – 16:30 Sat – Sun 09:00 – 16:30			
<b>Clydach Library</b> Clydach Swansea SA6 5LN	No	Mon – Fri 09:00 – 17:30 Sat 10:00 – 13:00 Thurs/Sun – CLOSED	YES		
<b>Gorseinon Library</b> Gorseinon Swansea SA4 4AA	No	Mon – Fri 09:00 – 18:00 Sat 10:00 – 16:00 Sun - CLOSED	YES		

Location	Charge	Opening hours	Unisex Unit	Disabled RADAR Key	Changing Places
<b>Gowerton Library</b> Gowerton Swansea SA4 3BU	No	Mon – Fri 09:00 – 17:30 Thurs/Sat/Sun CLOSED	YES		
<b>Killay Library</b> Killay Swansea SA7 7QS	No	Mon – Fri 09:00 – 17:30 Sat – 10:00 – 13:00 Tues/Sun - CLOSED	YES		
<b>Morrleston Library</b> Morrleston Swansea SA6 7AA	No	Mon – Fri 09:00 – 18:00 Sat – 10:00 – 16:00 Sun - CLOSED	YES	YES	
<b>Oystermouth Library</b> Oystermouth Swansea SA3 4AA	No	Mon – Fri 09:00 – 18:00 Sat – 10:00 – 16:00 Sun - CLOSED	YES		
<b>Penlan Library</b> Penlan Swansea SA3 4AA	No	Mon – Fri 09:00 – 17:00 Sat – 10:00 – 12:30 Tue/Thur/Sun - CLOSED	YES		
<b>St Thomas Library</b> Grenfell Park Rd Swansea SA1 8EZ	No	Mon - Fri Variable timings Sat – 10:00 – 12:30 Wed/Sun - CLOSED	YES		
<b>Swansea Central Library</b> Oystermouth Rd Swansea SA1 3SN	No	Mon – CLOSED Tue – Fri 09:00 – 19:00 Sat/Sun 10:00 – 16:00	YES		
<b>Townhill Library</b> Phoenix Centre Swansea SA1 6PH	No	Mon - Fri Variable timings Sat – 10:00 – 12:00 Wed/Sun - CLOSED			

Location	Charge	Opening hours	Unisex Unit	Disabled RADAR Key	Changing Places
<b>Glynn Vivian Art Gallery</b> Alexandra road Swansea SA1 5DZ	No	Mon – CLOSED Tue – Sun 10:00 – 17:00		YES	YES
<b>Guildhall/Brangwyn Public Toilets</b> Swansea SA1 4PE	No	Mon – Fri 07:30 – 18:30 Sat/Sun - CLOSED		YES	YES
<b>Swansea Grand Theatre</b> Singleton Street Swansea SA1 3QJ	No	Mon – Sat 12:00 – 18:00 Sunday - CLOSED			
<b>Swansea Museum</b> Victoria Road Swansea SA1 1SN	No	Mon – CLOSED Tue – Fri 10:00 – 16:30 Sat/Sun 10:00 – 16:30	YES		
<b>Dylan Thomas Centre</b> Somerset Place Swansea SA1 1RR	No	Mon – CLOSED Tue – Fri 10:00 – 16:30 Sat/Sun 10:00 – 16:30			
<b>Oxwich Public Toilets</b> Oxwich SA3 1LS	No	Mon – Fri 08:00 – 18:00 Sat – Sun 08:00 – 18:00		YES	
<b>The Quadrant Shopping Centre</b> Plymouth Street Swansea SA1 3QW	No	Mon – Sat 09:00 – 18:00 Sunday 11:00 – 17:00			

# LIST OF HISTORIC SITES and TOURIST ATTRACTIONS

For reference and further discussion by the Toilet Strategy Group and Forum

<b>Parks and Gardens</b>	
Argyll Gardens	Cwmbwrla Park
Ashlands/Bandfield	Cwmdonkin Park
Barlands Common	Cwmllywd Wood Local Nature Reserve
Bishop's Wood Local Nature Reserve	Dunvant Brickworks
Bishopston Valley	Dunvant Park
Blackpill SSSI and Wildlife Centre	Dyffaty Senior Citizens Bowls Pavilion
Blaenymaes Multi Use Games Area (MUGA)	Elba Woodlands
Bonymaen Park	Elba Sports Complex
Bracelet Bay	Fendrod Lake
Broughton, Hillend and Llangennith Burrows	Graig y Coed
Bryn Lliw Grasslands and Mynydd Lliw Common	Hafod Park
Brynmelyn Park	Hardings Down
Brynmill Park	Hendrefoilan Wood
Bryn Y Don Park	Heol Las Park
Cadle Heath Local Nature Reserve	Hillside Wildlife Corridor / Rosehill Quarry
Cefn Bryn	Jersey Park
Clase Multi Use Games Area (MUGA)	Killay Marsh Local Nature Reserve
Clyne Common and Mansel Green	Kilvey Hill
Clyne Gardens	King George V Playing Fields (Mumbles Road)
Clyne Valley Country Park	Knelston Marsh
Cockett Woods	Langland Bay Amenity Areas
Coed Bach Park	Langland Cliffs
Coed Gwilym Park	Leadfield, Ffynnon Deml
Crymlyn Quarry Wood	Llangyfelach Common
Cwm Level Park and Playing Fields	Llanmadoc Hill and Tankey Lake Moor

<b>Parks and Gardens</b>	
Lliw Reservoirs - Upper and Lower	Penllergaer Forest
Llys Nini	Penllergaer Valley Woods
Loughor Castle	Penmaen and Nicholaston Burrows
Loughor Foreshore.	Pennard Cliffs and Burrows (Three Cliffs Bay)
Manselton Park	Pontlliw Park
Mawr/Swansea Uplands	Primrose Park
Mayhill Multi Use Games Area (MUGA)	Pwll Du Local Nature Reserve
Millwood	Ravenhill Park
Morrison Park	Rhossili Down and Rhossili Cliffs
Mumbles Hill Local Nature Reserve	Ryers Down
Mynydd Bach Common	Shaw's Community Woodland
Mynydd Bach y Cocs (linked to Fairwood Common)	Singleton Botanical Gardens
Mynydd Bach Y Glo	Singleton Park
Mynydd Cadle Common	Sketty Park Woods
Mynydd Garn Goch	South Gower Coast, Rhossili to Oxwich
Mynydd Gelliwastad, Ryddwen Common and Homelean Wood	Southend Gardens
Newton Cliffs and Summerland Cliffs	St James Gardens
Oystermouth Cemetery and Castle, including Peel Wood	Stafford Common
Parc Llewelyn	Swansea Canal
Parc Melyn Mynach	Swansea Castle
Parc Williams	Swansea Bay
Parc y Werin	Swansea Vale Nature Reserve
Park Wood	Tennant Canal
Pengwern Common and Fairwood Common	The Wern and the Rallt
Penlan Slopes	Townhill Multi Use Games Area (MUGA)

<b>Parks and Gardens</b>	
Trallwn Marshy Grassland including Halfway Park	Welsh Moor and Forest Common
Trewyddfa Slopes	West Cross Skate Park
Underhill Park	West Cross Woodland
Victoria Park	Whiteford Burrows and Llanrhidian Saltmarsh
Washinghouse Brook (woodlands)	Ynystawe Park
Waverley Park	
<b>Beaches</b>	
Bracelet Bay beach	National Trust Rhossili
Brandy Cove beach	Oxwich Bay beach
Broughton Bay beach	Pobbles Bay beach
Caswell Bay beach	Port Eynon Bay beach
Crawley beach	Pwll Du Bay beach
Horton beach	Rhossili Bay beach
Langland Bay beach	Rotherslade Bay beach
Limeslade Bay beach	Swansea Bay beach
Llangennith beach	Three Cliffs Bay beach
Mewslade Bay beach	Tor Bay beach
Mumbles Pier	
<b>Other Visitor Centres</b>	
Swansea Bay	Dylan Thomas Centre
Swansea Marina	Gower Area of Outstanding Natural Beauty
Swansea Museum	Penyrheol Theatre



**Terms of Reference** - how this scope will be defined, developed, and verified

The Public Health Act (Wales) 2017 was conceived and delivered on the Ministers mandate to make Wales a more attractable country to live, work and visit. It set out goals for the health & well-being of our populous and future generations and in doing so called for a total review of publicly accessible toilets across the country. Each local authority has been tasked with devising a toilet strategy for the provision and total availability of publicly accessible toilets within their county borders. Furthermore, developing this into a working programme that can be reviewed & accessed periodically to monitor improvements and opportunities.

**The main outline goals for Section 8 of the Act are as follows**

1. To devise/develop a public toilet strategy for each region across Wales.
2. To identify opportunities for continued provision by Councils.
3. To identify potential partnerships with local businesses & communities.
4. To increase awareness of all current provision by mapping.
5. To investigate/promote participation in community toilet schemes.
6. To identify opportunities for the provision of Changing Places toilets.
7. Promote public awareness of these facilities to visitors and tourists.
8. By inception - make Wales a healthier place to Live, Work and Visit.
9. Relieve the burden on the Health Service for problems related to the potential effects of negative provision or reduced services.

**From these goals Swansea Council is developing the following agenda**

- (a) To establish a Toilet Strategy – Working Group (SG) from within all of its departmental structures and for the management and senior staff to share knowledge, experiences and current working practices developing this strategy.
- (b) To develop a holistic approach to the current and future toilet provision strategy for both the town centres and the Greater Swansea area, gaining knowledge through consultations and utilizing this interdepartmental group to deliver an efficient and affordable service.

- (c) To create a Toilet Strategy - Stakeholder Forum (SF) from owners/operators, public buildings, businesses and other bodies working and living within the area, investigating and considering potential partnerships with interested parties.
- (d) To discuss and determine future investment, strategies and working practices within the council, town and community councils and the greater Swansea area to comply with all perceived objectives of the PHA 2017 – helping to develop Swansea into an inclusive and vibrant county.
- (e) To identify opportunities for the council to work positively with its local communities, social groups and to more readily serve the needs of both residents and visitors.
- (f) To recognise employment opportunities within the sector and seek to develop skills training to service the needs of achieving a higher level of provision and maintenance.
- (g) Seek to utilise capital funding to upgrade and/or refurbish existing premises and equipment.
- (h) To ascertain investment opportunities within the council area to promote business growth, support the culture and infrastructure and increase the opportunities to expand tourism and the hosting of major attractions within the area.
- (i) Devise and develop planning opportunities to increase the levels of provision by utilising Planning 106 legislation to encourage architects, planners and developers to realise opportunities for building in additional provision to new projects and developments.
- (j) Use the current Miscellaneous Provisions 20 legislation to promote and enforce the correct provision and standards of toilets in cafes and restaurants and to encourage those business owners to help promote the city and county as a welcoming place to visit.
- (k) Investigate opportunities to develop franchise agreements for local communities and traders to run and maintain shared premises or kiosks with integral toilet facilities.
- (l) Develop initiatives emerging from the Swansea Bay City Deal to work in partnership with surrounding councils and business owners to promote the whole county's objectives

- (m) Embrace the proposals set out in the Swansea Corporate Plan 2018-2022 by striving to develop/work, pertaining to our Safer Communities, Communities First and Social care and wellbeing initiatives.

Council believes it may be advisable, prudent or necessary to set some “short” “medium” and “long-term” goals for the terms shown above. Once the terms have been agreed and approved by the Toilet Strategy - Study Group, the members should have a much clearer definition of the overall scope of the project. Consequently, they will then be ready to progress with the creation of the remaining project deliverables. Council is mindful of developing these goals in keeping with the “Five ways of working” ethos laid out in the Well-being of Future Generations (WFG) Act.

## The Importance of toilets in our County

Swansea is a modern vibrant city and county, holding a shared vision of corporate priorities within strategic planning and delivery of its current and future statutory obligations. There is a desire to engage with everyone who lives, visits, works or simply passes through the county. Inherent to this shared vision is the health and well-being of the populous, value for money, better local services and setting down a legacy for tomorrow's residents.

With the current population around 245,000 and the whole county attracting over 4.6 million visitors each year; investment in the county's infrastructure and legacy has been significantly demonstrated. Taking this a step further the Council's is investing significant sums in capital projects along with impacting on Health & Well-Being Plan and in local economic growth, jobs and procurement. Amongst the schedules and targets the strategy must aim to support businesses and local communities, invest in regeneration projects and provide guidance towards key economic infrastructure projects. Additionally, the strategy should endeavour to support employability, attract visitors and grow year-round tourism, encourage business growth, market Swansea nationally and internationally and help them host major events. All factors to increase footfall, inward investment and potential economic growth.

This report also highlights the significant role that both public and private sector toilets operating within the council's realm will play; and how their positioning will greatly enhance and boost that visitor experience. The recommendations from this report support the vision of a Healthy Swansea which values diversity, equality and social inclusion, as well as giving support to the people, businesses and the communities within the council catchment area. With investment, particularly in the business sector comes regeneration, stimulated growth and a city that will develop and transmit a strong cultural and tourism experience.

The provision of safe clean accessible public toilets is inherent to achieving many of the goals set. Overall provision has a significant impact on social inclusion and basic equality, as well as public health and hygiene issues. Some members of the community could remain trapped at home or potentially avoid travelling completely rather than run the risk of needing and not being able to find a suitable "away from home" toilet that meets their needs or those of their family.

There is no statutory requirement for local authorities to provide public toilets, nor is there even a best value performance indicator that points towards it. However, Swansea proudly stands amongst the leading providers and has traditionally felt a deep sense of obligation to construct and maintain facilities within the public realm. Facilities to allow its residents, commercial traders and service providers as well as

day and overnight visitors to thoroughly enjoy the county and, when necessary, relieve themselves in private and with dignity. Swansea has always been at the forefront of providing safer, cleaner, more family friendly, public toilets.

The Council's toilets portfolio is currently contained entirely within the Place Directorate although due to operational reasons split across a number of service areas. Whilst this is operationally sensible the review will need to confirm if it is the most effective way of delivering the council wide service

The strategy also provides some guidance in respect of the Corporate Events Section's role in providing Portable Toilet Provision. This additional requirement generally arises from the myriad of festivals and special events that the county hosts each year. With the significantly increased visitor numbers a solution has to be arrived at to facilitate this periodically increased demand.

The adequate provision of safe, clean, hygienic, publicly available toilets in any major town or cities has a hugely significant impact on the life and wellbeing of its residents, visitors and tourist trade. However, probably one of the most critical infrastructure factors is purely commercial. Toilet provision greatly affects the commercial business activity and in particular the shopper's experience. Not enough toilets and the shopper will become uncomfortable and leaves the area taking their spending budget with them. Worse still if the problem is known then they might simply choose not to visit the town or city at all, and local businesses will suffer falling revenue streams.

The lack of toilets within the public realm can reflect considerably on the area's reputation, cleanliness and well-being across the whole commercial spectrum. Consideration must also be shown to commercial travellers, delivery drivers, emergency services and transient workers who rely on clean toilet facilities being accessible whilst they are passing through or visiting local shops/stores each day.

One alarming consequence of the number of toilet closures being experienced is the loss of fully accessible toilets. Careful consideration must be given to those who need almost immediate access to the correct type of provision and within this scope we will be catering for those users who require a more specialised provision such as Changing Places units.

Within the strategy a number of business opportunities should be investigated and/or developed with business partners to counteract the loss of provision during this economic malaise. The opportunities to be realised could significantly increase the number of toilets becoming open and available to everyone, yet at a minimal cost to the Council directly. The possibility of utilising both the capital and the revenue costs

against the provision of these facilities and the increased visibility and promotion of these facilities which are an essential factor in Swansea's growth.

One significant factor to be addressed is the signage and visibility of the current realm as well as any potential new facilities or business partnerships that are forthcoming. Public toilets have for many years been erected or sited away from the main thoroughfares and visitors can be encouraged by the installation of good clear signboards or fingerposts directing them to local facilities.

## **BTA – Strategic Recommendations**

The BTA identified the following core issues which should be considered and prioritised:

- (a) **Town and City centres** - a prominent toilet provision & added visibility for visitors.
- (b) **Grants** - attract funding for repair, replacement and refurbishment.
- (c) **Community and Town Councils** - opportunities to devolve management and running costs
- (d) **Kiosks** - franchise holdings and partnerships in high flow/traffic areas.
- (e) **CTS Toilet Scheme** - the inclusion of & use of toilets in local retail outlets.
- (f) **Portable toilet provision** - control of provision for events, festivals and marches.
- (g) **Welcome Centres** - a significant first point of arrival/contact - local ambassadors.
- (h) **Parks and Gardens** - important local amenities - increasing toilet provision needed.
- (i) **Signage** - effective communication & information to identify/promote facilities.
- (j) **24-hour access** - the Night Time Economy – 24-hour toilets.
- (k) **Web design** - toilet mapping – the increasing use of hard copy and electronic media.
- (l) **Health & Safety** - controlling - safety, security, vandalism and anti-social behaviour.
- (m) **Changing Places** - maintenance of existing facilities & development of new sites.
- (n) **Planning 106** - identifying potential new developments with integral toilets.
- (o) **Misc Provisions 20** - promoting toilets in cafes and restaurants – Environmental Health.

**This is not designed to be an exhaustive list – but merely a guidance to give council the opportunity to review their current provision and begin to formulate some development plans to address the current levels of provision, as well as future expectations.** Council must also identify the controls that need to be employed to successfully implement a toilet provision strategy within the county.

The formation of a Toilet Strategy Study Group (SG) is being recommended as the initial driver to assimilate all relevant information gathered and held on public provision across the council. This group can then set down goals and timetables to help officers and partners understand the strategy development and to create an amenable working environment for its delivery. Considerable thought and insight must be given by the representatives of both groups (listed below), to the direction that needs to be followed to promote Swansea as an inclusive, socially aware and inviting county for visitors and residents. However, responsibility for the county's toilet facilities is shared across several departments and each currently determines a different approach and priority to their role. Successful implementation will require a holistic approach, and major consideration must be given to how the recommendations might be carried out. Toilets are an integral part of society's function and reflect greatly on the life and well-being of the region. The council has a substantial responsibility to control the management of all these facilities and it would be clearly recommended that a co-ordinated approach could be achieved by the assimilation of all these assets under the control of a dedicated toilet or neighbourhood manager. In a number of councils visited, the BTA became aware of the growth of StreetCare; a programme developed to allow officers to tackle multiple daily blights that affect the public realm. Focusing on toilets but with some direct responsibility for the condition of street furniture, litter bins, playgrounds and open spaces. Consideration should be given to this form of county-wide, regional or area management.

Once the Study group has been assembled then the next phase would be to create a working Forum for local commercial/business representatives and other user groups to have an input to the overall strategy.

## **Swansea Toilets Strategy - Public Consultation**

### **Purpose of Consultation**

The aim of this consultation was to gather information from the public on their opinions and ideas for improvement of public toilet provision across the county. This information will be used to inform the Council's Public Toilet Strategy

### **Affected Parties**

Access to public toilets can be important to anyone spending time away from their home. Certain groups within society may be more reliant on the use of public toilets than others. Older people, disabled people, pregnant women, homeless people and families with young children can all be disproportionately affected by poor toilet provision. Lack of access to public toilets, particularly in some of these groups, can lead to increased social isolation and affect people's ability to maintain independence.

### **SWANSEA PUBLIC CONSULTATION SURVEY**

The questionnaire was distributed and the collated results that were received back by council on or before Friday 29<sup>th</sup> March 2019. There were 284 responses. A study of these questions and responses will be debated by the Study Group and used to inform and support the strategic thinking in our development of this initiative. Future initiatives along with any direct actions as a result will be published on the Council website.



## **Governance – Control, Responsibility and Management**

This toilet strategy has been devised and developed to recognise the opportunities to address the needs of a vibrant and changing county. Below we are attempting to set a series of initial steps and recommendations for progressing this report and developing Swansea's future toilet provision.

### **(1) Review of all current facilities – position/mapping, readiness and opening times.**

Council has already identified all currently available, council owned and managed facilities and will include these sites in all future toilet mapping and website publicity. Officers will be using a DATA collection system to gather a wider range of information on these units and are focused on developing a structured management plan to best utilize/gain value from all council owned or managed facilities. Additionally, opportunities will be investigated to attract capital funding from government to restore or upgrade some of these units.

A comprehensive review will be carried out later in the year to determine the long-term viability of some units.

Toilets that are being maintained by Community and Town councils will also need to be reviewed and included within this strategy; and some of these units may require further works or refurbishment. Additional opportunities will be sought to promote local ownership and community participation in securing provision.

### **(2) Identify and encourage other council facilities to become more publicly available.**

Council will research/ identify and approach all in-house facilities and aims to include relevant sites in all future toilet mapping and website publicity. Sites should include – City, Town and Village Halls, Leisure & Recreation centres, Health and Community centres, Pavilions, Parks, Gardens and all publicly accessible buildings. Sports stadia and public changing rooms should be utilised for citizens pursuing aerobic, running, cycling and many other fresh-air activities - to encourage and enhance both residents and visitor well-being and healthy lifestyles. Council could initiate a structured management plan designed to co-ordinate and oversee all council owned/run facilities. Community Centres and other community buildings would need to be carefully considered and perhaps treated as a special case study. Many are used for children's activities and would therefore be subject to privacy and safety requirements to protect those at risk from any unwanted intrusion.

### **(3) Establish partnership links with public/private companies and organisations.**

Council will actively encourage other significant properties Libraries, Museums and Galleries who are traditionally keen to achieve a higher foot-fall. Visitor numbers should be substantially increased when these public buildings promote their in-house

toilet facilities. Significant sites have already been identified within the area and council will work to establish a network of links and/or partnerships with the management of these public and commercial providers.

**(4) A Community/Comfort/Partnership Toilet Scheme (CTS.)**

Council will strive to engage with local shop owners and business trading across the county to develop the formal basis for the inception of a Community toilet scheme. This additional provision, as it grows, will undoubtedly also be seen as a major step for the council in addressing additional regional provision. Council might consider engaging a neighbourhood service manager, a working management group or a not for profit organization to co-ordinate the inception of this partnership scheme throughout the county. Additional information is being sought and accumulated for the purpose of assessing the viability of this step.

**(5) Portable Toilet provision.**

Portable toilet provision - ranges from the single PolyVac units that are most often used for major events such as street parades, marathons or festivals - to the trailer mounted executive units that are installed at major events such as garden parties, weddings and fairs. Where event organisers currently do not provide toilet facilities, they must be obligated to do so according to the HSE guidelines, Swansea council licenses and any parading consent. By transferring the provision responsibility to the event organisers, the council would then have an independent monitoring and policing role to prevent serious issues or defaults.

**(6) Installing or allocating sufficient facilities within the town centres & major arterial routes.**

Council must actively consider the first points of contact for the majority of tourists and visitors to the county or specific areas. It would be deemed a priority that these centres had significant provision both advertised and available for public use. Secondly, they would need to be of adequate size, number or capacity to facilitate larger groups and tours arriving by bus, train or coach. If provision is insufficient, Council might also consider the purchase, hire or development of a mobile block and associated toilets with equality access.

**(7) Installing Changing Places toilets.**

Swansea has nine Changing Places toilets, see page 50 for list. . Over 1250 Changing Places facilities have been installed across the UK & Ireland with over forty units already installed in Wales. A socially inclusive and equal Wales needs to provide accessibility for all visitors and residents. Careful consideration must be given to accessibility outside normal working hours as well as weekends and evenings. Key availability and security must also be carefully considered. Council sees this provision as a priority and will strive to find the opportunity to locate some additional units at prime/key locations across the county.

**(8) Composting toilets at remote locations.**

Many large counties have remote locations, parks and recreational areas that have absolutely no provision of toilet facilities, even though they attract significant numbers of tourists and visitors each year. It is understood that most of these sites pose considerable problems with the supply and installation of utility services, such as, electricity, water and sewage. Significant advancements have been made in the availability and functioning of composting toilets. Council may consider the potential for installing composting toilets at remote locations.

**(9) Reassignment and Development of existing Properties or Locations.**

Toilet blocks with some additional space around or in front of the main building should be considered for additional development and could, for example, be potential sites for the installation and development of other schemes. Some or all of these sites might be developed to have a commercial business attached or even integrally combined. Examples to be considered are; taxi offices, restaurant or coffee shop, tourist information or ticket vendors, newsagents and even independent traders. Many of these businesses remain open into the evening and could make a significant contribution to the need for more toilets to service the night-time economy and our quest to eliminate street fouling. Council would like to investigate the modern development of Kiosks to proffer additional provision in cities, towns, parks and gardens. Potentially, these new franchise units are ideally created for servicing residents, visitors and day trippers, as well as playground visitors and the increasing number of walkers and runners using our local amenities. Kiosks, generating a revenue from a franchise holder, can allow councils to install and operate at a virtual neutral cost or even return a potential operating profit. Design of these units can also include Digital Display Panels that can greatly increase the revenue stream generated from the sale of commercial advertising or additionally they can be utilised by the Council to substantially decrease costs for in-house advertising and media.

**(10) Charging – helping to eradicate social misuse and vandalism.**

The introduction of Paddle gates, turnstiles and contactless locks is becoming fairly standard throughout the country. Charges vary from 20p to 50p depending on the location & the volume of traffic visiting the toilet block. The majority of installations using any of these types of charging mechanisms are reporting considerable drops in congregation, loitering and misuse within these toilet areas. Incidents regarding anti-social behaviours such as cottaging, drugs, drinking and smoking also appear to be considerably reduced and the toilets are reported easier to keep clean and in a serviceable condition. Council will consider the options open to them regarding any opportunities to either avoid or introduce this measure.

**NB: In addition to the revenue saved by fewer replacement items being fitted it was also noted that turning toilet blocks into single unisex units is a step towards redressing the Male/Female ratio imbalance.**

**(11) Improve Communication and Information on available Toilet Facilities.**

Council has identified that the current levels of signage could be improved and needs to be addressed within this strategy. On investigation we have ascertained that some local authorities, particularly those with an active partnership toilet scheme, have installed large street boards containing considerably more information on the location of key sites, addresses and more significantly postcodes for the mobile, SatNav or computer user. The installation of multi-use information boards giving tourism and event information alongside public notices and council advertising could bring significant savings and heighten public visitor awareness. Advertising might also bring significant additional revenues into the city to cover implementation and development of the strategy or even a revenue stream for repair and/or replacement of related items.

**(12) Develop a control of Cleaning, Maintenance and Security schedules.**

The council already has a working agreement with Danfo(UK) who are the prime contractor looking after and maintaining our public toilet realm. Introduction of some of the recommendations contained within the study will, of course, have an impact on their functionality. Discussion and decisions with the contractor will need to be on-going as various elements are brought to fruition.

**(13) Welsh Government Mapping Application (LLE).**

Updated information will be collated and passed on the relevant departments - as per the Wales Visitor map. Considerable care and attention will be required to make sure that all available sites are entered and recorded when developing any APP for use by visitors and tourists on both electronic mobile hand-held devices; as well as SatNav units, to easily locate toilets within the country. As our Community Toilet Scheme and business partnership projects expand then we should consider the possibility of broadening this mapping service out to include major retailers and commercial vendors working within the county boundary.

**(14) Visitor Perception Programme.**

The council study group will be assessing our frontline services and focusing on the daily issues that affect the council's image within the public realm. The quality and public perception of all council property and stock such as, public conveniences, litter bins, street furniture, open spaces, playgrounds and the subsequent environmental issues of graffiti, fly-posting and general degradation all need to be closely monitored and then the appropriate remedial actions brought into force within a managed but limited time frame.

**(15) Proposal to submit a toilet strategy budget.**

As toilets are an integral part of the life of the county, we have tried to underline in this strategy that the council must address the need for adequate, clean, hygienic public toilets available and accessible to all users. Social inclusion, Equality and public health issues are integral with the provision of 'away from home' public toilet facilities. Taxi, bus and coach drivers, sales representatives, van drivers, walkers, back-packers, tourists, visitors, day-trippers, older people and disabled people, all

urgently need to have access to the toilet. If a clean publicly accessible toilet is not available – shoppers/visitors will leave the area and take their money out of the city to spend in another location.

Declining footfall will force shops to close, make new businesses reluctant to invest and establish themselves in the declining city. Toilets, therefore, have an integral role in bringing money and investment into our cities, towns and villages. Toilets are not a drain on the economy – they are a major contributing factor in our county's growth and well-being.

**(16) Use of a Planning 106 Order.**

We will, as part of the Transformation and Future Council development of our Corporate Plan 2018 -2022 and subsequent Local Development planning, consider the opportunities for integrating guidance and policy requirements in respect of the provision of public facilities. Where possible, opportunities must be investigated to promote the provision of facilities within new developments and/or the refurbishment of existing properties - for the benefit of residents and visitors.

**(17) Miscellaneous Provisions 20.**

Council, and the working groups will consider the closer implementation of this health legislation. Covering all eating establishments that allow food to be consumed on the premises; this piece of legislation is primarily enforceable through the environmental health department and its officers.

A review will be undertaken to clearly define any premises not complying with this regulation and further encouragement given to support bringing these premises/facilities into the realm.

**Management of these elements will take a co-ordinated approach by many departments across the council and the council shall be endeavouring to co-ordinate the two primary working groups to meet, discuss and implement the various elements, strategies and structures – as required.**

**The Toilet Strategy Working Group (WG) should consist of:**

Director or representative from Place  
Representative from Parks and cleansing  
Representative from Planning Services  
Representative from Culture & Leisure Services  
Representative from Corporate Communications and Marketing  
(Final list and additional participants to be confirmed)

**The Toilet Strategy Stakeholder Forum (SF) might consist of:**

Cabinet Member  
At least 2 x representatives from the Toilet Strategy Study Group (above)  
Representative from the Association of Town Centre Managers  
Representative from Keep Swansea/Wales beautiful

Representatives from Community and Town Councils  
Representative from Social Care or Health Boards  
Representative from Library Boards  
Representative from Shopping Centre Managers or Retail managers  
Representative from Older Persons Forum – Age Cymru  
Representative from a Disability forum/ Shopmobility  
(Final list and additional participants to be confirmed)

## Strategic Outlines & Considerations

Whilst there are no statutory requirements upon any council to provide public toilets, it is generally accepted that all councils have a significant role in the provision of public toilets to support local communities, older persons, families with children and promote active participation in life and enjoyment of the public realm.

Consequently, within this section of the strategy we are attempting to highlight a few specific areas that need additional thought and consideration in light of any forthcoming Investment Programme and Swansea's internal and global image. Subsequently, amongst the first set of actions suggested would be the formation of a Swansea Toilet Strategy Study Group. Senior representatives from all departments who have a role in the provision of the Council's toilet facilities will be invited to participate and help guide this development. Primarily, to analyse the overall toilet realm and to reach agreement or put forward workable suggestions on upgrading, repair, replacement, or adding to or removing from the current stock of public facilities. It should be recognised that this is becoming more urgent as, in addition to becoming a growing commercial centre, the county continues to develop as a vibrant and beautiful place to live, work and to visit.

As a further important step, we will be striving to devise and develop a Toilet Strategy Forum for local business and community groups to have a say and participate in how the overall policies and works are progressing.

Public toilet provision is an important issue for areas relying on tourism income or seeking to develop their profile as a visitor destination. The Wales visitor economy accounted for around 10 million overnight stays which were worth £1.9 billion in the last twelve months, approximately 80 per cent of which was from domestic tourism. Swansea is one of the most visited cities in Wales with around 4.5 million tourists in 2016/17. People aged over 55 and families with children are most inclined to take holidays and short breaks at home. At the same time, these groups are more likely to place a higher value on being able to access a toilet. Visitors from other countries overwhelmingly favour city destinations but expect to have all civic amenities open and available.

Being able to access a toilet is a fundamental need for any visitor. Tourists need more local information, more signboards, signposts or local notice boards. They cannot simply go home, into work, or their local pub to use the toilet. Tourists choose their destinations carefully, drawing on their previous impressions, talking to friends and family, looking up feedback on the internet. Sense of destination – the extent to which it has met a visitor's needs and made a strong and positive impression – is therefore vital to secure repeat trade and plays a significant role and indicator towards sustainable economic development.

Transport operators – like any commercial business – need to respond to feedback from surveys on levels of customer satisfaction. They will only make the most of their commercial opportunities if they provide the facilities that their passengers demand. Most stations and Interchanges are the first real point of contact when visitors arrive. Often at the end of a substantial journey and immediately upon arrival the most pressing need is for toilet relief and perhaps even an opportunity to freshen up prior to embarking into the town or city.

While this strategy focuses on the provision of council owned public toilets, it became transparently clear that the public regard all publicly accessible toilets as public toilets. Toilets provided by department stores within shopping centres within food courts, within major fast food outlets, within public buildings (libraries and transport hubs) need to be regarded as part of the overall public toilet provision. Cafes, restaurants, hotels and pubs which all must provide toilets for patrons, could also be considered to be part of the potential overall provision.

Overall the Council has a substantial portfolio of Public toilets, which, while generally satisfying the public's basic need historically, we need to clarify and establish if these are still well equipped for today's user and confirm that they comply with current legislation & regulations.

The priority focus will naturally fall on the ever-changing village, town and city centres, main arterial routes, historical sites and their car parks and immediate adjoining areas. Many local authorities are turning to local businesses to enter into partnerships to develop the feeling of welcome, social inclusion and support for the local economy. This unique partnership agreement is entitled "Community Toilet Scheme" or "Comfort Toilet Scheme".

The simple ethos is to encourage many of the local retailers and business community that currently have toilet provision within their shop/store/workplace to become encouraging to the general public by openly inviting all visitors and residents to use these facilities without the need for any initial purchase.

### **Health and Well-being**

The extent to which people have easy access to good quality toilets affects their general health and well-being as well as that of the whole community. By enabling a very wide range of users and user groups; with very different specific toileting requirements, to make use of public toilets at different times of the day and night we could have a significant impact on issues like public health, equality, exercise, behaviour and well-being.

**Social Equity and Inclusion:** a lack of clean, accessible and safe toilets impacts on some individuals more than others. Some people may feel unable or reluctant to leave their homes and visit areas where they fear they will not be able to find a public



toilet. Older people (a growing section of the population in our ageing society), mothers, fathers, and carers with young children, disabled people and people with chronic health problems – all need easy access to suitably equipped public toilet facilities.

In considering our “Healthy Communities”, a lack of toilet facilities at the right time in the right place contributes to dirty streets that are unsanitary, unpleasant and can spread infection. Street urination and defecation can have a considerable cost associated which council must consider in the overall strategy budget.

Special user groups such as the IBS Network, Disability Action, people who have Crohn’s disease or chronic incontinence, shy-bladder syndrome (Paruresis) and many others can be afraid to venture out for any length of time or at all if they cannot find or locate any clean, hygienic public facilities. Many older persons may even reduce or stop taking medicines in order to travel greater distances when visiting friends or family. Grand-parents caring for young children and families with elderly family members are also displaced by the lack of these vital facilities. They all have spending power and they all have a substantial effect on the economy within the county. Single parents and families with young children can be particularly vulnerable to the lack of hygienically clean public facilities. Issues involving safety, security and protection of young people should be of paramount importance when using public facilities. Even just having enough room to manoeuvre a twin buggy or sufficient space to change a baby can so often be difficult to find. Children visiting the towns and cities or travelling to and from school or college might also need to use the toilet facilities during their transit through and across the county. Not being able to use a bathroom can develop into significant health problems during adolescence and in later years. The thousands of domestic and foreign visitors who hopefully visit our county every year demand another type of attention. Language and signage can make a significant contribution to their enjoyment of that visitor experience.

It may seem the Council has adequate provision in terms of numbers but if you can’t find one when you need it then your perception of the county will be much maligned because of your immediate discomfort. The provision of clean, safe, accessible public toilets profoundly affects people living and visiting Wales. Safety, cleanliness and correct provision is essential for our older generations many with a disability or a severe medical condition. Public toilets are an essential piece of everyday life and a necessity for their role in society and consequently they also play a major role in the perception/ image of a modern, caring society, Council and county.

While Council is showing its commitment to improve the county’s welcoming image and visitor comfort through its significant **capital investment programme further**

**work is required to ensure its** public toilet provision is an integral part of its strategic level, spatial policy thinking.

Whilst it is fully understood that councils across the country are struggling significantly during this severe economic downturn; budgets have been severely depleted and one of the major casualties is always public toilet provision which has always been a discretionary service. The implementation of the PHA 2017 is welcomed and expected to be a catalyst for councils throughout Wales to find and investigate new solutions for this vital/essential provision..

### **Community or Comfort Toilet Schemes (CTS)**

Many local traders, shops and markets have seen significant drops in footfall immediately after a public toilet facility is closed down. Customers and consumers vote with their feet – moving away from village, town and city centres to spend their money in larger out-of-town retail centres or neighbouring areas. Local shops reported that customer numbers were sufficiently depleted due to the lack of any public provision that many are willing to investigate and/or participate in an alternative solution which in many cases includes re-opening some or all of their own facilities. In consultation with the BTA we have seen a significant drive from the larger town and city councils to entice major retailers and business holders to enter into a range of managed schemes, known as the local Community or Comfort Toilet Scheme (CTS). The challenge is to tap into this additional, already available provision on a more formal basis - **however, the CTS should always be seen as a supplement to, not in lieu of, current public toilet provision.**

The more recent schemes have seen councils offering a package of additional facilities instead of this cash supplement. For example – business rates relief, reduced service costs, inclusion on the council toilet web mapping – printed toilet maps for distribution through social centres and Tourist Information Centre's and/or listing on street boards and signage. The council will often carry most or all of the printing costs associated.

### **Various factors that have helped to make the Community Toilet Scheme a success:**

- (a)** a nominated council officer, with targets to drive uptake among businesses, responsible for co-ordinating the scheme, engaging with stakeholders and resourcefully building closer working relationships.
- (b)** Corporate buy-in at all levels of the council and consistent messaging across departments.
- (c)** An explicit partnership-based approach, led by the council, but managed in a

way that responds to the differing needs and motivations of local businesses involved in the scheme.

- (d)** the creation of a strong CTS brand image and marketing campaign, including window stickers that highlight the additional facilities on offer, which gives visitors the confidence to enter knowing that they will be welcomed. In addition, on-street signage in tune with the local environment, continuous community engagement/feedback, as well as leaflets, maps, and web-site material have all contributed to the success.
- (e)** A flexible approach that can be scaled to suit the area it is operating in, be it large busy town centre with a multitude of shops or businesses, or a village or market town where even a small number of businesses taking part can make a real difference to people who visit or reside within the immediate area.
- (f)** The approach may not suit areas with very large numbers of visitors arriving at the same time (e.g. coach parties visiting a tourist attraction). In such areas Community Toilets Schemes in combination with other types of provision for example a visitor or welcome centre with toilets might work better.

As an initial first drive over the coming months Council will be striving to approach some potential CTS participants and thereby compile a properties list of potential partners from around the county, and this will be presented to the Strategy Group and the Forum for discussion and further action.

International research and surveys consistently show that, while the vast majority of the community regard public toilet provision as vital or at least extremely important - using a public toilet is often a matter of last resort. Many negative perceptions prevail, that public toilets are unhygienic, unclean and constantly attract anti-social behaviour and vandalism. Some of this misconception stems from the not too distant past when toilets were intentionally placed to be out of public view and therefore often were poorly serviced or attended and definitely attracted undesirable behaviours. Many publicly accessible toilets are now generally being sited/placed in locations where they can be easily seen and accessed, so these units are safer and more likely to provide a more welcoming & positive experience.

Transfer of assets to Town, Community, and Parish or District councils has had an extremely beneficial effect on retaining the resource and promoting local management. Considerable savings can be made by allowing local councils to run their own facilities and this also allows local people to make local decisions regarding opening times and flexibility of use. In most cases the County council will use its own funding or any available capital grant to fully upgrade and refurbish the toilets prior to hand-over. The town/community will then cover the annual running costs and all ancillary expenses. The County council may offer some remedial help. This type of partnership is preferred as the County council may retain a controlling interest in the life and operations.

Many specialized companies who supply, install and contractually run facilities across the country are willing to link with councils to provide a cost-effective solution to running costs and revenue generation. Council must also focus on and address the problem of street urination and fouling. While this anti-social behaviour, which is predominantly a male practice, cannot be stopped altogether, a number of successful measures have been introduced in other council areas to reduce the incidence of street urination at night. This includes a recent successful trial of street urinals to prevent this offensive night-time activity. This has led to significant decreases in fouling of shop doorways, car parks, pavements and streets. However, consideration needs to be given to the fact that these units are predominately for the relief of males and they leave our female visitors with an inability to find relief in the evening hours.

Careful consideration needs to be focused on planning and/or providing adequate facilities to cater for those persons using and visiting the town and city centres late into the evening. Any instances of street urination, fouling of stairwells at car parks or mess in side streets was regarded as a very significant issue. These issues, if not tackled effectively, can generate a cycle of decline, leading to more entrenched social problems, and seriously impairing quality of place and quality of life for local people.

Council would also be keen to encourage our residents and visitors out of their cars and back onto using public transport, cycling and walking. But research shows that local people will not leave their cars at home unless they are confident that they can find a toilet at public transport interchanges and in town/city centres. Disabled people, too, need to know that transport facilities, services and infrastructure will be accessible. Inclusive Mobility, the Department for Transport's guide to best practice on access to pedestrian and transport infrastructure, stresses the need for toilets to be accessible for disabled people.

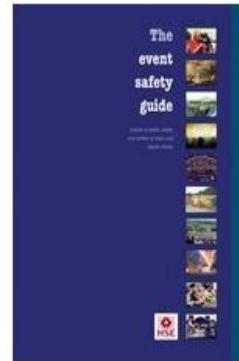
### **Social Inclusion and Accessibility**

A lack of public toilets means that certain groups may well feel anxious about leaving their home. Older people do not readily leave their home without reassurance that there will be a public toilet available.

## Portable Toilet Provision



The HSE's event safety guide Purple Book (Second edition) is a guide to health, safety and welfare at most outdoor events.



Swansea has a very active calendar of events and activities scheduled for every year. Most events that need to be catered for are booked annually and more often repeated annually such as organised, festivals, the AIR Show, half marathon and additionally many very special charities fun runs. These types of events attract many thousands of visitors and tourists to the area. Most remain for several hours and will therefore require some level of toilet provision to be provided. Traditionally this is a service that the council feels obliged to provide and in doing so is trying to avoid any possible infringements of public decency, added to the possibility of excessive street urination and the extensive cleaning process that is then required. However, it should be stressed that it is not the Council's prime responsibility to provide these basic toilet facilities. The responsibility sits with the event organizer. In all other council areas spoken to during the course of compiling this report, the responsibility for all health and safety pre-requisites lies wholly and totally with the event co-ordinator or manager.

It must be the EVENT ORGANISER that carries the responsibility for evaluating ordering and siting all portable or fixed toilet provision on site. This must also include accessible units for any disabled visitors as well as additional facilities to cover all performers, security and ancillary staff. It will then be the COUNCIL'S responsibility, if a licence is granted and if issued, to perform the role of monitor and inspector to confirm that all aspects of the PURPLE BOOK (Section 500) guidance have been adhered to.

## Signage, Visitor Information and Communication



Promoting public access to toilets is not simply about increasing provision, it is also about improving the quality and cleanliness of toilet facilities, signage and other information about what is available. This is important for local people and visitors alike. Many local authority websites and local libraries also provide information on where public toilets are located in their area, the facilities available, and their opening times.

Taking a broader perspective, Swansea aims to improve connections between different elements of the urban environment: better coordination of projects, information and branding – including small details like signposting and mapping of local toilets – helping to shape a welcoming image for our towns and cities that makes a lasting and positive impression on local people and visitors.



The modern “visitor information” sign boards – as seen in these pictures are being used in virtually all the major cities and this idea will be investigated for Swansea. However, the amount of information/detail contained varies greatly.



Signage needs to include information on direction, distance, address and type of facilities located at each point. It must also have clear information regarding accessibility, baby changing and, where available, family friendly facilities. Signage should also be used to indicate essential information or other points of interest to visitors. In some locations this would include medical or emergency equipment or facilities. The base of the signboard can be utilized for an alphabetical listing of the facilities marked. Consideration could be given to allowing some of these boards to be sponsored thus neutralizing the cost of manufacture and installation.

If the Council agrees to adopt a CTS scheme then it will be vitally important to make sure that all public toilets, council or otherwise, be clearly signposted. Many tourists, and that will include, foreign nationals and international visitors may struggle to understand or even find any of our current facilities. The Study Group will need to consider the number, type and location of any units identified. Funding for this could be considered a capital investment.

Postcodes or simply property numbers and street names could easily be printed onto these boards to allow a more accurate identification of the precise locations. Within the Council there are a series of maps showing specific detail on the locations of toilets. Most of these reside within different departments and their specific remit and therefore until now there seemed no logical reason to overlay these data sets to arrive at a complete picture of toilet facilities within the county. However, it will be one of our primary objectives to do just that so that we can begin to identify gaps within the boundaries where provision is perhaps low or even non-existent.



In another section of this report we will also be advocating the use of Digital advertising on public buildings as a potential source of revenue to help neutralize costs and even support future revenue requirements. Automatic Public Toilets can be funded by on-street advertising at prominent places over which the local authority has jurisdiction. Such arrangements have been used in areas such as London, Liverpool, Swindon, and Wigan.

### THE WALES MAP – LLE Geoportal



Council is mandated to supply full details of the location and postcode of all publicly accessible toilet units to the appropriate government departments and all these sites will now be uploaded and displayed on the Wales GeoPortal. Residents of and visitors to Wales should then be able access this national mapping software to locate public toilets anywhere across the country. Council will be working with all

interested parties to expand the reach of this form of media and make it easily accessible for all users.

The official logo above will be displayed on the LLE Geoportal to show the position of all publicly accessible toilets across Wales and this image has been replicated on both door and window stickers which are being distributed to councils – for immediate display in toilet facilities.

The LINK to this site: <http://lle.gov.wales/home>. will also be available on the Swansea Council website along with a complete list of all publicly available toilets and a list of all tourist destinations and parks.

## Cleaning, Maintenance and Security

To stimulate positive change, action needs to be encouraged across all areas and at all levels.

- Making the best use of available resources, powers and removing legal obstacles.
- Adopting a strategic approach to the total council public toilet provision realm.
- Utilizing all available resources, personnel, equipment tools and approaches.
- Encouraging and exemplifying innovation and new methodologies.

As with many local authorities Swansea has developed a multi-level/agency approach to fulfilling the named tasks stated above. Whilst each has specific skills sets it has been the experience of the BTA that on many levels it can be detrimental, both economically and time-based to have different sets of personnel frequently visiting the same facilities and trying to enforce or determine a widely differing set of options.

Care also needs to be taken with simple repairs/renovations; - this could be a simple repaint/face lift/redecoration/upgrade to legal specification or the replacement of a single disabled rail. Simple repairs left unattended could pose the council a serious potential threat if not attended to within a reasonable timescale – leading to a possible prosecution and a potentially sizeable fine if a member of the public becomes injured or becomes isolated.

Security and/or maintenance could also come from a change of use/purpose. Example: - The introduction of a kiosk attached to or adjoining the main structure. This facility would then offer a revenue stream/ income to support the existing facility. In addition, it would offer security from being manned and a more efficient service of the existing facility for repair/replacement. Our current security arrangements regarding public toilets needs to be reviewed.

## Entry Control and Locking

Charging for toilets is, of course, a vexing issue being faced by many councils at the moment. With budget cuts coming in year on year, it has become even more important to cover costs both running and general maintenance costs and even strive to raise additional revenue from all known potential sources.



Most people questioned will confirm that they are happy to pay a reasonable fee for clean and safe public toilets, and the generally accepted rate is currently between 20-50p. Charging is so commonplace now across the UK that visitors to most towns or cities will be generally happy to pay as long as the facilities are clean and well maintained.



The Council currently has only one facility, in the Quadrant interchange that is controlled by a 30p pay to enter system and inevitably this may be extended to some other units already under review. These units can be accessed by those needing to use a RADAR key and this entry is FREE of charge.

**Further topics and areas for discussion are:**

- Current and future revenue streams from our facilities.
- Security and protection of the facilities and the installed equipment.
- Opportunities for further reduction in anti-social behaviour.
- Opportunities for reduced maintenance and servicing costs.
- Managed running costs (to include future predicted investment and repair/replacement).

It is expected that the Study Group and the Forum will take into consideration the current management, practices and foresight of similar council areas and seek to replicate the most valuable working models. Many residents and visitors will be primarily opposed to the introduction of charges – but the evidence appears to point to an improved level of hygiene and maintenance and a reduced level of anti-social behaviour.

**Contactless payment:** We are detecting a substantial interest and potentially significant uptake in this emerging technology. Every effort will be made to investigate the substantial growth in Contactless payment methodologies and equipment pertaining to all manner of goods and services. The installation of card readers and the appropriate systems will most probably be a natural progression for our council public toilets.



This unit is for illustration only. Different models are available, and each can be tailor-fitted to the facility

**Tokens:** These could be given out through local shops and stores. In remote areas they could be issued to local residents and visitors could purchase through local shops/retailers. This could prevent misuse or vandalism.

Mobile Communications: Another avenue that might be considered is the use of mobile devices to open doors or barriers after a CODE has been entered or a QMARK retrieved.

### **Entry Control**

The lobby/cubicle set up in the traditional toilet means the only entry control point is the main door. Open - and anybody can walk in. Shut - and nobody gains entry. For councils with a set of traditional toilets, a member of staff has to go around unlocking the toilets in the morning and then returning to repeat locking them up again in the evening. There are a number of problems associated with this:

- Toilet opening/closing is subject to staff attendance and vulnerable to illness and holidays.
- Often a time expensive process with the routine taking up to two hours morning/evening.
- Environmental impact associated with the travelling between the toilets.

The Study Group will seek to rationalise this process so that wherever possible, this process is either managed locally or through automating the opening/shutting process.

### **Utility Savings**

The average cost of flushing the toilet is 1.5p, washing hands is 1.3p, drying with a standard hot air blower is 0.5p. Total, before cleaning the toilets, lights, heating and any leaks is 3.3p. Council will seek to research any forms of savings within this service. Waterless Urinals, sensor taps, and dual flush toilets are amongst the items under review.

### **Business and Community – Kiosks**

On investigation into comparative cities it was noted that a number of parks and gardens were utilising a different style of structure for public toilet provision – namely a Kiosk. First encountered in Bristol, the unit pictured is directly beside a large



children's play park. It therefore services the needs of all users within the park and observations showed that it was extensively used by dog walkers, runners, mums with children, business persons during lunch and even van drivers and council operatives on their break. The facility was a small two-person unit with a counter and two upright fridges. It had a hot plate and microwave along with a water boiler and the presumed cutlery/crockery. But almost more important than all of this was the toilet block directly behind this unit. The kiosk attendants were responsible for opening, servicing and closing the associated toilet facilities during normal opening times.

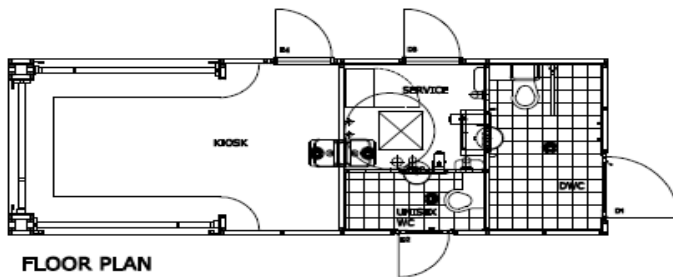


These facilities were run and serviced by the council and while revenues were subject to seasonal variations it was generally accepted that these facilities were run

on a cost neutral basis. Some consideration had been given over to leasing these facilities out to local entrepreneurs but as yet no plans had been accepted.

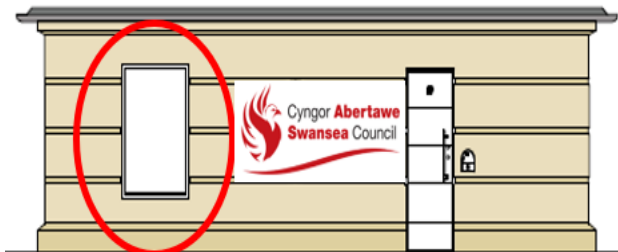


**FRONT ELEVATION**



**FLOOR PLAN**

This is a basic unit with two toilets (1 x accessible) and a service area



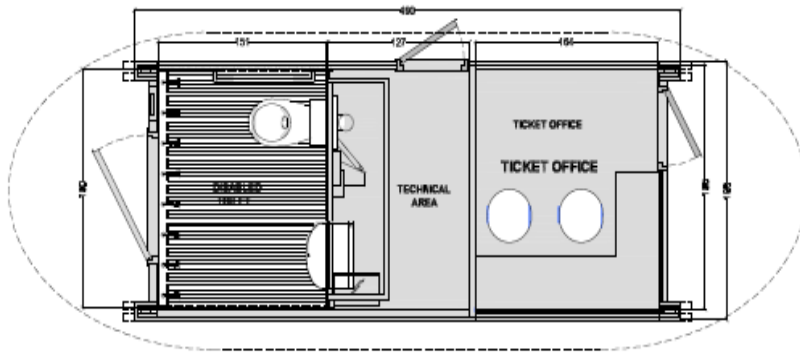
The schematic shown here has a Digital Advertising Panel located on either a single side or perhaps each side. The panel would be utilized to generate a revenue stream that would substantially cover all the revenue

costs for this unit.

This growing initiative would allow for the kiosk to be leased to an independent trader or even a franchise holder to allow for physically generate an additional separate annual revenue stream.

Some potential uses could be; as a tourist information centre, a theatre ticket office for shows, souvenir shop, taxi or transport hub, charity shop or even a cycle hire store or scheme.

The buildings would be totally bespoke and can be adapted to fit the needs of individual requirements. The daily servicing of the facilities would become part of the annual contract and therefore not cause any additional pressure on the council's maintenance or cleaning teams.



This type of building could also be adapted and utilized in the town centre for a busy pedestrianized area. The toilets might also be utilized as 24hour facilities to service the night time economy. Street urination at night in the nightclub/

restaurant areas of most cities and towns is also regarded as a major problem that needs to be addressed.

Interestingly, while public commentary and news articles on the problem of street urination focuses on the impact on business owners, residents, cleaning staff and image, a major survey of over 1,400 nightclub patrons revealed that it is also one of the major concerns of young people who patronise these night spots and obviously has a negative effect on their enjoyment.



A flower stall, cafe & integral toilet in Brighton

Proposed new toilets for Oxford Street, London

Illustrations and pictures kindly supplied by the BTA sponsors



## Changing Places Facility



Swansea now has nine Changing Places toilets:

- LC2 Leisure Centre
- Swansea Civic Centre
- Swansea City Bus Station
- Swansea Railway Station
- Waterfront Museum
- The Brangwyn Hall
- Glynn Vivian Art Gallery
- Morriston Hospital
- Caswell Bay

The Changing Places campaign aims to increase the provision for people with individual and/or multiple disabilities who need special equipment and support from carers. The campaign is promoted by a consortium of organisations working to support the rights of disabled people. Thousands of people with profound and multiple learning disabilities cannot use standard accessible toilets. They need support from one or two carers to use the toilet or to have their continence pad changed. Standard accessible toilets do not provide changing benches or hoists. Most are too small to accommodate more than one person. Without Changing Places toilets, disabled people are put at risk, and families are forced to risk their own health and safety by changing their daughter or son on a toilet floor.

This is dangerous, unhygienic and undignified. It is now accepted and expected that everyone has a right to live in the community, to move around within it and access all its facilities. Government policy promotes the idea of 'community participation' and 'active citizenship', but for some disabled people the lack of a fully accessible toilet is denying them this right. Although the numbers are increasing, there are still not enough Changing Places toilets. Providing these toilets in public places would make a dramatic difference to the lives of thousands of people who desperately need these facilities. Recent research by the Changing Places Consortium found that over 230,000 severely disabled people, including those with profound and multiple learning disabilities do not have access to public toilet facilities that meet their needs.

There are around 40,000 people registered with profound and multiple learning disabilities, the majority of whom really need more space and equipment such as Changing Places toilets. Many other individuals and user groups also have similar needs and requirements. Additionally, we know that across Wales the types of persons who would greatly benefit from us installing Changing Places toilets would include approximately:

35,000 older people over the age of 65	8,400 living with a Physical Disability
2,200 persons living with a progressive illness	1,500 people with Multiple Sclerosis
4,000 people with Respiratory/Heart conditions	200 people with Motor Neurone Disease

Residents in Swansea would intrinsically benefit from the installation of some Changing Places toilets across the county. Their families and carers would greatly benefit from the installation of additional Changing Places toilets, so they could support them out in the community; be they their son or daughter, mum, dad or other family members and/or friends.

And the number of people with complex disabilities is growing –meaning many more people are likely to need access to a Changing Places toilet in the future. Each Changing Places toilet provides:

- height adjustable adult-sized changing bench.
- tracking hoist system, or mobile hoist if this is not possible.
- enough space to allow full accessibility.
- adequate space for the disabled person and up to two carers.
- centrally placed toilet with room either side for the carers.
- screen/curtain to allow the disabled person and carer privacy.
- a safe and clean environment.
- wide tear off paper roll to cover the bench.
- large waste bin for disposable pads.
- non-slip floor.



### **RADAR National Key Scheme (NKS)**

The Scheme provides special keys for registered disabled persons to access locked public toilets around the UK.

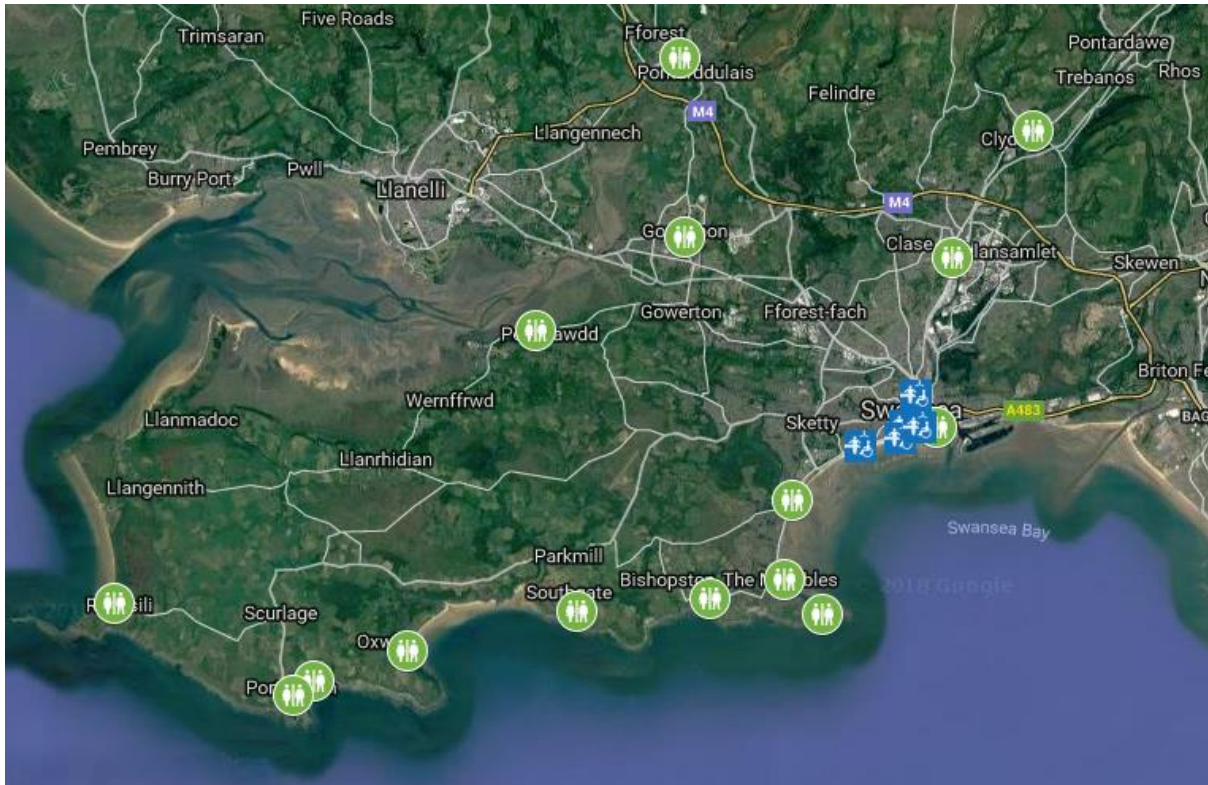
Most of the Changing Places units are only accessible with one of these keys.

RADAR keys are obtainable for £3 from: Civic Centre on Oystermouth Road – Tel 01792 636000.

Each year RADAR publishes a guidebook listing the location of the NKS toilets around the UK, this information is now available as an iPhone App.

## Mapping and Website upgrading

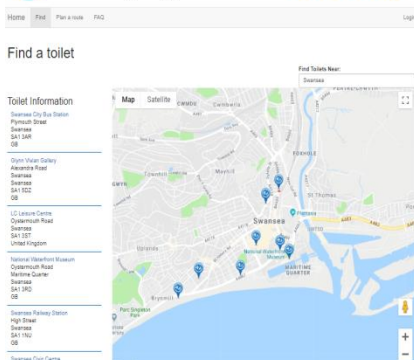
The toilet map shown below is taken directly from the Swansea council website and gives a broad indication of where public toilets can be located across the county. However, this mapping only shows those sites currently promoted as public toilets. The map also only indicates location – and does not specify the type of toilet or the facilities available at this location. Some consideration may be given to an upgraded version of this format as more detailed information could be extremely helpful for individuals and groups planning a visit to the city.



## Gap Analysis – Provision

Both the Study Group and the Forum will give further attention to a gap analysis to try and identify the areas of the county that are perhaps suffering in some way from a lack of toilet provision. It could be suggested that perhaps the data regarding any additional provision has not yet been provided or included. This should become

### Changing Places Toilet Map



visible when the LLE Geoportal comes on-line with the toilet data installed.

Under review, council might/should also consider the addition of new pins to show the locations of all participating members of the CTS scheme, once recruited, verified and recorded. Additionally, some special controls will need to be addressed as new

developments and participating buildings appear across the county.

Evening and weekend visitors, school trips, external events, runners, dog walkers, special events etc. will naturally require external facilities or facilities that can be accessed after hours when premises are closed. These units need to be well signposted and would require additional supervision/maintenance.



## Public Toilets – Standards and Provision

This section provides a selective commentary on the main regulations and policies relating to public toilet provision and standards.

### Public Health Act 1936

The provision and maintenance of toilets in public places is at the discretion of local authorities who have a power, under section 87 of the Public Health Act 1936 (“PHA 1936”), to provide public conveniences, but no duty to do so. It is therefore for local authorities to decide whether they should provide public toilets and, if so, how many. In doing this, each local authority must balance competing local demands for a broad range of public services against the need to avoid excessive burdens on local taxpayers.

### BS 6465 - Parts 1-4: Sanitary installations.

#### Code of practice for the provision of public toilets

Building regulations set mandatory scales for toilet provision in dwellings only; workplaces are covered by the Health and Safety (Workplace) Regulations. The updated British Standard is a Code of Practice for the design of sanitary installations and scales of provision of sanitary and associated appliances. It gives recommendations on the design of sanitary facilities and the recommended scale of provision of sanitary and associated appliances in new buildings and those undergoing major refurbishment. This standard applies to private dwellings, residential and nursing homes for older people, workplaces, shops and shopping malls, petrol stations, schools, theatres, cinemas, exhibition centres, libraries, museums, hotels, restaurants, licensed pubs, nightclubs, sports facilities, public toilets and temporary toilets.

### The Equality Act 2010

The Equality Act 2010 says that you must not be discriminated against because:

- you have a disability
- someone thinks you have a disability (this is known as discrimination by perception)
- you are connected to someone with a disability (this is known as discrimination by association)

It is not unlawful discrimination to treat a disabled person more favourably than a non-disabled person.

### Failure to make reasonable adjustments

Under the Equality Act employers and organisations have a responsibility to make sure that disabled people can access jobs, education and services as easily as non-disabled people. This is known as the 'duty to make reasonable adjustments'.

Disabled people can experience discrimination if the employer or organisation doesn't make a reasonable adjustment. This is known as a 'failure to make reasonable adjustments'. For example:

- an employee with mobility impairment needs a parking space close to the office. However, her employer only gives parking spaces to senior managers and refuses to give her a designated parking space

What is reasonable depends on a number of factors, including the resources available to the organisation making the adjustment. If an organisation already has a number of parking spaces it would be reasonable for it to designate one close to the entrance for the employee.

### **The Highways Act 1961**

Enables Highway Authorities to consent to the siting of public conveniences on the highway. However, there are no regulations requiring train, or other transport, operators to provide toilets for their passengers.

### **Anti-Social Behaviour Act 2003**

Powers contained in the Anti-Social Behaviour Act 2003 allow the Police, Local Authority Officers, and Community Support Officers to issue a Fixed Penalty Notice (FPN) to anyone caught graffitiing or vandalising property such as public toilets.

### **The Health and Safety Executive's Purple Guide**

Covers health, safety and welfare for users of portable toilet units at music, festivals and similar larger events.

This includes a complete section giving advice on the correct provision of sanitary facilities.

### **The Rail Vehicle Accessibility Regulations 1998 (as amended)**

Sets out minimum access standards for toilets when they are installed on trains and require, where they are fitted, that cubicles closest to the wheelchair space(s) be accessible to a wheelchair user. Of twenty different train designs introduced since the regulations came into force, all but one included on-board toilets.

### **This Service Plan is extremely flexible and can cover some or all of the following services:**

Cleaning and maintenance of all council owned public conveniences.  
Control and management of a Community Toilet Scheme.

Liaison and working with any/all commercial partners operating toilet facilities.  
Liaison and working with any/all public contractors and partners operating toilet facilities.

All toilet cleansing service issues within the public realm.

Environmental quality of children's play areas, public open space and recreation grounds.

Environmental quality of outdoor recreation facilities.

Environmental quality of street furniture – bus shelters, roadside seats, litter bins, etc.

Control of issues relating to graffiti, fly-posting and general degradation.

Liaison with operational services on issues of street sweeping and waste removal.

If implemented, the service would aim to make significant improvements to the quality of services involved in the delivery of key activities around the public realm of Swansea. It may provide the opportunity to reshape and transform frontline services to improve the physical appearance of the city and help create a more skilled and better trained workforce. It may also help with engaging the community to develop and maintain clean neighbourhoods.

**Key Objectives** – in delivering this strategy our prime objectives should be to:

- help residents and visitors understand and feel their local environment is healthier and cleaner
- provide efficient toilet facilities and services based on identified user needs
- ensure continuous improvement to the public toilet realm throughout our county
- dramatically reduce the levels and perceptions of misuse, abuse and disorder
- conserve the natural beauty of the whole county whilst enhancing the built environment
- provide an attractive, high-quality county-wide environment
- enhance the feeling of well-being and social inclusion across the county

Strategically promoting Swansea as a welcoming, healthy, caring place to live work and visit.

## WAYS OF WORKING DIFFERENTLY

The Well-being of Future Generations (Wales) Act 2015 ('WFG Act') aims to improve the social, economic, environmental and cultural well-being of Wales. It makes those public bodies, such as LAs, Local Health Boards, Public Health Wales NHS Trust and the Welsh Government think more about the long term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach.

It means these public bodies must do what they do in a sustainable way. Public bodies need to make sure that when making their decisions they take into account the impact they could have on people living their lives in Wales in the future. To make sure we are all working towards the same vision, the WFG Act puts in place

seven well-being goals. Together they provide a shared vision for the public bodies listed in the WFG Act to work towards.

Throughout our own Well-being Plan, our Public Services Board has laid down the principle of five ways of working that this council should follow when carrying out sustainable development. These are:

- looking to the long term so we do not compromise the ability of future generations to meet their own needs;
- taking an integrated approach;
- working with others in a collaborative way to find shared sustainable solutions;
- involving a diversity of the population in the decisions affecting them;
- acting to prevent problems from occurring or getting worse.

Following these strategic aims will help us work together better, avoid repeating past mistakes and tackle some of the long-term toilet challenges that Swansea is facing.

## Acknowledgements

The following represent a selection of the resources that have proved useful in compiling this report. There is a large array of material available via the internet, and that material is expanding all the time, particularly as local authorities highlight the positive steps that they are taking to improve public access to toilets.

### Legislation, general and technical guidance on public toilets

Public Health Act 1936 [www.legislation.gov.uk](http://www.legislation.gov.uk)  
British Standards – Sanitary Installations (BS6465-Part 1-4)  
Public Conveniences: Policy, Planning, Provision, April 2001  
Inclusive Mobility – access to pedestrian and transport infrastructure Department for Transport  
Knowledge Bank on Toilets ENCAMS

### General Studies and Reviews

An urgent need – London’s public toilets - London Assembly Health & Public Services Committee.  
Who Put the P in Policy? design of the accessible toilet Bichard J, Hanson J and Greed C.  
Taking stock: an overview of toilet provision and standards, 2005 Clara Greed.  
Improving Public Access to Better Quality Toilets A Strategic Guide.  
Department of Communities and Local Government Inclusive Urban Design: Public Toilets, 2003 Dr Clara Greed.  
The Accessible Toilet Resource, 2007 Hanson J, Bichard J and Greed C.  
Independence & healthy living – the need for accessible loos Prof J Hanson LA Reports.  
Draft Strategy for the provision of public conveniences in Cambridge.  
Public Conveniences – Review of charging policy and modernisation of the facilities at Chesterton Road and Cherry Hinton Hall Cambridge City Council.  
A Public Toilet Strategy for Doncaster, July 2003.  
Doncaster Metropolitan Borough Council.

### Other Reports and Reviews

Public Toilet Survey, Sept 2006 Bristol Women’s Forum - [www.bccforums.org.uk](http://www.bccforums.org.uk)  
Health impact assessment – Draft Older People’s Strategy - Clara Fletcher April 2007  
Taking control of incontinence, 2007 - Help the Aged  
Nowhere to go – public toilet provision in the UK, 2007 - Help the Aged  
Danfo (UK), Mr Ross Longbottom - [www.danfo.co.uk](http://www.danfo.co.uk)  
Healthmatic, Mr Piers Dibben - [www.healthmatic.com](http://www.healthmatic.com)  
Improving Public Access to Better Quality Toilets, Westminster Council outlines improvement programme for public toilet facilities, July 2006

New city centre facility officially opened, June 2008  
Wolverhampton City Council

## Miscellaneous

Response from the Inconvenience Committee of Blue Badge Guides  
Public Toilets in London: Investigation by London Assembly

## Useful Web Gateways

British Toilet Association:	<a href="http://www.btaloos.co.uk">www.btaloos.co.uk</a>
Changing Places:	<a href="http://www.changing-places.org">www.changing-places.org</a>
Crohn's & Colitis UK	<a href="https://www.crohnsandcolitis.org.uk">https://www.crohnsandcolitis.org.uk</a>
Muscular Dystrophy UK	<a href="https://www.muscular dystrophyuk.org">https://www.muscular dystrophyuk.org</a>
ENCAMS:	<a href="http://www.encams.org">www.encams.org</a>
Chartered Institution of Wastes Management:	<a href="http://www.ciwm.co.uk">www.ciwm.co.uk</a>
Age Cymru:	<a href="http://www.ageuk.org.uk/cymru">www.ageuk.org.uk/cymru</a>
Department for Transport:	<a href="http://www.dft.gov.uk">www.dft.gov.uk</a>
British Standards Institute	<a href="https://www.bsigroup.com">https://www.bsigroup.com</a>
National Consumer Council:	<a href="http://www.ncc.org.uk">www.ncc.org.uk</a>
World Toilet Organisation:	<a href="http://www.worldtoilet.org">www.worldtoilet.org</a>
Danfo UK	<a href="http://www.danfo.co.uk">www.danfo.co.uk</a>
Healthmatic	<a href="http://www.healthmatic.com">www.healthmatic.com</a>

Grateful thanks are extended to all the officers and management of councils and private organisations and also to the members of the BTA who gave freely of their time, knowledge and expertise to assist in the completion of this study. Their invaluable guidance and input was much appreciated.

Council would like to express its thanks to the BTA Management Team for collating and verifying a significant amount of content, ideas and suggestions to help council formulate this strategy. This organisation has also expressed a keen interest in working with council, and their partners, in the development of the working groups and supporting our strategy's initial inception.

Further information and clarification can be sought from:

Raymond Boyd Martin

Managing Director,

The British Toilet Association Limited

Enterprise House, 2-4 Balloo Avenue, Bangor, Co. Down Northern Ireland BT19 7QT

Tel/Fax: 02891 477397

Mobile No: 07739 950784

E-Mail: [raymond@britloos.co.uk](mailto:raymond@britloos.co.uk)

## Swansea Toilet Strategy Action Plan

	Date	Progress
<b>1. Strategy</b>		<b>Devise and develop a public toilet strategy for the City and County of Swansea</b>
The draft Strategy, including an assessment of need, prepared and consulted on. A report was then presented to Swansea Council's Economy and Infrastructure Policy Development Committee.	Nov-20	
1.1 Develop an Action Plan	Jul-21	An action plan has been developed from the draft strategy. This action plan, and a review of progress, will be presented to cabinet on the 18 <sup>th</sup> November, for formal adoption.
1.2 Review	Oct-21	
1.3 Strategy and Action plan adopted by Swansea Council	Nov-21	
<b>2. Governance</b>		<b>Agree the governance arrangements for overseeing the development and progress of the strategy</b>
2.1 Establish internal working group	Aug-21	In line with the draft Strategy, a formal structure has been established, with an internal working group driving the development of the strategy and the delivery of action plan.
2.2 Establish Stakeholder Forum	Sep-21	This is supported by a stakeholder group, drawn from key groups across the public, private and third sectors. Its purpose is to inform and shape the work of the working group.



3. Communication	Develop the mechanisms for communication about public toilet provision within the City and County of Swansea and how this will be developed to meet the needs of residents, visitors and businesses	
3.1 Develop a communication plan	Aug-21	The council's website has been updated to provide clear details of where all of our public toilets are, what facilities they have and when they are accessible.
3.1.1 Strategy progress	Nov-21	Any new facilities made available to the public are being added to the website.
3.1.2 Availability of facilities	Sep-21	Funding has been approved, from the Economic Recovery Fund, to improve the physical signage regarding public toilet facilities. This will be integrated with a new Swansea Toilet Map that is being developed by the British Toilet Association.
3.1.3 Future engagement	Nov-21	
4. Facilities	Carry out a thorough review of existing public toilet provision within the City and County of Swansea.	
4.1. Map existing toilet provision	Aug-21	Existing public toilet provision has been reviewed and mapped
4.2. Assess the condition of council public toilet facilities	Jan-22	A comprehensive programme of condition surveys are currently underway, at all sites controlled by Swansea Council. This information is being used to inform the maintenance and improvement programme.
4.3. Viability	Apr-22	<p>Work has been undertaken to improve the accessibility of toilets, to the general public, in other public buildings.</p> <p>Swansea Council has invested £200,000, since April 2020, to improve both the physical appearance of its public toilet facilities and to make them easier to clean well.</p> <p>Toilet cleansing staff have received improved instruction, training, and equipment to maximise the quality of the service provision.</p>

		A pilot project has been funded, by the Economic Recovery Fund, to double the frequency of toilet cleaning in key tourist locations in peak season and measure its impact.
<b>5. Development</b>	<b>Develop a plan to ensure that Swansea's public toilet provision meet the current and future needs of local residents, visitors and businesses</b>	
5.1. Improve access to existing provision		Two new "Changing Places" have been installed alongside existing toilet facilities, providing improved accessibility, safety and dignity, for people who have more complex needs when using toilet facilities.  Swansea Marina toilets have been reopened, and new public toilets will be available shortly as part of the new Arena.
5.2. Identify opportunities for the development of new provision		Libraries and leisure centres are being assessed for suitability for inclusion on the network of available public toilets.
<b>6. Develop a funding plan</b>	<b>Develop a sustainable funding plan that enables Swansea Council to maintain and develop its public toilet provision in accordance with the plans set out in this strategy.</b>	
6.1. Identify existing budgets used to maintain and improve toilets		Increased investment in condition of public toilet facilities, from existing budgets.  Two successful bids have been made to the Economic Recovery Fund, for a total of £65,000.
6.2. Explore the options for further funding the development and maintenance of public toilet facilities.		

Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area: Cleansing and Parks

Directorate: Place

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:**

**Swansea Public Toilet Strategy**

Swansea’s Public Toilet Strategy meets its duties, under Part 8 of The Public Health (Wales) Act 2017 to prepare and publish a local toilets strategy for its area.

The Act provides that a strategy must include an assessment of the community’s need for toilets, including changing facilities for babies and changing places facilities for people with disabilities. The strategy must also provide details of how the Local Authority proposes to meet the identified need.#

The strategy, and the actions derived from it, is subject to a regular programme of review and consultation.

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement**

An initial consultation took place in March 2019, this informed the development of a draft strategy. Public consultation was completed on the draft strategy document in September 2020. A stakeholder group has been formed to inform and shape the delivery of the strategy. The next review of the strategy must be completed by 4<sup>th</sup> May 2023, this will also involve a consultation exercise.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
 Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
 Yes  No
- c) Does the initiative apply each of the five ways of working?  
 Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
 Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes  No **If yes, please provide details below**

The strategy, whilst overseen by the Cleansing and Parks Service, will have an impact on the Culture and Tourism Service, by providing improvements to the public facilities in key tourist areas and by potentially connecting existing leisure and tourism facilities to a broader network of publicly available toilets. It will also seek to inform economic developments by ensuring appropriate toilet facilities are included in new schemes.

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

The development of a Public Toilet Strategy, for Swansea, will improve the accessibility of public toilets for the whole of Swansea's population. However, a key element of the strategy is that it is informed by a needs assessment. The strategy seeks to improve the equitability of Swansea's public toilet provision by improving the accessibility of facilities for those communities most disadvantaged by existing provision. The increased provision of "Changing Places" will improve the accessibility, safety and dignity, for people who have more complex needs when using toilet facilities.

**Outcome of Screening**

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

This is a low risk proposal as it will deliver an improvement in service provision that should have a positive impact across the population, particularly those whose health conditions bring more complex needs when using toilet facilities. It has been consulted on and supports our ambitions with regard to the Wellbeing of Future Generations Act. Changes to the published action plan and actions arising from subsequent reviews will also be subject to an IIA.

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

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.

<b>Screening completed by:</b>
<b>Name:</b> Andy Edwards
<b>Job title:</b> Project Manager
<b>Date:</b> 29 <sup>th</sup> September
<b>Approval by Head of Service:</b>
<b>Name:</b>
<b>Position:</b>
<b>Date:</b>

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 9.



## Report of the Cabinet Member for Education Improvement, Learning & Skills

Cabinet – 18 November 2021

### Approval of the Legal Agreement for the New Regional Education Partnership

<b>Purpose:</b>	To approve the legal agreement to establish a new regional education partnership.
<b>Policy Framework:</b>	Education and skills in Corporate Plan 2019-2022 National Model for Regional Working Wales 2014
<b>Consultation:</b>	Access to Services, Finance, Legal
<b>Recommendation(s):</b>	It is recommended that Cabinet:  <ol style="list-style-type: none"><li>1) Approves the draft legal agreement (attached at Appendix A) to establish a joint committee for a new regional education partnership known as Partneriaeth to support the delivery of school improvement.</li><li>2) Approves the appointment of the Leader as a member of the joint committee.</li><li>3) Delegates to the joint committee those functions necessary to support the delivery of school improvement within the Council's area and the region, acknowledging and accepting that the Council and the other local authorities in the region, will each retain statutory responsibility for school performance, together with the responsibility for the exercise of statutory powers, of intervention and organisation of schools in their respective areas.</li><li>4) Approves the creation of a Joint Scrutiny Councillor Group on the basis of the terms of reference set out in the legal agreement as amended from time to time.</li><li>5) Delegates authority to the Director of Education in consultation with the Chief Legal Officer and the Cabinet Member for Education Improvement, Learning and Skills to make any further necessary amendments to the legal agreement and authorises the Chief Legal Officer to enter into the agreement on behalf of the Council together</li></ol>

with any ancillary legal documentation necessary to facilitate the creation and operation of the new partnership.

- 6) Approves the provision of services by the Partneriaeth to councils who are not parties to the legal agreement, namely Neath Port Talbot County Borough Council, Ceredigion County Council and Powys County Council in accordance with the clause 14 of the legal agreement with authority delegated to the Partneriaeth Joint Committee to agree the terms upon which such services are to be provided.

<b>Report Author:</b>	Helen Morgan-Rees
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

## 1. Introduction

- 1.1 As part of the move towards a new model of regional working, within education in the south west Wales footprint, Swansea Council has been working in conjunction with Carmarthenshire and Pembrokeshire Councils to establish a new regional partnership, the South West Wales Education Partnership, to be known as the Partneriaeth.
- 1.2 The draft legal agreement attached at Appendix A commits Swansea Council to enter into a formal partnership with Carmarthenshire and Pembrokeshire Councils to establish a joint committee to support the Councils in jointly discharging the functions necessary to facilitate school improvement in the region.
- 1.3 Cabinet gave a year's notice to withdraw from the Educational through Regional Working (ERW) consortium in March 2020. In March 2021 Cabinet agreed that that more time was needed to wind down current ERW arrangements and create a new partnership by September 2021.
- 1.4 A shadow joint committee of the Leaders, Education portfolio holders and senior officers of Swansea, Carmarthenshire and Pembrokeshire met in July to agree how a new legal agreement would need to be drafted so that ERW would dissolve and a new partnership could be constituted legally.
- 1.5 It has been agreed that upon the establishment of the new partnership all operational services will be delivered through Partneriaeth and that the ERW Joint Committee will remain in force with the sole purpose of winding up its business and establishing all outstanding liabilities. At that point in time all remaining partners in ERW will withdraw from ERW on one week's notice and ERW will dissolve. The ERW Joint Committee legal agreement will be varied to provide for these termination provisions. As part of that deed of variation it has been agreed that all outstanding ERW liabilities shall be divided among the existing partners calculated on

a pro rata basis , having first taken account of and deducted any liability of Neath Port Talbot and Ceredigion councils pursuant to clauses 15.2 and 15.4 of the ERW agreement.

## **2. Legal Agreement for the establishment of a Joint Committee for Partneriaeth/ Partnership**

- 2.1 A legal agreement is required to facilitate the creation of a joint committee between three Councils to support the delivery of education improvement functions on a regional basis and to provide the governance and operational arrangements for the partnership.
- 2.2 The legal agreement in appendix A (“the Agreement”) has been drafted in partnership with the Directors of Education and Chief Executives in Swansea, Carmarthenshire and Pembrokeshire.
- 2.3 The new partnership cannot function until each constituent council approves the Agreement.
- 2.4 The Agreement ensures that governance and decision making arrangements are clear, that the responsibilities of constituent councils as well as the collective responsibility of the partnership are specified and that terms of reference to support governance are included. A summary of the main provisions is set out below.
- 2.5 The governance arrangements provide for a Joint Committee comprising the Leaders of the three Councils as the strategic decision making body with a Strategic Group of officers to undertake prescribed operational matters, accountable to the Joint Committee. The terms of reference for the Joint Committee and the Strategic Group are set out in Schedules 3 and 4 of the Agreement. Two subgroups are established by the Joint Committee (see Schedule 5) but these have no decision making powers and their purpose is to feed into and report to the Strategic Group. The terms of reference of a Joint Scrutiny Councillor Group are contained in Schedule 6.
- 2.6 Once established the Joint Committee will allocate functions to each of the Councils (see clause 10) to support the work of the Partneriaeth.
- 2.7 The Council to be allocated the responsibility for financial matters will prepare the Annual Budget for Partneriaeth. Each Council will be required to make a contribution to the budget calculated in accordance with the formula contained in Schedule 9. Full details of the budget arrangements are set out in Schedule 9.
- 2.8 The Services to be delivered by the Partneriaeth are contained in Schedule 2. There is provision for Services to be delivered to non-parties and for the admission of new parties to the Partneriaeth (clause 14). Please note the provision of Services must be at no detriment to the



Partneriaeth's operations and must be provided on at least a full cost recovery basis.

- 2.9 Clause 19 provides the mechanism for a party withdrawing from Partneriaeth. All potential impacts and liabilities are to be established and agreed before a party is permitted to leave the partnership.
- 2.10 Although the decision making body is the Joint Committee which makes decisions on a majority basis, certain decisions are reserved to each of the Councils. These are set out in Schedule 8 and for completeness are listed below. For these matters a decision must be made by each Council and all Councils must be in agreement before the matter is referred to the Joint Committee for approval.

#### SCHEDULE 8 Matters Reserved to the Councils

- 1 Making decisions on the admission of other councils into the PARTNERIAETH.
  - 2 Making decisions on the provision of services to a council who is not a party to the PARTNERIAEH and the terms upon which any services are to be provided.
  - 3 Varying the terms of reference of the Joint Committee.
  - 4 Deciding whether to accept a Joint Committee Withdrawal Notice from one of the Councils to allow a Council to withdraw from the PARTNERIAETH.
  - 5 Approving the Liabilities Schedule accompanying a Withdrawal Notice to include details of the withdrawing Council's liability to the other Councils.
  - 6 Agreeing the terms for termination of this Agreement by agreement of all the Councils.
  - 7 Deciding on actions to implement the provisions of the dispute resolution procedure in clause 22.
  - 8 Approving the first Annual Budget of the Partneriaeth and any subsequent Annual Budget which would exceed the scope of the authority delegated to the Joint Committee within its terms of reference.
- 2.11 The ERW Joint Committee has previously resolved that services can be provided to Neath Port Talbot County Borough Council and Ceredigion County Council. A similar resolution will need to be made by the new partnership, to also include provision of services to Powys should they be required. As the provision of services to non-parties is a matter reserved to the Councils in accordance with Schedule 8, the approval of each Council is required before any resolution can be made by the Partneriaeth Joint Committee. A recommendation has therefore been included at recommendation 6 above.

### **3. General Issues**

- 3.1 The functions of the new partnership are listed within the legal agreement to provide clarity on the services Partneriaeth will deliver.

- 3.2 The responsibilities of the new joint committee for Partneriaeth cover the four main aspects of monitoring performance, planning, risk and resource management. The Agreement addresses each aspect, in detail.
- 3.3 **Appendix A provides the Agreement in full with each of the thirteen schedules providing further detail to support the main contents of the Agreement.**
- 3.4 The Agreement will become effective once each of the three Councils named in this report has approved its contents and executed the document.
- 3.5 The functions of the new partnership will be subject to development and scrutiny via the Partneriaeth business plan that has to be approved by the joint committee.
- 3.6 The central team referred to in the legal agreement is proportionate to the size of the new region and reflects the number of pupils and number of schools that Partneriaeth will serve.
- 3.7 The shadow joint committee has agreed on the proportionate size of staff structure as well as the contributions required to meet the costs of the new staffing structure either by core funding through the Revenue Support Grant (RSG) or Regional Consortia School Improvement Grant (RCSIG).
- 3.8 Consultation on the revised central team structure closed on 22 October 2021 and the agreed process for finalising the staffing structure for Partneriaeth will conclude on 31 December 2021.

#### **4. Integrated Impact Assessment (IIA) and Engagement**

- 4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, 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 Acts
  - 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
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs

- 4.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 4.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 4.2 An IIA Screening Form has been completed with the agreed outcome that a full IIA report is required. Please refer to the IIA screening form and report in Appendix B.
- 4.3 The IIA report found that the cumulative impact of the proposal is a better integration of services across three councils than could be expected if one council tried to deliver the same service in isolation. By contributing to a formal partnership, Swansea's school workforce will access similar professional learning opportunities to those on offer in other parts of Wales. Partneriaeth will be a part of cross-consortia collaboration in Wales and demonstrate equal ambition for high quality teaching and leadership learning.
- 4.4 The changes will have some impact on the centrally employed staff at a regional level and this impact will be managed by Pembrokeshire County Council.
- 4.5 The IIA process takes into account the United Nation Convention on the Rights of the Child (UNCRC) which Council has embedded into the Authority's Policy Framework.
- 4.6 The legal agreement complies with the Welsh Language Standards and provides for opportunities for people to use the Welsh language and for treating the Welsh language no less favourably than English.

## **5. Financial Implications**

- 5.1 A lead finance officer will be identified by the partnership to undertake the partnership's section 151 officer function.
- 5.2 The budget for the new partnership will be approved by the joint committee in accordance with Schedule 9 and monitored in quarterly meetings of the joint committee.
- 5.3 The main source of income to the partnership's budget will be each constituent council's share of the RCSIG.

- 5.4 Cabinet previously agreed that Swansea's contribution of core RSG funding would not be exceeded in a new partnership.
- 5.5 The new partnership is committed to best value principles as noted in the legal agreement.
- 5.6 Losses and liabilities are covered within the new legal agreement.

## **6. Legal Implications**

- 6.1 The legal implications are addressed in the main body of this report and within the detailed legal agreement in Appendix A.
- 6.2 The Agreement states that a lead lawyer will be identified by the partnership to undertake the monitoring officer function on behalf of the partnership.

**Background Papers:** None

### **Appendices:**

- Appendix A Agreement for the establishment of a joint committee to support the delivery of educational improvements through the Partneriaeth Addysg De Orllewin Cymru/South West Wales Education Partnership, known as Partneriaeth
- Appendix B IIA Report

**DATED**

**2021**

**(1) CARMARTHENSHIRE COUNTY COUNCIL**

**and**

**(2) PEMBROKESHIRE COUNTY COUNCIL**

**and**

**(3) THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA**

---

**AGREEMENT FOR THE ESTABLISHMENT OF A JOINT COMMITTEE TO  
SUPPORT THE DELIVERY OF EDUCATIONAL IMPROVEMENTS THROUGH  
PARTNERIAETH ADDYSG DE ORLLEWIN CYMRU/SOUTH WEST WALES  
EDUCATION PARTNERSHIP**

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**BETWEEN:**

- (1) **Carmarthenshire County Council** of County Hall, Carmarthen, Carmarthenshire SA31 1JP (“Carmarthenshire”); and
- (2) **Pembrokeshire County Council** of County Hall, Haverfordwest, Pembrokeshire SA61 1TP (“Pembrokeshire”); and
- (3) **The Council of the City and County of Swansea** of Civic Centre, Oystermouth Road, Swansea SA1 3SN (“Swansea”).

(together referred to as “the Councils”)

**WHEREAS:**

- (A) The Councils are the statutory education authorities for their respective administrative areas located in south west Wales or such other combined area from time to time for which the Councils or their successors have responsibility.
- (B) The Councils previously operated as a statutory joint committee with other councils under an agreement dated 16<sup>th</sup> July 2014 with the purpose of improving the standard of education for children and young persons. The Councils have now agreed to work together in order to discharge their statutory functions, their obligations to one another and to the Welsh Government by creating a new regional consortium, Partneriaeth Addysg De Orllewin Cymru/ South West Wales Education Partnership to be known as the PARTNERIAETH.
- (C) The PARTNERIAETH has the following core aims and objectives:-
  - a) Improve the quality of leadership and its impact on outcomes.
  - b) Improve the quality of teaching and learning experiences and its impact on outcomes.
  - c) Reduce the impact of poverty on attainment, support vulnerable learners and ensure all learners reach their potential.
  - d) Deliver high quality and bespoke support, challenge and intervention to schools.
  - e) Communicate effectively with all stakeholders.
- (D) The Councils have accordingly agreed to enter into this Agreement to document and regulate their respective rights and obligations to each other and to enable the Councils to work together to establish and to participate in a joint committee to deliver the aims and objectives of the PARTNERIAETH and facilitate the delivery of the Services.



## IT IS AGREED AS FOLLOWS:

### 1. Interpretation

1.1 The following definitions and rules of interpretation apply in this Agreement:

<b>“Agreement”</b>	this agreement entered into by Carmarthenshire County Council, Pembrokeshire County Council and the Council of the City and County of Swansea;
<b>“Annual Budget”</b>	the itemised summary of intended income (to include Government Funding) and revenue and capital expenditure for each financial year as described in Schedule 9;
<b>“Applicable Law”</b>	means all applicable laws, statutes, regulations, regulatory requirements, guidance and codes of practice in any relevant jurisdiction as amended, updated or replaced from time to time, including the Data Protection Laws;
<b>“Business Day”</b>	any day other than a Saturday or Sunday or a public or bank holiday in Wales;
<b>“Business Plan”</b>	means the fully costed annual plan containing the strategic objectives of the PARTNERIAETH prepared by the Strategic Group on behalf of the PARTNERIAETH and an annex which may be prepared by each Council as more particularly described in Schedule 10;
<b>“Central Team”</b>	includes all professional and administrative staff employed by the Council with responsibility for managing the Central Team for the purpose of facilitating the delivery of the Services, supporting the Strategic Group and generally performing the roles described in Schedule 11;
<b>“Commencement Date”</b>	the date of this Agreement;
<b>“Confidential Information”</b>	all know-how and other information relating to the business, affairs or methods of all or any Council which is contained in or discernible in any form whatsoever (including without limitation software, data, drawings, films, documents and computer-readable media) whether or not marked or designated as confidential or proprietary or which is disclosed orally or by demonstration and which is described at the time of disclosure as confidential or is clearly so from its content or the context of disclosure;
<b>“Co-opted Member Protocol”</b>	the protocol agreed by the Councils specifying the standard of conduct required of co-opted members of

	the Joint Committee or Strategic Group and set out in Schedule 7;
<b>“Council Contribution”</b>	the funding provided by each Council as part of the Annual Budget as set out in clause 16;
<b>“Council(s)”</b>	Carmarthenshire County Council, Pembrokeshire County Council and the Council of the City and County of Swansea together with any other council who subsequently becomes a party to this Agreement in accordance with clause 14 and “Council” shall be construed accordingly;
<b>“Councils’ Obligations”</b>	the obligations set out in clause 3;
<b>“DPA”</b>	the Data Protection Act 2018;
<b>“DP Regulator”</b>	any governmental or regulatory body or authority with responsibility for monitoring or enforcing compliance with the Data Protection Laws;
<b>“Data”</b>	any data, document, code, information, Personal Data in connection with this Agreement;
<b>“Data Incident”</b>	the reasonable suspicion of, discovery by, or notice to a party that (a) Data has been or is likely to be accessed or obtained by an unauthorised person; or (b) a party’s systems have been or are likely to be compromised or vulnerable; or (c) a person has threatened the unauthorised access to or obtaining of any Data;
<b>“Data Protection Laws”</b>	any applicable laws and regulations in any relevant jurisdiction relating to privacy or the use or processing of Personal Data relating to natural persons, including: the United Kingdom General Data Protection Regulation, Retained Regulation (EU) 201/679 (“UK GDPR”), the Law Enforcement Directive (Directive (EU) 2016/680) (“LED”) and any applicable national implementing laws as amended from time to time, the DPA 2018 to the extent that it relates to processing of personal data and privacy; all applicable law about the processing of personal data and privacy;
<b>“Data Subject”</b>	shall have the meanings set out in the UK GDPR;
<b>“Director”</b>	the Director of Education or equivalent postholder within each of the Councils;
<b>“FOI Legislation”</b>	the Freedom of Information Act 2000 and subordinate legislation made under this and the Environmental Information Regulations 2004;
<b>“Function”</b>	includes those roles, responsibilities and duties of the Councils described in clause 10;

<b>“Government Funding”</b>	funding received by the PARTNERIAETH and/or by the Councils from Welsh Government for the purpose of delivering the Services to include the school improvement element of the Revenue Support Grant and other Welsh Government grants and associated local authority match-funding (except those payable directly to schools);
<b>“IP Material”</b>	the Intellectual Property in the Material;
<b>“Intellectual Property”</b>	patents, rights to inventions, copyright and related rights, trade-marks, trade names and domain names, rights in get-up, rights in goodwill or to sue for passing off, rights in designs, rights in computer software, database rights, rights in confidential information (including know-how and trade secrets), and any other intellectual property rights, in each case whether registered or unregistered and including all applications (or rights to apply) for, and renewals or extensions of, such rights and all similar or equivalent rights or forms of protection which may now or in the future subsist in any part of the world;
<b>“Internal Costs”</b>	the costs to be borne by each Council and associated with the Council providing resources in relation to the PARTNERIAETH not included in Lead Council Costs and includes but is not limited to: staffing costs and associated overheads; technical and administrative support; communications; costs incurred in respect of meeting each Council’s responsibilities in accordance with Schedule 1;
<b>“Joint Committee”</b>	a committee of elected members from the Councils which shall be responsible for ensuring and overseeing the delivery of the functions set out in Schedule 3 (Terms of Reference of the Joint Committee) with a view to securing their more efficient, economical and effective discharge;
<b>“Joint Committee Meeting”</b>	a meeting of the Joint Committee;
<b>“Joint Scrutiny Councillor Group”</b>	a group comprising of elected members of the Councils and operating under the terms of reference set out in Schedule 6;
<b>“Lead Council”</b>	the Council which pursuant to clause 10 is appointed by the Joint Committee to discharge a certain Function on behalf of the PARTNERIAETH;
<b>“Lead Council Costs”</b>	the costs of discharging their Functions in accordance with service level agreements approved by the Joint Committee with the cost rechargeable to the PARTNERIAETH together with those elements of the costs of Lead Officer support to the PARTNERIAETH which have been approved by the Joint Committee;

<b>“Lead Chief Executive /Lead Director of Education/ Lead Chief Finance Officer/ Lead Officer”</b>	means the appropriate officer appointed by the Joint Committee under clause 10 to undertake on behalf of the PARTNERIETH the Functions set out in clause 10. For the avoidance of doubt the Lead Chief Finance Officer shall be the S.151 officer of the Lead Council with responsibility for Finance;
<b>“Liabilities Schedule”</b>	the schedule of actual and potential liabilities drafted by a Withdrawing Council and contained within the Withdrawal Notice setting out the information prescribed by clause 19;
<b>“Loss”</b>	all losses, claims, expenses, actions, demands, costs and liabilities arising out of this Agreement in contract, tort or otherwise directly suffered by a Council together with any damage, expense, liability or costs reasonably incurred in contesting or quantifying such loss or liability to include loss or repayment of Government Funding but not including indirect or consequential losses;
<b>“Material”</b>	all data, text, graphics, images and other materials or documents created, used or supplied by a Council in connection with this Agreement unless before the first use or supply the Council notifies the other Councils that the data, text supplied is not to be covered by this definition;
<b>“Objects”</b>	means the core aims and objectives of the PARTNERIAETH set out in recital C and as set out in Schedule 2 Part 1;
<b>“PARTNERIAETH Lead Officer”</b>	means the lead officer appointed by the Joint Committee and employed by the Lead Council with responsibility for the Central Team, as principal adviser to the Joint Committee and to manage the Central Team;
<b>“Personal Data”</b>	shall have the meanings set out in the DPA 2018;
<b>“PR Protocol”</b>	a protocol agreed by the Councils for the release of public statements and press releases relating to the PARTNERIAETH;
<b>“Region”</b>	means the combined administrative areas of the Councils for time to time for which the Councils, or their successors, have responsibility;
<b>“Responsibilities”</b>	means the core duties and responsibilities of the Councils and the PARTNERIAETH in pursuance of the Objects and set out in Schedules 1 and 2;
<b>“Services”</b>	means the services to be provided to the Councils and to any other council pursuant to clauses 13 and 14 under the direction of the Joint Committee in pursuance of the Objects and as set out in Schedule 2;

<b>“Strategic Group”</b>	the group established in accordance with clause 6 and Schedule 4;
<b>“Withdrawal Notice”</b>	a notice issued by one of the Councils in accordance with clause 19 to give notice of its withdrawal from the PARTNERIAETH and this Agreement;
<b>“Withdrawing Council”</b>	a Council that has given notice of its intention to withdraw from the PARTNERIAETH and this Agreement in accordance with clause 19;

- 1.2 The headings are inserted for convenience only and shall not affect the construction of this Agreement.
- 1.3 Words importing one gender include all other genders and words importing the singular include the plural and vice versa.
- 1.4 A reference in this Agreement to any clause, paragraph or schedule is, except where it is expressly stated to the contrary, a reference to a clause or paragraph of or schedule to this Agreement.
- 1.5 Any reference to this Agreement or to any other document unless otherwise specified shall include any variation, amendment or supplements to such document expressly permitted by this Agreement or otherwise agreed in writing between the relevant parties.
- 1.6 Words preceding “include”, “includes”, “including” and “included” shall be construed without limitation by the words which follow those words unless inconsistent with the context, and the rule of interpretation known as “*eiusdem generis*” shall not apply.
- 1.7 Any reference to the title of an officer of any of the Councils shall include any person holding such office from time to time by the same or any title substituted thereafter or such other officer of the relevant Council as that Council may from time to time appoint to carry out the duties of the officer referred to.
- 1.8 The Schedules form part of this Agreement and shall have the same force and effect as if expressly set out in the body of this Agreement and references to this Agreement includes the Schedules.
- 1.9 References to “the parties” shall be to the parties to this Agreement.

## **2. Commencement and Duration**

This Agreement shall commence on the Commencement Date and shall continue in force until such time as it is terminated in accordance with the provisions of clause 20.

## **3. The Councils’ Obligations**

- 3.1 The Councils agree to work together to achieve the Objects in accordance with the provisions of this Agreement.

- 3.2 The Councils agree to undertake their Responsibilities and Functions to ensure effective provision of the Services.
- 3.3 Without prejudice to the specific terms of this Agreement, the Councils further agree that they shall conduct their relationship in the spirit of good faith and in an open, collaborative and constructive manner; act with reasonable skill and care and in accordance with best practice.
- 3.4 The Councils further agree that they will act in accordance with the values and principles of the PARTNERIAETH as outlined in Schedule 2 and any applicable policies agreed by the Joint Committee in order to achieve the Objects.

#### **4. Establishment of a Joint Committee**

- 4.1 In exercise of their powers under sections 101(5) and 102 of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000 and all other enabling powers the Councils hereby create a joint committee for Partneriaeth Addysg De Orllewin Cymru/South West Wales Education Partnership to be known as the PARTNERIAETH Joint Committee with effect from the Commencement Date.
- 4.2 The Councils shall use their Powers in sections 101, 102, 111, 112 and 113 of the Local Government Act 1972, sections 2, 19 and 20 of the Local Government Act 2000, section 1 of the Local Authorities (Goods and Services) Act 1970, section 25 of the Local Government (Wales) Act 1994, section 9 of the Local Government (Wales) Measure 2009, section 13 and 13A of the Education Act 1996 and all other enabling powers available from time to time to facilitate their effective participation in the Joint Committee and the effective delivery of the Services in accordance with the terms of this Agreement.
- 4.3 The Joint Committee shall operate and conduct its business in accordance with the terms of this Agreement including the Terms of Reference of the Joint Committee as set out at Schedule 3 to this Agreement.
- 4.4 The Councils may from time to time vary the terms of reference of the Joint Committee and this shall be a matter reserved to the Councils. The reservation to the Councils does not preclude the Joint Committee from making recommendations to vary the terms of the reference where it considers they shall promote the Council's Obligations.
- 4.5 The Joint Committee shall not have power to approve any matter which has been reserved to the Councils as set out in Schedule 8 to this Agreement. Any matter reserved to the Councils in accordance with Schedule 8 will require the unanimous agreement of all Councils before being endorsed by the Joint Committee and implemented by the PARTNERIAETH.
- 4.6 The Joint Committee may delegate functions to sub-committees and officers.
- 4.7 This Agreement is without prejudice to each Council's other powers and responsibilities for its area.

## **5. Arrangements for the discharge of functions**

- 5.1 The Councils agree to use their powers under section 101(1) of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000 and all other enabling powers to enter into arrangements under which the Joint Committee shall discharge and undertake on their behalf those matters set out in the terms of reference of the Joint Committee in Schedule 3 to this Agreement with the purpose of supporting the Councils to discharge their statutory duties and functions.
- 5.2 Each Council hereby represents and confirms to the other Councils that it has obtained all necessary consents sufficient to ensure the effective operation of the PARTNERIAETH as provided for by this Agreement.
- 5.3 Each Council warrants that entering into this Agreement and its participation in the Joint Committee is consistent with its own constitution.

## **6. Establishment of a Strategic Group.**

The Joint Committee shall establish a Strategic Group which shall report to the Joint Committee. The Strategic Group will have responsibility for undertaking certain operational matters and shall operate in accordance with the terms of reference set out in Schedule 4.

## **7. Establishment of an Operations Group and Stakeholder Group**

The Joint Committee shall establish an Operations Group and a Stakeholder Group which shall report to the Strategic Group. The Operations Group and Stakeholder Group shall have the terms of reference set out in Schedule 5.

## **8. Establishment of a Joint Scrutiny Councillor Group**

The Councils will create a Joint Scrutiny Councillor Group with effect from the Commencement Date. The Joint Scrutiny Councillor Group shall provide an informal scrutiny function to ensure greater public accountability over decisions made by the Joint Committee and any of its sub-committees and related entities. The Joint Scrutiny Councillor Group shall comprise elected members of all of the Councils and shall operate within the terms of reference set out in Schedule 6.

## **9. Subcommittees**

The Joint Committee shall establish the membership and terms of reference for any sub-committees or sub-groups which it establishes and may dissolve such sub-committees or sub-groups. Sub-committees to which the Joint Committee delegates functions are bound by the provisions of this Agreement regulating the taking of decisions by the Joint Committee. The Joint Committee may create additional sub-committees from time to time as it sees fit.

## **10. Appointment of Lead Councils**

- 10.1 The Joint Committee shall appoint Lead Councils to assume responsibility for the discharge of Functions on behalf of the PARTNERIAETH. The Functions may include :-
- (a) Administration of Joint Committee

- (b) Contracts and Procurement
  - (c) Employment of PARTNERIAETH Lead Officer and Central Team and Human Resources function
  - (d) Finance (to include debtors, creditors, treasury management, banking, payroll and liaison with external audit), internal audit & Section 151 Officer
  - (e) Preparation of the Annual Governance Statement
  - (f) IT support
  - (g) Legal and Monitoring Officer services
  - (h) Administration and support of Joint Scrutiny Councillor Group
  - (i) Communications
  - (j) Data Protection Officer Services
- 10.2 The Joint Committee shall agree the terms of the SLA for each of the Functions and any limits on charging.
- 10.3 Any change to the appointment of a Lead Council shall be approved by the Joint Committee and unless agreed otherwise by the Joint Committee a twelve month notice period shall be given by the Council ceasing to operate the Function. The Joint Committee shall give notice to the Council which will be appointed as the replacement Lead Council for that Function.
- 10.4 The Lead Council shall, when required, act on behalf of each or all of the Councils in respect of the provision of the Functions.
- 10.5 The Lead Council responsible for management of the Central Team shall, subject to the provisions of Schedules 1 and 2, employ and manage sufficient staff as is approved by the Joint Committee for delivery of the Functions in a cost-effective and efficient manner. This Lead Council is also responsible for the human resources element of the Function and shall provide advice and support on common employment issues arising out of the operation of this Agreement. In recognition of the national model, the human resources Function will encompass organisational development activity in order to provide the regional co-ordination role in the development of policies and procedures and the regional training role associated with all regional activity.
- 10.6 The Lead Council responsible for administration shall act as clerk to and host the Joint Committee and provide other requisite support services including translation.
- 10.7 The Lead Council responsible for Finance shall prepare and manage the Annual Budget and shall prepare the annual statement of accounts and will ensure that accounting practices adopted comply with relevant legislation and good practice.
- 10.8 The Lead Council responsible for Legal and Monitoring Officer services shall supervise the governance arrangements and operation of the Joint Committee, the Strategic Group and the PARTNERIAETH in accordance



with the terms of this Agreement, conduct legal proceedings under Clause 17, and ensure compliance with relevant legislation and good practice.

10.9 The Lead Council responsible for Contracts and Procurement will act as the contracting authority for and on behalf of the PARTNERIAETH in accordance with that Council's Contract Procedure Rules and, on behalf of PARTNERIAETH, will process all payments under a contract for payment by the Lead Council for Finance when they fall due and shall, when required, carry out the instructions of the Strategic Group and ensure that its activities are competent, legally compliant and in accordance with relevant regulations, good practice and the terms of this Agreement.

10.10 Change of Lead Council.

10.10.1 Subject to clause 10.10.2 if the Joint Committee determines that it is necessary to change the Lead Council responsible for any Function the outgoing Lead Council shall take any action required by any or all of the other Councils to allow another of the Councils to take on the role of Lead Council and to allow the other Councils to continue with the PARTNERIAETH and the Agreement. Without prejudice to the generality of the foregoing the Lead Council shall promptly:

- (a) Transfer any information which it holds in its role as Lead Council to any person or body to whom the Chair of the Joint Committee instructs it to transfer;
- (b) Co-operate with the other Councils to identify whether the Central Team staff shall transfer to the replacement Lead Council and shall take all steps necessary to facilitate any such transfer unless otherwise agreed by the Councils;
- (c) Transfer any other assets which it holds in its role as Lead Council to any person or body to whom the Chair of the Joint Committee instructs it to transfer;

10.10.2 Prior to making any decision to change the Lead Council for any Function the Joint Committee shall consider a report from the Strategic Group outlining any operational or cost implications arising from any proposed change.

10.11 Lead officers

The Lead Chief Executive, the Lead Director of Education and the Lead Chief Finance Officer to the PARTNERIAETH shall be appointed by the Joint Committee and their duties shall include ensuring, as far as possible, that:

- actions and decisions required from each Council in relation to the Functions are taken promptly.
- each Council provides sufficient and appropriate support to secure effective delivery of the Functions.

## 11. Central Team

11.1 The Joint Committee shall establish a Central Team to be managed by the PARTNERIAETH Lead Officer to be responsible for the day to day

management of matters relating to the operation of the PARTNERIAETH and the Joint Committee. The Central Team shall provide monitoring reports as requested from time to time by the Joint Committee and the Strategic Group and all other duties as set out in Schedule 11.

- 11.2 The Central Team shall be employed by the Lead Council having responsibility for the Function in accordance with clause 10. Arrangements for the accommodation of the Central Team shall be approved by the Joint Committee.

## **12. Business Plan**

- 12.1 The Strategic Group on behalf of the PARTNERIAETH shall prepare a Business Plan to be approved by the Joint Committee.
- 12.2 Each Council may prepare an annex to the Business Plan concerning its schools, school improvement priorities, improvement services and improvement targets specifying how these matters interact with the Business Plan.
- 12.3 The arrangements for the preparation and approval of the Business Plan and the Council annexes to the Business Plan are set out in Schedule 10.

## **13. Provision of Services**

The Services to be delivered by the PARTNERIAETH are set out in Schedule 2. Each Council shall identify the Services they require from the PARTNERIAETH from time to time and agree the method and timescale for delivery with the Central Team.

## **14. Admission of new parties to the PARTNERIAETH and the provision of Services to non-parties**

- 14.1 The decision to allow the admission of an additional council as a party to the PARTNERIAETH is a matter reserved to the Councils in accordance with Schedule 8. If all Councils agree to the proposed admission then the Joint Committee shall take the necessary steps to arrange for this Agreement to be varied to facilitate such admission of a new party to include confirmation of any Functions to be allocated and their contribution to the Annual Budget.
- 14.2 The decision to allow the PARTNERIAETH to provide Services to a non-party to this Agreement is a matter reserved to the Councils in accordance with Schedule 8 together with any decision on the terms and conditions upon which the Services are to be provided. The provision of services must be at no detriment to the PARTNERIAETH's operations and must be provided on at least a full cost recovery basis. If all Councils are in agreement then the Joint Committee shall authorise the Councils with responsibility for the relevant Functions to put in place the necessary arrangements including contractual agreements for the provision of Services to a non-party.

## **15. Processes for decision making**

- 15.1 The Joint Committee is the decision making body for the PARTNERIAETH for all matters within its terms of reference in Schedule 3. The Strategic

Group has responsibility for undertaking certain operational tasks to support the Joint Committee as outlined within its terms of reference in Schedule 4.

- 15.2 The Strategic Group is assisted in its operational role by the work of the Operations Group and the Stakeholder Group who will report and make recommendations to the Strategic Group for decision by the Joint Committee as appropriate.
- 15.3 For those matters which are reserved to the Councils in accordance with Schedule 8, each Council will be required to make a decision on the matter in question, in accordance with their own constitutional arrangements and the unanimous agreement of all Councils is required prior to the matter being approved by the Joint Committee.

## **16. Annual Budget**

- 16.1 The financial regulations of the Lead Council with responsibility for Finance will be adopted by the Joint Committee as the financial regulations for the PARTNERIAETH.
- 16.2 The Lead Council with responsibility for Finance will prepare the Annual Budget for the PARTNERIAETH for approval by the Joint Committee in accordance with Schedule 9. The Annual Budget shall include details of the Government Funding to be received by the Councils and/or the PARTNERIAETH and funding to be generated by the PARTNERIAETH arising out of charges for services to others (including schools) together with the Council Contribution.
- 16.3 The Joint Committee shall review and agree the Annual Budget.
- 16.4 Internal Costs

The Internal Costs incurred by each Council shall be borne in the first instance by the Council providing that internal resource. In the event that a Council is required to bear an Internal Cost which that Council views as excessive, the Council can make a request to the Joint Committee that the costs in question form part of the Annual Budget.

### **16.5 The Lead Council Costs**

The Joint Committee shall determine which of the costs incurred in undertaking the Functions shall be regarded as Lead Council Costs and regulated by a service level agreement (if required) and which costs fall outside of Lead Council Costs and will be regarded as Internal Costs to be borne by the Council incurring the expenditure. Service level agreements if required will be drafted by the Lead Council with responsibility for Finance.

Where a Lead Council for a Function incurs Lead Council Costs or liability in providing the Function, the appropriate officer of the Lead Council discharging the Function shall, on a six monthly basis, provide details of that cost or liability to the Lead Chief Finance Officer.

### **16.6 The Councils Contribution**

Each Council shall make a contribution to the PARTNERIAETH representing their share of the Annual Budget to be calculated in

accordance with Schedule 9. Each Council's Contribution will be held and managed by the Lead Council with responsibility for Finance.

#### 16.7 Provision of Services to non-parties

The Lead Council with responsibility for Legal Services shall prepare all contract documentation necessary to regulate the delivery of Services to a non-party (to include appropriate indemnities) and the Lead Council for Finance shall arrange for the non-party to be invoiced in accordance with the provisions of Schedule 9.

### 17. Legal Proceedings

17.1 Any legal action or proceedings in respect of any contract or other matter in dispute with a third party under this Agreement may be taken or defended only by the Lead Council for Legal and Monitoring Officer services for and on behalf of the other Councils, and in accordance with the instructions of the Strategic Group.

17.2 If, notwithstanding Clause 17.1, legal proceedings are issued by any one of the other Councils such proceedings will be amalgamated into one claim to be taken by the Lead Council for Legal and Monitoring Officer services alone for and on behalf of the one or all of the other Councils.

17.3 Subject to Clause 17.4, if any legal action, proceedings or claims are instituted against any of the Councils arising out of or in connection with this Agreement, then the costs of defending the proceedings or claims, and the payment of any damages or settlement arising out of the proceedings or claims, shall be shared between the Councils according to the formula used to calculate the Council's Contribution as set out in Schedule 9, provided that the Council notifies and consults the other Councils prior to taking any steps to defend the proceedings.

17.4 In the event that a claim is made which is solely attributable to the actions or omissions of one or more Councils (but not all Councils), or a Council has failed to notify and/or to consult with the other Councils prior to taking any steps to defend the proceedings or claims as required by Clause 17.3 above, the Council(s) solely attributable for the claim and/or which fails to consult prior to defending any proceedings or claims will be solely responsible for the costs of defending such action and solely liable for the payment of any damages or settlement arising out of the proceedings or claim and shall indemnify the other Councils accordingly. Where responsibility is shared by two or more (but not all) Councils then the liability shall be divided between those Councils equally unless those Councils agree otherwise.

### 18. Mitigation

Each Council shall at all times take all reasonable steps to minimise and mitigate any loss for which the relevant Council is entitled to bring a claim against any other Council pursuant to this Agreement.

### 19. Withdrawal from this Agreement

19.1 If a Council wishes to withdraw from the PARTNERIAETH and this Agreement, it shall provide not less than twelve months' written notice terminating at the end of a financial year (31<sup>st</sup> March) of its intention to

withdraw to the Joint Committee (“Withdrawal Notice”). The Withdrawal Notice shall contain a Liabilities Schedule detailing the following prescribed information:-

- 19.1.1 An assessment of the potential impact of the withdrawal on the continued operation of the PARTNERIAETH and in particular the potential impact on the staffing structure of a reduction in service provision.
  - 19.1.2 Details of any outstanding payments of the Council’s Contributions to the Annual Budget as at the date of the Withdrawal Notice and an estimate of any Contribution payable as at the date of withdrawal.
  - 19.1.3 Details of any potential liabilities to the other Councils to include liability in relation to current or potential litigation or any potential claims that may be made pursuant to clauses 17 and 21.
  - 19.1.4 Details of any claims that the withdrawing Council may have against any of the other Councils in relation to a potential breach of the terms of this Agreement or under the indemnity provisions in clause 21.
  - 19.1.5 Details of any assets held or staff employed by the Council which it is proposing to transfer to the PARTNERIAETH and any associated costs.
  - 19.1.6 Proposals for settling any actual or potential claims, making good any losses or liabilities or satisfying any indemnities arising under this Agreement.
- 19.2 The Withdrawal Notice shall not take effect until the content of the Liabilities Schedule has been approved by the Joint Committee. Consideration of a Withdrawal Notice is a matter reserved to the Councils who will make a decision on whether to accept the Withdrawal Notice and approve the Liabilities Schedule, before the matter is considered by the Joint Committee.
- 19.3 The Joint Committee shall notify Welsh Government within 10 working days of receipt of a Withdrawal Notice of a Council’s intention to withdraw from the PARTNERIAETH and this Agreement.

## **20. Termination of This Agreement**

- 20.1 This Agreement may be terminated as follows:
- 20.1.1 By all Councils agreeing that this Agreement may be determined upon terms agreed by all the Councils to include the arrangements for the dissolution of the PARTNERIAETH and the discharge of all outstanding liabilities associated with the PARTNERIAETH.
  - 20.1.2 The Agreement will automatically determine on the expiry of a Withdrawal Notice which has been approved by the Joint Committee leaving only one remaining Council which has not withdrawn from the Agreement.
- 20.2 The following clauses survive termination of this Agreement – clauses 17, 21, 22, 24 and 25

## 21. Liabilities of the Councils

- 21.1 Each Council shall indemnify and keep indemnified the other Councils against all Loss which the other Councils may incur by reason of or arising directly or indirectly out of any default or breach by a Council of its obligations under this Agreement or of the terms and conditions of any offer of Government Funding. Subject to clause 21.2 in the event that the responsibility is a shared one between 2 or more (but not all) of the Councils (so that it is not reasonably practicable to ascertain the exact responsibility between the Councils) then the amount shall be divided between those Councils equally unless those Councils agree otherwise.
- 21.2 Where responsibility for the Loss is shared by all the Councils and it is not reasonably practicable to ascertain the exact responsibility between the Councils then the amount of the Loss shall be divided between the Councils on a pro rata basis according to formula used to calculate the Council Contributions as set out in Schedule 9.
- 21.3 A Council which receives a claim for losses, expenses, actions, demands, costs and liabilities which relates to this Agreement shall notify and provide details of such claim as soon as is reasonably practicable to the other Councils.
- 21.4 No Council shall be indemnified in accordance with this clause 21 unless it has given notice in accordance with clause 21.3 to the other Council(s) against whom it shall be enforcing its right to an indemnity under this Agreement. The Council seeking the indemnity shall not admit, compromise or settle any claim without the consent of the indemnifying Council except where such consent would be unreasonable in the circumstances of the case.
- 21.5 Each Council shall not be obliged to indemnify the other Councils to the extent that the insurances maintained by the other Councils at the relevant time provide an indemnity against the loss giving rise to a claim and to the extent that another Council recovers under a policy of insurance save that the Council responsible for liabilities suffered by another Council shall be responsible for the deductible under any such policy of insurance and any amount over the maximum amount insured under such policy of insurance.
- 21.6 If the Lead Council for Finance is in receipt of Government Funding on behalf of the PARTNERIAETH and is required to repay some or all of the same then all the Councils will share any Loss on a pro rata basis according to the formula set out in Schedule 9 if the reason for the repayment is as follows:-
- 21.6.1 The actions or event which have led to the demand for repayment have arisen as a result of any of the Councils acting on the instructions of the Joint Committee or Strategic Group; or
- 21.6.2 The requirement to repay the Government Funding has arisen as a result of a decision of Welsh Government which is not attributable to the actions or omissions of any of the Councils.
- 21.7 If any of the Lead Councils whilst undertaking their Functions incur a Loss as a result of following an instruction from the Joint Committee or Strategic Group such Loss shall be shared between all the Councils on a pro rata

basis according to the formula set out in Schedule 9 unless the Councils agree otherwise.

- 21.8 Nothing in this clause shall require any Council to indemnify any other Council for Loss occasioned by the claiming Council as a result of that claiming Council's negligent acts or omissions.
- 21.9 Any Council seeking to withdraw from the PARTNERIAETH and this Agreement in accordance with clause 19 shall indemnify the other Councils against any Loss to the other Councils arising directly out of the consequences of its withdrawal from the PARTNERIAETH and this Agreement.

## **22. Dispute Resolution**

- 22.1 The Councils undertake and agree to pursue a positive approach towards dispute resolution which seeks in the context of this joint working arrangement to identify a solution at the lowest operational level that is appropriate to the subject of the dispute and which avoids legal proceedings and maintains a strong working relationship between the parties.
- 22.2 Any dispute arising in relation to any aspect of this Agreement shall be resolved in accordance with either Option A or Option B of this clause 22. This is without prejudice to the right of any Council under section 103 of the Local Government Act 1972 to refer a dispute about the expenses of a joint committee to be determined by a single arbitrator agreed by the appointing authorities or, in the absence of agreement to be determined by the Welsh Ministers.
- Option A:
- 22.3 All disputes, claims or differences between the Councils arising out of or in connection with this Agreement or its subject matter or formation, including any question regarding its existence, validity or termination, (a "Dispute") shall, at the written request of any Council, be referred by each Council to its Chief Executive officer.
- 22.4 If the Councils' Chief Executive officers do not agree a resolution of the Dispute within twenty Business Days of the date of service of any such request, either party may require the other party by notice in writing to attempt to settle the Dispute by mediation in accordance with the Centre for Dispute Resolution (CEDR) Model Mediation Procedure. Within five Business Days of the date of service of such notice the parties shall each propose a mediator and shall seek to agree as to the selection of a mediator.
- 22.5 If the Councils are unable to agree on a mediator within ten Business Days of date of service of the notice referred to in clause 22.4 or the mediator agreed upon is unable or unwilling to act and the Councils cannot agree upon a substitute, any of the Councils may apply to CEDR to appoint a mediator as soon as practicable.
- 22.6 The Councils shall within five Business Days of the appointment of the mediator (the "Mediator") meet with the Mediator in order to agree a programme for the exchange of any relevant information and the structure to be adopted for the negotiations. If considered appropriate, the Councils

may at any stage seek assistance from CEDR to provide guidance on a suitable procedure.

- 22.7 All negotiations connected with the Dispute shall be conducted in strict confidence and without prejudice to the rights of the Councils in any future proceedings.
- 22.8 If the Councils reach agreement on the resolution of the Dispute, such agreement shall be reduced to writing and, once it is signed by the Councils or their duly authorised representatives, shall be and remain binding upon the parties.
- 22.9 The costs and expenses of the mediation shall be borne equally by the Councils. Each Council shall bear its own costs and expenses of its participation in the mediation.
- 22.10 If mediation fails to secure a resolution within ten Business Days of the Mediator being appointed, the Councils shall attempt to settle the Dispute by arbitration under the Rules of the London Court of International Arbitration (which Rules are deemed to be incorporated by reference into this clause) and otherwise in accordance with clause 22.11.
- 22.11 In the event that an arbitration is commenced pursuant to clause 22.10, the parties agree that:
- (a) the tribunal shall consist of one arbitrator who is to be a chartered accountant who is a full member of one of the CCAB bodies if the dispute relates to a financial matter or a solicitor of at least ten years standing as a qualified solicitor if the dispute relates to any other matter;
  - (b) the place of the arbitration shall be Swansea;
  - (c) the decision of the arbitrator shall be final and binding on the parties (save in the case of manifest error).
- 22.12 In the event that an arbitration is commenced pursuant to clause 22.10 the Joint Committee shall notify the Welsh Government.

#### Option B

- 22.13 All disputes, claims or differences between the Councils arising out of or in connection with this Agreement or its subject matter or formation, including any question regarding its existence, validity or termination shall, at the written request of any Council be referred to:
- (a) such chartered accountant who is a full member of one of the CCAB bodies if the dispute relates to a financial matter or a solicitor of at least ten years standing as a qualified solicitor if the dispute relates to any other matter as the Councils may agree in writing; or
  - (b) failing agreement on the identity of the chartered accountant for a dispute relating to a financial matter or the solicitor for a dispute relating to any other matter within seven days of the date of service of the request, such chartered accountant as may be appointed for this purpose on the application of any Council by the President for the time being of one of the CCAB bodies if the dispute relates to a financial matter or such solicitor



as may be appointed by the President for the time being of the Law Society of England and Wales if the dispute relates to any other matter.

22.14 The chartered accountant or solicitor appointed under clause 22 (the "Expert") shall act on the following basis:

- (a) he shall act as expert and not as arbitrator;
- (b) his terms of reference shall be to determine the matter in dispute, as notified to him in writing by either party within thirty days of his appointment;
- (c) the Councils shall each provide the Expert with all information which he reasonably requires and the Expert shall be entitled (to the extent he considers it appropriate) to base his opinion on such information;
- (d) the Expert's determination shall (in the absence of manifest error) be conclusive; and
- (e) the Experts' costs shall be borne in such proportions as the Expert may direct or, failing any such direction, shall be borne equally between the Councils unless agreed otherwise by the Councils.

## **23. Notices**

### **23.1 Form of Notice**

Any demand, notice or other communication given in connection with or required by this Agreement shall be made in writing and shall be delivered to or sent by pre-paid first class post or special delivery post to the recipient at the address stated in Schedule 12 (or such other address as may be notified in writing from time to time to all of the other Councils) or sent by email to the address stated at Schedule 12 (or such other email address as may be notified in writing from time to time to all of the other Councils).

### **23.2 Service**

Any such demand, notice or communication shall be deemed to have been duly served:

- (a) If delivered by hand, when left at the proper address for service;
- (b) If given or made by pre-paid first class or special delivery post two Business Days after being posted; or
- (c) If sent by email, at 9 am the day following the receipt of the email. It shall be sufficient to show that the email was addressed to the correct email address without any error message on the delivery receipt. Where a notice is sent by email it shall also be sent by post.

Provided in each case that if the time of such deemed service is either after 4.00pm on a Business Day or on a day other than a Business Day service shall be deemed to occur at 9.00am on the next following Business Day.

## 24. Information and Confidentiality

- 24.1 Each Council shall keep confidential the Confidential Information and Intellectual Property of any of the Councils and shall use all reasonable endeavours to prevent their employees and agents from making any disclosure to any person of the Confidential Information and Intellectual Property rights of the Councils other than as permitted under the provisions of this Agreement. Each Council shall not use or disclose other than as permitted under the provisions of this Agreement any Confidential Information about the business of or belonging to any other Council or third party which has come to its attention as a result of or in connection with this Agreement.
- 24.2 The obligation in clause 24.1 shall not apply to:
- (a) Any disclosure of information that is reasonably required by persons engaged in the performance of their obligations under this Agreement.
  - (b) Any matter which a party can demonstrate is already generally available and in the public domain otherwise than as a result of a breach of this clause.
  - (c) Any disclosure which is required by any law (including any order or a court of competent jurisdiction) any statutory obligation or the rules of any stock exchange or governmental or regulatory authority having the force of law.
  - (d) Any disclosure of information which is already lawfully in the possession of the disclosing Council without restrictions as to its use prior to its disclosure by the disclosing Council.
  - (e) Any disclosure which is required or recommended by the rules of any governmental or regulatory authority including any guidance from time to time as to openness and disclosure of information by public bodies.
  - (f) Any disclosure which is necessary to be disclosed to provide relevant information to any insurance broker in connection with obtaining any insurance required by this Agreement.
  - (g) Any disclosure by a party to a department, office or agency of the Government.
  - (h) Any disclosure for the purpose of the examination and certification of a party's accounts.
- 24.3 Where disclosure is permitted under clauses 24.2(a), 24.2(f), 24.2(g) or 24.2(h) the recipient of the information shall be placed under the same obligation of confidentiality as that contained in this Agreement by the disclosing Council.
- 24.4 No Council shall make any public statement or issue any press release or publish any other public document relating to, connected with or arising out of this Agreement unless it has been approved by the Strategic Group with the agreement of the Chair of the Joint Committee.

## 25. Data Protection

- 25.1 The Councils shall comply with the provisions and obligations imposed on them by the Data Protection Laws at all times when processing Personal Data in connection with this Agreement, which processing shall be in respect of the types of Personal Data, categories of Data Subjects, nature and purposes, and duration, set out in a document to be agreed by the Councils.
- 25.2 Each Council shall maintain records of all processing operations under its responsibility that contain at least the minimum information required by the Data Protection Laws, and shall make such information available to any DP Regulator on request.
- 25.3 To the extent any Council processes any Personal Data on behalf of another Council the processing Council shall:
- (a) Process such Personal Data only in accordance with the other Council's written instructions from time to time and only for the duration of this Agreement.
  - (b) Not process such Personal Data for any purpose other than those set out in this Agreement or otherwise expressly authorised by the other Council.
  - (c) Take reasonable steps to ensure the reliability of all its personnel who have access to such Personal Data, limit such access to its personnel who require access, and remove, when no longer required, such access to the Personal Data, and ensure that any such personnel are committed to binding obligations of confidentiality when processing such Personal Data.
  - (d) Implement and maintain technical and organisational measures and procedures to ensure an appropriate level of security for such Personal Data, including protecting such Personal Data against the risks of accidental, unlawful or unauthorised destruction, loss, alteration, disclosure, dissemination or access.
  - (e) Not transfer such Personal Data outside the European Economic Area without the prior written consent of the other party.
  - (f) Inform the other Council within twenty four (24) hours if any such Personal Data is (while within the processing Council's possession or control) subject to a personal data breach (as defined in the UK GDPR) or within such other time period as required under other Data Protection Laws, or is lost or destroyed or becomes damaged, corrupted or unusable.
  - (g) Only appoint a third party to process such Personal Data with the prior written consent of the other Council.
  - (h) Not use or disclose any Personal Data to any Data Subject or to a third party other than at the written request of the other Council or as expressly provided for in this Agreement.
  - (i) Return or irretrievably delete all Personal Data on termination or expiry of this Agreement and not make any further use of such Personal Data.

- (j) Provide to the other Council and any DP Regulator all information and assistance necessary or desirable to demonstrate or ensure compliance with the obligations in this clause and the Data Protection Laws.
  - (k) Permit the other Council or its representatives to access any relevant premises, personnel or records of the processing Council on reasonable notice to audit and otherwise verify compliance with this clause.
  - (l) Take such steps as are reasonably required to assist the other Council in ensuring compliance with its obligations under the UK GDPR and other applicable Data Protection Laws.
  - (m) Notify the other Council within two (2) Business Days if it receives a request from a Data Subject to exercise its rights under the Data Protection Laws in relation to that person's Personal Data; and
  - (n) Provide the other Council with its full co-operation and assistance in relation to any request made by a Data Subject to exercise its rights under the Data Protection Laws in relation to that person's Personal Data.
- 25.4 If any Council receives any complaint, notice or communication which relates directly or indirectly to the processing of Personal Data by another Council or to another Council's compliance with the Data Protection Laws, it shall as soon as reasonably practicable notify the other Council and it shall provide the other Council with reasonable co-operation and assistance in relation to any such complaint, notice or communication.
- 25.5 If a Council requires another Council to make any disclosures or provide any information in respect of this Agreement in order to enable that party to meet its obligations under the Data Protection Laws the other Council shall do so.
- 25.6 The provisions of this clause shall apply during the continuance of this Agreement and indefinitely after its expiry or termination.

## **26. Intellectual Property**

- 26.1 Each Council shall retain all Intellectual Property in its Material.
- 26.2 Each Council shall grant all of the other Councils and any other person specified by the Joint Committee a non-exclusive, perpetual, non-transferable and royalty free licence to use, modify, amend and develop its IP Material for the discharge of the Councils' obligations in relation to the PARTNERIAETH whether or not the Council granting the licence remains a party to this Agreement.
- 26.3 Any Intellectual Property in Material which is produced by the Joint Committee, the Strategic Group or the Central Team shall be held by the Lead Council with responsibility for the Central Team on behalf of the Councils jointly.
- 26.4 Without prejudice to clause 26.1, if more than one Council owns or has a legal or beneficial right or interest in any aspect of the IP Material for any reason (including without limitation that no one Council can demonstrate that it independently supplied or created the relevant IP Material without the help of one or more of the other Councils), each of the Councils who contributed to the relevant IP Material shall grant to all other Councils to this

Agreement a non-exclusive, perpetual, non-transferable and royalty free licence to use and exploit such IP Material as if all the other Councils were the sole owner under the Copyright Design and Patents Act 1988 or any other relevant statute or rule of law.

- 26.5 Any entity or person who is at the date of this Agreement a party to this Agreement and who has licensed any Intellectual Property under this Agreement shall have a non-exclusive, perpetual right to continue to use the licensed Intellectual Property.
- 26.6 Each Council warrants that it has or shall have the necessary rights to grant the licences set out in clause 26.2 and 26.4 in respect of the IP Material to be licensed.
- 26.7 Each Council agrees to execute such further documents and take such actions or do such things as may be reasonably requested by any other Councils (and at the expense of the Council or Councils making the request) to give full effect to the terms of this Agreement.

## **27. Freedom of Information**

- 27.1 Each Council acknowledges that it and the other Councils are subject to the requirements of FOI Legislation and therefore recognise that information relating to this Agreement may be the subject of a request to access information. The Councils shall comply with their policies on FOI Legislation in respect of information disclosure obligations to the extent that they relate to the PARTNERIAETH.
- 27.2 Where a Council receives a request for information under the FOI Legislation in relation to information which it is holding on behalf of any of the other Councils in relation to the operation of the PARTNERIAETH, it shall inform the other Councils of the request and its response.
- 27.3 Any Council which receives a request for information under FOI Legislation shall be responsible for determining in their absolute discretion whether any information requested under FOI Legislation:
- (a) Is exempt from disclosure under FOI Legislation.
  - (b) Is to be disclosed in response to an Information Request.
- 27.4 Each Council acknowledges that any of the Councils may be obliged under FOI Legislation to disclose information:
- (a) Without consulting the other Councils where it has not been practicable to achieve such consultation; or
  - (b) Following consultation with the other Councils and having taken their views into account.

## **28. Language**

The Joint Committee shall undertake its functions in such a way as to comply with each of the Councils compliance notices issued under the Welsh Language Standards (No 1) Regulations 2015.

## **29. Severability**

29.1 If at any time any clause or part of a clause or schedule or appendix or part of a schedule or appendix to this Agreement is found by any court, tribunal or administrative body of competent jurisdiction to be wholly or partly illegal, invalid or unenforceable in any respect:

- (a) That shall not affect or impair the legality, validity or enforceability of any other provision of this Agreement.
- (b) The parties shall in good faith amend this Agreement to reflect as nearly as possible the spirit and intention behind that illegal, invalid or unenforceable provision to the extent that such spirit and intention is consistent with the laws of that jurisdiction and so that the amended Agreement complies with the laws of that jurisdiction.

## **30. Relationship of Councils**

Each of the Councils is an independent Council and nothing contained in this Agreement shall be construed to imply that there is any relationship between the parties of partnership or principal/agent or of employer/employee. No party shall have any right or authority to act on behalf of another party nor to bind another party by contract or otherwise except to the extent expressly permitted by the terms of this Agreement.

## **31. Third Party Rights**

The Councils as parties to this Agreement do not intend that any of its terms shall be enforceable by virtue of the Contracts (Rights of Third Parties) Act 1999 by any person not a party to it.

## **32. Entire Agreement**

This Agreement and all documents referred to in this Agreement set forth the entire agreement between the parties with respect to the subject matter covered by them and supersede and replace all prior communications, representations (other than fraudulent representations), warranties, stipulations, undertakings and agreements whether oral or written between the parties. Each party acknowledges that it does not enter into this Agreement in reliance on any warranty, representation or undertaking other than those contained in this Agreement and that its only remedies are for breach of this Agreement, provided that this shall not exclude any liability which either party would otherwise have to the other in respect of any statements made fraudulently by or on behalf of it prior to the date of this Agreement.

## **33. Law of Agreement or Jurisdiction**

This Agreement shall be governed by the laws of England and Wales as they apply in Wales and the parties submit to the exclusive jurisdiction of the courts of England and Wales.

## **34. Assignment**

34.1 The rights and obligations of the Councils under this Agreement shall not be assigned, novated or otherwise transferred to any person other than to any public body acquiring the whole of the Agreement and having the legal

capacity, power and authority to become a party to and to perform the obligations of the relevant Council under this Agreement being:

- (a) The Welsh Ministers,
- (b) A devolved Welsh authority as defined in the Wales Act 2017.
- (c) A Minister of the Crown pursuant to an Order under the Ministers of the Crown Act 1975,
- (d) A UK public body exercising functions in Wales or in England and Wales.

**35. Waiver**

No failure or delay by any Council to exercise any right, power or remedy shall operate as a waiver of it nor shall any partial exercise preclude any further exercise of the same or some other right, power or remedy unless a waiver is given in writing by that Council.

**36. Counterparts**

This Agreement may be executed in any number of counterparts each of which so executed shall be an original but together shall constitute one and the same instrument.

**37. Discretion of the Councils**

The discretion of any Council shall not be fettered or otherwise affected by the terms of this Agreement.

THE COMMON SEAL OF  
the Carmarthenshire County Council  
was hereunto affixed in the presence of

THE COMMON SEAL OF  
the Pembrokeshire County Council  
was hereunto affixed in the presence of

THE COMMON SEAL OF  
the Council of the City and County of Swansea  
was hereunto affixed in the presence of



## **SCHEDULE 1**

### **Each Council's Responsibilities**

1. Each Council will retain statutory accountability for school performance and the exercise of statutory powers of intervention and organisation of schools. They will not duplicate the work or activities of the PARTNERIAETH.
2. The PARTNERIAETH will nominate a senior officer to liaise with each Council's relevant Lead Officer who shall jointly agree on the scope and frequency of their meetings having regard to issues requiring attention.
3. The Councils' responsibilities will include:
  - a) recommending a Lead Director of Education, for approval by the Joint Committee, to act as the main point of contact with the PARTNERIAETH.
  - b) arranging for its lead school improvement officer to work collaboratively with the dedicated strategic lead/senior adviser appointed by the PARTNERIAETH.
  - c) discussing with the PARTNERIAETH their respective roles, functions and actions with a view to avoiding duplication of effort and, in particular, each Council shall share with the PARTNERIAETH information relating to the overall vision and social and economic development priorities for their areas, having particular regard to issues that are likely to affect schools.
4. Councils will monitor progress of schools in their area through their member-level scrutiny arrangements
5. Each Council's scrutiny committee for children's and education services will meet at least once a year to consider performance and progress in their schools such meetings to be attended by Council and PARTNERIAETH staff equipped to answer questions
6. Each Council shall cooperate with and support the Joint Scrutiny Councillor Group in the scrutiny of the work of the PARTNERIAETH.
7. Councils shall provide the PARTNERIAETH with access to relevant data systems including anonymised data sets on pupil performance where these are held at local authority level.
8. Councils and the PARTNERIAETH shall jointly consider recommendations on statutory school interventions and, in the absence of exceptional circumstances, will implement them in accordance with agreed protocol.
9. Each Council undertakes to act reasonably in their expectations of PARTNERIAETH staff and resources and agrees that staff shall not be required to spend a disproportionate amount of their time on reporting and scrutiny work.

## **SCHEDULE 2**

### **The PARTNERIAETH: Values and Principles, Organisation and Services**

#### **Part 1: Values and Principles**

Effective partnerships and collaboration only become truly effective when they are underpinned and enclosed by shared values and principles. They allow trust and mutual understanding to develop within a safe environment.

Inclusivity- the PARTNERIAETH needs to ensure that all Councils are involved and included in the decision making, accountability and performance management process of regional working.

Accountability- Robust quality assurance and accountability processes must be established. This should include a value for money element. Accountability is the responsibility of all partners and processes should ensure that every Director is equally involved – this leads to collective responsibility and should secure high quality provision.

Open and honest, Transparency, agility, subsidiarity

Mutual trust- not unravelled by individuals or groups of individuals.

#### **Equity and Fairness**

- Equity and excellence go hand in hand. Location, deprivation or childhood experiences will not prevent learners from reaching their maximum potential
- Learners in the Region will be resilient, imaginative, compassionate and ambitious – they will aim high and achieve their goals
- The PARTNERIAETH will take pride in the job that it does and is ambitious for all of the schools and pupils in the region
- The PARTNERIAETH is committed to ensuring effective learning and that all pupils reach their potential

#### **Support**

- The PARTNERIAETH celebrates and shares success
- The PARTNERIAETH leads by example and inspires confidence in others
- The PARTNERIAETH leads by example and drives continuous improvement, by asking how could this be done better
- The PARTNERIAETH focuses on longer-term outcomes rather than short-term goals
- Barriers and challenges are resolved promptly and success is celebrated

## **Innovation**

- The PARTNERIAETH inspires others and continuously seeks innovative solutions.
- The PARTNERIAETH effectively plans and anticipates change.
- The PARTNERIAETH acts on opportunities.
- The PARTNERIAETH recognises problems and implements solutions

## **Collaboration**

- Within the PARTNERIAETH, transparency, trust and honesty are a professional obligation
- The PARTNERIAETH listens, reflects and prepares well and questions.
- The PARTNERIAETH engages and supports each other by working together and developing a shared focus.
- The PARTNERIAETH builds effective relationships with all stakeholders and partners.
- The PARTNERIAETH recognises people's contributions and achievements
- The PARTNERIAETH focuses on sustainable progress and growth

## **Integrity**

- All involved work together with each partner feeling valued, motivated, responsible and having the opportunity to contribute to the collective outcomes of the process;
- The PARTNERIAETH is trustworthy and reliable
- The PARTNERIAETH is able to adapt to changing priorities and seeks to create a positive and healthy working environment.
- The PARTNERIAETH stands by difficult decisions and openly acknowledges errors.
- The PARTNERIAETH challenges and confronts poor performance.

## **Key Principles**

- Deliver a genuine partnership with other local authorities and the region to build capacity
- Share learning across the region to better support schools using consistent school improvement methodologies.

- Deliver on a small number of priorities (*the priorities will be agreed and reviewed annually by effective co-construction, collaboration and partnership working*)
- Maximise devolved funding to schools ensuring transparency on funding issues
- Needs of all learners and schools in the collaboration are known and understood by partners and is at the centre of the work of the partnership
- the strong relationship between the school and the Local Authority should be the basis of an integrated approach to school improvement.
- exceptional quality, innovation and rigour in the delivery of agreed support services
- good value for money
- to work towards providing a fully bilingual service
- a service led by the needs of schools and Local Authority priorities
- Local employment and deployment of a school improvement team
- Provide a secure central service which can encourage excellent people to commit to it, enabling funding to be delegated purposefully and provide higher levels of funding to reach schools as our key partners.
- Be an acknowledged hub of excellence, led by securely employed, high level specialists, who are able to provide leadership and support for local, hub or other sub-regional groupings.
- Be a partnership enabling the best use of intelligence about schools and the resources available to support improvement
- Share learning across the region to better support schools using consistent school improvement methodologies.
- Establish a consistent regional approach to reduce duplication, ensure fairness and equity for all schools and to demonstrate value for money.
- Have a secure and effective model of governance to underpin a more responsive and innovative regional service which supports accountabilities that are shared between the regional and the local.
- Develop a regionally formulated and agreed school improvement strategy to be delivered locally to ensure the best possible provision of school improvement to further improve learner outcomes

## **Part 2: Organisation**

### Staffing Structure

The PARTNERIAETH will assign a dedicated strategic lead/senior adviser to link with each lead school improvement officer in each of the Councils to aid communication and integration.

#### Retention of central powers

The PARTNERIAETH will ensure that there is sufficient expertise in the Central Team to manage the following matters effectively:

- a) progress of schools within the Region
- b) strategic planning and coordination of the professional learning service and performance management of its effectiveness in delivering the Objects
- c) strategic leadership of key themes of work such as leadership development, curriculum support, support for Welsh and any other function determined by the Joint Committee.
- d) in conjunction with the Councils, business planning including management of financial resources, risk management, human resource management of PARTNERIAETH staff and the procuring of services

### **Part 3: Services Provided by the PARTNERIAETH to the Councils**

- a) Functions of the PARTNERIAETH will include
  - **Leadership programmes and professional learning** on all levels throughout the workforce
  - Support for **Schools Causing Concern**/schools at risk of causing concern if required / Improving quality in our Schools
  - Implement and support Welsh Government Strategies and develop **regionally formulated strategies to implement these**
  - ⊖ Develop **regionally formulated and agreed strategies**
  - **Cymraeg including Cymraeg 2050**
  - Enable schools to become effective **learning organisations**
  - Support for **Digital learning**
  - Professional learning for **blended learning**.
  - **Equity and Wellbeing**
  - Research and links with **Higher Education Institutions**
  - Provide good quality advice and guidance for the **world of work**
  - Secondary Support

- Qualifications
- Pedagogy
- Collaborative Learning
- Additional Literacy and Numeracy
- Regional support for Modern foreign languages (Global Futures/Primary)
- Links with LA officers
- Facilitate School to School support
- Education Workforce Council links

Supporting the development of school leadership at all levels including affording opportunities for emerging and senior leaders to develop their experience and expertise through assignment and secondment to other schools, and commissioning and co-ordinating the provision of professional learning and development programmes

Ensuring the effective delivery in all schools and pupil referral units of national frameworks to support Welsh Government policy and strategy frameworks and co-ordinating and quality assuring the provision of professional learning and development to achieve this

Aligning Welsh Government and local strategies across the partnership to raise standards and ensuring the provision of high quality professional development offering relevant professional learning for practitioners

Working with the Authorities to ensure that their plans develop ensuring the alignment of the Welsh in Education Strategic Plans (WESP) across each Council to achieve consistency in the development of excellence in education in both the Welsh-medium and bilingual sectors and also in the delivery of Welsh as a second language

Providing and enabling strategic vision, focused leadership at a regional level and guidance, advice and focus to work supporting all aspects of school improvement.

### **SCHEDULE 3**

#### **Terms of Reference of the Joint Committee**

#### **1 Governance**

1.1 Leaders of the three Councils

#### **2 Purpose**

2.1 The Joint Committee has ultimate responsibility and accountability for decisions taken in relation to the operation of the PARTNERIAETH.

2.2 The Joint Committee's functions shall include:

(a) Implementing appropriate governance structures for the PARTNERIAETH.

(b) Developing and implementing the strategic planning for the PARTNERIAETH to include approval and adoption of the Business Plan.

(c) Overall responsibility for the performance monitoring.

(d) Approving the Annual Budget and the statement of accounts, agreeing the basis on which the Annual Budget will be funded and any change to the basis for calculation of each Council's Contribution to the Annual Budget. The approval of the first Annual Budget shall be a matter reserved to the Councils in accordance with Schedule 8. All subsequent Annual Budgets will be approved by the Joint Committee on the proviso that the approval shall not result in any Annual Budget exceeding the previous years Annual Budget by more than 5 %.

(e) Approving the internal audit plan, internal audit charter and receiving the Head of Internal Audit annual assurance option.

(f) Receiving external audit reports, including the audit of accounts report (ISA 260)

(g) Approving the annual governance statement

(h) Appointing the Lead Council for each of the Functions

(i) Responsibility for resource allocation and ensuring optimal staffing levels to achieve the Objects.

(j) Appointing the Lead Officers as required by clause 10.11.

(k) Appointing (in consultation with the Strategic Group) the PARTNERIAETH Lead Officer.

(l) To receive and consider reports and recommendations from the PARTNERIAETH Lead Officer, the Strategic Group or the Joint Scrutiny Councillor Group.

(m) Strategic communications.

- (n) Subject to the prior approval of the Councils, receiving and considering Withdrawal Notices and approving the Liabilities Schedule for a withdrawing Council.

### **3 Membership**

- 3.1 Each of the Councils shall appoint its leader or equivalent as its representative as a member of the Joint Committee and all such members shall have full voting rights.
- 3.2 Each of the Councils shall appoint its Cabinet Member with responsibility for Education as a non voting member of the Joint Committee.
- 3.3 In the event that a Council's leader is unable to attend all or part of a meeting of the Joint Committee the relevant Cabinet Member with responsibility for Education will automatically substitute for the leader and shall be able to vote in their place. In the event that the Cabinet Member is unable to attend the meeting then the leader can appoint an alternative substitute with full voting rights for the period that they are substituting for the leader.
- 3.4 In the event that that the Cabinet Member with responsibility for Education is either substituting for the leader in accordance with paragraph 3.3 or is otherwise unable to attend the meeting of the Joint Committee then that Cabinet Member may appoint a substitute to attend meetings of the Joint Committee in a non-voting capacity.
- 3.5 The Joint Committee shall be entitled to co-opt such additional persons to the Joint Committee as non-voting members as the Joint Committee sees fit and on terms to be determined by the Committee.
- 3.6 The co-option of any person as a non-voting member shall be subject to that person confirming in writing to the monitoring officer that he or she agrees to comply with the Co-opted Member Protocol in Schedule 7. No co-option shall take effect until such confirmation has been given.
- 3.7 The following officers shall attend the meetings of the Joint Committee and shall not have a vote:
  - (i) The Chief Executive of each of the Councils with the Lead Chief Executive to support the Chair and advise members.
  - (ii) The Director of Education of each of the Councils with the Lead Director to provide technical advice to the members.
  - (iii) The PARTNERIAETH Lead Officer who shall provide a report dealing with the progress in attaining the Objects including an update on the Business Plan.
  - (iv) The Chair of the Joint Scrutiny Councillor Group with observer status only.



- (v) The Lead Council with responsibility for Finance will arrange for its S.151 officer (or a deputy) to attend to report on the Annual Budget, Statement of Accounts and any other financial matters.
  - (vi) The Chair of the Strategic Group to present and advise on reports from the Strategic Group.
  - (vii) The monitoring officer and section 151 officer of each of the Councils shall be entitled to attend meetings of the Joint Committee as an advisor dependant on the subject matter of agenda items.
- 3.8 The Joint Committee may invite officers of the Councils or from outside bodies to attend committee meetings to present reports or to participate in Joint Committee business or to observe proceedings. These officers will not be members of the Joint Committee, will not form part of the quorum and will not be entitled to vote.

#### **4 Chair**

- 4.1 The Chair of the Joint Committee shall be one of the Council Leaders appointed to the Joint Committee.
- 4.2 The Chair of the Joint Committee shall be elected for a two year term in the first instance, reviewed annually thereafter.
- 4.3 The two Leaders of the remaining local authorities shall be appointed as Deputy Chairs.

#### **5 Voting**

- 5.1 Each member of the Joint Committee shall have one vote. Decisions of the Joint Committee shall be made by simple majority vote. In the event of an equality of votes, the Chair of the Joint Committee shall have a casting vote. In the absence of the Chair or in the event of the Chair withdrawing from the meeting for a particular agenda item, then the Joint Committee shall determine which of the Deputy Chairs shall sit as chair pro tem and that Deputy Chair shall have the casting vote for such period as the Chair is absent from the meeting.

#### **6 Proceedings of Meetings**

- 6.1 The rules of procedure in the constitution of the Lead Council responsible for administration of the Joint Committee shall apply to meetings of the Joint Committee.
- 6.2 The leaders of the Councils shall be subject to the codes of conduct of their respective Councils.
- 6.3 Co-opted members of the Joint Committee who are not members of the Councils shall be subject to the rules of conduct in Schedule 7 and shall sign an undertaking in the form set out at Schedule 7 to confirm that they shall abide by those rules of conduct.

#### **7 Quorum**

- 7.1 The quorum for a meeting of the Joint Committee shall be one representative with voting rights from each of the three Councils.

## **8 Frequency**

- 8.1 The Joint Committee shall meet on a regular basis at a frequency to be determined by the Joint Committee. Additional meetings may be called by the Chair on at least seven clear days' notice issued through the Central Team.

## **9 Allowances**

- 9.1 No allowances shall be paid.

## **10 Servicing**

- 10.1 The Lead Council with responsibility for administration of the Joint Committee shall organise appropriate servicing for the meetings.

## **11 Sub groups**

- 11.1 The Joint Committee by agreement can introduce sub-groups or task & finish groups for any matters which they feel would be better dealt with in this way. These sub-groups shall report to the Joint Committee with any recommendations or draft papers or reports.

## **12 Review**

- 12.1 The terms of reference of the Joint Committee shall be reviewed annually and any recommendations for variation shall be referred to the Councils for determination.

## **SCHEDULE 4**

### **Terms of Reference for the Strategic Group**

#### **1 Governance**

##### 1.1 Officer Governance

#### **2 Purpose**

##### 2.1 The Strategic Group shall have the following roles:

- (a) To act as a reference point for PARTNERIAETH in terms of its interface with the Joint Committee of PARTNERIAETH and PARTNERIAETH's Operations Group.
- (b) Enabling PARTNERIAETH to plan strategically and efficiently for the delivery of key functions and strategic objectives.
- (c) Advising PARTNERIAETH's Joint Committee on strategic plans, performance, resource and risk management in relation to the functions PARTNERIAETH delivers on behalf of the 3 local authorities.
- (d) Embracing and advocating a partnership approach to the effective delivery of national policy for professional learning and leadership development within the context of school improvement.
- (e) Supporting strong governance and strategic oversight of the business plan
- (f) Ensuring value for money within a costed business plan
- (g) Demonstrating oversight of PARTNERIAETH's risk register and its management
- (h) Ensuring suitable staff capacity to deliver the required functions
- (i) Evaluating performance against outcomes prescribed within the business plan
- (j) Ensuring that the collaborative partnership meets the needs of local authorities and that additional needs are prescribed in Annex A of the business plan
- (k) Ensuring that members are available to meet with PARTNERIAETH's Joint Scrutiny Councillor Group in accordance with the Joint Scrutiny Councillor Group's terms of reference.
- (l) Representing the consensus of the group in the Joint Committee, as required.
- (m) Receiving updates from the PARTNERIAETH Lead Officer on the work of PARTNERIAETH's Operations Group.

##### 2.2 The Strategic Group shall have the following responsibilities:

- (a) Contributing to the development and formulation of strategy for the attainment of the Objects.
- (b) Preparing the Annual Budget for approval by the Joint Committee with the guidance and support of the Lead Chief Finance Officer.
- (c) Preparing the Business Plan for approval by the Joint Committee with the guidance and support of the PARTNERIAETH Lead Officer.
- (d) Scrutiny and monitoring of the operation and performance of the PARTNERIAETH, the Central Team and each of the Councils in pursuance of the Objects.
- (e) Advising, setting targets and monitoring the work of the PARTNERIAETH, ensuring that all targets towards the attainment of the Objects are met and, to this end, requesting and considering regular reports from the Lead Council.
- (f) Scrutiny and monitoring of financial controls and systems of risk management and undertaking a budget monitoring function.
- (g) Consulting with the Joint Committee over the appointment (and removal) of the PARTNERIAETH Lead Officer and senior management and recommending appropriate levels of remuneration.
- (h) Making recommendations to the Joint Committee on the approval of and changes to the staffing structure of the Central Team.
- (i) Advising, setting targets and monitoring the work of the Central Team and, to this end, requesting and considering regular reports from the Lead Council having responsibility for management of the Central Team.
- (j) Overseeing the work streams of the Central Team with a view to ensuring that all targets towards the attainment of the Objects are met.
- (k) Approving all contractual arrangements necessary for the attainment of the Objects to be entered into by the Lead Council for Contracts and Procurement on behalf of the PARTNERIAETH.
- (l) Doing such other things in accordance with the terms of this Agreement as may be agreed from time to time.

### **3 Accountable to**

- 3.1 Joint Committee

### **4 Reporting**

- 4.1 All reports prepared by the Strategic Group once approved by the Strategic Group shall be submitted as draft to the Joint Committee for approval via the Central Team.

### **5 Membership**

- 5.1 The Strategic Group shall consist of the following members:-

- (a) the Directors of Education for each Council;
  - (b) the PARTNERIAETH Lead Officer;
  - (c) PARTNERIAETH strategic advisers as and when required.
- 5.2 If a member of the Strategic Group is unable to attend a meeting that member may be represented by a deputy nominated in writing by the Council or body they represent to attend the meeting in their place.
- 5.3 The Joint Committee may approve the co-option of additional representatives to the Group. Co-opted members may include representatives of other key stakeholders such as diocesan authorities, etc and other consultative and stakeholder forums that the PARTNERIAETH may choose to engage.
- 5.4 The co-optees shall not count towards the quorum. Their co-option shall be subject to that person confirming in writing to the monitoring officer that he or she agrees to comply with the Co-opted Member Protocol in Schedule 7. No co-option shall take effect until such confirmation has been given
- 5.5 The Strategic Group may invite officers of the Councils or from outside bodies to attend Group meetings to present reports or to participate in Group business or to observe proceedings. These officers will not be members of the Strategic Group and will not form part of the quorum.

## **6 Chair**

- 6.1 The Chair will be the Lead Director of Education as agreed by the Joint Committee.
- 6.2 In the absence of the Chair at a meeting a chair for that meeting shall be appointed by the Strategic Group from amongst the members in attendance.
- 6.3 The responsibilities of the Chair include
- a) deciding, in consultation with the PARTNERIAETH Lead Officer, the agenda for each meeting of the Strategic Group, ensuring that standing items in relation to strategic planning, performance, resource and risk management are included on each Strategic Group meeting agenda. Ensuring that reports on planning, performance, resource and risk management are considered by Directors prior to consideration by the Joint Committee
  - b) ensuring the provision of accurate, timely and clear information for members
  - c) ensuring the Strategic Group operates effectively in all aspects of its role
  - d) facilitating and encouraging effective contributions from members and appropriate and effective relationships between members and officers
  - e) supporting effective communication with the Councils and Welsh Government
  - f) attending (with the PARTNERIAETH Lead Officer) meetings of the Joint Committee

## **7 Voting/Agreement**

- 7.1 The Strategic Group shall not have any decision making powers. Agreement shall be reached by consensus of the membership referred to in paragraph 5.1.
- 7.2 Where alternative views and opinions are expressed these shall be recorded and included in any reporting process.

## **8 Meetings**

- 8.1 Meetings of the Strategic Group shall be convened by notice in writing issued at the direction of the Chair, in consultation with the PARTNERIAETH Lead Officer and delivered with the agenda and all reports to each member at least 3 clear working days before the date of the meeting.
- 8.2 The chair of the Group shall arrange for minutes of the proceedings of each meeting to be taken, approved and recorded. This role shall be undertaken by the Central Team.

## **9 Quorum**

- 9.1 To constitute a valid meeting of the Group at least two-thirds of the members shall be in attendance at the meeting.

## **10 Frequency**

- 10.1 The Group shall meet regularly at such frequency as the Group shall determine.

## **11 Conflicts of interest**

- 11.1 Occasions will arise where conflicts of interest preclude specific named officers, individuals, committee members and local authorities from taking part in discussions which shall form views and recommendations on specific matters. Members have an obligation to declare any such interests which shall then be recorded.

## **12 Allowances**

- 12.1 No allowances shall be paid.

## **13 Servicing**

- 13.1 Support for the Strategic Group shall be provided by the Central Team.

## **14 Review**

- 14.1 The terms of reference of the Strategic Group shall be reviewed annually by the Joint Committee.

## **SCHEDULE 5**

### **Other governance arrangements**

#### **PARTNERIAETH OPERATIONS GROUP - Terms of Reference**

##### **Frequency**

- Meetings will be held on fortnightly basis, initially. These meetings form part of the governance arrangements of PARTNERIAETH and should be sequential by feeding into PARTNERIAETH's Strategic Group, Joint Scrutiny Councillor Group and Joint Committee.

##### **Membership**

- PARTNERIAETH Lead Officer
- 3 local authority Lead School Improvement Officers or their nominated deputies
- PARTNERIAETH's strategic advisers

The meeting will be chaired by the PARTNERIAETH Lead Officer or another member of the group in his/her absence.

##### **Content**

- PARTNERIAETH's Operations Group is the main driver for producing delivery plans for the strategic themes outlined in PARTNERIAETH's business plan.
- Each Strategic Adviser in PARTNERIAETH will have a budget agreed by Directors at their Strategic Group to deliver plans within the overall business plan for PARTNERIAETH. Any anticipated additional expenditure beyond budget will require authorisation at the Strategic Group.
- The Operations Group will receive secretariat support from PARTNERIAETH's central team.
- Each Strategic Adviser will be responsible for reporting their part of the business plan to the Operations Group and to PARTNERIAETH's Stakeholder Group.
- The Operations Group will evaluate the successful delivery of plans across the 3 local authorities.
- The Operations Group will note key successes and risks in relation to the delivery plans across a range of strategic themes.

##### **Expectations**

- Members of Operations Group should at all times act and contribute in a fair and understanding manner. Members should be prepared to offer their insights at a local level, while respecting and appreciating that the group needs to think as a formal partnership, in accordance with strong governance arrangements.

- Consensus should be sought whenever possible. Where there is not a unanimous agreement then a majority decision is acceptable, but this should be recorded and reported to PARTNERIAETH's Strategic Group.
- There is an expectation that as a member of the Operations Group, members are tasked with communicating their work externally, by using both local and regional communications channels for PARTNERIAETH.
- The PARTNERIAETH Lead Officer and strategic advisers will be responsible for bringing any national messages or communications to the meeting, so that the group may contribute to feedback, or cascade messages locally.

## **PARTNERIAETH Stakeholder Group - Terms of Reference**

### **Purpose**

To act as a reference point for PARTNERIAETH in terms of its interface with school leaders:

- Enabling PARTNERIAETH to test ideas and principles in advance of policy formulation and during policy development.
- Advising PARTNERIAETH of potential strengths and weaknesses of proposed policies and strategies.
- Embracing and advocating a regional approach to problem solving.

### **Membership**

- Representative leaders from secondary, primary, pupil referral unit and special school sectors from the 3 local authorities in the PARTNERIAETH (12 members in total).
- PARTNERIAETH Lead Officer and other officers as and when required.

Secretariat support from PARTNERIAETH's central team.

### **Frequency**

- The Stakeholder Group will be convened on a quarterly basis.

### **Representation role**

- Acting as a general conduit for information.
- Feeding back to relevant Headteacher groups on a regular, agreed basis.
- Receiving the views of Headteacher colleagues on agreed items
- To provide feedback on current and emerging priorities particularly in relation to the impact on schools.

### **Expectations of:**

### **Members**



- To disseminate information to other Headteacher colleagues.
- To receive feedback from colleagues, formally through regular headteacher meetings at local authority level, and informally from colleagues via individual approaches, and to forward this to PARTNERIAETH as appropriate.
- To represent PARTNERIAETH, where appropriate, at regional events involving Headteachers.

#### **PARTNERIAETH**

- To produce minutes of each meeting, within 5 days, that can act as the information base for dissemination via headteacher representatives.
- To ensure that, by rotation, significant issues affecting schools under consideration by PARTNERIAETH, are brought to the stakeholder group and reflected in discussion.
- To meet with wider headteacher groups within each of the three local authorities, twice annually.

**SCHEDULE 6**  
**Terms of Reference of Joint Scrutiny Councillor Group**

**1. Membership.**

1.1 The Joint Scrutiny Councillor Group shall comprise of Education Scrutiny Chairs and Vice Chairs or equivalent of each of the 3 Councils.

1.2 Each member may appoint a deputy who may attend meetings of the Joint Scrutiny Councillor Group as a substitute for the appointed member but such deputy shall only be entitled to attend meetings of the Joint Scrutiny Councillor Group in the absence of the appointed member.

1.3 The membership may not include Cabinet/Executive Members.

**2. Purpose**

2.1 The purpose of the Joint Scrutiny Councillor Group shall be:

2.1.1 Performing the overview and scrutiny function for the PARTNERIAETH on behalf of the 3 Councils;

2.1.2 To develop a forward work programme reflecting the functions under clause 2.1.1 above;

2.1.3 To seek reassurance and consider if the PARTNERIAETH is operating according to the Joint Committee Agreement, its Business Plan, timetable and / or is being managed effectively. In particular to review and scrutinise the Joint Committee's financial affairs; review and assess the Joint Committee's risk management, internal control and corporate governance arrangements and review and assess the economy, efficiency and effectiveness with which resources have been used.

2.1.4 To make any reports and recommendations to the Councils, whether to their executive Boards or full Council as appropriate, in respect of any function which has been delegated to the Joint Committee pursuant to the Joint Committee Agreement.

2.2 For the avoidance of doubt scrutiny of individual Council's statutory responsibilities as set out in Schedule 1 shall be a matter for the relevant Council's Scrutiny Committee.

**3. Chair**

3.1 The Chair and Vice-Chair of the Joint Scrutiny Councillor Group shall be elected by the Joint Scrutiny Councillor Group for a term to be determined by the Joint Scrutiny Councillor Group.

3.2 The Chair and Vice-Chair of the Joint Scrutiny Councillor Group shall not be from the same Council as the Chair of the Joint Committee.

#### **4. Voting**

4.1 Each member of the Joint Scrutiny Councillor Group shall have one vote. Decisions of the Joint Scrutiny Councillor Group shall be made by simple majority vote.

4.2 In the event of equality of votes the Chair of the Joint Scrutiny Councillor Group shall have a casting vote.

#### **5. Conflicts of Interest**

5.1 Members of the Joint Scrutiny Councillor Group must declare any interest either before or during the meetings of the Joint Scrutiny Councillor Group (and withdraw from that meeting if necessary) in accordance with their Council's Code of Conduct or as required by law.

#### **6. Proceedings of Meetings**

6.1 The rules of procedure and access to information rules of the Lead Council with responsibility for the administration of the scrutiny function shall apply to meetings of the Joint Scrutiny Councillor Group.

6.2 Members of the Joint Scrutiny Councillor Group shall be subject to the Codes of Conduct for Members of their Councils.

6.3 Members shall be entitled to Joint Committee papers in accordance with the procedure rules of the Lead Council with responsibility for the administration of the scrutiny function.

#### **7. Quorum**

7.1 The quorum for meetings shall be no less than 3 members, which must include at least 1 member from each of the 3 Councils.

7.2 Officers of the Councils or from outside bodies may be invited to attend Joint Scrutiny Councillor Group meetings to present reports, participate in scrutiny discussions or to observe proceedings but these officers will not form part of the quorum nor will they be entitled to vote.

7.3 The PARTNERIAETH Lead Officer and the Lead Director for Education shall attend meetings of the Joint Scrutiny Councillors Group.

7.4 The Directors of Education of each of the Council shall attend together at least once per annum.

7.5 The Chair of Joint Committee shall attend at least once per annum.

#### **8. Frequency**

8.1 The Joint Scrutiny Councillor Group shall meet at a frequency to be determined by the Joint Scrutiny Councillor Group. Additional meetings may be convened by the Chair on at least 7 clear days' notice.

#### **9. Allowances**

9.1 No allowances shall be paid.

## **10. Servicing**

10.1 The Lead Council with responsibility for administration of the joint scrutiny functions shall support the Joint Scrutiny Councillor Group.

## **11. Sub-Groups**

11.1 The Joint Scrutiny Councillor Group by agreement may create task and finish groups.

## **12. Review**

12.1 The terms of reference of the Joint Scrutiny Councillor Group shall be reviewed annually.

**SCHEDULE 7**  
**Rules of Conduct of Co-opted Members of the Joint Committee and the Strategic Group**

- 1 These rules apply to you in your capacity as a **co-opted member of the Joint Committee or the Strategic Group**. You must observe these rules whenever you attend a meeting of the Joint Committee or the Strategic Group.
- 2 You shall conduct yourself appropriately and shall treat others with respect at meetings of the Joint Committee and the Strategic Group.
- 3 You shall not conduct yourself in a manner which could reasonably be regarded as bringing the Joint Committee or the Strategic Group or the PARTNERIAETH into disrepute.
- 4 You shall abide by any policies and procedures adopted by the Joint Committee or the Strategic Group.
- 5 You shall prepare fully for meetings of the Joint Committee and the Strategic Group including reading papers and seeking advice from the Central Team when necessary.
- 6 You shall comply with any request for information from the Lead Officers properly and reasonably required in connection with your role as a member of the Joint Committee or the Strategic Group.
- 7 As part of your role you may be requested by the Joint Scrutiny Councillor Group to provide information or to attend a meeting and answer questions in connection with your activities as a member of the Joint Committee or Strategic Group, as the case may be and you are expected to comply with any such request.
- 8 You shall not disclose confidential information nor any information relating to business of the Joint Committee or the Strategic Group which is exempt from public access.
- 9 You shall avoid situations where your interests will conflict with the interests of the PARTNERIAETH.
- 10 You shall regard yourself as having a personal interest in any business of the Joint Committee or Strategic Group if it relates to or is likely to affect:
  - 10.1 Any employment or business carried on by you or any person who employs or has appointed you.
  - 10.2 Any firm in which you are a partner or any company for which you are a remunerated director.
  - 10.3 Any corporate body which has a place of business or land in the Region and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body.
  - 10.4 Any land in which you have a beneficial interest which is in the Region.

10.5 Any land in the Region in which you have a licence to occupy for 28 days or longer.

11 You shall regard yourself as having a prejudicial interest in any business of the Joint Committee or Strategic Group if you have a personal interest which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgment of the public interest.

12 You shall inform the Central Team of your personal interests and related party interests so that the Central Team may register your interests on a register of interests of co-opted members of the Joint Committee and the Strategic Group.

You shall inform the Central Team of your personal interests:

12.1 No later than 28 days after your acceptance of co-option to the Joint Committee or the Strategic Group; and

12.2 No later than 28 days after you become aware of any new personal interests.

13 If you have a personal interest in any business which is considered at a meeting that you attend of the Joint Committee or the Strategic Group you must disclose to that meeting the existence and nature of your interest before or at the commencement of the consideration of the business or when the interest becomes apparent.

14 Where you have a prejudicial interest in an item of business of the Joint Committee or the Strategic Group you shall subject to paragraph 15 withdraw from the meeting and you shall not participate in the consideration of the business.

15 Where you have a prejudicial interest in any business considered by the Joint Committee or the Strategic Group you may attend a meeting of the Joint Committee or the Strategic Group at which the business is considered for the purpose of making representations answering questions or giving evidence to the same extent that members of the public are allowed to attend the meeting for the purpose of making representations answering questions or giving evidence.

Undertaking to abide by the rules of conduct

I (name of co-opted member) undertake to abide by the rules of conduct of co-opted members of the Joint Committee and the Strategic Group

Signed -----

Date -----

**SCHEDULE 8**  
**Matters Reserved to the Councils**

- 1 Making decisions on admission of other councils into the PARTNERIAETH.
- 2 Making decisions on the provision of services to a council who is not a party to the PARTNERIAEH and the terms upon which any services are to be provided.
- 3 Varying the terms of reference of the Joint Committee.
- 4 Deciding whether to accept a Joint Committee Withdrawal Notice from one of the Councils to allow a Council to withdraw from the PARTNERIAETH.
- 5 Approving the Liabilities Schedule accompanying a Withdrawal Notice to include details of the withdrawing Council's liability to the other Councils.
- 6 Agreeing the terms for termination of this Agreement by agreement of all the Councils.
- 7 Deciding on actions to implement the provisions of the dispute resolution procedure in clause 22.
- 8 Approving the first Annual Budget of the Partneriaeth and any subsequent Annual Budget which would exceed the scope of the authority delegated to the Joint Committee within its terms of reference.

## **SCHEDULE 9 Annual Budget**

1. The Lead Chief Finance Officer shall be responsible for accepting any offer of Government Funding on behalf of the Councils and the PARTNERIAETH.
2. The PARTNERIAETH shall operate within the Annual Budget as approved by the Joint Committee.
3. The PARTNERIAETH via the Lead Council with responsibility for Finance, shall provide a draft Annual Budget to the Joint Committee for approval before the start of the following Financial Year.
4. The Lead Council with responsibility for Finance shall be entitled to recover from the other Councils each Council's Contribution to its share of the Annual Budget. The Council's Contribution shall be calculated according to the following formula:-

The element of the Annual Budget to be funded by Council Contributions shall be divided on a pro rata basis between the Councils based on the number of learners in each Council's administrative area as detailed in PLASC for each year as a proportion of the aggregate number of learners. This pro rata figure shall be used to calculate 80% of the Council Contribution. The remaining 20% shall be calculated using the number of schools in each Council's administrative area each year as a pro rata share of the total number of schools in the Region.

Any revision to the means of calculating each Council's Contribution to the Annual Budget is a matter for the Joint Committee to determine.

5. Each Council shall pay its Council Contribution at the start of each financial year upon the basis of an invoice submitted by the Lead Council with responsibility for Finance.
6. The Lead Chief Finance Officer (the S.151 officer of the Lead Council with responsibility for Finance) shall supply the Joint Committee with a half yearly budget monitoring report showing the projected outturn for the financial year and an outturn budget report following the end of the financial year.
7. If a half yearly budget monitoring report indicates a projected overspend for the financial year the Joint Committee shall consider whether such overspend is necessary or permissible and, if so, identify the funding available.
8. The Lead Chief Finance Officer shall, on at least a half yearly basis, report to the Joint Committee on all Government Funding which has become available for the Objects.
9. Any underspend of the Annual Budget will be appropriated to reserve and used for such purposes as agreed by the Joint Committee.
10. Overspends will be promptly notified by the Lead Chief Finance Officer to the Joint Committee with a clear explanation of the reasons for the deficit. Any underspends appropriated to reserve as referred to in paragraph 8 will be utilised in the first instance towards funding the overspend and any remaining deficit will be met by the Councils according to the share of the Annual Budget as calculated in accordance with paragraph 3.



11. The Lead Chief Finance Officer shall ensure that any purchase or supply of services made on account of the PARTNERIAETH which are subject to VAT, whether or not the purchase price includes an element of VAT, shall be paid for only on the receipt by the Lead Chief Finance Officer or other responsible financial officer of the Lead Council an invoice complying with VAT regulations or a written guarantee that an authenticated VAT receipt will be issued on payment.

12. VAT will be chargeable on payments between the Councils only where a taxable supply of goods or services is deemed to have been made as defined by statute in the VAT Act 1994 as amended.

13. In the event that the Joint Committee approves (following prior approval by the Councils in accordance with Schedule 8) the addition of a new party to this Agreement, the Lead Chief Finance Officer shall prepare a revised Annual Budget for approval by the Joint Committee.

14. In the event that the Joint Committee approves (following prior approval by the Councils in accordance with Schedule 8) the provision of Services to a non-party to this Agreement, the Lead Chief Finance Officer shall calculate the cost of providing such Services taking into account the Annual Budget so that the PARTNERIAETH is not in a position of financial detriment as a result of providing the Services. The Lead Chief Finance Officer in conjunction with the Lead Council for Legal Services shall ensure that appropriate contract documentation is in place to protect the interests of the PARTNERIAETH and that the non-party is promptly invoiced for the Services delivered.

15. The Lead Chief Finance Officer shall ensure that the PARTNERIAETH maintains a working balance and/or a prudent level of reserves as a general contingency and to fund predicted liabilities or plans in future years.

## **SCHEDULE 10**

### **The Business Plan**

#### **The Business Plan**

##### **The overall PARTNERIAETH Business Plan**

1. The PARTNERIAETH will produce a fully costed annual Business Plan setting out:
  - a) a summary of the PARTNERIAETH's strategic objectives, priority outcomes and targets
  - b) a report summarising the performance of the schools in the Region over the previous twelve months and an analysis of the main areas of strength and weakness within the Region
  - c) the priorities for improvement both with regard to particular schools and strategic regional issues
  - d) the work programmes to be undertaken over the following twelve months,
  - e) measurable improvement in school performance to be achieved over the following twelve months.
2. The PARTNERIAETH Lead Officer will discuss the draft Business Plan with each Council's Director and with representatives of the schools of the Region, and report the outcome of such discussions to the Joint Committee when submitting the draft Business Plan to the Joint Committee for approval.
3. The Business Plan, as approved by the Joint Committee, shall be submitted to Welsh Government by the end of February in each year with the final sign-off by Welsh Government by the end of March in each year.

##### **Council annex to the Business Plan**

1. Each Council may prepare for approval an annex to the Business Plan concerning its schools, school improvement priorities, improvement services and improvement targets specifying how these matters interact with the Business Plan
2. The draft annex will be discussed by the PARTNERIAETH Lead Officer and the Council's Education Director and the portfolio holder for children's and education services or equivalent.
3. If, following discussions, concerns are raised in relation to the content of a Council's draft annex that cannot be resolved between the PARTNERIAETH Lead Officer and that Council, such concerns shall be reported in writing to the Joint Committee as part of their consideration of the Business Plan
4. An annex prepared by a Council will be complementary to and not duplicate other corporate plans concerning the education function of that Council
5. An annex prepared by a Council may, once approved, constitute a service level agreement between the PARTNERIAETH and the Council.

##### **Approval of the Business Plan by Welsh Government**

1. The Welsh Government, through the Minister for Education and Welsh Language, will be responsible for approving the Business Plan

2. The PARTNERIAETH Lead Officer, with the managing directors of the other Welsh consortia, will use reasonable endeavours to meet the lead officials of Welsh Government on a regular basis in a spirit of co-operation to:

- a) review progress of the Councils' priorities
- b) exchange information on the working of the consortia
- c) identify factors that are enabling or holding back progress on school improvement
- d) liaise on the implementation of government programmes and initiatives

## **SCHEDULE 11**

### **The Central Team**

The Central Team will be managed by the PARTNERIAETH Lead Officer and be accountable to the Joint Committee through the PARTNERIAETH Lead Officer.

#### **1. Functions to support the Joint Committee**

- a) preparation of an annual self-evaluation report on the performance of the Region in relation to the regional strategy and business plan.
- b) supporting the Strategic Group to prepare a fully costed operational business plans to support the agreed priority areas for the Region during any one academic year.
- c) production of half yearly financial reports including income and expenditure linked to the ring-fenced allocations under this Agreement, grant funding streams and central costs.
- d) preparation and presentation of various discussion papers under this Agreement and in response to the requests from Welsh Government
- e) engaging with key stakeholders including other consortia, WLGA, Welsh Government and research establishments.

#### **2. Functions to support the Strategic Group**

- a) co-ordination of data analysis for the relevant and appropriate key indicators to assess the performance of the Region effectively.
- b) monitoring the delivery of the operational business plans and ensuring consistency of implementation
- c) ensuring the effective utilisation of the internal operational framework for the Region that determines level of support and appropriate resources individual schools require. The resources will be deployed in line with the common agreed approach to address need rather than demographic entitlement
- d) co-ordinating and managing events and meetings including organising venues, costs, drafting schedules, agenda and taking of minutes
- e) preparing interim and final progress reports for various funding organisations that are providing grants to the region
- f) engaging with key stakeholders including teachers, head teachers, governors and Challenge Advisers.

**SCHEDULE 12**  
**Notices**

Chief Legal Officer  
Carmarthenshire County Council  
County Hall  
Carmarthen  
Carmarthenshire  
SA31 1JP  
Email - [LRJones@carmarthenshire.gov.uk](mailto:LRJones@carmarthenshire.gov.uk)

Chief Legal Officer  
Pembrokeshire County Council  
County Hall  
Haverfordwest  
Pembrokeshire  
SA61 1TP  
Email - [rhian.young@pembrokeshire.gov.uk](mailto:rhian.young@pembrokeshire.gov.uk)

Chief Legal Officer  
City and County of Swansea Council  
Civic Centre  
Oystermouth Road  
Swansea  
SA1 3SN  
Email - [Tracey.meredith@swansea.gov.uk](mailto:Tracey.meredith@swansea.gov.uk)

**SCHEDULE 13**  
**Data Processing Agreement – [to be added]**

**Integrated Impact Assessment (IIA) Report for the Establishment of a New Regional Education Partnership**

**Service Area:** Achievement and Partnership

**Directorate:** Education

**Q1a**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Boards which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

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**(b)**

A legal agreement for a new regional education partnership to be known as Partneriaeth. The proposal replaces the existing Joint Committee for Education through Regional Working (ERW) and seeks Cabinet approval for a draft legal agreement to establish a Joint Committee for Partneriaeth on a reduced local authority footprint. The proposal seeks to reduce staffing levels proportionately by scaling down the size of the ERW central team and re-setting the functions Partneriaeth will deliver. The functions of Partneriaeth are mainly described as professional learning to improve education practitioner standards and leadership development. Partneriaeth impacts on service users such as teachers, teaching assistants and leaders (on all levels) in Swansea schools. Partneriaeth provides a service to support and train the education workforce in Swansea and is aligned to national expectations on curriculum and professional standards.

**(c) It was initially screened for relevance on:** 24 September 2021

**(d) Lead Officer**

**(e) Approved by Director of Education**

**Name:** Tracey Meredith  
**Job title:** Chief Legal Officer  
**Date:** 24 September 2021

**Name:** Helen Morgan-Rees  
**Job title:** Director of Education  
**Date:** 24 September 2021

### Section 1 - Aims

**What are the aims of the initiative?** To establish a joint committee for a new regional education partnership to be known as Partneriaeth. The purpose of Partneriaeth is that Swansea, Carmarthenshire and Pembrokeshire Councils work together to improve professional learning for practitioners and leaders in schools in Swansea. By working in collaboration, it is anticipated that the service will be better than that achieved by one council working in isolation.

**Who has responsibility?** Joint Committee with delegated responsibilities to Partneriaeth’s Strategic Group as set out in the legal agreement. Partneriaeth will have a Lead Officer, Lead Director and Lead Chief Executive.

**Who are the stakeholders?** Swansea Council, Swansea Education Directorate, Swansea schools and their practitioners and leaders. Pupils benefit indirectly from this initiative.

### Section 2 - Information about Service Users

- |                                     |                                     |                                       |                                     |
|-------------------------------------|-------------------------------------|---------------------------------------|-------------------------------------|
| Children/young people (0-18).....   | <input type="checkbox"/>            | Sexual orientation .....              | <input type="checkbox"/>            |
| Older people (50+) .....            | <input type="checkbox"/>            | Gender reassignment.....              | <input type="checkbox"/>            |
| Any other age group .....           | <input checked="" type="checkbox"/> | Welsh language .....                  | <input checked="" type="checkbox"/> |
| Future generations (yet to be born) | <input type="checkbox"/>            | Poverty/social exclusion .....        | <input type="checkbox"/>            |
| Disability.....                     | <input type="checkbox"/>            | Carers (including young carers) ..... | <input type="checkbox"/>            |
| Race (including refugees) .....     | <input type="checkbox"/>            | Community cohesion.....               | <input type="checkbox"/>            |
| Asylum seekers.....                 | <input type="checkbox"/>            | Marriage & civil partnership.....     | <input type="checkbox"/>            |
| Gypsies & Travellers.....           | <input type="checkbox"/>            | Pregnancy and maternity .....         | <input type="checkbox"/>            |
| Religion or (non-)belief.....       | <input type="checkbox"/>            |                                       |                                     |
| Sex.....                            | <input type="checkbox"/>            |                                       |                                     |



## Education practitioners and leaders working in schools:

In Swansea there are 94 schools and providers who will benefit from the regional professional learning offer and national leadership development programme delivered by PARTNERIAETH. Swansea schools represent a third of the footprint of PARTNERIAETH where schools/settings are considered. Swansea has 45% of the pupils within the Partneriaeth footprint and around 30% of the teachers within the new regional partnership. The number of teachers across Swansea schools is 1968 and the numbers of newly qualified teachers starting in September for the last three years are 2019 - 90 NQTs, 2020 – 108 NQTs and 2021 – 107 NQTs. Nearly a fifth of teachers in Swansea have been in post for less than nine years. A sixth of teachers in Swansea are aged between 51 and 60 years. In light of recent curriculum reform, there is a clear need to support professional learning for those at the start and end of their teaching careers.

Partneriaeth Totals	Swansea	Carmarthenshire	Pembrokeshire
No. of schools/settings	94	109	61
No. of pupils	21,838	16,296	10,090
No. of teachers (FTE)	1,712	1,431	846

Source: 2021 school census results

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In recent years, the uptake from Swansea schools for regional professional learning within Education through Regional Working has exceeded 90% when analysing the proportion of Swansea school event participants. Access to high quality, relevant professional learning opportunities in our region remains a requirement of Partneriaeth's service delivery, albeit on a scaled down footprint. The percentage of teachers proficient in Welsh across Swansea schools is 18.2%. The latest education workforce survey across Swansea schools finds that 21.5% of teachers have no Welsh language skills. As a result, there is a clear need to support the professional learning of teachers for the Welsh language.

The turnover of headteachers in academic year 2021-2022 was nearly 10% across all schools in Swansea. As a result, the demand for leadership training for aspiring headteachers and qualified headteachers remains live. Currently, a quarter of primary schools in Swansea have temporary leadership arrangements in place at either deputy or headteacher level. As a result, the need to develop and grow leadership capacity from middle leadership to senior leadership across Swansea schools is acknowledged.

Engagement with Welsh Government suggests that there is a risk that Swansea practitioners and leaders will receive an inferior professional learning offer compared to peers in other education consortia in Wales if they are not part of a formal partnership that is aligned to national policy and strategy. This initiative mitigates against the risk of disadvantage to education professionals in Swansea working through education reform now and in the future.

### Section 3 – Assessing the Impact

	Potential Impacts	Positive / Negative/Neutral Impact/Needs further investigation	Prompts (not an exhaustive list) <b>Consider:</b>
<b>Race</b>	The proposal provides equal access to teachers and leaders who wish to benefit from professional learning.	Neutral impact	The professional learning for the new Curriculum for Wales and associated professional standards is underpinned by the United Nations Convention Rights of the Child principles.
<b>Disability</b>	The proposal provides equal access to any teacher of school leader to benefit from PARTNERIAETH's professional learning offer	Neutral Impact	Access to appropriate communication methods will be considered in any materials, training sessions or events and adjustments will be made to meet the needs of participants with disabilities.
<b>Carers</b>	N/A	Neutral Impact	N/A
<b>Sex</b>	Although learners in schools are not considered as direct service users, the professional capacity of teachers and teaching assistants in schools has an indirect impact on supporting better understanding, respect and tolerance. Part of the professional learning offer to teachers is on trauma informed teaching. This supports a better understanding on the effects of adverse childhood experiences on learners. The new code and guidance for Relationships and Sexuality Education as part of the new Curriculum for Wales will support respect and	Positive Impact	Gender identity. Effects of Domestic Abuse on learners.

	<b>Potential Impacts</b>	<b>Positive / Negative/Neutral Impact/Needs further investigation</b>	<b>Prompts</b> (not an exhaustive list) <b>Consider:</b>
	dignity. Professional learning will be offered to support this area of the new curriculum.		
<b>Age</b>	15% of Swansea teachers are 50+. This proposal ensures that all teachers are given equal access to a professional learning offer no matter what their age.	Positive impact	Age profile of teachers in Swansea.
<b>Future generations (yet to be born)</b>	Although the proposal does not directly affect children, the capacity of teachers and leaders working in education now and in the future has an indirect impact on future generations. By supplying good quality professional learning now, we can support the needs of learners in schools now and in the future.	Neutral Impact	We must ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
<b>Religion &amp; Belief</b>	Building the professional capacity of teachers in respect of Religion, Values and Ethics as well as Relationship and Sexuality Education in the new curriculum supports a wider understanding of ethnicity, religious beliefs and customs. In addition, the education profession's capacity to teach the new curriculum will support mutual respect, tolerance and citizenship.	Positive Impact	Faith Communities Religious festivals/activities
<b>Sexual Orientation</b>	Building the professional capacity of teachers in respect of Religion, Values and Ethics as well as Relationship and Sexuality Education in the new curriculum supports a wider understanding of ethnicity, religious beliefs and customs. In addition, the education profession's capacity to teach the new	Positive Impact	Gay Lesbian Bi-sexual Heterosexual Terminology Confidentiality about sexuality

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	Potential Impacts	Positive / Negative/Neutral Impact/Needs further investigation	Prompts (not an exhaustive list) <b>Consider:</b>
	curriculum will support mutual respect, tolerance and citizenship. Although the proposal does not directly affect a service user's sexual orientation, the professional learning offer promotes non-discrimination.		<a href="https://www.stonewall.org.uk/">https://www.stonewall.org.uk/</a>
<b>Gender Reassignment</b>	N/A. The workforce census does not gather information on service users in this category.	Neutral Impact	N/A
<b>Marriage &amp; Civil Partnership</b>	N/A. The workforce census does not gather information on service users in this category.	Neutral Impact	N/A
<b>Pregnancy &amp; Maternity</b>	Any pregnant or new mothers/fathers will be able to access professional learning opportunities through the new partnership.	Positive Impact	Pregnant mothers Those entitled to maternity and paternity leave
<b>Welsh Language</b>	The proposal supports the Council's new Welsh in Education Strategic Plan by focussing on the objective of teaching provision. Any individual who requests professional learning through the medium of Welsh will be supported. Professional learning to support subject teaching in Welsh in Welsh medium and English medium schools will be supported by the education partnership. A collaborative effort between the local and central team of Welsh officers will give good access to professional learning for all progression point expectations in the new curriculum.	Positive Impact	Ensuring equal status of both Welsh and English languages. Availability of and access to services, activities and information. Rights of individuals to ask for WL services. Impact on Welsh speaking communities, including: Positive / negative effects on opportunities to use the WL. Possible changes to number/percentage of Welsh speakers Job opportunities / Staffing changes. Training needs and opportunities Availability of Welsh medium education

	Potential Impacts	Positive / Negative/Neutral Impact/Needs further investigation	Prompts (not an exhaustive list) <b>Consider:</b>
<b>Socio Economic Considerations</b>	A co-ordinated approach within Partneriaeth to reducing the impact of poverty on achievement and attainment will be sustain through professional learning in this area.	Positive Impact	People living in less favourable social and economic circumstances than others in the same society. Disadvantage may be exacerbated by many factors of daily life, not just urban or rural boundaries. The impact on limited incomes are significant but also consideration needs to be given to service accessibility and barriers to participation.
<b>Human Rights</b>	Service users' human rights are not affected by this proposal.	Neutral Impact	None identified
<b>Intersectionality</b>	Service users' rights are unaffected in terms of multiple layers of discrimination.	Neutral Impact	None identified
<b>Community Cohesion</b>	N/A	Neutral Impact	None identified

**Human Rights Act 1998**

- Article 2 Right to life
- Article 3 Freedom from torture and inhuman or degrading treatment
- Article 4 Freedom from Slavery and forced labour
- Article 5 Right to liberty and security
- Article 6 Right to a fair trial
- Article 7 No punishment without law

- Article 8 Respect for private life, family, home and correspondence
- Article 9 Freedom of thought, belief and religion
- Article 10 Freedom of expression
- Article 11 Freedom of Assembly and association
- Article 12 Right to marry and start a family
- Article 13 Right to access effective remedy if rights are violated
- Article 14 Protection from discrimination

## Section 4 - Involvement

### **What involvement has been undertaken to support your view? How did you ensure this was accessible to all?**

Formal consultation on a central staff re-structure commenced in September and ends on 22 October 2021. The lead authority on employment is Pembrokeshire rather than Swansea. All Partneriaeth Directors have received the formal consultation papers and support the case for change in line with Swansea's Cabinet decision to leave ERW and form a new partnership. All Directors will meet current ERW central staff as part of the formal consultation.

Engagement at a political level through Swansea's Cabinet, existing ERW Joint Committee and a shadow Joint Committee has been appropriate.

Stakeholder engagement on the dissolution of ERW and formation of Partneriaeth has been appropriate via ERW's Headteacher Reference Board, ERW's Directors' Group and Swansea's headteacher consultation fora. The views of Swansea headteachers have been listened to in respect of the size and diversity of the ERW footprint and the need to consider a smaller entity, value for money, transparency, stronger governance on decision making and high quality professional learning. A survey of Swansea headteachers was conducted to understand the functions required of a new regional entity during academic year 2020-2021.

Engagement with Welsh Government has been secured in order to understand the readiness of the new partnership to deliver given national strategic objectives and accompanying work streams. Welsh Government officials and Estyn inspectors have preserved observer status on both ERW Executive Group and ERW Joint Committee. As a result, there has been good engagement at all levels on the case for change into a smaller regional partnership.

### **What did your involvement activities tell you? What feedback have you received?**

Swansea headteacher survey results indicate that a majority of school leaders expect a new regional partnership to deliver the national leadership development programme for Wales in Swansea, for example middle leader, senior leader, aspiring headteacher development programme, and National Professional Qualification for Headship. In addition, survey results in Swansea support the delivery of key functions in relation to professional learning for Curriculum for Wales that is currently delivered by regional consortia across Wales. Swansea headteacher feedback on the footprint of ERW indicates that it is too large and diverse and that the needs of Swansea have not always been met in such a large partnership. As a large urban authority, Swansea's needs differ according to stakeholder feedback. However, there is acknowledgement in survey results that professional entitlement to a development offer should be on a par with the rest of Wales and that an universal requirement to develop the professional learning and enquiry of all Swansea's teachers and teaching assistants from Newly Qualified Teachers (NQTs) to experienced school leaders should be available. Headteachers have been clear that they require value for money and that they

want to receive as much funding as possible. Headteachers are clear that they want transparency on the national work streams and the funding streams that follow national objectives.

### How have you changed your initiative as a result?

The views of a range of stakeholders have been considered when drafting the Legal Agreement for Partneriaeth, for example, principles, values, objectives and governance arrangements reflect feedback received from officers, headteachers and elected Members.

### Section 5

<b>Public Sector Duty – how will the initiative address the below?</b>	
Foster good relations between different groups	The partnership supports collaboration between three councils working together to provide an integrated school improvement service dedicated to professional learning and leadership development. The partnership is a key delivery partner to Swansea’s school improvement team. A clear delineation of roles and responsibilities will support a good relationship. Collaboration between teachers and leaders in other local authorities will be facilitated through joint training and school to school projects.
Elimination of discrimination, harassment and victimisation	The partnership principles within the legal agreement ensure that there is equal access to training provision and that professional learning for the new curriculum is focussed on learner well-being.
Advance equality of opportunity between different groups	The partnership supports equal opportunity for teachers and leaders to access professional learning no matter what education sector or school designation they belong to.
<b>Socio-economic Duty - Describe any issues identified as a result of the initiative for those people experiencing and living in poverty</b>	
a) Communities of place	In Swansea, the effects of poverty on pupils can be profound and in schools with challenging contexts, teachers and leaders are often required to develop specific ways of working to mitigate against the risks of disaffection and disengagement of pupils. The professional learning opportunities offered by Partneriaeth will support effective use of the Pupil Development Grant.
b) Communities of interest	None identified.
<b>How does your proposal ensure that you are working in line with the requirements of the Welsh Language Standards (Welsh Language Measure (Wales) 2011)? (beyond providing services bilingually)</b>	
a) To ensure the Welsh language is not treated less favourably than the English language	Partneriaeth will promote and deliver a service dedicated to promoting equal access to children’s right to be able to speak transactional Welsh by the time they are 16 years old.
b) That every opportunity is taken to promote the Welsh language	Partneriaeth service delivery will be predominantly bi-lingual. The professional learning for Welsh heritage and linguistic identity will be a strong feature of support for curriculum reform.

c) Increase opportunities to use and learn the language in the community	Support for the use of Welsh outside the classroom will be an integral part of Partneriaeth's strategic planning.
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**United Nations Convention on the Rights of the Child (UNCRC): Many initiatives have an indirect impact on children and you need to consider whether the impact is positive or negative in relation to both children's rights and their best interests**

The initiative has an indirect impact on all children and young people living and learning in Swansea schools. The right to a good education no matter what background is underpinned by good quality teaching and strong leadership in schools. Partneriaeth will focus on building the capacity of the education workforce in Swansea to meet the needs of our diverse cohorts.

**All initiatives must be designed / planned in the best interests of children and young people.**

Please explain how you meet this requirement: The initiative supports a good quality education for all children and young people in Swansea.

The initiative supports good quality education provision in Swansea schools by offering professional learning to educators that is child-centred, inclusive, participative and linked to professional standards for teachers and leaders in Wales thus promoting:

- Article 3 - All organisations concerned with children should work towards what is best for each child.
- Article 12 - Respect for the views of the child.
- Article 18 - Both parents share responsibility for bringing up their children. We should help parents by providing services to support them.
- Article 28 - Children have a right to an education. Discipline in schools should respect children's human dignity.
- Article 29 - Education should develop each child's personality and talents to the full.
- Article 30 - Children have a right to learn and use the language and customs of their families.



## Section 6 - Sustainable Development

### 6a) The Sustainable Development Principle's Ways of Working

The Five Ways of Working	Examples or summary of how applied
<b>Long term</b> - The importance of balancing short-term needs while safeguarding the ability to also meet long-term needs	Building the capacity of the education workforce in Swansea to focus on a new purpose led, skills focussed, employability minded curriculum supports long term achievement of pupils starting their school careers now and leading to successful occupations in the future.
<b>Prevention</b> - Acting to prevent problems occurring or getting worse	Good quality teaching is a key factor in successful education. If we ensure that Swansea teachers and leaders are given professional and career development that is aligned to national renew and reform policies and strategies, we can sustain a strong workforce to meet the diverse and emerging needs of children across all Swansea schools.
<b>Integration</b> -Considering impacts upon each of the well-being goals, well-being objectives, local well-being objectives, or on the objectives of other public bodies	The initiative supports Swansea's well-being objectives for education and skills in that corporately we want Swansea to be one of the best places in the world for children and young people (CYP) to grow up. We want children to achieve and be resilient so that they go onto further education, employment or training. We want to promote local and global citizenship and learners that are engaged. We want to meet the needs of vulnerable learners and we want CYP to have good Welsh language skills. The objectives above are aligned to curriculum and teaching standards professional learning that will be delivered for Swansea schools by Partneriaeth.
<b>Collaboration</b> - Acting together with other services or external organisation towards our well-being objectives	Partneriaeth will pool resources and work in an integrated fashion with local school improvement teams.
<b>Involvement</b> - Involving people with an interest in achieving the well-being goals (everybody), and ensuring that those people	The governance arrangements for Partneriaeth are outlined in the legal agreement. Part of the governance structure is made up of a stakeholder group to ensure that teachers' and leaders' views in Swansea are represented appropriately.

reflect the diversity of the area served	
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**6b) Contribution to Swansea Council's Well-being Objectives**

<b>Our Corporate Plan's Well-being objectives</b>	<b>Are directly supported by this initiative</b>	<b>Are not directly impacted by this initiative</b>	<b>May be in conflict or adversely impacted by this initiative</b>
Safeguarding People from harm	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Improving Education and Skills	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tackling Poverty	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transforming our economy and infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maintaining and enhancing Swansea's natural resources and biodiversity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transformation and Future Council development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**6c) Thinking about your answers above, does the initiative support our Corporate Plan's Well-being Objectives when considered together?**

Well-being Goal (click to view definition)	Primary Goals - tick if key	Any significant positive and/or negative impacts/contributions considered/mitigated
<p><u>A Prosperous Wales</u>: An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work</p>	<input checked="" type="checkbox"/>	<p>Positive impact on developing a skilled population through providing professional learning for educators working on curriculum design and employability skills.</p>
<p><u>A Resilient Wales</u>: A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p>	<input checked="" type="checkbox"/>	<p>Positive impact on learning about the natural environment and climate change through providing professional development for educators working on a curriculum focussed on ethical, informed citizenship.</p>
<p><u>A Healthier Wales</u> A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p>	<input checked="" type="checkbox"/>	<p>Positive impact on training the education workforce in:</p> <ul style="list-style-type: none"> <li>• Supporting people to act with compassion and facilitating understanding of mental well-being.</li> <li>• Promoting the benefits of physical activity for CYP including active travel.</li> <li>• Enabling places to support the health and well-being of CYP.</li> <li>• Supporting CYP to understand behaviours and choices that benefit future health.</li> </ul>
<p><u>A More Equal Wales</u> A society that enables people to fulfil their potential no matter what their background or circumstances.</p>	<input checked="" type="checkbox"/>	<p>Positive impact in developing educators to:</p> <ul style="list-style-type: none"> <li>• Ensure equal access to decent jobs and fair work.</li> <li>• Enabling CYP to develop the skills, education and knowledge to be fulfilled.</li> <li>• Giving CYP equal opportunities to participate in decision making.</li> </ul>

		<ul style="list-style-type: none"> <li>• Understanding the causes and symptoms of health inequalities, including Adverse Childhood Experiences and Violence against Women Domestic Abuse and Sexual Violence.</li> </ul>
<u>A Wales of Cohesive Communities</u> Attractive, viable, safe and well-connected communities.	<input type="checkbox"/>	None identified.
<u>A Wales of Vibrant Culture &amp; Thriving Welsh Language</u> A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, sports and recreation.	<input checked="" type="checkbox"/>	Positive impact in developing educators to: <ul style="list-style-type: none"> <li>• Develop skills, increasing opportunities for all and respecting our status as a bilingual nation.</li> <li>• Support CYP to engage with culture in their daily working and recreational lives.</li> <li>• Enable CYP to access and engage with their own and other cultures.</li> </ul>
<u>A Globally Responsible Wales</u> A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.	x <input type="checkbox"/>	Positive impact in developing educators to: <ul style="list-style-type: none"> <li>• Support pupils' sustainable behaviour and making connections.</li> <li>• Ensure pupils know how we use the earth's resources efficiently and contribute to global well-being.</li> </ul>

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## Section 7 - Cumulative Impact/Mitigation

**What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the IIA and any other key decisions affecting similar groups/ service users made by the organisation?**

The cumulative impact of the proposal is a better integration of services across three councils than could be expected if one council tried to deliver the same service in isolation. By contributing to a formal partnership, Swansea's school workforce will access similar professional learning opportunities to those on offer in other parts of Wales. Partneriaeth will be a part of cross-consortia collaboration in Wales and demonstrate equal ambition for high quality teaching and leadership learning.

**Any mitigation needed:**

It is important that you record the mitigating actions you will take in developing your final initiative.

Record here what measures or changes you will introduce to the initiative in the final draft, which could:

- reduce or remove any unlawful or negative impact/ disadvantage
- improve equality of opportunity/introduce positive change
- support the Well-being of Future Generations Act (Wales) 2015
- reduce inequalities of outcome resulting from socio-economic disadvantage

Unlawful or Negative Impact Identified	Mitigation / Positive Actions Taken in the initiative (add to action plan)
Quality of professional learning is poor.	Monitor, review and plan through governance groups to improve value for money.
Quality of leadership development is poor.	Monitor, review and plan through governance groups to improve value for money.
Swansea’s share of resource does not reflect the number of learners and schools in Swansea.	Swansea should benefit from approximately 40% of the resources available within the Partnership. Ensure communication, engagement and participation are strong.

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**Section 8 - Monitoring arrangements:**

<b>Monitoring arrangements:</b> Monitoring of arrangements will be achieved through the new governance structure outlined in the legal agreement.
<b>Actions (add to action plan):</b>

**Section 9 – Outcomes:**

- Outcome 1: Continue the initiative – no concern
- Outcome 2: Adjust the initiative – low level of concern
- Outcome 3: Justify the initiative – moderate level of concern
- Outcome 4: Stop and refer the initiative – high level of concern.

**Action Plan: Please outline below any actions identified throughout the assessment or any additional data collection that will help you monitor your initiative once it is implemented:**

<b>Action</b>	<b>Dates</b>	<b>Timeframe</b>	<b>Lead responsibility</b>	<b>Progress</b>	<b>Add to Service Plan</b>
Evaluate participation and provision for developing teachers in Swansea via Partneriaeth	Commencement of Partneriaeth formally	December 2021 – December 2022	Head of School Improvement Team and Head of Service	Need to see good engagement from NQT upwards	Include in school improvement plan. Read across to Partneriaeth business plan.
Evaluate participation and provision for developing leaders in Swansea via Partneriaeth	Commencement of Partneriaeth formally	December 2021- December 2022	Head of School Improvement Team and Head of Service	Need to see good engagement from middle leaders upwards	Include in school improvement plan. Read across to Partneriaeth business plan
Ensure that Swansea receives a fair share of available human and fiscal resource available through Partneriaeth	Commencement of Partneriaeth formally	1 September 2021 onwards	Director of Education	Clear budget and financial reports	Scrutinise reports to Directors and Joint Committee. Read across to strategic advisers' planning in Partneriaeth.

# Agenda Item 10.



## Report of the Local Authority Governor Appointment Group

Cabinet – 18 November 2021

### Local Authority Governor Appointments

<b>Purpose:</b>	To approve the nominations submitted to fill Local Authority Governor vacancies in School Governing Bodies
<b>Policy Framework:</b>	Local Authority (LA) Governor Appointments Procedure (Adopted by Council on 26 October 2017)
<b>Consultation:</b>	Access to Services, Finance, Legal
<b>Recommendation(s):</b>	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.
<b>Report Author:</b>	Gemma Wynne
<b>Finance Officer:</b>	Peter Keys
<b>Legal Officers:</b>	Stephen Holland/Stephanie Williams
<b>Access to Services Officer:</b>	Catherine Window

#### 1.0 The nominations referred for approval

1.1 The nominations are recommended for approval as follows:

1. Blaenymaes Primary School	Cllr Hazel Morris Cllr June Burtonshaw
2. Clydach Primary School	Mrs Mair Lewis
3. Gendros Primary School	Mr Morrison Frew
4. Grange Primary School	Mrs Christine May

5. Hafod Primary School	Mrs Kirsty Rees
6. Knelston Primary School	Mrs Kathryn David
7. Parkland Primary School	Dr Mohsen Elbeltagi
8. Penclawdd Primary School	Mrs Sarah Hopkins
9. Pentrechwyth Primary School	Cllr Mandy Evans
10. Plasmarl Primary School	Mrs Kirsty Rees
11. Talycopa Primary School	Mrs Rebecca O'Brien
12. YGG Llwynderw	Mrs Emma Beynon
13. YGG Lonlas	Parch Eirian Wyn

## **2.0 Financial Implications**

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

## **3.0 Legal Implications**

3.1 There are no legal implications associated with this report.

## **4. Integrated Assessment Implications**

4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, 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 Acts.
- 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.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.



- 4.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 4.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 4.2 We have identified high impact on children and young people because it is in school environment and Governors are appointed to those school. Race, Religion and Welsh language have been also identified as high impact because we have some religious and welsh language schools. There is no need for mitigation as impacts that have been identified are not negative impacts. The panel choose Governors ,no public consultation required. In order for schools to run effectively they need to have effective Governing Bodies, this appointment supports this

**Background papers:** None

**Appendices:**

Appendix A - Integrated Impact Assessment Form

# Integrated Impact Assessment Screening Form – Appendix A

Please ensure that you refer to the Screening Form Guidance while completing this form.

## Which service area and directorate are you from?

Service Area: Achievement and Partnership

Directorate: Education

### Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

### (b) Please name and fully describe initiative here:

Appointing Local Authority governors to schools in Swansea

### Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Integrated Impact Assessment Screening Form – Appendix A

- Q3** What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?  
Please provide details below – either of your activities or your reasons for not undertaking involvement

This activity does not require consultation

- Q4** Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?  
Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- c) Does the initiative apply each of the five ways of working?  
Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

- 
- Q5** What is the potential risk of the initiative? (*Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...*)

High risk

Medium risk

Low risk

- 
- Q6** Will this initiative have an impact (however minor) on any other Council service?

Yes  No If yes, please provide details below

- 
- Q7** What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

In order for schools to run effectively they need to have effective Governing Bodies.

# Integrated Impact Assessment Screening Form – Appendix A

## Outcome of Screening

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

We have identified high impact on children and young people because it is in school environment and Governors are appointed to those school. Race, Religion and Welsh language have been also identified as high impact because we have some religious and welsh language schools. There is no need for mitigation as impacts that have been identified are not negative impacts The panel choose Governors ,no public consultation required. In order for schools to run effectively they need to have effective Governing Bodies, this appointment supports this..

(NB: This summary paragraph should be used in the relevant section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

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.

<b>Screening completed by:</b>
<b>Name: Gemma Wynne</b>
<b>Job title: Governor Support Officer</b>
<b>Date: 25/10/21</b>
<b>Approval by Head of Service:</b>
<b>Name: Kate Phillips</b>
<b>Position: Head of Achievement and Partnership</b>
<b>Date: 25/10/21</b>

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 11.



## Report of the Cabinet Member for Delivery & Operations

Cabinet – 18 November 2021

### Proposed Lease to Mumbles Community Council under the Community Asset Transfer Policy

<b>Purpose:</b>	To seek approval to negotiate and agree Heads of Terms and enter into a lease with Mumbles Community Council for land at Llwnderw for the purpose of constructing and managing a new skate park on the site.
<b>Policy Framework:</b>	Asset Management Plan 2017-2021 Community Asset Transfer Policy 2021
<b>Consultation:</b>	Legal, Finance, Property and Access to Services.
<b>Recommendation(s):</b>	It is recommended that Cabinet:  1) Considers the outcome responses from the consultation process under the public open spaces legislation that was undertaken in respect of the land identified in appendix A (site plan). A full copy of the responses received, and each of those that Object, Support or provide a Neutral comment has been provided as Appendix F, with a high level summary provided within the body of this report.  2) Approves the proposed disposal of the land to Mumbles Community Council at a level of undervalue being acceptable to Cabinet and based on advice of the Head of Property Services. Authority is delegated to the Head of Property Services to negotiate and settle the terms of the proposed lease of the land identified in Appendix A (Site Plan) and authority is delegated to the Chief Legal Officer to finalise the legal documentation;  3) Agrees for improvements be made to the site in line with the associated planning permission reference 2019/2345/FUL granted on 13 <sup>th</sup> February 2020 for a replacement Skatepark at West Cross Skate Park Mumbles Road Blackpill Swansea.
<b>Report Authors:</b>	Jamie Rewbridge/Lewis Hinds
<b>Finance Officers:</b>	Paul Roach/Aimee Dyer
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

## **1.0 Background**

- 1.1 On 21<sup>st</sup> January 2021, Cabinet approved the disposal by way of a lease with Mumbles Community Council (MCC) for land at Llwynderw in Mumbles, Swansea for the purpose of constructing and managing a new skate park on the site. A notice of intention to seek a Judicial Review of the decision was received on 15<sup>th</sup> April 2021, with a Letter of Claim received the following day. The claimants cited a number of reasons for challenging the decision. The case was settled on a technical point over the publication of a statutory notice whereby the Notice to dispose of Public Open Space had only been published in a local paper for one week and not the required two consecutive weeks in accordance with Section 123(2A) of the Local Government Act 1972
- 1.2 The Cabinet decision of 21<sup>st</sup> January 2021 has therefore been quashed and the decision needs to be considered afresh. In doing so Cabinet must consider all the points below and reach the decision with an open mind having regard to all information set out in this report
- 1.3 Mumbles Community Council (MCC) have made a request to acquire Council owned land under the community asset transfer policy. The land is located on Mumbles foreshore, (referred to as Llwynderw) and it is MCCs intention to build a new concrete skatepark to replace the current half-pipe owned and managed by the Council, as their preferred site
- 1.4 MCCs preferred site was granted planning permission (2019/2345/FUL) on 13<sup>th</sup> February 2020 for a replacement skatepark.
- 1.5 Swansea Council requested that MCC commission a further site options appraisal by an external consultant, which concluded that on balance of positive and negative factors the proposals may have for each particular site, Llwynderw, would be the most favourable site out of all 3 appraised sites.
- 1.6 The area of land requested is owned by Swansea Council and is maintained by Parks Operations from within the Waste Management service. The site was initially identified as 'Land around the Skatepark, West Cross' by Swansea Council in the PIN notice, which sought expressions of interest from potential interested parties on a number a key bay sites. The area of land to be developed is 748 sq.m, however MCC will become fully responsible for maintenance of the development, plus surrounding areas (2.5 acres) for the duration of the lease.
- 1.7 MCC have prepared a business plan which provides detail on the full cost of the development, ongoing management and maintenance costs, along with sinking fund provisions for lifecycle costs.
- 1.8 The Council undertook a public open space statutory consultation process publishing its intention to dispose of the land identified within Appendix A (site plan). Cabinet must have regard to the outcome of the consultation process prior to making any decision on the proposed disposal, in particular any comments made in support or opposition of the

proposal including any potential mitigation measures. A full copy of the response to the statutory consultation process has been included as Appendix F, along with a summary provided with this report.

- 1.9 The Council has undertaken a valuation of the proposed area of land identified in Appendix A.

## **2.0 Business case and plan**

- 2.1 MCC have submitted a request to take on full responsibility for the land edged red in Appendix A, for the purposes of constructing a 748 sq.m concrete skatepark which will replace the current steel construction ramp. MCC are requesting to take on full repairing, maintaining and service provision of all elements within the demise area, including all associated grounds maintenance and cleansing, which have been detailed within the Business Plan (and supporting annexes 1-8) at Appendix B.
- 2.2 As a result of the lease, all day to day responsibilities and decisions will rest with MCC, and only future changes or permission that fall outside of the agreed lease terms will necessitate approval from the Council as the landlord.
- 2.3 The Community Council would become responsible tenants for the purposes of the arrangement and would utilise contractors to carry out day-to-day operational tasks and fulfil their obligations. They would commission specialists to check and maintain the skate park itself. MCC would be responsible for ensuring all proper insurances, contractual and procedural arrangements were in place to fully indemnify the Council under the Lease.
- 2.4 MCC have engaged Maverick, a renowned design and build Skatepark company having built over 100 Skateparks in the UK including the iconic Concrete Waves Skatepark in Newquay and locally in Penarth, Haverfordwest, Aberdare, Mountain Ash and Porthcawl.
- 2.5 It is proposed that Maverick will be appointed Contractors and Project Managers, covering all aspects of the design, development, build and maintenance of the site from pre-planning through to on-going inspections and maintenance once the build is complete.
- 2.6 The Skatepark design has been developed over an 18 months period to ensure that all relevant and interested stakeholders and users had an opportunity to input into it through public meetings and consultations and questionnaires and surveys. The facility will also incorporate BMX uses as a result of consultation with UK Olympic BMX team.
- 2.7 The design also includes full disability access with advice from the Wheelchair Motocross World Champion. Whilst this has added to the cost, it is noted that MCC were committed to ensuring that the Skatepark could be used by all ages and abilities as well as providing a world class facility in keeping with the iconic location.

- 2.8 The siting has allowed for most of the Skatepark to be set below the sight line from Mumbles Road, thus minimizing the impact.
- 2.9 Maverick have undertaken comprehensive surveys of the site including Geotechnical, Topographical, Trees, Ecology, Flood Risk, and have an agreed SUDS strategy to ensure that the site is suitable for the planned design and build. These formed part of the planning requirements and conditions which will be monitored for compliance through the usual processes. Build timescale is approx. 16 weeks.
- 2.10 Following construction, the wider site will be landscaped with grass and wildflowers and will be protected from the road by a hawthorn hedge fronting a 1.2m fence extending the full length of the site. This will prevent and ensure that users are not tempted to be dropped off outside the site by preventing people accessing it directly from the road. Additional green space surrounding the facility has been added to the proposed demise with the intention of enabling Mumbles Community Council to maintain and enhance the areas biodiversity via wildflower planting and other additions which have the benefit of the environment in mind.
- 2.11 The skatepark itself will be constructed from free form spray concrete with - in certain areas - narrow (25mm box section) galvanised steel edging to prevent chipping and it will be finished in a neutral and light grey colour but with flashes of colour for aesthetic purposes.
- 2.12 The site will be enhanced by a drinking fountain, picnic table seating, and footpaths with wheelchair accessible chicane entrances on the promenade entrances.
- 2.13 Including costs borne through the planning and preconstruction phases already undertaken , the construction cost is in excess of £350k, which will be fully underwritten or funded by MCC with no required funding from the Swansea Council.
- 2.14 MCC will continue to seek grant funding through the National Lottery People and Places Fund. If successful, this could reduce the MCC funding commitment by £232k.
- 2.15 MCC has committed to covering ongoing maintenance cost up to £12,698 per annum for annual maintenance including the provision of an annual £6,700 sinking fund representing 2% of build costs for major refurbishment/rebuild (expected minimum 25 years life).
- 2.16 The construction will be guaranteed for 15 years and the design is covered by a £2m professional indemnity insurance. Contractors will conduct an annual condition survey and will respond quickly to any reports of damage.
- 2.17 During the first six months of use and on-going during the summer months, when visitor numbers will be at their highest, MCC contractors will undertake weekly inspections which will be formally recorded. During the winter months, these will revert to monthly.



- 2.18 The main maintenance costs relate to minor repairs, graffiti removal and annual deep cleaning. With grass-cutting, landscape maintenance and bin emptying making up the remainder of the costs. Swansea Council have quoted for associated services to be delivered under paid for contract as part of the wider promenade maintenance.
- 2.19 To minimize MCC's annual commitment, a variety of income streams will be sought to contribute to the ongoing costs associated with the operational running of the facility. However, any shortfall in income to cover the full cost of £13,945.67 per annum, (£19,945.67 in year 1) will be met from MCC annual budget of the Community and Social Well-being Committee, or the MCC contingency fund.
- 2.20 Estimated costs for SuDs and Swales maintenance have been provided as an annual sum of £1.3k per annum, payable by MCC to Swansea Council. MCCs appointed skatepark designers and contractors have an approved design and consent in place with the Councils Senior Engineer (SuDS approval body).
- 2.21 SuDS permissions form a critical part of the necessary approval process and are informed through planning process. Therefore any decision to lease the land and permit the development would be subject to a satisfactory sustainable drainage solution being funded by MCC.
- 2.22 Sponsorship opportunities and events are the most realistic opportunity for MCC to raise income, and potential revenue per year has been estimated at £6.6k which would cover half the total operating cost.
- 2.23 The skate park will add to the infrastructure of facilities within Swansea that contribute to the physical and mental well-being of children and young people. Access to opportunities to participate in physical activity is a critical part of the Well Being of Future Generations Act and contributes to Swansea Council's policy commitment of aiming to create "a healthier Swansea."
- 2.24 The Skate Park will be open access, participants will be able to use the facility at no cost which removes the financial barrier and promotes the policy commitment of creating "A More Equal Swansea". This type of facility and activity tends to be very attractive to children and young people who may not be engaged in more formal sports and would provide a positive contribution to Welsh Governments recommendations for regular physical activity as part of a healthy and active lifestyle.
- 2.25 Furthermore, the successful implementation of the proposal and long-term lease holding and associated management of the site by MCC will provide the following benefits;
- Community cohesion through the ownership, involvement and interest in local facilities.
  - Partnership working with the community in managing and safeguarding important and valuable community assets and attractions to the destination.

- Investment in modern, fit for purpose and high quality skateboarding facilities which the Council has not budgeted to provide or fund directly.
- Increased access to local informal sporting and recreational opportunities for all ages and abilities
- Access to funding opportunities not available to Swansea Council.

### **3.0 Options appraisal**

3.1 Following the decision on MCC's planning application to build a concrete Skate park at Llwynderw, West Cross, the Council sought a further body of work that would provide assurances that could be considered at the relevant time.

3.2 This was further noted in the Cabinet Report relating to 'Foreshore sites' on 9th January 2020; 'Cultural Services are to engage with Mumbles Community Council and carry out a full due diligence exercise to ensure that the proposal is practical and sustainable in the long term. A full review of all possible sites within the relevant area is also to be undertaken to ensure the best location is identified. If the site is not identified as the best place for the proposed skate park then other possible development options can be explored in further detail with the creation of some potential design briefs through consultation with planners.'

3.3 To assist in the refinement of options for MCC to consider, the Council's Placemaking and Strategic Planning section carried out a high level planning appraisal of 10 Council sites as options for review that could potentially accommodate the proposed scheme. The findings of the High Level Appraisal identified particular sites, having regard to the relevant planning and placemaking issues, that Planning Officers considered had potential for further exploration. A copy of the report is included as Appendix C.

3.4 The High Level Planning Appraisal identified a total of 3 sites that warranted further consideration in addition to the MCC preferred site at Llwynderw. These sites were further refined to 2 additional sites, as the land to the 'South of the Junction' was not available at this time as it formed part of a longer term consideration to improve the wider Blackpill site.

Including the MCC preferred site at Llwynderw (site option 1), the sites appraised were;

- Llwynderw (site option 1)
- Land to South of Blackpill Lido (site option 2)
- Land at Underhill Park (site option 3)

3.5 MCC were asked to undertake an evaluation and comparison of the above sites by an independent consultant using a broad set of criteria, which were further refined and grouped, as below.

- Access
- Environmental & Site Considerations
- Design Suitability

- Construction Considerations
- Safety, Amenities & Visibility
- Community & User Support
- Planning Considerations

3.6 MCC commissioned DMW Architects & CL Planning who were provided the brief, along with the high level planning appraisal from Swansea Council, and information from MCC and their chosen skate park supplier Maverick on the design and size requirements.

3.7 DMW Architects & CL Planning have published a report that is intended to provide an unbiased and comprehensive appraisal of the 3 wheeled sports areas identified in 3.4 which formed part of the brief. Whilst the essential considerations and environmental impacts of adding a skatepark to an area remain consistent, the intrinsic nature of a proposed skatepark area, its users, and the community surrounding it are unique and have been factored into the appraisal document. A copy of the full report is available as Appendix D.

3.8 Summary conclusions of Appendix D report by DMW Architects & CL Planning are as follows:

**Site Option 1 – Llywnderw-** The existing skatepark at Llywnderw currently forms a well-located hub for the Swansea skate community. The site has numerous positive factors making it a suitable location with potential to further enhance the Blackpill activity area. Re-use of a current site and existing facility is wholly appropriate and considered more sustainable than creating a new skatepark over existing greenspace. Through the planning process, it has already been demonstrated that the site has gained a majority of support from both community and skatepark users.

**Site Option 2 - Land to the South of Blackpill Lido.** This site has numerous positive factors making it a good contender for the most appropriate location. However, it is considered that being so near the consented site and so similar in comparative characteristics, that to proceed with a new application would expend needless cost and time to ultimately provide the same offer. The development of this site would result in the loss of open green space which would not occur with site option 1.

**Site Option 03 - Land at Underhill Park-** Due to the potential negative factors associated with construction of a concrete skatepark in this quiet location in relatively close proximity to residential properties with limited screening it is considered it would not be appropriate in this setting. With constrained access, concerns over a relationship with the children's play park and being located slightly away from shops and facilities, this site would be least favourable.

3.9 Having reviewed the summary findings of the consultant's report, the Council's Placemaking and Strategic Planning Section have confirmed that DMW Architects & CL Planning have taken the level of analysis to the necessary detailed stage to assess the material factors affecting the

suitability and deliverability of the development, and that the findings are generally consistent with those in the High Level Planning Appraisal in Appendix C.

- 3.10 Of the three sites evaluated by the independent consultant and in consideration of the balance of positive and negative factors the proposals may have for each particular site, it concluded that:

*Site Option 01 – Llwynderw, would be the most favourable site out of all 3 appraisal sites.*

- 3.11 It should be noted that from the report, it indicates that there is little difference in physical characteristic between site option 1 (Llywnderw) and site option 2 (land south of Blackpill), with exception of their current use and designations. It noted that option 2 would will result in further loss of green open space. Additionally with site option 2, there will be an impact / change to the current views over Swansea Bay. However, the report notes that site option 2 is closer to the main services and facilities, such as public toilets, shop, café and parking.
- 3.12 Notwithstanding the differences above the report highlights that another important difference between the two sites is that planning permission has already been obtained at site 1 with work and cost borne by MCC. The characteristics between site 1 and 2 are sufficiently similar, as is their proximity to each other, and that to proceed with a new planning application and associated site surveys would incur needless expense and delay to ultimately provide the same offer.
- 3.13 Some of the key factors for Underhill Park being the least preferred option related to potential conflicting uses with the nearby childrens play park and loss of green space that has been used previously for sports training, although it confirms that this area is not a formal pitch for sport.
- 3.14 Potential drainage and accessibility issues were highlighted in relation to the Underhill park site, together with potential issues that could be foreseen that may cause nuisance to nearby residents. A recent planning approval for café and artificial pitches provides evidence that proposed changes within the park are possible, but noting the identified suitable greenspace location would be adjacent to the properties on Newton Road, and overlooked by properties on Llangland road and potential for noise and anti-social behaviour.
- 3.15 The report does not provide detail as to whether consultation was undertaken with Mumbles Community Association (MCA) who have Council support to enter into a long lease for Underhill Park and are therefore a key stakeholder. However, in this context, it must be considered that MCC are separately supportive of the Underhill Park scheme and have provided certain levels of underwriting in support of the community asset transfer from the Council.
- 3.16 Overall, the report concluded an overriding preference for site 1 at Llwynderw noting a number of key characteristics including its existing use, planning consent and accessibility from nearby parking and facilities

at Blackpill. Whilst noting potential noise impact on nearby residents, and safety of users with a nearby road. Fundamentally, these issues were dealt with as part of the planning consent and will be mitigated as appropriate through the conditions placed on the consent.

- 3.17 There is clearly a strong preference within the skating community for the current location (site option 1) through the consultation undertaken and this is well supported by virtue of the fact that this site has an accepted and historical use for skating over a number of years.

#### **4.0 Property Implications**

- 4.1 To enable MCC to confidently invest in the facilities without fear of the useful life of those investments being cut short and to give the parties involved the ability to apply for grant funding for the maximum number of grants available, a 25 year lease is considered appropriate in this case.

- 4.2 The lease will require the access to the surrounding land and skate park to remain as a public open space, that the facilities are maintained to a high standard and require that any further alterations will require the Councils consent.

- 4.3 Given the above terms a peppercorn rent for the length of the term is considered appropriate and to be best value given the proposed use. However, disposal at a peppercorn rent is considered to be at an undervalue when considering all possible uses and disposal options. Market Rent for the property under its current use is considered to be in the region of £5,000 per annum and the Market Value of the freehold interest is estimated to be around £90,000. However, as the freehold interest in the land is not to be disposed of the opportunity to achieve a maximum figure will not have been removed, just pushed into the future.

- 4.4 The Council is required to dispose of land for the best consideration reasonably obtainable in accordance with Section 123 of the Local Government Act 1972 and the Council's Land Transaction Procedure Rules

- 4.5 The General Disposal Consent (Wales) Order 2003 allows a range of public bodies to transfer the ownership and management of land and buildings to local communities at 'less than best consideration' where it is the intention to promote social, economic or environmental well-being. The proposed disposal is in accordance with Councils Community Asset Transfer Policy and clearly falls within the scope of the General Disposal Consent (Wales) Order 2003 – see paragraph 4.6. As outlined in paragraphs 2.23, 2.24 and 2.25 this disposal also meets the objectives of the Well-Being of Future Generations (Wales) Act 2015 and the Council's policy commitments of creating a Healthier Swansea, a More Equal Swansea and a City of Cohesive Communities through community ownership, involvement and interest in local facilities, working with the community in managing and safeguarding important and valuable community assets and attractions to the destination. Investment in modern, fit for purpose and high quality skateboarding facilities which will

increase access to local informal sporting and recreational opportunities for all ages and abilities. It will also maintain and increase biodiversity

- 4.6 The Head of Property Services is satisfied that the disposal is in accordance with the Community Asset Transfer Policy in that it will create a mutual benefit to both the Council and the community by promoting social, economic or environmental wellbeing and support the aims and priorities of the Council. Community Asset Transfer is an established mechanism used to enable the community ownership and management of public owned land and buildings. The ultimate aim of Community Asset Transfer is community empowerment, that is, to ensure that land and buildings are retained or transformed for public benefit through community asset ownership and management
- 4.7 In order to comply with the Council's Land Transaction Procedure Rules this report needs to include prescribed information. It is confirmed in the paragraphs above that this proposed disposal is in accordance with the Council's Community Asset Transfer Policy and meets the requirements of the General Disposal Consent (Wales) Order. If this disposal is not approved then the benefits as outlined in paragraphs 2.23 - 2.25 will not be achieved. There is no commercial advantage acquired by the tenant as a result of this disposal as the proposed tenant is not a commercial enterprise and the facility is to be open access and free to use. The proposal is to lease the Land for a term of 25 years on a full repairing and insuring lease at a peppercorn rent with the use restricted to that of a Skatepark and public open space.
- 4.8 The above mentioned terms are non-negotiable therefore Cabinet approval is sought for these terms and to then authorise the Head of Property Services to negotiate and settle the other detailed terms of the proposed lease (and thereafter any required Deeds of Variation) and to instruct the Chief Legal Officer to finalise the legal documentation.
- 4.9 As the land is deemed to be public open space, a statutory consultation process has been undertaken and the responses collated and provided within Appendix F so that Cabinet can have regard to any objections raised, prior to making any decision as to whether it is appropriate to dispose of the land on the terms outlined within this report.
- 4.10 The Council is required under s123 to advertise the disposal of the land in the local newspaper for two consecutive weeks and to give full and proper consideration to any objections. The key issue for the Council is to balance any adverse consequences of the loss of open space, having regard to the objections received, against the advantages of disposing of the land.
- 4.11 A notice of disposal was advertised within the local newspaper, online and within the public notice board at the Civic Centre for two consecutive weeks on 28<sup>th</sup> September 2021 and 5<sup>th</sup> October 2021, with responses accepted until 19<sup>th</sup> October 2021.
- 4.12 One thousand and twelve (1,012) responses were recorded throughout the consultation period. 87% of these responses were from respondents within Swansea, and 13% being from outside the area. The Swansea

based respondents lived across a number areas within Swansea, and not contained solely to the Mumbles Community Council boundaries.

- 4.13 Responses have been categorised and grouped as having a view to either;
- ‘Support’ the proposed disposal of land
  - ‘Object’ to the proposed disposal of land
  - ‘Neutral’, neither support or an objection could be determined from the response

- 4.14 A summary of the responses by these categorisations are presented in Table 1 below, (% rounded up/down)

Table 1

Support	949	94%
Object	41	4%
Neutral	22	2%

- 4.15 Those that Object to the proposal, Thirty Three (33) of them were lodged by respondents within Swansea, and Eight (8) from a respondent living elsewhere. Of the Nine Hundred and Forty Nine (949) that Support, Eight Hundred and Thirty Three (833) were from Swansea and One Hundred and Sixteen (116) were from those living elsewhere.

- 4.16 Cabinet must fully consider the detail of the comments contained within Appendix F, which presents all of the recorded responses in full. The respondents’ personal information has been redacted under GDPR.

- 4.17 In summary, the responses in Support (949) featured some of the following themes;

- Respondents noted the health, wellbeing, good mental and physical fitness benefits of a skate park;
- Potential to create a positive ethos within the skating community, with young adults teaching young children, and it builds self-esteem and a sense of belonging.
- The skate park is seen as a facility for the local and wider community of Swansea, along with visitors
- Tourism is seen as a positive attribute to the development of a skate park particularly by the non-Swansea respondents from other parts of the UK;
- The skate park is seen as something people of all ages can get involved with noting that it is family friendly, suitable across wide age group, including those with disabilities.
- The popularity of skateboarding as a pastime is highlighted, as well as its inclusion in the Olympics. The Olympics has increased interest in the sport and many noted the skate park could encourage future Olympians.
- The popularity of all “wheeled sports” (scooters, roller skates/blades / bikes / BMX/ skateboards etc.) is highlighted and would all benefit from a skate park
- The social aspect of a skate park is also brought up in responses.

- The development of the skate park will result in the reduction of instances of skateboarders using non-specialised areas (e.g. Castle Square).
- The location considered suitable with easy access, especially to those with mobility issues, determining a general view that the site and location is suitable for such activities.
- The location considered suitable for those to travel to who do not have access to a car, with good transport links mentioned.
- Respondents noted the location to be a safe and secure area for those attending the skate park
- Respondents noted that currently there is a lack of skate park facilities available in Swansea and that this is needed for the community

4.18 In summary, the responses that Object to the proposal (41) featured the following themes;

- Some support for the proposal but would be better placed in a different location. Respondents do not feel this location is the most suitable.
- The site is considered unsuitable by some respondents as it is a general place of beauty and considered a loss of green space and would spoil the natural landscape
- Respondents noted the biodiversity obligations of the Council
- The lack of drop-off point or parking facilities is a concern
- Respondents noted the potential increase of traffic and congestion
- The lack of public conveniences is a concern
- Respondents noted the possibility of anti-social activity, increased noise and a safety and safeguarding concern
- Respondents noted concern for a lack of expertise and finance from Mumbles Community Council to operate the skate park
- The lack of perceived benefits for the local area was highlighted.

4.19 In making its decision, Cabinet should specifically consider whether the objections have been more generally dealt with as part of the due diligence exercises, and are also matters that have already been considered and dealt with within the planning conditions under 2019/2345/FUL which was granted in 2020.

4.20 Overall there is a clear overwhelming level of community support for the project; with a small number of objections for the disposal of the land for the purposes of a skate park development.

## **5.0 Integrated Assessment Implications**

5.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, 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 Acts.
- 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.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

5.1.1 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

5.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

5.2 The IIA in Appendix E is an update of the previous EIA. This has been continually updated through the process.

5.3 If this proposal is agreed the Community Council will improve and enhance the facility provision on the site of the existing skate park to enable them to further develop opportunities for the local community, particularly children and young people and with an enhanced offering for those with disabilities. There will be significant improvement in provision and opportunities offered compared to the present skate park. Access will remain fully open to the public, free of charge including protection and improvement to the wider green space that will surround the new facility

The only change to current provision is that the Community Council will have the responsibility for the areas within the lease demise. Casual usage will not change or be adversely affected, and in the long term is anticipated to significantly increase along with access and enjoyment of the wider area in general.

The Community Council have actively worked with the local community, skaters and with other groups who regularly use the facility and the proposals are well advanced and known within the general public and media.

The Marketing, Editorial and Events Planner within the Community Council will be responsible for the Welsh language requirements. The Community Council have committed that all signage and information for the skate park, including any publicity, social media, the website and all

questionnaires and surveys produced will be produced bilingually. A budget of £6,000 is available for Welsh translation and signage.

A Welsh language officer has also been appointed from Mumbles Skate Park Association to assist the Community Council with relevant communication.

5.4 The areas within this screening where a High impact was scored, can be further explained below:

5.4.1 Children and Young people and any other age group:

The work by MCC and their chosen contractor have specifically targeted a broad range of users and potential user groups through the consultation and design phase of the proposed skatepark with their needs in mind. The current skate facility is a standard halfpipe, which requires competence and skill to ride, and is not generally suitable for young learners or novice riders.

The newly proposed skate park significantly enhances the offer. Whilst there is opportunity for the most proficient riders to significantly progress and enjoy the sport, the inclusion of more shallower and alternate areas within the design ensures that riders of all abilities, and those on skateboards, scooters, BMX and other wheeled sports can enjoy the benefits of the renewed offer. It is therefore a much more versatile and balance offering to the current provision

It should be noted that facilities such as these are not solely aimed at older children and young teenage boys. Wheeled sports arenas attract users from every demographic including wheelchair users who can interact on positive and equal terms with other users. Popularity of scooters remains high and enables first time Skatepark users to explore the use before moving onto skateboards, BMX bikes or inline skates. There is also a vibrant scene within the UK for more mature users who have recently rediscovered “skating” with the advent of high quality wheeled sport arena provision and finding people in their forties and fifties riding the park is not unusual.

The skate park will add to the infrastructure of facilities within Swansea that contribute to the physical and mental well-being of children and young people. Access to opportunities to participate in physical activity is a critical part of the Well Being of Future Generations Act and contribute to the Council’s policy commitment of creating “A Healthier Swansea”.

5.4.2 Community cohesion and Social inclusion/Poverty:

The Skate Park will be open access, participants will be able to use the facility at no cost which removes the financial barrier and promotes the goal of “A More Equal Swansea”. This type of facility and activity tends to be very attractive to children and young people who may not be engaged in more formal sports and would provide a positive contribution to Welsh Governments recommendations for regular physical activity as part of a healthy and active lifestyle.

#### 5.4.3 Disability:

Consultation has been developed over 18 months to ensure that all interested parties - residents, Skateboard groups, all local schools had an opportunity to input into it through public meetings and consultations and questionnaires and surveys. MCC were also able to incorporate BMX facilities taking advice from a member of the UK Olympic BMX team and full disability access with advice from the Wheelchair Motocross World Champion.

#### 5.5 Welsh Language – low impact identified:

The Mumbles Community Council area does not have a high proportion of Welsh speakers with approximately 10% of the residents being Welsh speakers against the Swansea average of 11.4% and Wales average of 28.5%. However, with the recent opening of a Welsh Medium Primary school it is expected that this number to steadily increase as the first cohort of children are now coming up to 18 years old. The Community Council seeks to actively support the use of the Welsh language and has committed to producing all newsletters bilingually this year.

The Community Council have further committed that all publicity, signage and information will be produced bilingually for the Skatepark project.

The Community Council website will have a dedicated page for the project and this will be produced bilingually, as would all posts to it. The Community Council has confirmed that they welcome posts, emails and comments from residents in Welsh language.

Furthermore, to support the Community Council, Mumbles Skatepark Association have Welsh speakers within their membership and one member has been designated as the Welsh Language officer and will assist with communication in Welsh. There is also a commitment to engage with older pupils at Gwyr and to form linkages with both Llwynderw and Gwyr Welsh Medium schools and actively promote the use of the Welsh Language with the schools and at events held at the site.

All questionnaires and surveys produced as part of the Monitoring and Evaluation Strategy will be produced bilingually and interviews and focus groups will be held in Welsh or have a Welsh speaker available to translate where required - e.g. with Llwynderw and Gwyr Schools.

The final evaluation report will be produced bilingually and Welsh summaries of the interim reports can be provided if required as can the agendas and minutes of the Steering Group meetings.

#### 5.6 WFG Considerations:

The successful implementation of the proposal and long-term lease holding and associated management of the site by the Community Council will provide the following benefits that are linked with the Well-Being of Future Generations Act;

- Following construction, the wider site will be landscaped with grass and wildflowers and will be protected from the road by a hawthorn hedge. – “A resilient Wales”

- The siting has allowed for most of the Skatepark to be set below the sight line from Mumbles Road, thus minimizing the impact – “A resilient Wales”
- A facility that will contribute to the physical and mental well-being of all ages, in particular children and young people. – “A Healthier Wales”
- Increased access to local informal sporting and recreational opportunities for all ages and abilities - “A Healthier Wales”
- The Skate Park will be open access, participants will be able to use the facility at no cost, which removes the financial barrier and promotes the goal of - “A More Equal Swansea”.
- Community cohesion through the ownership, involvement and interest in local facilities. – “A Wales of Cohesive Communities”
- Partnership working with the community in managing and safeguarding important and valuable community assets and attractions to the destination – “A Wales of vibrant Culture”
- Investment in modern, fit for purpose and high quality skateboarding facilities which the Council has not budgeted to provide or fund directly – “A Globally Responsible Wales”

5.7 The process undertaken in preparing the business case has demonstrated that the views and impact on protected groups has been taken into consideration and directly informed the proposals as outlined above.

5.8 Following the completion of the public open space statutory consultation, there were no fundamental issues presented that suggest that the proposal would have a disproportionately adverse impact upon those groups that share protected characteristics.

5.9 The consultation highlighted that there is an overwhelming level of community support for the skate park development and that the overall impact would be positive for the large majority of users.

## **6.0 Financial Implications**

6.1 Agreement of a lease to the Community Council would preclude the Council from the possibility of securing the future sale and capital receipts from this site.

6.2 The current annual costs for the Parks service in relation to the land at Llwynderw where the exiting skatepark is located is in the region of £2,000 per annum;

6.3 The Council does not receive a direct income from the site, as it is open access and free of charge.

6.4 There will be additional financial income to the Council from MCC paying an annual figure of up to £4,500 to the Council for the grounds maintenance, cleansing services and drainage maintenance. There will also be a saving in day-to-day maintenance and cost of inspecting the current skate equipment, along with a longer term saving at the point that the existing equipment would need to be replaced.

- 6.5 Therefore there will be a net saving to the Council of approximately £6,500 per annum, including saving and new income. This will be set against current savings targets within the MTFP.
- 6.6 There will be no additional long term revenue or capital financial commitment required by the Authority for any new facilities provided by the Community Council, as this will be the responsibility of the Community Council from the date of the lease.
- 6.7 The Council has received a detailed business plan from MCC which outlines the associated costs and responsibilities that will be transferred to MCC. The information contained in the business plan have been reviewed. Known future costs and estimates are considered as a robust indication of future likely costs to MCC, and can be taken forward order to inform a decision by the Council. However noting that costs are likely to change over the proposed lease period, and therefore accepts that MCC would need be in a position to cover additional in future, which MCC have confirmed.

## **7.0 Legal Implications**

- 7.1 Section 123 of the Local Government Act 1972 and the Council's Land Transaction Procedure Rules set out in the constitution apply to this disposal. Under s123 LGA 1972 a local authority has the power to dispose of land held by it in any manner it wishes provided that the local authority achieves the best consideration that can reasonably be obtained except where the disposal is for a short tenancy (less than 7 years) or the local authority has the consent of the Welsh Ministers. Under the Council's constitution the responsibility of determining in what manner the land will be disposed of in order to obtain best consideration lies with the Head of Property Services.

Under the General Disposal Consent (Wales) Order 2003 the Welsh Ministers have issued a general consent for disposals of land under s123 for less than best consideration. This allows a local authority to dispose of land for less than best consideration if it considers that the disposal will contribute to the promotion or improvement of the economic, social or environmental well-being of its area and the extent of the undervalue is no more than £2m. The General Disposal Consent (Wales) Order allows a range of public bodies to transfer the ownership and management of land and buildings to local communities at 'less than best consideration' where it is the intention to promote social, economic or environmental well-being. Paragraphs 4.3 and 4.6 above confirm that this proposed disposal is at an undervalue in accordance with the Council's Community Asset Transfer Policy, the objectives of which clearly meet the criteria for the application of the General Disposal Consent (Wales) Order 2003. In addition this disposal satisfies the statutory and policy objectives set out in paragraph 4.5 above. The relevant information prescribed by the Council's Land Transaction Procedure Rules is set out in paragraph 4.7.

- 7.2 There are specific powers and requirements for the disposal of land held by a local authority for planning purposes, housing, allotments, open space and school playing fields.

Where the land is deemed open space, the Council is required under s123 to advertise the disposal of the land in the local newspaper for two consecutive weeks and to give full and proper consideration to any objections. The key issue for the Council is to balance any adverse consequences of the loss of open space, having regard to the objections received, against the advantages of disposing of the land.

- 7.3 The property has not been advertised on the open market. The Council's constitution specifies that if there has been no marketing of the Land or only one person has indicated an interest to purchase there can be no such disposal of land unless the Head of Property Services or his nominee is satisfied that the disposal would be in accordance with the applicable statutory requirements. In considering this, the Head of Property Services may have regard to the following matters (among others) (a) the robustness of the valuation evidence, (b) the likely market for the Land now and in the future given its relevant physical, legal or other characteristics, (c) the potential for the Land to be transferred to and used by a community council or Third Sector/Community Group in accordance with the Community Asset Transfer Policy, (d) the responses (if any) received by the Council following reasonable marketing of the Land and (e) whether the disposal would achieve a corporate objective or contribute to the promotion or improvement of the economic, social or environmental wellbeing of people or communities in its area (taking into account all considerations including subsidy controls).

As stated in paragraphs 4.5 and 4.6 above, the Head of Property Services is satisfied that the disposal is in accordance with the Community Asset Transfer Policy and assists the Council in meeting several statutory and policy objectives, therefore satisfying the criteria in (c) and (e) above.

- 7.4 The lease documentation will contain all the relevant provisions to protect the Council's interest.

**Background papers:** None

**Appendices:**

Appendix A – MCC Skate Park Site Plan

Appendix B - MCC Business Plan (and supporting annexe 2-8)

Appendix C - High Level Planning Appraisal

Appendix D - (As referred to as Annex 1 in appendix B) - Post planning review of proposed wheeled sports area (DMW Architects & CL Planning)

Appendix E - IIA Screening

Appendix F - Open Space Consultation Responses

Link to all six appendices below;

<https://swansea.gov.uk/mccreportappendices>

# Agenda Item 12.



## Report of the Cabinet Member for Climate Change & Service Transformation

Cabinet - 18 November 2021

### Disabled Facilities & Improvement Grant Programme 2021/22 - Transfer of Budget

<b>Purpose:</b>	To provide details of Disabled Facilities & Improvement Grant Programme in 2021-22 and to seek approval to vire budget from Disabled Facilities Grants (DFG) to the Council's Capital General Fund and Minor Adaptations Grant and from Valleys Taskforce Grant budget into Western Valleys Grant budget. To comply with Financial Procedure Rule No.7 (Capital Programming and Appraisals) - to commit and authorise schemes as per the Capital Programme.
<b>Policy Framework:</b>	1. Local Housing Strategy. 2. Private Sector Housing Renewal and Disabled Adaptations: Policy to Provide Assistance 2017-2022.
<b>Consultation:</b>	Legal, Finance, Access to Services.
<b>Recommendation(s):</b>	It is recommended that Cabinet:  1) Approve the transfer of £1,210,000 from DFG budget to Council's Capital General fund;  2) Approve the transfer of £307,000 from DFG budget to Minor Adaptations Grant budget;  3) Approve the transfer of £105,000 from Valleys Taskforce Empty Property budget to the Western Valleys Taskforce Empty Property budget.
<b>Report Author:</b>	Darren Williams
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar

## **1.0 Introduction**

- 1.1 The current Private Sector Housing Renewal and Disabled Adaptations Policy was approved by Council on 22<sup>nd</sup> June 2017.

## **2.0 Capital Programme Process**

- 2.1 The Disabled Facilities Grants and Improvement Grant Budget for 2021-22 of £5.2 million was agreed by Cabinet on 18<sup>th</sup> March 2021. A further £2.977 million was carried forward from 2020-21 due to delays in the capital programme resulting from the Covid pandemic restrictions encountered during the year. From the £5.2 million budget, £4.3million was allocated to DFGs and £338,000 was allocated to Mini Adaptations Grants (MAGs).
- 2.2 The Welsh Government Valleys Taskforce Phase 2 and Western Valley Empty Property Grant scheme programme was agreed by Cabinet on 16<sup>th</sup> July 2020. These programmes required capital contributions from the Council of £140,000 for the Valleys Taskforce and £182,000 for the Western Valley schemes.

## **3.0 DFG Underspend**

- 3.1 The budget allocation of £4.3 million for DFGs in 2021-22 and £200,000 carried forward from 2020-21, giving a total budget figure for DFGs of £4.5 million is fully committed for spend during 2021-22. The current levels of budget will continue to be needed in future to service the ongoing demand for DFGs.
- 3.2 Demand for DFGs has been assessed and has now returned to pre Covid levels. It is forecast the budget of £4.5 million in 2021-22 will be sufficient to meet the in year demand. This means a significant proportion of the DFG budget carried forward from 2020-21 as a result of Covid will not be required for the DFG programme in 2021-22. It is proposed that £1,210,000 of the DFG carry forward is therefore returned to the Council's Capital General Fund.
- 3.3 It is proposed a further £307,000 of the carry forward DFG underspend from 2020-21 is transferred to the Minor Adaptations Grant budget for 2021-22 to meet the assessed demand for smaller adaptations.

## **4.0 Minor Adaptations Grant.**

- 4.1 The MAG programme assists vulnerable elderly and disabled residents to receive minor adaptations quickly through the Western Bay Care and Repair Handyperson service. Demand for the service is increasing year on year.
- 4.2 The budget of £293,000 for MAG is forecast to have a significant overspend in 2020-21, with a forecast spend of £600,000.
- 4.3 The proposed transfer of DFG budget of £307,000 to the MAG programme will address the funding shortfall.



## **5.0 Valleys Taskforce and Western Valleys Empty Property Grant programmes.**

- 5.1 Welsh Government reduced the required Council contribution towards the Valleys Taskforce Empty Property grant on 1<sup>st</sup> March 2021 from £140,000 to £35,000.
- 5.2 The Western Valleys Empty Property Grant scheme, in operation since January 2021, has seen significant interest from applicants. Additional funding is required to meet this ongoing demand. It is proposed the £105,000 saving from the Valleys Taskforce scheme Council's contribution is vired into the Western Valleys scheme accordingly.

## **6.0 Integrated Assessment Implications**

- 6.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, 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 Acts.
  - 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.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 6.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 6.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 6.4 An IIA Screening Form has been completed and a full IIA report is not required at this stage. The proposal to transfer DFG budget to other programmes will not negatively impact disabled clients as it is forecast there is sufficient funds in the capital programme for 2021-22 to meet the demand for DFGs. The transfer of funds to the Minor Adaptations Grant programme will result in more elderly and disabled clients receiving minor adaptations quickly to assist in preventing

hospital admissions and assisting hospital discharges. The provision of additional funds to the Western Valleys Empty Property scheme will assist Community Cohesion by bringing wasted empty properties back into use that often blight communities, reducing anti-social behaviour associated with empty properties including fly-tipping and substance misuse and assist in tackling poverty by creating additional affordable accommodation for people on low income currently on the housing register.

## 7.0 Financial Implications

7.1 The proposed virements are detailed below.

Fund	Existing Funding 21-22	Virement figure	Proposed Revised Funding
DFG	£6,017,000	-£1,517,000	£4,500,000
Minor Adaptations Grant	£293,000	£307,000	£600,000
Valleys Taskforce Empty Property Grant	£400,000	-£105,000	£295,000
Western Valleys Empty Property Grant	£520,000	£105,000	£625,000
Totals	£7,125,000	-£1,210,000*	£5,915,000

\* £1,210,000 to be returned to Council's General Capital Fund

## 8.0 Legal Implications

8.1 The schemes detailed are in line with local authority powers to provide assistance, contained in the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 and the Councils published Policy.

**Background Papers:** None

**Appendices:** None

# Agenda Item 13.



## Report of the Cabinet Member for Business Improvement & Performance

Cabinet – 18 November 2021

### Public Services Ombudsman for Wales Annual Letter 2020/21

<b>Purpose:</b>	To present the annual report of the Public Services Ombudsman (Wales) (PSOW).
<b>Policy Framework:</b>	Complaints Policies and Achieving Better Together
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Report Author:</b>	Sarah Lackenby
<b>Finance Officer:</b>	Jeffrey Dong
<b>Legal Officer:</b>	Debbie Smith
<b>Access to Services Officer:</b>	Rhian Millar
<b>For Information</b>	

#### 1. Introduction

- 1.1 This report presents the annual PSOW letter for 2020-21 and includes complaints performance of both Swansea Council and across the whole of Wales.
- 1.2 2020-21 was a very challenging year due to Covid-19, which impacted on the number of complaints received. Therefore, comparisons with the previous year's performance should be taken in that context.
- 1.3 The Council recognises that in order to meet the needs and concerns of members of the public, the monitoring of complaints is a valuable resource in its requirement to continually improve services. All complaints are taken very seriously and provide valuable customer insight.
- 1.4 Requests for service are different to complaints (e.g. a request for service could be a request to repair an unlit lamp post, or missed bin collection).

A complaint would only arise should the request for service not be properly dealt with.

1.5 Despite the impact of Covid-19 on business as usual work, the Council still made some good progress during the year:

- The Complaints Policies were reviewed to ensure they were in line with the Public Services Ombudsman (Wales) Act 2019
- The complaints team received some training directly from the PSOW
- A new IT system is underway to make the process easier for the public and more efficient for staff with improved reporting functionality.

1.6 The reporting of complaints performance will change from April 2021 with the addition of a report to the Governance and Audit Committee. This has been stipulated in the new Local Government (Wales) Act 2021.

## **2. Public Services Ombudsman (Wales) Annual Letter**

The PSOW publishes the annual letters to all Councils on its website (see Appendix A). The letter highlights activities undertaken by the Ombudsman's office during the year and the Council's performance and shows:

- The general picture across Wales that overall complaints were down by 12.5% compared with 2019-20. However, the PSOW saw a general increase in code of conduct complaints
- The PSOW received 73 complaints relating to Swansea Council, 67 of which were closed within the year, and 9 of which received intervention (early resolution / voluntary settlement (5) or were upheld (4)). PSOW complaints reduced compared with the 93 closed in 2019-20
- There were 19 code of conduct complaints closed relating to Swansea Council and 4 others relating to Community Councils. For Swansea Council this increased compared with the 3 received and closed in 2019-20 and 6 relating to Town/Community Councils
- The letter also highlights key activities undertaken by the Ombudsman's office during the year.

2.1 The Council will continue to engage with the Ombudsman's Complaints Standards work, providing complaints data and accessing training for staff.

## **3. Integrated Assessment Implications**

3.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, 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 Acts.

- 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.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

3.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

3.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

3.2 An IIA Screening Form has been completed with the agreed outcome that a full IIA report was not required.

The impacts have been categorised as medium as there is the potential to positively change and adapt services based on complaints received. The exception is where policies and processes are governed by statutory legislation, therefore the impact remains the same.

With regard to the summary of involvement, complaints from the public are used as a valuable tool to adapt, change and develop services.

Well-being and future generations considerations around this annual letter include:

- Using complaints information to adapt and shape services for the future
- Using Welsh Language complaints to ensure the Council not only meets the existing standards but also encourages and promotes the Welsh Language
- Using complaints information to prevent problems occurring or getting worse
- Viewing complaints in an integrated way, especially where a complaint may involve multiple public sector organisations.

The report adheres to the transformation and future council development well-being objective in the Corporate Plan - so that services are sustainable and fit for the future.

The report provides historic performance information and therefore risks are considered low.

With regard to the cumulative impact, this is an annual performance letter. When a complaint is received by a service opportunities to adapt, review or change ways of working are considered at that point. However, some policies and procedures are related to statutory legislation and cannot be changed locally.

#### **4. Financial Implications**

4.1 During 2020-21 the Council spent £22,700 on complaints investigations and paid £3,633 in compensation.

#### **5. Legal Implications**


5.1 There are no specific legal implications arising from this report.

**Background Papers:** None


**Appendices:**

Appendix A PSOW Annual Letter 2020-21  
Appendix B IIA Screening Form

Ask for: Communications

 01656 641150

Date: September 2021

 communications@ombudsman.wales

Cllr. Rob Stewart  
Swansea Council

By Email only: [cllr.rob.stewart@swansea.gov.uk](mailto:cllr.rob.stewart@swansea.gov.uk)**Annual Letter 2020/21**

Dear Councillor Stewart

I am pleased to provide you with the Annual letter (2020/21) for Swansea Council.

This letter discusses information from a year unlike any other in recent memory, and as such may not be useful for establishing trends or patterns. Information received during this remarkable year will, however, bring insights on how public services reacted in the face of unprecedented demand and the most difficult of circumstances.

During the past financial year, we have intervened in (upheld, settled or resolved at an early stage) the same proportion of complaints about public bodies, 20%, compared with 2019/20.

Regarding new complaints received relating to Local Authorities, the overall number decreased by 12.5% compared with last year. This reflects the reduction in complaints being reported by Local Authorities during the Covid-19 pandemic. My office intervened in a similar proportion of the cases closed as in the previous year (13%).

However, we referred a higher proportion of Code of Conduct complaints to a Standards Committee or the Adjudication Panel for Wales: 3.4% compared to 2% in the previous year. This higher referral rate was also accompanied by a sharp increase in the number of Code of Conduct complaints received.

During 2020/21, despite challenges caused by the pandemic, my office made great strides in progressing work related to Complaints Standards and Own Initiative Investigations. The theme and consultation period of the first wider Own

Page 1 of 9

Initiative Investigation – into Local Authority Homelessness Assessments - was launched in September 2020 and the report is due in the coming months. We also commenced 4 extended Own Initiative Investigations, where we extended the scope of our work on a complaint already under investigation.

Last year, my office also pushed ahead with two new publications – ‘Our Findings’ and our first Equality Report.

‘Our Findings’ will be accessed via the PSOW website and replaces the quarterly casebooks. Our Findings will be updated more frequently and will be a more useful tool in sharing the outcomes of investigations. Our first Equality Report highlights the work done to improve equality and diversity, and to ensure that our service is available to people from all parts of society.

Local Authorities in Wales continued to submit data about the complaints they handled to the Complaints Standards Authority (CSA) during 2020/21, as well as receiving a model complaints procedure and accessing 76 virtual training sessions.

The data submitted for 2020/2021 shows:

- Nearly 12,000 complaints were recorded by Local Authorities
- This equates to 3.77 for every 1000 residents.
- Nearly half (44%) of those complaints were upheld.
- About 75% were investigated within 20 working days.
- About 9% of all complaints closed were referred to PSOW.

The CSA will publish data to the PSOW website for the first time in the coming year, marking a key achievement in the progress of this work. Training sessions have been delivered to almost all Local Authorities in Wales, and our offer of training remains open ended and will be delivered free of charge.

A summary of the complaints of maladministration/service failure received relating to your Council is attached.

Also attached is a summary of the Code of Conduct complaints relating to members of the Council and to the Town & Community Councils in your area.

I ask that the Council takes the following actions:

- Present my Annual Letter to the Cabinet to assist members in their scrutiny of the Council’s complaints performance and any actions to be taken as a result.
- Engage with my Complaints Standards work, accessing training for your staff and providing complaints data.
- Inform me of the outcome of the Council’s considerations and proposed actions on the above matters by 15 November.



This correspondence is copied to the Chief Executive of your Council and to your Contact Officer. Finally, a copy of all Annual Letters will be published on my website.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nick Bennett', with a stylized flourish at the end.

Nick Bennett  
Ombudsman

cc.Phil Roberts, Chief Executive, Swansea Council  
By Email only: phil.roberts@swansea.gov.uk

## Factsheet

### Appendix A - Complaints Received

Local Authority	Complaints Received	Received per 1000 residents
Blaenau Gwent County Borough Council	15	0.21
Bridgend County Borough Council	31	0.21
Caerphilly County Borough Council	46	0.25
Cardiff Council*	96	0.26
Carmarthenshire County Council	27	0.14
Ceredigion County Council	32	0.44
Conwy County Borough Council	32	0.27
Denbighshire County Council	32	0.33
Flintshire County Council	59	0.38
Gwynedd Council	30	0.24
Isle of Anglesey County Council	18	0.26
Merthyr Tydfil County Borough Council	15	0.25
Monmouthshire County Council	20	0.21
Neath Port Talbot Council	19	0.13
Newport City Council	31	0.20
Pembrokeshire County Council	28	0.22
Powys County Council	38	0.29
Rhondda Cynon Taf County Borough Council	40	0.17
Swansea Council	73	0.30
Torfaen County Borough Council	12	0.13
Vale of Glamorgan Council	39	0.29
Wrexham County Borough Council	43	0.32
<b>Total</b>	<b>776</b>	<b>0.25</b>

\* inc 2 Rent Smart Wales

Appendix B - Received by Subject

<b>Swansea Council</b>	<b>Complaints Received</b>	<b>% Share</b>
Adult Social Services	9	12%
Benefits Administration	1	1%
Children's Social Services	11	15%
Community Facilities, Recreation and Leisure	2	3%
Complaints Handling	6	8%
Covid19	3	4%
Education	0	0%
Environment and Environmental Health	5	7%
Finance and Taxation	0	0%
Housing	15	21%
Licensing	0	0%
Planning and Building Control	12	16%
Roads and Transport	9	12%
Various Other	0	0%
<b>Total</b>	<b>73</b>	

Appendix C - Complaint Outcomes  
 (\* denotes intervention)

County/County Borough Councils	Out of Jurisdiction	Premature	Other cases closed after initial consideration	Early Resolution/voluntary settlement*	Discontinued	Other Reports- Not Upheld	Other Reports Upheld*	Public Interest Report*	Total
Swansea Council	17	14	26	5	0	1	4	0	67
% Share	25%	21%	39%	7%	0%	1%	6%	0%	

## Appendix D - Cases with PSOW Intervention

	No. of interventions	No. of closures	% of interventions
Blaenau Gwent County Borough Council	1	17	6%
Bridgend County Borough Council	2	30	7%
Caerphilly County Borough Council	3	45	7%
Cardiff Council	26	100	26%
Cardiff Council - Rent Smart Wales	0	2	0%
Carmarthenshire County Council	6	29	21%
Ceredigion County Council	4	31	13%
Conwy County Borough Council	5	31	16%
Denbighshire County Council	2	31	6%
Flintshire County Council	11	62	18%
Gwynedd Council	5	27	19%
Isle of Anglesey County Council	1	17	6%
Merthyr Tydfil County Borough Council	0	14	0%
Monmouthshire County Council	1	19	5%
Neath Port Talbot Council	1	17	6%
Newport City Council	5	29	17%
Pembrokeshire County Council	3	26	12%
Powys County Council	4	47	9%
Rhondda Cynon Taf County Borough Council	2	43	5%
Swansea Council	9	67	13%
Torfaen County Borough Council	0	11	0%
Vale of Glamorgan Council	5	38	13%
Wrexham County Borough Council	6	48	13%
<b>Total</b>	<b>102</b>	<b>781</b>	<b>13%</b>

## Appendix E - Code of Conduct Complaints

County/County Borough Councils	Discontinued	No evidence of breach	No action necessary	Refer to Adjudication Panel	Refer to Standards Committee	Withdrawn	Total
Swansea Council	8	9	1	0	0	1	19

## Appendix F - Town/Community Council Code of Complaints

Town/Community Council	Discontinued	No evidence of breach	No action necessary	Refer to Adjudication Panel	Refer to Standards Committee	Withdrawn	Total
Mumbles Community Council	0	0	1	0	1	1	3
Three Crosses Community Council	1	0	0	0	0	0	1

## Information Sheet

Appendix A shows the number of complaints received by PSOW for all Local Authorities in 2020/2021. These complaints are contextualised by the number of people each health board reportedly serves.

Appendix B shows the categorisation of each complaint received, and what proportion of received complaints represents for the Local Authority.

Appendix C shows outcomes of the complaints which PSOW closed for the Local Authority in 2020/2021. This table shows both the volume, and the proportion that each outcome represents for the Local Authority.

Appendix D shows Intervention Rates for all Local Authorities in 2020/2021. An intervention is categorised by either an upheld complaint (either public interest or non-public interest), an early resolution, or a voluntary settlement.

Appendix E shows the outcomes of Code Of Conduct complaints closed by PSOW related to Local Authority in 2020/2021. This table shows both the volume, and the proportion that each outcome represents for the Local Authority.

Appendix F shows the outcomes of Code of Conduct complaints closed by PSOW related to Town and Community Councils in the Local Authority's area. This table shows both the volume, and the proportion that each outcome represents for each Town or Community Council.

# Integrated Impact Assessment Screening Form – Appendix B

Please ensure that you refer to the Screening Form Guidance while completing this form.

## Which service area and directorate are you from?

Service Area: Customer Services & Complaints

Directorate: Resources Directorate

### Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

### (b) Please name and fully describe initiative here:

**Public Services Ombudsman (Wales) annual letter for 2020-21**

### Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



## Integrated Impact Assessment Screening Form – Appendix B

- Q3** What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?  
Please provide details below – either of your activities or your reasons for not undertaking involvement

The annual letter highlights the Council's performance on handling complaints. Complaints from the public are used as a valuable tool to adapt, change and develop services.

- Q4** Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?  
Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- c) Does the initiative apply each of the five ways of working?  
Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

- 
- Q5** What is the potential risk of the initiative? (*Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...*)

High risk

Medium risk

Low risk

- 
- Q6** Will this initiative have an impact (however minor) on any other Council service?  
 Yes  No If yes, please provide details below

- 
- Q7** What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

This is an annual letter, reviewing past performance for 2020-21. When a complaint is received by a service opportunities to adapt, review or change ways of working are considered at that point. However, some policies and procedures are related to statutory legislation and cannot be changed locally.

# Integrated Impact Assessment Screening Form – Appendix B

## Outcome of Screening

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

The impacts have been categorised as medium as there is the potential to positively change and adapt services based on complaints received. The exception is where policies and processes are governed by statutory legislation, therefore the impact remains the same.

With regard to the summary of involvement, complaints from the public are used as a valuable tool to adapt, change and develop services.

Well-being and future generations considerations around this annual report include:

- Using complaints information to adapt and shape services for the future
- Using Welsh Language complaints to ensure the Council not only meets the existing standards but also encourages and promotes the Welsh Language
- Using complaints information to prevent problems occurring or getting worse
- Viewing complaints in an integrated way, especially where a complaint may involve multiple public sector organisations.

The report adheres to the transformation and future council development well-being objective in the Corporate Plan - so that we and the services that we provide are sustainable and fit for the future.

The report provides historic performance information and therefore risks are considered low.

With regard to the cumulative impact, this is an annual performance report. When a complaint is received by a service opportunities to adapt, review or change ways of working are considered at that point. However, some policies and procedures are related to statutory legislation and cannot be changed locally.

(NB: This summary paragraph should be used in the relevant section of corporate report)

**Full IIA to be completed**

**Do not complete IIA – please ensure you have provided the relevant information above to support this outcome**

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.

<b>Screening completed by:</b>
<b>Name: Sarah Lackenby</b>
<b>Job title: Chief Transformation Officer</b>
<b>Date: 18<sup>th</sup> October 2021</b>
<b>Approval by Head of Service:</b>
<b>Name: Adam Hill</b>
<b>Position: Deputy Chief Executive / Director of Resources</b>
<b>Date: 19<sup>th</sup> October 2021</b>

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 14.



## Report of the Cabinet Member for Environment Enhancement & Infrastructure Management

Cabinet – 18 November 2021

### Financial Procedure Rule 7 – Road Safety Grant 2021/22

<b>Purpose:</b>	To confirm the Road Safety grant allocation from Welsh Government and include the expenditure in the capital programme for 2021/22.
<b>Policy Framework:</b>	The Local Transport Plan.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) The Road Safety grant of £219,100 is confirmed and this expenditure be included in the capital programme for 2021/22.
<b>Report Author:</b>	Alan Ferris
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Jonathan Wills
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

1.1 The following report has been prepared to advise on the success of the Council in bidding for grant funding from Welsh Government to implement road safety improvements. The bids are aimed at:

- a) Introducing a 40mph speed limit on the A4067 linking Ynystawe Roundabout through to Pontardawe. This limit to be supported by the introduction of an average speed road safety camera system.
- b) Undertaking a study of the speeding traffic issues in the villages of Knelston and Scurlage in the Gower. This study to be used to inform future capital bids to address the issues identified.

- 1.2 The report details the works proposed using the grant allocation from Welsh Government and invites members to confirm their acceptance of the grant and its inclusion in the 2021/22 capital programme.

## **2. Road Safety (Capital) bid details**

- 2.1 In January 2021 Welsh Government invited Councils across Wales to submit bids for funding to support the reduction in road casualties in Council areas. The information below provides details of each of these bids, the issues identified at each site, the solutions proposed and the level of grant funding awarded.

### **2.2 A4067, Ynystawe through to Pontardawe**

- 2.2.1 On analysing the collision statistics throughout the County area, it was evident that there were a significant number of collisions on the A4067, between Pontardawe and junction 45 of the M4. In particular the section of this road, around 4 km long, between Ynystawe roundabout and Pontardawe showed a pattern of collisions where speed was consistently considered to be a primary factor. In the most recent three-year period collisions on this section of road resulted in one fatality and two serious injuries in separate incidents as well as 11 collisions where injuries were considered slight. There was a further collision resulting in a fatality which was recorded in the month prior to the three years reported. This too was considered to be speed related.
- 2.2.2 This pattern of collisions has led to widespread local concern over the speed of traffic on the road. The road itself is a key arterial distributor route linking traffic from the valleys to the city centre. Generally, the road operates at 40mph, however the section from the Swansea/ Neath Port Talbot boundary to Ynystawe roundabout operates as an unrestricted single carriageway with a 60mph limit.
- 2.2.3 To address the collisions on this section of road it is proposed to introduce a 40mph speed limit to replace this unrestricted section. To manage this reduction it is proposed to introduce average speed safety cameras operating over two sections. The first, from Ynystawe to Glais with the second operating from Glais to Pontardawe. This latter section will operate over the county border. Swansea will act as lead Authority in developing this solution.
- 2.2.4 The network of speed cameras has been, and remains an intrinsic element of the City and County of Swansea's armoury in reducing road casualties. The primary advantage of continuing to promote the use of safety cameras is the perceived and actual improvements in road safety which are engendered. This was confirmed in a study undertaken by the London School of Economics and Political Science published in 2017. The report's findings showed that speed cameras reduce accidents by between 17 and 39 percent and fatalities between 58 and 68 percent within 500 metres of the camera site. By utilising an average speed

camera system it is envisaged that this benefit can be extended to cover the route from Pontardawe through to Ynystawe.

2.2.5 The total estimated cost of introducing the 40mph speed limit and introducing and new camera infrastructure has been calculated as £207,100 including design, procurement and project management. Welsh Government confirmed that the works will be funded in full through the grant.

### 2.3 **Gower Village Study**

2.3.1 In 2018/19 Swansea Council, supported by Welsh Government through the Safe Routes in Communities Initiative, introduced widespread changes to speed limits throughout the Gower area. These were aimed at both reducing the numbers of collisions on the road and creating an environment that is more conducive to walking and cycling.

2.3.2 The majority of measures introduced, particularly on the major routes, appear to have been broadly welcomed with positive feedback from local members and community stakeholder groups. However, a number of communities continue to report speed concerns through villages. This is a particular problem in the Gower area, where there are limited sections of footway with the highway boundary often being limited to the carriageway itself.

2.3.3 Although speed limits are in many cases now 20mph, local residents continue to report excessive speeds and concern over their ability to walk safely within their communities. Speed enforcement opportunities are limited due to the nature of the roads.

2.3.4 To address this, Swansea Council are seeking funding to create a rolling programme to examine speed related issues in each of the communities. To analyse the nature and extent of the problem, identify limiting features and develop solutions which will address traffic issues. It is then proposed to undertake extensive local consultations with all key stakeholders to look at what can be delivered and ensure that it best serves all interests. The Gowers status as an Area of Outstanding Natural Beauty may require a different way of thinking to make communities more liveable without unnecessarily impacting on the local environment.

2.3.5 In the first year it is proposed to look at two sites, Scurlage and Knelston. Both villages report very high speeds through the village, particularly off peak. Both have limited land available with limited sections of footway. Both villages also have bus services, but with limited or poor points of embarkation and departure. It is proposed to use this analysis to inform future decision making and look at developing solutions more broadly going forward.

2.3.6 The cost of the study is calculated at £12,000. This allows for all associated survey work, design and consultations. From this it is proposed to bring forward detailed plans which will help in addressing the requirements of often remote communities, with limited potential to link to Active Travel routes. Welsh Government confirmed that the study will be funded in full through the grant.

### **3. General Issues**

#### **3.1 Staffing Implications**

The grant awarded has an allowance for fee built into the award. This will be used in supporting the operation of the Highways section in delivering these projects.

### **4. Integrated Assessment Implications**

4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, 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 Acts.
- 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.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

4.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

4.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

- 4.2 In meeting this requirement both aspects of the proposals have the broad ambition to improve road safety by reducing road traffic collisions and casualties, whilst safeguarding vulnerable people particularly pedestrians and cyclists. Full consultation will take place on the developed proposals involving all user groups, including those with disability to enable the wider community to input to the final design prior to the works being introduced.
- 4.3 An Integrated Impact Assessment (IIA) screening form has been completed for both elements of the proposals. In relation to the A4067 this concluded that the measures proposed have a broadly positive impact on all users of the highway, helping to manage speeds and reduce the numbers and severity of collisions on this section of road. The reduced speed limit and traffic camera system are being introduced with the full support of South Wales Police. The developed measures will address current issues but remain prevalent to support road safety going forward. The risks involved in lowering the speed limit and enforcing this lowered limit are assessed as being low and there is a broadly positive impact benefitting road users along this highway corridor into the city. The assessment for Gower Villages concluded that going forward the study will consider mechanisms to support the needs of all road users in being able to travel more safely and sustainably. The developed study will address current issues but remain prevalent to support future generations in accessing local services linking safe infrastructure between villages and into the city. The risks in carrying out the study are low, and risk will be considered in developing any solutions for future implementation. Overall there is the potential to broadly benefit the wider community if a solution, or a series of solutions, can be identified to support road safety in the Gower villages.
- 4.4 This led to the agreed outcome that a full IIA report was not required. A copy of the screening forms have been appended to the report as Appendix A.

## **5. Financial Implications**

- 5.1 Details of the proposed expenditure are shown in the Financial summary which is included as Appendix B to this report.
- 5.2 All works must be completed within financial year 2021/22. It will not be possible to draw down grant funding to complete unfinished work after 31 March 2022.

## **6. Legal Implications**

- 6.1 The Highways Act 1980 Section 41(1) places a statutory duty of care on the Highway Authority towards road users of all kinds. The Active Travel (Wales) Act 2013 legislates for the provision of routes designed for walking and cycling. The success in implementing the works identified above will help the Council in meeting its obligations in this regard.

6.2 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.

**Background Papers:** None

**Appendices:**

Appendix A      Equality Impact Assessment Screening Forms  
Appendix B      Financial Summary



## Appendix A

### Integrated Impact Assessment Screening Form - A4067, Ynystawe through to Pontardawe

#### Which service area and directorate are you from?

Service Area: Traffic Management and Road Safety

Directorate:Place

#### Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

#### (b) Please name and fully describe initiative here:

**40mph speed limit on the A4067 linking Ynystawe Roundabout through to Pontardawe.**

To address the collisions along this corridor, including two fatalities on this section of road it is proposed to introduce a 40mph speed limit to replace this unrestricted, 60mph limit, section. To manage this reduction it is intended to introduce average speed safety cameras operating over two sections. The first, from Ynystawe to Glais with the second operating from Glais to Pontardawe. This latter section will operate over the county border. Swansea will act as lead Authority in developing this section.

#### Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?  
Please provide details below – either of your activities or your reasons for not undertaking involvement**

The measures are being introduced following consultation with South Wales Police to address the pattern of road collisions along this corridor. Local Ward members are supportive of the proposed measures.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?  
Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- c) Does the initiative apply each of the five ways of working?  
Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

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**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

---

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes

No

If yes, please provide details below

---

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

The use of preventive measures to reduce or eliminate road traffic collisions will assist in reducing the burden on Emergency Services and the Health Service. It will also reduce the reliance on Council Services/Social Services where road deaths or serious injuries necessitate the need for continual after care for families following incidents of this nature.

### Outcome of Screening

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

The measures proposed have a broadly positive impact on all users of the highway, helping to manage speeds and reduce the numbers and severity of collisions on this section of road. The reduced speed limit and traffic camera system are being introduced with the full support of South Wales Police. The developed measures will address current issues but remain prevalent to support road safety going forward. The risks involved in lowering the speed limit and enforcing this lowered limit are assessed as being low and there is a broadly positive impact benefitting road users along this highway corridor into the city.

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

**Integrated Impact Assessment Screening Form - Gower Village Study**

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

**(b) Please name and fully describe initiative here:  
Gower Village Study.**

A number of communities continue to report speed concerns through villages in the Gower area, where there are limited sections of footway with the highway boundary often being limited to the carriageway itself.

Although speed limits are in many cases now 20mph, local residents continue to report excessive speeds and concern over their ability to walk safely within their communities. Speed enforcement opportunities are limited due to the nature of the roads, and in current guidelines, non-permissible in 20 limits with no school in the vicinity.

To address this, Swansea Council are seeking funding to create a rolling programme to examine speed related issues in each of the communities. To analyse the nature and extent of the problem, identify limiting features and develop solutions which will address traffic issues. It is then proposed to undertake extensive local consultations with all key stakeholders to look at what can be delivered and ensure that it best serves all interests. The Gowers status as an Area of Outstanding Natural Beauty may require a different way of thinking to make communities more liveable without unnecessarily impacting on the local environment.

In the first year it is proposed to look at two sites, Scurlage and Knelston.

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

High Impact		Medium Impact		Low Impact		Needs further investigation
+	-	+	-	+	-	

Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?**

**Please provide details below – either of your activities or your reasons for not undertaking involvement**

In developing solutions to the issues in these villages it is proposed to work with a broad range of stakeholders in the Gower. As well as involving local representatives it is proposed to seek the views of landowners, residents, The Gower Society as well as other council departments.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

e) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?

Yes  No

f) Does the initiative consider maximising contribution to each of the seven national well-being goals?

Yes  No

g) Does the initiative apply each of the five ways of working?

Yes  No

h) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?

Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes

No

If yes, please provide details below

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

A key element of the study will involve considering how these communities should be able to link to the wider transport network safely. At present there is insufficient provision for bus service pickups and put downs in these communities.

**Outcome of Screening**

**Q8 Please describe the outcome of your screening below:**

- Summary of impacts identified and mitigation needed (Q2)
- Summary of involvement (Q3)
- WFG considerations (Q4)
- Any risks identified (Q5)
- Cumulative impact (Q7)

Going forward the study will consider mechanisms to support the needs of all road users in being able to travel more safely and sustainably. The developed study will address current issues but remain prevalent to support future generations in accessing local services linking safe infrastructure between villages and into the city. The risks in carrying out the study are low, and risk will be considered in developing any solutions for future implementation. Overall there is the potential to broadly benefit the wider community if a solution, or a series of solutions, can be identified to support road safety in the Gower villages.

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

<b>Screening completed by:</b>
<b>Name:</b> Alan Ferris
<b>Job title:</b> Road Safety Manager
<b>Date:</b> 17/6/21
<b>Approval by Head of Service:</b>
<b>Name:</b> Stuart Davies
<b>Position:</b> Head of Service Highways and Transportation
<b>Date:</b>

**Appendix B - Financial Implications - Financial Procedure Rule 7**

**FINANCIAL IMPLICATIONS : SUMMARY**

**Portfolio:** PLACE  
**Service :** HIGHWAYS  
**Scheme :** ROAD SAFETY CAPITAL GRANT 2021/22

<b><u>1. CAPITAL COSTS</u></b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>TOTAL</b>
<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<u>Expenditure</u>				
Works				
A4067 Safety Cameras	179.1			179.1
Fees				
A4067	28.0			28.0
Gower Villages	12.0			12.0
Budget Code:				
<b>EXPENDITURE</b>	<b>219.1</b>	<b>0</b>	<b>0</b>	<b>219.1</b>
<u>Financing</u>				
Road Safety Capital grant				
A4067 Safety Cameras	207.1			207.1
Gower Villages	12.0			12.0
<b>FINANCING</b>	<b>219.1</b>	<b>0</b>	<b>0</b>	<b>219.1</b>
<b><u>2. REVENUE COSTS</u></b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>FULL YEAR</b>
<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<u>Service Controlled - Expenditure</u>				
Employees				0
Maintenance				0
Equipment				0
Administration				0
<b>NET EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

# Agenda Item 15.



## Report of the Cabinet Member for Environment Enhancement & Infrastructure Management

Cabinet - 18 November 2021

### Financial Procedure Rule 7 – Safe Routes in Communities Grant 2021/22

<b>Purpose:</b>	To confirm the Safe Routes in Communities grant allocation from Welsh Government and include the expenditure in the capital programme for 2021/22.
<b>Policy Framework:</b>	The Local Transport Plan, Active Travel (Wales) Act (2013).
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) The Safe Routes in Communities grant of £283,200 is confirmed and this expenditure be included in the capital programme for 2021/22.
<b>Report Author:</b>	Alan Ferris
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Jonathan Wills
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

1.1 The following report has been prepared to advise on the success of the Council in bidding for grant funding from Welsh Government to implement measures to support sustainable modes of transport particularly in the vicinity of schools in the Gowerton area.

1.2 The report details the works proposed to be undertaken using the grant allocation from Welsh Government and invites members to confirm their acceptance of the grant and its inclusion in the 2021/22 capital programme.

#### 2. Safe Routes in Communities bid details



- 2.1 In January 2021 Welsh Government invited Councils across Wales to submit bids for funding to support active travel modes in Council areas, particularly around schools. The information below provides details of the bid, the issues identified and the solutions proposed. The report also confirms the level of grant funding awarded and seeks approval to include the expenditure in the 2021/22 Capital programme.
- 2.2 **Gowerton:-**
- 2.3 In 2014 Welsh Government requested Local Authorities to provide a list of road safety concerns impacting on safe travel for pupils going to and from school. Highways officers in conjunction with Education Officers and Health and Safety Officers have continued to review this list. Analysing each individual school in the Swansea area to prioritise any requirement for road safety intervention. With two comprehensive schools in immediate proximity, Gowerton continues to raise concern in relation to conflict between vehicle and children's movements during the school commute. In addition, Gowerton suffers from high volumes of commuter traffic passing through the town travelling to the city centre beyond. This increases concerns for schoolteachers, parents and schoolchildren alike.
- 2.4 The developed bid aims to address these concerns and help to build on the existing active travel network. NCN4 passes through the town and interlinks with the new Kingsbridge Link (an improvement to the Swansea Bay silver Route). This provides excellent connectivity from the town to the city centre and the towns and villages to the north such as Gorseinon and Grovesend. However, there are limitations on the network within the town itself. This coupled with high traffic volumes as mentioned above limits local access to these facilities.
- 2.5 Analysis of existing links showed that the basic infrastructure was in place but internal links to the key routes required improvement or missing. This compounded by high traffic volumes were limiting the uptake of more sustainable transport modes both by children and by the wider community. The bid focused on addressing these two issues.
- 2.6 Firstly, the scheme aims to address both the speed of traffic through the town and the volume of commuter traffic, by introducing traffic calming through the central area of the town. This will be used to support a lowered speed limit of 20mph on the main roads, building on existing 20mph limits on Park Road and outside the primary school. The traffic calming will comprise a series of cushions, buildouts and plateaus to help slow traffic along the route whilst assisting pedestrian movements at key desire lines. The traffic calming will focus on the two main routes used by commuter traffic, Cecil Road and Gorwydd Road as well as the commercial centre of the town, Sterry Road.
- 2.7 The introduction of these measures will manage the speed of traffic through the town, creating additional opportunity for pedestrian and cycle movements to be undertaken safely. Previous experience has also shown that it will make it less attractive as a commuter route for those avoiding

using the A484 (Gowerton Bypass). The reduction in traffic volume through the town will be key in making this a more attractive community to live in.

- 2.8 In addition, a missing section of footway was identified on the B4295, Penclawdd Road. Construction of a new facility in this location will be key in creating a safe route for pedestrians and cyclists south of the B4295 to access both the Primary school and NCR4.
- 2.9 The potential to improve connectivity along the existing Active Travel routes was also identified. Both the Mill St junction and the Sterry Rd/Station Rd junction of the B4295 involve cyclists having to negotiate staggered split crossings, which are both tight and unattractive, giving cars priority in movement. The proposals allow for making these single phase crossings. This significantly improves the attractiveness of NCR4 through the town and also prioritises cyclists/pedestrian time over other traffic which will further detract from its attractiveness as a commuter route. These junctions also have pinch points with pedestrian cyclist conflict potential, reworking the junction layout will remove this.
- 2.10 Some elements of the bid were not supported. These included Mill Street where it was proposed to introduce a new Toucan crossing linking the rugby club to the town and improvements to a network of footways which were designed to improve access to residential areas
- 2.11 The total award from Welsh Government, including design and supervision, is £283,200. The funding is conditional on works being completed by 31 March 2022. In addition the Local Ward Member has agreed to support the implementation of the works through a £30,000 contribution from their Community Fund allocation.

### **3. General Issues**

#### **3.1 Staffing Implications**

- 3.2 The grant awarded has an allowance for fee built into the award. This will be used in supporting the operation of the Highways section in delivering these projects.

### **4. Integrated Assessment Implications**

- 4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, 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 Acts.
  - 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.

- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

4.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

4.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

4.2 The fundamental objective of the scheme is to seek to encourage an active lifestyle by encouraging children to travel to school actively, helping with lifestyle choices for years to come. This is further built on by widening the scope to address issues around the wider community that may be limiting connectivity to sustainable modes. The success in implementing these measures supports a wide range of National and Local objectives by developing healthy lifestyle choices, addressing transport poverty issues and helping to address environmental issues through modal change. More locally, the potential for reduced congestion and lower vehicle speeds will help in creating an environment that is more attractive and open for people to move about safely and freely.

4.3 The works will be designed taking full account of the requirements to support the use of Welsh language. All traffic signs will be bi-lingual with Welsh appearing first.

4.4 An Integrated Impact Assessment (IIA) screening form has been completed with the agreed outcome that a full IIA report was not required. The screening concluded that this development would have a positive impact on children and young people as well as people of all ages in the community travelling through the town. Positive engagements with the schools and community leaders led to the award of funding to support the scheme and this will be carried through the detailed design and implementation to ensure that the benefits are realised for everyone. The cumulative impact is seen as being entirely positive. A copy has been appended to the report as Appendix A.

## **5. Financial Implications**

5.1 Details of the proposed expenditure are shown in the Financial summary which is included as Appendix A to this report.

5.2 All works must be completed within financial year 2021/22. It will not be possible to draw down grant funding to complete unfinished work after 31 March 2022.

## **6. Legal Implications**

6.1 The Highways Act 1980 Section 41(1) places a statutory duty of care on the Highway Authority towards road users of all kinds. The Active Travel (Wales) Act 2013 legislates for the provision of routes designed for walking and cycling. The success in implementing the works identified above will help the Council in meeting its obligations in this regard.

**Background Papers:** None

### **Appendices:**

Appendix A Integrated Impact Assessment Screening Forms  
Appendix B Financial Summary

## Appendix A - Integrated Impact Assessment Screening Form

### Which service area and directorate are you from?

Service Area: Traffic Management

Directorate: Place

### Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

### (b) Please name and fully describe initiative here: **Gowerton Safe Routes in Communities**

This proposal is aimed at addressing both the speed of traffic through the town and the volume of commuter traffic, by introducing traffic calming through the central area of the town. This will be used to support a lowered speed limit of 20mph on the main roads, building on existing 20mph limits on Park Road and outside the primary school. The traffic calming will comprise a series of cushions, buildouts and plateaus to help slow traffic along the route whilst assisting pedestrian movements at key desire lines. The traffic calming will focus on the two main routes used by commuter traffic, Cecil Road and Gorwydd Road as well as the commercial centre of the town, Sterry Road. In addition work will also be undertaken to address existing mini-roundabouts to further assist in slowing traffic at junctions on Gorwydd Road.

The introduction of these measures will manage the speed of traffic through the town, creating additional opportunity for pedestrian and cycle movements to be undertaken safely. Previous experience has also shown that it will make it less attractive as a commuter route for those avoiding using the A484 (Gowerton Bypass). The reduction in traffic volume through the town will be key in making this a more attractive community to live in.

Building on this, the bid seeks to make improvements to existing pathways linking residential areas and community hubs to the Active Travel network. There are a number of routes in the vicinity which link residential areas to both the schools, and the central

hub of the town. At present, these are invariably very narrow and poorly maintained. Unattractive for walking and not suitable for cycle and scooter use. The proposal is to develop these routes to become shared use paths. Linking from the residential areas direct to the schools sites.

In addition, a missing section of footway was identified on the B4295, Penclawdd Road. Construction of a new facility in this location will be key in creating a safe route for pedestrians and cyclists south of the B4295 to access both the Primary school and NCR4.

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

further	High Impact		Medium Impact		Low Impact		Needs
	+	-	+	-	+	-	
<b>Investigation</b>							
Children/young people (0-18)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement**

Highway Engineers, Education Officers and Health and Safety Officers initially carried out a review of school sites around the county identifying areas of concern in getting children to and from school. This process identified the Gowerton Comprehensive schools as being of concern. With two comprehensive schools in such close proximity, together with high volumes of commuting traffic there was clear pressure on the highways network during the school commute.

From this initial point, highways officers worked with head teachers and local representatives to identify specific areas of concern in getting children to school safely. The focus on this was in creating an environment where it was safe for kids to travel together with discouragement for parents to take their cars. However, this process also identified concerns with the high volumes and occasional speeds of commenting traffic. The head teacher of Gowerton Comprehensive had particular concerns over the impact that traffic on Cecil Road was having. This led to site meetings involving local representatives, teachers the police and PCSO's. A walkabout survey highlighted the impact that road traffic was having on pupils accessing both comprehensives.

Going forwards it is proposed to undertake consultations on the measures designed to allow the public to comment on the developed design to ensure that it meets the needs of the community.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?  
 Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
 Yes  No
- c) Does the initiative apply each of the five ways of working?  
 Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
 Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes       No      If yes, please provide details below

The developed measures are focused on improving the commute journey to the local schools.

**Q7 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

The proposals developed around the three schools are specifically aimed at increasing the numbers of pupils who walk, cycle or scoot to school with a positive impact on those making that journey.

This will be achieved through the introduction of new sections of footway, traffic calming and traffic management to direct and control flows to create a more sympathetic environment for pedestrians and cyclists, the introduction of controlled and uncontrolled crossing points, improvements to existing controlled crossings to create single phase crossings and traffic regulation orders to manage parking and loading areas more effectively.

Although targeted at the younger generation, the developed measures are broadly positive for all vulnerable road users in opening the community to pedestrians and cyclists of all age groups as well as creating a safer environment for disabled users.

**Outcome of Screening**

**Q8 Please describe the outcome of your screening below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

This development would have a positive impact on children and young people as well as people of all ages in the community travelling through the town. Positive engagements with the schools and community leaders led to the award of funding to support the scheme and this will be carried through the detailed design and implementation to ensure that the benefits are realised for everyone. The cumulative impact is seen as being entirely positive.

**Full IIA to be completed**

**Do not complete IIA – please ensure you have provided the relevant information above to support this outcome**

<b>Screening completed by:</b>
<b>Name: Alan Ferris</b>
<b>Job title: Road Safety Manager</b>
<b>Date: 17 June 2021</b>
<b>Approval by Head of Service:</b>
<b>Name: Stuart Davies</b>
<b>Position: Head of Service Highways and Transportation</b>
<b>Date:</b>



## Appendix B Financial Summary

Financial Procedure Rule 7

### FINANCIAL IMPLICATIONS : SUMMARY

Portfolio: PLACE  
 Service : HIGHWAYS  
 Scheme : SAFE ROUTES IN COMMUNITIES 2021/22

<b><u>1. CAPITAL COSTS</u></b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>TOTAL</b>
<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<u>Expenditure</u>				
Works	266.3			266.3
Fees	46.9			46.9
Budget Code:				
<b>EXPENDITURE</b>	<b>313.2</b>	<b>0</b>	<b>0</b>	<b>313.2</b>
<u>Financing</u>				
SRIC grant	283.2			283.2
CCoS Community Fund	30.0			30.0
<b>FINANCING</b>	<b>313.2</b>	<b>0</b>	<b>0</b>	<b>313.2</b>
<b><u>2. REVENUE COSTS</u></b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>FULL</b>
<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>YEAR</b>
<u>Service Controlled</u>				
<u>- Expenditure</u>				0
Employees				0
Maintenance				0
Equipment				0
Administration				0
<b>NET</b>				
<b>EXPENDITURE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

# Agenda Item 16.



## Report of the Chief Legal Officer

Cabinet – 18 November 2021

### Exclusion of the Public

<b>Purpose:</b>	To consider whether the Public should be excluded from the following items of business.	
<b>Policy Framework:</b>	None.	
<b>Consultation:</b>	Legal.	
<b>Recommendation(s):</b>	It is recommended that:	
<b>1)</b>	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.	
	<b>Item No.</b>	<b>Relevant Paragraphs in Schedule 12A</b>
	17, 18 & 19	14
<b>Report Author:</b>	Democratic Services	
<b>Finance Officer:</b>	Not Applicable	
<b>Legal Officer:</b>	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
<b>12</b>	<b>Information relating to a particular individual.</b>
	<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>
<b>13</b>	<b>Information which is likely to reveal the identity of an individual.</b>
	<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>
<b>14</b>	<b>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>
	<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"> <li>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</li> <li>b) Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.</li> </ul> <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><b>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.</b></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><b>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</b></p>
	<p>No public interest test.</p>
17	<p><b>Information which reveals that the authority proposes:</b></p> <p><b>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</b></p> <p><b>(b) To make an order or direction under any enactment.</b></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><b>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</b></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 18.

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

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

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

Document is Restricted



# Agenda Item 19.

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

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.

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