

CITY AND COUNTY OF SWANSEA

MINUTES OF THE COUNCIL

HELD AT COUNCIL CHAMBER, CIVIC CENTRE, SWANSEA. ON
TUESDAY, 6 JANUARY 2015 AT 5.00 PM

PRESENT: Councillor D W W Thomas (Presiding Member) Presided

Councillor(s)	Councillor(s)	Councillor(s)
J C Bayliss	C A Holley	D Phillips
P M Black	P R Hood-Williams	C L Philpott
M C Child	B Hopkins	J A Raynor
R A Clay	D H Hopkins	T H Rees
U C Clay	L James	I M Richard
A C S Colburn	Y V Jardine	P B Smith
D W Cole	A J Jones	R V Smith
S E Crouch	M H Jones	R J Stanton
J P Curtice	S M Jones	R C Stewart
N J Davies	E T Kirchner	D G Sullivan
A M Day	A S Lewis	G J Tanner
P Downing	D J Lewis	M Theaker
C R Doyle	R D Lewis	C Thomas
V M Evans	C E Lloyd	M Thomas
W Evans	P Lloyd	L G Thomas
E W Fitzgerald	K E Marsh	L J Tyler-Lloyd
R Francis-Davies	P M Matthews	G D Walker
F M Gordon	P M Meara	L V Walton
J A Hale	H M Morris	T M White
J E C Harris	J Newbury	N M Woollard
T J Hennegan	G Owens	

154. APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors N S Bradley, J E Burtonshaw, A M Cook, W J F Davies, J W Jones, B G Owen, C Richards and C M R W D Thomas.

155. DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS.

The Head of Legal, Democratic Services and Procurement gave advice regarding the potential personal and prejudicial interests that Councillors and / Officers may have on the agenda.

The Head of Democratic Services reminded Councillors and Officers that the "Disclosures of Personal and Prejudicial Interests" sheet should only be completed if the Councillor / Officer actually had an interest to declare. Nil returns were not

required. Councillors and Officers were also informed that any declarable interest must be made orally and in writing on the sheet.

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

- 1) Councillors C R Doyle, V M Evans and L V Walton declared a Personal Interest in Minute 162 "Local Transport Plan".
- 2) Councillors C L Philpott and T H Rees declared a Personal Interest in Minute 169 "Councillors Questions".

156. **MINUTES.**

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

- 1) Ordinary Meeting of Council held on 2 December 2014.

157. **ANNOUNCEMENTS OF THE PRESIDING MEMBER.**

1) Condolences

a) Alan Williams (Former Swansea West Member of Parliament)

The Presiding Member referred with sadness to the recent death of Alan Williams, former MP for Swansea West. Alan Williams served Swansea West from 1964 to 2010. Following the 2005 Parliamentary Election, Alan Williams became the MP with the longest continuous service in the House of Commons, earning him the title of 'Father of the House'.

All present were asked to stand as a mark of respect and sympathy.

2) Presentation of Lord Mayor's Ambassador Award for Bravery

The Presiding Member called upon the Lord Mayor to present the Lord Mayor's Ambassadors Award for bravery.

The Lord Mayor stated that it gave her great pleasure to present the Lord Mayor's Ambassadors Award for bravery to Ian Williams in recognition of his bravery shown in the face of adversity during the hostage situation at the Grape and Olive, Meridian Tower in August 2014.

3) New Year Honours

The Presiding Member congratulated the following citizens / people with association with the City and County of Swansea on their recent awards in the New Year Honours.

a) **Member of the Order of the British Empire (MBE)**

Stephen William Davies - Gorseinon, Swansea.

Volunteer Royal National Lifeboat Association (RNLI). For services to Maritime Safety.

Melvin Jehu - Aberdare.

Former Chief Superintendent for South Wales Police. Former Chair Cwm Taf Community Health Council. For services to Healthcare and to the community in South Wales.

b) **British Empire Medal (BEM)**

Roger Douglas Parmiter - Killay, Swansea.

Former Chair Friends of Oystermouth Castle, Swansea. For services to Heritage and to the community in Swansea.

c) **Queens Fire Service Medal (QFSM)**

Richard James Smith - Carmarthenshire.

Former Chief Fire Officer Mid and West Wales Fire and Rescue Service.

158. **ANNOUNCEMENTS OF THE LEADER OF THE COUNCIL.**

The Leader of the Council had no announcements.

159. **PUBLIC QUESTIONS.**

A number of questions were asked by members of the public. The relevant Cabinet Member responded accordingly. Those questions requiring a written response are listed below:

- 1) Lis Davies asked the Environment and Transportation Cabinet Member questions in relation to Minute 162 "Local Transport Plan".

"The purpose of the report is to adopt the Local Transport Plan (LTP). Page 64, Paragraph 3.1 states that the Local Transport Plan is largely an update of the current plan.

- a) *Is the new LTP in its entirety just an update of the current existing document?*
b) *If not, why have the new appendices and or the whole document been made available for public scrutiny?*

Page 65, Paragraph 4.0 "Consultation" states consultation was carried out in July and October 2014 and lists the names of 70 stakeholders who were sent copies of the draft plan, however, there is no mention in the report about Councillors input into the LTP.

- c) *Is the report correct where it records that only 4 out of 70 stakeholders responded?*
- d) *(Q) Have Members of the authority consulted on the LTP?*
- e) *Were Members issued with a copy of the draft LTP?*
- f) *Prior to the meeting tonight [06.01.2015] were Members issued with a copy of the updated LTP?*
- g) *If not, as a member of the public I would question any member of the authority who would vote blindly for a scheme they had not had sight of".*

The Environment and Transportation Cabinet Member stated that a written response would be provided.

160. **PUBLIC PRESENTATION - SWANSEA BAY REGIONAL EQUALITY COUNCIL.**

Taha Idris gave a presentation on the Swansea Bay Regional Equality Council.

He stated that the Swansea Bay Regional Equality Council (SBREC) was a voluntary organisation, and a registered charity primarily serving the areas of Swansea and Neath Port Talbot. The organisation has also gained the status of a Company Limited by Guarantee in 2010. SBREC has been around since 1983, firstly as the now erstwhile West Glamorgan Community Relations Council and then changing its name to Swansea Bay Racial Equality Council in 1995. Until recently SBREC's mandate was to look after issues concerned with racial discrimination. However, in 2010 the membership of the organisation decided that it was the right time and environment whereby the organisation should tackle all forms of discrimination.

Further information relating to the work of the Swansea Bay Regional Equality Council may be viewed at www.sbrec.org.uk

Councillor E T Kirchner gave thanks for the presentation.

161. **REVIEW OF PLANNING COMMITTEE STRUCTURES & SCHEME OF DELEGATION & RESPONSE TO THE WELSH GOVERNMENT CONSULTATION DOCUMENTS PUBLISHED WITH THE WALES PLANNING BILL. (6 OCTOBER 2014)**

The Enterprise, Development and Regeneration Cabinet Member submitted a report which reviews and makes recommendations for changes to the Authority's Planning Committee Structures and Scheme of Delegation and seeks approval of the Authority's response to the Welsh Government consultation documents on "Planning Committees, Delegation and Joint Planning Committees", "Design", "Planning Application Fees" and "Frontloading of the Planning Application Process".

He also stated that he wished to add the following 3 recommendations to the report:

- "8) *The Planning Committee be established on 12 January 2015.*

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- 9) *The Planning Committee take over the diary slot of the Area 2 Development Control Committee. Its first meeting will therefore be on Tuesday, 20 January 2015.*
- 10) *The Chair of the Planning Committee be added to the list of those eligible to receive a Senior Salary”.*

Councillor P M Black proposed an amendment which sought to defer the report in order to allow further discussion. Councillor C A Holley seconded the amendment.

On being put the amendment was lost. Despite this the Enterprise, Development and Regeneration Cabinet Member gave an assurance that the detail of the report would be reviewed over time.

RESOLVED that:

- 1) The current Area 1 and Area 2 Development Control Committee's and the Development Management and Control Committee be merged into a single Planning Committee with 12 members;
- 2) Where Electoral Divisions have more than one Councillor, only one shall sit on the Planning Committee;
- 3) The quorum should be half (6) of the Committee;
- 4) Substitute members are prohibited;
- 5) The Scheme of Delegation be amended to reflect the process illustrated at Appendix B of the report and that consequential amendments to the Council Constitution be carried out;
- 6) The content of the consultation response set out in Appendix C of the report be approved;
- 7) The Rights of Way and Commons Sub Committee become a Sub Committee of this Planning Committee with its existing terms of reference;
- 8) The Planning Committee be established on 12 January 2015;
- 9) The Planning Committee take over the diary slot of the Area 2 Development Control Committee. Its first meeting will therefore be on Tuesday, 20 January 2015;
- 10) The Chair of the Planning Committee be added to the list of those eligible to receive a Senior Salary.

162. **LOCAL TRANSPORT PLAN.**

The Environment and Transportation Cabinet Member submitted a report which sought that the Local Transport Plan be adopted as the statutory policy and submitted to the Welsh Government by the deadline of 31 January 2015.

RESOLVED that the report be deferred in order to allow the Local Transport Plan 2015-2020 to be fully circulated and considered.

163. **ADOPTION OF COUNCIL TAX REDUCTION SCHEME.**

The Section 151 Officer submitted a report which sought to explain the requirement to annually consider whether to revise or replace the Council's existing Council Tax Reduction Scheme and the requirement to adopt the scheme by 31 January 2015. Additionally, it sought to adopt the Scheme as set out in Section 3 of the report from 2015-2016.

RESOLVED that:

- 1) The making of the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 ("the Prescribed Requirements Regulations") by the National Assembly for Wales (NAfW) on 26 November 2013, as amended be noted;
- 2) The proposed amendments to "the Prescribed Requirements Regulations" contained in the draft Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) (Regulations) 2015, due to be considered and approved by NAfW on 20 January 2015 be noted;
- 3) The outcome of the consultation exercise undertaken by the Council on the discretionary areas of the scheme be noted;
- 4) The Council adopt the scheme as set out in Section 3 of the report and that any amendments to the Regulations made by NAfW be reflected in the scheme.

164. **MEMBERSHIP OF COMMITTEES.**

The Transformation and Performance Cabinet Member submitted a report which sought Council approval to nominations / amendments to Council Bodies.

He referred to the report stating that the Leader of the Council had not made any changes to the Authority's Outside Bodies.

The Political Groups to submit names for the Planning Committee to the Head of Democratic Services.

RESOLVED that the Political Groups submit nominations for the Planning Committee to the Head of Democratic Services.

165. **AMENDMENTS TO THE CONSTITUTION.**

The Presiding Member, Monitoring Officer and Head of Democratic Services jointly submitted a report which sought to make amendments in order to simplify, improve and / or add to the Council Constitution in relation to the following areas:

- 1) Part 2, Article 15 "Review and Revision of the Constitution";
- 2) Part 3, Scheme of Delegation "Local Choice Functions";
- 3) Part 4, "Land Transaction Procedure Rules".

Additionally, the report sought to rename the People and Place Cabinet Advisory Committees.

RESOLVED that:

- 1) The changes to the Council Constitution as outlined in the report in relation to the following be adopted:
 - a) Part 2, Article 15 "Review and Revision of the Constitution";
 - b) Part 3, Scheme of Delegation "Local Choice Functions";
- 2) The changes to the Council Constitution as outlined in the report in relation to Part 4, "Land Transaction Procedure Rules" be adopted subject to the following amendment:

Delete the word "or" at the end of Paragraph 4.6 b) and Replace it with the word "and". Paragraph 4.6 will now read:

"4.6 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 except where it is determined by the Chief Operating Officer or his nominee that there is only one party who could acquire the interest because, for example:

- a) The physical, legal or other characteristics of the land so dictate; or*
 - b) There is only one response following reasonable marketing of the land;
and*
 - c) In all the circumstances, it is prudent and appropriate to sell by private treaty (taking into account all considerations including State Aid).*
- 3) The People Cabinet Advisory Committee be renamed as the Communities Cabinet Advisory Committee;
 - 4) The Place Cabinet Advisory Committee be renamed as the Services Cabinet Advisory Committee.

166. **ELECTION OF CHAIR OF THE DEMOCRATIC SERVICES COMMITTEE FOR THE REMAINDER OF THE 2014-2015 MUNICIPAL YEAR.**

The Head of Democratic Services stated that Councillor M H Jones had resigned as Chair of the Democratic Services Committee on 8 December 2014.

He referred to the Local Government (Wales) Measure 2011 which states that the Council must appoint the Chair of the Democratic Services Committee and that the Chair must be an Opposition Councillor.

The Presiding Member thanked Councillor M H Jones for her service as Chair of the Committee.

RESOLVED that Councillor P M Meara be appointed Chair of the Democratic Services Committee.

167. **URGENT ITEM**

The Presiding Member stated that pursuant to paragraph 100B(4)(b) of the Local Government Act 1972, he considered that the report of the Monitoring Officer "Interim Designation of the Statutory Chief Education Officer" should be considered at this meeting as a matter of urgency.

168. **INTERIM DESIGNATION OF THE STATUTORY CHIEF EDUCATION OFFICER**

Reason for Urgency - To ensure that the Council complies with Statute (Section 532 of the Education Act 1996) to have a designated Chief Education Officer.

The Monitoring Officer submitted a report which sought to designate the Director of People as the Statutory Chief Education Officer on an interim basis until the new Chief Education Officer commences their employment in the post.

RESOLVED that the Director of People be designated as the Council's Chief Education Officer on an interim basis until the new Chief Education Officer commences their employment in the post.

169. **COUNCILLORS' QUESTIONS.**

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

Five (5) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

The following question(s) required a written response:

- a) Question 1. Councillor P R Hood-Williams asked the following supplementary question(s):

“Can a list of all Council Chargeable Services be circulated?”

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

One (1) Part B ‘Questions not requiring Supplementary Questions’ was submitted.

170. **WRITTEN RESPONSES TO QUESTIONS ASKED AT THE LAST ORDINARY MEETING OF COUNCIL.**

The Head of Legal, Democratic Services and Procurement submitted an information report setting out the written responses to questions asked at the last Ordinary Meeting of Council.

The meeting ended at 7.37 pm

CHAIR