

CITY AND COUNTY OF SWANSEA

MINUTES OF THE COUNCIL

HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA
ON TUESDAY, 3 MARCH 2015 AT 5.00 PM

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

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

187. APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors P M Black, N S Bradley, S E Crouch, W J F Davies, J E C Harris, L James, H M Morris, G Owens, D Phillips, C Richards, P B Smith, R J Stanton, M Theaker, C Thomas and the Chief Executive, Jack Straw.

188. 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:

Councillors

- 1) Councillor A M Day declared a Personal Interest in Minute 193 "Public Presentation - Linden Church Trust and Swansea Hope";
- 2) Councillors M C Child, U C Clay, J P Curtice, N J Davies, R Francis-Davies, A M Day, P Downing, C R Doyle, V M Evans, W Evans, C A Holley, B Hopkins, Y V Jardine, A J Jones, S M Jones, E T Kirchner, A S Lewis, C E Lloyd, P Lloyd, P M Matthews, P N May, P M Meara, J Newbury, R C Stewart, D G Sullivan, C M R W D Thomas, D W W Thomas, M Thomas, L V Walton and T M White declared a Personal Interest in Minute 197 "To Establish a Local Pension Board as Administering Authority";
- 3) Councillors B Hopkins and D H Hopkins declared a Personal and Prejudicial Interest in Minute 199 "Nomination of Lord Mayor Elect and Deputy Lord Mayor Elect 2015-2016" and withdrew from the meeting prior to its discussion;
- 4) Councillors J C Bayliss, P Downing, T J Hennegan, A S Lewis and L G Thomas, declared a Personal Interest in Minute 201 "Appointment of Independent Members of Standards Committee";
- 5) Councillors J C Bayliss, P Downing, C E Lloyd and D G Sullivan, declared a Personal Interest in Minute 202 "Community / Town Councils Standards Sub Committee Merger with Standards Committee";
- 6) Councillor R Francis-Davies declared a Personal Interest in Minute 203 "Councillors Questions - Question 2";
- 7) Councillor P N May declared a Personal Interest in Minute 203 "Councillors Questions - Question 7".

Officers

- 1) Patrick Arran, Huw Evans, Dean Taylor and Samantha Woon declared a Personal Interest in Minute 197 "To Establish a Local Pension Board as Administering Authority".

189. **MINUTES.**

RESOLVED that the following Minutes be approved and signed as a correct record subject to Councillor P N May being added to the list of those Councillors present:

- 1) Ordinary Meeting of Council held on 6 January 2015.

190. **ANNOUNCEMENTS OF THE PRESIDING MEMBER.**

1) Condolences

a) Former Councillor John Fredrick Kingdom (CBE / JP)

The Presiding Member referred with sadness to the recent death of former Councillor Fred Kingdom. Fred Kingdom was a former Leader of the West Glamorgan County Council.

b) Former Councillor John Martin

The Presiding Member referred with sadness to the recent death of former Councillor John Martin. John Martin was a former Mayor of the Lliw Valley Borough Council.

c) Brian Burford aka 'Tea Cosy Pete'

The Presiding Member referred with sadness to the recent death of Brian Burford. Brian Burford was a homeless man in Swansea affectionately known as 'Tea Cosy Pete'. Brian Burford, died of a stroke in January, and was a familiar face to many of us having lived on our city centre streets.

Brian Burford, once a school friend of former Archbishop of Canterbury Dr Rowan Williams, became well-known in Swansea after walking 12 miles to Kittle, Gower in the rain to return a lost wallet containing hundreds of pounds. Not a single penny was missing and the "gentleman of the road" refused any reward from its stunned owner. That act of kindness was never forgotten; prompting saddened locals to dig deep and ensure the popular tramp did not have a pauper's funeral.

d) Tragedy at Lansdown Lane, Bath

The Presiding Member referred with sadness to the recent tragic deaths at Lansdown Lane, Bath last month. Four people Phil Allen (Loughor), Stephen Vaughan (Penyrheol), Robert Parker (Cwmbran) and four year old Mitzi Rosanna Steady (Bath) died following a tragic accident.

e) Angela Carruthers, Wife of Former Councillor Gordon Carruthers

The Presiding Member referred with sadness to the recent death of Angela Carruthers, wife of former Councillor Gordon Carruthers.

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

2) Purple Flag

The Presiding Member stated that Swansea had been awarded the prestigious Purple Flag. The Purple Flag represents accreditation by the Association of Town Centre Managers to a nationally recognised standard of

excellence in the management of city centres at night. It is similar to the Blue Flag for Beaches and Green Flag for parks, and is backed by UK Government, police and businesses.

Swansea is the only city in Wales to hold the Purple Flag, and one of very few places in the UK to hold all three flags. The flag will be flown proudly by this Authority.

The award comes as a result of a long period of effective collaboration between agencies and individuals, and is clear evidence of the high standards achieved. It is clear confirmation of Swansea's status as vibrant, safe and well managed place to visit at night, with a diversity of cultural and leisure attractions, good transport links and customer care.

Councillor Mark Child, Sarah Crawley, Head of Poverty and Prevention (Chair of the Purple Flag Group), Lisa Wells (City Centre Manager), Bruno Nunez (Night Time Economy Licensee) and Jeff Davison, Strategic Manager, Community Safety (Purple Flag Co-ordinator) were present to receive the award.

3) Retirements

The Presiding Member stated that five well-known members of staff were retiring from the Authority in the coming weeks. Jane Tinker (Democratic Services), Nigel Havard, Janet Hooper and Mike Workman (Legal) along with Gerald Morris (Grand Theatre). Between them they've given over 150 years of service to the City. He thanked them for their commitment and wished them well for the years ahead.

191. ANNOUNCEMENTS OF THE LEADER OF THE COUNCIL.

1) Relocation to the Guildhall

The Leader of the Council thanked all involved in the arrangements for the successful relocation to the Guildhall.

2) Signing of Pledge with University of Wales Trinity Saint David

The Leader of the Council stated that the Authority had recently signed a pledge with the University of Wales Trinity Saint David in order to demonstrate a commitment to a future vision of the Swansea Bay City Region as a centre of enterprise and innovation.

It is hoped that the pledge will strengthen the partnership for the benefit of the city and the region as a whole. The agreement to work together in key areas aims to boost the prosperity of the region by attracting jobs to the county, by encouraging economic growth, and by developing skills and ideas among the area's workforce as well as its future generations.

Swansea is an academic hub with two exceptional higher education institutions, which are key to fuelling the development of a vision we all share of Swansea and the Swansea Bay City Region as a science, technology and creative capital. This kind of knowledge-based economy will both bring in investment and talent, as well as nurturing home-grown talent and kick-starting the careers of future generations.

3) Clocks across the City

The Leader of the Council stated that the Authority was nearing agreement for a new contract relating to the winding and maintenance of the City's clocks.

4) Leader of the Largest Opposition Political Groups Letter to Head Teachers

The Leader of the Council referred to a letter which the Leader of the Largest Opposition Political Group had sent to all Head Teachers in Swansea. The letter referred to the amendment proposed at the Extraordinary Council held on 24 February 2015 by the Opposition Leader in relation to the Revenue Budget 2015-2016. He stated that the letter omitted the fact that the Section 151 Officer had stated that he could not recommend the amendment for adoption due to the significant element of risk associated with it; which would result in an overall unallocated savings target of £8m within the Revenue Budget 2015-2016.

He stated that he would be writing out to all Head Teachers correcting this omission.

192. **PUBLIC QUESTIONS.**

A number of questions were asked by members of the public. The relevant Cabinet Member responded accordingly. No questions required a written response.

193. **PUBLIC PRESENTATION - LINDEN CHURCH TRUST AND SWANSEA HOPE.**

Chris Matthews and Helen Hunter gave a presentation on the Linden Church Trust and Swansea Hope. They stated that the Linden Church Trust was based in West Cross and Mumbles although has a reach significantly reach beyond that locality. They provided a snapshot of some of the work that they were involved with:

- i) Red Café Community Project;
- ii) Drop in Youth Nights;
- iii) Music, Radio, Cooking and Photography;
- iv) Play Schemes;
- v) 'Remember Me' - A specialist day provision for people living with dementia;
- vi) Street Pastors;
- vii) Swansea Hope;
- viii) The Food bank.

Further information relating to the Linden Church and its work may be viewed at <http://www.lindenchurch.com/>

The Wellbeing and Healthy City Cabinet Member (Councillor M C Child) gave thanks for the presentation.

194. **PLANNING APPLICATION NO. 2014/1067 - CONSTRUCTION OF 4 NO. RETAIL UNITS, CROSS MARBLE AND STONE LTD, GORSEINON ROAD, GORSEINON, SWANSEA.**

The Head of Economic Regeneration and Planning submitted a report which sought to determine Planning Application 2014/1067, Construction of 4 Retail Units at Cross Marble and Stone Ltd., Gorseinon Road, Gorseinon.

He stated that the Planning Application was initially reported to Planning Committee on 20 January 2015 with a recommendation for refusal; however the Committee voted against the Officers recommendations and that the application be referred to Council with the recommendation that it be approved on grounds that it would result in the redevelopment of an unsightly brown field site and that it would not have a detrimental impact upon the Gorseinon District Shopping Centre.

RESOLVED that:

- 1) The word "unsightly" be removed from paragraph 1.3 of the report;
- 2) Planning permission be approved contrary to Officers recommendation and subject to the Conditions at Appendix B of the report on grounds that the proposal would result in the redevelopment of a brown field site and would not have a detrimental impact upon the Gorseinon District Shopping Centre.

195. **MEMBERSHIP OF COMMITTEES.**

The Transformation and Performance Cabinet Member submitted a report which outlined the changes that the Leader of the Council had made to the Authority's Outside Bodies. The changes are outlined below:

- i) **Mid & West Wales Fire Authority**
Remove Councillor D W Cole.
Add Councillor J A Hale.
- ii) **Swansea Business Improvement Ltd (BID)**
Remove Councillor N S Bradley.
Add Councillor R C Stewart.
- iii) **Swansea Stadium Management Company**
Remove Councillor N S Bradley.
Add Councillor R C Stewart.

He stated that the change referred to in the report relating to Engagement and Inclusion Cabinet Advisory Committee be withdrawn.

RESOLVED that the membership of the Council Bodies listed below be amended as follows:

- 1) **Admissions Forum**
Remove Councillor A M Cook.
Add Councillor N M Woollard.
- 2) **Challenge Panel**
Remove Councillor A M Cook.
- 3) **Chief Officers Disciplinary Committee**
Remove Councillor N J Davies.
- 4) **Communities Cabinet Advisory Committee**
Remove Councillor R V Smith.
Add Councillor J P Curtice.
- 5) **Democratic Services Committee**
Remove Councillors A M Cook and M H Jones.
Add Councillors J W Jones and G Owens.
- 6) **Economy and Investment Cabinet Advisory Committee**
Remove Councillors N S Bradley and C R Doyle.
Add Councillors S E Crouch and P B Smith.
- 7) **Services Cabinet Advisory Committee**
Remove Councillor J P Curtice.
Add Councillor R V Smith.
- 8) **Social Services Rota Visits**
Remove Councillor J P Curtice.
- 11) **Trustees Panel**
Remove Councillor U C Clay.
Add Councillor D J Lewis.

196. **WLGA PEER REVIEW AND ACTION PLAN.**

The Finance and Strategy Cabinet Member submitted a report which sought to advice Councillors of the Welsh Local Government Association (WLGA) Peer Review report and to outline the action being taken in response to the report's recommendations.

RESOLVED that:

- 1) The WLGA Peer Review report contained in Appendix A of the report be noted;

- 2) The action being taken in response to the WLGA Peer Review report be noted.

197. **TO ESTABLISH A LOCAL PENSION BOARD AS ADMINISTERING AUTHORITY.**

The Section 151 Officer submitted a report which sought to establish a Local Pension Board in line with the Local Government Pension Scheme (Amendment) (Governance) Regulations 2015.

RESOLVED that:

- 1) The proposals for the establishment, membership and initial terms of reference for the City and County of Swansea Pension Fund Local Pension Board as referred to in Appendix 1 of the report be approved and adopted;
- 2) The Head of Legal and Democratic Services has delegated authority to make any amendments to the Constitution as required in relation to the establishment and operation of the Local Pension Board.

198. **AMENDMENTS TO THE COUNCIL 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 8 "Regulatory and Other Committee";
- 2) Part 3 - Scheme of Delegation and Terms of Reference".

RESOLVED that:

- 1) The changes to the Council Constitution as outlined in the report in relation to Part 2 - Article 8 "Regulatory and Other Committee" and Part 3 - Scheme of Delegation and Terms of Reference" be adopted;
- 2) All other references to 'Area Development Control Committee(s)' and 'Development Management and Control Committee' be amended to read 'Planning Committee';
- 3) The Rights of Way and Commons Sub Committee be abolished and its work revert to the Planning Committee.

199. **NOMINATION OF LORD MAYOR ELECT AND DEPUTY LORD MAYOR ELECT 2015-2016.**

The Presiding Member, Monitoring Officer and Head of Democratic Services jointly submitted a report which sought to nominate the Lord Mayor elect and Deputy Lord Mayor elect for 2015-2016.

RESOLVED that:

- 1) Councillor John Newbury be nominated as Lord Mayor elect 2015-2016;
- 2) Councillor David H Hopkins be nominated as Deputy Lord Mayor elect 2015-2016.

Note: Councillors J Newbury was not present during consideration of this item.

200. **APPOINTMENT OF CHIEF EDUCATION OFFICER.**

The Chief Executive submitted a report which sought to confirm the appointment of Lindsay Harvey as Chief Education Officer. He stated that Mr Harvey was due to commence his duties on 16 March 2015.

RESOLVED that:

- 1) Lindsay Harvey be confirmed in post and designated as Chief Education Officer on commencement in post.

201. **APPOINTMENT OF INDEPENDENT MEMBERS OF STANDARDS COMMITTEE.**

The Head of Democratic Services submitted a report which outlined the recommendation of the Standards Committee Vacancy Panel held on 12 January 2015. The recommendation being that Gareth Evans and Margaret Williams be appointed as Independent Members of the Standards Committee as of 1 April 2015.

RESOLVED that:

- 1) Adrian Novis (Chair of the Standards Committee) and Clive Walton be thanked for serving the Standards Committee for a period of 10 years;
- 2) Council notes the recommendation of the Standards Committee Vacancy Panel of 12 January 2015;
- 3) Gareth Evans and Margaret Williams be appointed as Independent Members of the Standards Committee as of 1 April 2015;
- 4) Their 6 year term of office end on 31 March 2021.

202. **COMMUNITY / TOWN COUNCILS STANDARDS SUB COMMITTEE MERGER WITH STANDARDS COMMITTEE.**

The Head of Democratic Services and Monitoring Officer submitted a joint report which outlined the recommendation of the Standards Committee held on 13 February 2015. The recommendation being the Community / Town Councils Standards Sub Committee be merged with the Standards Committee subject to consultation with Community / Town Councils.

RESOLVED that:

- 1) The recommendation of the Standards Committee of 13 February 2015 that the Community / Town Councils Standards Sub Committee be merged with the Standards Committee be noted and that the merger be agreed in principle subject to consultation with the Community / Town Councils prior to a final decision being made;
- 2) The Monitoring Officer / Head of Democratic Services consult with the Community / Town Councils in relation to the merger for a period of time ending at noon on Monday, 15 May 2015;
- 3) Following the close of the consultation period, a further report be presented to Council outlining the consultation responses and a question be put as to whether the merger should proceed.

203. **COUNCILLORS' QUESTIONS.**

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

Eight (8) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

Those supplementary questions requiring a written response are listed below:

i) Question 3. Councillor M H Jones asked:

"The written response refers to an annual servicing programme for mechanical and electrical installations. What is in place for general maintenance i.e. wear and tear such as painting?"

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

ii) Question 6. Councillor E W Fitzgerald asked:

"I have been informed that it is unlawful to cycle on a pavement; why then is the Council spending money to drop the kerbs for the use of cyclists?"

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

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

No (0) Part B 'Questions not requiring Supplementary Questions' were submitted.

204. **SCRUTINY DISPATCHES.**

The Chair of the Scrutiny Programme Committee submitted a quarterly report which provided Council detail regarding the impact of Scrutiny.

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

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

The meeting ended at 7.12 pm

CHAIR