

# **CITY AND COUNTY OF SWANSEA**

## **MINUTES OF THE COUNCIL**

**HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA ON  
THURSDAY, 28 JANUARY 2016 AT 5.00 PM**

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

<b>Councillor(s)</b>	<b>Councillor(s)</b>	<b>Councillor(s)</b>
C Anderson	J C Bayliss	P M Black
J E Burtonshaw	M C Child	R A Clay
U C Clay	A C S Colburn	D W Cole
A M Cook	S E Crouch	J P Curtice
N J Davies	A M Day	P Downing
C R Doyle	C R Evans	W Evans
R Francis-Davies	F M Gordon	J A Hale
J E C Harris	T J Hennegan	C A Holley
B Hopkins	D H Hopkins	L James
Y V Jardine	M H Jones	A J Jones
S M Jones	J W Jones	E J King
E T Kirchner	R D Lewis	C E Lloyd
P Lloyd	K E Marsh	P M Matthews
P N May	P M Meara	H M Morris
J Newbury	G Owens	C L Philpott
J A Raynor	T H Rees	I M Richard
C Richards	P B Smith	R V Smith
R C Stewart	D G Sullivan	C Thomas
C M R W D Thomas	L G Thomas	M Thomas
G D Walker	L V Walton	T M White
N M Woollard		

### **Apologies for Absence**

Councillor(s): V M Evans, E W Fitzgerald, P R Hood-Williams, A S Lewis, B G Owen, D Phillips, R J Stanton, G J Tanner and L J Tyler-Lloyd

### 139. **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS.**

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

The Head of Legal and 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) Councillors J E Burtonshaw, M C Child, J P Curtice, P Downing, C R Doyle, A J Jones, E T Kirchner, C E Lloyd, P Lloyd, P M Meara, H M Morris, J Newbury, C L Philpott, C Richards, C Thomas, M Thomas and T M White declared a Personal and Prejudicial Interest in Minute 146 "Adoption of the Council Tax Reduction Scheme" and withdrew from the meeting prior to its consideration;
- 2) Councillors J C Bayliss and N M Woollard declared a Personal & Prejudicial Interest in Minute 152 "Notice of Motion (Fracking)" and withdrew from the meeting prior to its consideration;
- 3) Councillors J P Curtice, S M Jones, E T Kirchner, P M Meara, J A Raynor and C Richards declared a Personal Interest in Minute 148 "Amendments to the Council Constitution".

### **Officers**

- 4) Chris Sivers declared a Personal and Prejudicial Interest in Minute 146 "Adoption of the Council Tax Reduction Scheme" and withdrew from the meeting prior to its consideration.

#### **140. MINUTES.**

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

- 1) Extraordinary Meeting of Council held on 17 December 2015;
- 2) Ordinary Meeting of Council held on 17 December 2015.

#### **141. WRITTEN RESPONSES TO QUESTIONS ASKED AT THE LAST ORDINARY MEETING OF COUNCIL.(FOR INFORMATION REPORT - NOT FOR DISCUSSION)**

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.

#### **142. ANNOUNCEMENTS OF THE PRESIDING MEMBER.**

##### **1) Condolences**

##### **a) Clare Louise Watson, Daughter of Alan Thomas, Chair of Audit Committee**

The Presiding Member referred with sadness to the recent death of Clare Louise Watson, daughter of Alan Thomas, Chair of Audit Committee. He stated that the Council's thoughts were with Clare's parents Alan and Wendy; her husband Simon and 8 year old daughter Caitlin.

**b) Clive George Walton, former Vice Chair of Standards Committee**

The Presiding Member referred with sadness to the recent death of Clive George Walton, former Vice Chair of Standards Committee. He stated that the Council's thoughts were with Clive's family.

All present stood as a mark of sympathy and respect.

**2) Illness**

**a) Councillor Mary H Jones**

The Presiding Member stated that he was pleased to welcome Councillor Mary H Jones back following her recent surgery.

**b) Ieuan Jones, husband of Councillor Susan M Jones - Illness**

The Presiding Member stated that many may be aware that Ieuan Jones, husband of Councillor Susan M Jones was currently undergoing treatment with his illness. On behalf of the Council he sent best wishes.

**3) New Years Honours**

The Presiding Member stated that the following were Citizens of Swansea who had received awards in the New Year Honours.

**a) Officer of the Order of the British Empire (OBE)**

- i) Carolyn Kirby. President Mental Health Review Tribunal for Wales and Chairman, Cancer Information Support Services, South West Wales. For services to Justice and Cancer Care (Gower);
- ii) William Bruce McLernon. For Services to Social Care and Local Government;
- iii) Dr. Alan Roy Willson. Formerly director of the 1,000 Lives Improvement Service, Public Health Wales. For services to Quality and Safety of Healthcare in Wales.

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

- i) Terence Donald Bravin. For voluntary and charitable services to Young People in South West Wales.
- ii) Lyndon Richard Jones. Deputy Chairman Welsh Conservative Party and Chairman, Gower Conservative Association. For political service.
- iii) Jo-ann Clare Walsh. Keeping in touch Strategy Manager, Swansea. For services to Young People in Swansea.

**c) British Empire Medal (BEM)**

- i) Wendy Angharad Churchouse. Arrhythmia Nurse Morriston Hospital, Swansea. For services to Cardia Patients in South West Wales.

**4) Congratulations**

**a) St David Awards 2016**

- i) The Presiding Member congratulated 'Ed Up', Olchfa Comprehensive School Enterprise Team for recently being announced as a finalist in the Young Person category of the St David Awards 2016. They were nominated as twelve Year 10 pupils from the School devised an innovative app to help GCSE pupils revise.
- ii) The Presiding Member congratulated Dan Biggar, Ospreys, Wales and Lions rugby player for recently being announced as a finalist in the Sport category of the St David Awards 2016. He was nominated for his contribution to Wales' success at the 2015 Rugby World Cup.

**b) Friends of Coed Bach Park, Pontarddulais - 'Getting Active Award'**

The Presiding Member announced that the Friends of Coed Bach Park, Pontarddulais had been recognised for their role in the park being awarded the 'Getting Active Award' at the Fields in Trust UK wide awards ceremony at Lord's cricket ground in London.

New accessible play equipment has been provided as part of the upgraded play facility. The bowls clubs have formed a new association and now have qualified coaches which will increase participation for juniors as well as the older generation. Estimated annual usage in sport and physical activity has increased by 15% from 23,000 to 26,500, not including dog walking and casual walking.

Sandie Evans, Margaret Evans, Clive Davies, Winsor Clark and Christine Thomas from Friends of Coed Back Park were present to receive the award.

**c) Cosmic Classroom - Blaen y Maes Primary School**

The Presiding Member stated that Tim Peake (@astro\_timpeake) was a European Space Agency (ESA) astronaut assigned to join the International Space Station crew for Expedition 46/47 for six months in 2015-2016. He recently sent out a Tweet on Twitter asking Teachers to sign up and join the #CosmicClassroom, where Tim will speak live to students live from the International Space Station on the afternoon of 2 February 2016. It is thought that this will be the World's largest schools and space science event.

The #CosmicClassroom builds on more than 100 years of supporting teachers and education. The objective being to support science learning by providing a spark on which to build inspiration in classrooms.

Mrs Smith's class within Blaen y Maes Primary School was one of the many classes that signed up to #CosmicClassroom. I'm pleased to announce that Mrs Smith's class at Blaen y Maes Primary School have been selected as one of 10 classes within Wales and England to take part in the Cosmic Classroom experience on 2 February 2016.

**d) National School Categorisation System Outcomes**

The Presiding Member stated that the National School Categorisation System outcomes had been published earlier that day. The system looks at schools' capacity to self-improve (letters A-D) and generates a colour support category that triggers a bespoke programme of support, challenge and intervention. The support category is also used to plan and deploy resources.

The excellent results enhance the reputation of the City and County of Swansea. Our future prosperity depends on providing a well educated workforce.

The results show the East / West Divide in the quality of education no longer exists. Swansea is the only Authority in Wales with over 50% of its Secondary Schools in Green.

The strategy of a challenge and support system in which all Schools work with each other is a strong and proven driver for improvement.

The outcomes for each School may be viewed at  
<http://mylocalschool.wales.gov.uk/>

He thanked all Head Teachers, staff and parents for contributing to this excellent achievement.

**5) Changes / Amendments to the Council Summons**

**a) Item 15 "Notice of Motion - Fracking"**

The Presiding Member stated that Item 15 "Notice of Motion - Fracking" would be considered immediately following Item 8 "Public Presentation - Frack Free Wales".

**b) Urgent Notice of Motion "Loss of Jobs at TATA Steel"**

The Presiding Member stated that he had agreed that the "Notice of Motion relating to the loss of jobs at TATA Steel" be considered at this meeting as a matter of urgency.

**c) Item 17 "Judicial Review - Jewish Human Rights Watch"**

The Presiding Member stated that Item 17 "Judicial Review - Jewish Human Rights Watch" had been withdrawn. As such Item 16 "Exclusion of the Public" would not be required.

143. **ANNOUNCEMENTS OF THE LEADER OF THE COUNCIL.**

1) **Tidal Bay Lagoon**

The Leader of the Council stated that he was hopeful that a deal would be reached soon with the UK Government in relation to the Tidal Bay Lagoon.

2) **City Deal**

The Leader of the Council stated that he had recently held a positive meeting with Minister Hutt of the Welsh Government in relation to the City Deal.

3) **City Centre Regeneration**

The Leader of the Council Developers stated that Rivington Land and Trebor Developments had been brought in to manage the regeneration of the heart of the City Centre and the Civic Centre site. He played fly through video of the regeneration scheme to Council.

4) **Phil Roberts - Appointment as Chief Executive**

The Leader of the Council congratulated Phil Roberts on his appointment as Chief Executive. He also thanked Jack Straw (current Chief Executive) for his work and leadership during his period in office.

144. **PUBLIC QUESTIONS.**

A number of questions were asked by members of the public. The relevant Cabinet Member responded.

**A)** Those questions **not** requiring a written response are listed below:

a) Questions were asked in relation to Minute 151 "Councillors Questions - Question 1".

**B)** Those questions requiring a written response are listed below:

1) David Davies asked a question in relation to Minute 148 "Amendments to the Council Constitution":

a) *"At Council on 22 October 2015, I asked that consideration be given so as to allow members of the Public to ask questions of any Councillor during Public Question Time. What progress has been made with this?"*

The Leader of the Council stated that the issue would be considered by the Constitution Working Group and that their response would be provided in writing.

2) Richard Copp asked questions in relation to Minute 151 "Councillors Questions - Question 1":

- a) *"The hedge on Pentyla Road is suggested to be only 20 years old. Where is this information from?"*

*I have conclusive evidence that the hedge is much older than this. Residents in my area have lived here for 50 years and say the landscape has not changed. The hedge has always been there. There is even a Swansea Council book named "The Townhill Enclosure Act" that states that the hedge was constructed as a boundary in 1760. I also have photographic evidence obtained from the archives in County Hall. Why are you lying? It's an ancient hedgerow."*

The Enterprise, Development and Regeneration Cabinet Member stated that a written response would be provided.

145. **PUBLIC PRESENTATION - FRACK FREE WALES.**

Ian Ross of Frack Free Wales gave a presentation on the work of 'Frack Free Wales'. He outlined his concerns of fracking across Wales. He referred to the "Unconventional Gas Development (Shale Gas, Coal Bed Methane Extraction, Underground Coal Gasification and "Fracking") motion which the Council would be considering later on the agenda and urged all to support it.

He stated that adoption of the motion would set the City and County of Swansea on course to becoming a Frack Free Local Authority and join over 50 Local Authorities across the UK who have already pledged to make their areas fossil free by 2050.

Further information on the work of Frack Free Wales was available on their website <http://www.frackfreewales.org/>

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

146. **ADOPTION OF THE COUNCIL TAX REDUCTION SCHEME.**

The Section 151 Officer submitted a report which outlined the requirement to annually consider whether to revise or replace the Council's existing Council Tax Reduction Scheme and the requirement to either adopt a new scheme or re-adopt the existing scheme by 31 January 2016. The report proposed to re-adopt the current scheme as set out in Section 3 of the report from 2016-2017.

**RESOLVED** that:

- 1) 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 2016, due to be considered and approved by NAfW on 20 January 2016 be noted;

- 3) The outcome of the consultation exercise undertaken by the Council in December 2014 on the discretionary areas of the current scheme be noted;
- 4) The current scheme (2015-2016) in relation to the discretionary areas (as set out in section 3 of the report) remain unchanged for 2016-2017.

**Note:** Councillor P M Meara asked that consideration be given to extend the scheme in future years in order to include those that had recently left care.

Councillor C Richards, Deputy Leader of the Council indicated that she would look into the excellent suggestion.

147. **MEMBERSHIP OF COMMITTEES.**

The Transformation and Performance Cabinet Member submitted a report which sought approval of the nominations / amendment to the membership of Council Bodies.

He referred to the report stating that the Leader of the Council had made the following changes to the Authority's Outside Bodies:

- 1) **Abertawe Bro Morgannwg University Health Board (ABMUHB) - Children and Young People Emotional and Mental Health Planning Group**  
Add Councillor J E C Harris.
- 2) **Inter Authority Agreement Partnership Board (Food Waste)**  
Add Councillors M C Child and D H Hopkins.
- 3) **Mid and West Wales Fire Authority**  
Remove Councillor J C Bayliss.  
Add Councillor C Anderson.

148. **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 area(s):

- 1) Part 3 - Responsibility for Functions - Terms of Reference - Corporate Parenting Forum.

**RESOLVED** that the changes to the Council Constitution as outlined in Paragraph 4 of the report together with any further consequential changes be adopted.



149. **COUNCILLOR TRAINING AND DEVELOPMENT PROGRAMME 2016-2017.**

The Head of Democratic Services submitted a report which considered the responses to the Councillors / Co-opted Member Training Needs Analysis (TNA) and sought agreement for the principles set out in the Councillor Training and Development Programme 2016-2017.

Councillor E T Kirchner proposed that Domestic Abuse training also be added to the list of compulsory training topics.

**RESOLVED** that:

- 1) The 14 training sessions for Councillors and Co-opted Members as listed in paragraph 2.2 of the report be deemed compulsory;
- 2) Regular reports on attendance or non-attendance of Councillors at training / development events be passed to the relevant Political Group Leaders / Political Whips by the Head of Democratic Services in order to encourage increased attendance;
- 3) All training sessions, where possible, be timetabled with both a daytime and an evening session in order to encourage better attendance;
- 4) Training sessions be adapted into e-learning programmes wherever possible to compliment the Councillors / Co-opted Members Training Programme;
- 5) Training be divided into 3 categories namely Compulsory, Recommended and Councillor / Co-opted Member Requested;
- 6) There be greater use of e-learning;
- 7) The Head of Democratic Services work closely with the Senior Organisational Development Officer / Corporate Training Lead in order to commence work on an e-learning programme targeting as many of the necessary courses as possible;
- 8) Councillors / Co-opted Members should attend relevant / compulsory training or development sessions at least once per electoral term or more frequently should the content of the training change significantly due to legislation / guidance etc.;
- 9) The priority training areas for the coming period as set out in paragraph 7.3 of the report be agreed;
- 10) The Chair of the Democratic Services Committee and Head of Democratic Services in consultation with the Democratic Services Committee continue to add to the priority training areas as required;
- 11) Domestic Abuse training be added to the list of compulsory training topics.

150. **SCRUTINY DISPATCHES – QUARTERLY IMPACT REPORT.**

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

151. **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.

The following supplementary question(s) required a written response.

a) Question 1. Councillor P N May asked:

*"What is the actual cost to the Tax Payer of Swansea for the repeated resubmission of this planning application? (I would expect full breakdown in this answer e.g.; officer time, printing of papers, councillors' travel expenses, re consultation with statutory bodies etc.)."*

The Enterprise, Development and Regeneration 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.

152. **NOTICE OF MOTION: COUNCILLORS R C STEWART, A S LEWIS, R A CLAY, M C CHILD, U C CLAY, C ANDERSON. C THOMAS, W EVANS, J E C HARRIS, J P CURTICE, N J DAVIES, T M WHITE & C R EVANS.**

The following motion was proposed by Councillor R A Clay and seconded by Councillor M C Child.

**"Unconventional Gas Development - (Shale Gas, Coal Bed Methane Extraction, Underground Coal Gasification and "Fracking")"**

*There is a growing public concern that unconventional gas extraction entails significant risks to the environment and to the health and wellbeing of neighbouring communities. These include, but are not limited to, potential air pollution, pollution of water resources and increased industrialisation of the countryside. There is also concern that exploration and extraction of fossil fuels by unconventional means undermines and diverts resources away from investment in a safe and secure renewable energy future.*

*There appears to be insufficient regulation and scrutiny of current unconventional gas extraction operations in the UK and as a consequence these operations risk irreversibly polluting fragile water courses and established nature and tourism.*

*The possibility of unconventional gas extraction in South Wales has led to significant concern among the local population, as evidenced by the level of objections to planning applications for test drilling and a growing number of petitions being submitted to Local Planning Authorities and the Welsh Government regarding this issue.*

*Council notes that it has a responsibility to protect the local environment and the wellbeing of local communities, and to play its part in supporting the ongoing renewable energy programme to provide sustainable energy for our future generations. Council aims to take steps within its statutory powers to work to harness the abundant sustainable and renewable energy resources available; such as our unsurpassed tidal range and windy hill sides. Council aims to work towards becoming fossil free by 2025 and aspires to be a leading provider of Tidal and Wind power within the UK."*

*Notice of Motion:*

*Council is minded to adopt a policy which would contain a presumption that as a matter of planning policy it would not support applications for the unconventional exploration or extraction of gas, including the practice commonly known as 'Fracking', within the City and County of Swansea. This would also include test drilling. This would not stop planning applications being made and would take the form of a rebuttable presumption with the individual circumstances of each case considered.*

*Welsh Government is clearly concerned about the issue of unconventional oil and gas extraction as it has issued the Town and Country Planning (Notification) (Unconventional Oil and Gas) (Wales) Direction 2015. The effect of this Direction is that no local authority can grant an application for unconventional extraction for a period of 21 days which is to give Welsh Government an opportunity to call in the application. The Direction does not apply to test drilling and Council is of the view that Welsh Government should consider the inclusion of test drilling within the Direction.*

*In taking this approach Council hopes that its commitment to a cleaner energy future will show the rest of Wales how important it is to protect our environment for future generations and to allow us to stand together with other progressive Local Authorities.*

*Council further resolves that:*

- 1) The Head of Economic Regeneration and Planning prepare a detailed report for Council to consider in March setting out the implications and a recommendation as to the possibility of the adoption of a change to planning policy relating to unconventional oil and gas extraction.*
- 2) The Head of Economic Regeneration and Planning write to Welsh Government to suggest that the Direction be extended to include drilling solely for the purposes of unconventional gas exploration and extraction."*

**RESOLVED** that the motion as outlined above be approved.

153. **URGENT ITEM**

The Presiding Member stated that pursuant to paragraph 100B (4)(b) of the Local Government Act 1972, he considered that the "Notice of Motion: Councillors R C Stewart, C Richards, C E Lloyd, R Francis-Davies, J A Raynor, J E C Harris, A S Lewis, D H Hopkins, M C Child and W Evans in relation to the TATA Steel Job Losses" should be considered at the meeting as a matter of urgency.

154. **URGENT NOTICE OF MOTION: COUNCILLORS R C STEWART, C RICHARDS, C E LLOYD, R FRANCIS-DAVIES, J A RAYNOR, J E C HARRIS, A S LEWIS, D H HOPKINS, M C CHILD AND W EVANS**

**Reason for Urgency:** Given the recent announcement by TATA Steel to cut so many jobs locally, there is a need to act swiftly to seek ways of supporting those affected.

The following motion was proposed by Councillor C E Lloyd and seconded by Councillor R C Stewart.

*"Council is shocked by the recent devastating announcement of 1050 job losses within the UK steel industry but particularly at the Port Talbot steel works which will see 750 high quality, high paid manufacturing jobs lost to the town of Port Talbot and the wider Swansea Bay City Region. In addition, it is estimated that a further 1200 jobs could be at risk in the support and supply sectors, according to the Institute for Public Policy Research.*

*Council condemns the inactivity and lack of intervention by the UK Conservative Government at Westminster on issues such as offering reduced energy costs to this sector, dealing with the cheap steel imports from China, which is crippling this industry and generally failure to support this important manufacturing industry, as has been the case in fellow European countries like Italy and Germany.*

*To this end we propose that the Leader of Council write to the Prime Minister expressing our grave concern over this announcement, the impact this will have on our local communities and asking him to:*

- 1. Commit to more direct intervention and extra Government resources over the medium and long term to secure the sustainability of the steel manufacturing industry in the UK.*
- 2. Urgently support Welsh Government in its efforts to assist those employees made redundant, particularly in regards to redeployment, retraining and reskilling.*
- 3. Support Welsh Government proposals to create an Enterprise Zone that encompasses the Port Talbot steel works site including the use of Enhanced Capital Allowances.*

*Finally, Council resolves to take whatever steps it can to help mitigate the impacts of this devastating announcement."*

**RESOLVED** that the motion as outlined above be approved.

155. **EXCLUSION OF THE PUBLIC.**

The Presiding Member stated that this item had been withdrawn.

156. **JUDICIAL REVIEW - JEWISH HUMAN RIGHTS WATCH.**

The Presiding Member stated that this item had been withdrawn.

The meeting ended at 8.33 pm

**CHAIR**