



**CITY AND COUNTY OF SWANSEA**  
**DINAS A SIR ABERTAWE**

Councillor Mary Jones  
Chair, Scrutiny Programme Committee

Please ask for:  
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Councillor Robert Francis-Davies  
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Our Ref / Ein Cyf: RFD/SH

Your Ref / Eich  
Cyf:

Date / Dyddiad:

26 May 2016

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I dderbyn yr wybodaeth hon mewn fformat arall, cysylltwch â'r person uchod.**

Dear Councillor Jones

**Cabinet Member Question Session – 11 April 2016**

Thank you for your letter dated the 24 May 2016. I would respond as follows;

**Planning:**

**“improved communication with all councillors (not just the Planning Committee) on important planning matters, including seminars for all Councillors when new planning regulations are received”**

**“you to ensure that a session providing feedback on last year’s appeal decisions is arranged for the Planning Committee, to ensure learning from previous decisions”**

I welcome the acknowledgement, by the Scrutiny Programme Committee, that there has been significant improvement in the performance of the Planning Service, particularly since the restructuring of the Planning Committee and the introduction of amendments to the Councils scheme of delegation.

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In this respect it should also be acknowledged that the Council is embarking on an ambitious programme of regeneration including the redevelopment of the City Centre, the Civic Centre, Kingsway and High Street. Taken together with facilitating the delivery of the nationally significant Swansea Bay Tidal Lagoon infrastructure project and the objectives of the emerging LDP, the provision of an efficient and effective development management service is seen as being integral to achieving the Authority's corporate priorities for creating a vibrant and viable City and economy.

As acknowledged in my report to Scrutiny Programme Committee the positive changes introduced during 2014-15 have significantly improved the Authority's development management performance in both qualitative and quantitative terms particularly when measured against the Welsh Government Performance Framework.

In efficiency terms the Authority achieved top quartile performance in Wales during Quarters 3 and Quarters 4 2015/16 and the percentage of all major applications determined within required timescales has also increased from 6% in 2014-15 to 32% in 2015-16 reflecting a focus on delivering schemes with an economic imperative in a timely manner and addressing the perception that delays in the planning process were hampering development.

In qualitative terms the percentage of Member made decisions made against officer advice has reduced from 23% in 2014-15 to 11% in 2015-16 in line with the Welsh Average for 2014-15. With the total number of decisions made contrary to officer advice reducing from some 26 to 7 during these timescales, reducing uncertainty for the development industry and providing greater consistency of decision making.

The percentage of appeals dismissed has also improved from 55% in 2014-15 to 61% in 2015-16 again reflecting an improvement in the quality of decision making during this time and providing greater certainty for developers. I am advised that a review of these appeal decisions will be provided to Planning Committee in the summer and agree that this will provide an important opportunity for learning.

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I acknowledge that some Members may have concerns regarding the new Planning Committee structure and the "call-in" procedures, however, on the basis of the above facts I cannot accept that these changes have had an impact upon the effectiveness of the Planning Service, quite the opposite in fact.

Whilst some Members may feel that they are not involved sufficiently in the current process this should be viewed in the context of the wider changes introduced as part of the Wales Planning Act to facilitate a greater involvement of Members generally, in the process and the clear distinction which must be drawn between the Ward Member and Committee Member role. In this respect new requirements upon developers to carry out consultation in advance of the submission of a major planning applications will provide significant opportunity for Ward Members to actively engagement in the process. In addition the Authority has also been invited to participate in a Welsh Government sponsored pilot scheme on Members engagement in the pre-application process.

The changes to the Development Management process in March were introduced by Welsh Government very rapidly which, I acknowledge, has made it difficult for Councillors to be kept up to speed. I am advised, however, that training for all Councillors on these changes has already been arranged and that Section 106 training was also provided for all Members in April 2016. I am advised, however, that of the Councils 60 Councillors who do not sit on Planning Committee, 12 attended the session arranged for 13<sup>th</sup> April and only 4 attended the second session held on 19<sup>th</sup> April. I would hope that Councillors will make themselves available to attend such sessions in the future.

Moving forward the Authority faces significant budgetary pressures at a time of transformational change for the City and its region and to meet these challenges it is inevitable that difficult decisions will have to be made regarding the Authority's priorities and service levels in the future. The performance of the Planning Service over the past year has, however, shown that the current structures and decision making processes are fit for purpose and better placed to facilitate the delivery of the Authority's corporate regeneration objectives and priorities.

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**Vibrant & Viable Places (VVP):**

**“further information in relation to the use of the Vibrant & Viable Places grant”**

The total VVP budget allocation for Swansea is £9,029,780. This allocation covers the 3 year programme. The 14/15 Budget was £3,429,780, which was fully spent, with £5,410,000 and £190,000 allocated for 2015/16 and 2016/17 respectively. The 16/17 allocation will also include a £3m loan which has now been repaid by Coastal.

At end of Year 2 (15/16), £5,139k has been spent from the VVP allocation of £5,410k, with only £271k de-committed due to project delays. This has already delivered significant outputs and other match funding during Year 2, including 3,734 sq. m of new commercial floor space, 36 new homes above shops, 80 homes improved, 490 jobs accommodated and 46 enterprises accommodated.

Overall a very successful programme has been delivered in Year 2. This has included key strategic acquisitions along Kingsway and Oxford St, and also funding towards the demolition of Oceana. These acquisitions are essential to the successful delivery of the Kingsway Employment Hub, as identified in the City Centre Strategic Framework Review, and improving linkages between Kingsway and Oxford Street, as part of the public realm enhancements to the City Centre.

**Scrutiny in relation to decisions on Cultural Services:**

The exercise to determine whether there was genuine interest in running aspects of our Cultural Services was kick-started with a 'Prior Information Notice'. This was beneficial as it was a light touch market test, to challenge our own assumptions as well as assess whether there was a genuine need to undertake a full procurement exercise, prior to making a decision on future governance/management. Having completed this stage, we can now see that our earlier assumptions, as set out in the Cabinet Report about the longer terms prospects for the services were sound, but that there is a clear case for an OJEU notice to assess the quality and credibility of interest from third parties.

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Over the next months we will be briefing stakeholders and determining the specifications, prior to placing an OJEU Notice. Following this, the next stage will be to supply a Pre-Qualification Questionnaire (PQQ) to respondents to determine which organisations move forward, in relation to our specification. As set out in the commissioning review outcomes, in the event that establishing our own Not for Profit vehicle is not the only or best option, our desire is to work with an existing, not for profit organisation with a proven track record in leisure/cultural provision. This is because we have specified that any partnership must demonstrate an ability to undertake all staff and facility management as well as improve the services with revenue and capital investment and this is most likely to come from an existing organisation.

Following this stage, we will invite the remaining applicants to submit detailed solutions; after the assessment of which we will decide whether to proceed to competitive dialogue, involving extensive negotiation and discussion of the criteria and outcomes, prior to moving to the final tender stages. It is probable that during this period some services will fall out of the process and some that were indicated as being subject to other factors (e.g. the Archives, Glynn Vivian and Grand Theatre) may even be included, as we'll better understand the options as the dialogue develops.

At every significant stage, where there is something to consider or better understand, we will seek to engage and consult with stakeholders, users and statutory partners at Welsh Government, to understand the options and benefits or disbenefits of moving to the next stage. Right up until we complete a final tender and sign contracts, we can decide to discontinue and either maintain the in house transformed model, or establish our own not for profit body. The key issue is that we will have demonstrated, through continuous assessment, which is the best model for the continuation of and improvement of the services for Swansea and proceed with confidence. In this respect, I gladly invite Scrutiny to be part of the process.

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**Clarification about the status of the Library Service in relation to commissioning review and inclusion in the 'Prior Information Notice':**

All of the cultural services were referenced in a document called a 'Memorandum of Information', which was compiled for those expressing an interest in order to describe the overall provision of cultural activity in Swansea, including facilities not in our management. The library service was referenced in this context, but we did not set out the details of the service in terms of buildings, locations, or costs. Through the EoI period, enquiries were made by some of the interested organisations, due to their experience of running libraries elsewhere and we explained that we are yet to agree the future for the whole service, but would like to hear of interest and experience at the relevant time. We are currently determining the best timetable and format for the latest commissioning review of the Library Services, given the various reports and data analysis already reviewed, but there are currently no changes proposed to the Library Service in the City and County of Swansea.

Yours sincerely

**COUNCILLOR ROBERT FRANCIS-DAVIES**  
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Information circulated by email:

**Licensing**

*We referred to the future review of conditions and criteria for taxi licensing and asked you to consider how the image of taxi drivers operating in Swansea could be improved, such as the introduction of a dress code. This is something which has been done in other cities. We noted that this was something which you felt the relevant Cabinet Advisory Committee could look at.*

*In your response we would be grateful if you could specifically refer to our request for:*

- *the introduction of a minimum standard of dress code for taxi drivers.*

Hackney carriage drivers are regulated by byelaws and private hire drivers through conditions attached to their licences. Currently both the byelaws and conditions contain requirements that prescribe a minimum standard of dress for drivers.

The minimum standard requires drivers to be appropriately dressed in suitable clean clothing. Drivers must not be bare chested and are not permitted to wear vests, shorts or dirty clothing.

If the standard of dress of a licensed driver is at any time found to be inappropriate, either following the receipt of complaints or during routine enforcement carried out by officers, the issue is addressed. If appropriate the driver can be reported to the General Licensing Committee for any action they consider necessary, this could include a warning, suspension or ultimately revocation of their licence.

Therefore should any Members or members of the public have any concerns regarding the standard of dress of any licensed driver this should be referred to the taxi licensing team for the matter to be dealt with.

I hope this information clarifies the position regarding the current standards of dress for licensed drivers but if you need any further information please let me know.

Regards.

Cllr Robert Francis-Davies

Cabinet Member for Enterprise, Development & Regeneration