

**Council – 22 September 2016**

**COUNCILLORS' QUESTIONS**

**PART A – SUPPLEMENTARIES**

1.	<p><b>Councillors E W Fitzgerald, D G Sullivan, D W Cole, L James, S M Jones, K M Marsh, I M Richard &amp; G D Walker</b></p> <p>Could the Cabinet Member update Council on the progress of asset transfer. Which Council assets have been successfully sold/ transferred and which still remain in the process.</p> <p><b>Response of the Cabinet Member for Transformation &amp; Performance</b></p> <p>The process of asset transfer specifically relating to community assets is one that is now governed by an agreed protocol to speed up and simplify the process.</p> <p>The mechanism for transferring assets for local groups to undertake services on Council owned buildings can form a number of different legal basis but primarily either by way of a lease or licence.</p> <p>Formal lease agreements have been granted on Forge Fach Clydach, Craigfelin Hall Clydach and Swansea Indoor Bowls Centre and there are a large number of potential transfers currently in progress for a variety of parks, bowling greens, pavilions and public toilets.</p> <p>Furthermore, all 39 Community Centre and Senior Citizen Pavilions (now known as Community Buildings) are now managed by local groups under existing licence agreements.</p>
2.	<p><b>Cllrs P M Black, A M Day, M H Jones</b></p> <p>Will the Cabinet Member provide an update on the Council's school modernisation programme.</p> <p><b>Response of the Cabinet Member for Education</b></p> <p>The local authority is continuing to deliver the remaining school investment priorities within the total funding available through the Welsh Government's approved Band A capital investment programme. This will further build on the considerable benefits already apparent through major completed schemes such as the new-build facilities for Burlais and Gowerton Primary Schools.</p> <p>There remains a lack of clarity regarding the scale and nature of the future Welsh Government 21<sup>st</sup> Century Schools Programme. However, the Education Department is preparing to formulate appropriate options for consideration by Cabinet for capital investment beyond Band A, and will over future months, be contacting schools to arrange site visits to assist with that process.</p>

	<p>Schools, and their governing bodies, can be assured that they will have a number of opportunities to shape the direction of travel, as they have done in the past, and that all future projects will continue to focus on areas such as educational standards, condition, suitability, the need for school places and deliverability.</p>
3.	<p><b>Cllrs P M Black, C A Holley, J W Jones</b></p> <p>Will the Cabinet Member make a statement on how the Council is seeking to capitalise on Wales' success in the European Championships.</p> <p><b>Response of the Cabinet Member for Wellbeing &amp; Healthy City</b></p> <p>Since Swansea City's promotion to the Premier League in 2011, the profile of football within the county has been at an all-time high. The lessons and successes of this experience have helped in the continuing development of football following the national team's success at the Euro's.</p> <p>Key issues;</p> <p><b>Improved Facilities</b> - The development of 3G artificial grass pitch facilities strategy, which will provide guaranteed training and fixture venues throughout the season even in the poorest of weather conditions. Confirmed new facilities will be at Penyrheol and Morriston Community Leisure Centres/Comprehensive Schools, with the potential for further facilities in the future.</p> <p><b>New Programmes</b> - Our Active Young People team are launching a "Play more football" project in schools aimed at targeting specific groups such as girls, BME community; The ParkLives and Us Girls initiatives are delivering free girls football sessions – in partnership with the Welsh Football Trust as part of their Girls Football Programme, and further football opportunities are being provided such as walking football and street football in selected parks, open spaces and community buildings through local ParkLives and StreetGames sessions.</p> <p><b>Stronger clubs</b> - The key to increased participation lies with local community clubs and it is here that the Authority has the biggest influence. The self-management of parks pitches by community clubs has begun, whereby clubs will have more ownership of their facilities by carrying out practical match-day duties. There are currently 14 self-managed sites. £5k allocated to football clubs so far in 2016, following two Community Chest Panel meetings, with a further five applications to be considered at the September meeting.</p> <p><b>Better Partnerships</b> - with the Welsh Football Trust who lead the national football development strategy and also with local senior and junior leagues and clubs.</p> <p><b>Active Swansea</b> - Active Swansea sites have already noticed an increase in demand for football with dedicated summer programmes being well attended. The introduction of the new 3G facilities at Bishopson in September has already resulted in a huge demand for the facilities from Junior / Senior and Girls</p>

	<p>football clubs and with the intention of running junior leagues at weekends we hope to cater for the extra demand</p>
4.	<p><b>Cllrs P M Meara, C A Holley, A M Day</b></p> <p>In the light of the EU referendum result, could the Cabinet Member report to Council the current state of twinning arrangements between Swansea and other European cities.</p> <p><b>Response of the Cabinet Member for Enterprise, Development &amp; Regeneration</b></p> <p>Swansea is twinned with:</p> <p>Mannheim, Baden-Württemberg, Germany  Sinop, Turkey  Pau, Pyrénées-Atlantiques  Nouvelle-Aquitaine, France  Cork, County Cork, Munster, Ireland  Bydgoszcz, Kuyavian-Pomeranian Voivodeship, Poland.</p> <p>The European and External Funding Team is currently developing the following projects with other European cities:</p> <ol style="list-style-type: none"> <li>1. Development of Interreg Ireland-Wales Cooperation Programme projects with the city of Cork and Swansea University: <ul style="list-style-type: none"> <li>• <u>Heritage Trails</u> project to develop one heritage trail in both Swansea and Cork.</li> <li>• <u>Exportable</u> project working with start-up SMEs from Swansea and Cork seeing to enter new markets(with Cork Institute of Technology)</li> </ul> </li> <li>2. A proposal investigating support mechanisms for technology businesses emerging from the further and higher education sectors and how best to accommodate their needs in the city is being worth on with a network of cities across Europe with similar development aims: <p style="margin-left: 40px;">Leon, Spain  Alytus, Lithuania  Magdeberg, Germany  Opole, Poland  Ioannina, Greece  Valmiera, Latvia  Meath, Ireland</p> </li> </ol> <p>It is hoped a proposal can be submitted to the Interreg Europe programme by the end of 2016 subject to a call for proposals being announced by the programme secretariat in November/December 2016.</p>

5. **Councillor P N May**

Since the new legislation came into force in February only one HMO has been refused planning permission. This was when I successfully challenged the application on parking grounds at the planning committee on August 2nd this year.

The number of HMOs that have had planning permission accepted since February is already well into double figures. When recommending approval almost every report contains a stock sentence saying: "*It is considered that the Local Planning Authority has no evidence to suggest that the use of this property as a HMO would result in a harmful concentration of HMOs within this area.*"

The reason for this is that there is no specific definition of what density or what a harmful concentration actually is. To remedy this Supplementary Planning Guidance is needed and urgently. Until the Supplementary Planning Guidance is passed, the new legislation from the Welsh Government is as much use as a chocolate teapot in Swansea. All it has done is invite more applications for smaller HMOs which are, in the norm, being routinely passed.

Cardiff Council have already issued a draft document in April and have received the consultations back in June. A link to the document is here:

<https://www.cardiff.gov.uk/ENG/resident/Planning/Planning-Policy/Supplementary-Planning-Guidance/Documents/HMO%20SPG%20Consultation%20Draft%20April.pdf>

This gives an itemised and tailor made numerical percentage of allowable density of HMOs per street. Planning officers and committees will be able to refuse or accept applications on that basis.

At the time of writing this question Swansea Council has not even produced a draft document for consultation.

When will the Supplementary Planning Guidance be approved in Swansea (an answer in months or years will suffice)

**Response of the Cabinet Member for Enterprise, Development & Regeneration**

Now that the council key priority of progressing its LDP to deposit stage has reached public consultation it is now able to look to produce an holistic and comprehensive strategy and detailed planning policy framework to be adopted as supplementary planning guidance. This will assist the determination of planning applications for HMOs (to accommodate students and other shared living residents) and built student accommodation developments in Swansea, having regard to the likely increase in such demand and the expansion plans of Swansea's Universities. The work would be carried out in accordance with the following:

Stage	Date
<p>Assemble background information and draft SPG document with engagement across Council departments and with Members, having regard to comments made during LDP consultation.</p> <p>Administration procedures and begin consultation planning and preparation. Complete Planning Committee report and obtain all sign offs</p>	<p>Sept-Nov 2016</p>
<p>Report document to Planning Committee for endorsement of the draft SPG and permission to undertake public consultation</p>	<p>Dec 2016</p>
<p>6 week public consultation</p>	<p>Jan- Feb 2017</p>
<p>Make necessary SPG amendments, write up statement of consultation, complete Planning Committee report and get all sign offs, translation of SPG amendments. Report back to Planning Committee for final adoption</p>	<p>March/April 2017</p>
<p>6.</p>	<p><b>Councillors E W Fitzgerald, D G Sullivan, D W Cole, L James, S M Jones, K M Marsh, I M Richard &amp; G D Walker</b></p> <p>Wales has seen a decline over the last 14 years in the uptake of modern languages at both GCSE and 'A' level. Could the Cabinet Member indicate what she believes to be the reason for this decline. Could she also list which schools/colleges in Swansea offer 'A' level German.</p> <p><b>Response of the Cabinet Member for Education</b></p> <p>There are currently no schools/colleges in Swansea offering A level German. 23 pupils received GCSE results for German in 2015-2016 (offered by two schools). Languages have declined for a number of years, and to some extent, other subject areas have replaced them – particularly vocational options.</p> <p>Community languages remain fairly strong, mainly due to the increasing numbers of English as an additional language (EAL) pupils who take a GCSE in their home language. Modern foreign languages (MFL) are being targeted to encourage pupil uptake. Regionally, an officer has been employed to lead on the promotion of MFL in schools. There is also a clear aim nationally by the Welsh Government (WG) to attempt to stem this decline in MFL take-up. In July the WG published their response to Estyn's recommendations on improving MFL provision.</p>
<p>7.</p>	<p><b>Councillors E W Fitzgerald, D G Sullivan, D W Cole, L James, S M Jones, K M Marsh, I M Richard &amp; G D Walker</b></p> <p>Could the Cabinet Member inform Council how many units of student</p>

	<p>accommodation are being constructed in the city centre, including the Tawe River Corridor and Townhill. Additionally, how many other residential units in the city centre will be delivered over the lifespan on the LDP and where.</p> <p><b>Response of the Cabinet Member for Enterprise, Development &amp; Regeneration</b></p> <p>Records show that there is currently one purpose built block of student accommodation being constructed, this being development of land at New Cut/Morfa Road, Swansea. The original planning application approved <b>967 student accommodation units</b> at the site (2007/2829). Approved purpose built developments since 2010 include:</p> <ul style="list-style-type: none"> <li>· 2014/0183 – Park Buildings, 2 Park Street, Swansea – <b>24 self-contained student bedsits</b></li> <li>· 2016/0556 – Mariner Street Car Park, Swansea – <b>725 bedrooms</b> (Approved subject to Section 106 Agreement)</li> </ul> <p>Current applications proposing ‘construction’ of student accommodation are:</p> <ul style="list-style-type: none"> <li>· 2016/1573 – Land at the former unigate site, morfa road, Swansea – <b>up to 1212 bedrooms</b></li> <li>· 2016/1511 – Plot A1, Swansea Waterfront, Swansea – <b>506 bed spaces</b></li> <li>· 2016/1333 – Site J, Trawler Road, Swansea – <b>287 bedrooms</b></li> </ul> <p>This excludes any ‘conversion’ schemes (including applications for HMOs) or schemes that have been subject of any pre-application advice.</p> <p>LDP Policy SDJ projects 1000 dwellings would be created within the Central Area over the Plan period. The Policy reflects the adopted Swansea Central Area Regeneration Framework (2015) and the development areas included therein.</p>
8.	<p><b>Cllrs A M Day, M H Jones, C A Holley</b></p> <p>Will the Cabinet Member for Education undertake and publish the results of a survey of all primary and secondary schools in Swansea on the effect of the budget proposals for 2016/7, showing the amount of any increase or reduction in funding for each school, and the number of voluntary and compulsory redundancies for teaching and no-teaching staff, together with the number of employees whose contracts have not been renewed.</p> <p><b>Response of the Cabinet Member for Education</b></p> <p>The Appendix A compares the funding received by each school from 2015-2016 to 2016-2017. This includes post-16 funding but excludes the Pupil Deprivation Grant. The figures also reflect significant further areas of delegation of both funding and responsibilities to schools amounting to £2.3m in total. The analysis also identifies the change in pupil numbers as this is generally the most significant other factor affecting the relative funding between years.</p>

	<p>While schools have seen an overall cash increase, reflecting a continuing prioritisation by the Council, schools are also facing significant additional spending pressures in relation to pay awards and increased pension and national Insurance contributions. This represents a net overall real-terms reduction in funding, as explained fully in the 2016-2017 revenue budget report approved by Council.</p> <p>Appendix B outlines all staff leavers from our schools for the last academic year. In addition to this information regarding redundancies, our records show 112 temporary/relief contracts were not renewed during the academic year 2015-2016. It is not possible to identify those that left of their own accord and those that did not have their contract extended</p> <p>Decisions on staffing matters are of course the responsibility of each governing body.</p>
9.	<p><b>Councillors E W Fitzgerald, D G Sullivan, D W Cole, L James, S M Jones, K M Marsh, I M Richard &amp; G D Walker</b></p> <p>The Guildhall is a listed building and sits on a site that helps to enhance its appearance. The Council regularly mows the grass in front of the Guildhall but street furniture in the area is looking shabby and the flagpole needs repairing as well as a coat of paint. Can the Cabinet member inform Council when this work is going to be carried out.</p> <p><b>Response of the Leader</b></p> <p>Due to the cuts in Government funding the situation around general maintenance remains extremely challenging as resources are focused on the council's priorities of Education and Social care.</p> <p>In terms of use of resources it is important that community priorities are dealt with before places around civic buildings. The establishment of Community budgets has allowed councillors to respond more quickly and more effectively to fund and deliver community priorities.</p> <p>With regards to the Guildhall street furniture, these are currently being reviewed and if it is considered there any issues that comply with the agreed condition criteria they will be actioned.</p> <p>More specifically with regards to the flagpole, there are sufficient flagpoles to the front of the Guildhall and the Brangwyn Hall for the required flags to be flown in- line with the protocol. The flagpole in the centre of the rotunda has not been utilised for a number of years and any maintenance work would be measured against the criteria mentioned above.</p>
10	<p><b>Councillors E W Fitzgerald, D G Sullivan, D W Cole, L James, S M Jones, K M Marsh, I M Richard &amp; G D Walker</b></p>

There have been several reported 'attacks' by seagulls in the city centre over the past few months with one resulting in a member of the public being taken to hospital. Could the Cabinet Member inform Council what action is being taken to discourage seagulls from populating the city centre.

**Response of the Cabinet Member for Enterprise, Development & Regeneration and Cabinet Member for Environment & Transport**

Given its sea-side location the City Centre has a significant seagull population which gives rise to periodic complaints from the public particularly during the nesting season which extends from April to July.

Among the causes for concern are attacks by gulls, damage to property and litter and cleaning issues as a result of scavenging birds.

Legally, whilst the Council has no obligation to take action, there are clear public health grounds for seagull control. Research shows however that the culling of seagulls is generally unsuccessful, with local gull populations recovering to previous levels in relatively short periods.

The principal legislation dealing with the control of birds is the Wildlife and Countryside Act 1981. Generally, however sea-gulls are protected and it is illegal to capture, injure or destroy any wild bird or interfere with its nest or eggs.

The penalties for disregarding this legislation can be severe. The law does allow measures to be taken against some common species of birds in limited circumstances. Action may only be taken under general licences made under the 1981 Act for the purpose of preserving public health or public/air safety, preventing the spread of disease or for preventing serious damage to livestock, foodstuffs for livestock or crops.

Local authorities across the coast of the UK have tried and tested over the years a number of different methods to deter sea-gulls from nesting and roosting on buildings including the following:

- The use of netting
- Wires, spikes, or electric bird deterrent systems
- The use of sticky pastes on buildings
- Bird scaring devices utilising, for example, recordings of bird distress calls
- Live falcons, egg and nest removal
- Egg replacement

As seagulls have a lifespan of up to 30 years, the rigorous application of these



	<p>techniques is required over an extended period, particularly given that they often return to the same location year after year to nest.</p> <p>In the City Centre there are a number of measures that have been implemented and bird proofing such as nets and spikes can be seen in a number of locations across the area on both public and non-public buildings.</p> <p>An effective measure to control urban gulls is to reduce access to and the availability of food.</p> <p>In this respect shoppers and visitors to the City Centre are being actively discouraged from feeding birds through the deployment of Environmental Enforcement Officers who issue fixed penalty notices for this activity.</p> <p>In addition, City Centre businesses are encouraged through educational and enforcement practices to ensure any food waste generated by their business is presented for collection in suitable receptacles and in an appropriate and timely manner, for example, bins are locked and/or refuse bags are not overfilled and are tied securely.</p> <p>A public education campaign to <i>'Feed the bins not the birds'</i> was launched several months ago in the City Centre which includes PR as well as A4 stickers placed on the bins in high footfall areas. Recently additional stickers have been purchased and rolled out to further locations across the area.</p> <p>Following the completion of the Market roof replacement project earlier in the year, a hawking programme was introduced using a licenced provider Hawksdrift who use live hawks weekly to scare the birds as well as removing the eggs and nest debris. The success of these measures, were which instigated to support the glazing cleaning and roof clearance, are currently under review with a view to potential roll out to other areas. This would however be subject to demonstrating best value given that the approximate costs of this scheme is circa £7.5k per annum.</p>
11	<p><b>Councillor P N May</b></p> <p>HMO licensing officers play a vital part making sure that HMOs are licensed and comply with these licensing conditions. These could include making sure that the front gardens are free from refuse particularly bagged food waste. These bags are inevitably split by gulls causing a health hazard and extra cost to the council to clear any rubbish strewn across the street. Having a sufficient number of HMO officers is important to ensure that these and other elements of the management of the house are complied with.</p> <p>Having too few of them leads to the deterioration of management standards and in particular the streetscene where HMOs are. This is because there is less capacity for an officer to walk the streets and proactively deal with badly managed HMOs. The department then becomes over reliant on complaints from the public or local councillors can only act reactively to solve a problem.</p>

Councils can charge landlords a fee to license properties. This fee is used to carry out the administrative function of licensing including employment of officers.

In 2008, the council took advantage of this and increased the licensing fee and employed three extra licensing officers.

- a. Please can you confirm how many HMO licensing officers there in total were at the point after the 2008 increase took effect?
- b. How many HMO licensing officers are there currently?

In 2016 there was a further increase in licensing fees.

- c. Please can you confirm how many more HMO licensing officers were taken on as a result of this increase?
- d. Please could you provide a breakdown of how the licensing fees were spent (over the last full municipal year 2015-6 will suffice)?
- e. Would the council consider increasing the licensing fee again in the near future as a vehicle to employ more HMO licensing officers?

**Response of the Cabinet Member for Wellbeing & Healthy City**

- a. There were 8 full time equivalent (FTE) inspecting officers after the implementation of the 2008 HMO licensing policy, which included 2 temporary officers who were employed specifically at that time for the initial implementation of the new licensing scheme.
- b. There are currently 5.5 FTE inspecting officers.  
In 2016 there was a further increase in licensing fees.
- c. No more HMO licensing officers were employed as a result of the increase. The fee level was reviewed and set to cover the costs of running the scheme.
- d. Licences are issued for a maximum 5 year period and the fee charged is reflective of the costs to process and administer the licence and scheme over that time. During the 2015 – 2016 financial year fees were used to pay staff salaries involved in the licensing process. The following activities were undertaken during the year:

477 HMO licences were issued  
793 inspections were carried out (full and post-inspection)  
71 licences were varied  
59 licences were revoked  
1,347 complaints/enquiries were investigated/responses provided

The HMO Licensing Policy 2016 was introduced which required a public

	<p>consultation, to which there were 61 individual responses and a review of application forms, supporting documentation and web pages.</p> <p>e. The licence fee was set as part of the introduction of the new HMO Licensing Policy in March 2016 and in accordance with legal requirements limiting fees to 'cost-recovery' for specific functions. An increase in the near future may not therefore be appropriate, but the situation will be kept under close review.</p>
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	<p><b>PART B</b></p>
<p>12.</p>	<p><b>Cllrs A M Day, C L Philpott, T H Rees</b></p> <p>Will the Cabinet Member for Education publish in the Council summons the money each school individually receives under the Pupil Deprivation Grant and ask her to indicate what impact would be on schools in Swansea if the additional funding under the Pupil Deprivation Grant was not available.</p> <p><b>Response of the Cabinet Member for Education</b></p> <p>The attached table provides the total funding received by each school in the current financial year which is based on a set amount for each pupil eligible for free school meals.</p> <p>It is the responsibility of each governing body to ensure that the allocated funding is spent appropriately to benefit pupils in accordance with the grant requirements. Whilst the funding is additional to core delegated school budgets, the total of more than £6.6m is significant, as would be its loss. I am pleased to report that during her recent visit to Cefn Hengoed School to see the impact of PDG partnership work and to congratulate the School on their improvement journey, the Cabinet Member for Education was quite clear she wishes to see this additional funding remain with schools.</p>