

**Council – 26 April 2018**

**Councillors' Questions**

**Part A – Supplementaries**

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| 1 | <p><b>Cllrs Chris Holley, Graham Thomas, Peter Black</b></p> <p>Now that we have been given more money for road repairs by the Welsh Government and through our own budgets could the Cabinet Member explain how the roads are going to be put into areas of priorities.</p> <p><b>Response of the Cabinet Member for Environment Services</b></p> <p>As detailed in the 2018/19 Capital Programme Cabinet Report the additional funding will be allocated using the principles agreed at the all Wales Asset Management Project. This will ensure spending is targeted based on a whole life cost approach which will minimise financial and service demands. A mixture of preventative treatments and resurfacing schemes will be undertaken. Preventative treatments are the most cost effective method for maintenance, however, these require the roads to be in reasonable condition, it is simply not the best method to treat those roads in the worst condition.</p> <p>Therefore, schemes will be selected based on a review of factors such as network importance, traffic sensitivity/use (i.e. hospital route etc.), structural condition, on-going reactive repair costs, bus route importance, accident statistics, claims and likely deterioration. A score for each assessed road will be calculated and the highest scoring schemes will be programmed. This prioritisation will be balanced by the need to give cost effective packages of work of similar types (for instance surface dressing requires a minimum quantity of work to be cost effective when considering site set up costs).</p> <p>Major schemes in this programme over £100k include Fabian Way which is underway, Peniel Green Road, Carmarthen Road at Dyfatty, Gower Road Killay, Killan Road Dunvant, Mount Pleasant and Ynysforgan Roundabout. The full programme will be posted on line once it is finalised.</p> <p>The funding will also be spent on a number of footway repairs (selected on condition/network importance) and a large number of small flooding/drainage schemes (the worst locations for blocked gullies) and will support the ongoing programme to replace safety barriers.</p> |
| 2 | <p><b>Cllrs Mike Day, Jeff Jones &amp; Mary Jones</b></p> <p>What plans does the Council have to make use of a proposed waste incinerator facility planned by Biffa at their Clarion Close facility.</p> <p><b>Response of the Cabinet Member for Environment Services</b></p> <p>The Council will not be able to make use of the proposed waste incinerator facility planned by Biffa at their Clarion Close facility as their proposal is to only receive and treat their own waste.</p>   |

3

**Cllrs Mike Day, Cheryl Philpott, Gareth Sullivan**

Can the relevant Cabinet Member tell council the number of cases of fly-tipping there have been in each of the last 4 years, the number of successful and unsuccessful prosecutions there have been in each of those years, the costs involved in each of those years and the number of enforcement staff employed in each of those years. Can the cabinet member also say how the recent budget announcement will affect the effectiveness of enforcement of fly tipping breaches.

**Response of the Cabinet Member for Environment Services**

Over the last four years there have been 5 Enforcement Officers in place cover all environmental enforcement, including fly tipping. The costs for enforcing against fly tipping cannot be isolated as they are encompassed within the workload of the 5 Enforcement Officers covering all environmental enforcement, however the costs recovered for the prosecution below are listed. These costs also include for removal of fly tipped material.

There have not been any unsuccessful prosecutions, however in 17/18 there was one simple 'formal' caution at the request of the court as the individual was prepared to pay costs rather than be prosecuted.

14/15 – 2 prosecutions, costs awarded £810  
15/16 – 4 prosecutions, costs awarded £3175  
16/17 – 3 prosecutions, costs awarded £1093  
17/18 – 8 prosecutions, costs awarded £4035

As can be seen, the number of prosecutions for 17/18 was at least double previous years.

The recent budget announcement should not have any adverse impact on the effectiveness of enforcing against fly tipping.

4

**Cllrs Will Thomas, Lyndon Jones & Miles Langstone**

With the Welsh Government proposing authorities to merge, allowing early adopters to merge in 2022 and others doing so by 2026, which option does the leader think is most likely for CCS.

**Response of the Leader**

A response to the current green paper consultation will be prepared in due course for members to debate.

The position of Swansea Council has previously supported the principle of a merger on the old West Glamorgan boundary, however this is dependent on key questions being answered satisfactorily. Our view remains that with any change local government must ensure financial and structural sustainability for the future and deliver improved service delivery.

In order to make an informed choice Welsh Government must also answer key questions. These include the costs of reform, and who will be expected to

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|   | <p>pick up the bill. I have publicly stated that the costs of council tax harmonisation must not fall on the people of Swansea. Just because Council tax is some £228 cheaper (band D) in Swansea than in NPT doesn't mean the people of Swansea should automatically be asked to pay more.</p> <p>The impact of austerity on all Councils has been severe and we must tackle this in the most appropriate way, which could include increased collaboration or potentially merger. Big boundaries do not necessarily mean better services and Welsh Government must be clear and define the expected benefits of any changes to the current structure of local government in Wales.</p> <p>We are in discussion with Neath &amp; Port Talbot Council to understand their views on this subject, but they will require the same answers and assurances.</p> <p>As I said I expect us to debate this matter fully in due course so we can hopefully agree a council response to the green paper.</p>  |
| 5 | <p><b>Cllrs Wendy Fitzgerald, Lynda James, Peter Black</b></p> <p>Councillors were told in January that, due to unexpected sickness in the Traffic Group and the need to finalise grant funded schemes, delays in the progressing of schemes funded from councillors' community budgets were inevitable.</p> <p>The indication at the time was that normal services would be restored by mid-February. However, this seems not to be the case. Could the Cabinet Member therefore inform councillors when this crisis will be over and suggest how such significant delays can be avoided in the future.</p> <p><b>Response of the Cabinet Member Environment Services</b></p> <p>The required resources have been put in place to deliver Community Budgets. A nominated officer within Corporate Property coordinates all applications for Community Budget schemes and monitors allocation and spend of budgets. To ensure efficient operation, and in line with the adopted policy, all applications to spend Community budgets should be registered with the nominated officer rather than members contacting technical officers. Members will be apprised of progress of schemes and likely completion dates.</p> <p>Underspends in Welsh Government projects resulted in Swansea Council being offered additional grant funding across a number of various services, grant funding that has been gradually declining over recent years. The decision was made in early January to accept the offer of additional grant funding to deliver schemes that had been unsuccessful in attracting Welsh Government funding the previous April.</p> <p>The one major issue was that the funding had to be spent by the end of the current financial year. This required a huge effort from officers, to design, consult and deliver schemes, within an extremely challenging timeframe. Whilst it has been possible to accommodate peaks in workload through temporary employment of agency staff or use of consultants, the subsequent loss of a key member of staff through sickness presented a significant</p> |

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|   | <p>challenge. The knowledge and experience of this member of staff could not be immediately replaced by external resources and given the tight timescales, the decision was made to prioritise the delivery of grant funded schemes, to maximize the benefit to local community, that such funding would bring.</p> <p>Members were advised of this issue and I can advise that officers have already returned to progressing the community budget schemes.</p>  |
| 6 | <p><b>Cllrs Wendy Fitzgerald, Gareth Sullivan, Kevin Griffiths</b></p> <p>Tircoed Village is situated in the Llangyfelach ward and is within the boundaries of Pontlliw Community Council. However, Pontlliw Primary School is not the catchment school for Tircoed. If schools are considered to be at the heart of a community, why is Pontlliw Primary not the catchment school for Tircoed Village?</p> <p><b>Response of the Cabinet Member for Children, Education and Lifelong Learning</b></p> <p>When a new school is built an assessment is undertaken to determine the catchment area for the school. For the majority of Swansea schools the catchment area has been determined many years ago. Prior to 1997 there was an understanding that parents could be awarded a place for their child at the local catchment school.</p> <p>The statutory School Admission Code Issued by Welsh Government States*: 'there is nothing unlawful in the principle of admission authorities operating catchment areas as part of their over-subscription criteria and thereby giving priority to local children whose parents have expressed a preference for a school. However, admission authorities <b>should not</b> guarantee places to parents in a local catchment area, in case the number of in-catchment applications in any one year cannot be accommodated'.</p> <p>In order to address the balance for popular schools, when some new housing developments were in the planning stage the catchment area for some housing developments was determined to redress the balance and ensure resources were utilised effectively. Hence some Swansea school catchment areas are not entirely in keeping with the local housing areas that have developed.</p> <p>Admission Numbers for all schools are determined through applying a Welsh Government (WG) formula. The Admission Number for Pontlliw Primary School is 26 and the Admission Number for Penllergaer which is a larger school is 45. Thus Penllergaer Primary School can admit up to 45 pupils in each year group whereas Pontlliw Primary School can only admit up to 26 pupils in each year group.</p> <p>Pupils are awarded places at Swansea primary schools on the basis that they should not be required to travel more than 2 miles from their home address to their local school. Where a pupil lives more than 2 miles from their catchment primary school they are provided with free transport. This applies to Welsh medium schools and faith schools only in the Swansea Council area.</p> |

All local authorities as the Admission Authority are required to draw up over-subscription criteria that comply with WG requirements. Swansea over-subscription criteria complies fully with WG requirements and uses catchment areas as the first criteria to determine admissions to all Swansea schools. However, as per the above nobody can be guaranteed a place at any school even if it is their local catchment school. In addition, local authorities as the Admission Authority are required to admit all pupils up to the school Admission Number and must refuse places if the number of applications is greater than the Admission Number. Places are allocated and refused on the basis of the published over-subscription criteria. The link to Swansea over-subscription criteria is as follows:

<https://www.swansea.gov.uk/article/2580/Admission-arrangements-to-primary-schools>

\* <http://gov.wales/docs/dcells/publications/130715-admin-codes-en.pdf>

**7 Cllrs Irene Mann & Peter May**

On answering our written question to Council of 6th March, the cabinet member made the following statement about the issue of resident parking permits. He said: "The council no longer issues temporary permits"

This is untrue. On the section of the council website where permits can be applied for, there is a special section designed for tenants of HMOs. They are firstly asked: "Does your V5 log book show the Swansea address where you live?".

If they answer "No" they are then asked: "If your V5 log book shows a different address, do you intend to change the address on your V5 log book and driving licence with the DVLA to the address you have declared as your residence on this form?"

If they answer yes to this question then the following statement appears;

"If your log book does not show your current Swansea address then we will not be able to give you a full resident's parking permit at this time.

One, temporary 2 month permit will be issued in order to give you time to update the log book with the DVLA.

Only one temporary permit can be issued for a maximum period of 2 months.

Once your log book has been updated, you will need to re-apply for a full permit to be issued covering the rest of the 12 month period and supply all the required evidence."

This special facility is still available on the council website for HMO tenants at the time of writing this question today, the 28th March.

a. Can the cabinet member now confirm that the statement that: "The council no longer issues temporary permits", is in fact an incorrect statement?

b. Can the cabinet member now fully re-submit his answer to our question of the 6th March as his statement adversely affected the rest of the original answer he gave?

c. Could the cabinet member also clarify whether or not the current system is discriminating in favour of HMO tenants who cannot obtain a council tax reference by enabling them and not others to receive a temporary permit through guided steps on the council's website?

The continued issue of temporary permits is oversubscribing permit bays in the Uplands ward. We have documented instances where residents of over thirty years cannot renew their permits and have as a result been force out of the bay. When they apply the computer says that the maximum allocation for the bay has been met We have taken screenshots and showed these.

d. Can the cabinet member explain when he is in fact going to actually remove the temporary permit as he thought that was the case already?

### **Response of the Cabinet Member for Environment Services**

The suggestion that tenants living in HMOs are given favourable treatment when applying for parking permits is simply not the case.

Clearly residents living in HMOs may not have in their possession the documentation that other residents may have - such as a council tax bill. Therefore they need to provide other documentation, such as a driving licence or a utility bill.

Everyone applying for a parking permit (and not just residents in HMOs) is given a two month fixed period to provide these details. If they are not provided in that time then the permit is revoked.

In terms of the online process and how the form is set out – we have consulted with our web team to update it and make the process clearer.

We are also in discussions with our IT partners in relation to limits on the number of permits issued per bay and share concerns of instances where residents have been unable to renew a permit. This matter will be looked at immediately.

**8 Cllrs Irene Mann & Peter May**

Last June, when many tenants vacated their HMOs they simply deposited all items that were not going with them on the street. This was simply left for the council to clear up. The situation was so bad, that the BBC highlighted it in their television news programme.

In July Uplands councillors highlighted condition 31 of Swansea Council's HMO licence conditions in the form of a council question to the cabinet member.

Here is a reminder of the condition.

"31. Any waste left by occupiers leaving the property shall be removed by the licence holder as soon as possible and prior to new occupiers occupying the property."

The reality was that the licence holders did not remove the waste, the council did at the expense of the council tax payer. The response to our question was that no licence holders had been recharged for removing the waste as the Housing Act didn't allow them to.

When asked about how much the clearing up of the licence holders' mess had cost the tax payer, the cabinet member surprisingly claimed there was no cost to the tax payer directly attributable to the licence holders and could not provide a figure either.

a. Were any licence holders prosecuted for breaching condition 31.

This June, it is likely that there will again be around 4000 tenants simultaneously vacating their HMOs and placing their unwanted items on the streets of the Uplands ward on a grand scale.

b. What is the council going to do differently to prevent HMO landlords breaching condition 31 this June, or will the council tax payer once again be unfairly paying for the collection and disposal of their rubbish without any consequence for the licence holder.

**Response of the Cabinet Members for Housing, Energy and Building Services and Environment Services**

- a. No licence holders have been prosecuted for breaching condition 31.
- b. As with all residential properties, the occupier is responsible for placing refuse and recycling on the highway for collection. This applies equally to tenants of any rented property, including licensed HMOs, when the tenant finishes their occupancy. There is no legal requirement on the landlord of the property to remove any refuse or recycling that has been placed on the highway for collection in the proper way.

Licence condition 31 relates to waste left by occupiers within the property itself at the end of a tenancy and prior to new occupiers moving in.

This is still considered as household waste and a landlord could subsequently remove it by using the Council's kerbside collection. There is no legal requirement that can be placed on landlords to either use a private licensed waste removal service or to take household waste to a Council recycling site, although they clearly remain options.

Each year, our Housing and Public Health and Waste teams co-ordinate an end of academic year programme to inform tenants and landlords of the correct arrangements and to collect the increased amount of waste that will inevitably be placed out for collection. This also includes liaison with the universities and students unions. This will take place again ready for the end of this academic year and options for enforcement will be considered and utilised where appropriate.

**Part B – No Supplementaries**

9

**Cllr Peter Black, Mary Jones, Chris Holley**

Please list the funding allocation to each Swansea school for 2017-18 and 2018-19.

**Response of the Cabinet Member for Children, Education and Lifelong Learning**

As requested, the funding allocation for each Swansea school for 2017-2018 and 2018-2019 is provided in the attached spreadsheet. The Pupil Deprivation Grant (PDG) allocations are different for primary and special schools only as Welsh Government have based the allocations on January 2016 PLASC data again this year, but have changed the formula used to calculate the early years allocation. Therefore primary and special schools have received a different allocation while secondary schools have received exactly the same.

The Regional Consortium Education Improvement Grant (EIG) estimates are to be confirmed along with the total funding allocation for 2018/2019.

10

**Cllr Peter Black, Mary Jones, Chris Holley**

How many single homeless, homeless couples and homeless individuals with children were placed in B&Bs as temporary accommodation in each year from 2015-16 to 2017-18.

**Response of the Cabinet Member for Housing, Energy & Building Services**

The following table shows the breakdown of those placed in B&B for 2015/16, 2016/17 and as at the end of the 3<sup>rd</sup> quarter 2017/18:

|                                   | <b>Single Households</b> | <b>Couples</b> | <b>Families with dependent children</b> | <b>Other households*</b> | <b>Total</b> |
|-----------------------------------|--------------------------|----------------|---|--------------------------|--------------|
| <b>2015/16</b>                    | 214                      | 10             | 9                                       | 2                        | <b>235</b>   |
| <b>2016/17</b>                    | 156                      | 9              | 8                                       | 0                        | <b>173</b>   |
| <b>2017/18 (April – December)</b> | 114                      | 2              | 2                                       | 2                        | <b>120</b>   |

\*other households includes brothers, sisters, household plus carer, household plus adult daughter.

Overall use of temporary accommodation has reduced between 2015/16 and 2017/18. There has been a steady reduction in the use of B&B accommodation since 2014/15, especially since the introduction of the Housing (Wales) Act 2014, along with Welsh Government funding to help councils provide alternative approaches to prevention. This indicates that the



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|    | <p>early prevention work that is being carried out is directly reducing the number of households requiring temporary accommodation at a later stage.</p> <p>The average number of days homeless families spend in bed and breakfast accommodation is one of the Council's corporate performance indicators with a target of 6 days maximum, and overall the Council performs well in this area and regularly meets this target as B&amp;B remains the option of last resort and families are moved on to more suitable accommodation as soon as possible.</p> |
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| 11 | <p><b>Cllrs Chris Holley, Mary Jones, Susan Jones</b></p> <p>What is the current length of lease that the contractors have in the Brangwyn Hall.</p> <p><b>Response of the Cabinet Member for Cabinet Member for Culture, Tourism and Major Projects</b></p> <p>The catering contract for the Brangwyn Hall is due for renewal on 1st June 2019. The current contract was awarded on a 3 year term plus an optional 2 year extension.</p>   |
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| 12 | <p><b>Cllrs Chris Holley, Mary Jones, Peter Black</b></p> <p>How many employees has the Council lost since 2013 and will the Cabinet Member give the reasons.</p> <p><b>Response of the Cabinet Member for Service Transformation &amp; Business Operations</b></p> <p>6,613 staff have left the Council since 2013 for a wide variety of reasons, the three main reasons are:</p> <ul style="list-style-type: none"> <li>▪ Career move or retirement resignations</li> <li>▪ Voluntary redundancy</li> <li>▪ Contracts coming to an end</li> </ul>           |