



City and County of Swansea

Minutes of the **Cabinet**

Council Chamber - Guildhall, Swansea

Thursday, 21 November 2019 at 10.00 am

Present: Councillor R C Stewart (Chair) Presided

Councillor(s)

M C Child
A S Lewis
J A Raynor

Councillor(s)

R Francis-Davies
C E Lloyd
A H Stevens

Councillor(s)

D H Hopkins
S Pritchard
M Thomas

Officer(s)

Huw Evans
Adam Hill
Tracey Meredith
Phil Roberts
Ben Smith

Head of Democratic Services
Deputy Chief Executive / Director of Resources
Chief Legal Officer / Monitoring Officer
Chief Executive
Chief Finance Officer / Section 151 Officer

Also present

Councillor(s): L S Gibbard, C A Holley, J W Jones

Apologies for Absence

Councillor(s): - None.

88. Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

89. Minutes.

Resolved that the Minutes of the meeting(s) listed below be approved and signed as a correct record:

- 1) Cabinet held on 17 October 2019

90. Announcements of the Leader of the Council.

The Leader of Council made no announcements.

91. Public Question Time.

No questions were asked.

92. Councillors' Question Time.

Councillor J W Jones asked a number of questions in relation to Minute 94 "Swansea Central Phase 1 – Final Delivery Report".

The Leader of the Council, Councillor R C Stewart responded.

93. Pre Decision Scrutiny Feedback - Swansea Central Phase 1 – Final Delivery Report. (Verbal)

Councillor C A Holley presented Pre-decision Scrutiny Feedback in relation to the "Swansea Central Phase 1 – Final Delivery Report".

Resolved that:

- 1) The pre-decision scrutiny feedback be noted.

94. Swansea Central Phase 1 – Final Delivery Report.

Call In Procedure - Subject to Pre-Decision Scrutiny: *This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".*

The Cabinet Member for Economy & Strategy submitted a report which set out the detailed business case to inform the decision making process on whether to proceed with the development, and the stage 2 contract award in accordance with Financial Procedures Rules and Contract Procedure Rules.

Resolved that:

- 1) The scheme and its financial implications, specifically the addition to the capital programme of £110.720m under Financial Procedure Rule 7 be approved;
- 2) The award of the main construction contract to Buckingham Group Contracting Ltd to deliver the project be authorised;
- 3) Delegated authority be granted to the Leader of the Council, Director of Place, Chief Finance Officer and Chief Legal Officer to approve and enter into any documentation and to approve any related funding necessary to complete the scheme including the Heads of Terms and any documentation necessary to facilitate the development of a hotel on the site;
- 4) The establishment of maintenance and sinking fund budgets be approved with spend to be authorised by the Director of Place and Chief Finance Officer;
- 5) The capitalisation of officer time working on the scheme to support further project delivery be approved, as authorised by the Director of Place and Chief Finance Officer;

- 6) A bonded advance payment to Buckingham be set up with agreement of the terms and final amount delegated to the Director of Place and the Chief Finance Officer.

95. Pre Decision Scrutiny Feedback - Housing Commissioning Review Findings. (Verbal)

Councillor C A Holley presented Pre-decision Scrutiny Feedback in relation to the "Housing Commissioning Review Findings".

Resolved that:

- 1) The pre-decision scrutiny feedback be noted.

96. Housing Commissioning Review Findings.

Call In Procedure - Subject to Pre-Decision Scrutiny: This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".

The Cabinet Member for Homes, Energy & Transformation submitted a report which sought approval to implement the Housing Commissioning Review findings and to undertake formal tenant consultation regarding the future model of the District Housing Office Service.

Resolved that:

- 1) The key findings of the review be approved for implementation;
- 2) The proposed change to the future model of the District Housing Office Service be subject to a formal tenant consultation exercise and the results reported back to Cabinet prior to implementation.

97. Revenue and Capital Budget Monitoring 2nd Quarter 2019/20.

The Cabinet Member for Economy & Strategy submitted a report which reported on financial monitoring of the 2019/20 revenue and capital budgets, including the delivery of budget savings.

Resolved that:

- 1) The comments and variations in this report, and the actions in hand to address these be noted;
- 2) The Director's plans to assure Cabinet that service budgets can be sustainably brought back into line for 2019-20 and beyond be noted and implemented by 1 April 2020, and earlier still where possible;

- 3) No Officer may consider any material further spending commitments until those savings plans, as outlined in the report to address service overspending are assured and delivered.

98. City Centre Marketing of Strategic Sites Joint Venture Opportunity and FPR7.

The Cabinet Member for Investment, Regeneration & Tourism submitted a report which set out future regeneration options building on the catalytic effect of current development projects in the city centre including the marketing of strategic sites to secure a Joint Venture partner.

Resolved that:

- 1) The revenue funding requirements as set out in Paragraph 5.3 of the report be approved;
- 2) Option 3 as set out in the report be progressed and the Joint Venture Opportunity be marketed then advertised on Sell2Wales;
- 3) Authority be delegated to the Director of Place and Chief Legal Officer to approve the marketing and tender documentation including Memorandum of Information and draft Legal Agreement/vehicle for delivery.

99. Statutory Compliance Strategy.

The Cabinet Member for Delivery & Performance and the Cabinet Member for Homes, Energy and Service Transformation jointly submitted a report which sought endorsement on the adoption of the Statutory Compliance Strategy for buildings under the control of Swansea Council.

Resolved that:

- 1) The draft Statutory Compliance Strategy be approved;
- 2) The actions contained within the strategy be noted and delegated to the Cabinet Member for Delivery & Performance and the Cabinet Member for Homes, Energy and Service Transformation.

100. Urgent Item

The Leader of the Council stated that pursuant to paragraph 100B (4)(b) of the Local Government Act 1972, he considered that the "Financial Procedure Rule 7, Local Transport Capital Grant 2019/2020 Broadway Interchange" report should be considered at this meeting as a matter of urgency.

101. Financial Procedure Rule 7 Local Transport Capital Grant 2019/2020 Broadway Interchange.

Call In Procedure - Urgency: This decision is exempt from the Authority's Call In Procedure as "either the Head of Paid Service, the Section 151 Officer or the

Monitoring Officer certifies that any delay likely to be caused by the Call In Procedure could seriously prejudice the Council or the Public Interest including failure to comply with Statutory requirements”.

Reason for Urgency: The scheme is grant funded and the urgent funding re-profile is to ensure that the project can be delivered within the end of year programme.

The Cabinet Member for Environment & Infrastructure Management submitted a report which sought to confirm arrangements to utilise revenue contribution to supplement increased tender costs, as part of the Broadway Interchange scheme, being developed as part of the Welsh Government Local Transport Fund (LTF) 2019 / 2020.

Resolved that:

The additional design fee generated revenue funding be used as match funding.

102. Scrutiny Inquiry on Tourism - Cabinet Member Response and Action Plan.

The Cabinet Member for Investment, Regeneration & Tourism submitted a report which outlined a response to the scrutiny recommendations and to present an action plan for agreement.

Resolved that:

- 1) The response as outlined in the report and related action plan be agreed.

103. Scrutiny Inquiry into Equalities – Cabinet Member Response.

The Cabinet Member for Resilience & Strategic Collaboration submitted a report which outlined a response to the scrutiny recommendations and presented an action plan for agreement.

Resolved that:

- 1) The response as outlined in the report and related action plan be agreed.

104. Exclusion of the Public.

Cabinet were requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendations to the report(s) on the grounds that it / they involve the likely disclosure of exempt information as set out in the exclusion paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 relevant to the items of business set out in the report(s).

Cabinet considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item of business where the Public Interest Test was relevant as set out in the report.

Resolved that the public be excluded for the following item(s) of business.

(Closed Session)

105. Swansea Central Phase 1 – Final Delivery Report.

Call In Procedure - Subject to Pre-Decision Scrutiny: *This decision is exempt from the Authority's Call In Procedure as "the decision has been subject to Pre-Decision Scrutiny and there is no material change in relevant information / evidence".*

The Cabinet Member for Economy & Strategy submitted a report which set out the detailed business case to inform the decision making process on whether to proceed with the development, and the stage 2 contract award in accordance with Financial Procedures Rules and Contract Procedure Rules.

Resolved that the recommendations as detailed in the report be approved.

The meeting ended at 11.05 am

Chair

Call In Procedure – Relevant Dates	
Minutes Published:	21 November 2019
Call In Period Expires (3 Clear Working Days after Publication):	23.59 on 26 November 2019
Decision Comes into force:	27 November 2019