



City and County of Swansea

Minutes of the Council

Multi-Location Meeting - Council Chamber, Guildhall / MS

Teams

Thursday, 30 March 2023 at 5.00 pm

Present: Councillor J P Curtice (Chair) Presided

Councillor(s)

C Anderson
P M Black
P Downing
C R Doyle
M Durke
C R Evans
V M Evans
E W Fitzgerald
R Francis-Davies
L S Gibbard
F M Gordon
J A Hale
T J Hennegan
C A Holley
P R Hood-Williams
D H Hopkins
L James
O G James
Y V Jardine
J W Jones
L R Jones
M H Jones

Councillor(s)

M Jones
E J King
H Lawson
A S Lewis
M B Lewis
R D Lewis
W G Lewis
P Lloyd
P M Matthews
P N May
C L Philpott
S Pritchard
A Pugh
K M Roberts
B J Rowlands
R V Smith
A H Stevens
R C Stewart
L G Thomas
G D Walker
L V Walton
T M White

Councillor(s)

R Fogarty
S Bennett
P N Bentu
A Davis
C M J Evans
N Furlong
H J Gwilliam
V A Holland
D H Jenkins
S Joy
S E Keeton
M W Locke
N L Matthews
J D McGettrick
F D O'Brien
A J O'Connor
J E Pritchard
S J Rice
M S Tribe
R A Williams
A J Jeffery

Officer(s)

Gareth Borsden
Huw Evans
Tracey Meredith
Martin Nicholls
Ben Smith
Mark Wade

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

Apologies for Absence

Councillor(s): A M Day, K M Griffiths, B Hopkins, S M Jones, E T Kirchner, D Phillips and W G Thomas

142. Disclosures of Personal and Prejudicial Interests.

The Chief Legal Officer gave advice regarding the potential personal and prejudicial interests that Councillors and / Officers may have on the agenda.

The Head of Democratic Services reminded Councillors and Officers that the "Disclosures of Personal and Prejudicial Interests" sheet should only be completed if the Councillor / Officer 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:

- 1) Councillors R D Lewis, F D O'Brien & A H Stevens declared a Personal & Prejudicial Interest in Minute 148 "Public Questions" and 159 "Councillors' Questions" and withdrew from the meeting prior to its discussion".
- 2) Councillors S Bennett, P N Bentu, J P Curtice, T J Hennegan, R Francis-Davies, A S Lewis, M B Lewis, P Lloyd, N L Matthews, S Pritchard, S J Rice, R V Smith, G D Walker & T M White declared a Personal Interest in Minute 151 "Statement of Accounts 2021/22".
- 3) Councillors P Downing, R A Fogarty, J W Jones, M H Jones, W G Lewis, N L Matthews, C L Philpott & S J Rice declared a Personal Interest in Minute 152 "School Admission Arrangements 2024-2025".
- 4) Councillor S Pritchard declared a Personal Interest in Minute 153 "Swansea Public Services Board Local Well-being Plan".
- 5) Councillors P M Black, C A Holley, P Lloyd & C L Philpott declared a Personal Interest in Minute 155 "Nomination of Lord Mayor and Deputy Lord Mayor Elect 2023-2024".
- 6) Councillors P R Hood-Williams & L G Thomas declared a Personal & Prejudicial Interest in Minute 155 "Nomination of Lord Mayor and Deputy Lord Mayor Elect 2023-2024 and withdrew from the meeting prior to its discussion".

143. Minutes.

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

- 1) Ordinary Meeting of Council held on 2 March 2023.

144. Written Responses to Questions asked at the Last Ordinary Meeting of Council.

The Chief Legal Officer submitted an information report setting out the written responses to questions asked at the last Ordinary Meeting of Council.

145. Announcements of the Presiding Member.

a) Condolences

i) Councillor Hazel Morris

The Presiding Member referred with sadness to the recent death of Councillor Hazel Morris. Hazel represented the Penderry Ward for approximately 15 years on:

City & County of Swansea	1 May 2008 - 2 March 2023
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The Leader of the Labour Group led a tribute to Councillor Hazel Morris.

ii) Former Councillor June Evans

The Presiding Member referred with sadness to the recent death of former Councillor June Evans. June represented the Llansamlet Ward on:

Swansea City Council	21 October 1993 - 31 March 1996
City & County of Swansea	4 May 1995 - 3 May 2012

All present observed a minute's silence as a mark of sympathy and respect.

b) Karen Thomas, Democratic Services Retirement

The Presiding Member stated that Karen Thomas aka Zippy would be retiring on 31 March 2023, having served 40 years with the Council. Karen had dedicated her career to supporting Councillors. On behalf of the Council, she thanked Karen.

The Presiding Member also thanked all other Officers that were scheduled to retire in the coming weeks & months for their service and dedication to the Council.

c) Thanks to the Test, Trace & Protect (TTP) Teams

The Presiding Member stated that the Welsh Government has recently thanked everyone involved in the TTP Teams for their exceptional hard work and commitment throughout the Covid-19 pandemic. On behalf of the Council, she added her thanks to the TTP Teams for their professionalism and work during such a difficult period.

d) Live Broadcast

The Presiding Member reminded all members of the public that the meeting was being broadcast live. Care must be taken to avoid any abusive or defamatory comments against Officers, Councillors, or other members of the public.

e) Remain Seated when Speaking

The Presiding Member reminded Councillors to remain seated when speaking in the Council Chamber, thereby making it easier for people to hear and see.

f) Amendments / Corrections to the Council Summons

i) Items 19 & 20 "Notice of Motion"

The name of Councillor Jan Curtice should be removed from both Notices of Motion.

146. Announcements of the Leader of the Council.

1) Explosion at Clydach Road, Morriston

The Leader of Council referred to the recent tragic death of Brian Davies following an explosion at Clydach Road, Morriston. He gave the Council's condolences to the family on behalf of the victim.

He also thanked the Swansea Council Officer, the Housing Team, and the Emergency Services for supporting the community.

2) Freeport at Milford Haven & Port Talbot

The Leader of the Council welcomed the announcement that Neath Port Talbot Council and Pembrokeshire Council as part of the Swansea Bay City Region had been successful in their Celtic Freeport bid to have Freeports at Milford Haven & Port Talbot.

3) Cwmrhydyceirw Primary School - Centenary

The Leader of the Council stated that he had attended Cwmrhydyceirw Primary School recently as part of their centenary celebrations.

4) MJ Awards 2023 - Nominated for the Local Authority of the Year Award

The Leader of the Council stated that Swansea Council had been nominated for the Local Authority of the Year in the MJ Awards 2023. He stated that Swansea Council was a runner up in the same category in 2022.

147. Public Questions.

Six members of the public asked questions relating to Minute 158 "Councillors' Questions - Question 1."

The Leader of the Council & Cabinet Member for Corporate Service & Performance responded and committed to providing written responses.

148. Corporate Plan 2023/28.

The Cabinet Member for Corporate Service & Performance submitted a report which sought approval to publish a Corporate Plan 2023/28 following a review as set out within the Well-Being of Future Generations (Wales) Act 2015 and statutory guidance relating to Public Bodies.

Resolved that the Corporate Plan 2023/28 be adopted.

Note: Councillor S Bennett stated that "Paragraphs 3.84 & 3.94 refer to "more than 1 in 5 respondents..." and "More than 1 in 4 respondents..." respectively. What did the majority say i.e., the 4 in 5 and 3 in 4 say? What do these Paragraphs mean?"

The Cabinet Member for Corporate Service & Performance stated that a written response would be provided.

149. Report of Audit Wales - Audit of Accounts Report - City & County of Swansea.

Derwyn Owen, Audit Wales presented the "Audit Wales, Audit of Accounts Report 2021-2022 for the City and County of Swansea".

Resolved that:

- 1) The Final Letter of Representation be approved and signed.

Note: Councillor C A Holley referred to Page 171, Appendix 3 and asked what the Council was leasing for £284,851,000.

The Leader of the Council stated that a written response would be provided.

150. Statement of Accounts 2021/22.

The Section 151 Officer submitted a report which sought approval of the 2021/22 accounts on or before 31 July 2022.

Resolved that the 2021/22 Statement of Accounts attached as Appendix A of the report be approved.

151. School Admission Arrangements 2024-2025.

The Cabinet Member for Education & Learning submitted a report which sought to determine the admission arrangements for maintained schools for the academic year 2024-2025.

Resolved that:

- 1) The proposed admission arrangements for 2024-2025 for Nursery as set out in Appendix A of the report be approved.
- 2) The proposed admission arrangements for 2024-2025 for Reception as set out in Appendix B of the report be approved.
- 3) The proposed admission arrangements for 2024-2025 for Year 7 as set out in Appendix C of the report be approved.
- 4) The proposed admission arrangements for 2024-2025 for in-year transfers as set out in Appendix D of the report be approved.
- 5) The proposed admission arrangements/criteria for entry for 2024-2025 for sixth forms set in Appendix E of the report be approved.
- 6) The Schedule of Events for primary and secondary as set out in Appendix F of the report be approved.
- 7) The admission numbers for primary and secondary schools as set out in Appendix G of the report be noted.

152. Swansea Public Services Board Local Well-being Plan.

The Cabinet Member for Service Transformation submitted a report which sought approval of the Swansea Public Services Board's Local Well-being Plan, which includes the Local Well-Being Objectives and the steps the Partnership will take to achieve them.

Resolved that:

- 1) The Swansea Public Service Board Local Well-being Plan be approved.

153. Appointment of a Lay Member to the Governance & Audit Committee.

The Interim Director of Corporate Services submitted a report which sought approval of the recommendation of the Appointments Committee held on 6 March 2023 and to appoint an additional Lay Member to the Governance & Audit Committee.

Resolved that:

- 1) David Roberts be appointed as Lay Member of the Governance & Audit Committee.
- 2) The Term of Office being five years, from 1 April 2023 to 31 March 2028.

154. Nomination of Lord Mayor and Deputy Lord Mayor Elect 2023-2024.

The Head of Democratic Services submitted a report which sought to nominate the Lord Mayor elect and Deputy Lord Mayor elect to enable the arrangements for the Inauguration of the Lord Mayor and Deputy Lord Mayor event to proceed.

Resolved that:

- 1) Councillor Graham Thomas be nominated Lord Mayor Elect 2023-2024.
- 2) Councillor Paxton Hood-Williams be nominated Deputy Lord Mayor Elect 2023-2024.

155. Timing of Council Meetings - Survey & Council Bodies Diary 2023-2024.

The Head of Democratic Services submitted a report which presented a draft Council Bodies Diary 2023-2024. The report also provided the results of the Timing of Council Meetings Survey.

Resolved that:

- 1) The draft Council Bodies Diary 2023-2024 be adopted subject to final approval at the Annual Meeting of Council on 18 May 2023.

156. Amendments to the Council Constitution - Constitution Working Group Terms of Reference & Membership.

The Presiding Member, Monitoring Officer & Head of Democratic Services jointly submitted a report that sought to make amendments to simplify, improve and / or add to the Council Constitution. A decision of Council is required to change the Council Constitution.

The amendments related to the Terms of Reference of the Constitution Working Group and to the Financial Procedure Rules.

Resolved that:

- 1) Paragraph 3.2 of the Constitution Working Group Terms of Reference be amended to read:

*“3.2 This Group is exempt from the Committee Balance Rules to allow the following membership and representation by each Political Group:
Presiding Member, Deputy Presiding Member, Leader & Deputy Leader*

*of Ruling Group and Largest Opposition Group, Leader of other Political Groups and Cabinet Member with responsibility for Constitutional matters. **Note:** Each Political Group Leader may substitute their Deputy Political Group Leader with another of their Group Members if required but the membership must be approved by Council."*

2) Councillor M H Jones replace Councillor E W Fitzgerald as the Largest Opposition Group representative on the Constitution Working Group.

3) Paragraph 11.6 of the Financial Procedure Rules be amended to read:

"11.6 Debts which are not recoverable must be written off. The Chief Finance Officer must approve all write off of debts up to £10,000. Debts above £10,000 must be written-off with the approval of the Chief Finance Officer and the Chief Legal Officer".

157. Review of Communities.

The Returning Officer submitted a report that sought approval to instruct the Local Democracy & Boundary Commission for Wales (LDBCW) to conduct the Community Review on behalf of the Council.

Resolved that:

1) The Local Democracy & Boundary Commission for Wales conduct a Section 26 Review of Communities on behalf of the Council.

2) The Constitution Working Group's Terms of Reference be amended to include:

"To oversee the Review of Communities and have responsibility for working with the Local Democracy & Boundary Commission for Wales to ensure any recommendations accurately reflect Swansea's communities and the Terms of Reference of the Review of Communities."

3) The Constitution Working Group consider a "Council Size Policy" and recommend such a Policy to Council in due course.

158. Councillors' Questions.

1) Part A 'Supplementary Questions'

Ten (10) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

Those supplementary questions required a written response are listed below.

Question 9

Councillor E W Fitzgerald asked for a clearer definition of what “roads are regularly cleaned” meant. She queried what the exact timescale was?

The Cabinet Member for Community stated a written response would be provided.

2) Part B ‘Questions not requiring Supplementary Questions’

Five (5) Part B ‘Questions not requiring Supplementary Questions’ were submitted.

159. Notice of Motion - The Brexit Risk to our Rights - The Retained EU Law Bill.

Proposed by Councillor R A Fogarty and Seconded by Councillor R C Stewart.

“So far, leaving the European Union has harmed our national standing in the world, cost our economy billions in lost trade and created uncertainty and paperwork for citizens and businesses across the UK. 65% of the British public think that the Conservative Government is handling Brexit badly.

The Retained EU Law Bill will give Government Ministers the ability to pick and choose which EU rules they will keep and which to scrap. This includes basic, but hard-fought, protections such as health and safety at work, disability protections and maternity rights. This risks causing further harm at a time of economic difficulty for many by ripping up 4,000 basic rights and protections with minimal parliamentary scrutiny and locking into the UK statute books the Conservative obsession with deregulation at all costs. It is particularly concerning to see attempts to sideline the sovereignty of Parliament at a time when there seems to be a new scandal involving UK Government Ministers every week, undermining public trust and confidence in our leaders to do what is in their best interests.

Like communities across the UK, Swansea is deeply affected by the cost of living crisis, with people living evermore precariously. The Government's priority at this time must be to secure economic prosperity, and prevent any further harm being done by those who wish to use Brexit as an opportunity to weaken hard fought rights and protections.

Therefore, this Council:

- *Urges the Government to rethink sunseting EU laws through the Retained EU Law Bill.*
- *Calls on the UK Government to make a commitment to uphold all existing rights and protections afforded to us in EU legislation.*
- *Asks the Leader to write to the Prime Minister outlining this Council's steadfast opposition to his Government's regular attacks on fundamental human rights.*

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- *Asks the Leader to also write to the Leader of the Opposition in Westminster, seeking assurance that as the Bill makes its way through Parliament, every step will be taken to fight this outright attack on Parliamentary democracy, including through focusing public scrutiny on the rights and protections we stand to lose."*

In accordance with Council Procedure Rule 30 "Voting" a recorded vote was requested. The voting was recorded as follows:

For (50 Councillors)		
Councillor(s)	Councillor(s)	Councillor(s)
C Anderson	V A Holland	M W Locke
S Bennett	C A Holley	N L Matthews
P N Bentu	D H Hopkins	P M Matthews
P M Black	O G James	P N May
J P Curtice	Y V Jardine	J D McGettrick
A Davis	D H Jenkins	C L Philpott
P Downing	J W Jones	J E Pritchard
C R Doyle	M H Jones	S Pritchard
M Durke	M Jones	A Pugh
C M J Evans	S A Joy	S J Rice
V M Evans	S E Keeton	R V Smith
R A Fogarty	E J King	A H Stevens
N Furlong	H Lawson	R C Stewart
L S Gibbard	A S Lewis	L V Walton
F M Gordon	M B Lewis	T M White
H J Gwilliam	W G Lewis	R A Williams
T J Hennegan	P Lloyd	-

Against (3 Councillors)		
Councillor(s)	Councillor(s)	Councillor(s)
L R Jones	F D O'Brien	B J Rowlands

Abstain (2 Councillors)		
Councillor(s)	Councillor(s)	Councillor(s)
A J O'Connor	M S Tribe	-

Withdrawn from meeting due to declarable interest (0 Councillors)		
Councillor	Councillor	Councillor
-	-	-

Resolved that the Notice of Motion outlined above be adopted.

160. Notice of Motion - Illegal Immigration Bill.

Proposed by Councillor S Pritchard and Seconded by Councillor R C Stewart.

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“This Council is appalled by the UK government’s illegal immigration bill which proposes to detain and later remove anyone who arrives in the UK on a small boat meaning the Home Office will not consider any of their Asylum claims regardless if they have fled war or persecution for being a minority.

These people seeking sanctuary will then be deported back to the country they have fled from or a ‘safe’ third country. This third country could be Rwanda or another country deemed safe by UK Govt but with a questionable record on human rights.

This ill-thought out and inhumane legislation will punish the most vulnerable people from across the world. Questions have been raised surrounding the legality of the Bill and whether it is compliant with the European Convention on Human Rights (ECHR) and consistent with the 1951 Refugees Convention. The Prime Minister has also stated in writing that if you come to the UK illegally “You can’t benefit from our modern slavery protections”.

This Council also notes and condemns the dangerous and dehumanising language which has been used to support this Bill. This rhetoric cultivates and provides a platform for a culture of abuse, racism and even violence against refugees and minorities.

As a City of Sanctuary, this Council and the people of Swansea have welcomed and accepted refugees and asylum seekers. This has made the city a more interesting, diverse and tolerant city because of this.

This Council condemns the action of the UK Government in bringing forward this legislation, and calls upon the prime minister and his ministers to withdraw these egregious proposals.

We call upon the Leader of Council to write to the Prime Minister in the strongest possible terms to outline our concerns.

We would also request the Leader of the Council to write to Swansea City of Sanctuary to reaffirm the Council’s support for the work they do.”

In accordance with Council Procedure Rule 30 “Voting” a recorded vote was requested. The voting was recorded as follows:

For (48 Councillors)		
Councillor(s)	Councillor(s)	Councillor(s)
C Anderson	V A Holland	M W Locke
S Bennett	C A Holley	N L Matthews
P N Bentu	D H Hopkins	P M Matthews
P M Black	Y V Jardine	P N May
J P Curtice	D H Jenkins	J D McGettrick
A Davis	J W Jones	C L Philpott
P Downing	M H Jones	J E Pritchard
C R Doyle	M Jones	S Pritchard
M Durke	S A Joy	A Pugh

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C M J Evans	S E Keeton	S J Rice
V M Evans	E J King	R V Smith
R A Fogarty	H Lawson	A H Stevens
N Furlong	A S Lewis	R C Stewart
L S Gibbard	M B Lewis	L V Walton
F M Gordon	W G Lewis	T M White
H J Gwilliam	P Lloyd	R A Williams

Against (5 Councillors)		
Councillor(s)	Councillor(s)	Councillor(s)
L R Jones	A J O'Connor	M S Tribe
F D O'Brien	B J Rowlands	-

Abstain (0 Councillors)		
Councillor(s)	Councillor(s)	Councillor(s)
-	-	-

Withdrawn from meeting due to declarable interest (0 Councillors)		
Councillor	Councillor	Councillor
-	-	-

Resolved that the Notice of Motion outlined above be adopted.

The meeting ended at 8.30 pm

Chair