



City and County of Swansea

Notice of Meeting

You are invited to attend a Meeting of the

Cabinet

At: Council Chamber, Guildhall, Swansea

On: Thursday, 16 August 2018

Time: 10.00 am

Chair: Councillor Rob Stewart

Membership:

Councillors: J E Burtonshaw, M C Child, R Francis-Davies, D H Hopkins, E J King, A S Lewis, C E Lloyd, J A Raynor and M Thomas

The use of Welsh is welcomed. If you wish to use Welsh please inform us by noon on the working day before the meeting.

Agenda

Page No.

1. **Apologies for Absence.**
2. **Disclosures of Personal and Prejudicial Interests.**
www.swansea.gov.uk/disclosuresofinterests
3. **Minutes.** 1 - 4
To approve & sign the Minutes of the previous meeting(s) as a correct record.
4. **Leader of the Council's Report(s).**
The Leader of Council made no announcements.
5. **Public Question Time.**
Questions must relate to matters on the open part of the Agenda of the meeting and will be dealt with in a 10 minute period.
6. **Councillors' Question Time.**
7. **Revenue and Capital Budget Monitoring 1st Quarter 2018/19.** 5 - 19
8. **Local Authority Governor Appointments.** 20 - 21
9. **Cabinet Response to Scrutiny Inquiry into Regional Working.** 22 - 57

10. Exclusion of the Public. 58 - 61
11. Hafod Copperworks - Penderyn Heads of Terms. 62 - 78

Next Meeting: Thursday, 20 September 2018 at 10.00 am

Huw Evans

Huw Evans
Head of Democratic Services
Monday, August 2018

Contact: Democratic Services - Tel: (01792) 636923

Agenda Item 3.



City and County of Swansea

Minutes of the Cabinet

Council Chamber, Guildhall, Swansea

Thursday, 19 July 2018 at 10.00 am

Present: Councillor C E Lloyd Presided

Councillor(s)
J E Burtonshaw
E J King
M Thomas

Councillor(s)
R Francis-Davies

Councillor(s)
D H Hopkins
J A Raynor

Apologies for Absence

Councillor(s): M C Child, A S Lewis and R C Stewart

28. Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interests were declared:

- 1) Councillor J A Raynor declared a Personal and Prejudicial Interest in Minute 39 "Local Authority Governor Appointments" and withdrew from the meeting prior to its consideration.

29. Minutes.

Resolved that the Minutes of the meeting(s) listed below be approved and signed as a correct record subject to Councillor G D Walker being added to the list of Councillors also present:

- 1) Cabinet held on 21 June 2018.

30. Leader of the Council's Report(s).

The Leader of the Council made no announcements.

31. Public Question Time.

A number of questions were asked in relation to Minute 34 "The Future Structure and Delivery of the Ethnic Minority Achievement Unit (EMAU).

The relevant Cabinet Member responded.

32. Councillors' Question Time.

No questions were asked.

33. Pre-Decision Scrutiny Feedback - The Future Structure and Delivery of the Ethnic Minority Achievement Unit (EMAU). (Verbal)

Councillor C E Lloyd presented the pre decision scrutiny feedback.

34. The Future Structure and Delivery of the Ethnic Minority Achievement Unit (EMAU).

The Cabinet Member for Education Improvement, Learning and Skills presented a report, which recommended actions following the consultation on significant changes to the structure and delivery of the Ethnic Minority Achievement Unit (EMAU).

Resolved that:

- 1) Following the staff and wider stakeholder consultations held between March and May 2018, Option 2 as set out in the report be approved for implementation on 1 January 2019.

35. End of Year 2017/18 Performance Monitoring Report.

The Cabinet Member for Business Transformation & Performance presented a report, which outlined Corporate Performance 2017-2018.

Resolved that:

- 1) The performance results be note and reviewed to help inform executive decisions on resource allocation and, where relevant, corrective actions to manage and improve performance and efficiency in delivering national and local priorities.

36. Revenue Outturn and Savings Tracker 2017/18.

The Section 151 Officer presented a report, which detailed the Revenue financial outturn for 2017-2018.

Resolved that:

- 1) The comments and the variations within the report be noted and the proposed reserve transfers detailed in Section 7.3 of the report be approved.

37. Revenue Outturn 2017/18 – Housing Revenue Account (HRA).

The Section 151 Officer presented a report, which detailed the City and County of Swansea's Housing Revenue Account (HRA) outturn compared with the approved revenue budget for 2017-2018.

Resolved that:

- 1) The variations detailed within the report be noted.

38. Capital Outturn and Financing 2017/18

The Cabinet Member for Economy & Strategy presented a report, which detailed the Capital outturn and financing for the year ended 31 March 2018.

Resolved that:

- 1) The net under spending of the approved budget of £26.019m be carried forward to 2018-2019;
- 2) The main reasons for the under spend as outlined within Appendix C of the report be noted.

39. Local Authority Governor Appointments.

The Local Authority Governors Appointment Group submitted a report, which sought approval of the nominations submitted to fill Local Authority (LA) Governor vacancies on School Governing Bodies.

Resolved that:

- 1) The following nominations recommended by the Chief Education Officer in conjunction with the Cabinet Member for Education Improvement, Learning & Skills be approved:

1)	Birchgrove Primary School	Cllr Ryland Doyle
2)	Bishopston Primary School	Lisa Boat Melissa Canning
3)	Penyrheol Primary School	Alison Seabourne
4)	Ysgol Crug Glas	Dominic Nutt
5)	Bishopston Comprehensive School	Freya Davies

40. 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)

41. Proposed Purchase of Two City Centre Investment Opportunities.

The Cabinet Member for Business Transformation & Performance presented a report, which sought approval for the acquisition of the two properties as part of the Property Investment Fund. The Fund was created out of a Cabinet decision made on 21 July 2016.

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

The meeting ended at 10.47 am

Chair

Published: 19 July 2018

Agenda Item 7.



Report of the Cabinet Member for Economy & Strategy

Cabinet – 16 August 2018

Revenue and Capital Budget Monitoring 1st Quarter 2018/19

Purpose:	To report on financial monitoring of the 2018/19 revenue and capital budgets, including the delivery of budget savings.
Policy Framework:	Budget 2018/19 Transformation and Future Council (Sustainable Swansea –fit for the future)
Consultation:	Cabinet Members, Corporate Management Team, Legal and Access to Services.
Recommendation:	It is recommended that the comments and variations in this report, and the actions in hand to address these, are noted.
Report Author:	Ben Smith
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Catherine Window

1. Background and Introduction

1.1 This report details forecast variations from the agreed budget for 2018/19, including the latest assessment of the delivery of savings.

1.2 In respect of Revenue Budgets, this report provides a consolidated forecast which combines:

- projected variations (mainly shortfalls) in relation to budget savings agreed by Council in March 2018

- Variations arising from other service pressures not directly linked to specific savings plans (e.g. increased demand)

1.3 The report includes comments from Directors in relation to the variations highlighted and the action that is in hand or proposed as appropriate.

2. Revenue Outturn Forecast Based on 1st Quarter position

2.1 Appendix 'A' to this report details the approved Revenue Budget for 2018/19 and the forecast variation at this time.

2.2 Other than projected variations on Directorate expenditure, it is still too early to forecast variations that may arise on some significant Corporate items including the level of Council Tax collection (although it more often than not achieves a modest surplus) – it is assumed at the current time that these remain largely as per the approved budget.

2.3 The overall Directorate position is summarised below:-

DIRECTORATE

	FORECAST VARIATION 2018/19 £000	SAVINGS VARIATION 2018/19 £000	OTHER VARIATION 2018/19 £000
RESOURCES (inc. all Business Support)	2,407	2,407	0
PEOPLE - POVERTY AND PREVENTION	0	0	0
PEOPLE - SOCIAL SERVICES	6,532	3,652	2,880
PEOPLE – EDUCATION	0	11	-11
PLACE	0	590	-590
<u>NET DIRECTORATE EXPENDITURE</u>	8,939	6,660	2,279

2.4 Directors' comments on the above variations are shown at Appendix B :-

2.5 Within the *Sustainable Swansea* Delivery Programme, work continues to develop service delivery plans that will include all savings requirements across all strands. This includes the cross cutting nature of new reviews as well as the completion of current in-flight reviews.

2.6 The above potential overspend remains a significant risk and needs to be immediately addressed on a whole Council basis as it would unacceptable to have any further risk of a draw from General Fund reserves at year end. A number of the overspend areas follow on from the outturn position for 2017/18 and need to be considered in the light of the forecast savings going forward within the 2018/19 budget, Medium Term

Financial Plan, and the cumulative effect of non-achievement of savings going forward.

2.7 Corporate Management Team has re-enforced the current arrangements for budget monitoring in particular :-

- focus on a range of corrective actions;
- targeted immediate spend reduction action;
- further increased spending control on all vacancies and contracts;

2.8 Offsetting opportunities do exist to ameliorate some of the identified service pressures as follows.

- £1m was set aside in the budget for the potential costs relating to the impact of the Apprenticeship Levy. The final costs relating to this levy will only be known once final employee related costs are calculated at the year end. Should the full allocation not be required then any saving will be proposed to be used to mitigate service pressures at year end.
- £1m was also set aside to meet any specific and significant inflationary increases arising in year. Given the overall financial projection at this stage it is proposed by the S151 officer that rather than allocate elements to any potential specific inflationary pressures that the whole amount is immediately used to offset the pressures listed above. This is likely to exacerbate reported service spending pressures further in due course but is a necessary immediate step to be taken.

2.9 It should be noted that on basis of bids already committed to the Council's remaining Transformation Fund reserve (balance at 1 April 2018 remaining was £193,000)this remains committed and cannot therefore be used to fund further transformative work unless and until monies advanced for existing plans start to crystallise additional and significant savings to pay back to the fund, not merely help unlock already planned budgeted savings.

3. Contingency Fund Provision for 2018/19

3.1 The contingency fund is set at the £3.45m contribution for 2018/19 as set out in the budget report approved by Council on 6th March 2018. This is significantly lower than in recent years.

3.2 The current potential calls on the contingency fund for 2018-19 are:-

Contingency Fund 2018/19	Prediction
	2018/19 (£m)
Contribution for year	3.450
City Deal revenue contribution.	-0.050
Statutory Data Protection Officer post (but to be reimbursed from the Restructure Reserve £53k)	0.000
ER/VR in year costs	-1.400
Balance 31st March 2019	2.000

The above table lists potential calls on the budgeted contingency fund. The final amounts will be dependent on a number of factors during the year including speed of implementation, actual costs/commitments incurred and final Directorate outturn position. Spend approvals will be deliberately limited to seek to maximise underspend here as part of mitigating budget savings action. Updates will be provided during the financial year as part of the routine quarterly reporting to members.

City Deal contribution of £50k per annum will be met initially in 2018/19 from the Contingency and be base budgeted for in future years. There will also be a 1.5% top slice fee which will, where at all possible, be funded by capital flexibilities (and thus charged to capital) as part of the final agreed City Deal terms.

Any departures under ER/VR in 2018-19 up to a maximum of £1.4m are again currently planned to be charged to the contingency fund as a one off cost to release future revenue savings. Any excess costs will fall to the restructure reserve, simply to conserve some headroom in the contingency fund.

The remaining balance of £2m is proposed by the S151 to be utilised to fund forecast service pressures outlined in table 2.3 above and shown in Appendix A..

The Budget report approved by Council in March 2018 included the proposal that Schools would be able to specifically access up to £1.3m of the Restructure Reserve in 2018-19 on a one off basis. This funding will be utilised in meeting ER/VR costs and facilitating innovative and transformative working and will therefore not be charged against the Contingency Fund. Applications to date indicate this sum will be fully utilised.

The S151 officer proposes to reserve his final position on the recommended levels of use of the restructure reserve and contingency fund until the success or otherwise of reducing the forecast overspend is known at year end.

- 3.3 The initial scale of potential overspends for 2018/19 remain significantly in excess of any potential sums available to offset that shortfall. The current indication is that there still needs to be urgent and decisive action to pursue additional savings across the Council.

3.4 The action being taken includes working through existing plans on an accelerated delivery basis :

- Management and Business Support Review: ongoing comprehensive review of the management structure across the Council and future requirements given the Council's priorities, future challenges and the changing nature of the role of managers
- Reducing the Pay Bill: review of options to reduce employee costs across the Council as part of our overall future workforce strategy (subject to trade union consultation at the appropriate time)
- Commercialism through third party Procurement Savings and Income Generation: review of further options to increase income from fees and charges, trading etc, in addition to the targets already set for 2018/19
- Progressing Commissioning Reviews and Cross Cutting Themes.
- Implementation of the Leading Learners transformation programme for Education that outlines a range of projects.
- Further implementation of the Adult Services Saving Plan through which we have identified mechanisms for bringing down overall costs.
- Strengthening and tightening further the extant spending restrictions which have been reviewed, refreshed and reissued by Corporate Management Team.

3.5 It should be noted that at this time, although the Council continues to pursue a number of VAT related claims, some are more advanced than others, there is NO certainty of windfalls from VAT refunds or any other external source being received in the current year.

4. Revenue Budget Summary

4.1 The position reported above reflects the best known current position. A net £8.9m of shortfall in revenue budgets, offset by £3.0m of identified additional savings from the non-allocation of the Inflation provision (£1m) together with restricting the use of the Contingency Fund to release £2m. In addition as per 4.9 below the S151 officer is proposing a one off usage of £3m from a review of ear marked reserves this leaves a forecast overall £2.9m overspend forecast for the year at the end of the first quarter.

4.2 Corporate Management Team have reinforced the expectation that overall net expenditure must try to be contained within the limits of the current year budget as set by Council.

4.3 As previously mentioned, it is too early to provide an accurate forecast as to the potential outturn on corporate items such as Council Tax collection which is in itself potentially affected by the effects of welfare reform measures, but offset by an often increasing tax base.

4.4 Included in the projected budget for 2018/19 for other corporate items were budgeted increases in capital finance charges, recognising the need to commence funding for the ambitious Capital Programme. At this early stage no variance is forecast, in any case any underspending will be transferred at year end to the capital equalisation reserve, a strategy previously agreed by Council . This will be reviewed and updated during the year as various capital schemes/programmes progress.

- 4.5 The overall judgement at this point is that there is an urgent need to identify significant additional budget savings across all Council Services to improve the 2018/19 position. Based on the level of the current forecast this achievement for 2018/19 is looking once again, extremely challenging.
- 4.6 There remains a degree of confidence that some further minor inroads can be made into the forecast overspend position by ongoing management and member action. Equally, the scale remains such, that it would be on balance very unlikely that spending can be fully contained in year without wide scale mitigation actions, including those set out in this report.
- 4.7 There continue to be increasing risks around general inflationary pressures (including potentially a much higher than previously budgeted teachers' pay award from September). Nevertheless the Council simply cannot afford to fund them, savings will have to be made elsewhere to meet such pressures.
- 4.8 Detailed monitoring of budgets will continue to be carried out and reported to Departmental Performance and Financial Management meetings on a monthly basis.
- 4.9 Within the Council approved budget for 2018-19 was an element of funding from the General Reserve of £1 million to fund support for Minority Ethnic achievement and the education of Roma Traveller learners and School Uniform Grants. The grant funding having been effectively simply withdrawn by the Welsh Government. Following concerns and lobbying from members and officers across Wales as to the impact of this reduction in grant, Swansea Council received a letter on the 17th May from the Welsh Government stating that it would provide the majority of the funding previously withdrawn for 2018-19, albeit in slightly different ways. The shortfall in funding related to the School Uniform Grant and amounted to approximately £60,000. Welsh Government has recently announced an effectively wider replacement scheme for this aspect of funding as well. Therefore, the whole planned emergency draw from General Reserves can be considered fully unwound.

There is a need to consider an Immediate draw from earmarked reserves. To help mitigate overspend pressures further, in light of general reserves being at the minimum declared safe level, and thus no meaningful overspend being acceptable, the S151 officer has consulted with Directors and proposes to immediately draw £3m from earmarked reserves.

The proposed draw includes relative modest sums from the restructure reserve and the insurance reserve, but more importantly exhausts over 20 other reserves in full. This is a clear emergency measure and, as reserves are one off, is not a sustainable funding strategy. Furthermore these reserves were set up to fund known and expected future spend commitments and thus will mean the costs will have to be met when they actually fall due in future years budgets (e.g. the full cost of running the next local government election), when budgets are likely to be under even further strain.

At this point in time CMT has agreed a nominal additional savings stretch target of £1m per directorate – £3m in total, designed to ensure residual overspends are addressed by offsetting underspends elsewhere. The success of this approach will need to be closely monitored and if it does not ameliorate the residual spending pressures, further emergency action will be considered for the second quarter.

In both cases, it is imperative that sustainable base budget savings are found to replace these in year one off actions to stabilise the 18-19 budget ahead of an anticipated extremely challenging 2019-20 budget round.

5. Capital Budget

5.1 Expenditure to 30th June 2018 is £11.268 million, summarised as follows:

Directorate	Budget 2018/19	Actual to 30/06/18	% spend
	£'000	£'000	
Corporate Services	6,711	137	2.0%
People	15,678	1,306	8.3%
Place (General Fund)	52,114	4,294	8.2%
Place (HRA)	63,944	5,531	8.6%
Total	138,447	11,268	8.1%

Expenditure on major capital schemes is detailed in Appendix D.

It should be noted that the actual spend to 30 June may only have 1 or 2 months costs relating to external invoices. In addition the budgets will be reviewed during July which will result in some budgets being re-profiled into later years.

6. Housing Revenue Account

6.1 There are no material budget issues to flag at this stage of the year. There are some anticipated underspends on employee costs and any slippage on the capital programme may lead to a reduction in capital finance costs however it is too early in the year to make an accurate forecast.

7. Legal Issues

7.1 There are no legal issues contained within this report.

8. Equality issues

8.1 The Revenue budget of the Council was approved following the application of the corporate Equality Impact Assessment (EIA) process throughout the Budget setting process. It is essential where service levels are affected by changes to the Revenue Budgets (including savings options) that the EIA process (alongside consultation and engagement as appropriate) is applied to ensure due regard is paid to the potential equality impacts of any proposals prior to decision making.

Background papers: None

Appendices: Appendix A – Revenue Budget forecast 2018/19
 Appendix B – Directors comments on variances
 Appendix C – Savings tracker summary
 Appendix D - Expenditure on major Capital Schemes

REVENUE BUDGET PROJECTION QUARTER 1 2018/19

<u>DIRECTORATE</u>	BUDGET 2018/19 £000	PROJECTED 2018/19 £000	VARIATION 2018/19 £000
RESOURCES	41,587	43,994	2,407
PEOPLE - POVERTY AND PREVENTION	6,358	6,358	0
PEOPLE - SOCIAL SERVICES	111,419	117,951	6,532
PEOPLE – EDUCATION	166,808	166,808	0
PLACE	56,701	56,701	0
<i>NET DIRECTORATE EXPENDITURE</i>	382,873	391,812	8,939
SPECIFIC PROVISION FOR APPRENTICESHIP LEVY/INFLATION	2,000	1,000	-1,000
CONTINGENCY FUND	3,450	1,450	-2,000
<i>OTHER ITEMS</i>			
LEVIES			
SWANSEA BAY PORT HEALTH AUTHORITY	86	86	0
CONTRIBUTIONS			
MID & WEST WALES COMBINED FIRE AUTHORITY	12,631	12,631	0
<i>CAPITAL FINANCING CHARGES</i>			
PRINCIPAL REPAYMENTS	16,066	16,066	0
NET INTEREST CHARGES	16,643	16,643	0
<i>NET REVENUE EXPENDITURE</i>	433,749	439,688	5,939
<i>MOVEMENT IN RESERVES</i>			
GENERAL RESERVES	-60	-60	0
EARMARKED RESERVES	-873	-3,873	-3,000
<i>TOTAL BUDGET REQUIREMENT</i>	432,816	435,755	2,939
DISCRETIONARY RATE RELIEF	400	400	0
<i>TOTAL CITY AND COUNTY OF SWANSEA REQUIREMENT</i>	433,216	436,155	2,939
COMMUNITY COUNCIL PRECEPTS	1,403	1,403	0
<i>TOTAL REQUIREMENT</i>	434,619	437,558	2,939
<i>FINANCING OF TOTAL REQUIREMENT</i>			
REVENUE SUPPORT GRANT	239,946	239,946	0
NATIONAL NON-DOMESTIC RATES	79,141	79,141	0
COUNCIL TAX - CITY AND COUNTY OF SWANSEA	114,129	114,129	0
COUNCIL TAX - COMMUNITY COUNCILS	1,403	1,403	0
<i>TOTAL FINANCING</i>	434,619	434,619	0

Directors comments on budget variances

Appendix B

Director of Resources

Variance	£000	Explanation and Action
<u>Savings Variation</u>		
Management review of grade 10 and above	113	These three areas form part of Corporate Services proposals to merge and review cross-cutting functions across the Council related to Business Support functions, exploring new ways working including regional collaboration where possible. Proposals and plans are in discussion with the aim of implementing in the next qtr.
Service review/regional working/shared services	239	
Stopping or reducing services through new ways of working	597	
Working commercially across the Council on income / contract spend, prioritising resources as per strategy and plan	973	The Commercial Strategy and Implementation Plan has been developed and is underway. Progress is already being made by the Commercial team who have successfully secured £177k of income during Qtr 1. New governance has been introduced around contract spend. From June this now forms part of senior management weekly monitoring, which will further reduce and rationalise contract spend
Merging of Land Charges with Planning and Building Control as per the Commissioning Review	25	The team has successfully merged with Planning and savings achieved in the Place Directorate. It was planned that new ways of working would release this £25k in legal however, this is no longer possible therefore alternative savings are now being sought.
Establishing Business Support hubs in the People and Place Directorates	300	£300k of the original £600k target has now been achieved by the People Directorate. Plans are still in discussion with both the People and Place Directorates around further savings as a result of implementing the 'One Council' approach to Business Support.
Transfer and review of the Welsh Translation Unit, including cost and charges	160	The Welsh Translation Unit has now successfully transferred into Corporate Services from the Education Service. A review of processes, ways of working and charges is underway with proposals and plans coming forward to achieve the saving in the next qtr.
Total Variation	2,407	

Corporate Services underwent significant change in the final quarter of 2017-18, in order to realise savings and rebalance the budget for the start of 2018-19. As many of these

changes involved staff leaving the Council on early retirement/voluntary redundancy there was a time lag where some staff did not depart until the 30th June. The Directorate has proactively and strictly managed any overspending in Quarter 1, from both these delayed departures and the implementation of the in year 2018-19 savings targets. At the end of Quarter 1 the Council Tax Reduction Scheme underspent by £345k, which could indicate a final year underspend of around £750k. However, this budget delivers important support and is dependent on demand, particularly with the introduction of changes to Universal Credit. The current assumption is that all in year spend additional spend pressures can be accommodated by the likely underspend on CTRS.

Detailed plans and proposals are in place for all of the variances above except for £25k in Land Charges, which will be ready for the Quarter 2 report.

Reducing Sick Pay and Professional Fees - A Terms & Conditions Working Group has been established, comprising Trade Unions, Cabinet Members and Directors. The work plan to deliver the savings has been agreed. This quarter progress has been made on developing flexible working practices to contribute to management of absence. It will take some time for the interventions to impact the cost of sickness. However the outcomes of work plan are being closely monitored and any corporate actions will be taken through the Terms and Conditions Working Group.

Director of People

Social Services

Variance	£000	Explanation and Action
Savings Variation		
Review of CHC arrangements - Maximise Health contribution for packages of care	1,000	Issues continue with established ways of working and resistance from ABMU to discuss equitable and appropriate contributions towards identified packages of care.
Senior Staffing - Review/Reduce posts at senior level (linked to implementing preferred options of Adult Services Commissioning Reviews and fit for purpose structure)	435	The achievement of these savings are substantially linked to the outcome of the Commissioning Reviews noted below.
Residential Care for Older People - Implement preferred options as outcome of Commissioning Review leading to reduction of in-house beds	169	Consultation to conclude 23rd July 18. Analysis of responses will dictate next steps & potentially affect timeline for delivery
Provide day services to those who are eligible only	110	
Implement preferred options as outcome of Commissioning Review (LD, PD & MH service provision commissioning review)	500	Draft strategies consulted upon alongside budget consultation.

Direct Payments Prepaid Cards - Introduction of prepaid cards to service users to minimise potential for direct payments to be used incorrectly	150	Roll out of pre-paid cards to all new customers and transition of existing clients underway. Monitoring and monthly financial reporting on savings established to accurately report on progress against target
Review of CHC Arrangements/LD MH Right Sizing and Review - Review all Mental Health and Learning Disability packages of care, to ensure that they are fit for purpose and those eligible for health funding receive it.	500	Full process review completed & next steps/change in processes agreed. Invest to save support, including legal assistance, in process of recruitment
Test and challenge residential care - Reduce overall number of funded residential care placements by 20 per year	171	
Direct Payments Strategy - Targeted increase in recourse to direct payments as alternative to non-complex domiciliary care packages and complex care packages for MH & LD	500	A strategy has been developed and actions decided - review of structure for the administration of such payments will provide an immediate small reduction in spend.
Charging Policy and Annual Fee Increases - Increased client income through uplifts and more efficient processes following transfer of Income and Finance Team to Corporate Finance	250	Delays in the commencement of some charges, specifically Day Services, mean that achievement of the current year's target is unlikely.
Spend to Save Measures	-133	Delays in recruitment. Majority of posts now recruited and expected full activity will commence in August
Other		
Independent Child and Family Placements	1,300	This budget is subject to both fee and demand pressures. It is hoped that the implementation of a new practice model will see this forecast reduce over time.
External Domiciliary Care	1,225	These areas continue to be exposed to both demographic and cost pressures. Work to ensure all placements are appropriate and cost effective continues.
External Residential Care	237	
Internal Staffing and Services	-974	Tight vacancy/contract management has resulted in underspends in this area.
Third Party Spend	-97	
MHLD Complex Care	1,189	This is a continuation of the previous years' overspend and remains an area of extreme pressure. Additional budget has been allocated but is being outstripped by both pressures on demand and fee levels.
Overall Variation	6,532	

The Social Services position is due to a combination of both unachieved savings and fee and demand pressures across externally commissioned services. Significant management action will follow to improve this position in year.

Education

Variance	£000	Explanation and Action
Savings Variations		
Further assumed reductions in Regional Consortium School Improvement Grant - matching funding requirements.	11	This variation has occurred due to a requirement for the Council to maintain match funding at the same cash levels as 2017/18. This is despite an 11% reduction in the value of the grant. Officers will seek to identify alternative savings to manage this and other in year pressures.
Other Variations		
Servery	30	Estimated costs for the refurbishment of the civic centre servery – agreed as part of commissioning review on the assumption that the cost will be offset over time by future reduction in net cost of the provision
Savings to be found	-41	Savings proposals for future years will be scrutinised to seek to identify plans that can be brought forward.
Overall Variation	0	

It is currently felt that the service is in a position to deliver an outturn in line with budget for the year.

Poverty & Prevention

All 2018/19 savings targets are believed to be achievable and the service is forecast to deliver a balanced budget.

Director of Place

A number of issues need to be highlighted for the purpose of visibility. These include unfunded budget pressures as follows:

- Significant increased electricity costs of £321k
- Reduced recycling prices in waste management of £300k to £350k
- Increased costs for maintaining and replacing aging social services fleet £636k

In year savings of £590k have been identified as not being achieved at year end and these comprise mainly of Commissioning Review (Corporate Building & Cultural Services) savings and Integrated Transport Unit savings.

In addition there are some challenges in achieving all of the “cross cutting” saving identified for 18/19 in particular

- Sickness reduction of £400k which requires a change in policy to reduce sickness costs

The directorate is working to offset these spending pressures within its overall budget but at this stage it is likely that further decision will have to be made around fleet and sickness to be able to offset these costs and return a balanced budget.

Sustainable Swansea/MTFP Savings & Delivery Tracker

Summary - Qtr. 1

BBRAG Postion							
	Blue	Red	Amber	Green	BLANK	Black	
Total BRAGS	26	16	36	64	1	2	
Total £	£ 3,262,000	£ 6,955,000	£ 4,311,000	£ 1,922,000	£ -	£ 80,000	
DIRECTORATE	SAVING TARGET	FIRM	FORECAST	VARIANCE	FIRM Variance %	FORECAST Variance %	Status
PLACE	£ 3,318,000	£ 1,062,000	£ 2,822,000	£ 496,000	32%	85%	GREEN
PEOPLE	£ 7,355,000	£ 1,014,000	£ 6,176,000	£ 1,179,000	14%	84%	AMBER
CROSS CUTTING	£ 2,455,000	£ 1,400,000	£ 2,455,000	-	57%	100%	BLUE
RESOURCES	£ 3,402,000	£ 495,269	£ 2,628,000	£ 774,000	15%	77%	AMBER
	£ 16,530,000	£ 3,971,269	£ 14,081,000	£ 2,449,000	24%	85%	GREEN

BBRAG Definitions

BLUE	The change/action has been undertaken to achieve the saving – <i>Tip: is the saving target achieved and no further service action</i>
BLACK	The change/action CANNOT be achieved or implemented and alternative options must be explored, to achieve the financial saving FIGURE.
RED	Significant or high risk of saving not being achieved, as there are barriers preventing the necessary actions to achieve the savings taking place. <i>Tip: No progress of saving target, no plans, no budget code identified. Must be raised and risks escalated to Programme Board via PFM</i>
AMBER	A risk of saving not being achieved as there are potential barriers preventing the necessary action to achieve the saving taking place. <i>Tip: Irregular, no progress of saving target or no budget code identified. Must be raised any further risks escalated to Programme Board via PFM - Mgt by Exception</i>
GREEN	Plans in place to take the necessary actions and change to achieve the saving – <i>Tip: regular and ongoing progress of saving within the identified budget code on target.</i>

Appendix D

Capital expenditure on major schemes to 30 June 2018 (where spend greater than £250k)	£000's
People	
Pentrehafod Comp School Remodelling	1,200
Place	
Kingsway Urban Park	803
Swansea Central	807
Acquisition (property portfolio)	879
Disability Facilities Grants	867
HRA capital programme (including More Homes schemes)	5,531

Total scheme value where spend greater than £250k 10,087

Agenda Item 8.



Report of the Local Authority Governor Appointment Group

Cabinet – 16 August 2018

Local Authority Governor Appointments

Purpose:	To approve the nominations submitted to fill Local Authority Governor vacancies in School Governing Bodies
Policy Framework:	Local Authority (LA) Governor Appointments Procedure (Adopted by Council on 26 October 2017)
Consultation:	Access to Services, Finance, Legal
Recommendation(s):	It is recommended that: 1) The nominations recommended by the Chief Education Officer in conjunction with the Cabinet Member for Education Improvement, Learning and Skills
Report Author:	Gemma Wynne
Finance Officer:	Chris Davies
Legal Officer:	Stephanie Williams
Access to Services Officer:	Sherill Hopkins

1.0 The nominations referred for approval

1.1 The nominations are recommended for approval as follows:

1. Newton Primary School	Dr Nia Love
2. Parkland Primary School	Mrs Claire Aubrey Cllr Stephen Gallagher
3. Whitestone Primary School	Mr Gareth Ford

2.0 Financial Implications

2.1 There are no financial implications for the appointments; all costs will be met from existing budgets.

3.0 Legal Implications

3.1 There are no legal implications associated with this report.

4.0 Equality and Engagement implications

4.1 There are no equality and engagement implications associated with this report.

Background papers: None

Appendices: None

Agenda Item 9.



Report of the Leader and Cabinet Member for Economy & Strategy

Cabinet – 16 August 2018

Response to the Report of the Regional Working Scrutiny Inquiry

Purpose:	To outline a response to the scrutiny recommendations and to present an action plan for agreement.
Policy Framework:	None
Consultation:	Legal Services, Financial Services, Access to Services
Recommendation(s):	It is recommended that: 1) The response as outlined in the report and related action plan be agreed.
Report Author:	Richard Rowlands
Finance Officer:	Paul Roach
Legal Officer:	Debbie Smith
Access to Services Officer:	Catherine Window

1.0 Introduction

- 1.1 The Regional Working Scrutiny Inquiry report was submitted to Cabinet on the 21 June 2018 after the Regional Working Scrutiny Inquiry Panel completed a detailed inquiry. The scrutiny report is attached as **Appendix A**.
- 1.2 This report contains the Cabinet response to recommendations from the Scrutiny Inquiry Report into Regional Working', which is set out in more detail in the action plan attached at **Appendix B**

2.0 Response to Scrutiny Recommendations

Recommendation 1
We continue to be ahead of the game by looking at positive ways forward for Swansea in Regional Working collaborations by being involved, where possible, in pilots/trials that may ease and prepare the way forward for us.
Relevant Policy Commitments: <i>All policy commitments that relate to regional collaborations and partnership working</i>
Action already being undertaken: <i>The Council is playing a leading and proactive role in major regional collaborations. The Chief Executive takes the lead role for ERW and Western Bay as well as being an executive member of the City Deal Joint Committee and the Leader of the Council is the City Region Joint Committee Chair.</i>
New actions following from the recommendation: <i>The senior management restructure approved by Council on 21st June strengthens the Council's management capacity to ensure that the regional collaboration agenda can be taken forward proactively by Swansea whilst also allowing the Council to manage its ambitious programmes based around the corporate priorities.</i>
Cabinet Member Comments: <i>Continue to influence the collaboration agenda and decision-making at Welsh Government.</i>
Recommendation is AGREED

Recommendation 2
Address or mitigate the barriers found in existing regional partnerships and use the lessons learnt to inform our new collaboration activities.
Relevant Policy Commitments: <i>All policy commitments that relate to regional collaborations and partnership working</i>
Action already being undertaken: <i>The City Deal has a Joint Working Agreement in place, which was approved at Council on 26th July 2018. ERW has fully formed governance arrangements. A review of progress has been undertaken by IPC on the Western Bay Health & Social Care collaboration.</i>
New actions following from the recommendation: <i>Undertake a lessons learnt exercise (including learning points identified by the panel) across the three main regional collaborations and develop an action plan/s with resource implications to address any specific and remaining barriers.</i>
Cabinet Member Comments: <i>None</i>
Recommendation is AGREED

Recommendation 3
Ensure that we learn particularly from previous large collaborations both positive and negative aspects to help ease our way into new partnership arrangements.
Relevant Policy Commitments: : <i>All policy commitments that relate to regional collaborations and partnership working</i>
Action already being undertaken: <i>The Council meets up regionally with 5 other local authorities to discuss collaboration projects. The Council has a clear rationale in place when collaborating and it is clear on the anticipated benefits and costs.</i>
New actions following from the recommendation: <i>Undertake a lessons learnt exercise (including learning points identified by the panel) across the three main regional collaborations and develop an action plan/s with resource implications to address any specific and remaining barriers.</i>
Cabinet Member Comments: <i>None</i>
Recommendation is AGREED

Recommendation 4
Ensure all partnerships have an effective governance structure that has a suitable amount of elected member challenge built in, particularly scrutiny in those larger most impactful partnerships like Swansea Bay City Region, Western Bay and ERW.
Relevant Policy Commitments: <i>All policy commitments that relate to regional collaborations and partnership working</i>
Action already being undertaken: <i>ERW has fully formed Governance Arrangements, which includes a Joint committee, an ERW Service Committee and a joint scrutiny mechanism. A Joint Committee Agreement and joint scrutiny arrangements were agreed for the City Deal at Council on 26th July 2018. Western Bay has a Joint Committee in place. There are scrutiny arrangements in place for all three partnerships.</i>
New actions following from the recommendation: <i>Review governance arrangements of the 3 main partnerships – ERW, Western bay and City Deal - to ensure they remain fit for purpose.</i>
Cabinet Member Comments: <i>None</i>
Recommendation is AGREED

Recommendation 5
That each partnership has one clear structured lead that can facilitate communication between the partnership and scrutiny.

Relevant Policy Commitments: <i>All policy commitments that relate to regional collaborations and partnership working</i>
Action already being undertaken: <i>The Council is playing a leading and proactive role in major regional collaborations. The Chief Executive takes the lead role for ERW and Western Bay as well as being an executive member of the City Deal Joint Committee and the Leader of the Council is the City Region Joint Committee Chair.</i>
New actions following from the recommendation: <i>The new senior management structure agreed at Council on 21st June 2018 has director leads in place for each partnership.</i>
Cabinet Member Comments: <i>None</i>
Recommendation is AGREED

Recommendation 6
That we ensure that the current financial and resource implications for Swansea (including quantifying officer time) are clearly and continually understood.
Relevant Policy Commitments: <i>All policy commitments that relate to regional collaborations and partnership working</i>
Action already being undertaken: <i>The Council has a clear rationale in place when collaborating and it is clear on the anticipated benefits and costs. The Council understands what it currently contributes directly to ERW, Western Bay and City Region and how much it contributes to all other partnerships. The Council is able to estimate how much officer time is committed to partnership working.</i>
New actions following from the recommendation: <i>Continue to assess the value to the Council from being involved in existing or new partnerships, including an analysis of costs and benefits.</i>
Cabinet Member Comments: <i>None</i>
Recommendation is AGREED

Recommendation 7
That a review is undertaken of the regional bodies that we work with, to see if any can be rationalised or amalgamated. We must be SMART about the partnerships which we are involved in to ensure we are adding value for time spent.
Relevant Policy Commitments: <i>All policy commitments that relate to regional collaborations and partnership working</i>
Action already being undertaken: <i>A mapping exercise has been undertaken that identified the key local, regional and national partnerships. The Council has a clear rationale in place when collaborating and it is clear on the anticipated benefits and costs.</i>

New actions following from the recommendation: <i>Continue to assess the value to the Council from being involved in existing or new partnerships, including an analysis of costs and benefits.</i>
Cabinet Member Comments: <i>None</i>
Recommendation is AGREED

Recommendation 8
That modern technology is used for meetings to reduce travel time, including, for example skype, video conferencing. Ensuring the right facilities are available for Councillors and staff and that they are encouraged and trained to use them.
Relevant Policy Commitments: <i>All policy commitments that relate to regional collaborations and partnership working</i>
Action already being undertaken: <i>Rolling out and promoting the use of Skype as part of the wider roll out of Office 365 resulting from the Council's Digital Strategy and modernisation agenda.</i>
New actions following from the recommendation: <i>Review how Skype could be used amongst partners to reduce travelling and officer and Councillor time and further encourage participation in partnership working.</i>
Cabinet Member Comments: <i>None</i>
Recommendation is AGREED

Recommendation 9
Make more use of the third and private sector bodies in our collaboration activities.
Relevant Policy Commitments: <i>All policy commitments that relate to regional collaborations and partnership working</i>
Action already being undertaken: <i>The delivery of the City Deal will not be possible without the involvement of the private sector. The Western Bay Programme supports collaborative working between four statutory partner organisations, together with the third and independent sectors. ERW has independent members involved in the Executive Board.</i>
New actions following from the recommendation: <i>Continue to engage the third sector in existing partnerships.</i>
Cabinet Member Comments: <i>None</i>
Recommendation is AGREED

Recommendation 10

Make representations to Welsh Government through our different working partnerships about streamlining and simplifying the business case and grant application process.
Relevant Policy Commitments: <i>All policy commitments that relate to regional collaborations and partnership working</i>
Action already being undertaken: <i>Representations made to Welsh Government on reforming the grant regime; for example through the Council's response to the recent Green Paper on Local Government Reorganisation.</i>
New actions following from the recommendation: <i>Continue to press Welsh Government for a more streamlined grant process.</i>
Cabinet Member Comments: <i>None</i>
Recommendation is AGREED

Recommendation 11
Partnerships regularly review their governance, membership and impact. This should include the publishing of an annual report.
Relevant Policy Commitments: <i>All policy commitments that relate to regional collaborations and partnership working</i>
Action already being undertaken: <i>ERW produces audited and published accounts and are inspected by Estyn and has produced a document called Democratic Accountability and Scrutiny, which recognises the role of scrutiny in, amongst other things, monitoring performance and budgets. The City Deal is in the development stages of practical formation and detailed agreement; it is envisaged that the governance structure will be similar to that of ERW.</i>
New actions following from the recommendation: <i>Produce an annual report to Council on the progress made across the main regional collaborations; ERW, Western Bay and City Deal</i>
Cabinet Member Comments: <i>None</i>
Recommendation is AGREED

2.1 An action plan for the agreed recommendations is attached as **Appendix B**.

3.0 Equality and Engagement Implications

3.1 There are no direct Equality and Engagement implications with this report although the implications from implementing each recommendation will need to be considered and may be subject to screening for an Equality Impact Assessment.

4.0 Legal Implications

- 4.1 There are no direct legal implications with this report although the implications from implementing each recommendation will need to be considered

5.0 Financial Implications

- 5.1 There are no direct financial implications with this report although the financial and resource implications from implementing each recommendation will need to be considered.

Background Papers: *None*

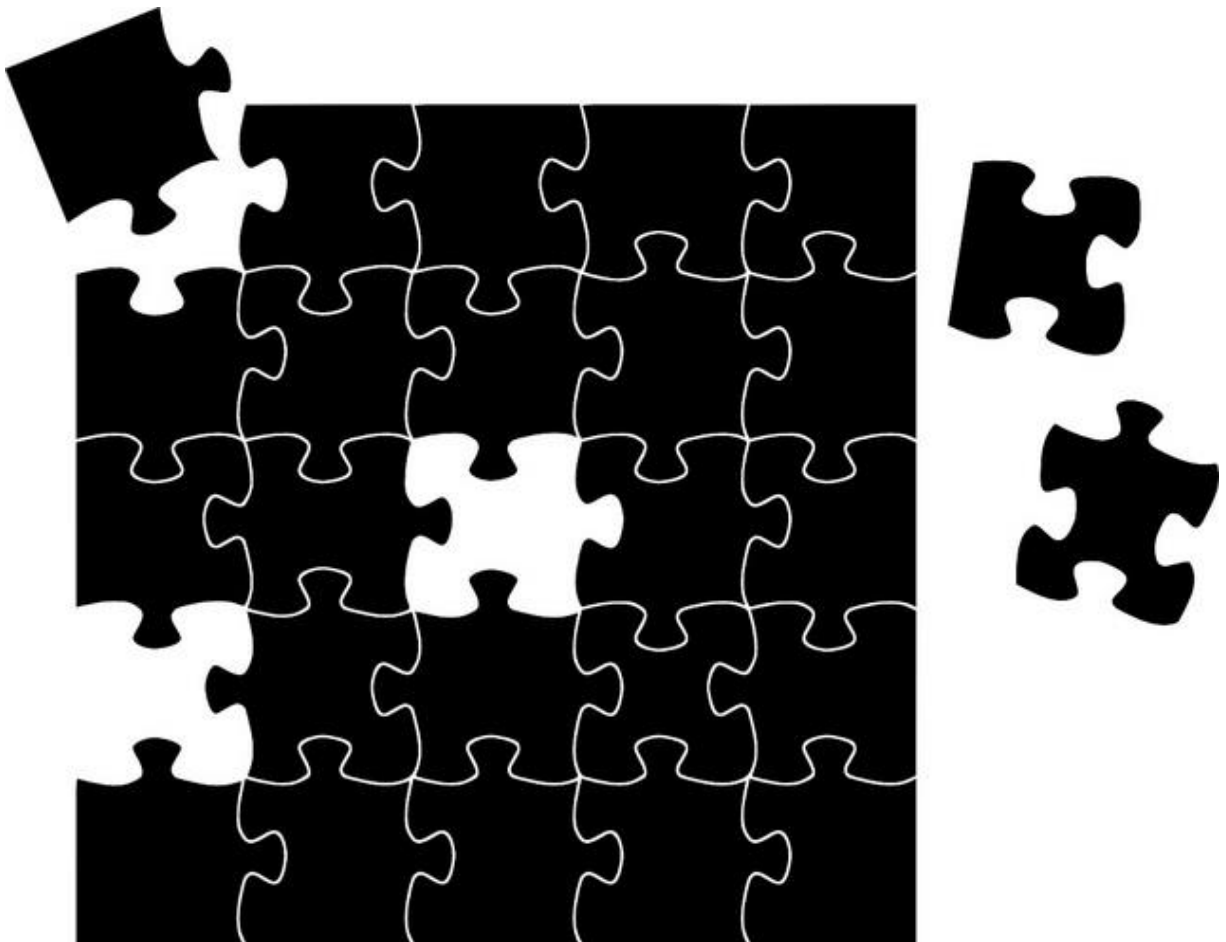
Appendices

Appendix A – Original Scrutiny Report

Appendix B – Proposed Cabinet Action Plan

Regional Working Scrutiny Inquiry

How can the Council, along with its partners, develop and improve regional working for the benefit of Swansea and its residents?





Why This Matters

Foreword by Councillor Lyndon Jones

We chose to look at this issue because we wanted to ensure that throughout the changing picture in regional working in Wales, the outcomes of the people in Swansea are our key focus.

We found regional working in Wales to be a complex and confusing picture. More clarity is needed by the Welsh Government as to whether they favour the amalgamation of Councils, more regional working or indeed a combination of both.

We were pleased to hear that Swansea has been consistently open to considerations on merger and other regional working options. We were also encouraged to find that some regional activities are making a real difference to local people.

However regional working must show a real benefit for the people of Swansea and therefore needs to add value and not be seen as another layer of bureaucracy. We welcome the opportunity, through this inquiry, to give our views on this issue that will be reflected via the Councils response to the Green Paper consultation.

We heard about the potential detrimental effect of protectionism in some of the regional partnerships and would urge all those involved in collaboration activities to ensure that they are thinking about and focussing upon what is best for the people.

We did have a particular concern about the amount of scrutiny and therefore the accountability to local councillors of some of our regional collaborations. We would particularly like to see the big three partnerships (Western Bay, Education through Regional Working and Swansea Bay City Region) activities to have clear accountability and scrutiny process built into their governance arrangements. We would also like to see any future new large collaboration activity to build in scrutiny early in its development.

We hope that Cabinet will find this report useful and that our recommendations will go some way in helping Swansea map the way forward for its regional working activities.

I would like to thank the members of the Inquiry Panel who gave their time and commitment and all those people who gave evidence and information to the Panel.

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1 WHY WE PRODUCED THIS REPORT

Overview

1.1 This report focusses on the following question:

How can the Council, with its partners, develop and improve regional working for the benefit of Swansea and its residents?

Selecting a topic

1.2 Councillors chose to look at this subject because:

- The Welsh Government has long seen collaboration between public services – and particularly within local government – as a means of providing more efficient and effective services.
- Collaboration has a higher profile than ever before. *'It is a central plank of the Wales' public service reform agenda in order to respond to the challenges presented by the tightening public services finances.'* **WLGA**
- Councillors carried out this work in order to build a picture and gain better understanding of progresses being made in this area.
- Councillors wanted to look at the scrutiny processes that are being developed within regional partnerships.

The Panel agreed to investigate the following aspects and these formed the basis of this questioning strategy:

1. **The Swansea Picture:** What is the regional picture as it affects Swansea currently? What are the proposals for the future? Where do we want to be?
2. **Financial Picture:** What are we financially contributing too currently? How is this envisaged to change in the future?
3. **Regional Partners:** The current relationship between Swansea and its regional partners? The barriers to improving this.
4. **Impact:** What has been the impact for Swansea and its residents of regional working so far?
5. **Scrutiny:** What are the scrutiny mechanisms on regional partnership governance arrangements?
6. **Legislation and Directives:** What are the influences on regional working by national and local directives/policy/legislation?
7. **Good Practice:** Are there good examples of effective practice in regional working and how are we/partners using this to improve?

Intended Contribution of Inquiry

- 1.3 As a Panel we believe that we can make a valuable contribution to this topic. We recognise that, while there are no easy answers, success will only come from a conversation that everyone is able to contribute to. It is in this spirit that our conclusions and recommendations are offered.
- 1.4 Specifically this report aims to contribute to this vital debate by:
- Offering proposals for improvement
 - Providing a Councillor perspective
 - Drawing together some general principles
 - Pointing to good practice examples
 - Sharing the views of different people involved
- 1.5 We recognise the limitations of the inquiry. Given the complexity of the topic and the time that we had this report necessarily provides a broad view.
- 1.6 Finally, many of our conclusions are in line with the Council's current direction of travel and these are offered in order to provide reassurance. Others may be either additional or contrary to what has already been agreed. These are intended to offer challenge and to stimulate debate. Where we have made recommendations these are intended to help improve the service.

Evidence Collected

- 1.7 Evidence was collected between October 2017 and March 2018. The evidence gathering activities undertaken included:
- a. National and Local Strategic picture – a meeting with the Council Leader and Chief Executive
 - b. Financial Picture – meeting with the Chief Finance Officer
 - c. Place Directorate – meeting with Director of Place
 - d. Education Directorate – meeting with Chief Education Officer
 - e. Social Services and the Public Services Board – meeting with the Chief Social Services Officer and the Director of People
 - f. Partners' perspective – roundtable meeting with Place Directorate partners from South West Wales Transport Partnership, Swansea Bay City Region and Food Waste Partnership
 - g. Partners' perspective – roundtable meeting with People Directorate partners Western Bay and Education through Regional Working (ERW)
- 1.8 For full details of the evidence gathered including details of all the findings from each session use the following link to the Council's website
<https://democracy.swansea.gov.uk/documents/s42378/00%20-%20FINDINGS%20REPORT.pdf?LLL=0>

The Context of the inquiry

- 1.9 ***The Swansea Picture***
Swansea is committed to regional working and collaboration through the Council's Corporate Priorities/Plan and has committed to the Council having a

clear understanding of the extent of its collaborative work by

- A mapping exercise undertaken by the Corporate Management Team identified the key local, regional and national partnerships.
- The Council meets up regionally with 5 other local authorities to discuss collaboration projects.
- The Council has a clear rationale in place when collaborating and it is clear on the anticipated benefits and costs. The Council has developed, through the Public Services Board (PSB), a set of principles for partnership working. Benefits and costs are assessed on a case by case basis.
- The PSB has identified clear priorities, which are set out within the Swansea Wellbeing Plan. These are based upon an evidenced assessment of need, which is regularly updated.
- A partnership agreement sets out the responsibilities and accountabilities of each PSB member.
- A multi-agency Scrutiny Performance Panel for the PSB, including its partnership role and the delivery of the Service Improvement Plan, has been established and is currently developing its work plan.

2 CONCLUSIONS

The conclusions below answer the following inquiry key question: *How can the Welsh Government, the Council and its partners, develop and improve regional working for the benefit of Swansea and its residents?*

2.1 By Welsh Government providing clarity and simplifying the regional picture across Wales

- 2.1.1 We recognise the reasoning behind the Welsh Government reform agenda, especially after looking at the issues faced by local authorities across Wales in relation to getting better value for money from limited resources and the resulting affordability of services. The challenges that are being faced by the public sector in Wales are enormous and therefore require a radical but realistic rethink of how services can be provided. We agreed with the caveat that this must always be in the context of ensuring the central focus is ultimately on citizen's outcomes.
- 2.1.2 We found there to be a confusing picture of regional partnerships with differing working footprints across Wales. Part of the confusion exists where agencies are working across different footprints but also where different partnerships cover different areas. We recognise that this pattern has evolved over time but more clarity around this is needed.
- 2.1.3 Through all this confusion we must ensure that we focus on the outcomes of our citizens. It is important to understand the implications of the decisions that are likely to be made and be prepared for how this will affect the services to our local community here in Swansea. We believe eventual mergers must be about what is best for our communities and not just geography.
- 2.1.4 We were of the view the public sector is constantly looking for clarity in a constantly changing picture, this in itself is both challenging and confusing.

2.1.5 Towards the end of the inquiry the Panel were alerted to a recent announcement that was made by the Welsh Government (20 March 2018). This puts forward plans for potential options for improving joint and partnership working in the form of a Green Paper. We were of the view that this will potentially change the way forward from what had previously been talked about. This will have different implications on how the local authorities will move forward in both their collaborative partnerships with other organisations and in their joint working with other local authorities.

Welsh Government announcement on local government reform was received in a Green Paper, “*Strengthening Local Government: Delivering for People*” on 20 March. The main proposal within the green paper is that the 22 councils in Wales are reduced to ten on the following footprint.

- Ynys Mon (Anglesey) and Gwynedd
- Conwy and Denbighshire
- Flintshire and Wrexham
- Ceredigion, Pembrokeshire and Carmarthenshire
- Swansea and Neath Port Talbot
- Bridgend, Rhondda Cynon Taf and Merthyr Tydfil
- Vale of Glamorgan and Cardiff
- Newport and Caerphilly
- Powys
- Torfaen, Blaenau Gwent and Monmouthshire

The new map would look like this:



The consultation suggests three alternative approaches to the transition from 22 to 10 authorities, namely: voluntary mergers; a phased approach with early adopters merging first by 2022 with all other authorities merging by 2026; a single comprehensive merger programme to be completed by 2022.

The expectation is that existing regional arrangements will continue around the education consortia, and the City and Growth Deals. Consultation on the proposals is now open and ends on 12 June 2018.

- 2.1.6 We agreed with Swansea Council Chief Executive when he said that it is helpful that Welsh Government has set out the proposal clearly but we did also share his concern about the confusion caused after the previous assurance that no reorganisation would occur for ten years. We understand that a number of Councils are likely to react negatively to the proposed return to some of the former county council footprints. We were of the same opinion that it is vital that we keep the main focus on services to the public during this process and that it must be about what the best model is for delivering sustainable and efficient local government services. We recognise that the Green Paper is currently out for consultation and we will need to wait and see if these proposals survive intact following the consultation process.
- 2.1.7 We heard from the Chief Executive that Swansea has consistently been open to considerations on merger but it is unclear what the views of our neighbours are. Meetings are being held over coming weeks to respond to the consultation.
- 2.1.8 We also heard that the six councils in Mid and South West Wales have all expressed the preference to collaborate on the economic development footprint and extend that to go beyond economic development to school improvement and health and social care.
- 2.1.9 We did have concerns about the confusion that will potentially be caused to existing collaborations by any mergers. For example the Welsh Government may see them as being in sync but if Swansea and Neath Port Talbot Councils were to agree to merge they may have a very different view on, say, the revised national model for education that will shortly be published. We were concerned that this could potentially freeze/delay decision making on some collaborations until there is clarity.
- 2.1.10 We had heard, previous to the Welsh Government announcement in March, that there is significant change underway at a regional level, following previous announcements and meetings around Local Government Reform (LGR) in Wales. The Welsh Government had set out its proposal for mandatory regional working and Joint Governance Committees (JGC) emerging from a recent White Paper Consultation process. The mandated services would include: economic development, Transport, Strategic land use, planning and building control, Social Services, Education improvements and additional learning needs and Public protection.

It was also suggested in the previous paper that the Joint Governance Committees (JGCs) will be responsible for effective planning and delivery of these mandated areas. We heard that there would be two types of JGCs Governance and Service. Governance JGC for each region will be made up of elected members. They would be decision making bodies with consistent levels of delegation from each Local Authority. New legislation will set out their duties and powers.

How this will change or work in conjunction with the any of the changes proposed in the green paper announced by the Welsh Government in March is yet to be clarified. Presumably any new mergers will still be required to

work across wider regions on many services like for example Education.

- 2.1.11 Councillors heard that existing partnership structures will be maintained within the new framework and will co-exist. It was proposed that there will be three large partnership regions: North Wales, Mid and West Wales and South East Wales. Swansea will be part of Mid and West Wales and will include: Ceredigion, Powys, Pembrokeshire, Carmarthenshire and Neath Port Talbot. Again it is yet to be clarified how these will co-exist in any new arrangement.
- 2.1.12 The Panel did have concerns about these mandated models. Particularly their potential for creating another layer of bureaucracy that will require officer time and resources and potentially make decision making more difficult and bureaucratic with each decision needing to be considered by each individual local authorities Cabinet before JGC.
- 2.1.13 We felt the Welsh Government should determine once and for all their approach to local government reform and particularly the strategy for mergers. The constant sidestepping of the issue is unhelpful and confusing for all. It is hoped that more clarity will arise following the Green Paper consultation.
- 2.1.14 Firm arrangements for scrutiny have not been considered yet across any of these models. However the original White Paper summary highlighted that the JGC approach should be coupled with a joint regional scrutiny arrangement. That work should not be duplicated between regional and local authority scrutiny and the one local authority should be the lead for an individual joint scrutiny committee. It was felt that this work should be taken seriously.

Swansea's Current Regional Working Partnerships

A review of Swansea's current regional partnerships shows:

- The Council is currently involved in around one hundred partnership/collaboration areas. The 'big three' being City Region, ERW and Western Bay.
- Excluding the major contributions to ERW, the City Region, and Western Bay, the Council also makes an annual cash contribution to the administration of these projects and partnerships.
- Swansea Council officer time on partnership equates to around 600 days per year. This excludes those posts which are specifically funded for regional work in order to understand Swansea Council's commitment.

- 2.1.15 We were informed that Swansea currently is part of at least 100 regional partnerships of different sizes and complexities, requiring different levels of officer support and financial contribution. Some of these are national or regional networks while others manage services and budget allocations and/or grant monies.

2.2 By addressing the challenges to harmonisation that regional working requires

2.2.1 We recognise that work has begun and will need to continue across the original and within any new partnerships that will harmonise aspects of the collaboration arrangements for all those involved. Currently there are many cross overs in responsibility and remit including, for example, the co-existence of Joint Governance Committees and the Public Services Board. The harmonisation across different regional clusters that are currently in existence and changes that have or may be planned will need to be addressed. For example: the increase in size of the footprint of City Region and the changing coverage of Western Bay from 4 to 3 partners. These types of large changes have consequences for the existing or original local authorities in those partnerships. The Panel felt it important to ensure that partnerships have the resilience built in to be able to work through such big change.

2.2.2 We found there to be a number of key challenges to local government reorganisation relating to harmonisation that need to be considered. We emphasise the importance of finding ways to address and/or mitigate the effects of these in our current and future partnerships and in whatever model is agreed by Welsh Government moving forward. These are not insurmountable but need to be recognised and dealt with. Some of the challenges and potential barriers are around policy, systems particularly ICT, terms and conditions of staff and council tax charges.

We found these challenges to include for example:

- Co-existence and harmonisation of Joint Governance Committees, potential mergers and the different regional clusters that are already in place, like for example, for ERW and the City Region.
- The risk that Welsh Government may introduce a new framework which is either not aligned to, or has detrimental effect on those current partnerships which are proving to be beneficial. The Panel heard that the Welsh Local Government Association is urging Welsh Government to:
 - Work with Local Authorities to review current arrangements, making improvements where needed
 - Review the current binding agreements between councils, as additional legislation may be unnecessary
 - Consider regional variations, not take a 'one size fits all' approach
 - Consider the regional framework agreements early in the process before everything is formalised.
- There is also a risk that regional decisions will need to be taken through each Local Authorities' decision-making process which could take time and make change slow to implement. .

Swansea's 'Big Three' Partnerships include:

Western Bay Health and Social Care

Western Bay consists of Swansea, Bridgend and Neath Port Talbot Councils and the Abertawe Bro Morgannwg University Health Board (ABMU). The Western Bay Programme delivers integrated health and social care models for older people, children with complex needs, mental health, learning disability and support for carers. The Western Bay programme supports collaborative working between the above statutory partners together with the third and independent sectors.

Education through Regional Working (ERW)

ERW is partnership of 6 local authorities including Swansea, Neath Port Talbot, Powys, Ceredigion, Carmarthenshire and Pembrokeshire Councils. The main purpose of this consortium is to deliver a single school improvement service and this includes for example: school improvement, data collation and analysis, delivering national system for categorising schools, providing challenge to schools performance and delivery.

Swansea Bay Region City Deal

The Swansea Bay City Region is comprised of four local authorities: Pembrokeshire County Council, the City and County of Swansea, Neath Port Talbot Council and Carmarthenshire County Council. These are underpinned by a supportive network, including the region's further education establishments: Coleg Ceredigion, Pembrokeshire College, Coleg Sir Gar, Gower College Swansea and Grwp NPTC, Swansea University and University of Wales Trinity St David's. The City Deal programme encompasses 11 projects across 4 key themes of Economic Acceleration, Life Science and Well-being, Energy, and Smart Manufacturing.

Swansea's has a wide variety of partnerships, other than the big three, just a few of these include (see full list in Appendix 1:

The Western Bay Contest Board, Regional Transport Forum, South West Wales Food Waste Hub, Wales Biodiversity Partnership, Institute of Licensing (Wales), Cross Borders Project (Housing). All Wales Rough Sleeping Partnership, South Wales Resilience Forum.

- 2.2.3 We also feel it important to stress the importance of taking the local context and needs of an area into consideration and ensuring that regional Business Plans are reflect this.

2.3 By recognising positives, identifying and addressing the barriers to regional working for Swansea and its partnerships

- 2.3.1 Evidence suggests that there are a number of strengths and positives resulting from regional working which are proving to be of benefit. We recognise these positives will help in developing and moving towards regional working in whatever form it takes. From the evidence we gathered we found that some of the strengths of regional working include:

- The sharing of good practice, innovation and ideas. ERW has found this to be a real positive with authorities helping each other to improve.
- Pooling of resources can enable greater capacity and consistency. Western Bay describe some the benefits to this approach in a variety of ways from economies of scale through shared learning, to the advantages of integrated services at the front end of service delivery, from joint commissioning arrangements to sharing good practice. The real positive improvement above all this has been in quality with the use of a regional framework which includes a set of quality standards used by care providers.
- The sharing of information and business intelligence.
- Joint planning and performance management. Western Bay felt that the funding environment at the moment can make for people to be far more introspective than outward looking but this can be positive in that people need to take a fresh look and change services and this can result in new and innovative ways forward.
- Joint management of major/high risk projects and shared responsibility but

identifying these common risks can be a challenge.

- The shared training, development and networking opportunities.

2.3.2 We heard from Zac Shell, a representative on the South West Wales Waste Partnership from Bridgend Council, who talked about his and Bridgend Councils experience of regional working partnerships relating to waste matters. He said that working across the region particularly on procurement matters was good for economies of scale.

He highlighted a particularly tangible benefit to collaborative working last year with the development of a new food waste procurement that included Bridgend and Swansea Councils. Welsh Government supported it with 25% funding and it is now proving financially beneficial to both Councils. The facility was built in Bridgend and has resulted in economic benefits through local employment opportunities.

He said that it had been a very positive outcome but it did take a substantial time to deliver. It has been a learning curve. He explained the initial bid process started in 2008 when a number of other Local Authorities were involved but the preferred bidder pulled out. After this failed procurement situation some of the Local Authorities lost appetite for it or found other solutions. In the end, only Bridgend and Swansea took up this opportunity, which despite being a long winded process, was successful in the end.

2.3.3 Whilst we recognise there are many benefits to regional working we also found some potential weaknesses that will be challenging. We found these to include:

- Local authority areas with diverse and different needs requiring different local priorities, for example urban deprivation vs rural sparsity
- Formal regional partnership decision making arrangements can be slow
- When there is little formal financial contribution, new processes and partnerships operating on existing stretched resources
- Potential loss of locality focus and/or duplication, there is a risk that local voice and local difference is masked or lost especially in partnerships with a wide population
- Different terms and conditions of employment across organisations if sharing services.
- Different perception/understanding of language across different parts of the partnership. It is Important to agree a common language.
- Use of different ICT programmes where it is difficult, if not impossible, to share data. Western Bay have experienced this and are currently putting in place a new system that will improve and give capacity to look at data together. Health are arranging there timetable to come on board in consideration of potential risks. The Panel agreed that this will make a real difference in the ease and timeliness of sharing information.
- Ability of Councils to commit Councillors and Officers to these collaborative activities.

- In relation to the Bridgend/Swansea food waste procurement exercise a number of challenges were experienced including the effort and time it took to go through the procurement process. In addition the challenge of getting Welsh Government funding was positive for the exercise but the procedure is onerous and very time consuming. The business case exercise is very challenging. They found that it is very important that you get all the necessary departments within your own council working together and on the same page when you are involved in any regional process.
- One of the barriers that can be found when working across a number of Local Authorities or organisations that must be addressed is protectionism. The Panel found that this does still exist in many partnerships but in some it has reduced as the collaboration has matured and trust has been developed. For example one person felt that it has improved as all partners see the overall benefits of working across the region. But there is the threat that some partners feel that the system is not serving them as well as it is others; each local authority serves and answers to its own citizens. The Panel felt that this is why it is important that each partner signs up to a joint plan identifying the regions priorities and commits to it.
- The Panel did feel that protectionism can seriously frustrate regional collaboration, and can have quite significant effects at some levels in partnerships. The Panel considered how we could improve this situation, hearing that some solutions could be to:
 - Ensure the collaboration has strong political and senior management leadership and director (senior leadership play a pivotal role in shaping the ethos of the partnership)
 - Celebrate people on the ground and the work they are doing, improving bottom up.
 - Good communication right through the partnership and especially in those areas of potential blockage like middle management.
 - Having a common and shared vision.

2.3.4 We recognise that change is not easy and needs careful management and clear communication. Transforming processes and asking people to do things differently can be hard.

2.3.5 Welsh Government reform agenda presents a number of opportunities but some areas the Panel saw as potential for threat/risk. Some of those identified include:

- Some activities will give rise to greater efficiency by delivering on a regional footprint. Although the Panel agreed that these have to be clearly scoped with clear opportunities for rationalisation identified, ensuring that current or improved levels of service are assured.
- Welsh Government is increasingly directing funds via regional partnerships and are encouraging collaboration through this avenue. The allocation of resources through for example ERW and Western Bay have increased hugely, the caveat is the need to continue to prove that this is being done collaboratively.

- The prevention agenda and in adhering to the Future Generations Act legislation councils may not be able to solve issues or future challenges individually without wider collaboration with other Local Authorities and other partners including the third and private sectors.
- The Panel spoke to the Director of People about the Public Services Board (PSB), which is currently contained within the Swansea Council boundaries. They heard that some members of the partnership are keen for the PSB to move to a regional model around a larger footprint like that of Western Bay. The benefit of this to some partners is clear, for example, reducing multiple attendances by them to different individual Local Authorities meetings. Welsh and Wales Government is encouraging working on a regional basis.
- Resilience was raised, members recognised that as budgets shrink, there are increasing concerns that some services particularly in smaller councils are unsustainable by an individual authority in isolation and greater collaboration will be a way to address this.
- Changes to the established footprints for regional collaboration have been identified and are seen as a risk, especially the impact that this may have on existing projects, respective financial contributions and ability to provide a stipulated level of service. The example of changes to the Western Bay footprint was cited as an example. The Panel heard that the Welsh Government consulted on changes to the ABMU Health Board footprint, to cover only Swansea and Neath Port Talbot, with Bridgend being served by Cwm Taf in future. This will impact primarily on the Western Bay arrangements and plans to manage this transition are underway.
- Differing priorities can be a risk for a region for example the ERW footprint. Where the majority of the region is rural those issues can potentially predominate and this can then be reflected in the allocation of funding within that region. The Panel heard that some areas are better delivered regionally such as strategic transport planning and economic development strategies and the Panel felt that formalising these aspects would be beneficial. We heard particularly about the regional transport planning aspect and the need for more mandation to secure partnership arrangements.
- The Transport Strategy Officer for the South West Wales Regional Transport Partnership, Ben George, attended the Panel to discuss their experience of working regionally. We heard that he believes governance of a partnership is very important. He explained that the South West Wales Regional Transport Partnership does not currently have a formal governance structure as the Consortium was dissolved in 2014. Partners from across that region have agreed it important to keep the collaboration going as they do not want to lose the good partnership working, the skills and knowledge of its members. They do not want to have to start from the beginning if they need to work together formally again, so they currently work together informally in the meantime. All the Local Authorities in this partnership recognise and value it. It was thought that a legally mandated structure for transport would be part of the new City Deal developments

but this has not happened. There is currently no voice at a national level because the governance structure have been stripped away. We recognise this reasoning and stress how the close links of transport run through many aspects of the Wellbeing of Future Generations Act.

2.3.6 We agreed that whilst there is ongoing debate about how regional working will progress, it is important for the Council to be active in whatever the emerging picture should look like and share in its future. It is hoped that in developing a way forward that Welsh Government whilst looking at the national and regional picture also understand the benefits of services being accountable locally. Councillors emphasised the importance of local knowledge and accountability in delivering the best outcomes for our local communities.

2.4 **By all regional partnerships having good governance, challenge and scrutiny arrangements**

2.4.1 We looked in most detail at the governance arrangements of the big three partnerships that include ERW, Western Bay and City Region, looking particularly at their governance models and scrutiny arrangements. Our findings are detailed as follows.

2.4.2 ***Education through Regional Working (ERW)***

ERW has fully formed Governance Arrangements, whilst there are many challenges and there is room for improvement it does include a Joint committee, an ERW Service Committee and an informal scrutiny mechanism. It has an established Regional Forward Work Programme that details regional and local priorities. They have audited and published accounts and are inspected by Estyn. The Consortium has produced a document called [Democratic Accountability and Scrutiny](#) and in it there is recognition of the role of scrutiny, particularly in:

- Holding the Joint Committee to account and reviewing its decisions
- Scrutinising the work of the ERW partnership
- Helping to develop new policies and developing existing ones; and
- Monitoring the budgets and performance

2.4.3 ***The City Deal***

The City Deal is in the development stages of practical formation and detailed agreement, the main heads of agreement have been signed between UK and Welsh Governments and local partners, there is not a level of detail yet that clarifies the final position for Swansea individually. There is currently a joint working agreement across the partnership in relation to Finance and Legal, and Swansea's Section 151 Officer is the financial representative. No final formal agreement has been reached yet but it is anticipated that all local partner councils will take reports to their Cabinet/Council shortly. We heard that senior officer and member time involvement has been and will remain significant. Scrutiny arrangements have not yet been agreed but will be built into the partnership both locally and at a regional level. It is envisaged that the governance structure will be similar to that of ERW.

2.4.4 ***Western Bay***

Western Bay is a partnership with the primary purpose of providing a strategic

mechanism for co-ordinating a programme of change across the health and social care system through number of projects that partners have identified as a common concern. Many of the services and resources managed through Western Bay are pooled.

We heard that there are many positives but also some challenges including that the decision making for Western Bay can be long and drawn out because the Joint Committee cannot make decisions alone and can only recommend through each Local Authorities individual Cabinet Committees. We thought that maybe this aspect of the Governance arrangement should be revisited to look at enabling decision making to provide more timely outcomes.

We were concerned to hear that there is no formal scrutiny arrangement for Western Bay, although there is individual accountability via local scrutiny bodies. The Panel heard that most partners involved in the partnership were keen to develop a scrutiny arrangement but one local authority does not. All members have to be in agreement for governance processes to change. Therefore no progress can be made on this.

- 2.4.5 The National Assembly for Wales Communities, Equality and Local Government Committee carried out an inquiry in 2013 into progress made with local government collaboration. We recognise that this was some time ago now but we stressed that some aspects still resonate, namely:

It is clear from the evidence they received that there are significant issues to be addressed in terms of how collaborative arrangements are scrutinised at a local level, and in terms of where accountability for collaboration work lies within local government. We heard, for example, of the difficulty faced by local authority back-benchers in scrutinising collaborative arrangements and are unsure whether provisions under the Local Government (Wales) Measure 2011 for joint overview and scrutiny committees are sufficient to overcome the 'crisis of accountability' that witnesses referred to. This is an issue that needs to be addressed and prioritised. They put forward a recommendation to Welsh Government *'The Welsh Government should work with local authorities to ensure appropriate arrangements are in place to enable effective scrutiny of collaborative arrangements, particularly by back-bench members'*.

- 2.4.6 We discussed and considered what we thought regional scrutiny should look like and how it should work in large collaborations. We considered formal Joint Scrutiny Committee arrangements and those more informal arrangements like that used by ERW. From our view either model is fine as long as it enables back bench members to hold to account and scrutinise the work of large regional collaborations. The advantage of informal scrutiny arrangements is that of less bureaucracy and formality. The development of scrutiny arrangements via the informal route also prepares the way with relationship and system building should there be a requirement to develop formal Joint Scrutiny Committee arrangements in the future.
- 2.4.7 We also emphasised the importance of continued scrutiny on the ground at a local level where services are delivered and outcomes seen. We heard that local scrutiny arrangements within individual authorities are in place and

accountability within Swansea Council is clear but less clear is how scrutiny and accountability of the regional bodies are carried out. We understand that ERW have an informal system in place, that the Swansea Bay City Region is considering this model. Western Bay are interested in using this model, but there are currently no plans to take that forward.

- 2.4.8 We would therefore like to see at least an informal scrutiny arrangement like the one used by ERW within all large partnerships. It was felt that in the future scrutiny should be built in to all new governance arrangements at an early stage. This should then ensure that accountability processes have been considered and built in rather than being an afterthought. It was also felt important that information on the reason for and the value of the role of scrutiny is provided when partnerships are forming.

2.5 By ensuring partnerships/regional collaborations are involving the right organisations including the third and private sector

- 2.5.1 Councillors were keen to hear about the learning points taken from the experience of developing the Wellbeing Plan via the Public Service Board partnership. We felt that it was important that these were shared and used when assessing and developing partnerships moving forward. These include:

- Agreement on a vision and long term thinking is vital
- It remains a challenge to retain drive and ownership across all partners
- Trust must be developed across partnerships as so much depends on individuals and their approach
- It remains a challenge to retain focus on achieving a small number of top priorities, and not get dominated by detail
- Appropriate balance between bottom up and top down approaches need to be struck in terms of agreement on delivery
- Governance arrangements help to provide assurance but do not guarantee successful outcomes

- 2.5.2 The Panel felt it important to ensure that the right people are involved within regional collaboration activities and that this may include the third sector and/or private organisations. The delivery of for example the City Deal will not be possible without the involvement of the private sector.

- 2.5.3 We heard that the Western Bay Programme had evolved since 2012, and supports collaborative working between four statutory partner organisations, together with the third and independent sectors.

- 2.5.4 The Social Services and Well-being (Wales) Act 2014 brought about new requirements on statutory partners in the way that services are delivered and the outcomes for citizens. It requires the Local Authority and Health Board to make arrangements to promote co-operation with their relevant partners.

- 2.5.5 ERW said that they have not fully formed their partnership working with private, third or independent sectors but that is on the radar for the future.

2.6 **By assessing future resource requirements, ensuring we are learning from past experience and that our future planning is joined up**

2.6.1 We agreed with evidence from the Leader and Chief Executive when they said that we must learn lessons from past experience including other local government reorganisations and attempts at shared services. This along with evidence received as part of this inquiry has helped us to develop a picture of what a good and effective partnership might look like. We believe this will include:

- Strong leadership both political and officer level
- Common systems used across the partnership
- Good communication at every level and with stakeholders
- Good, clear and visible governance and collective decision making
- Good relationship development and build trust in relationship
- Built in resilience
- Champions, sponsors and leads in each partner organisation who can see bigger picture and maintain interest in the partnership
- The need to have a guiding coalition and shared vision
- Councils and its partners committing time and resources to the progression of ideas
- Clear leadership with allocation of time, focus and priority.
- Good governance structures underpin clarity for all those involved. ERW have had some challenges around lines of accountability with staff not sure if they are working for the Local Authority, the region or both. ERW are currently reforming the way they are working to resolve some of these issues
- Harmonise training and skills of staff
- Harmonise employment terms and conditions and other workforce related policies when pooling staff
- Harmonisation of culture of the different teams working together
- A common language and understanding of key aspects.
- Ability to share information and use ICT systems across partnership where appropriate.

2.6.2 We agreed with evidence presented to us by the Director of Resources about what partnerships we participate in, including the need to look at what works well in those partnerships and what needs improvement moving forward. We supported the view that it is important to identify those collaborations that are not adding value and reconsider our participation in them.

2.6.3 We heard that Swansea currently contributes directly to regional working activities by following amounts ERW £68,750, Western Bay £223,000 and City Region £50,000. Excluding these 'big three' the Council makes an annual cash contribution of a total of around £329,010 to all other partnerships. Officer time is not included within these figures and this is estimated to be substantial, at least 600 days per annum plus in many cases the travel cost of going to meetings etc. The Panel recognise that this will only increase as the amount of regional collaboration increases. We also heard that there is currently no systematic way of recording officer time spent on regional

working activities but that an audit of this and all regional working has been carried out and was reported to the Panel. We heard that time taken on regional work is not routinely recorded because officers have to some extent accepted this as part of the 'local job'.

- 2.6.4 With such a large amount of officer time spent in regional working activities, the Panel felt it important that our commitments to different activities should be reviewed regularly to ensure that they are essential and provide value for officer time spent (recognising that some that we must be part of). They agreed with the Director of Resources when she said we need to be SMART about the activities we participate in regionally.
- 2.6.5 Councillors heard about the various Regional and All Wales Networks that exist. These cover various working groups with the opportunity to collaborate and share best practice, some of these cover for example, Waste Management, Highways and Transportation, Energy, Housing, Training and Development, homelessness and many more. Many of the groups generally have direct access to Welsh Government and in many cases UK government, which is critical when developing new or changing existing policies. The Panel recognised the importance of participating in these regional and national networks but we must ensure that they add value to the work we do. We suggest that a review takes place of these groups to see if they can be rationalised.
- 2.6.6 We must learn lessons from our experience in the past and also seek out good practice available not only locally but from across Wales and wider afield to help build strong, resilient and effective regional partnerships.
- 2.6.7 We agreed with the representative from Bridgend Zac Shell who said after going through a grant application process with the Welsh Government that he felt better guidance and a more streamlined service from Welsh Government would be highly beneficial. It is a long and drawn out process applying for Welsh Government Funding. We did understand that it is important that the public sector go the extra mile for due diligence when spending public money but would be keen to see the process simplified given that grant applications for collaboration activities are being encouraged and will increase moving forward.

2.7 By ultimately ensuring that regional working activities are clearly demonstrating positive impacts for the residents of Swansea

- 2.7.1 There are some clear benefits and advantages to collaborative working and we should build on these positive experiences, particularly those that are showing direct improvement to our local community. A good example of this was cited in the Western Bay programme of integrated services delivery for service users. Having a shared and co-ordinated regional approach has helped in consistency of service levels while enabling an ease of access to those services.
- 2.7.2 It is important that in the rush to move forward we do not lose the good practice, experience learnt and relationships built.

Example of Potential Future Impact of regional working

The Swansea Bay City Region is a critically important driver for the Welsh and UK economy. However the region is underperforming. The Regions GVA has fallen from 90% of the UK average to 77% over the last three decades with low productivity and high economic inactivity. The economy also has a reliance on traditional primary industries and the public sector for employment.

The Swansea Bay City Deal will generate £1.3 billion of private and public money to be spent over 15 years. The City Deal will provide the region and its partners with the new ways of working and resources to unlock significant economic growth across the Swansea Bay City Region. It provides the opportunity to continue tackling the areas to economic growth. It is estimated that an overall increase to the economy of over 9,000 gross direct jobs with a contribution to regional GVA of £1.8 billion.

- 2.7.3 We looked at the National Assembly for Wales Communities, Equality and Local Government Committee inquiry into progress made with local government collaboration (2013). Although the Panel recognise that this was some time ago they feel are many of the points made and recommendations contained are still relevant. In particular *'we firmly believe that the focus of any future local government system should be on the delivery of services and the best way to deliver specific services in specific areas. The number of organisations delivering those services should be a secondary consideration, after it has been decided how different types of services could be most effectively delivered on the ground'*. The Panel agreed with the recommendation made *'the Welsh Government should focus on the areas which collaboration will have the most beneficial outcomes, rather than pursuing a general policy of encouraging collaboration across the piece'*. The Panel were also in agreement with the statement *'adequate provision of resources at the outset can lead to long-term benefits with regard to collaboration'*.

3. RECOMMENDATIONS

We recognise that some of the recommendations are within the Councils control and some will be for our representatives on collaborations to progress through our partnerships. In context we felt that everything that we do must be for the benefit of the people of Swansea, to add value and that will not add another layer of bureaucracy. We also believe there must be the opportunity to scrutinise these bodies.

We therefore recommend that:

- 3.1 We continue to be ahead of the game by looking at positive ways forward for Swansea in Regional Working collaborations by being involved, where possible, in pilots/trials that may ease and prepare the way forward for us.**
- 3.2 Address or mitigate the barriers found in existing regional partnerships and use the lessons learnt to inform our new collaboration activities.**

- 3.3 Ensure that we learn particularly from previous large collaborations both positive and negative aspects to help ease our way into new partnership arrangements.**
- 3.4 Ensure all partnerships have an effective governance structure that has a suitable amount of elected member challenge built in, particularly scrutiny in those larger most impactful partnerships like Swansea Bay City Region, Western Bay and ERW.**
- 3.5 That each partnership has one clear structured lead that can facilitate communication between the partnership and scrutiny.**
- 3.6 That we ensure that the current financial and resource implications for Swansea (including quantifying officer time) are clearly and continually understood.**
- 3.7 That a review is undertaken of the regional bodies that we work with, to see if any can be rationalised or amalgamated. We must be SMART about the partnerships which we are involved in to ensure we are adding value for time spent.**
- 3.8 That modern technology is used for meetings to reduce travel time, including, for example skype, video conferencing. Ensuring the right facilities are available for Councillors and staff and that they are encouraged and trained to use them.**
- 3.9 Make more use of the third and private sector bodies in our collaboration activities.**
- 3.10 Make representations to Welsh Government through our different working partnerships about streamlining and simplifying the business case and grant application process.**
- 3.11 Partnerships regularly review their governance, membership and impact. This should include the publishing of an annual report.**

The Panel will schedule to follow up upon the progress made with these eleven recommendations in 9-12 months.

4.0 ACKNOWLEDGEMENTS

The Panel would like to record its thanks to the following people who came and gave evidence to us:

- Helen Morgan (City Deal)
- Betsan O'Connor (ERW)
- Sara Harvey (Western Bay)
- Ben George (South West Wales Regional Transport Partnership)
- Zak Shell (Waste Partnership - Bridgend)
- Swansea Council Corporate Management Team
- Cllr Rob Stewart, Council Leader

5.0 ABOUT THE INQUIRY PANEL

The **Regional Working Scrutiny Inquiry Panel** is a team of Councillors who are not members of the Cabinet. Their role is to examine a strategic issue of concern and to make recommendations about how policies and services can be improved.

Members of the Panel

Councillors

Lyndon Jones (Convener)

Joe Hale

Chris Holley

Mary Jones

Bridgette Rowlands

Mo Sykes

Mike White

The inquiry was supported by Michelle Roberts from the Council's Scrutiny Unit.

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Appendix 1 – Partnerships that Swansea Council Participate in

Summary of Partnership Audit (as at September 2017)

Total number of partnerships	100	Main PSB not specifically included although all sub-groups are in this figure
Total Officer days per year	594	Where posts are externally funded to specifically attend partnership meetings these have not been included
Total cash contribution	496,110	This is cash contributions to partnership working not equivalent officer time or any payment in kind

Corporate Resources

PSB Research Group (a subgroup of Swansea Public Services Board)
Welsh Statistical Liaison Committee (WSLC)
Census Advisory Group (Wales)
CLIP Labour Market Statistics sub-group (CLIP = Central Local Information Partnership)
Welsh Gazetteer Officers Group
Cymru WARP (Warning, Advice and Reporting Point) - ICT Security
Regional WCCIS Project Team
WCCIS Configuration National Group
WCCIS National Training Advisory Group
National Informatics Social Care Advisory Group
Substance Misuse Data Information Analysis Board (DIAB)
Substance Misuse Key Performance Indicator working group (sub-group of DIAB)
National PARIS User Group
Welsh PARIS User Group
Society of Welsh Treasurers and Regional Treasurers
Welsh Treasurers VAT Group
HRA Business Plan periodic meeting
Shared Legal Service
HR Officers attending Western Bay
HR Officers attending ERW
South Wales Resilience Team Risk Group (SWRT) Risk Group
SWRT Managers Group
All Wales Mangers Group (Emergency Management)
South Wales Resilience Forum (SWLRF) Executive (on behalf of Director)
South Wales Local Resilience Forum Executive Group (on behalf of Director)
Western Bay Contest Board
Human Resources Directors Network (All Wales - WLGA)
China

Place

Swansea Bay City Deal Officer Working Group
RDP South West & Central Local Action Group
Workways + ESF employability project
Cynydd ESF young people support project
Cam Nesa ESF NEETs Employability Project
Valleys Task Force - Landscapes
Welsh European Funding Group
South West Regeneration Directors Group
RLPSWW employability group
South West Regional Engagement Team (WEFO)
Fisheries Local Action Group network
South West Wales Markets Forum
Wales region of the Association of Town Centre Management (ATCM)
Future Landscapes Wales Working Group
Planning Officers Society for Wales (POSW)

South West Wales Heads of Planning Group
Welsh Rights of Way Managers Group (WROWMG) - sub-group of the County Surveyors Society
Carnarthen Bay and Estuaries European Marine Site, Relevant Authorities Group
Wales Biodiversity Partnership
Association Of Local Government Ecologists(ALGE)
Glamorgan Biodiversity Action Group
Coed Cymru
South West Wales Regional Food Waste Hub
South West Wales Regional Waste Management Committee
South West Wales Waste Management Group
CSS Waste Wales
Mid & South West Wales Regional Consultancy Framework
Regional Transport Directors Group
Regional Transport Forum
South West Wales Regional Contractors Framework
CLAW
City of Culture Bid
Local Property Board
Cross Borders Project
Western Bay Regional Provider Forum
Housing Regional Collaborative Committee
Houses into Homes / Home Improvement Loans Western Bay Regional Group
Gypsy Traveller Forum
Registered Social Landlord Forum
Health and Housing Group
Prisoner Regional Resettlement Group
All Wales Rough Sleeping Task Group
Homelessness Network
Wales Heads of Trading Standards - National delivery of Animal Feeds Standards Enforcement and- National delivery of statutory Trading Standards weights and measure regulations
Wales Heads of Trading Standards
Cardiff/Swansea joint working arrangement
Directors of Public Protection Wales
Institute of Licensing (Wales Region)
LABC Cymru (Local Authority Building Control Wales)
All Wales Registration Services Group.
Continuous Improvement Forum for Bereavement Services

People

Western Bay Regional Health and Social Care Programme
Community Services Planning and Delivery Board
Western Bay Carers Partnership Board
Western Bay Heads of Children's Services Group
Regional Autism Spectrum Disorder Strategy Group
Welsh Community Care Information System (WCCIS)
Western Bay Contracting and Procurement Project
Workforce Development Steering Group
Western Bay Integrated Family Support Service
Western Bay Regional Safeguarding Adults Board
Western Bay Regional Safeguarding Children's Board
Regional Collaborative Committee Supporting People
Regional Area Planning Board (Substance Misuse)
Youth Justice and Early Intervention Service
Western Bay Regional Adoption Service
ERW
Western Bay Contest Board
Western Bay Regional Community Cohesion
PSB Planning Group (a subgroup of Swansea Public Services Board)

APPENDIX B

Scrutiny Inquiry into Regional Working – Cabinet Action Plan

(NB Only include the recommendations agreed, in the action plan)

Recommendation	Action already being undertaken	New Action Proposed	Timescale	Responsible Officer
<p>1. We continue to be ahead of the game by looking at positive ways forward for Swansea in Regional Working collaborations by being involved, where possible, in pilots/trials that may ease and prepare the way forward for us.</p>	<p>The Council is playing a leading and proactive role in major regional collaborations. The Chief Executive takes the lead role for ERW and Western Bay as well as being an executive member of the City Deal Joint Committee and the Leader of the Council is the City Region Joint Committee Chair</p>	<p>The senior management restructure approved by Council on 21st June strengthens the Council's management capacity to ensure that the regional collaboration agenda can be taken forward proactively by Swansea whilst also allowing the Council to manage its ambitious programmes based around the corporate priorities.</p> <p>Continue to influence the collaboration agenda and decision-making at Welsh Government.</p>	<p>Complete</p> <p>Ongoing</p>	<p>Chief Executive</p>
<p>2. Address or mitigate the barriers found in existing regional partnerships and use the lessons learnt to inform our new collaboration activities.</p>	<p>The City Deal has a Joint Working Agreement in place and ERW has fully formed governance arrangements. A review of progress has been undertaken by IPC on the Western Bay Health & Social Care collaboration</p>	<p>Undertake a lessons learnt exercise (including learning points identified by the panel) across the three main regional collaborations and develop an action plan/s with resource implications to address any specific and remaining barriers.</p>	<p>2018/19</p>	<p>Director Leads</p>
<p>3. Ensure that we learn particularly from previous large</p>	<p>The Council meets up regionally with 5 other local authorities to discuss collaboration projects. The</p>	<p>Undertake a lessons learnt exercise (including learning points identified by the panel)</p>	<p>2018/19</p>	<p>Director Leads</p>

	collaborations both positive and negative aspects to help ease our way into new partnership arrangements.	Council has a clear rationale in place when collaborating and it is clear on the anticipated benefits and costs.	across the three main regional collaborations and develop an action plan/s with resource implications to address any specific and remaining barriers.		
4.	Ensure all partnerships have an effective governance structure that has a suitable amount of elected member challenge built in, particularly scrutiny in those larger most impactful partnerships like Swansea Bay City Region, Western Bay and ERW.	ERW has fully formed Governance Arrangements, which includes a Joint committee, an ERW Service Committee and an informal scrutiny mechanism. <i>A Joint Committee Agreement and joint scrutiny arrangements were agreed for the City Deal at Council on 26th July 2018.</i> Western Bay has a Joint Committee in place. There are scrutiny arrangements in place for all three partnerships	Review governance arrangements of the 3 main partnerships – ERW, Western bay and City Deal - to ensure they remain fit for purpose.	2018/20	Director Leads and Monitoring Officer
5.	That each partnership has one clear structured lead that can facilitate communication between the partnership and scrutiny.	The Council is playing a leading and proactive role in major regional collaborations. The Chief Executive takes the lead role for ERW and Western Bay as well as being an executive member of the City Deal Joint Committee and the Leader of the Council is the City Region Joint Committee Chair.	The new senior management structure agreed at Council on 21st June 2018 has director leads in place for each partnership.	Complete	Chief Executive
6.	That we ensure that the current financial and resource implications for Swansea (including quantifying officer time) are clearly and continually understood.	The Council has a clear rationale in place when collaborating and it is clear on the anticipated benefits and costs. The Council understands what it currently contributes directly to ERW, Western Bay and City Region and how much it contributes to all other partnerships. The Council is able to estimate how much officer time is committed to partnership working.	Continue to assess the value to the Council from being involved in existing or new partnerships, including an analysis of costs and benefits.	Ongoing	Corporate Management Team

7.	That a review is undertaken of the regional bodies that we work with, to see if any can be rationalised or amalgamated. We must be SMART about the partnerships which we are involved in to ensure we are adding value for time spent.	A mapping exercise has been undertaken that identified the key local, regional and national partnerships. The Council has a clear rationale in place when collaborating and it is clear on the anticipated benefits and costs.	Continue to assess the value to the Council from being involved in existing or new partnerships, including an analysis of costs and benefits.	Ongoing	Corporate Management Team
8.	That modern technology is used for meetings to reduce travel time, including, for example skype, video conferencing. Ensuring the right facilities are available for Councillors and staff and that they are encouraged and trained to use them.	Rolling out and promoting the use of Skype as part of the wider roll out of Office 365 resulting from the Council's Digital Strategy and modernisation agenda.	Review how Skype could be used amongst partners to reduce travelling and officer and Councillor time and further encourage participation in partnership working.	2018/20	Chief Transformation Officer
9.	Make more use of the third and private sector bodies in our collaboration activities.	The delivery of the City Deal will not be possible without the involvement of the private sector. The Western Bay Programme supports collaborative working between four statutory partner organisations, together with the third and independent sectors. ERW has independent members involved in the Executive Board.	Continue to engage the third sector in existing partnerships.	Ongoing	Director Leads
10.	Make representations to Welsh Government through our different working partnerships about streamlining and simplifying the business case and grant application process.	Representations made to Welsh Government on reforming the grant regime; for example through the Council's response to the recent Green Paper on Local Government Reorganisation.	Continue to press Welsh Government for a more streamlined grant process	Ongoing	Chief Executive and Section 151 Officer

11	<p>Partnerships regularly review their governance, membership and impact. This should include the publishing of an annual report.</p>	<p>ERW produces audited and published accounts and are inspected by Estyn and has produced a document called Democratic Accountability and Scrutiny, which recognises the role of scrutiny in, amongst other things, monitoring performance and budgets. The City Deal is in the development stages of practical formation.</p>	<p>Produce an annual report to Council on the progress made across the main regional collaborations; ERW, Western Bay and City Deal</p>	<p>2019/20 and annually</p>	<p>Chief Executive</p>
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Agenda Item 10.



Report of the Chief Legal Officer

Cabinet – 16 August 2018

Exclusion of the Public

Purpose:	To consider whether the Public should be excluded from the following items of business.	
Policy Framework:	None.	
Consultation:	Legal.	
Recommendation(s):	It is recommended that:	
1)	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	Item No's.	Relevant Paragraphs in Schedule 12A
	11	14
Report Author:	Democratic Services	
Finance Officer:	Not Applicable	
Legal Officer:	Tracey Meredith – Chief Legal Officer(Monitoring Officer)	

1. Introduction

- 1.1 Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.
- 1.2 Such a resolution is dependant on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

2. Exclusion of the Public / Public Interest Test

- 2.1 In order to comply with the above mentioned legislation, Cabinet will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the

grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

3. Financial Implications

- 3.1 There are no financial implications associated with this report.

4. Legal Implications

- 4.1 The legislative provisions are set out in the report.
- 4.2 Councillors must consider with regard to each item of business set out in paragraph 2 of this report the following matters:
 - 4.2.1 Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.
 - 4.2.2 If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test as set out in paragraph 2.2 of this report.
 - 4.2.3 If the information falls within paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test but must consider whether they wish to waive their privilege in relation to that item for any reason.

Background Papers: None.

Appendices: Appendix A – Public Interest Test.

Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
12	Information relating to a particular individual.
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. Their view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
13	Information which is likely to reveal the identity of an individual.
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. Their view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
14	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. Their view on the public interest test was that:</p> <ul style="list-style-type: none"> a) Whilst they were mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or b) Disclosure of the information would give an unfair advantage to tenderers for commercial contracts. <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

No.	Relevant Paragraphs in Schedule 12A
15	<p>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. Their view on the public interest test was that whilst they are mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them they were satisfied that in this case disclosure of the information would prejudice the discussion in relation to labour relations to the disadvantage of the authority and inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
16	<p>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>
	<p>No public interest test.</p>
17	<p>Information which reveals that the authority proposes:</p> <p>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</p> <p>(b) To make an order or direction under any enactment.</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by the public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
18	<p>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

Agenda Item 11.

By virtue of paragraph(s) 14 of Schedule 12A
of the Local Government Act 1972
as amended by the Local Government (Access to
Information) (Variation) (Wales) Order 2007.

Document is Restricted