

Cyngor

Rydych dan wŷs trwy hyn i ddod i gyfarfod **Cyngor Dinas a Sir** i'w gynnal yn Siambr y Cyngor, Neuadd y Ddinas, Abertawe ar Dydd Iau, 24 Ionawr 2019 am 5.00 pm.

Cynigir trafod y materion canlynol:

1. **Ymddiheuriadau am absenoldeb.**
2. **Datgeliadau o fuddiannau personol a rhagfarnol.**
www.abertawe.gov.uk/DatgeliadauBuddiannau
3. **Cofnodion.** **1 - 7**
Cymeradwyo a llofnodi cofnodion y cyfarfod(ydd) blaenorol fel cofnod cywir
4. **Ymatebion ysgrifenedig i gwestiynau a ofynnwyd yng Nghyfarfod Cyffredinol Diwethaf y Cyngor.** **8 - 10**
5. **Cyhoeddiadau'r Aelod Llywyddol.**
6. **Cyhoeddiadau Arweinydd y Cyngor.**
7. **Cwestiynau gan y Cyhoedd.**
Rhaid i'r cwestiynau ymwneud â materion ar ran agored agenda'r cyfarfod, ac ymdrinnir â hwy o fewn 10 munud.
8. **Cyflwyniad Cyhoeddus - Dim.**
9. **mabwysiadu'r cynllun gostyngiad treth y cyngor** **11 - 19**
10. **Dynodi Cyfarwyddwr Addysg Statudol Dros Dro.** **20 - 21**
11. **Y Diweddaraf am gynnydd blaenoriaethau'r Adran Addysg ar gyfer 2017-2018.** **22 - 32**
12. **Cwestiynau gan y Cynghorwyr.** **33 - 40**
13. **Hysbysiad o gynnig - Cynghorydd M Sherwood, J E Burtonshaw, R C Stewart, C E Lloyd, M C Child, W Evans, R Francis-Davies, D H Hopkins, E J King, A S Lewis, J A Raynor & M Thomas.** **41**
14. **Hysbysiad o gynnig - Cynghorydd P M Black, J W Jones, M H Jones, C A Holley, E W Fitzgerald & D G Sullivan.** **42**



Huw Evans
Pennaeth Gwasanaethau Democrataidd
Neuadd y Ddinas,
Abertawe.

Dydd Mercher, 16 Ionawr 2019

I: Bob Aelod o'r Cyngor

Agenda Item 3.



City and County of Swansea

Minutes of the Council

Council Chamber, Guildhall, Swansea

Thursday, 20 December 2018 at 5.00 pm

Present: Councillor D W W Thomas (Chair) Presided

Councillor(s)	Councillor(s)	Councillor(s)
C Anderson	B Hopkins	C L Philpott
P M Black	D H Hopkins	S Pritchard
J E Burtonshaw	O G James	A Pugh
M C Child	L James	J A Raynor
J P Curtice	Y V Jardine	C Richards
N J Davies	M H Jones	K M Roberts
A M Day	P K Jones	B J Rowlands
P Downing	S M Jones	M Sherwood
C R Doyle	L R Jones	R V Smith
M Durke	J W Jones	A H Stevens
V M Evans	E J King	R C Stewart
C R Evans	E T Kirchner	D G Sullivan
W Evans	M A Langstone	M Sykes
E W Fitzgerald	M B Lewis	L G Thomas
S J Gallagher	W G Lewis	W G Thomas
L S Gibbard	A S Lewis	M Thomas
K M Griffiths	C E Lloyd	L J Tyler-Lloyd
D W Helliwell	P Lloyd	G D Walker
T J Hennegan	P N May	L V Walton
C A Holley	H M Morris	T M White
P R Hood-Williams	D Phillips	

Apologies for Absence

Councillor(s): S E Crouch, R Francis-Davies, F M Gordon, I E Mann, P M Matthews and P B Smith

102. Disclosures of Personal and Prejudicial Interests.

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

The Head of Democratic Services reminded Councillors and Officers that the "Disclosures of Personal and Prejudicial Interests" sheet should only be completed if the Councillor / Officer actually had an interest to declare. Nil returns were not required. Councillors and Officers were also informed that any declarable interest must be made orally and in writing on the sheet.

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

- 1) Councillors J A Raynor declared a Personal Interest in Minute 109 "Welfare Reform Impact Analysis".

103. Minutes.

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

- 1) Ordinary Meeting of Council held on 22 November 2018.

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

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

105. Announcements of the Presiding Member.

1) David Rowlands, Father of Councillor Brigitte Rowlands - Ill Health

The Presiding Member conveyed the Council's best wishes to David Rowlands, father of Councillor Brigitte Rowlands following his ill health.

2) National Fleet Awards

The Presiding Member was delighted to announce that the Authority was selected as finalists for two National Fleet Awards.

The first is the Green Fleet Awards held in Leeds on 22 November 2018, where the Authority was awarded the Public Sector Fleet of the Year (Medium to Large) category.

The second was for the What Van Awards held in London on 13 December 2018, where the Authority were finalists in the Green Fleet of the Year category.

These nominations are based on the introduction of 40 fully electric vans, the general approach that the Authority has adopted to reduce the environmental impact of our fleet and the proposed adoption of a Green Fleet Policy.

3) Diamond Wedding Anniversary (60 Years) - Honorary Alderman Alan Lloyd & Lilian Lloyd

The Presiding Member congratulate Honorary Alderman, Former Lord Mayor, Former Mayor and Former Councillor Alan Lloyd and Lilian Lloyd on their Diamond Wedding Anniversary.

4) Amendments / Corrections to the Council Summons

- i) **Item 13** "Honorary Freedom of the City & County of Swansea to 157 (Welsh) Regiment of the Royal Logistic Corps (RLC)"

Add "Sir Karl Jenkins' name to the list of those that have been bestowed with Honorary Freedom of the City & County of Swansea.

- ii) **Item 14** "Membership of Committees"

Corporate Parenting Board. Add Councillor W G Lewis.

5) Nadolig Llawn a Blwyddyn Newydd Dda

The Presiding Member wished everybody a Merry Christmas and a Happy New Year. Nadolig Llawn a Blwyddyn Newydd Dda.

106. Announcements of the Leader of the Council.

1) Amendments to Cabinet Portfolio's

The Leader of the Council stated that he had made the following amendments to the Cabinet Portfolio's:

- i) **Delivery Cabinet Portfolio**
a) Add "Affordable Housing (Support);
b) Add "Licensing".
- ii) **Economy & Strategy Cabinet Portfolio (Leader of the Council)**
a) Add "Finance & Budget Strategy and Budget Oversight".
- iii) **Education Improvement, Learning & Skills Cabinet Portfolio**
a) Add "Children & Young People (CYP) Board".
- iv) **Environment & Infrastructure Management Cabinet Portfolio**
a) Add "Cycleways";
b) Add "Fleet Renewal & Maintenance";
c) Add "Green Vehicle Adoption (Support);
d) Add "Parks (Maintenance & Operations) and Cleansing";
e) Add "Public Transport";
f) Delete "Estates Maintenance Management (Non HRA)";
g) Delete "Licensing".

He stated that he had asked the Head of Democratic Services to update the Council Constitution and website to reflect these amendments and to send out an updated list to all Councillors.

2) Together at Christmas 2018

The Leader of the Council congratulated JR Events & Catering for working with the City and County of Swansea in delivering the Together at Christmas 2018 event on 19 December 2018.

The event saw a free two course Christmas lunch being provided to the Homeless, Vulnerable and In Need. He thanked all for assisting during the event.

3) Giant Redwood at the Former Penllergare Estate, Penllergaer

The Leader of the Council referred to the recent chopping down of the 176 year old giant redwood tree at the Former Penllergare Estate, Penllergaer and stated that the Authority would exercise all powers against those responsible.

4) Swansea Bay Tidal Lagoon

The Leader of the Council provided an update on the Swansea Bay Tidal Lagoon and stated that 11 responses had been received to the recent Prior Information Notice.

5) Swansea Bay Region City Deal

The Leader of the Council provided an update relating to the Swansea Bay Region City Deal.

107. Public Questions.

No questions were asked.

108. Presentation - None.

No Public Presentations were received.

109. Welfare Reform Impact Analysis. (For Information)

The Better Communities Cabinet Member submitted an information report, which detailed the findings of the "Welfare Reform Impact Assessment - September 2018 Update".

The Head of Poverty & Prevention gave a presentation.

Note: Councillor M Sherwood stated that she would circulate the full report relating to the Welfare Reform Analysis Report to all Councillors.

110. Minimum Revenue Provision (MRP) Policy Statement 2019/20 and Revision to 2018/19 MRP Policy.

The Section 151 Officer submitted a report, which sought to approve the Minimum Revenue Provision Policy Statement for 2019/2020 and to revise the 2018-2019 Policy and implement in year on the basis that a clear intention to revise the Policy has been previously highlighted to both Cabinet and Council.

Resolved that:

- 1) The Minimum Revenue Provision (MRP) Policy Statement as outlined in Section 3.3 of the report be approved.

111. Children & Young People's Rights Scheme Annual Progress Report 2018.

The Children Services Cabinet Member submitted a report, which sought to provide an update on the progress and implementation of the Children & Young People's Rights Scheme in Swansea.

Resolved that:

- 1) The Annual Progress Report on the Children & Young People's Rights Scheme be endorsed.

112. Review of the Gambling Policy.

The Delivery Cabinet Member submitted a report, which sought consideration of the proposed amendments to the Gambling Policy.

Resolved that:

- 1) The proposed amendments to the Gambling Policy be approved and the revised Policy attached at Appendix A to the report be adopted.

Note: Councillor A M Day asked that the relevant Cabinet Member provide an assurance that the Authority would not be promoting gambling through its various means.

The Delivery Cabinet Member stated that he would give that assurance and that he would also provide a written assurance.

113. Honorary Freedom of the City & County of Swansea to 157 (Welsh) Regiment of the Royal Logistic Corps (RLC).

The Leader of the Council submitted a report, which sought consideration of conferring Honorary Freedom of the City & County of Swansea to the 157 (Welsh) Regiment of the Royal Logistic Corps (RLC).

Resolved that:

- 1) Honorary Freedom of the City & County of Swansea be granted to the 157 (Welsh) Regiment of the Royal Logistic Corps (RLC);

- 2) A Ceremonial Council Meeting be held on 27 July 2019 to confer the title of Honorary Freedom.

114. Membership of Committees.

The Business Transformation and Performance Cabinet Member submitted a report, which sought approval for nominations / amendments to the Council Bodies.

He stated that the Leader of the Council had not made any changes to the Authority's Outside Bodies.

Resolved that the membership of the Council Bodies listed below be amended as follows:

- 1) **Corporate Parenting Board**
Remove Councillor J P Curtice.
Add Councillor W G Lewis.
- 2) **Poverty Reduction Policy Development Committee**
Remove Councillor G J Tanner.
Add Labour Vacancy.
- 3) **Swansea Bay City Deal Joint Scrutiny Committee**
Remove Councillor M H Jones.
Add Councillor J W Jones.
- 4) **Trustees Panel**
Remove Councillor G J Tanner.
Add Labour Vacancy.

115. Councillors' Questions.

1) Part A 'Supplementary Questions'

Five (5) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

Those supplementary question(s) required a written response are shown below:

Question 2. Councillor J W Jones asked:

"Why is it appropriate for the Authority to award a contract via a Waiver to a single supplier in order to deliver a Christmas Parade?"

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

2) Part B 'Questions not requiring Supplementary Questions'

Two (2) Part B 'Questions not requiring Supplementary Questions' were submitted.

The meeting ended at 6.27 pm

Chair



Report of the Chief Legal Officer

Council – 24 January 2019

Written Responses to Questions Asked at the Last Ordinary Meeting of Council

The report provides an update on the responses to Questions asked during the Ordinary Meeting of Council on 20 December 2018.

For Information

1. Introduction

- 1.1 It was agreed at Council on 8 April 2010 that a standing item be added to the Council Summons entitled “Written Responses to Questions Asked at the Last Ordinary Meeting of Council”.
- 1.2 A “For Information” report will be compiled by the Democratic Services Team collating all written responses from the last Ordinary Meeting of Council and placed in the Agenda Pack;
- 1.3 Any consequential amendments be made to the Council Constitution.

2. Responses

- 2.1 Responses to questions asked during the last ordinary meeting of Council are included as Appendix A.

Background Papers: None

Appendices: Appendix A (Questions & Responses)

**Providing Council with Written Responses to Questions asked at Council
20 December 2018**

1.	<p>In relation to Item 9 - Welfare Reform Impact Analysis</p> <p>In relation to the presentation by Head of Poverty & Prevention & Cabinet Member.</p> <p>Response of the Cabinet Member for Better Communities</p> <p>Councillor M Sherwood stated that she would circulate the full report relating to the Welfare Reform Analysis Report to all Councillors. (Circulated on 9 January 2019)</p>
2.	<p>Councillor A M Day</p> <p>In relation to Item 12 - Review of the Gambling Policy.</p> <p>Asked that the relevant Cabinet Member provide an assurance that the Authority would not be promoting gambling through its various means.</p> <p>Response of the Cabinet Member for Delivery</p> <p>The Council scrutinises all companies who might wish to place adverts or sponsorship on its platforms (for example within the bus station) and operates on the general basis that we do not promote gambling.</p> <p>Our internal guidance notes that content that is not permitted for advertising includes, but is not limited to, advertising that contains, infers or suggests any of the following:</p> <p><i>promotion or availability of tobacco products, weapons, gambling or illegal drugs.</i></p>
3.	<p>Councillor J W Jones</p> <p>In relation to Item 15 - Councillors Questions (Q2)</p> <p>Why is it appropriate for the Authority to award a contract via a Waiver to a single supplier in order to deliver a Christmas Parade.</p> <p>Response of the Leader</p> <p>The Special Events team face challenges every year for events of this nature, which are historically discussed and agreed as part of annual budget setting, placing pressure on the timescale for procurement, as it takes us over the summer.</p> <p>This annual cycle means that the Events team are in a pattern of needing to identify suppliers from a small pool, late in the year, resulting in a single supplier waiver, as was the case in 2016 and 2017.</p> <p>The challenges for 2018 were greater still, as there was uncertainty about whether any scale of route was feasible, with impending regeneration works planned in the lead up to and over Christmas. Whilst there has been</p>

	<p>an unwavering political commitment to deliver an outstanding Parade, the context provided risks as we were not 100% sure of the format the event could take. The supplier would need to be open to working with us in a way that was flexible and support us in testing out the city centre as a feasible event space, during times of change.</p> <p>We took the opportunity to enter into a dialogue with a locally based, internationally experienced parade director and producer, to work with us throughout the regeneration of the city centre ie. 2018 to 2020. This was a very different remit to previous years when suppliers were only engaged in providing some performers for something already designed and managed. It required a different brief and approach than previous years, and the timeframe and market availability of suppliers able to work in this way guided our decision.</p> <p>Recognising that the strategy did not produce an event in line with expectations, this year will see a return to the “in house” delivery by our Special Events Team, as part of the 50th anniversary celebrations of Swansea’s city status, which are being finalised.</p>

Agenda Item 9.



Report of the Section 151 Officer

Council – 24 January 2019

Adoption of the Council Tax Reduction Scheme

Purpose:	<ol style="list-style-type: none">1. To explain the requirement to annually consider whether to revise or replace the Council's existing Council Tax Reduction Scheme and the requirement to either adopt a new scheme or re-adopt the existing scheme by 31 January 2019.2. To re-adopt the current scheme as set out in Section 3 of the report from 2019/20.
Policy Framework:	None
Consultation:	Legal, Finance and Access to Services.
Recommendation:	<p>It is recommended that:</p> <ol style="list-style-type: none">1. The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 ("the Prescribed Requirements Regulations") by the National Assembly for Wales (NAfW) on 26 November 2013, as amended be noted.2. The amendments to "the Prescribed Requirements Regulations" contained in the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2019, considered and approved by NAfW on 8 January 2019 be noted.3. The outcome of the consultation exercise undertaken by the Council in November 2018 on the discretionary areas of the current scheme be noted.4. The current scheme (2018/19) in relation to the discretionary areas (as set out in section 3) remain unchanged from 2019/20.5. The Council adopts the scheme as set out in section 3 of this report and that any amendments to the regulations made by NAfW are reflected in the scheme.
Report Author:	Julian Morgans
Finance Officer:	Ben Smith
Legal Officer:	Debbie Smith

1 Background

- 1.1 Following the abolition of the national Council Tax Benefit scheme on 31 March 2013, responsibility for providing Council Tax support in Wales was devolved to the Welsh Government (WG) and is known as the Council Tax Reduction Scheme (CTRS).
- 1.2 The CTRS is governed by two sets of regulations. These regulations prescribe the main features of the schemes to be adopted in Wales:-
- The Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (“the Default Scheme Regulations”) as amended.
 - The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (“the Prescribed Requirements Regulations”) as amended.
- 1.3 The regulations contain an obligation that an authority must consider each financial year whether to revise its scheme or to replace it with another scheme. Any revision or replacement must be made no later than 31 January, preceding the financial year for which the revision or replacement scheme will take effect.
- 1.4 Although there is a national scheme for Wales, within the Prescribed Requirements Regulations, there is limited discretion given to the Council to apply additional discretionary elements that are more generous than the national scheme. These are :-
- The ability to increase the standard extended reduction period of 4 weeks given for example to persons who have ceased to receive qualifying benefits after they return to work, where they have previously been receiving a Council Tax Reduction (CTR) that is to end as a result of their return to work;
 - Discretion to increase the amount of War Disablement Pensions and War Widows and War Widowers Pensions which is to be disregarded when calculating income of the claimant; and
 - The ability to backdate applications for CTR for periods longer than the new standard period of three months before the claim is made.
- 1.5 The Council adopted a CTRS from 2018/19 on 25 January 2018. It is a requirement of the Prescribed Requirements Regulations that the Council adopts a CTRS by 31 January 2019, regardless of whether it applies any of the discretionary elements set out in paragraph 1.4 above. If the Council fails to make a scheme, then a default scheme shall apply under the provisions of the Default Scheme Regulations. The Council can only apply discretion if it makes its own scheme under the Prescribed Requirements Regulations.

- 1.6 An amending set of regulations was laid before the NAFW on 27 November 2018, to uprate financial figures used to assess CTR entitlement, in line with the cost of living increases. The amending set of regulations also incorporate changes to reflect consequential amendments and technical amendments to take account of inter-related benefit changes to the welfare system, made by the UK Government.
- 1.7 The amendment regulations were approved by the Assembly on 8 January 2019. The Council must take account of these regulations Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2019 ¹ when adopting the scheme.

¹ These can be accessed at:

<http://senedd.assembly.wales/mglssueHistoryHome.aspx?lId=23483&Opt=0>

2 Consultation

- 2.1 A consultation exercise on the discretionary elements within the CTR scheme was conducted over the period 5 November 2018 to 2 December 2018 and advertised in a press release. An on-line survey form was placed on the Council web-site and consultation forms were available at the Contact Centre, District Housing Offices and libraries. Information was also sent to members, precepting authorities and various third sector agencies. A summary of the responses to this consultation can be found in Appendix 1.
- 2.2 The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2015, approved by NAFW 20 January 2015, included a change which removed the requirement for Local Authorities to publish a draft scheme and consult interested persons where a Billing Authority revises a scheme in consequence of amendments made to the Prescribed Requirement Regulations. The effect of this amendment is to remove the requirement for local authorities to consult in relation to changes made by Welsh Ministers where authorities have no discretion (as opposed to the discretionary areas of the scheme outlined in 1.4).
- 2.3 As this report contains a recommendation that the current scheme is not replaced or changed from 2018/2019, other than to include amendments contained in the “Amendment Regulations” (explained in 1.6 above), there is no requirement for the Council to consult, as authorities have no discretion in relation to these amendments. However, as the original consultation around the discretionary elements was carried out some years ago, it was felt appropriate that a fresh consultation on those issues be undertaken as a matter of good practice.

3 Adoption of the Council Tax Reduction Scheme

- 3.1 The Council is required to adopt a scheme by 31 January 2019 under the Council Tax Reduction Schemes and Prescribed Requirements

(Wales) Regulations 2013 as amended, regardless of whether it chooses to apply any of the discretionary elements. If the Council fails to make a scheme, then a default scheme will apply under the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (as amended).

- 3.2 As explained in 1.6 above, each year WG needs to amend the CTRS 2013 Regulations to ensure that the assessment calculation for CTR recipients is up-rated, mostly in line with Housing Benefit. The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2019 were laid on 27 November 2018. As well as the up-rating provisions, these “Amendment Regulations” incorporate various technical amendments to rectify previous drafting errors
- 3.3 It is recommended that the Council adopts a Scheme from 2019/20 under “the Prescribed Requirements Regulations”, and any amendments made to those regulations by the “Amendment Regulations”, to include all the elements that must be included in the scheme and those discretionary elements set out in the table at Paragraph 3.5 below.
- 3.4 Part 5 of the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (Other matters that must be included in an authority’s scheme) identifies which elements of the prescribed requirements of a scheme are minimum only requirements and in respect of which local authorities have an element of discretion.
- 3.5 Taking account of :
- the consultation responses for the current local scheme, (see Appendix 1) relating to the discretionary elements, noting that no changes have been proposed for 2019/20.
 - the current local scheme in relation to the treatment of War Disablement Pensions, War Widows Pensions and War Widowers Pensions for Housing Benefit, which disregards these payments in full,
 - the fixed funding available,

The recommendations in relation to the available discretionary elements are as follows in the table below:-

<u>Discretionary Elements</u>	Prescribed Requirement Regulations (Minimum Requirements)	Recommended Details to be Adopted with regard to Discretionary Elements
Part 5 - Other Matters that must be included in an authority’s scheme		
Ability to increase the standard extended reduction period of 4 weeks given to applicants where they have previously been receiving a CTR that is to end, as they have ceased receiving qualifying benefits as a result of returning to work, increasing their hours of work, or receiving	4 Weeks	<u>Pensioners</u> : The 4 weeks period specified in para (33) Schedule 1 will apply, and <u>Non- Pensioners</u> : The 4 weeks period specified in para (35) and (40)

increased earnings. <i>Regulation 32 (3) and Regulation 33 (3), para (33) Schedule 1 and para (35) and (40) Schedule 6.</i>		Schedule 6 will apply,
Ability to backdate applications of CTR for periods longer than the standard period of 3 months before the claim is made. <i>Regulation 34 (4) and Paragraph (3) and (4) of Schedule 13.</i>	3 Months	<u>Pensioners</u> : The period of 3 months specified in para (3) Schedule 13 will apply, <u>Non-Pensioners</u> : The period of 3 months specified in para (4), Schedule 13 will apply,
Ability to disregard more than the statutory weekly £10 of income received in respect of War Disablement Pensions and War Widows Pensions and War Widowers Pensions (disregarded when calculating income of the applicant); <i>Regulation 34 (5), Paragraphs 1(a) and 1(b) Schedule 4 and Paragraphs 20(a) and 20(b) of Schedule 9</i>	£10	<u>Pensioners</u> : The total value of any pension specified in para 1(a) and 1(b) Schedule 4 will be disregarded. <u>Non-Pensioners</u> : The total value of any pension specified in para 20(a) and 20(b) Schedule 9 will be disregarded.

4. Equality and Engagement Implications

- 4.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

- 4.2 The WG undertook a comprehensive regulatory impact assessment in respect of the national Scheme regulations, in November 2013.
- 4.3 The Council has undertaken a fresh consultation exercise in relation to the discretionary elements in November 2018 as a matter of good practice as the previous consultation exercise was carried out in 2014.
- 4.4 A local equality impact assessment (EIA) was carried out by the Council in January 2014, for the 2014/15 scheme which has been reviewed each year since then as there were no changes to the discretionary elements in any of the subsequent amendment

regulations.

- 4.5 A fresh local equality impact assessment (EIA) was carried out by the Council in December 2018 to keep the EIA in line with the most recent consultation exercise and to update the format of the report.
- 4.6 It should be noted that in terms of equality impact there are no significant changes in the scheme recommended from 2019/20 compared to 2018/19. As this is a national scheme the Council cannot vary the provisions other than those discretionary areas detailed in 1.4 above, which are proposed to remain the same as exist in the current (2018/2019) local scheme. The Revenues and Benefits service will continue to provide advice to maximise taxpayers' benefit income, award appropriate discounts and exemptions and signpost customers to the relevant agencies where appropriate so they can obtain independent advice.

5. Financial Implications

- 5.1 Welsh local authorities receive a fixed sum provision from WG for the CTRS. This is fundamentally different to the funding received from DWP, for the former Council Tax Benefit scheme, which was demand led and almost fully funded on a pound for pound basis. Any changes that affect the amount of CTR to be paid, for example due to Council Tax increases, increases in customers' CTR entitlement or increases in the number of customers actually claiming CTR, exposes the Council to financial risk, as the shortfall between the amount of CTR paid out and the funding received from WG, result in authorities having to bear the additional cost.

- 5.2 The table below shows the number of current CTR recipients in Swansea, the latest estimate of CTR paid for 2018/19 and the latest estimated shortfall of £1,270K which has to be met by the Council.

Current CTR recipients	Current CTR recipients who receive 100% CTR	Latest estimate of CTR to be paid in 2018/19	Fixed funding received from WG for 2019/20	Estimated shortfall between funding and CTR paid to recipients.
22,508	17,893	£20,351M	£19,081M	-£1,270K

- 5.3 The actual amount of CTR funding for distribution in 2019/20 in Wales is detailed in the final settlement made on 19 December 2018. The funding available for the whole of Wales was £244M with this Council's provisional allocation being £19,081M.
- 5.4 The table in 5.2 shows the estimated shortfall between the CTR to be paid out and the fixed funding received from WG for 2019/20.
- 5.5 For every 1% increase in Council Tax levels in 2019/20, the yield will be reduced by an estimated £203,510 to reflect the cost of the CTRS.

6. Legal Implications

- 6.1 The Council is obliged to make a CTRS under the Prescribed Requirements Regulations as amended by 31 January 2019. Although the legislation provides for a default scheme to apply in the absence of the Council making a scheme, the Council is nevertheless under a statutory duty to adopt its own scheme, even if it chooses not to apply any of the discretionary elements.
- 6.2 Section 149 of the Equality Act 2010 requires Local Authorities to have “due regard” to their public sector equality duties when exercising their functions.
- 6.3 There are no other legal implications other than those already highlighted in this report.

Background Papers:

Equality Impact Assessment

Appendices:

Appendix A: Summary of the responses to the CTRS consultation undertaken in November 2018.

Appendix 1

1.1 A consultation exercise was conducted over the period 5th November 2018 to 2nd December 2018 and advertised in a press release. An on-line survey form was placed on the Council web-site and consultation forms were available at the Contact Centre, District Housing Offices and libraries. Information was also sent to members, precepting authorities and various third sector agencies.

1.2 Summary of Responses

- a) A total of 23 responses were received. 8 were completed on line and 15 written responses received.
- b) All 23 responses were completed by individuals with no one indicating they were completing on behalf of an organisation.

1.3 Responses to the Three Discretionary Areas

I. Ability to Increase the standard Extended Payment Period of 4 weeks.

Question 1 on the consultation form:		
Discretionary element	Proposal	Responses
The ability to increase the standard extended payment period of 4 weeks given to people after they return to work when they have been in receipt of a relevant qualifying benefit for at least 26 weeks.	The Council proposes that the existing 4 week standard extended payment should remain unaltered. Do you think this is reasonable?	<p>23 responses:</p> <ul style="list-style-type: none"> • 14 said it was reasonable. • 8 said it was not. • 1 said "don't know".
	If you indicated no to the above, please outline what you consider the period should be?	<p>Of the 8 who thought it was not reasonable:</p> <ul style="list-style-type: none"> • 1 opted for no extended payment. • 2 for 2 weeks. • 3 for 6 weeks. • 1 stated other. • 1 made no selection. <p>There were 2 'please specify' responses:</p> <ul style="list-style-type: none"> • 2 months to allow monthly payments • At least 26 weeks

II. Discretion to increase the amount of War Disablement and War and War Widows Pensions which will be disregarded when calculating income.

Question 2 on the consultation form:		
Discretionary element	Proposal	Responses
Discretion to disregard part or the whole amount of War Disablement Pensions and War Widows Pensions when calculating income.	The Council proposes to continue to disregard all of this income, as it is currently disregarded for Council Tax Reduction. Do you think this is reasonable?	<p>23 responses.</p> <ul style="list-style-type: none"> • 16 said it was reasonable. • 5 said it was not. • 2 answered "don't know"

III. Ability to backdate the application of Council Tax Reduction Awards for more than the standard period of 3 months prior to the claim.

Question 3 on the consultation form:		
Discretionary element	Proposal	Responses
The ability to back date the application of Council Tax Reduction awards for customers for more than the standard period of 3 months prior to the claim.	The Council proposes to keep the maximum back date available to the 3 month statutory period. Do you think this is reasonable?	<p>23 responses.</p> <ul style="list-style-type: none"> • 16 said it was reasonable. • 5 said it was not. • 2 answered "don't know".
	If not, what period do you think is reasonable?	<p>Of the 5 who thought it was not reasonable,</p> <ul style="list-style-type: none"> • 3 opted for a period of 6 months. • 2 for 12 months.

Agenda Item 10.



Report of the Monitoring Officer

Council - 24 January 2019

Interim Designation of the Statutory Education Director

Purpose:	For Council to designate the Head of the Vulnerable Learner Service as the Statutory Director of Education on an interim basis.
Policy Framework:	Council Constitution Articles 12.2, 12.3 and 12.11.
Consultation:	Presiding Member, Finance, Legal.
Recommendation(s):	It is recommended that: 1) Mark Sheridan Head of the Vulnerable Learner Service is designated as the Council's Statutory Director of Education on an interim basis. This will be initially be for a period of three months whilst the current Statutory Director of Education Nick Williams is on sickness absence; 2) Delegated authority is given to the Chief Executive in consultation with the Cabinet Member for Education Improvement, Learning and Skills to extend the period of three months if necessary.
Report Author:	Stephanie Williams
Finance Officer:	Ben Smith
Legal Officer:	Stephanie Williams
Access to Services Officer:	N/A

1. Statutory Education Director

- 1.1 The post of Chief Education Officer is a designated Statutory post under s532 of the Education Act 1996. This imposes a duty on the Council to appoint an Officer as its Chief Education Officer. In Swansea the Director of Education holds this Statutory function.
- 1.2 Nick Williams the current Statutory Education Director is currently on long-term sickness leave. Therefore, in the interim to comply with Statute this post needs to be designated.

1.3 It is proposed that Mark Sheridan Head of the Vulnerable Learner Service is designated Statutory Education Director for an initial period of three months.

1.4 Should this period need to be extended, the Chief Executive in consultation with the Cabinet member for Education Improvement, Learning and Skills is given delegated authority to extend the period.

2. Equality and Engagement Implications

2.1 There are no equality or engagement implications associated with this report.

3. Financial Implications

3.1 Interim remuneration will be commensurately set in line with the Council's extent pay policy and any cost met from the contingency fund.

4. Legal Implications

4.1 Section 532 of the Education Act 1996 specifies that there is a duty on a Local Authority to appoint a fit person to be the Chief Education Officer of the authority. This duty in Swansea is held by the Director of Education. This is a Statutory post whose responsibilities are outlined in Article 12.2 and 12.11 of the Council's Constitution. Article 12.3.1 specifies that Council will designate the post.

Background Papers: None.

Appendices: None.



Report of the Cabinet Member for Education Improvement, Learning & Skills

Council – 25 January 2019

Update on Progress for Education Department Priorities 2017-2018

Purpose:	For Cabinet to receive an update on the progress in meeting the priorities set for the 2017-2018 academic year and outline priorities set for 2018-2019 academic year.
Policy Framework:	Estyn Common Inspection Framework.
Consultation:	Legal, Finance and Access to Services.
Recommendation(s):	It is recommended that: 1) The progress update is noted.
Report Author:	Nick Williams
Finance Officer:	Chris Davies
Legal Officer:	Stephanie Williams
Access to Services Officer:	Rhian Millar

1. Introduction

- 1.1 All local authorities' education services for children and young people in Wales are inspected by Estyn under the Common Inspection Framework. Swansea Council was last inspected in June 2013 and the report was published in September 2013.
- 1.2 Previous reports provided updates on progress made on the recommendations from the 2013 inspection. This report and future reports will provide updates on new and emerging priorities, in accordance with the Council's Policy Commitments and the Estyn framework, New

Inspection Arrangements for the inspection of Local Government Education Services.

1.3 Following a self-evaluation using the Estyn Common Inspection Framework, five priorities were set for the 2017-2018 academic year and beyond. These were:

- Improve the quality of leadership, teaching and learning experiences and its impact on the outcomes of all learners
- Develop and implement a new ALN strategy and policy
- Develop and implement a wellbeing and behaviour strategy
- Further improve EOTAS provision to further raise standards of achievement and further improve reintegration back into schools
- Ensure all learning opportunities take place in safe environments

1.4 Progress on these priorities have been regularly reported to the Chief Executive's Improvement Board, the Cabinet Member for Education Improvement, Learning & Skills, the Education Strategy Group, and School Improvement Partnership and at headteacher meetings.

2. Progress on addressing the five priorities and further work required

Key to ratings:

Green – Very good progress, addressing the recommendation in nearly all aspects.

Yellow – Strong progress, addressing the recommendation in most aspects. Only minor aspects require further attention.

Amber – Satisfactory progress, addressing the recommendation in many aspects. A few significant aspects require significant attention.

Red – Limited progress, does not address the recommendation. All or many aspects still awaiting attention.

2.1 Priority 1: Improve the quality of leadership, teaching and learning experiences and its impact on the outcomes for all learners.

Status: Yellow

Summary

Successes

- Robust monitoring of all schools against national criteria completed. Primary schools now 50% green compared with 20% four years ago. Reduction of amber primary schools from 23% to 6% over last four years. There is a similar pattern in secondary schools. By the end of the 2017-2018 academic year there were no schools in a statutory Estyn category and during the first year of a new Estyn inspection cycle, Swansea's profile of inspection was good or better in nearly all schools
- Challenge advisers produced good-quality reports for support and monitoring visits. Estyn confirm high reliability of officers' pre inspection

reporting. Reports have helped schools evaluate their provision and plan for improvement, for example in the areas of literacy, whole-school self-evaluation, curriculum and sixth form provision

- Core visits have been used well to identify best practice – case studies on regional database of good practice (for example, pupil development grant, school-to-school work, teaching and lesson observations). In addition, Swansea has now produced its own directory of good practice to share as the majority of schools are categorised as highly effective schools
- A few schools causing concern continue to show improvement at a good pace, with Swansea schools supporting each other
- Additional support for schools with leadership capacity issues is mobilised quickly
- Good support for new teachers, foundation phase teachers and digital competence as well as subject co-ordinator networks afforded in Swansea
- Contextualised key stage 4 performance places Swansea schools within top five performing local authorities in 2017-2018
- Facilitation of the schools for schools principle for example, secondary leaders, primary deputy headteachers and best practitioners has grown to provide meaningful professional learning for school staff
- Middle leaders continue to benefit from good quality training co-ordinated by our consortium and delivered by strong school leaders from Swansea
- Facilitation of local support programmes for deputy and assistant headteachers has gathered momentum at secondary level
- Strong appointments have been made to the challenge adviser teams, starting from September 2018, including coverage for special/pupil referral unit and Welsh medium schools. Induction and training for the new challenge advisers has been successful covering aspects such as data, headteacher performance management, digital skills, evaluating leadership, post-16 and using LA and ERW systems
- Cynnydd work is gaining traction – Military Academy, for example, has benefitted many pupils
- Strong inspection outcomes continue in secondary schools, for example Bishopston, Olchfa, Bishop Vaughan, Crug Glas (follow-up) and Penyrheol. Similarly, the inspection profile of Swansea primary schools is strong, for example, Cwmrhydyceirw, Craigfelen, Cwm Glas, Terrace Road, Pennard and Pentre'r Graig. Morriston Primary School has been removed from Significant Improvement category. Tre Uchaf and Knelston were also removed from Estyn review because of strong improvements
- Secondary school networks have been strengthened with the introduction of SCASEN – Swansea's Curriculum and School Evaluation Network
- Review of sixth forms has provided a very useful evaluation for schools and the local authority with clear good practice to share and further areas for development. Messages identified resonate with Estyn's recent post-16 thematic survey

- Review of Ethnic Minority Achievement Unit has led to the implementation of a capacity building model delivery (January 2019) with significant sums being devolved for schools to use to ensure minority ethnic achievement supported by a small central team providing capacity building activity, monitoring of achievement, self-evaluation and support to schools with low numbers of EAL learners

Challenges

- ERW hiatus with the review and reform programme has created lack of clarity in areas such as next year's menu of support and provisional categorisation. Lack of awareness of the ERW cluster lead roles
- Avoiding duplication of resources available at local authority and central ERW
- New professional standards and new professional learning model require resources that the education improvement grant and regional school improvement grant do not cover
- New methods of service delivery required for Welsh support service provided to schools
- The move away from BTEC science in 2018 has been challenging. Despite overall triple and double science results being strong, finding a suitable course for less able pupils remains challenging. Options and best practice are being discussed in our curriculum and subject leader networks
- Readiness to deliver against Welsh Government's national mission

Further work required

- Implementation of new teaching and leadership standards
- Enabling professional learning versus delivering training
- Follow up on the findings from the Post-16 review (e.g. replacement for UCAS progress) and keep abreast with national "consistent measures" development
- Supporting schools to prepare for the draft version of the new curriculum and assessment framework, which will be available for schools in April 2019
- Review of services to Gypsy, Roma, Traveller learners to be completed and policy written to set out Swansea's principles and model of service delivery (March 2019)

2.2 Priority 2: Develop and implement a new ALN strategy and policy.

Status: Yellow

Summary

Successes

- Head of Additional Learning Needs Unit (ALNU) appointed and ALNU structure in place with appointment of acting principal psychologist

- Family liaison team is now working to role but still need to recruit to one post. There is evidence this is improving partnership working with parents/carers
- New contract for participation, engagement, advocacy and dispute resolution has been published for tender applications
- Challenger adviser and performance specialists (CAPS)/ ALNU leads have met and produced a broad ALN training plan, which has been circulated to schools
- ALN Innovation funding secured to provide WellComm packs in all primary schools and offer training to aid early identification intervention
- Outreach team hosted by Penybryn is providing capacity-building support to schools with pupils with autistic spectrum disorder (ASD) and severe and complex needs. Evaluations show this has been successful in maintaining learners in mainstream
- Gower College Swansea are engaging with the local authority with regard to the ALNET Bill implementation and with the ERW transition strand of the innovation fund. Successful inspection outcome regarding ALN
- LA/School strategy group has met to discuss the transition from statements to individual development plans (IDPs) to include the impact this has on formula funding
- Significant progress made regarding interim arrangements to provide extra specialist places and a paper approved for Cabinet following consultation with key stakeholders
- Attendance and presentation at Welsh Education Law Conference attended by Welsh Government and Children's Commissioner
- Continuing engagement with regional working group to influence planning and provide and receive support
- Engagement events with additional learning needs co-ordinators (ALNCos) and heads regarding the ALN Strategy held in April
- Commissioning review reaching closure
- Meetings with regional Transformation Lead arranged and Readiness Survey completed
- Allocations of transformation grant have been received which are favourable to Swansea
- ALN Strategy and Implementation Plan drafted for sign off by CMT 28.11.18
- ALN Strategic Board date of first meeting - 3 December 2018 - and members agreed
- Monthly surgeries with legal colleagues have already mitigated £20,500 of costs
- Tribunal appeals are down on the same period last year.
- Key appointments of the Provisions Officer and Family Liaison Officer are contributing to improving strategic capacity
- Discussions started with FEI and Early years colleagues re integrated responses to meeting ALN

Challenges

- There are still significant demands for specialist placement and provision, which could further fuel Tribunal appeals and potential out of county placements
- Overspend predicted on out of county and one to one budgets
- Band B proposals for a new special school have are at risk because WG may not be able to fund the MIM projects across Wales. This means proposals for a new special school are likely to be pushed to Band C. This requires fresh thinking about interim arrangements to expand places in current provisions and settings in Swansea
- Significant challenges posed by the ALNET Act 2018 for schools and FEIs particularly with regard to preparing and maintaining IDPs and the role of the ALNCo. Significant culture change required. Early years provision is also a key challenge
- Recent Tribunal directions have placed the authority at risk of significant backdated costs related to historical placement in independent schools in Swansea. It has been advised that we seek advice from counsel to mitigate this risk

Further work required

- Formation of an ALN Strategy Group and appropriate reporting arrangements
- Development of a local implementation plan for the ALNET Act 2018 that links to regional themes and priorities
- Development of Band C proposals and interim arrangements to improve specialist provision across Swansea
- Terms of reference and reporting arrangements for ALN Strategic Board to be agreed

2.3 Priority 3: Develop and implement a wellbeing and behaviour strategy.

Status: Yellow

Summary

Successes

- Meetings of the Behaviour and Wellbeing Strategy Working Group have been convened
- Definition of Well-being has been agreed
- Framework for the Strategy has been agreed
- Objectives and principles agreed
- Integrated Well-being Strategy drafted and presented to Family Support Continuum Steering Group
- Framework will allow a structured mapping of provision and intervention
- Models of service delivery have been agreed
- Attended and facilitated workshop of the ADEW Well-being In Education Conference

- Examples of integrated working have been worked through in detail and will be implemented between the PRU, Evolve and TAF. (X-Ref PRU update)
- Identified bottom up good practice and now clear there is appetite to share good practice across schools and agencies
- Secured project support for the strategy's development
- A model of Wellbeing has also been developed
- Integrated Well-being Strategy drafted

Challenges

- The process of consulting and implementing the strategy will require a cultural shift
- There is extensive communication and engagement activity to agree the strategy
- Agreeing roles and responsibilities of key staff will be sensitive

Further work required

- Re-launch of Wellbeing Strategy Group securing representation from key stakeholders including Health
- Setting of priorities and actions over the coming academic year and medium term
- Approval of Well-being Strategy

2.4 Priority 4: Further improve EOTAS provision to further raise standards of achievement and further improve reintegration back into schools.

Status: Yellow

Summary

Successes

- Increased number of pupils being re-integrated back to mainstream. As a result of the work of the Halfway House team, and the commitment of schools to support the re-integration of pupils with SEBD, we have achieved the highest number of pupils returning to mainstream from the PRU this year. Previous re-integration figures are as follows:
 - 2015-2016 Total number of pupils fully re-integrated = 3
 - 2016-2017 Total number of pupils fully re-integrated = 8
 - 2017-2018 Total number of pupils fully re-integrated = 21, with nearly all of these pupils having come off the roll of the PRU completely and the remainder to come off roll by October 2018. This figure equated to approximately 40% of pupils in the Primary and KS3 SEBD provision
- Overall numbers across the KS4 provision are in line with the reduced target due to the success of devolving funds to mainstream provision to better support KS4 pupils with SEBD
- New leadership structure demonstrating early positive impact in overall improved standards of teaching. Improved quality of teaching and learning across the PRU and increased number of lessons judged as

good or better through lesson observations – improvement from less than 40% good or better in Summer 2017 compared to over 80% good or better by summer 2018

- Target of 70% of KS4 pupils passing the WBQ Skill Challenge Certificate achieved – with 70.6% (24/34 passing)
- Overhaul of KS4 SEBD provision resulting in a bespoke curriculum offer for every pupil, encompassing a choice of traditional GCSEs along with SWEET, WBQ and a wide range of vocational qualifications
- Improved synchronicity between the PRU and BST enabling continuity of support to be provided to schools and Young people during transition points
- Behaviour Policy and Plan drafted
- KS4 Curriculum offer reviewed
- Workforce Planning subgroup of the Management Committee formed to discuss structure of PRU for implementation November 2019
- Pivotal training and champions now in place to implement and embed a new approach to behaviour management
- Staff and partners response to KS4 has been excellent and shown good integrated working relationships

Challenges

- Significant number of pupils admitted to the PRU demonstrating high level of challenge in terms of violence and aggression, impacting on exclusion and attendance statistics at key stage 3 and key stage 4
- Managing the limitations of the buildings and its impact on our curriculum development and the curriculum offer for pupils eg no designated, fit for purpose DT, Science or PE facilities
- Tackling underperformance of a minority of staff
- Estyn inspection due in January 2019
- Closure of Brondeg site due to fire safety concerns
- Changes in policy, staffing roles and teaching arrangements have placed strain on staff delivering the KS4 curriculum along with the closure of Brondeg
- Closure of Brondeg has reduced capacity to offer 25 hrs to learners at KS4

Further work required

- Continued partnership work with Poverty and Prevention to provide intensive training to enable current Pathways Team to undertake new roles, and implement new systems effectively
- Implement and embed a new and agreed approach to behaviour management across the whole PRU provision, to improve ethos, attendance and consistency, and provide a more consistent approach to promoting positive behaviour and managing challenging behaviour
- Review the roles and responsibilities of the Pathways Lead workers, and Develop new model for agreement of Support Team for Schools in line with model agreed in the Cabinet Paper 2016

- Review the curriculum offer across KS4, and revise organisation of teaching to provide a bespoke approach to individual pupils, based on core subject/skill areas alongside a broad and relevant choice model
- Development of a new LA Behaviour Policy aligned to the draft Well-Being Policy principles and aims
- Approval of Behaviour Policy and Plan
- Options for new PRU structure agreed
- Consultation on options completed by March 2019

2.5 Priority 5: Ensure all learning opportunities take place in safe environments.

Status: Yellow

Summary

Successes

- Successful appointment of Education Looked After Children Co-ordinator in April 2018
- Positive feedback following the Swansea Governors Conference held on 10 May 2018
- All published deadlines for school admissions for Reception and Year 7 for September 2018 met
- No safeguarding issue identified in any Swansea school inspected this academic year
- Successful appointment of Education Child Protection and Safeguarding Officer in July 2018
- Maintaining Swansea overall position for school attendance for 2017-2018 as seventh in Wales. Particularly significant given the comparison in demographics of the higher-ranking authorities
- The appointment of an Inclusion Officer, a newly created post, to work as part of a continuum of support to reduce pupil mobility and ensure managed moves, exclusions and PSPs are monitored and used appropriately

Challenges

- A period of induction for key officers new to post
- High levels of sickness and maternity leave within Education Welfare Team impacting upon ability to process Fixed Penalty Notices for poor school attendance
- The transition to a cluster model to meet the PDG LAC funding requirements while ensuring no underspend

Further work required

- Working group in place to consider the introduction of Think Safe ambassadors to relating to raising awareness and reducing instances of child sexual exploitation

- Undertaking an audit of pupil mobility trends to identify areas for improvement, development and ensuring a consistent approach across Swansea schools
- Working group in place to consider the best use of the LAC PDG to ensure grant requirements are met and the best provision is delivered

3. Priorities for 2018-2019 Academic Year

- 3.1 Following a thorough self-evaluation using the New Inspection Arrangements guidance and evaluation of last year's priorities, the following priorities have been set for the 2018-2019 academic year:
- Improve teaching and learning with a particular focus on reducing inequalities for the most vulnerable
 - Improve leadership and school governance
 - Work in partnership to develop a sustainable education system
 - Embed the new ALN, wellbeing and behaviour strategies
 - Ensure all learning opportunities take place in safe environments

4. Equality and Engagement Implications

- 4.1 Whilst there are no specific equality and engagement implications associated with this report, some specific areas of work resulting from the recommendations will be subject to the Equality Impact Assessment (EIA) process (which incorporates the UNCRC). For example, an EIA report has been developed for the EOTAS review.

5. Financial Implications

- 5.1 There are no immediate financial implications arising from this report, although a number of the actions referred to could result in additional expenditure at a future time. This does not mean that additional resources will be made available and it should be assumed that future spending needs will need to be contained within existing budget provision and have full and due regard to the budget principles set out in 'Sustainable Swansea – Fit for the Future' and the medium term financial plan.

6. Legal Implications

- 6.1 There are no immediate legal implications associated with this report.

Background Papers:

Common Inspection Framework

<https://www.estyn.gov.wales/inspection/inspection-explained/common-inspection-framework>

Estyn Guidance for the inspection of Local Government Education Services

<https://www.estyn.gov.wales/inspection/inspection-guidance/local-government-education-services>

City and County of Swansea LAESCYP Inspection Report 2013
<http://www.estyn.gov.uk/download/publication/291263.7/inspection-report-city-and-county-of-swansea-2013>

Annual self-evaluation of Local Authority Education Services for Children and Young People, 2017

www.swansea.gov.uk/estyninspections

Appendices: None

Agenda Item 12.



Council – 24 January 2019

Councillors' Questions

Part A – Supplementaries

1	<p>Cllrs Will Thomas, Myles Langstone, Lyndon Jones & Brigitte Rowlands</p> <p>How much did Primary and secondary schools in Swansea spent on supply teachers in the last academic year of 2017/18? How much of this was agency. Could this also be broken down school by school please.</p> <p>Response of the Cabinet Member for Education Improvement, Learning & Skills</p> <p>Schools currently have their own delegated bank accounts and only need to provide high level financial information to the council, so we do not hold this level of detail. Schools have the autonomy to use any supply company as long as relevant checks have been made.</p>
2	<p>Cllrs Jeff Jones, Chris Holley & Peter Black</p> <p>Because of the delays in signing the business case for the City Deal are there any financial penalties due and if so are there contingencies in place to offset these penalties.</p> <p>Response of the Leader</p> <p>No, there will be no financial penalties due.</p>
3	<p>Cllrs Mary Jones, Jeff Jones & Wendy Fitzgerald</p> <p>Will the Cabinet Member confirm the reasons behind the withdrawal of the wood skips at both Clyne and Garngoch and has the environmental impact been considered.</p> <p>Response of the Cabinet Member for Environment & Infrastructure Management</p> <p>The wood skip has been withdrawn from Clyne HWRC due to recent changes in the recording of wood recycling, changes in the wood recycling market, and uncertainty in wood classification by the regulatory bodies going forward. Wood has been diverted to the Llansamlet HWRC where there are facilities and capacity to separate different grades of wood brought in, and to react to any further changes required. This will improve the practicality and efficiency of wood disposal, reducing the impact of any changes in the classification of waste wood on our recycling and financial performance.</p>

	<p>The diversion of waste wood from Garngoch, and other HWRCs has yet to be confirmed, although the reasoning would be the same as for Clyne HWRC. It is not considered that there would be any adverse environmental impact as increased car mileage would be offset by reduced skip lorry mileage and reduced wood waste through increased re-use of wood.</p>
4	<p>Cllrs Will Thomas, Myles Langstone, Lyndon Jones & Brigitte Rowlands</p> <p>Has the council any plans to use 'Google for education' in the future.</p> <p>Response of the Cabinet Member for Education Improvement, Learning & Skills</p> <p>Google <i>for</i> Education (GfE) is a set of online software applications, offering similar productivity to the Office 365 apps but specifically designed and packaged for the educator community.</p> <p>Hwb will be the main educational platform offered to the schools through the <i>IT Strategy for Education</i>. Office 365/Hwb are free of charge and available to all schools in Wales as of April 2018. GfE will provide further IT tools to schools. Schools, with guidance if necessary, will make a whole school strategic decision on which platform suits their needs best to ensure collaborative working takes place across the school. These additional tools could cause a little uncertainty at first, with further training and support needed by school staff.</p> <p>A few Swansea schools that have already taken the route of using GfE and have been offered a service to transfer their own accounts/tenancy to the Hwb platform affording further security, transition opportunities and peace of mind.</p> <p>Adding GfE to the tool set already available in Hwb will be advantageous to schools that have not yet looked at the potential that GfE offers. It will be a good opportunity for them to explore the tools that it provides and make further decisions on what suits their school best.</p> <p>Applications within GfE include:</p> <p>Google Docs, Sheets and Slides: Share documents, spreadsheets, and presentations, allowing collaboration in real-time with a team or whole school.</p> <p>Google Drive: Share individual files or whole folders with specific people or team, even parents or contractors, on any device, anywhere</p> <p>Google Sites: Pupils can build project sites without knowledge of website/programming code</p> <p>Google Classroom: Specifically designed for the classroom enabling educators to:</p> <ul style="list-style-type: none"> • Create and collect assignments – designed to enable teachers to create and collect assignments paperlessly. They can see who has or has not completed the work, and provide direct, real-time feedback to individual students. • Class communications - Teachers can make announcements, ask questions, and comment

	<ul style="list-style-type: none"> • File organisation - Classroom automatically creates Drive folders for each assignment and for each student.
5	<p>Cllrs Wendy Fitzgerald, Gareth Sullivan & Susan Jones</p> <p>The Labour Party in their Manifesto for the 2017 local elections promised the reinstatement of the black bag facility at Garngoch. After its reinstatement an announcement has informed residents that this facility is being removed yet again. What exactly is Labour's policy on this.</p> <p>Response of the Cabinet Member for Environment & Infrastructure Management</p> <p>In 2017, the Labour Party did commit to reinstating a black bag facility at Garngoch. Prior to reinstatement, we discussed this with Local Ward Members and Officers. Some concerns were raised about the removal of some parking spaces and reduction of some skips to accommodate the black bag challenge area. Also at this time, satisfaction surveys at the site showed high levels of customer satisfaction. As a result, it was decided to reintroduce this on a trial basis to measure the impact.</p> <p>That trial period has shown that overall customer satisfaction at the site has reduced significantly, and the use of the black bag facility has been limited. This has led us to conclude that this is not good use of our scarce resources within our Waste Management Department.</p>
6	<p>Cllrs Will Thomas & Myles Langstone</p> <p>Could the Cabinet Member please inform us on what activities and initiatives and being undertaken by the Council to support and grow the tourism industry in Mumbles and Gower.</p> <p>Response of the Cabinet Member for Investment, Regeneration & Tourism</p> <p>This council has a range of policies which support the industry across the City and County. The scope of the portfolio enables collaboration on development and marketing, resulting in the growth of the economic impact of this industry from £394M in 2014 to £417M in 2017 (source STEAM).</p> <p>Policies and Plans include the Swansea Rural Development Plan (RDP) 2014-2020 - funded through the RDP programme of the European Union and Welsh Government. It is overseen by a Local Action Group (LAG) made up from the third, public and private sectors. The programme has a development fund of £440K which is aimed at the 8 eligible rural wards of Swansea - including those on Gower. Enhancing the tourism offer is one of the three strategic aims of the Swansea RDP, which has enabled tourism-related projects that include:</p> <ul style="list-style-type: none"> • Gower Sunday Explorer - continued provision of a revised and improved bus service between Swansea and Gower on Sundays in mid and high season • Digital Marketing for Sustainable Transport in Rural Swansea - creating a first class interactive information service on more sustainable means of travel to and around rural Swansea

- Gower Community Tourism Ambassador Pilot and Feasibility Study - To coordinate, deliver and manage a pilot community tourism ambassador scheme on Gower
- Port Eynon Foreshore Feasibility Study - To coordinate, deliver and manage a pilot community tourism ambassador scheme on Gower

The Council also maintains and improves the extensive network of footpaths and bridleways on Gower, including 38 miles of the Wales Coast Path between Mumbles and Crofty. This network is a key tourism asset for the area (e.g. half (49%) of overnight visitors take part in low level walking during their stay - Swansea Bay Visitor survey, 2015).

The Council also supports sustainable tourism through the implementation of the Gower AONB management plan. For example, we are currently pursuing formal recognition for Gower as a 'Dark Sky Community' - this includes a business engagement programme to ensure that rural businesses (particularly tourism-related) are aware of the 'Dark Sky' concept and its potential business benefits/opportunities; businesses are actively participating in - and supporting the designation.

Strategically, the **Destination Management Plan**

<https://www.swansea.gov.uk/dmp> is our overarching Plan for the destination overall, which together with Visit Wales and the private sector, assists us in coordinating and delivering the aspirations of stakeholders and management of our natural and built assets to support the industry. This is overseen by a steering group with stakeholder representation and is reviewed annually. A number of successful initiatives have been secured both by the Council and the private sector, thanks to us ensuring funding opportunities and our priorities are aligned. This is critical as Tourism projects requesting funding support from Welsh Government will only be considered / supported if they are referenced within the DMP. There have been numerous projects across Mumbles and Gower that have received such support and details can be provided on request.

A recent example is that we have secured funding from Welsh Govt. to introduce a "Changing places" facility at Caswell Bay. This came about as a result of significant cooperation from tourism stakeholders across Mumbles & Gower and will bring a much needed accessible changing facility to a popular Gower beach.

Our success is due to our policy to retain Tourism development and marketing within the Authority, committed to working with the private sector on **Destination Marketing**. We work with approximately 150 private sector partners, who feature as part of our annual campaigns – many of whom are based in Mumbles & Gower.

The Team develop long-term strategic marketing campaigns and are considered a leading service in Wales, collaborating with Visit Wales to deliver national and international campaigns to drive up Tourism. Last year, this was termed Year of the Sea, and for 2019, we are prepared for the Year of Discovery, with marketing material and key messages at the ready for launching Swansea, Mumbles and Gower as a destination for a short break or holiday.

	<p>Our marketing strategy is focussed on increasing our digital presence and reach, using www.visitswanseabay.com, social media and e-marketing activity, where we again work with the private sector to promote their product/s. We have a significant following on social media, where we showcase businesses from Mumbles and Gower.</p> <p>A significant part of our destination marketing is the delivery of our annual major events programme which benefits the wider economy as well as other events which take place directly within communities e.g. Outdoor Theatre at Oystermouth Castle, Mumbles Duathlon etc. In total, the destination welcomed 4.6M visitors in 2017.</p> <p>This is supported by our ability to attract and host PR visits from major newspapers, lifestyle magazines, bloggers, vloggers and we receive excellent support from partners in hosting visits across Swansea, Mumbles and Gower. 14 businesses across Mumbles and Gower also help us provide Visitor Information Points (VIP's). By way of reciprocal support, we in turn, help promote them to visitors as a place to obtain information on things to do and places to visit. https://www.visitswanseabay.com/visitor-information-points/</p>
7	<p>Cllrs Wendy Fitzgerald, Gareth Sullivan & Mary Jones</p> <p>Can the Cabinet Member consider giving better publicity to the nappy collection service provided by the Council. Can he confirm that nappies are recycled if collected through this service.</p> <p>Response of the Cabinet Member for Environment & Infrastructure Management</p> <p>The Council does not have a domestic nappy collection service. The Council does operate an Exemption service to the 3 black bag limit for those households which produce more than 3 bags of non-recyclables waste a fortnight, and as the vast majority of exemptions are due to nappies, those exemptions are collected separately for recycling through an extension of the Council's adult Absorbent Hygiene Products collections.</p> <p>The Council also offers a separate commercial nappy collection service for nurseries, and has installed nappy containers at all Household Waste Recycling Centres.</p> <p>The provision of a Council wide separate collection service for all households with nappies, not just those which qualify for an exemption, is considered totally unaffordable. A similar sized council estimates its collection cost for all households with nappies to be in the region of £500K per year.</p>
8	<p>Cllrs Will Thomas & Myles Langstone</p> <p>Is the City and County of Swansea the landowner of all of Bracelet Common (CL3) as stated in the Commons Register.</p> <p>Response of the Cabinet Member for Delivery</p> <p>Yes, Swansea Council is the landowner of all of Bracelet Common.</p>
9	<p>Cllrs Will Thomas & Myles Langstone</p>

How and when was the AONB boundary in the Mumbles Pier area determined and is the current line in this area considered to be the legal AONB boundary.

Response of the Cabinet Member for Delivery

The designation of the Gower AONB was made by Order under the provisions of the 1949 National Parks and Countryside Act (1949 Act); Section 87 (1) of which states that:

'The [National Parks] Commission may by order made as respects any area in England or Wales.....designate the area for the purposes of this Act as an area of outstanding natural beauty; and references in this Act to such an area shall be construed as references to an area designated under this section.'

This Order and accompanying Order Map are cited as 'The Gower Area of Outstanding Natural Beauty (Designation) Order, 1956' and are dated 9 May 1956. The Order covered the whole of the AONB boundary including the Mumbles Pier area.

However, the Order could not come into effect on this date, because of Section 87 (3) of the 1949 Act, which states that:

'An order.....shall not come into operation unless and until submitted to and confirmed by the Minister, and in submitting any such order to the Minister the Commission shall forward to him any observations made by a local authority consulted

That consultation was made under the requirements of Section 87 (2) of the 1949 Act. Therefore although the Order was made 9 May 1956, it did not come into effect at that time. From the recorded correspondence, it is clear that the Commission and relevant local authorities had discussions regarding the final boundary and that those consultations were forwarded to the Minister.

Section 87 (4) of the 1949 Act states that:

'The Minister may confirm an order submitted to him under this section either as submitted or with such modifications as he thinks expedient'

In this context – the Order and Order Map are confirmed by the signature and seal of the relevant Minister and dated 10 December 1956 – with modifications and exclusions shown on the Order. This was therefore the date that the Order came into effect.

NRW have confirmed that the map published with the Designation Order is the formal legal boundary. Questions have been raised about the accuracy of updating mapping from paper to digital or updating of digital boundaries to new basemaps, however this does not represent a legal change as no boundary variations have been made, it is merely the transfer of data from paper to digital media. Furthermore, NRW advise that any change to the existing boundary would require a boundary Variation Order to have been submitted by them or a predecessor organisation under s82 Part IV Countryside and Rights of Way Act 2000 to the relevant Welsh Government Minister. No such boundary Variation Orders have been submitted and the original boundary remains unchanged since the Designation Order was confirmed on 10th December 1956.

	<p>The AONB boundary as shown on the UDP Proposals Map and the LDP Constraints Map are considered to accurately interpret the line as shown on the Order Map. However only the original Dec 1956 Order and Order Map can be regarded as the legal AONB boundary and this is held by NRW in their Bangor office. The Council's Certified True Copy is available to the public at the West Glamorgan Archives in Swansea Civic Centre.</p>
	<p>Part B – No Supplementaries</p>
10	<p>Cllrs Mary Jones, Peter Black & Chris Holley</p> <p>In view of the downtime we have experienced over the last 6 months with IT issues will the Cabinet Member inform Council what impact has been on staff and Councillors and likewise what impact has it had on the public with the complete breakdown of the telephone service. What has been done to finally resolve these issues</p> <p>Response of the Cabinet Member for Business Transformation & Performance</p> <p>During the past six months there were three major outages that were dealt with by Digital Services. The first two were telephony issues, occurring at the same time but unrelated to each other. The third issue was an intermittent email outage due to the Council operating a hybrid environment, with some staff still on the 'old' system and agile workers on the new Office 365 platform. In the first and third cases, the answer is to accelerate migration and decommission the older systems. Office 365 migration will be completed before the end of January through a series of bulk migrations, the telephony migration is aiming to complete in the first quarter of 2019.</p> <p>During the telephony issues staff had to interact with each other and the public using the new digitally enabled solutions, e.g. website, skype and mobile. This saw productivity, in some areas, increase by 25% and highlighted to service areas the importance of digitally transforming their service.</p> <p>Digital services have worked hard to increase resilience of systems across the board over the past three years, and this is a constant focus for teams. The Council's IT infrastructure is the most resilient it has ever been, and with the migration of more systems to cloud, investment in resilient internet connections, and the growing ability for staff to work from any location, this will continue to improve.</p>
11	<p>Cllrs Mary Jones, Jeff Jones & Susan Jones</p> <p>Can the Leader/ Cabinet member confirm if there are any plans to reinstate on street disabled parking on The Kingsway.</p>

<p>Response of the Cabinet Member for Environment & Infrastructure Management</p> <p>During the public consultation on the Kingsway Project (which includes The Kingsway, De la Beche Street, Mansel Street, Newton Street, Alexandra Road, Pleasant Street, Craddock Street, Belle Vue Way, Union Street, Portland Street, Grove Place) traders wished to have any parking on The Kingsway dedicated for loading, with side streets having some disabled parking.</p> <p>Disabled car parking will be provided on the following streets: Belle Vue Way (4); Orchard street (2); Craddock Street (3); Alexandra Road (12).</p> <p>There will be loading provision on most streets, however with the majority of these will include provision for shared-use limited-waiting for all motorists, including blue badge holders.</p> <p>The dedicated blue badge disabled car park at Park Street will remain and access will be improved by the introduction of 2 way traffic on The Kingsway, with the scheme designed to enable better access for all.</p> <p>In addition, there are numerous off-street car parks, with adequate disabled parking spaces, in close proximity to Kingsway.</p>
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Agenda Item 13.



Council – 24 January 2019

Notice of Motion from Councillors M Sherwood, J E Burtonshaw, R C Stewart, C E Lloyd, M C Child, W Evans, R Francis-Davies, D H Hopkins, E J King, A S Lewis, J A Raynor & M Thomas

Notice of Motion on Addressing Extreme Poverty in the UK

Following Professor Alston's recent visit to the United Kingdom, this council notes with alarm the shocking report of the UN Special Rapporteur on Extreme Poverty and human rights.

We echo Professor Alston's observation that despite being the world's fifth largest economy, it seems patently unjust that 14 million people, a fifth of the population, live in poverty, while 1.5 million are destitute and unable to afford basic essentials. We agree that, "For almost one in every two children to be poor in twenty-first century Britain is not just a disgrace, but a social calamity and an economic disaster, all rolled into one".

We welcome the report's focus on the social security system, and the cruel impacts of welfare reform in explaining how this dramatic decline has come about. Simply, benefit changes have forced people into crisis, while the decimation of council and third sector support services have left them having to turn to more costly services.

We concur with the report's many observations about this UK government's failures in the name of austerity and their blatant "state of denial" of the dramatic decline in the fortunes of the least well off in this country. Therefore, we call for the Prime Minister to respond to the report by urgently implementing its recommendations:

1. Reverse the benefit freeze, the two-child limit, the benefit cap, and the bedroom tax.
2. Ensure local governments have the funds needed to tackle poverty at the community level, and take varying needs and tax bases into account in the ongoing Fair Funding Review.
3. Conduct an independent review of the effectiveness of sanctions and immediately instruct DWP staff to explore more constructive and less punitive approaches to encouraging compliance.
4. Eliminate the five week delay in receiving benefits under Universal Credit, allow separate payments to different household members, and facilitate weekly or fortnightly payments.

and, from our local experience of Universal Credit, we add:

5. Make the DWP behave like a responsible lender and conduct affordability assessments on UC claimants before issuing advances which often push people into unmanageable debt.
6. Re-instate the work allowances originally designed into UC.
7. Facilitate payments direct to landlords to reduce rent arrears.

We resolve that the Council Leader will write to the Prime Minister setting out the contents of this motion.

Agenda Item 14.



Council – 24 January 2019

**Notice of Motion from Councillors P M Black, J W Jones, M H Jones, C A Holley,
E W Fitzgerald & D G Sullivan**

Notice of Motion on Puppy Farming

Council notes that Swansea is known to be a dog loving city and many of our residents pay large sums of money for the puppy of their choice, sometimes thousands of pounds.

This love of dogs is being abused by illegal puppy farm owners who keep breeding dogs in very poor conditions. They also produce puppies who are in poor health, and are taken from their mothers too early, often causing the dog to have problems socialising.

These puppies cost their new owners large sums in vets bills but in many cases, this still ends in the puppy dying or being unmanageable. Many of these puppies are taken in by local charitable organisations to try and rehome them.

Lucy was one of these breeding dogs who was rescued from a puppy farm and Lucy's Law is a campaign to ban the third-party sales of puppies to help stop this.

Council further notes that areas in West Wales have an increasing number of illegal puppy farms using third parties to sell the puppies and that these dogs are sold in Swansea or to residents of Swansea.

The UK Government have agreed to ban third party sales of puppies in England and a number of Assembly Members are asking the Welsh Government to follow suit.

Council believes that without Lucy's Law, illegal puppy farms breeding dogs and their puppies will continue to languish behind closed doors in Wales, causing animals to suffer at the hands of people who put profit before animal welfare.

This Council therefore resolves that the Leader of Swansea Council should write to the First Minister, the Minister for Environment, Energy and Rural Affairs and to all AMs representing the Swansea area, expressing the view of members of this council that there should be urgent action to ban the third-party sales of puppies.