

CITY AND COUNTY OF SWANSEA

MINUTES OF THE SCRUTINY PROGRAMME COMMITTEE

**HELD AT COMMITTEE ROOM 3A, GUILDHALL, SWANSEA ON
MONDAY, 11 APRIL 2016 AT 4.30 PM**

PRESENT: Councillor M H Jones (Chair) Presided

Councillor(s)

U C Clay
A M Cook
N J Davies
J W Jones
G J Tanner

Councillor(s)

A C S Colburn
S E Crouch
E W Fitzgerald
P M Meara

Councillor(s)

D W Cole
J P Curtice
T J Hennegan
G Owens

Co-opted Member(s)

D Anderson-Thomas

Co-opted Member(s)

C A Holley

Co-opted Member(s)

P R Hood-Williams

Officer(s)

Allison Lowe
Brij Madahar
Dave Mckenna
Wendy Parkin

Democratic Services Officer
Scrutiny Co-ordinator
Scrutiny Manager
Senior Lawyer

161 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors D J Lewis and R V Smith.

162 **DISCLOSURES OF PERSONAL & PREJUDICIAL INTEREST.**

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

Councillor S E Crouch – Minute 166 Cabinet Member Question Session: Cabinet Member for Enterprise, Development & Regeneration (a) Portfolio Q & A - Personal Interest – employed by Swansea University.

Councillor J P Curtice – Minute 168 Scrutiny of Swansea Public Services Board – Personal Interest – Member of Performance, Audit & Scrutiny Committee on Mid & West Wales Fire Authority.

Councillor T J Hennegan – Minute 168 Scrutiny of Swansea Public Services Board – Personal Interest – Member of Management Committee on Mid & West Wales Fire Authority.

Councillor P M Meara – Minute 166 Cabinet Member Question Session: Cabinet Member for Enterprise, Development & Regeneration (a) Portfolio Q & A - Personal Interest – Son in law works for the Industrial & Maritime Museum & Emeritus Professor, Swansea University and Minute 167 Scrutiny Performance Panel Progress Report – Schools – Personal interest – Member of Schools Performance Panel.

Councillor G J Tanner – Minute 168 Scrutiny of Swansea Public Services Board – Personal Interest – Committee Member of Mid & West Wales Fire Authority.

163 **PROHIBITION OF WHIPPED VOTES AND DECLARATION OF PARTY WHIPS.**

In accordance with the Local Government (Wales) Measure 2011, no declarations of Whipped Votes or Party Whips were declared.

164 **MINUTES.**

RESOLVED that the Minutes of the Scrutiny Programme Committee held on 14 March 2016, be agreed as a correct record.

165 **PUBLIC QUESTION TIME.**

There were no public questions.

166 **CABINET MEMBER QUESTION SESSION: CABINET MEMBER FOR ENTERPRISE, DEVELOPMENT & REGENERATION. (COUNCILLOR ROBERT FRANCIS-DAVIES)**

Councillor Francis-Davies provided opening remarks, in support of his written report, prior to taking questions from the Committee.

Phil Holmes, Head of Economic Regeneration & Planning and Ryan Thomas, Planning Control Manager assisted the Cabinet Member in relation to questions on Planning performance and effectiveness. A report was provided to the committee following concerns raised by scrutiny councillors about the current planning system and operation of the Planning Committee.

The question session led to discussion around the following topics:

Portfolio Q&A

- Plans for the £8.3m Vibrant and Viable Places grant provided by the Welsh Government, and outcomes, including how job creation would be achieved. It was noted that the focus was on regeneration projects and creating the right infrastructure to attract investment and jobs e.g. creation of a technology hubs and office accommodation on the Kingsway;
- Student accommodation which would result in more people living and working in the City and more income generation within Swansea;
- Clarification was provided that Health & Wellbeing, Sport and Recreation fell within the Wellbeing and Healthy City Cabinet Portfolio, whilst Culture and

- Tourism including the Grand Theatre and Libraries sat within the Enterprise, Development & Regeneration portfolio;
- As part of the wider Sustainable Swansea Fit for the Future programme, the whole of Cultural Services was taken through the Council's Commissioning Review. Although some areas of efficiencies and in-house transformation have been identified this process has resulted in market testing to invite interest from external parties that could sustain services. The committee expressed concern about the possible impact of cuts on cultural services such as museums and how the authority's vision and plans would be consistent with national objectives to protect heritage (Wellbeing & Future Generations Act). It was noted that this process also included the libraries service. The Cabinet Member stated that any interest in the culture portfolio would be carefully analysed, assessed and challenged. The scrutiny of proposed decisions arising from this process was discussed;
 - Wind Street pedestrianisation – plans to move towards a more restaurant rather than pub culture were noted, supported by an increase in the number of people working in the city centre that should create more vibrancy and a better night time economy. The increase in the number of students in Swansea, and impact on such plans and the city centre in general, was also discussed;
 - The Mariner Street mixed-use development was expected go to Planning Committee in May, with the intention to be on site in June and the delivery of student accommodation ready for occupation within two years;
 - Business Improvement District (BID) – the continuation of the BID following recent renewal ballot was noted. The Cabinet Member confirmed that himself and the Leader would continue to sit on the BID Board and talked about the benefits from the BID to the city centre;
 - Opportunities to expand upon running events in Swansea and host a marathon;
 - The Glyn Vivian Art Gallery refurbishment was complete however work on the pavements was now underway, with anticipated opening in the autumn;
 - The Cabinet Member was asked to consider how the image of taxi drivers operating in Swansea could be improved, such as the introduction of a dress code – the Cabinet Member stated that he would ask his Cabinet Advisory Committee to look at this;
 - The need to consider more imaginative ways of providing information to visitors as a result of the closure of the Tourist Information Centre (TIC).

Planning Performance and Effectiveness

- The new Planning Committee structure, including the call in procedure was discussed. Some Members felt the Committee was too small and they were not involved sufficiently in and lacked confidence in, the current process. There was also concern at the lack of a review of the current arrangements expected by councillors;
- The Cabinet Member and Officers re-iterated that the Authority had undergone significant change process during 2014-2015, partly as a result of budgetary pressures, and partly in response to Welsh Government (WG)

proposals with the Planning (Wales) Act 2015. The Authority had therefore adopted the WG model for Committee structure and scheme of delegation;

- The Performance framework statistics indicated that significant progress was being made and the speed and quality of the decision making was also reflected in the figures;
- Various improvements have been made in efficiencies through the introduction of an electronic document management system, and restructure of planning teams;
- The Cabinet Member felt that it was better to have a small number of skilled councillors on a committee to speed up decision-making and ensure consistency, but that there were ways for other councillors as local members to be engaged in the process, without conflict of interest;
- The WG had previously criticised the Authority for having all 72 members on the Planning Committee. The new pre-application consultation requirements (which come into force on 1 August) would focus on member engagement prior to formal applications being submitted;
- The Planning Control Manager confirmed that all members had received Planning training following the 2012 elections. In addition, various training had been delivered including full day refresher training and various sessions on legislation changes;
- A new Committee protocol would be presented to Planning Committee in May for consideration, and further WG advice is expected which clarifies requirements in relation to issues such as call-in procedures;
- The Authority's current performance in relation to member made decisions against officer advice was in line with the Wales average;
- The policy framework in relation to S.106 planning agreements was discussed.

In response to Member questions the Cabinet Member confirmed that:

- 1) Further information in relation to the Vibrant & Viable Places grant would be provided in writing;
- 2) An opportunity for scrutiny would be built into the time-table for decisions on Cultural Services;
- 3) The Development CAC would be asked to consider a minimum standard of dress code for taxi drivers as part of their work plan;
- 4) He would consider arranging seminars for all Councillors (not just the Planning Committee) when new Planning regulations are received;
- 5) The viability of introducing a Community Infrastructure Levy was being explored;
- 6) A session providing feedback on last year's appeal decisions will be arranged for the Planning Commission by July.

The Chair thanked Councillor Francis-Davies and the officers for attending. She added that any further scrutiny of planning would be considered as part of the Annual Work Planning Conference discussions.

RESOLVED that the Chair of Scrutiny Programme Committee write to the Cabinet Member, reflecting the discussion and sharing the views of the Committee.

167 **SCRUTINY PERFORMANCE PANEL PROGRESS REPORT - SCHOOLS.
(COUNCILLOR FIONA GORDON)**

Councillor Fiona Gordon, Convener provided an update of the work of the Schools Scrutiny Performance Panel.

Discussions centred on the following topics:

- The impact of negative reporting in the local media in relation to the categorisation of Estyn Inspection results and the reasons why schools were placed in those categories not being understood – it was noted that ERW have tried to communicate that it was a categorisation of support, and not performance or concerns;
- The importance of consistency in Challenge Advisor support and advice across Swansea;
- The impact that a marginal dip in attendance could have on school performance results – the committee expressed concern about the meaningfulness of existing attendance national performance measures particularly how small variations might impact on a school with relatively small number of pupils;
- The future work programme of the Schools Performance Panel.

RESOLVED that the report be **NOTED**.

168 **SCRUTINY OF SWANSEA PUBLIC SERVICES BOARD.**

The Scrutiny Manager presented a report to agree the arrangements for the scrutiny of Swansea Public Services Board.

The Well-being of Future Generations (Wales) Act 2105 requires that a public services board is set up in every local authority area in Wales. There is a duty on specific public bodies to work through these boards to improve the economic, social, environmental and cultural wellbeing of their areas by contributing to the national well-being goals set out in the Act.

The Act requires that a local government scrutiny committee is designated to scrutinise the work of the public services board for that area. The intention is to place responsibility for challenge and accountability locally rather than on Welsh Ministers (who have relatively few powers).

The report recommended that a multi-agency scrutiny performance panel be established to discharge the committee's responsibility, following the same model as the current Local Service Board Scrutiny Performance Panel but with some differences to comply with the requirements of the Act and Guidance. It was noted that the scrutiny panel's remit would focus on the joint function of the Public Service Board and shared responsibilities, not on the work of individual organisations.

The importance of the identifying appropriate non-executive representation on the scrutiny panel from partner organisations was highlighted, to ensure their independence.

RESOLVED that:

- 1) The Committee acknowledge that, for the purposes of the Well-being of Future Generations (Wales) Act 2015, the Scrutiny Programme Committee is the designated scrutiny committee for scrutinising the Swansea Public Services Board;
- 2) A Public Services Board Scrutiny Performance Panel be set up in order for the Committee to undertake this role;
- 3) The Committee endorses the proposed terms of reference for the Public Services Board Scrutiny Performance Panel set out in Appendix One.

169 **SCRUTINY DISPATCHES - QUARTERLY IMPACT REPORT.**

The Chair presented a draft of the quarterly report from the Scrutiny Programme Committee to Council on the impact of scrutiny.

RESOLVED that the content of the draft 'Scrutiny Dispatches' be agreed and submitted to Council.

170 **SCRUTINY WORK PROGRAMME 2015-16.**

The report of the Chair reviewed the current Scrutiny Work Programme.

The report provided the Committee with:

- The current Scrutiny Work Programme;
- A plan for future committee meetings;
- A progress report on the various existing Panels and Working Groups; and
- Cabinet forward plan for opportunities for pre-decision scrutiny.

The Committee noted the conclusion of the work of the Transformation of Adult Social Services Panel and discussed the move to establishing an Adult Social Services Performance Panel in its place. Draft Terms of Reference for the new Panel were presented. Proposals for membership (including convener) would be reported back to the committee for agreement.

RESOLVED that:

- 1) The Committee approve the establishment of an Adult Social Services Performance Panel and Terms of Reference;
- 2) Pre-decision Scrutiny on the upcoming Cabinet report on 'Castle Square – Development and Public Realm Opportunity' (listed in the Cabinet Forward Plan for 16 June) be requested, subject to further information to the committee on this matter and proposed decision.

171 **MEMBERSHIP OF SCRUTINY PANELS AND WORKING GROUPS.**

There were no changes to the membership of Scrutiny Panels and Working Groups to report.

172 **SCRUTINY LETTERS.**

The Chair reported the Scrutiny Letters Log and referred to the recent correspondence between Scrutiny and Cabinet Members.

The request within the letter of the Streetscene Inquiry Panel was noted. The convener's letter highlighted the ongoing budget situation and the importance of continuing to provide good quality Streetscene services. It asked the committee to consider how the current budget situation will affect Streetscene services, as well as keep an eye on progress. It was suggested that this could be raised with Councillor David Hopkins, Cabinet Member for Environment & Transportation, who would be attending the next meeting scheduled for 9 May 2016 for a Q & A Session.

RESOLVED that the Scrutiny Letters log be **NOTED**.

173 **FEEDBACK FROM RECENT SCRUTINY EVENTS.**

There were no recent Scrutiny Events to report on.

174 **UPCOMING SCRUTINY EVENTS.**

The Chair reported on the upcoming Annual Scrutiny Work Planning Conference on 12 May 2016, 4.00 pm, Lord Mayor's Reception Room, Guildhall.

175 **AUDIT COMMITTEE WORK PLAN. (FOR INFORMATION)**

RESOLVED that the Audit Committee Work Plan be **NOTED**.

176 **DATE AND TIME OF FUTURE COMMITTEE MEETINGS FOR 2015/16 MUNICIPAL YEAR. (ALL AT 4.30 P.M. EXCEPT WHERE NOTED)**

The date and time of future Committee meetings for the 2015-2016 Municipal Year was **NOTED**.

177 **DATE AND TIME OF UPCOMING PANEL / WORKING GROUP MEETINGS.**

The date and time of upcoming Panel / Working Group meetings were provided for information.

The meeting ended at 6.15 pm

CHAIR