

## Council – 21 June 2018

### Councillors' Questions

#### Part A – Supplementaries

1	<p><b>Cllrs Chris Holley, Mary Jones &amp; Graham Thomas</b></p> <p>What are the current contractual arrangements with Bay Leisure for both the LC and the 360 Bay side café.</p> <p><b>Response of the Cabinet Member for Investment, Regeneration &amp; Tourism</b></p> <p>Bay Leisure currently occupy the LC2 by way of a lease agreement and management agreement which are both due to expire on the 30<sup>th</sup> September 2018.</p> <p>Bay Leisure (in conjunction with Swansea University, and operating as Bay Sports) currently occupy the 360 Bay side Cafe under a Tenancy at Will.</p>
2	<p><b>Cllrs Peter Black, Graham Thomas &amp; Jeff Jones</b></p> <p>Will the Leader outline any consequences for the Liberty Stadium deal between the Council and the Swans due to the football club being relegated to the championship.</p> <p><b>Response of the Leader</b></p> <p>As was reported to Cabinet on the 16 November 2017, a core rent of £300,000 per annum was agreed. This replaced the peppercorn rent previously payable since 2004. The £300,000 remains payable regardless of the Swans status. To date the only income received by the City and County of Swansea has been in relation to an additional rent payable of £15,000 pa for use of Council space, a single years rent will now raise more than all of the rent paid since 2004.</p> <p>In addition further temporary benefits were agreed including a proportion of naming rights and a capital contribution towards 3G pitches. These were only payable while the Swans were in the premiership. They are suspended in the event of relegation, to be reinstated in the event of promotion to the Premier League.</p> <p>Despite relegation to the championship we will continue to work with the Swans Trust to identify alternative additional funding and to develop the Council's plans for additional 3G pitches throughout the city. We are confident that alternative funding options can be found while the Swans play in the championship.</p> <p>At present it is difficult to accurately gauge the wider economic impact to Swansea's economy. Clearly Swansea's global brand awareness will remain in the short to medium terms as a residual benefit from the Swans time in the Premiership. In terms of visiting fans, the championship has more games so again the direct impact from visitors may be minimal.</p>

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**Cllrs Steve Gallagher, Lyndon Jones & Miles Langston**

Nowcaster Pollution Warnings.

Further to the article in the Evening Post dated April 27 it is noted that the system warned of poor air quality 7 times in 7 months a trigger rate of 3.33%. I must agree any activation is one to many but to most people this would not be seen as a great problem.

The statement says running costs are low, can the member state what the running costs are?

Additionally, the system will only activate once the trigger level is exceeded, why can't the system be constantly showing a reading, this would be more informative to road users.

However, in relation to the 7 trigger levels could the Member please advise as to any reason behind this, e.g. a road accident causing hold ups, any events which again cause a hold up, were the weather conditions a contributing factor. From these contributing factors an action plan can be developed.

**Response of the Cabinet Member for Environment & Infrastructure Management**

The authority already has a legal obligation to have an air-quality action plan, as it declared air-quality management areas some years ago. We are working on the latest version of the action plan. This is in draft and will be fully consulted on over the next few months. We have a statutory obligation to monitor and assess air-quality, so a considerable amount of work has been undertaken over the last 10 years to collect good quality data on traffic flows, weather conditions and air pollution. In addition a significant amount of officer time was dedicated in the past to create the Nowcaster system over an extended period. Fortunately this means that the Nowcaster running costs are only for automatic data transfer and servicing some of the extra automatic traffic counters installed to improve the model. Along with probable maintenance on the roadside electronic message signs, this is an annual cost of less than £20,000.

Swansea does not meet certain legally binding air-quality standards, which at the moment, are set as annual averages. The action plan management system we have designed is looking at, which time, on which roads, are high levels of the key pollutant likely to occur. The reason for this is to have a system which responds to the weather conditions and the road traffic congestion, which combined with the local topography built into our computer model, responds at the right time and place to deal with the peak values, which usually occur on winter mornings. This is aiming to reduce the number of days each year when those peaks are high enough to push the annual average over the limit on those particular streets. The legal standards only apply where there are receptors (usually somebody's home) and currently there are three areas left in Swansea which are still non-compliant. The Nowcaster system was designed to deal with the Lower Swansea Valley area as it suffers particularly from this combination of topography, weather conditions and congestion. The trigger currently set for the messages has simply been calculated by officers to capture those peaks and the number will

	<p>obviously vary depending on weather conditions throughout the autumn and winter. This trigger level can be changed in the future as we review the data. Therefore it is important to understand that the number of triggers each year does not indicate whether we have a serious problem, it is the fact that we must lower the annual average in these parts of the city.</p> <p>It was decided not to have continuous air-quality messages as most people would ignore these fairly quickly, but by reminding people at the right time it is hoped to expand drivers knowledge of when their emissions are adding to the problem. Given the nature of the city it was not seen as practical to bring in more draconian measures, as this was just likely to generate more areas of failure, as drivers try to avoid the areas of control. The Nowcaster model does already drive other systems via our website to pass on a huge amount of information to interested parties and we are also developing apps to pass on information easily via smartphones.</p>
4	<p><b>Cllr Steve Gallagher</b></p> <p>Reaction to Weather Disruptions. To Cabinet Member Clive Lloyd. As you shall be aware the “so called Beast from the East” at the end of February 2018 which the authority responded to by closing schools and thus causing issues for some parents did not actually cause issues in the majority of the City &amp; County of Swansea area. I am fully aware that we may respond to the information we have. However, as a result of the actions taken what lessons have been learned, and what is the authority doing with this information. Were any Council members (Emergency group) consulted or made aware of the process. Was the Emergency Control Room used. If so how did it work. It is also noted that no warning email with any information was circulated, however this was the opposite experience for the storm expected on 18th March, when 2 emails and notices were received, although the promised update from the email of 16th March sent by officers was not received (if sent). I would ask the Cabinet Member to comment please.</p> <p><b>Response of the Cabinet Member for Business Transformation &amp; Performance</b></p> <p>1. On the 1 of March the Corporate Management Team met with Senior Officers from key Council services and unanimously decided to close non critical services in the interest of public safety. This was done in the knowledge that an Amber alert had been issued for Swansea, which predicted significant impact for the City and County. In addition a Red Alert, the first for many years, had also been put in-place to the east, and this was causing significant disruption to transport and services.</p> <p>Staffing levels were also a concern due to the closures of schools in neighbouring authorities and significant travel disruptions which prevented staff from attending work. Our focus at this point shifted to maintaining critical services, supporting the vulnerable and assisting ABMU with the transportation of key staff.</p> <p>2. The Head of Corporate Communications sent a circular containing relevant information pertaining to this, to all e-mail users on the 1 March as agreed by</p>

	<p>CMT. Prior to this, the Leader of Council was fully briefed. In line with the correct protocol in this instance, decisions needed to be made quickly by officers to protect public and staff safety.</p> <p>3. For information, Schools individually make the decision to close or remain open based on the judgement of the Head Teacher and Governors and this depends on the conditions on site, staffing levels, risk etc.</p> <p>4. The Emergency Control Centre was stood up on the 1<sup>st</sup> of March. One of the tasks was to scope 4x4 vehicle capacity and liaise with South Wales Police. This worked successfully and assisted greatly in co-ordination with our key partners. For information, Swansea Council was part of SWLRF Silver meetings on both events.</p> <p>5. On the 16<sup>th</sup> March Amber alert emails were sent out primarily aimed at raising awareness and ensuring Services considered their Business Continuity arrangements.</p> <p>6. I am assured that our planning and the arrangements put in-place worked extremely well. This was reinforced by our partners particularly from ABMU, who singled out Swansea Council for their support. In addition, due to our planning and deployment, we were able to offer mutual aid to neighbouring authorities.</p> <p>While there will always be lessons that can be learned, I feel that this was by the far the most co-ordinated and effective response to adverse weather that Swansea Council has had, reinforcing the value of having our own dedicated Emergency Management Service. It is a credit to all those Swansea Council Departments and employees involved that we were in such a strong position to deal with the impact of any weather should it have arisen.</p>
5	<p><b>Cllrs Lyndon Jones, Miles Langstone &amp; Will Thomas</b></p> <p>The news that Virgin Media are to close its call centre in Swansea, is not only devastating news for the Swansea, but a personal tragedy for each of its loyal employees.</p> <p>We hope this decision can be reversed. However, it is equally important that any employees who are made redundant receive all the necessary support. Can the Leader let us know what contact the Council have had with the company since this announcement and if so, what was the outcome.</p> <p><b>Response of the Leader</b></p> <p>Leader and Chief Executive have met with Virgin Media on site to talk to the company executives to persuade them to reconsider the decision. The decision is subject to a 45 day consultation period and I am confident that the representations from the staff and unions will be properly considered by the company. At the conclusion of this period, a Team Swansea approach is being prepared, led by Welsh Government, to ensure appropriate support is in place for any affected employees.</p>
6	<p><b>Cllrs Will Thomas &amp; Miles Langstone</b></p>

	<p>We are sure the whole Council is equally disappointed in seeing Swansea City AFC relegated from the Premier League, not only for footballing reasons but also the economic benefits that come to the city with Premier League football.</p> <p>Could the Cabinet Member please give information on what economic impact relegation will cause the council, including the stadium lease, naming rights, and what effects this will have on the rollout of 3G pitches in the County and which projects specifically (if any) this will effect.</p> <p><b>Response of the Leader</b></p> <p>Please see response to Question 2 above.</p>
7	<p><b>Cllrs Peter Black, Mike Day &amp; Gareth Sullivan</b></p> <p>Will the Cabinet Member make a statement on the future of YGG Felindre and Craigefnparc schools.</p> <p><b>Response of the Cabinet Member for Education Improvement, Learning &amp; Skills</b></p> <p>The Council has a statutory responsibility to review the future sustainability of educational provision. We seek to involve stakeholders at the earliest stage to inform any decision as to whether to consult on a formal proposal and this provides an opportunity for issues of concern as well as alternatives to be raised and hence inform any report to Cabinet. It will then be a matter for Cabinet to decide whether to support any such proposal and commence statutory consultation.</p> <p>Any such proposal will be subject to the appropriate statutory consultation processes which will allow schools and parents etc. to raise any concerns and make any alternative suggestions. Any such responses would be carefully considered at the proper time and reported back to Cabinet to decide whether or not to proceed.</p> <p>It would be inappropriate to pre-empt future Cabinet decisions and comment on concerns in advance of the full context and detail for any potential proposal.</p>
8	<p><b>Cllrs Wendy Fitzgerald, Gareth Sullivan, Sue Jones</b></p> <p>After the recent decision of Merthyr Council to vote against building a new primary school on a village's only playing field and to construct it instead on the site of the former school, does the Cabinet Member consider it's time to reconsider the proposal to build a new school in Parc y Werin, given the opposition of so many Gorseinon residents, and to locate it on the site of the existing Gorseinon Junior school in line with the original QED 2020.</p> <p><b>Response of the Cabinet Member for Education Improvement, Learning &amp; Skills</b></p>

The decision referred to above differs significantly from the Council's proposal to deliver a new build Gorseinon Primary School and the issues in relation to the site have been discussed fully and repeatedly. A small minority of local residents have continued to seek to delay the delivery of these much needed facilities for the children in Gorseinon and it would be inappropriate for me to comment further whilst the latest legal processes are resolved. The latest challenge is now with the Planning Inspector and we are awaiting their decision. However there are no plans to consider relocation.

9 **Cllrs Jeff Jones, Chris Holley & Mary Jones**

At the end of the financial year ending April 2018, the Authorities borrowing stood at over £600m resulting in financial repayments over £32m per annum. Considering the Councils' plans to borrow over £200m for projects including schools and the City Deal, what will be the projected borrowing for the next 4years and what additional financing repayments will the Authority incur. Will the Cabinet member give a complete breakdown of all projects and the borrowing requirements against each project.

**Response of the Cabinet Member for Business Transformation & Performance**

The Council external borrowing is not as stated over £600 million. As set out in the Treasury Management Strategy Statement the average estimate for 2018-19 is debt starting at under £520m and growing to £570m by 2021/22. This is before taking into account additional borrowing for the city centre and city deal but including already approved Band B capital plans.

External debt is growing as the well flagged need to externalise borrowing and lock into historically low rates crystallises. Indeed the s151 officer advises that £60m has now been locked in at long term exceptionally low rates in recent months as part of the agree externalisation strategy and borrowing powers which are delegated to him.

The Council's approved plans with respect to capital, capital borrowing and financing , are fully set out in the budget and medium term financial plan approved by Council only in March. I do not intend reissuing the budget papers, merely signpost the questioners to the papers already approved.

In terms of forecast increases in capital financing these are currently set out in the budget report and medium term financial plan (cumulatively) as follows (both existing and new capital programme):

2018/19	£1.5m
2019/20	£3.25m
2020/21	£6.5m
2021/22	£8.5m

It has also been indicated clearly that peak financing costs are likely to be £15m per annum by 2025/26.

The capital programme to date was also approved on 6 March which clearly sets out timing of borrowing approved to date . All additional schemes and their financing will come in due course to Cabinet and until these are brought

	<p>forward and approved there is no further capital programme to breakdown. As part of the arrangements for accessing city deal funding in particular the business cases have to go for approval by the UK and Welsh governments as well as through the regional arrangements. Those final regional arrangements themselves are yet to come to Council for consideration and a recommendation for approval.</p> <p>Rest assured the size of the schemes and their importance to regenerating Swansea means that they will be fully brought before Cabinet in due course.</p>
	<p><b>Part B – No Supplementaries</b></p>
<p>10</p>	<p><b>Cllrs Irene Mann &amp; Peter May</b></p> <p>On July 4 2017, the Planning Committee voted the advice against including a 'non-sandwiching' policy in the Supplementary Planning Guidance for HMOs to be re-examined. They departed from the opinion of the report which is reproduced below.</p> <p>"A non-'sandwich' policy was put forward by the public in consultation responses i.e. the prevention of HMOs being located either side of a non HMO property. Such an approach has been researched further by Officers and Lichfields. However, it is considered that such an approach would be too restrictive, particularly within the HMO Management Area. Furthermore, this approach serves to protect the interests of an individual property, rather than the wider public interest and national guidance makes it clear that it is not the role of the planning system to protect the private interests of one person against the activities of another. It further notes that development should be considered with regard to its effect on the amenity and existing use of land and buildings based on general principles reflecting the wider public interest, rather than the concerns of the individual. Therefore a non-'sandwich' policy has not been added to the SPG."</p> <p>a. How can this original stance be justified, bearing in mind the U turn that the council has now made on a non sandwiching policy which now appears to be the norm with other councils?</p> <p>In the meantime Rhondda Cynon Taff council have finished published their draft document, finished consulting on it and have implemented their policy. In addition to the inclusion of a non-sandwiching policy, they are including a non-clustering policy too. Non-clustering means that an HMO cannot be granted if the property is next door to an existing HMO. Worcester City Council have included non-clustering in their policy since 2014.</p> <p>This is Rhondda Cynon Taff's how draft SPG policy presents non sandwiching and non clustering policies.</p> <p>"This policy seeks to reduce effects of HMOs at the most local level. A non-sandwiching approach is adopted by many authorities who consider that C3 dwellings should not be enclosed and affected by recognised HMO impacts. Similarly, preventing a very small cluster of HMOs will reduce the local impacts on neighbouring properties and will also prevent an over</p>

concentration at the very localised level. It should be acknowledged that such scenarios already exist in many parts of Treforest, although it is intended that there is prevention of the practice in the future."

On speaking with Rhonnda Cynon Taff's planning department, it was ascertained that they did all their work and research on the policy in house. They did not engage external consultants. Swansea Council have engaged the services of Cardiff based planning consultants Lichfields.

b. How much money has been paid to Lichfields to date, and how much in total will be paid to them.

### **Response of the Cabinet Members for Delivery and Homes & Energy**

a. Litchfields were originally commissioned in September 2016 for a fee of £24,950 to produce a comprehensive planning strategy and policy framework for determining planning applications for HMOs and purpose built student accommodation developments in Swansea, including the following key tasks: undertake extensive evidence base review, stakeholder engagement, public consultation exercise, production of draft and final versions of supplementary planning guidance (SPG), and attend multiple meetings including Planning Committee. The use of expert consultants ensured that the work undertaken was independent and as robust as possible, and importantly, that it could be progressed in a timely manner given the requirement for resources of Planning officers to be committed to the LDP Examination. This commission ended on July 2017, when Members of the Council's Planning Committee resolved not to adopt the final version of the SPG that had been produced.

Litchfields were subsequently re-commissioned in September 2017 for a fee of £15,000 to undertake further work that was necessary having regard to the resolutions of the July 2017 Planning Committee, including: a further review of the evidence, data analysis and testing, additional stakeholder engagement, consideration of the impact of imposing different HMO threshold limits (including the impact of introducing a 15% threshold in certain areas); assessing the potential for introducing a policy approach that precludes 'sandwiching' of non-HMO properties by HMOs, and the production of revised recommendations for new SPG/planning policy on the issue of HMOs and purpose built student accommodation. The use of the same expert consultants ensured consistency of approach, and maintained the independent and robust, evidence based approach. A re-commission of the independent consultants was the only viable means of progressing the further work required as a result of the Planning Committee decision in July 2017, given that the resources of Planning officers are fully committed to the LDP Examination at this time.

b. The Welsh Government Minister for Energy, Planning and Rural Affairs wrote to all Councils in Wales to advise that their detailed planning strategies for determining HMO applications should be included within LDP planning, rather than being included in Supplementary Planning Guidance (SPG). This responds to the repeated scenarios that have arisen of Council's having HMO appeals allowed by Planning Inspectors, even threshold targets in SPG are being exceeded. Only Development



Plan policies have legal status under the provisions of the Planning and Compensation Act 2004. The Council must therefore amend its Deposit LDP having regard to the Ministers letter, and also the issues that have been raised by the Planning Inspectorate during the LDP examination, who have similarly resolved that the Council should include matters such as specific over-concentration levels within its Plan policies. The Planning Inspectorate and Welsh Government are clear that these must be based on evidence, and have regard to existing concentration levels. The amended policy, defines a HMO Management Area and will limit concentration levels within this area to 25% based on the available evidence. In all other parts of the city the level will be set at 10%. Other measures included in the proposed LDP policy mean that a radius approach of 50m will be used to look at concentration levels and a no-sandwich policy will also look to be adopted to prevent properties being isolated between two HMOs. There is also a proposed additional layer of protection for 'small streets' that are characteristic of some areas of Swansea, where the policy proposes that an additional restriction on a street saturation basis be employed.

The proposed amended policy on HMOs has had regard to the representations made by residents during the periods of public engagement undertaken by Litchfields with the Planning Authority. By including these concentration levels in our planning policies, we will have a much more robust planning process in which we can control HMO numbers in communities. This will avoid the scenario of refused HMO applications being overturned by individual planning inspectors, on the basis that the levels are enshrined in a LDP policy and are based on the extensive evidence base that has been produced in collaboration with expert consultants. An Examination Hearing will be held to discuss HMO issues later in the summer, on a date yet to be announced by the Planning Inspectorate, which will discuss the proposed policy and hear all the evidence. Following this, a public consultation will take place later in the year to consider all the amendments to the Deposit LDP including the changes to planning policies.

The amended LDP policy highlights that the Council will also prepare and adopt SPG on the issue of HMO development, which will be subject to a process of public consultation. The SPG will provide prescriptive detail on how LDP Policy H9 should be implemented, defining the methodological approach for calculating HMO concentrations, and including a number of worked examples to show compliance and non-compliance based on the policy criteria to illustrate how the policy should be applied. The SPG will also further augment the policy in respect of the background and justification to its specific aims and criteria (such as 'small streets' and 'non-sandwiching'), and will provide details on acceptable amenity standards/room sizes and examples of exceptional circumstances that may apply to justify any departures from the thresholds. It is intended that a draft version of SPG on the matter will be produced for public consultation at the end of 2018, however the exact timescale is dependent on whether the Examination is closed by the Inspectors at the end of the Summer. There must be a degree of clarity as to whether the Planning Inspectors accept the principles of the proposed LDP policy on the matter of HMOs before an SPG is drafted, which will supplement that policy. The

	<p>adoption of a final version of an SPG would follow soon after the adoption of the LDP, which is programmed for the end of 2018.</p> <p>It should be noted that the inclusion of the non-sandwiching approach within the amended LDP policy has had regard to the following advice from its expert consultants Litchfields as part of its re-commission in September 2017: <i>‘A policy response such as ‘nonsandwiching’ that implies an ‘in principle’ negative impact associated with the notion of residing next door to a HMO rather than a (potentially very large/intensive) C3 use, is problematic. Particularly if this approach is taken regardless of whether any other HMOs are present in the street or radius area. Notwithstanding this, Lichfields recognise that other Authorities are trialling this approach, and that some of the specific issues highlighted by stakeholders that have been identified as being particularly associated with HMO use could potentially be argued to be, in planning terms, material considerations as to whether a HMO either side of a C3 use is appropriate or not. As such, this policy could be trialled as an appropriate policy response, and any Appeal outcomes that arise out of this approach being challenged could be monitored accordingly to examine whether the policy is sufficiently robust and effective.’</i> Therefore the inclusion of the non-sandwich approach is in response to the representations made by residents during the periods of public engagement undertaken by the Planning Authority with Litchfields, and on the basis that the consultants have advised that despite the potentially problematic nature of this approach, which they have consistently highlighted to the Council, it is an approach that could be monitored for its effectiveness and robustness through any appeal outcomes.</p>
11	<p><b>Cllrs Irene Mann &amp; Peter May</b></p> <p>Thursday 10 May, there was an article in the Evening Post about planning policy for Houses in Multiple occupation.</p> <p>The article contained quotes from three cabinet members.</p> <p>For clarification, was the article an official council press release or a political press release.</p> <p><b>Response of the Leader</b></p> <p>A corporate press release about the LDP and HMOs was sent to the Evening Post. The press release quoted Cllr David Hopkins, Cabinet Member for Commercial Opportunities and Innovation, and Cllr Andrea Lewis, Cabinet Member for Housing, Energy and Building Services. There were no quotes in the press release from a third Cabinet Member.</p>
12	<p><b>Cllrs Irene Mann &amp; Peter May</b></p> <p>In the Evening Post article about planning policy for Houses in Multiple occupation dated 10 May, the council leader says: “We believe the 25% limit is defensible”.</p>

The article states that this 25% limit would apply to “residential streets in Uplands and surrounding streets”. All other areas would have 10% limit.

To emphasise this cabinet member stated: “By including these concentration levels, in our planning policy, we will have a more robust process in which we can control HMO numbers in our communities.”

In 2017 Bath council adopted a single 10% limit across the city revising their previous 25% limit that had been adopted in 2013.

We have been in correspondence directly with the planning policy department of the Welsh Government.

They have stated to us: “It is for individual Authorities to consider the balance of costs and benefits in their particular area in deciding whether or not to have specific local policies in their LDP to control the number of HMOs.

Typically, such policies involve a threshold approach to determine whether an area has reached a point at which further HMOs would have a harmful effect; however this, and the appropriate threshold (or thresholds), is a matter for each Authority to consider based on local evidence. As with all LDP policies, any policy on HMOs should be supported by robust evidence which will be tested through the LDP Examination”

Their response clearly gives choice to councils on what policy path to choose to justify. They mention a threshold approach but do not compel a council to have a two-tiered threshold.

Bath as far as HMO concentrations, positioning and volumes go, is not dissimilar to Swansea. In short, Bath has areas of the city which exceed a 50% HMO concentration. However, this city has consciously chosen to build robust evidence justify a 10% city wide approach which distributes the HMO fairly.

The comments from the cabinet in the press article suggest that Swansea favouring a two-tiered threshold concentration approach and is choosing to build evidence to support this model.

This approach counteracts the evidence of the National HMO lobby that a 10% concentration is the tipping point as the threshold beyond which balanced communities become unbalanced, based on comprehensive research.

Would the cabinet be prepared to reconsider their stance and proactively encourage building an robust case for a 10% city wide policy, as Bath have demonstrated.

### **Response of the Cabinet Members for Delivery and Homes & Energy**

Local Planning Authorities are not compelled to have two-tiered thresholds. Rather, they must produce a planning policy framework that is based on a thorough analysis of the prevailing local circumstances and evidence. The Planning Authority, with the commissioned expert consultants, have considered in depth the potential and merits of a range of policy options for

	<p>Swansea, based on the evidence that applies to our own Council administrative area, rather than the City of Bath. This has been done following engagement with the public and a range of stakeholders and affected parties. It is this comprehensive process that has underpinned the proposal for a two-tier approach. The suggestion that the Council has selected a two tier approach from the outset and then chosen to select and build evidence to support this approach is not correct. A thorough analysis of the evidence has demonstrated that a 10% County wide limit would not be appropriate or reasonable for Swansea for a number of reasons, including failing to reflect evidence about differences in the character of areas and existing HMO concentrations, and unacceptably suppressing affordable housing choice in areas of significant demand. A detailed account of the underpinning evidence from which the policy approach has been formulated is set out in the documentation published for the LDP Examination, which is available to view at <a href="https://www.swansea.gov.uk/ldpexamination">https://www.swansea.gov.uk/ldpexamination</a></p>
13	<p><b>Cllrs Kevin Griffiths, Peter Black &amp; Wendy Fitzgerald</b></p> <p>Should The Hollies Day Centre close has any consideration been given to service users and staff being given alternative accommodation in The Hollies Residential Home rather than transporting them to other venues.</p> <p><b>Response of the Cabinet Member for Care, Health &amp; Ageing Well</b></p> <p>Following consideration of the consultation responses, should a decision be taken to remodel day services and reduce the number of sites over which the service is delivered, any affected individual will have a reassessment of their needs and an individual plan agreed to ensure that their needs remain well met.</p> <p>For some individuals this may mean that they continue to receive a day service but from a different site. In practice this may well be at a site closer to where they live as current users of the Hollies Day Service aren't necessarily living locally.</p> <p>Other individuals may be supported to access different community based services as long as these services are appropriate to support their needs remaining well met.</p> <p>The vast majority of staff working in the Hollies day service also work in the residential home and we remain confident that in the event of any decision affecting the day service, any staff that don't work in the residential home will be supported to take up other opportunities either in Adult Services or the wider Council.</p>
14	<p><b>Cllrs Lynda James, Mike Day Sue Jones</b></p> <p>A large number of Appeals to Special Education Needs Tribunal For Wales (SENTW) have been upheld. Considering Swansea was top of the list in Wales in 2016/17 for losing Appeals has the Authority taken steps to redress this situation.</p>

**Response of the Cabinet Member for Education Improvement, Learning & Skills**

The City & County of Swansea has a high number of children with additional learning needs.

The LA is strengthening its parent partnership and early disagreement and dispute resolution services by the appointment of a Family Liaison Officer as well as looking at its paperwork and procedures and aiming to provide information in a friendlier and more timely way. Advocate groups for children recommend appealing to Tribunal to secure provision even before entering into discussion with the LA. Some appeals do not go on to a hearing as the authority reaches an agreement with the appellants before a hearing, however these are recorded by SENTW as being upheld if an appeal has already been lodged.

The current funding formula also provides an incentive for statutory assessment requests which have risen as learners with Statements are funded on 80% of actual cost. We are addressing this through a joint working group to look at the formula.

There is a national lack of specialist provision, particularly for Autistic Spectrum Disorder (ASD). Swansea has provided three new ASD Specialist Teacher Facilities (STFs) which opened this year and additional places are planned at Pen Y Bryn Special School.

A number of appeals direct the authority to provide Applied Behaviour Analysis (ABA) programmes through qualified ABA consultants and this further drives additional appeals. The Council will look at strengthening the ALN team and the necessary support going forward'

The ALNET Act 2018 gives the authority an opportunity for better co-production with families, children and schools to reduce the number of appeals being lodged in the first place.