



Cabinet Member for Investment, Regeneration and Tourism

Cabinet - 21 June 2018

Swansea Regeneration Projects Update and FPR7

- Purpose:** To set out urgent decisions required and the current budget requirements in accordance with Financial Procedures Rules.
- Policy Framework:** Swansea Local Development Plan: Deposit Plan, Swansea Unitary Development Plan (2008), Swansea Central Area Regeneration Framework (2016)(SCARF), Corporate Priority Creating a Vibrant and Viable City and Economy
- Consultation:** Finance, Legal, Commercial Services, Access to Services.
- Recommendation(s):** Cabinet are therefore recommended to:-
- 1) Approve the capital budget requirements to take forward the following projects.

Project	Capital required
Swansea Central Phase 1	£5,385,393
Swansea Central Phase 2	£850,000
Skyline (initial phase)	£90,000
Penderyn	£1,500,000
Castle Gardens	£50,000
Kingsway	£2,408,000
TOTAL	£10,283,393

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1. Introduction

- 1.1 This report builds on previous cabinet reports of 15th June 2017 and 16th March 2017 and 18th August 2016 and 17th March 2016.
- 1.2 One of the Council's Corporate Priorities is to create a vibrant and viable City & Economy.
- 1.3 Despite this ambition and improvements across the city, Swansea and especially the city centre has been in decline. However, Swansea has a major opportunity with an identified £158m trading gap of spend that is leaking out of Swansea that could claw back spend lost to other areas through successful regeneration.
- 1.4 Due to economic and viability issues the private sector will not invest in major regeneration projects in Swansea at this time. Doing nothing is not an option as Swansea's decline would inevitably continue.

2. Swansea Regeneration Programme Update

- 2.1 The Council has adopted regeneration strategies for the City Centre, Tawe Riverside Corridor Strategy and Swansea Bay Strategy. The implementation of many parts of these strategies is now at an advanced stage.
- 2.2 The Swansea Bay City Region has signed a City Deal with both Welsh and UK governments. The proposals put forward by Swansea aim to facilitate the growth of higher value activities particularly in Tech businesses through office development with a digital theme and an indoor Arena for music, comedy and conferencing, all to increase footfall and encourage more living and working in the city centre in line with the recommendations of SCARF. This builds on the city's two universities and growing technology capability within the City. The CCS project objectives are: -
 - a. To create 100,000 sq. ft. of tech-offices at Kingsway – Digital Village.
 - b. A digital arena, hotel and public realm at Swansea Central - Digital Square.
- 2.3 This deal is in the process of being finalised with both UK and Welsh Governments and the 5 case business model to support the Swansea projects has been submitted. The Council will need separately to consider future match funding to progress the schemes once the business case is approved by the Governments and costs are finalised through construction tendering.
- 2.4 Digital smart city technologies are key in looking towards the future. There is a cross cutting City Deal Digital project and officers are working with the City Deal Digital project team to ensure Swansea benefits from the Digital project.
- 2.5 On the basis of the policy position, the City Deal and the commitment of the Council, a significant regeneration programme has been created and is now in delivery.

- 2.6 It should be noted that whilst the Council has the ability to borrow money, there are a number of competing priorities including the 21st Century Schools programme. If the Council is to borrow for projects then there must be prioritisation of capital spend, and sufficient headroom created in terms of revenue savings to pay for increased capital financing costs and all risks must be managed in line with the Council's fiduciary duty to always set a balanced budget.
- 2.7 To deliver these projects the council must continue in its role of developer for projects like Swansea Central and the Kingsway or enabler for Skyline and Mariner. In order to ensure projects are given the best possible chance of being delivered then resources must be focused on the priorities.
- 2.8 As the Council has already endorsed the agreement to the City Deal then work to develop the priority areas and aligned City Centre development should continue to maintain progress.
- 2.9 The delivery of the following programme of projects will create significant economic benefit to the city and the stimulus for other projects to come forward including Swansea Central phase 2 to be delivered as well as private sector investments across the city.

3. Project Updates, Way Forward and Decisions Required

3.1 Swansea Central Phase 1

Project Update

This project forms part of the City Deal (Digital Square). An outline planning consent has been secured, designs have been progressed to RIBA stage 2, construction tendering commenced 11th December 2017, the PQQ stage generated 9 expressions of interest and 5 parties were shortlisted for ITT and subsequently 3 bids have been received which are being analysed. A contractor will be appointed by July 2018. ATG (Ambassador Theatre Group) formally signed an agreement to become the operator of the Arena in January 2018. The residential and hotel have both been marketed and detailed submissions are awaited. A start on site is programmed for August with a break to allow trading for Christmas and then continuing after Christmas. Discussions are ongoing on the City Deal Digital Project to provide a publically owned fibre network to serve the Digital Square project and future proof the city for 5G technologies.

The preferred scheme consists of:

- 3500 / 750 Arena c/w 'digital' exterior
- 'Digital' Square and wider public realm
- 354* space 'decked' car park on South Site
- Coastal Parkland
- 640 space Multi-storey car park
- 8500 sqft commercial / A3

- 24 residential units
- Pedestrian bridge – with cover
- Highways and Utilities works
- Hotel – prepared site
- Demolitions and the creation of areas for temporary uses surrounding the landing of the bridge, St David’s church and the link north towards The Quadrant.

Benefits of the project.

The project will create significant economic benefits for the city £11.8m pa during its operation and the creation of 500 jobs. In addition the arena will stimulate demand for Swansea Central phase 2 and other projects. It will add to the already strong Cultural assets of the city, a new arena and new park will be created and the scheme provides jobs and growth for future generations.

Key Next steps

- Complete RIBA Stage 3 and 4 designs to enable submission of detailed planning (reserved matters). Work up arena detail with Arena operator.
- Select partner to acquire the residential elements and select a developer and operator of the hotel.
- A further cabinet report will be prepared once the tendering process produces a fixed cost and the city deal funding is authorized.

Risks

- Council capital budget commitment will be required to proceed.
- Current cost estimate subject to the tendering process which will provide a fixed price.
- ATG responding to design evolution in a timely manner to meet programme.
- Right to Light claims could impact programme.
- A revenue budget, not yet established or funded, for ongoing maintenance, management and events.

Financial implications and budget

The council has expended the initial costs of £500,000 followed by the costs of securing planning of £2,158,000.

In addition fees for RIBA Stage 2 and 3 are currently funded and will be completed by the end of August. The RIBA Stage 4 and the construction phase are not currently funded. The following table sets out the indicative capital requirements and fees required to deliver the Swansea Central Phase 1 scheme.

The capital costs are subject to the contractor procurement process and have been detailed further in **appendix A1**. The Stage 2 and 3 costs are funded.

	Total to End Stage 2	Stage 3	Stage 4	Build	Total
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Total: £3,686,935 £3,575,168 £5,535,393 £111,912,075 **£124,709,571**

A budget of £9,233,000 (£500,000+£2,158,000+£6,575,000) has previously been approved by cabinet. In order to undertake RIBA Stage 4 designs an additional budget is required of £3,885,393. Fees during construction and the capital costs will be subject to a further report in the autumn of 2018. The approved budget to date is summarised in **appendix B**.

It should also be noted that a further report will be brought once the final capital requirement is known at the end of the contractor procurement process in Q4 2018 to seek to authorise the capital budget and fees required during construction, subject to overall affordability and delivery of the required revenue savings to assist funding the substantial capital financing costs.

The table in the appendices is currently indicative and will be firmed up as design and construction tendering progresses.

Start on Site: An early start on site is planned with an enabling package of works starting in August 2018 and running through to end October 2018. The scope of these works needs to be fully confirmed but is currently envisaged to include:

- Highways work on Wellington Street
- Removal of soil embankment and trees to revetment wall and front of site
- Relocation of Llys Dewi Sant – Residential.

Works will then pause for the Christmas period and recommence at the beginning of February 2019.

The initial works contract will need to be procured through a framework as the main contract will not be let. A budget of £1,500,000 is required in order to progress the works which forms part of the funding request in this report. This is part of the overall cost figure.

3.2 Swansea Central Phase 2

Project Update

Swansea Central Phase 1 will act as a catalyst for this project and to make the most of the phase 2 opportunity the Council needs to move this project forward quickly to take advantage of the benefits generated by phase 1.

Phase 2 needs to offer an experience which the user or customer cannot get online or in the nearby retail parks, embracing the current and future retail and leisure trends including both local and national occupiers ensuring that the City is futureproofed as a destination that will continue to draw in residents, consumers, businesses and students. A vibrant, mixed-use development that

pulls together and improves the existing elements of the city centre is key to a successful and sustainable way forward.

Officers are working with Cushman and Wakefield & Rivington to prepare a strategy for Phase 2 that will deliver an innovative and creative solution to attract aspirational national operators to locate alongside select local businesses forming a unique sense of place that links the existing city centre to the newly created Digital Square and onwards to the sea. The council can then having identified initial demand and outline designs market the opportunity to bring in a private sector partner to support the council in delivery.

Benefits of the project.

Swansea already has a large amount of retail floor space, the gap is in the mid-market/aspirational retailers sector to trade alongside independent operators to create community and authenticity, first class public realm and a state of the art digital experience.

New trends are for uses that drive footfall in a city centre such as the Arena that anchor new developments, alongside the potential for a university building and good quality food and drink and leisure operators. The existing Swansea Market could act as a further anchor for the northern part of the scheme with opportunities for improvement to champion local retailers, enhance the customer experience and meet demand for authenticity.

Whilst Phase 2 is being progressed some “Catalytic Uses” will be delivered by Phase 1 that can be incorporated into the new scheme to provide affordable opportunities for local businesses to grow, for retail collaborations, pop-ups and for stores to test ideas, evolve their brand and remain relevant to users and customers. Short, flexible lease terms are becoming the market norm and whilst they impact on viability they can help ensure an ongoing dynamic to the scheme that can be interwoven with the Councils cultural strategy and digital aspirations to create a unique sense of place that will attract a wider democratic of new visitors and residents.

Key Next steps

- Identify key goals and aspirations
- Create an unique point of difference to attract occupiers
- Create a marketing and branding strategy
- Prepare outline design of the scheme
- Engage with key local and national retailers and leisure operators to confirm viability
- Market development opportunity to private sector partners

Risks

- If the scheme does not proceed then the opportunity to create a step change in the city centre utilising new anchors including the Arena, Kingsway offices, Digital Square and a potential University building could be lost.
- Ongoing capital affordability (funding is not currently identified) and sufficient revenue headroom created by revenue savings to meet future capital financing costs.

Budget Implications.

In order to take Phase 2 forward as set out above an initial budget of £850,000 is required to take the projects to establish initial designs, viability and to be able to attract the private sector to become a partner in the scheme. A further report will be prepared at that time.

3.3 Kingsway Offices (Digital Village)

Project Update

This project is another City Deal project. The council has acquired the properties required to deliver the project and has created a site ready for development. The project will create 100,000 sq. ft. of office space designed to be flexible to allow a range of different letting scenarios for to take advantage of the fast growing tech sector in Swansea and provide accommodation for emerging industries. A consultant team has been procured to undertake detailed design, secure planning consent and deliver on site. The public realm must be of a quality to drive the councils living and working agenda in the city centre and a link between Kingsway and Oxford Street will be created. A 5 case business model has been prepared and sent to Welsh and Westminster governments for approval. The Council is also collaborating with the regional team on the Digital City Deal Project to provide a city centre fiber ring to enable the best connectivity for local businesses, future proof the city centre, and to enable 5G technologies once available.

Benefits of the project.

- Intrinsic part of delivery of the SCARF document that will catalyse further private sector interest and development of offices along the Kingsway.
- Adds to Swansea being a creative and digital City.
- Creates capacity as part of a wider strategy for retention and growth of businesses in Swansea.
- Contributes to the ethos of living and working in the city centre
- Economic benefits of £38.7m added GVA plus 200 jobs created.

Key Next steps

- Undertake detailed building and landscape designs.
- Prepare and secure a planning consent.
- Input into a CCS city wide digital strategy.

- Start on site.

Risks

- Capital budget to match fund city deal funding will be required once quantum finally identified.
- Securing occupier demand.
- Sufficient car parking and park and ride provision.
- Revenue Budget for ongoing maintenance.

Budget Requirements - The key next stage is the appointment of a professional team, a procurement process has been followed, interviews held and funding for the following is required to take forward the project:-

Lot	Bids Received
Lot 1 – Strategy Review	£25,000
Lot 2 – Digital Village professional Team	£2,200,000
Lot 4 – Parking review	£50,000
Lot 5 – Digital consultant	£99,000
Total Budget Required	£2,374,000
Budget previously approved for Kingsway (Digital village) June17 report	850,000
Budgets previously approved for City Centre contingency June17 report – transfer to Kingsway Digital village	250,000
Budgets previously approved for City Centre Deal (Quadrant) June17 report – transfer to Kingsway Digital village	350,000
Current approved budget	£1,450,000
Additional budget approval required	£924,000

3.4 Hafod Copper Works

Project Update

The Hafod site is of international importance being the world leading centre for copper smelting in the 18th century, this has the potential for World Heritage Status in the future if sensitive heritage led regeneration can be delivered. This will create a new destination to encourage further development. Swansea Council and the University established a partnership and a first stage reclamation project was undertaken with Cadw/WG funding. This created the potential to seek occupiers to start the regeneration. Initially interest was secured from Penderyn Whiskey to expand their successful business in the Powerhouse and part of the Rolling Mill for a distillery and visitor centre. This will act as a catalyst to unlock further regeneration of the site.

A HLF first round bid was successful based on refurbishment of the Powerhouse for a new build visitor centre and a barrel store in 25% of the rolling mill for occupation by Penderyn. RIBA Stage 3 designs are complete

and a Planning and Listed Building Consent application was submitted in April 2018. The HLF Round 2 submission was submitted in May 2018.

This links to the Skyline proposals requiring the use of land adjacent to the Powerhouse site for the cable car start point and car parking.

Benefits of the project.

The project will create significant economic benefits in terms of tourism and generating footfall and spend in the area. The Penderyn distillery will create 15FTE jobs during its operation and will stimulate further regeneration of the wider Hafod site and Tawe corridor, expanding leisure opportunities in this part of Swansea serving residents and visitors.

Key Next steps

- Secure detailed planning consent.
- Submit HLF Round 1 submission in May 2018.
- Cabinet approval to Heads of Terms with Penderyn.
- Subject to a positive HLF response to Stage 1 progress Stage 2 delivery.

Risks

- HLF Round 2 fails to get approval or a planning refusal
- Current cost estimate exceeded subject to the tendering process.
- Council capital core funding budget commitment will be required to proceed
- Penderyn withdraw from scheme.
- Implications of Skyline project.
- Condition of buildings could mean refurbishment is not viable.

The Council are the custodians of the listed structures at Hafod. There was a need to regenerate and preserve this important part of Swansea's heritage. Surveys undertaken indicated that urgent intervention was required to prevent further deterioration of the buildings and a HLF bid was required to help fund the project. It was recognised that to be successful a sustainable occupier was required that would fit with both the strategy and the heritage characteristics of the site.

It was considered that in terms of timing and success of the HLF bid the commitment of a commercial occupier at such an early stage would improve the Council's chances of a successful bid, which was acknowledged by HLF.

The owner of Penderyn who is progressing other developments in Swansea expressed interest in the site. Following the announcement that the Council would be pursuing a HLF bid to refurbish part of the site, Penderyn were willing to commit upfront to opening a new distillery on site and would look to invest circa £3.1m in fit out costs.

At this time Phase 1 of the project funded by Cadw / WG had been completed and no other party had shown interest in the scheme other than a local brewery, however they had no money to put into the scheme.

As time was the essence it was considered that progressing discussions with Penderyn was the only option if a successful HLF bid was to be made. It is worth noting that there has been a lot of publicity over the past years since we have started discussions with Penderyn and no other party has come forward during that time.

The proposal by Penderyn fits well with the Council masterplan/strategy and will act as a catalyst for further regeneration of the area and using copper the former core product of the site in the manufacture of their equipment will connect a new manufacturing process with the vibrant past of the site.

In order to progress the HLF grant process the Council needs to confirm the budget of £1.5m already in the capital programme for FPR7.

Financial implications and Budget

£1.5m is allocated within the Capital Programme. As a result of the Skyline proposals, the land adjacent to the powerhouse site, is no longer available to be sold to generate the required match funding to the HLF grant of £998,550. The remaining sum of £514,450 will be used to fund the necessary surveys and investigations that were not available to complete design, and to deliver the planned capital build works to a standard required for HLF outputs to be achieved and to be handed over to the end tenant in-line with the Heads of Terms between Swansea Council and Penderyn Whisky. Please see **appendix A2** for the financial implications table.

3.5 Castle Square

Project Update

A disposal of public open space notice was advertised and the responses provided a clear view that the square is tired and of dated appearance and more fundamentally the positives of the opportunities provided by the space and the importance of the Square as part of the fabric of the City Centre. In addition it was considered that the Square should remain in public control and it should include new restaurant use and public realm for enjoyment for a range of events.

Cabinet in October 2017 considered options for the siting of development opportunity on parts of the square and options for delivery mechanisms and key principles for the development and enhancing the public realm. It will also need to consider how the square links to the Kingsway, Oxford St, St Mary's Church and the Castle to contribute to the green artery policy as set out in the SCARF.

Cabinet decided that the Council would develop a commercial element and enhance the environment of Castle Square by employing a Development Manager, professional team including an architect, quantity surveyor and letting agents. Any proposals must link the square into the city and be complementary and not compete with Swansea central phase 2. The

opportunity was advertised in March 2018 and 13 responses were received and are being analysed to shortlist to 5 for the ITT stage.

Benefits of the project.

The refurbishment of the public realm, the introduction of restaurant use and integration with the Kingsway, Oxford Street, St Mary's church and Swansea Castle will help create a vibrant heart to the city centre and create linkage between Kingsway and to Oxford Street and Swansea Central phase 2.

This will enhance Castle Sq as a place to eat, drink coffee, to celebrate, demonstrate and hold events.

Key Next steps

- Appoint a Development Manager and professional team.
- Undertake initial feasibility exercise to establish design costs, tenant interest and viability.

Then bring a further report to cabinet to decide whether to allocate funding to submit a planning consent, secure tenants, construct restaurants and refurbish the public realm.

Risks

- Viability and costs of the scheme.
- Securing tenants
- Budget for ongoing maintenance

Budget Implications

In order to take Castle Square forward a development manager and a professional team is currently being procured. An initial budget is required (Stage 1) to undertake design, tenant discussions, establish viability and a business case which would then be reported to cabinet for decision on whether to proceed to Stage 2 and allocate capital for the planning and delivery stage.

Stage 1 - Initial feasibility £50k (This will be funded from regeneration capital match funding which is already available)

If after reviewing the business case cabinet decide to move to Stage 2 after a future report then additional professional fees and the capital costs for delivery will be required. These costs will be identified through the tender process and the Stage 1 works.

3.6 Skyline

Project Update

Private sector proposal for Cable car from Hafod, luge, cycle paths footpaths, zip line, café and ancillary facilities on Kilvey Hill.

Heads of Terms have been agreed, Skyline Board agreed the Heads of Terms in March 2018. Skyline require the council to provide a serviced site which

means acquiring any necessary land, providing services to the site boundary and dealing with footpath relocations and any other necessary issues.

At present no definitive development footprint has been agreed. Skyline are travelling to Swansea in June to sign Heads of Terms and appoint a professional team to progress the scheme.

Benefits of the project.

This would be Skyline's first site in Europe, this proposal will create a significant regional leisure attraction putting Swansea as a destination firmly on the tourist map. It will contribute towards a cluster of leisure uses based in the Morfa/Lower Swansea Valley with a significant interface with the Hafod Copper works site and Tawe Riverside regeneration. This will create a significant number of linked trips which will significantly benefit the wider Swansea economy.

Key Next steps

- Council agreement to Heads of Terms.
- Skyline to prepare scheme designs.
- Prepare and negotiate legal contract with Skyline.
- Engagement with Skyline's professional team.
- Negotiations with private landowners at Kilvey Hill and river.
- Identify services and cost of providing to the site.
- Explore car parking options

Risks

- Unknown Cost implications- private land acquisitions Kilvey Hill.
- Easements in relation to crossing Duke of Beaufort/Somerset Trust.
- Costs of Service connections to the edge of the site.
- Legal costs/fees/indemnities.
- Skyline require 350 spaces.

Private sector proposal for Cable car from Hafod, luge, cycle paths footpaths, zip-line, café and ancillary facilities on Kilvey Hill.

Heads of Terms have been agreed, Skyline Board agreed the Heads of Terms in March 2018. Skyline require the council to provide a serviced site which means acquiring any necessary land, providing services to the site boundary and dealing with footpath relocations and any other necessary issues.

At present no definitive development footprint has been agreed.

This would be skyline's first site in Europe, this proposal will create a significant regional leisure attraction putting Swansea as a destination firmly on the tourist map. It will contribute towards a cluster of leisure uses based in the Morfa/Lower Swansea Valley with a significant interface with the Hafod Copper works site and Tawe Riverside regeneration. This will create a significant number of linked trips which will significantly benefit the wider Swansea economy.

Skyline are proposing to visit Swansea in June subject to the Council agreeing the HoT. In order to progress the scheme the Council needs to agree the following Heads of Terms.

Financial implications and Budget - An initial budget is required to undertake Stage 1 works with Skyline to prepare a legal agreement and identify the costs required to take the scheme forward. (This will be funded from regeneration capital match funding which is already available) This is estimated to be

• Legal costs	£50,000
• Costs of negotiations	£15,000
• Costs of service investigation	£15,000
• Contingency	<u>£10,000</u>
Total	£90,000

A further report will then be made identifying the second stage of funding required identified by the works undertaken in stage 1 for Cabinet to decide whether to proceed. Please see **appendix A3** for the financial implications table.

3.7 Civic Centre Relocation

Consideration needs to be given as to when the relocation of the existing Civic Centre accommodation will happen.

Bids were received for Consultants to take the existing design of a new Civic Centre through to planning and ultimately construction. It could be that money could be spent to take the design through to outline planning stage, which would potentially add value to the site and would enable fast track construction methodology once a decisions has been made on the existing Civic Centre site.

The preferred bidder has submitted a total fee bid of £1.9M to take a development through to construction at an estimated total build cost of £30M. To work up a design and take through the planning process the fee bid was £900,000.

It is crucial that the council works up the most appropriate timeline and reason for relocation taking into account the key drivers. These are firstly, the regeneration of the entire Civic Centre site and secondly, potential for significant backlog maintenance expenditure. At this moment in time, a continued occupation of the Civic could be achieved with limited investment. However, beyond the next five to ten years costs are likely to be required to ensure the building continues to be able to be used, Faithfull & Gould have been appointed to undertake a review of the mechanical and electrical infrastructure, the structural fabric and roof.

Furthermore, any maintenance backlog figure does not take into account any potential investment that may be required for any aesthetic treatment of the exterior of the building which would undoubtedly be required if a more permanent occupation were to be considered.

The current strategy for the Civic Centre is to enhance the commercial, public sector, collaborative occupation of surplus accommodation to generate income whilst creating partnership opportunities. This could be a short, medium or long term aspiration and, therefore, from a strategic purpose, subject to limited investment, or no requirement to redevelop the site the building could in theory be retained. However, to properly inform this strategy, a decision is required as to a definitive period of occupation as, for example, there is the possibility to locate the Wellness Centre in the Civic Centre and generate significant collaborative and wellbeing benefits as a result. However, this cannot be done on a short term or temporary basis.

There are potentially significant benefits in progressing the Civic Centre site once the Swansea Central project is on site as the value will rise. The site could then be progressed or remarketed to take advantage of value changes and a greater market interest generated in Swansea, however, if it is known that that this will not be a possibility for circa 10 years then a decision should be taken to invest in the existing Civic Centre to maintain Council service provision

Further reports will be brought to cabinet as this strand continues to develop

4. Overall Programme Risks

This programme of work will have a fundamental impact in creating a major step change for Swansea as a city however it does not come without risks.

- Whilst there is always a risk in delivering projects to maximize the potential deliverability of all the schemes all risks and progress on projects are being monitored through a project management process with regular reports to Regeneration Programme Board and Member Steering Group.
- All capital costs are created by Quantity Surveyors based on scheme designs, there will be no cost certainty until the construction tender process is complete and cabinet reports will be brought at that time for a formal decision on whether to proceed. Current projected capital costs are already at the upper limit of affordability even if all planned revenue savings are made in full.
- The current economic conditions and BREXIT are causing volatility in financial and occupier markets. Tenants for projects will be secured before the council can make decisions to commit to funding projects. For example ATG are signed for the arena project and a 50% of lettings will need to be completed on Digital Village prior to commitment.
- Projects like Skyline and Mariner Street are led by the private sector and whilst the council plays a significant role, delivery including funding is out of the council's control.

- There is a risk in undertaking an enabling works contract on Swansea Central Phase 1 which will be completed prior to the main contract being let.

5. Legal Implications

On all of the projects listed within this report, the Council is ensuring that it complies with its Contract Procedure Rules and European procurement legislation as appropriate.

Where schemes are in receipt of grant funding the Council needs to ensure that it complies with the terms and conditions of any grant offer which are binding upon the Council.

Detailed legal advice has been provided in relation to the various land transactions referred to within this report which are the subject of more detailed reports, elements of which are likely to be subject to legal professional privilege.

There is a need to ensure that the Council's interests are protected through the use of appropriate contract documentation, forms of security etc whether those transactions are led by the in house legal team or by external legal advisers.

6. Financial Implications

Any capital spending within the envisaged affordability envelope in the medium term is predicated on creating the necessary headroom to increase overall capital financing costs by 50% and making all current and planned future revenue savings to achieve that headroom. Deviation from that plan will limit the ability to finance the future capital ambition. There is already current adverse deviation from the revenue planning assumptions in the current year. Thus all spend is at risk of not fully being able to be assured on the affordability of the overall capital programme and if so curtailed at any point would result in aborted capital spend having to be written back to revenue.

Some of the sums are beginning to be quite large and thus financial risk increases at each stage of approval. In extremis if for any reason schemes could not progress and all spend to date plus now sought was deemed ultimately abortive capital costs to be written off to revenue, it would exceed the totality of General Fund Reserves and clearly breach the Council's fiduciary duty.

The current planning assumption is that in agreeing these step phases all necessary action will be taken at officer and member and Cabinet level to assure and ensure no material deviation from revenue savings plans in the current and all future years to enable capital to proceed in stepwise fashion as requested.

7. Equality and Engagement Implications.

Equalities Impact Assessment Screening for Swansea Central Phase 1 and Hafod have been undertaken indicating that full assessments are required. The initial full assessment for Swansea Central Phase 1 has been carried out. The skyline proposal will be subject to screening when scheme details are sufficiently developed. The Hafod/Penderyn full assessment is under development.

Ongoing monitoring will be undertaken to ensure that the needs of groups identified in the EIA are fully considered throughout the project and particularly on completion of detailed design and prior to implementation and on completion.

Prior to construction on any projects, the communication plan developed for each will present actions to engage and inform stakeholders through the process, utilizing project website, target e-mails, letters, press release and social media.

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.

Since March 2016 the Council has been subject to Welsh Language Standards set out in a Compliance Notice - Section 44 Welsh Language (Wales) Measure 2011 and treats the Welsh Language as protected characteristic within its EIA process.

Background Papers: None.

Appendices:

Appendix A1-A6 – Financial Implications

Appendix B - Swansea Central Budgets