



City and County of Swansea

Minutes of the Council

Council Chamber, Guildhall, Swansea

Thursday, 24 January 2019 at 5.00 pm

Present: Councillor D W W Thomas (Chair) Presided

Councillor(s)	Councillor(s)	Councillor(s)
C Anderson	C A Holley	D Phillips
P M Black	P R Hood-Williams	C L Philpott
J E Burtonshaw	O G James	S Pritchard
M C Child	L James	A Pugh
J P Curtice	Y V Jardine	J A Raynor
N J Davies	M H Jones	B J Rowlands
A M Day	P K Jones	M Sherwood
P Downing	S M Jones	P B Smith
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	G J Tanner
R Francis-Davies	R D Lewis	L G Thomas
S J Gallagher	W G Lewis	W G Thomas
L S Gibbard	A S Lewis	L J Tyler-Lloyd
F M Gordon	P Lloyd	G D Walker
K M Griffiths	I E Mann	L V Walton
J A Hale	P M Matthews	T M White
D W Helliwell	P N May	
T J Hennegan	H M Morris	

Apologies for Absence

Councillor(s): S E Crouch, B Hopkins, D H Hopkins, C E Lloyd, C Richards, K M Roberts and M Thomas

116. 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 E Burtonshaw, P Downing, M Durke, S M Jones, H M Morris, C L Philpott, A Pugh, R C Stewart and M Sykes declared a Personal Interest in Minute 123 "Adoption of the Council Tax Reduction Scheme";
- 2) Councillor R D Lewis, declared a Personal & Prejudicial Interest in Minute 123 "Adoption of The Council Tax Reduction Scheme" and withdrew from the meeting prior to the item being discussed;
- 3) Councillor T J Hennegan declared a Personal interest in Minute 124 "Interim Designation of the Statutory Director of Education".

117. Minutes.

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

- 1) Ordinary Meeting of Council held on 20 December 2018 subject to Councillor J A Hale being shown as having given apologies for absence.

118. 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.

119. Announcements of the Presiding Member.

1) Webcasting of Council Meeting

The Presiding Member stated that as part of the ongoing works to enable Webcasting of Council, Cabinet, Planning Committee and the Scrutiny Programme Committee; this Council Meeting is being recorded for Webcasting purposes. The meeting will not be streamed live as we are still in the testing period; however it will be recorded. If the trial is successful, the meeting will be published online at a later date as a Podcast.

2) New Year's Honours

Citizens of Swansea who received awards in the New Year Honours.

a) Royal Victorian Order (RVO)

- i) David Byron Lewis. Lord-Lieutenant of West Glamorgan.

b) Officer of the Order of the British Empire (OBE)

- i) Henry (Harry) Gregg, MBE. For services to Football. He managed Swansea City Football Club 1972-1975. (Londonderry);
- ii) William James Barry Liles. Formerly Principal and chief executive officer, Coleg Sir Gar, and Skills Champion for Wales. Now Pro-Vice-Chancellor at the University of Wales Trinity Saint David. For services to Skills and to Young People in Wales. (Loughor, Swansea);
- iii) Dr Andrew William Guest Rees. Head of Waste Strategy, Welsh Government. For services to the Environment and to Recycling in Wales. (Gower, Swansea);
- iv) Pamela Sutton. Operational Leader, Department for Work and Pensions. For services to Disadvantaged and Unemployed People in South Wales. (Swansea).

c) Member of the Order of the British Empire (MBE)

- i) Stephen Dennis Combe. Director, Corporate Governance, and Board secretary. Abertawe Bro Morgannwg University Health Board. For services to Governance in NHS Wales. (Swansea);
- ii) Melanie Louise Davies. Sister Morryston Hospital, Abertawe Bro Morgannwg University Health Board. For services to Patients with Learning Disabilities. (Neath, Neath Port Talbot)

d) British Empire Medal (BEM)

- i) Dr Heather Christine Potter. Area clinical director, Neath Port Talbot and Bridgend and clinical lead, Neath Cluster Network. For services to healthcare. (Swansea).

3) Santes Dwynwen's Day

It's Santes Dwynwen's day tomorrow, the Welsh and Celtic Patron saint of friendship and love.

The popularity and celebration of St Dwynwen's day has increased considerably in recent years, with special events, such as concerts and parties, often held, and Welsh cards printed. St Dwynwen is certainly becoming better-known amongst today's population of Wales.

4) Amendments / Corrections to the Council Summons

- i) **Item 14** "Notice of Motion". An amended version has been circulated.

120. Announcements of the Leader of the Council.

1) Swansea Bay Region City Deal

The Leader of the Council provided an update relating to the Swansea Bay Region City Deal and stated that the reviews were underway.

2) Swansea Bay Tidal Lagoon

The Leader of the Council provided an update on the Swansea Bay Tidal Lagoon.

121. Public Questions.

No questions were asked.

122. Presentation - None.

No Presentations were received.

123. Adoption of The Council Tax Reduction Scheme.

The Section 151 Officer submitted a report, which explained 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.

Resolved that:

- 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 2018, 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 (2018/2019) in relation to the discretionary areas (as set out in section 3 of the report) remain unchanged from 2019/2020;
- 5) The scheme as set out in section 3 of the report be adopted and any amendments to the regulations made by NAfW be reflected in the scheme.

Note: Councillor P M Black asked the following question:

“Paragraph 5.2 of the report states that the estimated shortfall between funding and Council Tax Reduction paid to recipients is £1,270k. How does this compare to previous years?”

The Interim Deputy Chief Finance Officer stated that a written response would be provided.

124. Interim Designation of the Statutory Director of Education.

The Monitoring Officer submitted a report, which asked Council to designate the Head of Vulnerable Learner Service as the Statutory Director of Education on an interim basis.

Resolved that:

- 1) Mark Sheridan, Head of Vulnerable Learner Service be designated as the Council's Statutory Director of Education on an interim basis. This will initially be for a period of three months whilst the current Statutory Director, Nick Williams is on sickness absence;
- 2) The Chief Executive in consultation with the Education Improvement, Learning & Skills Cabinet Member be granted delegated authority to extend the period of three months if necessary.

125. Update on Progress for Education Department Priorities 2017-2018.

The Education Improvement, Learning & Skills Cabinet Member submitted a report, which provided 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.

Resolved that:

- 1) The progress report be noted.

Note:

A) Councillor A M Day asked the following questions:

“The last bullet point under “Challenges” on Page 27 of the report makes reference to the Authority being at risk of significant costs related to historical placement in independent schools within Swansea. There are two questions:

- i) Does the Cabinet Member have any idea of the figures that may be involved?
- ii) Can the Cabinet Member confirm whether any costs incurred will be met centrally or from schools delegated budgets?

The Education Improvement, Learning & Skills Cabinet Member stated that a written response would be provided.

B) Councillor C L Philpott asked the following question:

“How many people were affected by the closure of Brondeg and where are they now going?”

The Education Improvement, Learning & Skills Cabinet Member stated that a written response would be provided.

126. Councillors' Questions.

1) Part A 'Supplementary Questions'

Nine (9) 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 3. Councillor P M Black asked:

“Can the response to the residents of Dunvant referred to by Councillor L S Gibbard in relation to the withdrawal of wood skips at both Clyne & Garngoch which was provided by the Environment & Infrastructure Management Cabinet Member to circulated to all Councillors?”

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

Question 5. Councillor E W Fitzgerald asked:

“Can the results of the satisfaction surveys showing high levels of satisfaction at Garngoch be shared?”

The Leader of the Council stated that he would share the satisfaction surveys.

Question 7. Councillor P M Black asked:

“Does Swansea Council run a Real Nappy Service or do we rely on the Private Sector to do it for us?”

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.

127. 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.

Councillor M Sherwood asked that an amendment be made to the motion. She stated that the amended motion was supported by those that initially proposed the motion. The amended motion was the substantive motion for discussion.

The amendment added a Paragraph 8 be added as follows:

"8. Halt the natural migration of benefit claimants onto Universal credit until it is fit for purpose and widespread problems and concerns have been resolved."

Proposed by Councillor M Sherwood and Seconded by Councillor J E Burtonshaw.

The amended motion reads:

"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:

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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.*
8. *Halt the natural migration of benefit claimants onto Universal credit until it is fit for purpose and widespread problems and concerns have been resolved.”*

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

In accordance with Council Procedure Rule 30 “Voting” a recorded vote was requested. The voting on the amendment was recorded as follows:

For (53 Councillors)		
Councillor(s)	Councillor(s)	Councillor(s)
C Anderson	T J Hennegan	C L Philpott
P M Black	C A Holley	S Pritchard
J E Burtonshaw	O G James	A Pugh
M C Child	L James	J A Raynor
J P Curtice	Y V Jardine	M Sherwood
N J Davies	J W Jones	P B Smith
A M Day	M H Jones	R V Smith
P Downing	P Jones	A H Stevens
C R Doyle	S M Jones	R C Stewart
M Durke	E J King	D G Sullivan
C R Evans	E T Kirchner	M Sykes
V M Evans	A S Lewis	G J Tanner
W Evans	M B Lewis	D W W Thomas
R Francis-Davies	W G Lewis	L G Thomas
L S Gibbard	P Lloyd	G D Walker
F M Gordon	P M Matthews	L V Walton
K M Griffiths	H M Morris	T M White
J A Hale	D Phillips	-

Against (0 Councillors)		
Councillor(s)	Councillor(s)	Councillor(s)
-	-	-

Abstain (8 Councillors)		
Councillor(s)	Councillor(s)	Councillor(s)
E W Fitzgerald	P R Hood-Williams	B J Rowlands
S J Gallagher	L R Jones	W G Tyler-Lloyd
D W Helliwell	M A Langstone	-

Withdrawn from meeting due to declarable interest (0 Councillors)		
Councillor	Councillor	Councillor
-	-	-

Resolved that the amended Notice of Motion outlined above be adopted.

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

Councillor P M Black stated that an amended motion had been circulated. He stated that the amended motion was supported by those that initially proposed the motion together with those recently added to the motion. The amended motion was the substantive motion for discussion.

Proposed by Councillor P M Black and Seconded by Councillor R C Stewart.

The amended motion reads:

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

“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 resolves to

- 1) Add its support to the Lucy’s Law National Campaign to ban and outlaw third party puppy sales and farming.*

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- 2) *Add its name to the growing list of supporting organisations and will proactively highlight the campaign to our residents across the County.*
- 3) *Ask the Leader of Swansea Council to write to the First Minister of Wales, 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”.*

Resolved that the amended Notice of Motion outlined above be adopted.

The meeting ended at 6.43 pm

Chair