



City and County of Swansea

Minutes of the Swansea Bay City Region Joint Committee

**Lord Mayors Reception Room -
Guildhall, Swansea**

Tuesday, 29 October 2019 at 2.00 pm

Present: Councillor Rob Stewart (Swansea Council) Presided

Councillors:

Emlyn Dole	Carmarthenshire Council
Rob Jones	Neath Port Talbot Council
Paul Miller	Pembrokeshire Council

Co-opted Non-Voting Representatives:

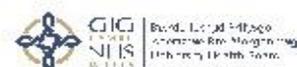
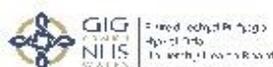
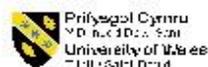
Medwin Hughes	University of Wales Trinity Saint David
Edward Tomp	Chair of Economic Strategy Board
Steve Wilks	Swansea University

Officers:

Richard Arnold	Swansea City Region Finance Manager (Swansea Bay City Region)
Jon Haswell	S151 Officer (Pembrokeshire County Council)
Greg Jones	Communications & Marketing Officer - City Deal (Carmarthenshire Council)
Allison Lowe	Democratic Services Officer (Swansea Council)
Tracey Meredith	Joint Committee Monitoring Officer (Swansea Council)
Chris Moore	Joint S151 Officer (Carmarthenshire County Council)
Helen Morgan	Economic Development Manager (Carmarthenshire Council)
Martin Nicholls	Director of Place (Swansea Council)
Steve Phillips	Chief Executive (Neath Port Talbot Council)
Debbie Smith	Deputy Monitoring Officer (Swansea Council)
Paul Thomas	Carmarthenshire County Council
Wendy Walters	Chief Executive (Carmarthenshire Council)

Apologies for Absence:

Councillor(s) David Simpson (Pembrokeshire Council)
Maria Battle (Hywel Dda University Health Board) and Emma Woollett (Swansea Bay University Health Board)
Huw Evans (Head of Democratic Services (Swansea Council)), Phil Roberts (Chief Executive (Swansea Council)) and Ian Westley (Chief Executive (Pembrokeshire Council))



18 Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City & County of Swansea no interests were declared.

19 Minutes.

Resolved that the Minutes of Swansea Bay City Region Joint Committee meeting held on 10 September 2019 be signed and approved as a correct record.

20 Announcement(s) of the Chair.

The Chair confirmed that the draft terms and conditions for the release of the first phase of funding of £18m for the City Deal had been agreed and it was hoped that the money would be released in the coming weeks, subject to City Deal partner organisations approving the draft terms and conditions.

He stated it was disappointing that it had taken 16 weeks for the draft terms and conditions to have been agreed by the Welsh Government.

21 Public Questions

There were no public questions.

22 Swansea Bay City Deal Projects Update. (Verbal)

Neath Port Talbot

The revised business case comprising of 4 parts had been presented to the Economic Strategy Board (ESB) in September 2019. Continuing to work on Homes as Power Stations objective to present to ESB next month and then to the Joint Committee in December. In addition, a new business case for the location of the Steel Science project should be with the Vice Chancellor's office imminently.

Carmarthenshire

Wellness Village project up and running with Higher Education partners with governance being the key driver. An update would be provided to the next Joint Committee.

Swansea

Draft Terms and Conditions would also be used for the Swansea Central Phase 1 project, which would hopefully be approved at Cabinet on 21 November 2019.

Pembrokeshire

Agreement had been reached between Pembrokeshire Council and Milford Haven Port Authority in relation to the funding issues for the Pembroke Dock Marine project.

Resolved that the updates be noted.

23 Project Issue Log and Programme Risk Register.

The Regional Office submitted a report which sought consideration of the current Project Issue Log and Programme Risk Register.

In particular issues were raised in relation to cash flow and ERDF funding for the Pembroke Dock Marine. Funding was time limited and there was a risk that the funding would be lost.

Resolved that the Project Issue Log and Programme Risk Register be noted.

24 Financial Monitoring Report 2019/20 - Swansea Bay City Deal Outturn Position.

The Section 151 Officer submitted a report to inform the Joint Committee of the year end outturn position in respect of the Programme Management Office, Accountable Body and Joint Committee administration functions.

Resolved that the Joint Committee approve the annual accounts of the Swansea Bay City Deal.

25 Additional Resource Funding Proposal.

The Regional Office submitted a report to seek approval of the Joint Committee to develop a detailed proposal for expenditure of additional resource funding from Welsh Government in accordance with the outline proposal provided in this report.

Following discussions at the Swansea Bay City Region Programme Board, it was recommended that the following be added to paragraph 2.3.1 as follows:

- (iv) Economic Strategy Board (ESB) additional requirements:
Any further information / research as a recommendation of the ESB.
This could include an appointment of an accredited consultant to undertake additional work for clarity purposes.

Resolved that:

- 1) Joint Committee authorise the Programme Board to develop detailed proposals for the expenditure of additional resource funding from Welsh Government;
- 2) Proposals for the expenditure of additional resource funding from Welsh Government be based on the achievement of the four key objectives as detailed in this report;
- 3) That the Joint Committee submit the outline proposal detailed in this report to UK and Welsh Government for endorsement.

26 Establish a Transport Sub Committee.

The Chief Executive, Neath Port Talbot submitted a report to establish a formal sub committee of the City Region Joint Committee to take an overview of transport

issues and develop the first stage of proposals to take forward the Swansea Bay Metro proposition.

He updated the Committee that following further discussions it had been suggested that a 'Shadow' sub committee be established and the terms of reference be submitted to the next Swansea Bay City Region Joint Committee.

Resolved that the recommendations be approved subject to the following amendments:

- 1) The Joint Committee formally establish a 'Shadow' sub-committee with a specific remit on transport, to consist of Cabinet Members or their nominees from the four constituent authorities with relevant officer support;
- 2) In the short term, the 'Shadow' sub-committee oversee the completion of a proposition to be put to Welsh Ministers and other stakeholders outlining the region's priorities for stage one of the Metro project and related programmes. This work should draw on existing funding streams (circa £200,000) and sign off a proposal by 31 March 2020;
- 3) The Joint Committee request that specific Terms of Reference are drawn up for approval at the November meeting to achieve (2) above;
- 4) If recommendations 1-3 above are agreed, that the Chair of the Joint Committee formally write to Ministers to notify them of our intentions.

27 Cash Flow & Grant Profile Summary.

The Section 151 Officer presented a report to inform the Joint Committee of the recommendations in respect of the programme cash surpluses, programme lending and support for the delivery of the PDM project.

Resolved that:

- 1) The scenario analysis undertaken, evaluating the financial support that can be provided to Pembrokeshire County Council in delivering the PDM project be approved by the Joint Committee ;
- 2) The recommendations put forward by the Programme Section 151 Officer (in consultation with Regional Section 151 Officer's), to support Lead Authorities with financial pressures borne in delivering projects within the Programme be approved by the Joint Committee.

28 Letter from the Swansea Bay City Region Joint Scrutiny Committee.

The Monitoring Officer presented a report on correspondence received from the Swansea Bay City Region Joint Scrutiny Committee.

The Committee were asked to consider the recommendations made by the Joint Scrutiny Committee and decide whether any amendments should be made to the Joint Committee Agreement.

The three points for consideration being:

- (a) A reduction in the quorate number of the Joint Scrutiny Committee to 6.
- (b) Clause 9.3 to be rewritten to provide additional clarity on what is being indemnified and by whom.
- (c) The caveat requiring the Joint Scrutiny Committee to seek permission of the constituent Authority Scrutiny Committee be removed.

Resolved that the Monitoring Officer respond to the Swansea Bay City Region Joint Scrutiny Committee to confirm that:

- (a) Legal Officers from each Authority will consider whether the amendment to the quorate number can be made under delegated powers.
- (b) In relation to clause 9.3 this is standard wording for an indemnity clause designed to protect the Accountable Body as employer of the Programme Director and Portfolio Management Office but recognising that the Programme Director receives his instructions from and is accountable to the Joint Committee. Therefore if the Programme Director or Portfolio Management Office act in a way that causes any loss to the Councils arising from an instruction given by the Joint Committee, then the Councils agree to share those losses equally. Where such losses arise as a result of the Accountable Body's negligent actions as employer of the Programme Director or Portfolio Management Office, then those losses will be borne by Carmarthenshire County Council. In the circumstances it is considered that the clause is appropriately worded from a legal perspective.
- (c) The caveat around the Joint Scrutiny of individual projects was inserted to protect the integrity of individual constituent scrutiny committees and to avoid any potential for duplication of work. Individual scrutiny committees would be expected to be sympathetic to any request by the Joint Scrutiny Committee and work with the Committee to avoid any duplication of scrutiny work. It is not felt appropriate to remove the caveat but it is suggested that any requests for joint scrutiny be monitored.

29 Swansea Bay City Region Joint Committee - Future Dates 2020-2021.

The Head of Democratic Services, Swansea Council submitted a report to consider future dates of the Committee.

The last diarised meeting of the Swansea Bay City Region Joint Committee was scheduled for 25 February 2020. The report sought to extend the scheduled meetings until April 2021.

Resolved that:

- 1) The future dates as outlined in paragraph 3.3 of the report be approved;
- 2) The suggestion to hold Economic Strategy Board (ESB) meetings in Swansea on the same day as the Joint Committee, be made to the ESB for it to consider;
- 3) The suggestion to hold the Programme Board approximately two weeks before the Joint Committee, be made to the Programme Board for them to consider;
- 4) The dates be circulated to other public bodies such as Education through Regional Working (ERW) and West Glamorgan Regional Partnership Board (RPB) to avoid clashes.

30 Pembroke Dock Marine Business Case.

Following advice from the Monitoring Officer, this item was moved into open session for discussion.

Edward Tomp, Chair of Economic Strategy Board (ESB) reported that the Board had spent considerable time on this project. It acknowledged it was highly complex but they were fully supportive of the overall project.

However the ESB suggested the following:

- Pembroke Dock Marine (PDM) - An elite partner be identified in terms of governing the risk;
- Marine Energy Engineering Centre of Excellence (MEECE) – The Joint Committee consider academic links with a local university to ensure a legacy and hardware remained;
- Pembrokeshire Demonstration Zone (PDZ) – They were fully supportive of the project but concerned that within the 5 year period nothing would really be developed as the money goes into consent application and there would be nothing to show for it. The other projects would be delivering in that 5 year period but the PDZ would just be approaching time for consent. Funding appears inconsistent with the other projects.

The Chair thanked Mr Tomp for the feedback on behalf of the ESB.

The Regional Office presented a report to consider feedback from the Economic Strategy Board on the Pembroke Dock Marine project and approve the formal submission of the full five case business plan to the UK and Welsh Government for approval.

Resolved that:

- 1) The Joint Committee approve the formal submission of the Pembroke Dock Marine full five case business plan to the UK and Welsh Government for approval;
- 2) The Joint Committee grant officers delegated powers to make any minor amendments necessary to obtain that approval.

31 Exclusion of the Public.

The Committee was requested to exclude the public from the meeting during the consideration of the item(s) of business identified in the recommendation to the report on the grounds that it involved the likely disclosure of exempt information as set out in the exemption paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, relevant to the item(s) of business set out in the report.

The Committee considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item(s) of business where the Public Interest Test was relevant as set out in the report.

Resolved that the public be excluded for the following items of business.

(Closed Session)

32 Shortlisting of Programme Director.

Paul Thomas, Assistant Chief Executive – People Management, Carmarthenshire Council submitted a report to outline the selection and requirement process to appoint the Swansea Bay City Region Programme Director.

Resolved that:

- 1) The Swansea Bay City Region Joint Committee endorse the identified short listed candidates;
- 2) The Swansea Bay City Region Joint Appointment Committee endorse the Assessment Centre approach;
- 3) Relevant partners/stakeholders be invited to participate in the assessment process.

The meeting ended at 2.44 pm

Chair