



DINAS A SIR CAERDYDD  
CITY AND COUNTY OF CARDIFF

**COUNCIL SUMMONS**

THURSDAY, 23 MAY 2019

**GWYS Y CYNGOR**

DYDD IAU, 23 MAI 2019,

You are summoned to attend the Annual Meeting of the **COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF** which will be held at Council Chamber - City Hall, Cathays Park, Gorsedd Gardens Road, Cardiff, CF10 3ND on Thursday, 23 May 2019 at 4.30 pm to transact the business set out in the agenda attached.

**Davina Fiore**  
**Director of Governance & Legal Services**

County Hall  
Cardiff  
CF10 4UW

Friday, 17 May 2019

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Promotion of equality and respect for others | Objectivity and propriety | Selflessness and stewardship  
Integrity | Duty to uphold the law | Accountability and openness

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**1 Apologies for Absence**

*To receive apologies for absence.*

**2 To elect the Chairman of Council for 2019 - 2020**

*The Constitution provides that the Council will elect the Chairman of Council at its Annual Meeting.*

**3 To appoint the Deputy Chairman of Council for 2019 - 2020**

*The Constitution provides that the Council will appoint the Vice Chairman of Council at its Annual Meeting.*

**4 Tributes to Councillor Wendy Congreve**

*To receive tributes for the later Councillor Wendy Congreve in accordance with Council Procedure Rule 26A(i).*

**5 Declarations of Interest**

*To receive declarations of interest (such declarations to be made in accordance with the Members Code of Conduct)*

**6 Minutes (Pages 5 - 68)**

*To approve as a correct record the minutes of previous meetings.*

**7 Cardiff Undertaking (Pages 69 - 72)**

**8 Lord Mayor's Announcements**

*To receive the Lord Mayor's announcements including Recognitions and Awards.*

**9 Leader's Announcements relating to the coming Municipal Year**

**10 To appoint Members of the Cabinet (where such election falls due)**

**11 Establishment of Standing Committees of Council for 2019-2020 (Pages 73 - 98)**

- 12 Allocation of Seats and Nominations and Appointments of Members to Committees** *(Pages 99 - 108)*
- 13 Election of Chairs and Deputy Chairs of Committees** *(Pages 109 - 112)*
- 14 Appointment of Representatives to Outside Bodies** *(Pages 113 - 118)*
- 15 Members' Remuneration and Allowances 2019 - 2020** *(Pages 119 - 130)*
- 16 Programme of Council Meetings** *(Pages 131 - 134)*
- 17 Six-month Councillor Attendance Rule - Approval of Absence** *(Pages 135 - 136)*
- 18 Urgent Business**

City Council of the City & County of Cardiff  
28 February 2019

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## THE COUNTY COUNCIL OF THE CITY & COUNTY OF CARDIFF

The County Council of the City & County of Cardiff met at County Hall, Cardiff on 28 February 2019 to transact the business set out in the Council summons dated Friday, 22 February 2019.

Present: County Councillor Dianne Rees (Lord Mayor)

County Councillors Ahmed, Asghar Ali, Dilwar Ali, Bale, Berman, Bowden, Bowen-Thomson, Boyle, Bradbury, Bridgeman, Carter, Cowan, Cunnah, De'Ath, Derbyshire, Driscoll, Ebrahim, Elsmore, Ford, Goddard, Goodway, Gordon, Henshaw, Gavin Hill-John, Philippa Hill-John, Hinchey, Howells, Hudson, Jacobsen, Jenkins, Jones-Pritchard, Jones, Owen Jones, Joyce, Kelloway, Lancaster, Lay, Lent, Lister, Mackie, McEvoy, McGarry, McKerlich, Merry, Michael, Morgan, Naughton, Owen, Parkhill, Jackie Parry, Keith Parry, Patel, Phillips, Robson, Sandrey, Sattar, Simmons, Singh, Stubbs, Taylor, Graham Thomas, Huw Thomas, Lynda Thorne, Walker, Weaver, Wild, Williams, Wong and Wood

### 117 : CHAIR OF COUNCIL STATEMENT

The Chair of Council opened the meeting with a personal statement: -

*I am making a short statement as a result of the way Members conducted themselves at the last Council meeting, which was not a credit to the Council.*

*Subsequent to the meeting, Councillor Goodway graciously apologised for disregarding the authority of the Chair.*

*I do not expect a repeat of that behaviour at this meeting. Meetings are recorded and it is not good for the reputation of the Council.*

*I expect all Councillors, no matter how inexperienced, and in particular the experienced Councillors, who should know better, to respect the authority of the Chair.*

*If the Chair calls the meeting to order or stands, any Member speaking at the time must stop and sit down.*

*If the Chair calls to order any Member, that Member should respect the authority of the Chair.*

*We should conduct the business of the meeting in a courteous, orderly manner so that we deal with the business at hand efficiently.*

118 : APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Burke-Davies, Congreve, Davies and Molik.

119 : TRIBUTES TO COUNCILLOR JIM MURPHY

The Lord Mayor led tributes to the late Councillor Jim Murphy a friend and colleague who passed away on 1 December 2018. A gentle man of the Council who represented the Ward of Ely, he was a man of good humour who have advice and support to colleagues across the Chamber.

The Leader of the Council, Councillor Huw Thomas, Leaders of the political Group Councillor Robson (Conservatives), Councillor Boyle (Liberal Democrat) and Councillor Keith Parry (Plaid Cymru) along with his close ward colleagues Councillors Russell Goodway and Susan Goddard, spoke in tribute to a loyal friend, a man of strong rooted values and principles; a socialist and staunch trade unionist and a caring family man. The Council and the community he represented so ardently over many years would sorely miss Councillor Murphy.

120 : ELY BY-ELECTION

The Lord Mayor welcomed Councillor Andrea Gibson to her first meeting of the Council following the By-Election on 21 February 2019. Councillor Gibson thanked everyone for the kind words and paid tribute to Councillor Murphy. She recognised that in her role as Ward Councillor for Ely she had big shoes to follow, and under took to represent the citizens of Ely to the best of her ability, and she looked forward to making a difference for the community she had been elected to serve.

121 : RETIREMENT OF CORPORATE DIRECTOR OF RESOURCES

The Lord Mayor paid tribute to Mrs Christine Salter the Council's Director of Resources and section 151 officer who was retiring from the authority on 15 March 2019 after 45 years exemplary service. This was her last Budget Setting meeting.

The Lord Mayor invited contribution from the Leader of the Council, Councillor Huw Thomas, Leaders of the Political Group Councillor Robson (Conservatives), Councillor Boyle (Liberal Democrat) and Councillor Keith Parry (Plaid Cymru) and Councillor Bowden (Independent Member) who all recognised the excellent service and diligence that Christine had provided to the Council throughout her career and in particular in her role as the Statutory Section 151 Officer. Christine was wished all the very best for the future.

122 : DECLARATIONS OF INTEREST

The following declaration of interest was received in accordance with the Members Code of Conduct in relation to Item 13 .

| <b>Councillor</b>                  | <b>Type of Interest</b> | <b>Interest</b>   |
|------------------------------------|-------------------------|---|
| Councillor Phil Bale               | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Rodney Berman           | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Joseph Boyle            | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Jayne Cowan             | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Daniel De'Ath           | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Sean Driscoll           | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Lisa Ford               | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Russell Goodway         | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Gavin Hill-John         | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Philippa Hill-John      | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Nigel Howells           | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Lyn Hudson              | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Michael Jones-Pritchard | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Neil McEvoy             | Personal Interest       | Member of the Cardiff & Vale Pension Scheme Pension account not active. |
| Councillor Roderick McKerlich      | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Sarah Merry             | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Michael Michael         | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Daniel Naughton         | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Oliver Owen             | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |
| Councillor Thomas Parkhill         | Personal Interest       | Member of the Cardiff & Vale Pension Scheme                             |

| <b>Councillor</b>                | <b>Type of Interest</b> | <b>Interest</b>   |
|----------------------------------|-------------------------|---|
| Councillor Michael Phillips      | Personal Interest       | Member of the Cardiff & Vale Pension Scheme   |
| Councillor Dianne Rees           | Personal Interest       | Member of the Cardiff & Vale Pension Scheme   |
| Councillor Adrian Robson         | Personal Interest       | Member of the Cardiff & Vale Pension Scheme   |
| Councillor Emma Sandrey          | Personal Interest       | Member of the Cardiff & Vale Pension Scheme   |
| Councillor Kanaya Singh          | Personal Interest       | Member of the Cardiff & Vale Pension Scheme   |
| Councillor Rhys Taylor           | Personal Interest       | Member of the Cardiff & Vale Pension Scheme   |
| Councillor Graham Thomas         | Personal Interest       | Member of the Cardiff & Vale Pension Scheme   |
| Councillor Huw Thomas            | Personal Interest       | Member of the Cardiff & Vale Pension Scheme   |
| Councillor David Walker          | Personal Interest       | Member of the Cardiff & Vale Pension Scheme   |
| Councillor Caro Wild             | Personal Interest       | Member of the Cardiff & Vale Pension Scheme   |
| Councillor Joel Williams         | Personal Interest       | Member of the Cardiff & Vale Pension Scheme   |
| Councillor Ashley Lister         | Personal Interest       | As Member of the Cardiff and Vale Pension Scheme as an employee of the Council Pension, account not active. |
| Councillor Dilwar Ali            | Personal Interest       | Gabalfa Primary School  |
| Councillor Dilwar Ali            | Personal Interest       | Hawthorn Primary School   |
| Councillor Phil Bale             | Personal Interest       | Llanishen High School   |
| Councillor Rodney Berman         | Personal Interest       | Marlborough Primary School  |
| Councillor Rodney Berman         | Personal Interest       | Ysgol y Berllan Deg   |
| Councillor Joe Boyle             | Personal Interest       | Howardian Primary School  |
| Councillor Joe Boyle             | Personal Interest       | Springwood Primary School   |
| Councillor Peter Bradbury        | Personal Interest       | Millbank Primary School   |
| Councillor Peter Bradbury        | Personal Interest       | The Western Learning Campus   |
| Councillor Lee Bridgeman         | Personal Interest       | Eastern High School   |
| Councillor Jennifer Burke-Davies | Personal Interest       | Ysgol Glan Ceubal   |
| Councillor Joseph Carter         | Personal Interest       | St Philip Evans R.C Primary School  |
| Councillor Joseph Carter         | Personal Interest       | Llanedeyrn Primary School   |
| Councillor Wendy Congreve        | Personal Interest       | Rhydypenau Primary School (CB)  |
| Councillor Jayne Cowan           | Personal Interest       | Greenhill School  |
| Councillor Stephen Cunah         | Personal Interest       | Ysgol Gymraeg Pwll Coch   |
| Councillor Dan De'Ath            | Personal Interest       | Albany Primary School (CB)  |



| <b>Councillor</b>             | <b>Type of Interest</b> | <b>Interest</b>                                   |
|-------------------------------|-------------------------|---|
| Councillor Bob Derbyshire     | Personal Interest       | Rumney Primary School                             |
| Councillor Sean Driscoll      | Personal Interest       | Danescourt Primary School (CB)                    |
| Councillor Saeed Ebrahim      | Personal Interest       | Mount Stuart Primary School (CB)                  |
| Councillor Susan Elsmore      | Personal Interest       | Radnor Primary School                             |
| Councillor Susan Elsmore      | Personal Interest       | Ysgol Gymraeg Treganna                            |
| Councillor Susan Goddard      | Personal Interest       | Ely and Caerau Childrens Centre                   |
| Councillor Susan Goddard      | Personal Interest       | St Francis RC Primary School                      |
| Councillor Russell Goodway    | Personal Interest       | Cardiff West Community High School                |
| Councillor Iona Gordon        | Personal Interest       | Severn Primary School                             |
| Councillor Jane Henshaw       | Personal Interest       | Baden Powell Primary School                       |
| Councillor Gavin Hill-John    | Personal Interest       | Pentyrch Primary School                           |
| Councillor Graham Hinchey     | Personal Interest       | Birchgrove Primary School                         |
| Councillor Graham Hinchey     | Personal Interest       | Ton-Yr-Ywen Primary School (CB)                   |
| Councillor Nigel Howells      | Personal Interest       | Adamsdown Primary School (CB)                     |
| Councillor Nigel Howells      | Personal Interest       | Stacey Primary School                             |
| Councillor Lyn Hudson         | Personal Interest       | Ton-Yr-Ywen Primary School (CB)                   |
| Councillor Owen Jones         | Personal Interest       | Adamsdown Primary School (CB)                     |
| Councillor Jones-Pritchard    | Personal Interest       | The Pear Tree Federation                          |
| Councillor John Lancaster     | Personal Interest       | Llanishen High School                             |
| Councillor Susan Lent         | Personal Interest       | Howardian Primary School                          |
| Councillor Susan Lent         | Personal Interest       | Roath Park Primary School (CB)                    |
| Councillor Ashley Lister      | Personal Interest       | Grangetown Primary School (CB)                    |
| Councillor Mary McGarry       | Personal Interest       | Albany Primary School (CB)                        |
| Councillor Mary McGarry       | Personal Interest       | St Peter's R.C Primary School (CB)                |
| Councillor Roderick McKerlich | Personal Interest       | LA School Governor for Radyr Comprehensive School |
| Councillor Roderick McKerlich | Personal Interest       | LA School Governor for Radyr Primary School       |
| Councillor Dan Naughton       | Personal Interest       | St David's C.W Primary School                     |
| Councillor Oliver Owen        | Personal Interest       | Ton-Yr-Ywen Primary School (CB)                   |
| Councillor Jackie Parry       | Personal Interest       | St Cadoc's Catholic Primary                       |

| <b>Councillor</b>               | <b>Type of Interest</b> | <b>Interest</b>   |
|---------------------------------|-------------------------|---|
|                                 |                         | School (CB)   |
| Councillor Ramesh Patel         | Personal Interest       | Fitzalan High School (CB)                                       |
| Councillor Ramesh Patel         | Personal Interest       | Lansdowne Primary School  |
| Councillor Mike Phillips        | Personal Interest       | Whitchurch Primary School                                       |
| Councillor Dianne Rees          | Personal Interest       | St Mellons C.W Primary School                                   |
| Councillor Emma Sandrey         | Personal Interest       | Springwood Primary School                                       |
| Councillor Kanaya Singh         | Personal Interest       | Kitchener Primary School (CB)                                   |
| Councillor Ed Stubbs            | Personal Interest       | Moorland Primary School   |
| Councillor Ed Stubbs            | Personal Interest       | Willows High School (CB)  |
| Councillor Rhys Taylor          | Personal Interest       | Ysgol Mynydd Bychan   |
| Councillor Huw Thomas           | Personal Interest       | Willows High School (CB)  |
| Councillor Huw Thomas           | Personal Interest       | Ysgol Glan Morfa  |
| Councillor Lynda Thorne         | Personal Interest       | Grangetown Nursery School                                       |
| Councillor LyndaThorne          | Personal Interest       | Ninian Park Primary School (CB)                                 |
| Councillor David Walker         | Personal Interest       | Llysfaen Primary School   |
| Councillor Chris Weaver         | Personal Interest       | Cathays High School (CB)  |
| Councillor Chris Weaver         | Personal Interest       | Gladstone Primary School  |
| Councillor Caro Wild            | Personal Interest       | Kitchener Primary School (CB)                                   |
| Councillor Joel Williams        | Personal Interest       | Oakfield Primary School   |
| Councillor Joel Williams        | Personal Interest       | The Hollies School  |
| Councillor Peter Wong           | Personal Interest       | Cathays High School (CB)  |
| Councillor Peter Wong           | Personal Interest       | Roath Park Primary School (CB)                                  |
| Councillor Diane Rees           | Personal Interest       | As a member of the Old St Mellons Community Council             |
| Councillor Joel Williams        | Personal Interest       | As a member of the Old St Mellons Community Council             |
| Councillor Gavin Hill-John      | Personal Interest       | As a member of the Pentyrch Community Council                   |
| Councillor Rod McKerlich        | Personal Interest       | As a member of the Radyr & Morganstown Community Council        |
| Councillor Graham Thomas        | Personal Interest       | As a member of the St Fagans Community Council                  |
| Councillor Mike Jones-Pritchard | Personal Interest       | As a member of Tongwynlais Community Council                    |
| Councillor Linda Morgan         | Personal Interest       | As a member of Tongwynlais Community Council                    |
| Councillor Jayne Cowan          | Personal Interest       | As a member appointed to the Glamorgan Archives Joint Committee |
| Councillor Stephen Cunnah       | Personal Interest       | As a member appointed to  |

| <b>Councillor</b>          | <b>Type of Interest</b> | <b>Interest</b>  |
|----------------------------|-------------------------|--|
|                            |                         | the Glamorgan Archives Joint Committee   |
| Councillor Jane Henshaw    | Personal Interest       | As a member appointed to the Glamorgan Archives Joint Committee  |
| Councillor Keith Jones     | Personal Interest       | As a member appointed to the Glamorgan Archives Joint Committee  |
| Councillor Adrian Robson   | Personal Interest       | As a member appointed to the Glamorgan Archives Joint Committee  |
| Councillor Michael         | Personal Interest       | As a member appointed to the Cardiff Bay Advisory Committee  |
| Councillor Caro Wild       | Personal Interest       | As a member appointed to the Cardiff Bay Advisory Committee  |
| Councillor Huw Thomas      | Personal Interest       | As a member appointed to the Cardiff Capital Region Cabinet  |
| Councillor Sarah Merry     | Personal Interest       | As a member appointed to the Central South Consortium Joint Education Service Joint Committee          |
| Councillor Huw Thomas      | Personal Interest       | As a member appointed to the Public Services Board   |
| Councillor Michael         | Personal Interest       | As a member appointed to the Prosiect Gwyrdd Joint Committee   |
| Councillor Weaver          | Personal Interest       | As a member appointed to the Prosiect Gwyrdd Joint Committee   |
| Councillor Michael         | Personal Interest       | As a member appointed to the Shared Regulatory Services  |
| Councillor Mackie          | Personal Interest       | As a member appointed to the Shared Regulatory Services  |
| Councillor Hinchey         | Personal Interest       | As a member appointed to the Vale, Valleys and Cardiff Regional Adoption Collaborative Joint Committee |
| Councillor Gavin Hill-John | Personal Interest       | As a Non-Executive member appointed to the Cardiff Bus   |
| Councillor Chris Lay       | Personal Interest       | As a Non-Executive member  |

| <b>Councillor</b>          | <b>Type of Interest</b> | <b>Interest</b>  |
|----------------------------|-------------------------|--|
|                            |                         | appointed to the Cardiff Bus   |
| Councillor Emma Sandrey    | Personal Interest       | As a Non-Executive member appointed to the Cardiff Bus                     |
| Councillor Sarah Merry     | Personal Interest       | As a member appointed to the Cardiff & Vale College & WJEC Board           |
| Councillor Joe Boyle       | Personal Interest       | As a member appointed to the Local Government Association General Assembly |
| Councillor Sarah Merry     | Personal Interest       | As a member appointed to the Local Government Association General Assembly |
| Councillor Adrian Robson   | Personal Interest       | As a member appointed to the Local Government Association General Assembly |
| Councillor Huw Thomas      | Personal Interest       | As a member appointed to the Local Government Association General Assembly |
| Councillor Dilwar Ali      | Personal Interest       | As a member appointed to the South Wales Fire & Rescue Service             |
| Councillor Dan De'Ath      | Personal Interest       | As a member appointed to the South Wales Fire & Rescue Service             |
| Councillor Saeed Ebrahim   | Personal Interest       | As a member appointed to the South Wales Fire & Rescue Service             |
| Councillor Dan Naughton    | Personal Interest       | As a member appointed to the South Wales Fire & Rescue Service             |
| Councillor Joel Williams   | Personal Interest       | As a member appointed to the South Wales Fire & Rescue Service             |
| Councillor Peter Bradbury  | Personal Interest       | As a member appointed to the Welsh Local Government Association Council    |
| Councillor Susan Elsmore   | Personal Interest       | As a member appointed to the Welsh Local Government Association Council    |
| Councillor Russell Goodway | Personal Interest       | As a member appointed to the Welsh Local Government Association Council    |
| Councillor Sarah Merry     | Personal Interest       | As a member appointed to   |

| <b>Councillor</b>         | <b>Type of Interest</b> | <b>Interest</b>  |
|---------------------------|-------------------------|--|
|                           |                         | the Welsh Local Government Association Council   |
| Councillor Michael        | Personal Interest       | As a member appointed to the Welsh Local Government Association Council  |
| Councillor Huw Thomas     | Personal Interest       | As a member appointed to the Welsh Local Government Association Council  |
| Councillor Lynda Thorne   | Personal Interest       | As a member appointed to the Welsh Local Government Association Council  |
| Councillor Chris Weaver   | Personal Interest       | As a member appointed to the Welsh Local Government Association Council  |
| Councillor Peter Bradbury | Personal Interest       | Member of Caerau Sports Trust  |
| Councillor Naughton       | Personal Interest       | A family member is in receipt of a Pension from Cardiff Bus  |
| Councillor Naughton       | Personal Interest       | A family Member is currently employed by a contractor who is undertaking work on a School site for Cardiff Council |
| Councillor Bowden         | Personal Interest       | In receipt of the Council's Telecare Service   |
| Councillor Driscoll       | Personal Interest       | As a joint leaseholder of a Council Asset  |
| Councillor Bale           | Personal Interest       | Member of the Cardiff & Vale Credit Union  |
| Councillor Bale           | Personal Interest       | A family member in receipt of a Pension from Cardiff Council.  |
| Councillor Elsmore        | Personal Interest       | As an independent Member on the Cardiff and Vale University Health Board member                                    |
| Councillor Elsmore        | Personal Interest       | As a member of the Cardiff & Vale Credit Union   |
| Councillor Simmons        | Personal Interest       | Member of the Caerau Sports Trust  |
| Councillor Simmons        | Personal Interest       | As a member of the Cardiff & Vale Credit Union   |
| Councillor Cowan          | Personal Interest       | As a member of the Cardiff & Vale Credit Union   |
| Councillor Robson         | Personal Interest       | As a member of the Cardiff & Vale Credit Union   |
| Councillor Williams       | Personal Interest       | On the Board of  |

| Councillor                | Type of Interest  | Interest  |
|---------------------------|-------------------|---|
|                           |                   | Management Cartref Care Homes                     |
| Councillor Goddard        | Personal Interest | As a member of the Cardiff & Vale Credit Union    |
| Councillor Taylor         | Personal Interest | As a member of the Cardiff & Vale Credit Union    |
| Councillor Bowen-Thomson  | Personal Interest | As a member appointed to the Police & Crime Panel |
| Councillor Gibson         | Personal Interest | As a member of the Cardiff & Vale Credit Union    |
| Councillor McEvoy         | Personal Interest | As a member of the Cardiff & Vale Credit Union    |
| Councillor McEvoy         | Personal Interest | Member of Cardiff City Supporters Trust           |
| Councillor Dilwar Ali     | Personal Interest | Member of Cardiff City Supporters Trust           |
| Councillor Peter Bradbury | Personal Interest | Member of Cardiff City Supporters Trust           |
| Councillor Peter Bradbury | Personal Interest | As a trustee of the Cardiff Story Museum          |

The Lord Mayor advised that the Chief Executive had a pecuniary interest in Item 10, the Appointment of Electoral Registration Officer and Returning Officer and would leave the meeting during consideration of the item.

#### 123 : MINUTES

The minutes of the meeting<sup>3</sup> 29 November 2018, 31 January 2019 (cancelled meeting) and Extraordinary meeting 14 February 2019 were approved as a correct record and signed by the Chairperson.

#### 124 : PUBLIC QUESTIONS

Public Question 1 – *Mr Cadan Ap Tomos*

What did the Council do to encourage those visiting Cardiff, for Christmas shopping and other festive activities, out of their cars and onto public transport?

Reply – *Councillor Wild*

The Council worked with a range of partners to promote the use of sustainable transport modes over the festive season.

A dedicated team of Council officers joined representatives from the retail sector, South Wales Police, bus companies and taxi operators worked closely throughout the festive period to deal with any issues that would arise.

Timetable information was made available through a number of outlets, including Traveline Cymru and the websites of Cardiff Bus and Transport for Wales. Visit Cardiff also published a Christmas events guide supplying travel information on public transport and Park & Ride services.

We also continue to provide provision for people to travel by bike, including the growth of the Nextbike scheme and we have doubled the number of bike stands across the centre of the city.

Supplementary Question– *Mr Cadan Ap Tomos*

Anyone coming into Cardiff in the run up to Christmas would have been met with a very long stationary queue of cars waiting to get into a car park, and frankly, there is no wonder given the travel information that was made available to visitors.

The Council's own website focused on telling people where to park in the City with scarce mention of how to get in by bus, train or Park & Ride. The Winter Wonderland website gives only information about nearby parking nothing on public transport. The Christmas Market website prioritises car travel and parking over public transport alternatives, with no mention at all of the Park & Ride service available. Moreover, all of this is without thinking of more proactive ways to communicate with those coming from outside of our City.

These should have been easy wins. Nevertheless, sadly it seems the administration is still promoting car travel as the default option.

How do you plan to fix these things for next Christmas and for other busy periods that require special advice, and what proactive steps will you take to encourage Cardiff visitors to leave their cars at home when they visit?

Reply – *Councillor Wild*

Whilst I take on board that traffic does build up during festive periods, car traffic that is, I have to take your word that it was quite as bad as it seems in terms of the information that was out there, because the information certainly that I saw showed a lot of information pushing people towards those different modes of transport.

I know we opened up Park & Ride on Sundays and we had to put on extra Park & Ride services because of the demand for those services.

In terms of what we are going to do going forward, I don't want to list the whole host of things we are looking to do across public transport in the City, as you will have seen recently a Green Paper to make suggestions on all sorts of sustainable modes. However, I am happy to take on board some of the ideas you have given there and that you may wish to give in the future and I will take those up with Officers. .

Public Question 2, from Mr Gavin Brookman had been withdrawn on his request.

Public Question 3 – *Rahema Zaman*

What is the Council doing to ensure our leisure centres serve the community?

Reply – *Councillor Bradbury*

I really appreciate the opportunity to say what the Council is doing in this area. The Council is fully committed to ensuring that its leisure centres are meeting the needs of the communities that they serve and is working closely with GLL, its leisure partner, to this end.

GLL regularly review the activity programme in order to address the needs of the wider community. This can be evidenced at Fairwater Leisure Centre through the Lets Get Moving Programme, in partnership with the NHS, which supports stroke rehabilitation. At Eastern Leisure Centre, the Walking Netball and Walking Football Programmes are also supporting such rehabilitation.

The #Innerstrength programme has proved very popular, offering young girls the opportunity to participate in physical activity, as well as learning about health and well-being through workshops provided by professional health advisors. This programme takes place at Eastern Leisure Centre and has recently been expanded to offer activities at the STAR Hub.

There is also a strong commitment to improving health, well-being and opportunities across the communities of Cardiff by supporting the next generation of athletes via the GLL Sport Foundation Programme. This operates annually and, last year, 47 young athletes benefitted from a financial and developmental perspective.

Following the creation of the partnership with the Council, GLL have been able to demonstrate an increase in both participation rates and memberships. There has also been significant investment in our leisure centres and, by the turn of the new financial year, the leisure portfolio will have benefitted from £3.4 Million of investment, something I hope Members will vote for today.

This is just a snapshot and against the backdrop of an extremely challenging financial climate, not only do our leisure centres remain open, but also the Council is able to demonstrate a strong commitment to investment in and diversification of the offer, to meet community needs.

Supplementary Question– *Rahema Zaman*

Just to give some context, for the past 25 years I have been able to go swimming with my children at Maindy swimming pool to the female only sessions. However, since GLL have taken over, this provision has been slowly eroded so that mothers now can no longer go swimming with their daughters at Maindy swimming pool. No one aged under 16 can attend the women only sessions.

Will the Cabinet Member look into reinstating these sessions for young girls as my daughter is extremely disappointed that she can no longer go swimming?.

*This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg*



Reply – *Councillor Bradbury*

I am sorry to hear about your personal case with Maindy Leisure Centre and of course am very happy to take up that specific case and speak to GLL about it.

GLL also have to adhere to strict a Health and Safety policy, a key element of which is in relation of use of their swimming pools and their explanation has been that their swimming pool policy requires that an adult who is a competent swimmer must accompany all under 16 no-swimmers. Therefore, they should not be stopping you from going swimming if you are a competent swimmer in the female only sessions.

I am happy to take up your specific case with GLL and hopefully get the outcome you are looking for.

125 : PETITIONS

The following petitions were received:

| <b>Councillor</b>   | <b>No of signatures</b> | <b>Topic</b>   |
|---------------------|-------------------------|--|
| Councillor Hinchey  | 335                     | Calling on Cardiff Council to put pressure on Cardiff Bus not to withdrawn bus services – 51/53 and 86 from Heath Ward |
| Councillor Walker   | 549                     | Calling on the Cardiff Council to put pressure on Cardiff Bus not to withdraw bus services from Lisvane                |
| Councillor Driscoll | 170                     | Calling on Cardiff Council to put pressure on Cardiff Bus not to withdrawn bus services – 66 from Llandaff Ward        |

126 : LORD MAYOR'S ANNOUNCEMENTS

Condolences

The Lord Mayor had sent condolences to the widow and family of former Cardiff Councillor Robert (Bob) Smith, Councillor for Llanishen from June 2004 to May 2012 and an active Member of the Licensing and Public Protection Committees.

Former City and County Councillor Frederick Herbert Yeomans passed away on 12 February 2019 at the age of 90. He served on both the City Council from 1973 -1979 and South Glamorgan County Council from 1980 as a Councillor for the Rumney and Llanrumney Wards.

Former South Glamorgan County Councillor Colin Champion who served the Central Ward (part of Cathays in 1981 – 1989 had also passed away.

Civic Events

The monthly report on the [Civic Events](#) since the last meeting had been published for this meeting.

Lord Mayor's Charity Fundraising

The Lord Mayor was delighted to report that her fundraising for the Tiny Lives Noah's Arch Appeal had reached £113,000, and drew Members attention to forthcoming events.

127 : APPOINTMENT OF RETURNING OFFICER & ELECTORAL  
REGISTRATION OFFICER

*(The Chief Executive had a pecuniary interest in this item and left the meeting during its consideration)*

The Council received a report in respect of the roles of Returning Officer and Electoral Registration Officer, which have previously been combined and performed by a single person. Each role is a personal responsibility, independent and separate from their duties as an employee of the council. Currently the roles are held by the Corporate Director Resources due to her extensive experience of election and registration work although it is noted that the vast majority of councils in Wales have appointed their Heads of Paid Service to undertake both roles, a position that is increasingly favoured by the Electoral Commission and reflected in their performance monitoring arrangements.

The Leader of the Council, Councillor Huw Thomas proposed and Councillor Robson seconded that the council's Chief Executive undertakes these roles for Cardiff Council on the retirement of the Corporate Director Resources. There were no matters raised in relation to this proposal.

RESOLVED – That

1. the appointment of the Chief Executive as Electoral Registration Officer for the constituencies contained within the area of the City and County of Cardiff was approved with effect from 3 April 2019;
2. the appointment of the Chief Executive as Returning Officer for the election of County Councillors and Community Councillors within the area of the City and County of Cardiff was approved with effect from 3 April 2019.

128 : COUNCIL TAX PREMIUMS

The Cabinet Member for Finance, Modernisation and Performance proposed the recommendation in the report to use discretionary powers for Council Tax Premiums on long-term empty properties. The proposal had been subject to public consultation at the end of last year.

It was recognised that empty and boarded up properties within the city had a significant impact on communities with issues of fly tipping, nuisance, vandalism, criminal activity and visual deterioration, all of which have the potential to adversely affect neighbouring properties and residents.

In addition, empty properties also represent a wasted resource in light of the significant demand for housing within the city. This proposal would act as a nudge to the need to bring these properties back into use.

The Cabinet Member for Housing and Communities seconded the report and drew attention to the need to bring properties back into use. Properties are often empty for a range of complex issues. It was important to balance resources in relation to demand for housing and this proposal would, if successful, help to bring properties back into use.

The Lord Mayor invited debate and in general the proposal was welcomed as a way of bring properties back into use particularly as family homes. Some concerns which were acknowledged by the Cabinet Member were raised around the consultation process its robustness, depth and reach and the importance of engaging with more people. It was recognised that there were a range of reasons for the 1400 empty properties. A concern was also raised about the support given to landlords and around the number of properties private and council left empty for significant periods.

RESOLVED – That with effect 1 April 2019, it was approved that a 50% Council Tax Premium is applied to long term empty dwellings that have been unoccupied and substantially unfurnished for a period of 12 months or more.

#### 129 : CARDIFF COUNCIL CORPORATE PLAN 2019-22

The Leader of the Council proposed the new Corporate Plan for 2019-22, which had been developed in tandem with the process for developing and setting the Council's budget for 2019/20. The Plan represented the administrations ambitions and aspirations for the capital city and the people of Cardiff and Wales. The Plan is the Council vision, policy and delivery framework set within the context of ensuring everyone benefits from the city's success; continuing improvements in education and school attainment; the ambition of equity and social justice across all communities; balanced against sustained and severe financial pressures within public services.

The Leader did not accept either of the amendments to the report.

The Corporate Plan was seconded by the Deputy Leader and Cabinet Member for Education and Skills, Councillor Merry reiterated the administration priorities to deliver on creating opportunities; tackling inequalities, poverty and ill health, action on homelessness and protection of the most vulnerable in society.

The Lord Mayor advised that two amendments to the report had been received in accordance with Council Procedure Rule 24a.

#### Amendment 1.

The Lord Mayor invited Councillor Robson to propose the amendment.

Councillor Robson advised that the amendment sought to replace the recommendation with the following which would require the Cabinet to consider a policy on how it plans for Council Tax in the future

*This Council is recommended to defer consideration of the Corporate Plan until a future Council meeting to enable the Cabinet to bring forward a revised plan in the interim, which includes a clear position for Cardiff residents as to what the administration's plans are for the levels of Council Tax in future years.*

Councillor Cowan seconded the amendment.

#### Amendment 2

The Lord Mayor invited Councillor Boyle to propose the amendment.

Councillor Boyle advised that the amendment sought to replace the recommendation with the following, which drew on social determinants to improve the life changes and disparities across the city in the future.

*This Council is recommended to defer consideration of the Corporate Plan until a future Council meeting to enable the Cabinet to bring forward a revised plan in the interim that gauges the Council's progress in closing the city's equality gap through specific KPIs for:*

- a) *improving outcomes for vulnerable children and families;*
- b) *improving educational outcomes for BAME children;*
- c) *reducing health inequalities, and differences in life expectancy, which exist between different communities in Cardiff including between the most and least affluent communities.*

The Lord Mayor invited debate on the Corporate Plan. During the debate observations were made about:

- The ambition and targets in the Corporate Plan and that Cardiff should be striving to achieve more.
- The challenges for services and key priorities such as early intervention and the importance of the early help gateways;
- strengthening of preventative and support services;
- the importance of education opportunities and attainment for all pupils irrespective of their background;
- tackling inequalities particularly in health and poverty,
- tackling homelessness;
- the development of a Food Strategy;
- improved chances for children and young people in and leaving care;
- increasing in number of foster carers;
- involving young people in decisions that effect their future;
- environmental issues such as reduction in carbon emissions; and climate change and waste reduction;
- partnership working on the seven objectives.

The Lord Mayor invited the Leader to respond to the points raised.

The Lord Mayor called for a vote on the first amendment proposed by Councillor Robson.

The vote on the amendment was LOST.

The Lord Mayor called for a vote on the first amendment proposed by Councillor Boyle.

The vote on the amendment was LOST.

The Lord Mayor called for a vote on the recommendations in the report as proposed by the Leader Councillor Huw Thomas.

The Vote was CARRIED.

RESOLVED – That

1. the Corporate Plan 2019-22 was approved;
2. delegate authority was approved for the Chief Executive, in consultation with the Leader of the Council, to make any consequential amendments to the Corporate Plan 2019-22 (Appendix A) following consideration by Council on 28 February 2019 and prior to publication by 1 April 2019; and

delegate authority was approved for the Chief Executive, in consultation with the Leader of the Council, to make any consequential amendments to the Performance Target Setting Summary 2019/20 (Appendix B) following publication of the 2018/19 Quarter 4 performance results.

130 : BUDGET PROPOSALS 2019 - 2020

*(Members declarations of interest under Article 10 of the Members' Code of Conduct as set out in Minute Number 126 were noted)*

The Council was requested to consider and approve the Cabinet Budget Proposals for 2018 - 2019.

Three alternative budget proposals had been received in accordance with the Council Procedure Rules, included necessary Statutory Officer advice, and had been circulated as part of the Amendment Sheet.

The Lord Mayor invited the Cabinet Member, Finance, Modernisation and Performance, Councillor Weaver to propose the Cabinet Budget.

The Cabinet Member presented the administration budget for approval. The budget as proposed is set within a challenging financial outlook and aims to build on the Cardiff Ambition principles and maintaining focus on performance and statutory services; modernisation; streamlining services; making best use of technology; income generation and developing stronger partnerships and links locally, regionally and nationally.

*This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg*

The budget would invest in core priorities for the city – education and young people, schools organisational planning - Band B projects; school repairs; housing; community hub programme, infrastructure and cycle highway network; jobs opportunities and economic and growth; protection of the most vulnerable children and adults of the city and taking action to tackle homelessness.

The Cabinet Member detailed proposed budget to address the £32.4m gap. These included a further £19,157m directorate savings; draw down on reserves and a Council tax net increase of 4.9%, which would raise £6,745million. The Cabinet Member referred to the Medium Term Financial Plan and Capital financing, and the use of the Financial Resilience Mechanism and risk assessment, all tools used in the budget planning process for 2019/20. He highlighted the Budget Strategy for future years with the need to plan for approx. £105m savings over next 3 years.

The Cabinet Member welcomed that the amendments broadly supported the principles of the proposed budget however; the use of contingency and resilience would put the Council's resources at risk and weaken its resilience for years to come.

The Cabinet Member thanked Cabinet colleagues; Group Leaders and spokespersons; Scrutiny Chairs, Members, the Section 151 Officer, Senior Management, and all those involved in bringing together the budget proposals, and commended the Cabinet proposal to Council.

The Leader of the Council, Councillor Huw Thomas seconded the proposed Budget 2019/20. .

The Leader focussed on the key principles of the Cardiff Ambition of equity and social justice, bridging the gap between those in poverty and those that prosper from education, employment and economy growth. Investing in education; schools and young people was a priority as well as providing access to good jobs, sustainable and accessible public transport and a living wage

The Lord Mayor invited the proposer and seconder of each of the amendments to formally move their proposal and speak.

Councillor Gavin Hill-John proposed the Conservative alternative budget proposal and spoke on the amendment. Councillor Robson seconded the amendment and spoke.

Councillor Berman proposed the Liberal Democrat alternative budget proposal and spoke on the amendment. Councillor Boyle seconded the amendment and spoke.

Councillor McEvoy proposed the Plaid Cymru alternative budget proposal and spoke on the amendment. Councillor Gibson seconded the amendment and spoke.

The Lord Mayor invited debate of the Cabinet proposals and the three alternative proposals.

Members commented on the budget proposals and the amendments and raised a number of matters including the level of the rise of Council Tax and the need for a clear strategy for Council Tax going forward and the burden the rise will put on citizens. Members once again commented on the consultation process and depth of responses and poor engagement with young people.

Members recognised the difficulties in meeting the demands for adults and children's services and the importance of supporting and protecting vulnerable children and adults, the support provided by independent living services and the importance of tackling loneliness and providing support to citizens with dementia, out of county placements. Members welcomed the commitment to further invest in community hubs and libraries.

Members suggested ways of using resources for better outcomes in particular around early help and invention services and family support. The issue of the business rates and the allocation given to Cardiff as the economic hub and the Capital City of Wales was raised.

Members stressed the importance of investment in young people, education, additional learning needs; youth services; fostering services; care leavers, employment and training; development of affordable social housing provisions, support for rough sleepers and the provision of safe and accessible accommodation; the need to tackle poverty and support for a Food Strategy.

Members discussed investment in infrastructure – potholes and traffic schemes; the promotion of active travel - walking and cycling; safe routes to schools and school transport; and the need for progress on the Central Station.

The importance of Scrutiny feedback was highlighted particularly in relation to the economic and cultural aspects of the city in relation to the city's heritage and parks, tourism and City Centre management. Music Strategy and greater ambition. Environmental issues including clean cities and reduction pollution and waste, clean energy initiatives.

Members raised concerns about the use of contingency and reserve.

The Lord Mayor thanked Members for their contribution to the debate and invited the Cabinet Member Finance, Modernisation and Performance, Councillor Weaver to respond to matters raised during the debate.

Lord Mayor took the votes as follows: -

The vote on the Conservative amendment proposed by Councillor Gavin Hill- John was LOST.

The vote on the Liberal Democrat amendment proposed by Councillor Berman was LOST.

The vote on the Plaid Cymru amendment by Councillor McEvoy was LOST.

The vote on the recommendations as proposed in the report was CARRIED.

*This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg*

RESOLVED – That Council

1. Approved the Revenue, Capital and Housing Revenue Account budgets including all proposals and increasing the Council Tax by 4.9% as set out in this report and that the Council resolve the following terms.
2. Noted that at its meeting on 13 December 2018 Cabinet calculated the following number of dwelling equivalents for the year 2019/20 in accordance with the regulations made under Section 33(5) of the Local Government Finance Act 1992:-
  - (a) 145,499 being the number calculated in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) (Wales) Regulations 1995, as amended, as its Council Tax base for the year.
  - (b)

|                |       |
|----------------|-------|
| Lisvane        | 2,409 |
| Pentyrch       | 3,280 |
| Radyr          | 3,783 |
| St Fagans      | 1,423 |
| Old St Mellons | 1,828 |
| Tongwynlais    | 817   |

being the numbers calculated in accordance with Regulation 6 of the Regulations as the amounts of its Council Tax base for the year for dwellings in those parts of its area to which special items relate.

- 2.1 Agreed that the following amounts be now calculated by the County Council of the City and County of Cardiff for the year 2019/20 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-
  - (a) Aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (d) (including Community Council precepts totalling £396,847).

£1,026,008,847
  - (b) Aggregate of the amounts which the Council estimates for items set out in Section 32(3)(a) and (c).

£405,173,000
  - (c) Amount by which the aggregate at 2.1(a) above exceeds the aggregate at 2.1(b) above calculated in accordance with Section 32(4) as the budget requirement for the year.

£620,835,847
  - (d) Aggregate of the sums which the Council estimates will be payable for the year into its Council Fund in respect of Revenue Support Grant, its council tax reduction scheme, redistributed Non-Domestic Rates.

£444,629,480

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- (e) The amount at 2.1(c) above less the amount at 2.1(d) (net of the amount for discretionary relief of £400,000), all divided by the amount at 2.0(a) above, calculated in accordance with Section 33(1) as the basic amount of Council Tax for the year.
- £1,213.80
- (f) Aggregate amount of all special items referred to in Section 34(1).
- £396,847
- (g) Amount at 2.1(e) above less the result given by dividing the amount at 2.1(f) above by the amount at 2.0(a) above, in accordance with Section 34(2) of the Act, as the basic amount of Council Tax for the year for dwellings in those parts of the area to which no special items relate
- £1,211.07
- (h) The amounts given by adding to the amount at 2.1(g) above the amounts of special items relating to dwellings in those parts of the Council's area mentioned below, divided in each case by the amount at 2.0(b) above, calculated in accordance with Section 34(3) as the basic amounts of Council Tax for the year for dwellings in those parts of the area to which special items relate.
- |                | £        |
|----------------|----------|
| Lisvane        | 1,227.26 |
| Pentyrch       | 1,258.33 |
| Radyr          | 1,243.94 |
| St Fagans      | 1,225.48 |
| Old St Mellons | 1,231.31 |
| Tongwynlais    | 1,236.77 |
- (i) The amounts given by multiplying the amounts at 2.1(g) and 2.1(h) above by the number which in the proportion set out in the Council Tax (Valuation Bands) (Wales) Order 2003 is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D calculated in accordance with Section 36(1) of the Act as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

|                                       | <b>A</b> | <b>B</b> | <b>C</b> | <b>D</b> | <b>E</b> | <b>F</b> | <b>G</b> | <b>H</b> | <b>I</b> |
|---------------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
|                                       | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> |
| <b>Area</b>                           |          |          |          |          |          |          |          |          |          |
| Lisvane                               | 818.16   | 954.53   | 1,090.89 | 1,227.26 | 1,499.98 | 1,772.71 | 2,045.42 | 2,454.52 | 2,863.60 |
| Pentyrch                              | 838.88   | 978.70   | 1,118.51 | 1,258.33 | 1,537.95 | 1,817.58 | 2,097.21 | 2,516.66 | 2,936.09 |
| Radyr                                 | 829.28   | 967.51   | 1,105.72 | 1,243.94 | 1,520.36 | 1,796.80 | 2,073.22 | 2,487.88 | 2,902.52 |
| St. Fagans                            | 816.98   | 953.15   | 1,089.31 | 1,225.48 | 1,497.80 | 1,770.13 | 2,042.46 | 2,450.96 | 2,859.44 |
| Old St. Mellons                       | 820.86   | 957.68   | 1,094.49 | 1,231.31 | 1,504.93 | 1,778.56 | 2,052.17 | 2,462.62 | 2,873.05 |
| Tongwynlais                           | 824.50   | 961.93   | 1,099.34 | 1,236.77 | 1,511.60 | 1,786.44 | 2,061.27 | 2,473.54 | 2,885.79 |
| All other parts of the Council's Area | 807.37   | 941.94   | 1,076.50 | 1,211.07 | 1,480.19 | 1,749.32 | 2,018.44 | 2,422.14 | 2,825.82 |

2.2 noted that for the year 2019/20, the Police and Crime Commissioner for South Wales has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwelling shown below:-

**VALUATION BANDS**

| <b>A</b> | <b>B</b> | <b>C</b> | <b>D</b> | <b>E</b> | <b>F</b> | <b>G</b> | <b>H</b> | <b>I</b> |
|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> |
| 171.68   | 200.29   | 228.91   | 257.52   | 314.75   | 371.97   | 429.20   | 515.04   | 600.88   |

2.3 having calculated the aggregate in each case of the amounts at 2.1(i) and 2.2 above, the County Council of the City and County of Cardiff in accordance with Section 30(2) of the Local Government Finance Act 1992 hereby sets the following amounts as the amounts of Council Tax for the year 2019/20 for each of the categories of dwellings shown below:-

Part of Council's Area

**VALUATION BANDS**

|                                       | <b>A</b> | <b>B</b> | <b>C</b> | <b>D</b> | <b>E</b> | <b>F</b> | <b>G</b> | <b>H</b> | <b>I</b> |
|---------------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
|                                       | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> | <b>£</b> |
| <b>Area</b>                           |          |          |          |          |          |          |          |          |          |
| Lisvane                               | 989.84   | 1,154.82 | 1,319.80 | 1,484.78 | 1,814.73 | 2,144.68 | 2,474.62 | 2,969.56 | 3,464.48 |
| Pentyrch                              | 1,010.56 | 1,178.99 | 1,347.42 | 1,515.85 | 1,852.70 | 2,189.55 | 2,526.41 | 3,031.70 | 3,536.97 |
| Radyr                                 | 1,000.96 | 1,167.80 | 1,334.63 | 1,501.46 | 1,835.11 | 2,168.77 | 2,502.42 | 3,002.92 | 3,503.40 |
| St. Fagans                            | 988.66   | 1,153.44 | 1,318.22 | 1,483.00 | 1,812.55 | 2,142.10 | 2,471.66 | 2,966.00 | 3,460.32 |
| Old St. Mellons                       | 992.54   | 1,157.97 | 1,323.40 | 1,488.83 | 1,819.68 | 2,150.53 | 2,481.37 | 2,977.66 | 3,473.93 |
| Tongwynlais                           | 996.18   | 1,162.22 | 1,328.25 | 1,494.29 | 1,826.35 | 2,158.41 | 2,490.47 | 2,988.58 | 3,486.67 |
| All other parts of the Council's Area | 979.05   | 1,142.23 | 1,305.41 | 1,468.59 | 1,794.94 | 2,121.29 | 2,447.64 | 2,937.18 | 3,426.70 |

- 2.4 Authorised the Corporate Director Resources to make payments under Section 38 of the Local Government (Wales) Act 1994 from the Council Fund by equal instalments on the last working day of each month from April 2019 to March 2020 in respect of the precept levied by the Police and Crime Commissioner for South Wales in the sum of £37,469,009.
- 2.5 Agreed that the Common Seal be affixed to the said Council Tax.
- 2.6 agreed that the Common Seal be affixed to precepts for Port Health Expenses for the period 1 April 2019 to 31 March 2020 namely
- |  |         |
|--|---------|
|  | £       |
| County Council of the City and County of Cardiff | 113,864 |
| Vale of Glamorgan County Borough Council         | 12,736  |
- 2.7 Agreed that notices of the making of the said Council Taxes signed by the Chief Executive be given by advertisement in the local press under Section 38(2) of the Local Government Finance Act 1992.
3. in accordance with the Local Government Act 2003, the Local Authority (Capital Finance and Accounting) (Wales) Regulations 2003 and subsequent amendments and the CIPFA Prudential Code and Treasury Management Codes of Practice:
- (a) Approved the Capital Strategy 2019/20.
  - (b) Approved the Treasury Management Strategy 2019/20 and authorise the Section 151 Officer to raise such funds as may be required to finance capital expenditure by temporary or long-term borrowing.
  - (c) Approved the Prudential Indicators for 2019/20 to 2023/24 including the affordable borrowing limit
  - (d) Delegated to the Section 151 Officer the authority to effect movement between the limits for borrowing and long-term liabilities within the limit for any year and to bring forward or delay schemes within the Capital Programme.
  - (e) Approved the Minimum Revenue Provision Policy for 2019/20.
4. Approved the Budgetary Framework outlined in this report including the Affordability Envelope detailed in this report. This will be subject to the approval of a business case in respect of the indoor arena and the financial implications of such a decision being within the affordability and borrowing implications outlined.
5. Maintain the current Council Tax Reduction Scheme as set out in the report.

131 : URGENT BUSINESS

There was no Urgent Business

132 : COMMITTEE APPOINTMENTS

The Council was requested to approve nominations to vacancies in accordance with political group wishes and as reported on the amendment sheet for Council.

RESOLVED – That the following appointments to Committee vacancies be approved in accordance with Party Group wishes:

| <b>Committee</b>                       | <b>Appointment</b>                          |
|--|---|
| Audit Committee                        | Cllr Susan Goddard<br>Cllr Joel Williams    |
| Corporate Parenting Advisory Committee | Cllr Sean Driscoll                          |
| Council Appeal Committee               | Cllr Chris Lay                              |
| Democratic Services Committee          | Cllrs Chris Lay                             |
| Licensing Committee                    | Cllr Bowen-Thomson<br>Cllr Kathryn Kelloway |
| Public Protection                      | Cllr Elaine Simmons                         |
| Children & Young People Scrutiny       | Cllr Stephen Cunnah                         |
| Health & Safety Forum                  | Cllr Graham Hinchey                         |

133 : APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES

The Council was requested to approve nominations to Cardiff Bus in accordance with political group wishes and as reported on the amendment sheet for Council.

RESOLVED – That the following appointments are confirmed as Non- Executive Directors on Cardiff Bus: - Councillors Gavin Hill-John, Owen Jones Chris Lay, Emma Sandrey and Kanaya Singh

134 : URGENT DECISION: INTERVENTION ST PETER'S RC PRIMARY SCHOOL

This report was submitted for information only.

135 : URGENT DECISION: STREETSCENE VEHICLES

This report was submitted for information only.

*(The meeting closed at 21.25pm)*

THE COUNTY COUNCIL OF THE CITY & COUNTY OF CARDIFF

The County Council of the City & County of Cardiff met at County Hall, Cardiff on 28 March 2019 to transact the business set out in the Council summons dated Friday, 22 March 2019.

Present: County Councillor Dianne Rees (Lord Mayor).

County Councillors Ahmed, Asghar Ali, Dilwar Ali, Bale, Berman, Bowden, Bowen-Thomson, Boyle, Bradbury, Bridgeman, Burke-Davies, Carter, Cowan, Cunnah, De'Ath, Derbyshire, Driscoll, Ebrahim, Elsmore, Ford, Goodway, Gordon, Henshaw, Hinchey, Howells, Hudson, Jacobsen, Jenkins, Jones-Pritchard, Jones, Owen Jones, Joyce, Kelloway, Lancaster, Lay, Lent, Lister, Mackie, McEvoy, McGarry, McKerlich, Merry, Michael, Molik, Naughton, Owen, Parkhill, Jackie Parry, Keith Parry, Patel, Phillips, Robson, Sandrey, Sattar, Simmons, Singh, Stubbs, Taylor, Graham Thomas, Huw Thomas, Lynda Thorne, Walker, Weaver, Wild, Williams, Wong and Wood

140 : APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor Congreve, Davies, Goddard, Gavin and Philippa Hill-John and Morgan.

141 : WELCOME

The Lord Mayor welcomed back Councillor Jennifer Burke-Davies on her return from maternity leave.

The Lord Mayor welcomed Christopher Lee, Corporate Director Resources and Section 151 Officer who was attending his first meeting of Council since taking up his post earlier in March.

A warm welcomed was also extended to pupils from the School Council at Coed Glas Primary School who were on an educational visit arranged by Councillor Bale.

142 : DECLARATIONS OF INTEREST

The following declarations of interest were received in accordance with the Members Code of Conduct: -

| <b>Councillor</b>        | <b>Item</b>                            | <b>Interest</b>   |
|--------------------------|--|---|
| Councillor Bowen-Thomson | Item 9: Pay Policy Statement 2019-2020 | Personal and prejudicial interest as partner is an employee of the Council. |
| Councillor Carter        | Item 15: Motion 2                      | Personal Interest as an employee of a Charity campaigning on air pollution. |

| <b>Councillor</b>   | <b>Item</b>   | <b>Interest</b>  |
|---------------------|---|--|
| Councillor McGarry  | Item 21: –<br>Urgent<br>Decision- St<br>Peters RC<br>Primary School | Personal Interest as a Local<br>Authority School Governor at<br>St Peters RC Primary School. |
| Councillor Taylor   | Item 15:<br>Motion 2  | Personal - Employee of a<br>Charity campaigning on air<br>pollution                          |
| Councillor Williams | Item 9: Pay<br>Policy<br>Statement<br>2019-2020                     | Personal Interest as Parent<br>are in employment of the Local<br>Authority.                  |

Senior Officers affected by Item 9 the Pay Policy Statement 2019/20 have a pecuniary interest and will leave the meeting during consideration of this item.

#### 143 : PUBLIC QUESTIONS

The Lord Mayor welcomed the two Public Questioners to the meeting of Council.

##### Public Question 1 – *Ms Bronwen Davies*

Lleisiau Merched Cymru / Women’s Voices Wales are concerned that girls are avoiding using mixed sex toilets, to the detriment of their health, well-being and education.

Does Cardiff Council know how many schools in Cardiff do not meet the statutory requirement for separate male and female toilets?

##### Reply – *Councillor Merry*

There are no mixed sex toilets in Cardiff Schools with the exception of some accessible toilets in early year’s settings - nursery and reception classes -where children are supported to develop independent toileting.

New schools are built with open to the corridor style hand-washing areas as per current industry and best practice guidelines. These open plan areas are separated into defined male and female areas with signage as appropriate. The male and female areas are clearly segregated by the peninsula wash hand basin units. Sanitary bins are provided to female toilets in accordance with the assigned layout as described. All toilet cubicles are intended for use by one pupil as secured from the inside and a full height sides and doors from floor to ceiling.

##### Supplementary Question– *Bronwen Davies*

I think we might have some difference of opinion on what mixed sex toilets mean because of the situation you describe,

I am relieved to hear that there are no mixed-sex toilets in existing older schools, but if new schools are being built with opened corridor style hand-washing areas, I believe it is correct to say that those do not meet the statutory requirements.

In that case, I would like to know if there has been any evaluation in Cardiff Schools, in particular the new schools that have these toilet arrangements, into the impact of that change on the girls in the school, how that has affected female pupils?

*Reply – Councillor Merry*

We are always keen to engage with pupils and get their views about the facilities we provide and what I would say in terms of the toilet facilities they are. As I said these are best practice guidelines, but that does not mean that, we stop there in terms of consultation.

We recently did a survey as part of our *Period Dignity* work, and the biggest issue that girls raised was problems about privacy within the toilets and around locks on cubicles that could be opened from outside, or cubicles that were not enclosed from top to bottom, because there have been issues where even in a single sex toilet cubicle there is obviously still scope for bullying or victimisation, and that has been the drive behind the open facilities

I am happy to meet with Women's Voices Wales to listen to their concerns but any changes that we make to toilet facilities is always going to be an issue about engaging with pupils to actually get their views about how they feel about the facilities.

*Public Question 2 – Lyndsey Halliday*

Will Cardiff Council ensure that all strategic decisions, budgets and approaches lead to the reduction of carbon emissions to net zero by 2030 and reduce consumption levels?

*Reply – Councillor Michael*

The Council has been taking action for some time to manage and reduce energy consumption and associated carbon emissions from our estate. The latest carbon reduction commitment return showed that, emissions for 2017- 2018 sit at 30,900 tonnes of CO<sub>2</sub>, a significant reduction compared to 51,000 tonnes in 2013-14.

We have also been working on a series of projects to increase local renewable energy generation and currently we have almost 2 megawatts of renewable energy generation capacity installed in the form of roof-mounted solar panels and Radyr Weir hydroelectric scheme.

Plans for a solar farm at Lamby Way are in progress and will add a further 8.5 megawatts to the generation capacity of this total.

A low-emission fuel strategy has also been approved by Cabinet will start to tackle both the carbon emissions and other pollution resulting from our fleet activity over the next two financial years.

You will probably be aware that the Welsh Government has recently published its low carbon delivery plan, which includes an ambition for all Public Sector organisations in Wales to be Carbon Neutral by 2030.

In response to this, the Council plans to start preparations for a Carbon Neutral Strategy in the forthcoming financial year. This will include a detailed audit of our current overall carbon position, quantifying the gap between this and a carbon neutral position. The Cabinet will then consider a range of strategic options for achieving this.

#### Supplementary Question– *Lyndsey Halliday*

Firstly, I would like to say how exciting it is to hear that the National Labour Party have declared their support for a National Climate Emergency declaration.

What pressure will Cardiff Council put on the Welsh Assembly and UK Parliament to declare a climate emergency to support Cardiff and other cities in rapid decarbonisation?

#### Reply –Councillor Michael

I am not sure what kind of pressure we can put on them to declare an emergency. It is a matter for them. However, we are working very closely with Welsh Government in light of the developments at last Thursday's launch of the Low Carbon Strategy that brings together a lot of the policies with the aim of actually doing something about this and we are fully committed to working with them on that.

#### 144 : PETITIONS

The following petitions were received:

| <b>Councillor</b> | <b>No of signatures</b> | <b>Request</b>   |
|-------------------|-------------------------|--|
| Councillor Patel  | 247                     | Petitioning the Council to review and reduce the extent of the recently imposed double yellow lines in side streets in Canton. |
| Councillor Stubbs | 88                      | Petitioning the Council to urgently improve the conditions at the Early Years Unit at Moorland Primary School.                 |
| Councillor Molik  | 90                      | Calling on the Council and Cardiff Bus to ensure that the Bus Service at Lake Road West & Celyn Avenue is maintained           |



| <b>Councillor</b>   | <b>No of signatures</b> | <b>Request</b>  |
|---------------------|-------------------------|---|
| Councillor Simmons  | 30                      | Raising concerns on the rotation and consistency of the rota for the Wardens within Sheltered Accommodation at Sandown Court complex.   |
| Councillor Ford     | 419                     | Calling on the Council and Cardiff Bus to maintain some level of service in Fairwater on the routes – 64, 65 and 66   |
| Councillor Driscoll | 135                     | Calling on the Council to resolve the issue of the closed right of way between Insole Estate and Llandaff village by providing suitable alternative access for residents between the two areas. |

A petition was submitted by Councillor Wood of 75 signatures requesting the Council to introduce anti-idling zones outside schools. In order to progress this petition Democratic Services are awaiting receipt of the petition in the correct format.

#### 145 : LORD MAYOR'S ANNOUNCEMENTS

Details of the [Lord Mayors Duties and Events](#) had been published.

The Lord Mayor was delighted to welcome his Royal Highness Prince William, the Duke of Cambridge to Cardiff for the final game of the Six Nations - Wales against Ireland. It was a wonderful day and a marvellous achievement for the team winning a fourth Grand Slam. The Council congratulates Warren Gatland and the Wales Rugby team on their remarkable success.

The Lord Mayor reported that the Lord Mayor's Charity, Tiny Lives, Noah's Ark Appeal had so far fundraised nearly £114,000. The Lord Mayor drew Members attention to forthcoming Charity Events. The fundraising would culminated in a Gala Dinner on Friday 17 May 2019 at the City Hall and the guest of honour will be the Parton of Noah's Ark Dame Shirley Bassey.

The Lord Mayor was delighted to announce that a Special Meeting of the Council would be held on Friday 17 May to bestow the Freedom of the City to Dame Shirley Bassey as agreed by Council back in February 2012.

#### 146 : LORD MAYOR AND DEPUTY LORD MAYOR ELECT 2019 - 2020

The Council received nominations for the positions of Lord Mayor and Deputy Lord Mayor for the 2019 - 2020 Civic year.

Councillor Huw Thomas proposed the nomination of Councillor Daniel De'Ath as Lord Mayor elect. Councillor Joe Boyle seconded the proposal.

Councillor Robson proposed the nomination of Councillor Jacqueline Parry as Deputy Lord Mayor elect. Councillor Keith Parry seconded the proposal.

There were no other nominations

RESOLVED – That the nomination of

1. Councillor Daniel De’Ath as Lord Mayor Elect for the Civic year 2019 - 2020 was approved;
2. Councillor Jacqueline Parry as Deputy Lord Mayor Elect for the Civic year 2019 - 2020 was approved.

#### 147 : DRAFT ECONOMIC STRATEGY

The Cabinet Member, Investment and Development, Councillor Goodway introduced the Draft Economic Strategy that had been developed following the Green Paper consultation. The Strategy was deliberately being brought to Council in its draft form to allow all Elected Members to have an input prior to the strategy being considered by the Economy and Culture Scrutiny Committee and before approval of the final document by Cabinet.

In presenting the draft Strategy, the Cabinet Member advised that the proposals represented the administrations ambitions for the future of Cardiff and how they would be achieved. The Council had a responsibility to provide leadership and direction; engage and work with partners, including stakeholders, the UK Government, Welsh Government and Local Authorities across the Capital Region and private sector business to deliver the outcomes; and engage with communities.

As a Capital City, Cardiff is the economic dynamo that needs to be dynamic and change to keep growth and employment to benefit those that live in the city and its region. Productivity in Cardiff lags behind the UK average and Cardiff has more people living in economic deprivation than any other Local Authority city in Wales, but it is the largest city.

The economic strategy is designed to tackle all of these principles and link into other strategies such as the spatial strategy; the industrial strategy; and our strategy to encourage and nurture investors.

The strategy identifies key opportunities in areas of the city including City Centre and bay for commercial office base industries; distribution and green technologies to east of the city; developing education establishments; creative and digital industries and life sciences.

The Cabinet Member advised that comments made during the debate would be captured and considered to ensure the final strategy makes sure that Cardiff does for Wales what other capital cities around the world have achieved for their countries.

The Lord Mayor invited contributions from across the chamber during which the following matters were raised: -

- The lack of time frames and clear deliverables so that outcomes actions can be monitored and measured;
- The lack of integration within the strategy with the Local Development Plan and a Transport Strategy, and no consideration of the principles of a one Council approach.
- There is no reference to how Cardiff will take advantage of the removal of the Prince of Wales bridge tolls; and how it is going to work with partners to:
  - i Secure changes to the business rates collection and allocation by the Welsh Government.
  - ii Push for progress on a solution for the M4 Relief Road.
  - iii See progress on the delivery of Cardiff Bus Station.
  - iv Consider the effect of Brexit on our economy.
- Lack of opportunities and engagement with ethnic minority Groups
- Reducing inequality and tackling poverty
- Lack of connections in the Strategy to Cardiff Universities and outcomes to underpin skills and specific skills development.
- Reducing NEETs ( young people Not in Education, Employment and Training) and improving Job Opportunities for Young People in Care
- Developing Skills – by schools and colleges working in partnership with Cardiff universities and businesses
- Infrastructure to allow citizens to access transport or more about the city by foot and bike.
- Address the need to refresh St Mary’s Street and the 24-hour economy of the city.
- Were young people and schools involved in the consultation.

During the debate, Councillor Robson proposed a Motion without Notice to refer the Draft Economic Strategy back to Cabinet in accordance with Council Procedure Rule 25(a). Councillor Jenkins seconded the motion.

The Lord Mayor explained that the reference back was to an appropriate Committee or body under Rule 21 Green Papers, and in this instance the Cabinet was the appropriate body and decision maker. There was no requirement for a vote, as Draft Economic Strategy was to be considered by Cabinet in April.

The Cabinet Member was disappointed with the lack of constructive contributions from Elected Members to shape and influence the policy direction of the Council. He expressed the importance of working with private sector to generate investment so that public monies can be used for Council services. There were organisations who were expressing interests in Cardiff. The Strategy was just one component of the economic development in Cardiff.

#### 148 : SUPPLEMENTARY PLANNING GUIDANCE

The Cabinet Member, Strategic Planning & Transport proposed the Supplementary Planning Guidance (SPG) for Flat Conversions and for Student Accommodation that  
*This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg*

had been due to be considered at Council on 31 January for approval by Council. Both SPG's had been subject to a six week consultation process.

The final draft Flat Conversion SPG sets out new planning policy in terms of the development of flats that are converted from other uses, and has taken into consideration principles submitted as part of the consultation process to ensure that developments are of a suitable design and space standards and align with wider planning aspirations, such as sustainable transport and parking standards and waste collection and storage facilities. It also clarifies Planning Obligations concerning triggers for affordable housing and other commitments.

The Student Accommodation SPG outlines the authority's planning guidance in terms of purpose built student accommodation. It does not apply to Houses of Multiple Occupation or students living in private accommodation or parent's homes.

The Planning Authority recognises the key cultural and economic role that universities and students play in the city and the consequential need for accommodation for students. It also recognises that poorly located and poorly designed developments can have potential negative impacts upon local neighbourhoods. The SPG's focus therefore is on ensuring that student accommodation is of a high quality and delivered in appropriate and sustainable locations.

The main concerns raised as part of the consultation process was related to the design of, and demand for, student accommodation, and concerns about future changes of use to non-student uses. This is not something that the SPG can consider, other than clarifying the standards and requirements for student accommodation and emphasising that any changes would require planning permission in the future.

The Chair of Planning, Councillor Keith Jones seconded the proposals and commended the work of Planning Officers in developing the SPG's which supported Planning Policy and gave the Committee the tools to ensure that development meet design standards; sustainability criteria and are acceptable addition to Cardiff's built environment.

The Lord Mayor invited debate and a number of matters were raised in relation to Flat Conversions; HMO's design guidance; Space standards particularly for flat conversions housing families; sustainability and accessibility to public transport infrastructure; safer environments and amenity space. The Cabinet Member respond to matters raised and welcomed the support of Councillors to the two new SPG's

RESOLVED – That the Council approved the Supplementary Planning Guidance on:

-

- Flat Conversions
- Student Accommodation

as proposed.

149 : PAY POLICY STATEMENT 2019 - 2020

*(Councillor Bowen-Thomson having declared a personal and prejudicial interest left the meeting during consideration of this item.*

*Senior Managers present affected by this item declared a pecuniary interest and left the meeting during consideration of this item).*

The Cabinet Member, Finance, Modernisation and Performance, Councillor Weaver presented the Annual Pay Policy Statement for 2019 - 2020 prepared in accordance with the requirements of the Localism Act 2011 and to be published by 31 March 2019. The Council in line with its commitment to fairness and transparency is required to publish the gender pay gap report as part of the annual Pay Policy Statement.

The Cabinet Member reported that the National Joint Council for Local Government Services (the NJC) pay agreement for 2018/20 following local negotiations with Trade Unions was introducing the new pay spine on 1<sup>st</sup> April 2019. The Cabinet Member reiterated that the Council was committed to the challenge of reducing the gender pay gap in accordance with its obligation under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017. It was noted that there had been a slight reduction in the number of females, and slight increase in the number of males, employed by the Council last year.

The Leader of the Council, Councillor Huw Thomas seconded the report.

The Lord Mayor invited debate. Observations were raised around the pay award to senior management particularly with regard to the recent 4.9% Council Tax rise; the increase in numbers of officers receiving a salary of £87,000 or more; and the significant difference in impact of the pay award to front-line and middle managers compared to Senior Managers.

During the debate, Councillor Williams proposed a Motion without Notice under CPR25 (iv) to refer the report back to Cabinet. Councillor Robson back seconded the reference.

The Lord Mayor invited the Cabinet Member to respond to matters raised before a vote on the amendment was taken.

In accordance with CPR 29 (d) immediately before the vote was taken a request was made that the vote be recorded for inclusion in the minutes:

A recorded vote on a Reference back as proposed by Councillor Williams was as follows:

For: Councillors Cowan, Driscoll, Ford, Gibson, Hudson, Jenkins, Jones-Pritchard, Kelloway, Lancaster, McEvoy, Owen, Parkhill, Keith Parry, Phillips, Robson, Graham Thomas, Walker and Williams.  
(18)

Against: Councillors Ali Ahmed, Ashgar Ali, Dilwar Ali, Bale, Berman, Bowden, Boyle, Bradbury, Bridgeman, Burke-Davies, Carter, Cunnah, De'Ath, Derbyshire, Ebrahim, Elsmore, Goodway, Gordon, Henshaw, Hinchey, Howells, Jacobsen, Keith Jones, Owen Jones, Joyce, Lay, Lent, Lister, Mackie, McGarry, Merry, Michael, Molik, Naughton, Jackie Parry, Patel, Sandrey, Sattar, Simmons, Singh, Stubbs, Taylor, Huw Thomas, Thorne, Weaver, Wild and Wong.  
(47)

Abstained: Councillors McKerlich and Wood.  
(2)

Vote on the Reference back was LOST

RESOLVED – That the Council approved the Pay Policy Statement 2019 – 20 for publication by 31 March 2019.

#### 150 : CONSTITUTION AMENDMENTS

The Chair of the Constitution Committee, Councillor Goodway presented the recommendations of the Constitution Committee 11 February 2019 in relation to updates and inclusions in Cardiff's Constitution:

- (i) Code of Corporate Governance is the overarching document prepared in line with the seven good governance principles developed by the Chartered Institute for Public Finance and Accountancy (CIPFA) and the Society of Local authority Chief Executives (SOLACE) in their publication '*Delivering Good Governance in Local Government framework*'.

The Code underpins the good governance processes in providing clarity and consistent approach to assessment to ensure sound governance and improvement that Members can rely as guardians of the public purse.

- (ii) Substitute Committee Members – the proposal to include a rule in Committee and Scrutiny Procedure Rules was to allow for permitted substitute Committee Members provided they met one of the six criteria. A substitute system would help to preserve political balance on committees and ensure all groups the ability to ensure their views are properly and fully represented in the decision making process.
- (iii) Public Questions at Full Council – the proposal was that as a matter of respect for the public questioner, and so that the proceedings are clear and transparent, particularly to those watching on the webcast, that members of the public should be allowed to read out their question at the Council meeting.
- (iv) Scrutiny Committees Size and Membership of Task and Finish Group – it is recommended that the size of Scrutiny Committees should be  
*This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg*

included in the Scrutiny Procedures Rules (Rule1) and the recommendation from the Constitution Committee was that the size of Scrutiny Committee should be 9.

The Constitution Committee also considered the current provisions relating to the size and membership of Task and Finish Groups, and proposed that the Scrutiny Procedure Rules 1 and 2 be amended to allow that the membership of Task and Finish groups may include any non-Executive Elected Members, subject to a maximum of nine Members on each Task and Finish group, and that non-Councillors may be invited to participate in Task and Finish inquiries as expert advisors to a Task and Finish group.

- (v) Planning Committee Delegations – following a review by the Planning Committee a number of amendments has been considered and were now being recommended by the Constitution Committee for adoption by full Council

Councillor McKerlich as a member of the Constitution Committee seconded the recommendations.

There were no questions or comments on the proposals.

RESOLVED – That Council

- (1) approved the Code of Corporate Governance to be incorporated within Part 5 of the Constitution;
- (2) approved the proposed amendment to Council Meeting Procedure Rule 18 'Public Questions', to allow questioners to read out their questions at Council;
- (3) approved the procedure rule for the Appointment of Substitute Members for including in the Committee Meeting Procedure Rules and the Scrutiny Procedure Rules;
- (4) approved amendments to the Scrutiny Procedure Rules 1 and 2 in relation to size of Committees and make up of Task and Finish Groups; be amended as set out in Appendix C; and
- (5) approved the changes to the Planning Committee delegations in respect of planning functions and highways functions for incorporating in the Scheme of Delegations in Part 3 of the Constitution.

151 : DEMOCRATIC SERVICES COMMITTEE ANNUAL REPORT 2018

The Chair of Democratic Services, Councillor Jones-Pritchard presented the 2018 Annual report for the [Democratic Services Committee](#). As part of his presentation,

*This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg*

the Chair paid tribute to for the valuable contribution to the work of the Committee since its inception of Councillor Jim Murphy who sadly died late last year.

The Chair referred to the work of the Committee and the support services received by Councillors to enable them to fulfil their varied duties as elected representatives, community leaders and advocates for constituents who come to them with a wide variety of casework. The Members Enquiry system was an excellent facility for Members to logged casework and improvements had been seen in response turn around.

The Committee was continuing to focus on:

- ensuring that the needs and requirements of Councillors are addressed, whilst also being mindful of the financial challenges facing the Council;
- the provision of an Elected Member Learning and Development Strategy;
- The wellbeing of Councillors
- A review of Elected Member and Specific Role Descriptions
- reviewing and enhancing the current Mentoring scheme
- Developing a Personal Review process
- Actions following the Wales Audit Office Review of Scrutiny
- Outcomes and recommendations of the Policy Review & Performance Scrutiny review on the impact of scrutiny in Cardiff
- Working with other bodies including the Independent Remuneration Panel for Wales and Democratic and Scrutiny Networks to implement best practice in governance and services to Members

The Lord Mayor invited contributions and questions to the Chair from Elected Members. A number of matters were raised

- Scrutiny engagement and democracy and openness and the importance of webcasting meetings;
- Increase the number of meetings being broadcasted to improve accessibility for all citizens;
- Members personal safety and security to be reviewed by the Committee, including the provisioning of appropriate devices;
- Involving young people in better understanding of governance and engagement and participation in the democratic processes
- Developing better access to wellbeing opportunities for Elected Members.

The Chair welcomed the comments received and undertook to consider these items as part of the Committee's future work plan.

RESOLVED – that the Democratic Services Committee Annual Report be noted.



152 : ELECTED MEMBER LEARNING AND DEVELOPMENT STRATEGY

The Chair of Democratic Services, Councillor Jones-Pritchard presented the [Elected Member Learning and Development Strategy](#)

The Chair commended the report, emphasised the importance of learning for Elected Members, and whilst it was recognised that it might not cover such support how to deliver bad news or views that may be in opposition to the Council.

The Lord Mayor invited questions and comments and a number of matters were raised including:

- The concentrated learning available as part of the induction programme and the need for this can continue for the duration of Elected Members term of office.
- Individualised learning solutions and development of individual's training needs.
- The excellent WLGA Leadership Academy annual courses and the important of accredited learning.
- Cardiff Academy support for managers and whether the same attention can be given to Elected Members.
- Networking and external training opportunities.
- Organisational culture and benefits of scrutiny and improving decision making
- Focus on wellbeing was welcomed in particular the challenges and impact of being an Elected Member on family life and caring responsibilities
- Learning from each other and sharing of knowledge – e.g. how to deal with casework.
- All Elected Members are encouraged to take yup sessions that have been put on for Members and the time and efforts made by Officers for example Corporate Parenting.
- Provision of IT and developing of tools to support Elected Members.

The Chair responded to the matters raised recognising the demand on Elected Members and undertook to consider these issues with the Committee and more importantly seeking to set standards of excellence in these areas for the future.

RESOLVED – That the Council approved and adopted the Elected Member Learning and Development Strategy as proposed.

*(Deputy Lord Mayor in the Chair)*

153 : STATEMENTS

The following statements were received: -

1 [Leader Statement](#)

The Leader responded to questions raised

- Areas where there was work to be done so that we are prepared for Brexit and sustainability of the Council's own actions.

*This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg*

- Work for the Council and Elected Member against anti-racism and encouraging diversity.
- Great Western City agenda.
- Support for the M4 relief road.
- Looking to the west of the city to support a union with other Welsh Cities.

2 [Housing & Communities Statement](#)

The Cabinet Member requested the opportunity to update Elected Members verbally on matters that had taken place earlier in the day concerning tents in parkland off Museum Avenue.

The Cabinet Member reported the Council had been particularly concerned about this area because of incidents of antisocial behaviour as well as health and safety issues.

The Council's Outreach have made numerous attempts to engage with tent occupants there to provide information and to help them access accommodation and support services, however, some are refusing to engage with us.

As the encampment was in breach of by-laws prohibiting tents being erected in Cardiff Parks, a notice to leave was issued on the tents yesterday, Wednesday, giving individuals 24 hours to remove the tents. Council officers supported by the Police had earlier in the day, attended to remove the tents.

Outreach had also been on hand to offer accommodation as we continue to have space available in a range of options in the City and strongly urge anyone outside or in a tent to take up our offer to come inside.

The Cabinet Member responded to questions on

- The rollout across other libraries of the very successful Harry Potter Night and other similar events to encourage reading.
- The opening of the Maelfa Regeneration Scheme and some snagging issues
- The range of approaches to supporting rough sleepers into centres and to receive services and support into other accommodation.

3 [Clean Streets, Recycling & Environment Statement](#)

The Cabinet Member responded to questions on

- Accuracy of the Recycling Education Campaign data and appropriateness of streets targeted and why Councillors were not contacted for their experience. Concerns about elderly residents and not cold calling.
- Concerns that missed collections were increasing.

4 [Children & Families Statement](#)

The Cabinet Member responded to questions on

*This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg*

- Improving recruitment and retention and the current restructure in Children's Services and the progress on appointing a permanent Assistant Director of Children's Services
- An update the progress being made to reduce the number of children going into care
- Bringing forward of the rollout of the 30 hour childcare offer across the city.

5 [Social Care, Health & Well-being Statement](#)

The Cabinet Member responded to questions on

- The support provided to the elderly and vulnerable with the 'Get me Home' service
- The success of the Active Body event
- Welcomed the services provided to citizens by the Independent Living services.

6 [Strategic Planning & Transport Statement](#)

The Cabinet Member responded to questions on

- Concerns about the withdrawal and future of bus services such as routes 28, 28A and 64 and 86.
- Separating cycle ways, and details on the 5<sup>th</sup> cycle way, and consultation with local members on schemes.
- Clamping and removing of vehicles.

7 [Investment & Development Statement](#)

The Cabinet Member responded to questions on

- Proposals for the canal quarter redevelopment and request for assurances that Guilford Crescent would be included.

8 [Culture & Leisure Statement](#)

The Cabinet Member responded to questions on

- Play sufficiency consultation and how money is spent.
- Support for the sport turf traineeship and the hope that it will move away from artificial turf.
- Thanks to council officers for the St David's day parade and a request that funding be found for a parade in Cardiff.

9 [Education, Employment & Skills Statement](#)

The Cabinet Member responded to questions on

- The period dignity programme was welcomed and awareness of staff to ensure it is accessible by transgender pupils who may not present themselves as female access to all was encouraged.
- Criticism around LGBT in education
- The impact of unisex toilet on the period dignity programme.
- Congratulations to all of the schools on their Estyn Inspection reports and the Cabinet Member highlighted the work being undertaken by the Education Consortium to drive up standards encouraging school-to-school working, and the discussions with schools and partners on the Cardiff 2030 strategy, which aims to bring a further stepped train.

10 [Finance Modernisation & Performance](#)

The Cabinet Member responded to questions on

- In relation to modern slavery concerns around the use of employees and ways of reporting.
- Meaningful result on fly tipping prosecutions.

154 : MOTION 1

The Lord Mayor advised that the notice of motion proposed by Councillor Carter and seconded by Councillor Wood had been received in accordance with the Council Procedure Rules for debate and had been included on the Summons for the meeting. One amendment had been received to the motion.

The Lord Mayor invited Councillor Carter to propose the motion as follows:

This Council recognises that reducing carbon emissions from homes bring financial benefits to the occupants and environmental benefits to society.

This Council notes

- The Welsh Government target to reduce emissions of greenhouse gases by at least 80% by 2050, against the 1990 baseline.
- Residential buildings make up 7.5% of Welsh emissions.
- 23% of Welsh households are in fuel poverty.
- The success of institutions such as Cardiff University in showing how zero carbon homes could be built at low cost.

This Council calls on the Cabinet to:-

1. Commit to ensuring that council houses built after 2022 are zero carbon with clean supplies of energy and high energy efficiency designed in from the start.

Develop Supplementary Planning Guidance to increase the number of private homes built to zero carbon standards.

Councillor Wood seconded the motion.

The Lord Mayor invited the proposer of the amendment Councillor Lynda Thorne to table her amendment.

After Bullet point 3 add the following three bullet points: -

- *The Council's 'Cardiff Living' programme has specific criteria for the energy performance of both the Council and private homes requiring the use of a 'fabric first' approach – making the fabric of the building as energy efficient as possible, thus reducing the demand for energy/heating and helping to tackle fuel poverty.*

- *The Council is piloting a 'PassivHaus' development in Phase 1 of the Cardiff Living programme and has received Welsh Government Innovative Housing Programme funding for this.*
- *The Council is piloting a highly energy efficient modular build project in phase 1 of the Cardiff Living programme and has received WG Innovative Housing Programme funding for this.*

Bullet Point 4 becomes Bullet point 7 and deletion of the words 'low cost to be replaced by scale.

Resolution 1 - deletion of the words 'ensuring that council houses built after 2022 are zero carbon with' and replace with

*review all pilot schemes that have delivered zero carbon homes (or nearly Carbon Zero homes) using...*

Resolution 2 deletion of resolution and replace with: -

2. *To commit towards reducing carbon emissions in line with emerging WG and UK governments regulations at the earliest possible time*

Addition of a 3<sup>rd</sup> resolution as follows:

3. *To commit to delivering a Zero Carbon pilot project in Phase 2 of the Cardiff Living Programme as a study in collaboration with WG providing cost analysis comparison of properties built to building regs, to Fabric First, to Passivhaus and to Zero Carbon.*

The Amended Motion read:

This Council recognises that reducing carbon emissions from homes bring financial benefits to the occupants and environmental benefits to society.

This Council notes

- The Welsh Government target to reduce emissions of greenhouse gases by at least 80% by 2050, against the 1990 baseline.
- Residential buildings make up 7.5% of Welsh emissions.
- 23% of Welsh households are in fuel poverty.
- The Council's 'Cardiff Living' programme has specific criteria for the energy performance of both the council and private homes requiring the use of a 'fabric first' approach – making the fabric of the building as energy efficient as possible, thus reducing the demand for energy/heating and helping to tackle fuel poverty.
- The Council is piloting a 'PassivHaus' development in Phase 1 of the Cardiff Living programme and has received WG Innovative Housing Programme funding for this.
- The Council is piloting a highly energy efficient modular build project in phase 1 of the Cardiff Living programme and has received WG Innovative Housing Programme funding for this.

- The success of institutions such as Cardiff University in showing how zero carbon homes could be built at scale.

This Council calls on the Cabinet to:-

2. Commit to review all pilot schemes that have delivered zero carbon homes (or nearly Carbon Zero homes) using clean supplies of energy and high energy efficiency designed in from the start.
3. To commit towards reducing carbon emissions in line with emerging WG and UK governments regulations at the earliest possible time
4. To commit to delivering a Zero Carbon pilot project in Phase 2 of the Cardiff Living Programme as a study in collaboration with WG providing cost analysis comparison of properties built to building regs, to Fabric First, to Passivhaus and to Zero Carbon.

Councillor Michael seconded the amendment.

The Lord Mayor invited debate on the motion and the amendment.

At the end of the debate, the Lord Mayor invited Councillor Carter to respond to items raised during the debate. Councillor Carter did not accept the amendment.

The Lord Mayor moved to the vote on the Amendment proposed by Councillor Thorne.

The Amendment was CARRIED.

The Lord Mayor invited Councillor Thorne as the proposer of the Substantive motion had the right of reply.

The Lord Mayor moved to the vote on the Substantive Motion.

The Substantive Motion was CARRIED as follows:

This Council recognises that reducing carbon emissions from homes bring financial benefits to the occupants and environmental benefits to society.

This Council notes

- The Welsh Government target to reduce emissions of greenhouse gases by at least 80% by 2050, against the 1990 baseline.
- Residential buildings make up 7.5% of Welsh emissions.
- 23% of Welsh households are in fuel poverty.
- The Council's 'Cardiff Living' programme has specific criteria for the energy performance of both the council and private homes requiring the use of a 'fabric first' approach – making the fabric of the building as energy efficient as possible, thus reducing the demand for energy/heating and helping to tackle fuel poverty.

- The Council is piloting a 'PassivHaus' development in Phase 1 of the Cardiff Living programme and has received WG Innovative Housing Programme funding for this.
- The Council is piloting a highly energy efficient modular build project in phase 1 of the Cardiff Living programme and has received WG Innovative Housing Programme funding for this.
- The success of institutions such as Cardiff University in showing how zero carbon homes could be built at scale.

This Council calls on the Cabinet to:-

5. Commit to review all pilot schemes that have delivered zero carbon homes (or nearly Carbon Zero homes) using clean supplies of energy and high energy efficiency designed in from the start.
6. To commit towards reducing carbon emissions in line with emerging WG and UK governments regulations at the earliest possible time

To commit to delivering a Zero Carbon pilot project in Phase 2 of the Cardiff Living Programme as a study in collaboration with WG providing cost analysis comparison of properties built to building regs, to Fabric First, to Passivhaus and to Zero Carbon.

*(Lord Mayor in the Chair)*

155 : MOTION 2

The Lord Mayor advised that the notice of motion proposed by Councillor Gordon and seconded by Councillor Owen Jones had been received in accordance with the Council Procedure Rules for debate and had been included on the Summons for the meeting. No amendments had been received to the motion.

The Lord Mayor invited Councillor Gordon to propose the motion as follows:

This Council notes the Intergovernmental Panel on Climate Change (IPCC) '*Special Report on Global Warming of 1.5°C*', published in October 2018, which found that:

- Human-induced global warming reached approximately 1°C above pre-industrial levels in 2017, increasing at 0.2°C per decade.
- A 1.5°C rise will result in multiple negative impacts, including increases in frequency, intensity and/or amount of heavy precipitation in several regions, and the majority (70–90%) of warm water (tropical) coral reefs that exist today will disappear.
- A 2°C rise will result in much more severe harm, including a greater risk of water scarcity in some regions and increased frequency of severe weather events, droughts, floods, higher sea level rises, crop failures and destruction of land and marine eco-systems.

- With current strategies, the world is on track to overshoot the 1.5°C limit of the UN Framework Convention on Climate Change Paris Agreement before 2050 and exceed 3°C by 2100.
- Limiting global warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities.

This Council further notes:

- the commitment of the administration to progress a wide range of projects in support of the existing Carbon Reduction Strategy, which include:
  - the Radyr Weir hydroelectric scheme;
  - the proposed Lamby Way solar farm;
  - the proposed district heating network scheme serving areas of Cardiff Bay and the City Centre;
  - energy saving initiatives, including the conversion of street lighting to LED;
  - the increased use of electric vehicles (e.g. buses, taxis and council vehicles) and provision of charging points within the city;
  - the commitment to achieve a 50:50 modal split between car and sustainable modes of travel for journeys to work by 2026;
  - the construction of new energy efficient council homes; and
  - the commitment to work with the Pensions Committee to consider divesting Council investments from fossil fuel companies.
- the £13.9m investment in clean and sustainable energy generation that formed part of the 2019/20 budget that was agreed on 28 February 2019.
- the participation of children and young people from Cardiff and across the world in demonstrations to demand global climate change action by national governments.
- that bold action to reduce carbon emissions can deliver economic benefits in terms of new jobs, economic savings and market opportunities, and can contribute to achieving the Well-being Goals set out in the Well-being of Future Generations Act.

This Council therefore resolves to:

1. join with other councils across the UK in declaring a global 'climate emergency' in response to the findings of the IPCC report.
2. support the implementation of the Welsh Government's new Low Carbon Delivery Plan, as well as a range of measures to further reduce carbon emissions from the Council's own operations, to help achieve the Welsh Government's ambition for the public sector in Wales to be carbon neutral by 2030.



3. make representations to the Welsh and UK Governments, as appropriate, to provide the necessary powers, resources and technical support to local authorities in Wales to help them successfully meet the 2030 target.
4. continue to work with partners across the city and region to develop and implement best practice methods that can deliver carbon reductions and help limit global warming.

Councillor Owen Jones seconded the motion.

The Lord Mayor invited debate on the motion.

At the end of the debate, the Lord Mayor invited Councillor Gordon to respond to items raised during the debate.

The Lord Mayor moved to the vote on the Motion as proposed.

The Motion was CARRIED as proposed.

#### 156 : ORAL QUESTIONS

Question - Councillor Hudson

How many people have been made redundant in Cardiff Council, whether voluntary or forced in the term 2012-2017 and since the start of 2017 to date?

Reply – Councillor Weaver

Its sobering reading, in the five financial years from 2012/13 to 2016/17, 1,755 employees, both school and council based, were made redundant and in the two financial years since, the figure is 296 employees. So that's a total of 2051 employees who have been made redundant by Cardiff Council, this is a figure very similar figure to different size authorities in Wales and indeed England, reflecting the significant drop in employment in the public sector during the years of austerity.

Supplementary Question – Councillor Hudson

How many of these have been subsequently re- employed either full-time or part-time and temporary contracts?

Reply – Councillor Weaver

I am sorry Councillor but I do not have the information to hand.

There are rules about re-employment from any organisation from which you are made redundant you cannot be immediately re-employed, whether or not years down the line, some people may have done but I would not have the information to hand. However, I will try to find it for you after this meeting.

Question – Councillor Berman

Will the council be responding positively to the Welsh Government's consultation entitled '*Healthy weight: healthy Wales*' which sets out its national ambitions to prevent and reduce obesity in Wales?

Reply – Councillor Huw Thomas

Can I congratulate Councillor Berman on his recent charitable expedition to the Himalayas, demonstrating a level a physical condition that we can all aspire to.

The Cardiff Public Services Board (PSB) will be responding to the Welsh Government consultation, with this work being led locally by the Director of Public Health from Cardiff & Vale University Health Board. All partner organisations, including the Council, have been given the opportunity to feed into this.

The Director of Public Health, on behalf of the PSB, will also lead the development of a local action plan as a positive response to the national ambitions to reduce obesity in Wales that have been set out by the Welsh Government. A wide range of council initiatives will feed into this work including, for example, the new Cardiff Food Strategy and our work to promote active travel. The Director of Public Health will report future updates on this work to the PSB.

Supplementary Question – Councillor Berman

Given that the Welsh Government strategy does contain many proposals that mirror the ones that the Lib Dem Group put forward in our motion on this topic last year, which a Labour amendment - you recall subsequently removed - ideas like curbing the advertising of unhealthy food, working with local businesses to improve the provision of nutritional information from water refill stations, using the planning system to help promote healthier lifestyles, promoting local action plans, promoting use of community sport and also working with schools.

Do you perhaps regret that you were not willing to support such good ideas earlier when Councillor Sandrey and I were putting them forward?

Reply – Councillor Huw Thomas

No I do not, and as was made clear at the time there were very good reasons and very good examples that were being taken forward as a Council in support of such initiatives, but I congratulate the Member on his lobbying of Welsh Government.

Question - Councillor Keith Parry

What measures does the Council intend to take to subsidise Bus Route 64/65 to provide an hourly bus service between University Hospital, Whitchurch, Danescourt, Pentreban, Bwlch Road, Canton and Westgate Street? The service being proposed from April Fool's Day is very poor and of little use to many people who cannot walk far and wish to visit the U.H.W. or city centre. The service proposed has two and a half hour gaps in the timetable and no Sunday service.

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Reply – Councillor Wild

This service was due to have been withdrawn by Cardiff Bus because not enough people were using it, at the end of this month but, following discussions between council officers and the company, I am pleased that some of the service has been saved, subject to some timetable changes. It will continue to provide an important direct link to the University Hospital of Wales and the city centre, which would have otherwise been withdrawn.

Supplementary Question – Councillor Keith Parry

Unfortunately, the replacement bus service has two and a half hour gaps in the timetable and is of little use to people who wish to travel conveniently to the Heath hospital from Llandaff North, Llandaff, Danescourt and Fairwater.

Can you make further steps to get this service put on a subsidy so an hourly service can be provided?

Reply – Councillor Wild

As we have made clear, we cannot continue to provide subsidies on every route. I am, absolutely, keen to see if we can improve this service but most importantly to see if we can get more people using it. I ask you and actually put some responsibility back on ward colleagues in terms of asking you to think it is more or less likely that people will use the bus when you describe it as very poor and little used to many people. This is about us all taking responsibility for encouraging people to use the buses.

Question - Councillor De'Ath

A report into the UK's live music scene by Westminster's Digital, Culture, Media and Sport (DCMS) committee has concluded that "Prejudices against grime artists risks stifling one of the UK's most exciting musical exports." DCMS is calling for new guidelines for the police and English local authorities, which would "ensure that urban music acts are not unfairly targeted". Could the Chair of the Licencing Committee make a statement as to the situation in Cardiff?

Reply – Councillor Mackie

The DCMS report on live music provided a wide-ranging review of many aspects of live music in the UK. It included commentary on the repeal by the Metropolitan Police of one of their risk assessment forms after concerns that it unfairly targeted urban acts and grime music over potential crime and disorder issues at concerts.

One of the recommendations in the report is that the relevant stakeholders should work together to develop guidance for licensing authorities, police forces and music venues on how to ensure that urban music acts are not unfairly targeted.

The Council would support this approach and already recognises the importance of cultural vibrancy in its statement of Licensing Policy, which encourages a diverse entertainment sector whilst, at the same time, supporting the promotion of the four Licensing objectives.

Supplementary Question – Councillor De’Ath

If there were more specific recommendations around this genre of music going forward to the Council's music strategy would you consider making recommendations of your own to ensure that this particular genre of music continues to flourish in the Welsh capital?

Reply – Councillor Mackie

Our licensing policy statement already supports the diversity of all genres of music and Cardiff wants to host events that our residents want, we would be happy to work with the police and urban music promoters and event venues to ensure that all types of music events are available in Cardiff and are held in a safe and responsible way.

Question - Councillor Graham Thomas

Can the Cabinet Member please update me on progress on the 20mph zone roll out across the city?

As a Councillor of a Ward towards the back of the queue due to the 'city centre outwards' policy, and with concerned residents asking me when this might come to Creigiau, can you please include how many have been completed so far, and timescales on the remaining areas?

Reply – Councillor Wild

It is really pleasing to see so many Councillors coming forward requesting 20 mph zones, they were not particularly popular a number of years ago. As you know we are going out from the centre of the city, as you will appreciate areas to the north of the A48 will have some unique features and will need to be properly assessed to ensure that schemes will work well when they are installed.

You will be pleased to know that a bid for funding has been made to the Welsh Government to support a feasibility study for these areas to take into account these considerations.

It is difficult for me to provide a clear timescale because of what we are doing at the moment as you may have heard is that we are calling on the Welsh Government to bring forward default speed limits for the whole of Cardiff which will make it far easier and also more efficient to implement across the City.

Supplementary Question – Councillor Graham Thomas

I should start by saying I very much support the 20mph zone policy, but my issue really is with the way it is being rolled out across the city.

I believe there is a strong argument to make for the rural areas. Whilst the roads maybe less congested, they have much faster traffic going through them, people using the villages as rat-runs potentially more dangerous and resulting in parents maybe being afraid to let their children move freely around the village.

How can I influence this policy of City Centre outwards which obviously is not helping the rural areas, and will you be looking to see whether there are other areas that maybe have a greater need of this zoning than the ones currently with priorities?

Reply – Councillor Wild

I am committed to seeing 20mph zones across the whole city as I think you know.

In terms of going out from the centre that is also the part of where you are likely to get the biggest uptake of active travel in terms of people walking, cycling. That is as part of the thinking for starting there.

Any Councillor who wishes to try to bring things about quicker we can see if we can do that. We are also calling on the Welsh Government for the default limit, that would absolutely help, and I am happy to discuss that with you.

Question - Councillor Taylor

What steps are being taken to divest the more than £86m of pension funds currently invested in fossil fuels?

Reply – Councillor Weaver

It is an important question that is probably why you asked it as a written question as well, so I would refer you to the answer and I'm happy to take any supplementary.

Supplementary Question – Councillor Taylor

I just wanted to ask what opportunities are you pursuing in relation to investing in clean energy and how we can use that to benefit homes in Cardiff. Some recent research shows that portfolios that have divested in fossil fuels and invested in clean energy have outperformed those schemes Are you still invested in fossil fuels or if you could outline what we are doing to proactively chase those opportunities.

Reply – Councillor Weaver

The Pensions Committee and officers and the Cardiff and Vale Pension Fund are looking at a whole range of things that involve both reducing our exposure to carbon emissions across the piece of all our investments and potentially divesting from fossil fuel extraction or another form of wording to that effect and also investing in green and clean energy.

Local Government pensions are at a relatively early stage in this. There are only a couple of authorities that actually declared divestments in fossil fuel extraction or fossil fuel companies, but the intention is to come up with a climate change policy and investment strategy that reflects that and one that will be iterative and constantly

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reviewing and revaluing overtime. It sounds very positive and we will try to keep abreast of the most innovative things that other funds are doing and then seek to see if they are suitable to be copied by Cardiff and Vale.

Question - Councillor Ford

There are issues with traffic on Fairwater Road and Doyle Avenue and St Fagans Road. Fairwater Road has a very narrow partial footpath and bad lighting. Doyle Avenue is used as a rat run for traffic. Therefore, these routes are not safe routes to school. Which are currently the main routes to Cantonian School for pedestrians and traffic?

Reply – Councillor Wild

I can assure you that when you talk about road safety that officers are always looking into all the points you have raised, I can assure you that they have done so. Officials have advised me that there have been a number of pedestrian improvements made in that area in recent years including pedestrian crossings, zebra crossings, speed humps and even a 20mph limit, so there are suitable safe routes for pedestrians.

As you are aware, as part of the Band B programme, there are proposals to re-develop the Cantonian site and to provide an entirely new school facility. Councillor Merry and I are committed to ensuring the very best active travel provision at all of these new schools including the school there.

Supplementary Question – Councillor Ford

Could you advise me - because you have mentioned about the new build for Cantonian school - what entrances would be used for access to Cantonian School?

Reply – Councillor Wild

I do not have that information to hand, but I will get back to you about those entrances to see if they are at those stages with the plans although I do not know what status they have now.

Question - Councillor Burke-Davies

There were reports that taxis in Cardiff were refusing 'short fares' following the Super Saturday. What is the council's response and what can we do to ensure that people who live or are visiting Cardiff are not stranded and put at risk?

Reply – Councillor Mackie

We understand there are problems with short fares being refused on taxis. Hackney Carriages that are on a rank or stop to pick up a passenger on the street must take any fare that starts and begins within the city boundary. To refuse to do so without a reasonable excuse is an offence. Any instances of refusals should be reported to the Licensing team who will investigate and take formal action where appropriate.

This may include prosecution or putting the matter before the Public Protection Committee who will consider the suitability of the driver to hold a licence. In addition to routine patrols every weekend, Licensing staff have also undertaken a number of 'mystery shopper' exercises throughout the year, which have led to driver prosecutions or sanctions

I have also met recently with staff and two representatives of the recently established 'Cardiff Hackney Alliance', a trade body recognised by the Council. They accept that some drivers let the wider trade down on big event days in the city and are working with the Council, as well as stakeholders such as FOR Cardiff, to improve compliance going forward.

The Council's Communications and Events teams also issue advice and information to people who are attending major events to plan ahead when they travel to and from the city and to not leave things to chance.

Question - Councillor Walker

Following our recent correspondence, it is clear that the demand from those moving up from Welsh Medium primary schools in the catchment area of Ysgol Glantaf exceeds the places available for admission of such pupils at that school. This is a result of growth of WM places provided at primary level not being matched by increased capacity at Ysgol Glantaf.

As you are aware, that leads to seemingly arbitrary admission refusals of applicants from schools within catchment. Such pupils will have attended preparation days at that secondary school and planned to join their friends and classmates there in September. The unexpected refusal of a few such children can be a severe blow to them and their families.

What plans are in train to increase the capacity at Ysgol Glantaf to match the growing demand within its catchment area?

Reply – Councillor Merry

The Council gained approval for three capital-funding bids from Welsh Government for expanding Welsh-medium provision last year. Unfortunately, we were not successful in our bid towards expanding secondary provision.

There is though, currently enough capacity in the three existing Welsh-medium secondary schools in Cardiff to meet current demand. In the short to medium term, an increase in demand could be met by increasing places at these schools.

Proposals to increase Welsh-medium secondary school places and to realign the associated catchment areas will be brought forward in 2019/20. Expansion of school provision must be brought forward in a strategic and timely manner, which does not compromise existing provision, significant expansion in one school can inevitable impact on the take up in places at other schools and in turn on the ability of schools to balance budgets and to attract and retain staff.

Supplementary Question – Councillor Walker

I really need us all to think about it from the point of view of the parents, the children involved, and there are only a few of them that would be excluded from this opportunity.

I think there does need to be a capacity match between the primary schools that are feeding into a secondary school within the catchment area and that secondary schools' ability to take them. I think there is a mismatch here, which people just do not understand. It is no good saying to them well there is another school over there that you have to send your child to while all the other kids are going to this local school Ysgol Glantaf.

Would ask if the officers could look and you mention 2019, there may be an opportunity to look at whether that can be a balance, a match between the demand and the capacity?

Reply – Councillor Merry

We will be seeking to match capacity but that is not only about increasing places but also just in catchment areas and I think we all have a role to play in this Chamber when it comes to advising parents about completing the applications for school places.

We have already recognised that we've got a significant pressure on secondary school places in coming years until we bring in our additional places under Band B and it's really important we all advise our parents about completing the applications and put it in the number of choices that they're allowed to do.

It is absolutely imperative that we do that there is never a guarantee that even if you are within a catchment area for a school that you will get a place at that school and that has always been case and there is never a perfect situation because even as you change places and catchment areas the picture will shift again.

Question - Councillor Howells

What powers does the council have to ensure landlords educate their tenants in the proper disposal of their household waste?

Reply – Councillor Michael

The Council does not generally have any legal powers to force a landlord to educate their tenants. However, we do work with them to provide information packs and make it as easy as possible to educate their tenants about recycling and providing the correct recycling containers. Waste education officers also engage directly with tenants through face-to-face door knocking.

Where a HMO licence has been granted on a property, landlords must also ensure that proper arrangements are in place for the storage and disposal of waste, in accordance with the Council's scheme, and take reasonable steps to ensure

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compliance. The Housing Enforcement Team within Shared Regulatory Services will assist in those exceptional cases where existing waste management powers are insufficient.

Supplementary Question – Councillor Howells

It is clear in some instances that the current system is not working. In my ward there is a badly managed property converted into flats where residents continually present their rubbish on the wrong days. Enforcement officers have taken necessary education and enforcement this is either ignored or new residents move in and the process starts all over again and when the landlord has been approached by residents he just shrugs his shoulders and says nothing to do with me.

Surely, there is some way we can get landlords to take some form of responsibility for the waste generated by the tenants.

Is this not something we could include within the landlord registration scheme or if we don't have that power could you lobby the Welsh Government to see if it is a power local governments could be given?

Reply – Councillor Michael

I am disappointed if after a visit from enforcement officers and others, the offence continues to happen. I am happy to have a meeting with you to discuss it and see what steps we could take to help.

Question - Councillor Dilwar Ali

Will the Cabinet Member make a statement on the latest figures for people living on the streets in Cardiff?

Reply – Councillor Thorne

The Outreach Service is currently engaging with 73 individuals who are sleeping rough.

There are currently 25 tents situated around the city, which is a reduction from the 43 tents that were in place on 2<sup>nd</sup> February this year.

It is important to recognise that, as Council and partner services support people to come into accommodation or remove tents that have been abandoned, there will also be new arrivals of rough sleepers and new tents.

The Outreach Service has supported 40 individuals into accommodation since January, and continues to provide advice and support to everyone who is sleeping rough, even if they choose not to come in off the street.

Question - Councillor Owen

Following the motion passed in November's Full Council, can the Cabinet Member for Social Care and Health please update Council as to what work she has

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undertaken with the Cardiff and Vale University Health Board and the Alzheimer's Society to map the needs of people living with dementia across Cardiff, and establish where additional services are needed, in particular in the North of Cardiff?

Reply – Councillor Elsmore

I was pleased to provide a comprehensive update to Members in January on our achievements thus far, suffice it to say we work very closely with the University Health Board and the Alzheimer's Society to understand the need for additional services and we are developing the way we work to reflect the evidence. For example, it is clear from this work that there is a need to improve diagnosis rates across the city.

Most people living with dementia at an early stage are supported to access services locally to where they live and from your perspective for the North of Cardiff, the launch of Community Well-being Hubs next month, supporting dementia activities specific to the needs of the area, will go some way towards meeting the needs of your residents.

Supplementary Question – Councillor Owen

You are spot on in terms of needing to improve the diagnosis early. It is actually accepted generally now that 40 thousand people across Wales are living with dementia. We have talked about an emergency tonight, but I think this is an emergency we need to wake up to in Cardiff and I would suggest that possibly thousands of Cardiff residents are living with dementia on a daily basis.

You take the population of Whitchurch, it has a population of six years above the mean age of Cardiff, the population of Lisvane has a population, which is 11 years above the Cardiff mean, and a population of Rhiwbina has a population, which is 12 years above the mean age of Cardiff.

The Council therefore has the facts, which show where the oldest residents in Cardiff live, so can I please ask you once again to give real consideration to opening a day-care centre with specialist dementia services in the North of the City thank you?

Reply – Councillor Elsmore

I am always happy to meet with Ward Members from the North of Cardiff because I know the attention that you are putting on this issue - but so are we. For instance at the first ever Alzheimer's Society Cymru conference that took place in City Hall at the beginning of this month, Sue Phelps the Director of Alzheimer's Society Cymru Wales talked about Cardiff as being a City which is an exemplar to other Welsh cities. She paid a compliment to Cardiff because she said if there is one City and she complimented me particularly as the individual driving this agenda, who is going to make it happen it will Cardiff.

As I said my offer is always open, my door is always open, please come and see me and we can discuss how to take this forward.

Question - Councillor Carter

Could the Cabinet Member outline a timetable for the building of new primary and secondary schools in the expanding Pontprennau and Lisvane developments?

Reply – Councillor Merry

A report outlining proposals for the first new primary school facilities at St Edeyrn's was considered by the Cabinet last week. Consultation is planned later this year for a September 2021 opening.

A Section 106 agreement is also in place to secure a new primary school on the Churchlands development. In addition, further primary schools and a secondary school form part of the wider LDP allocation for Strategic Site F between Lisvane and Pontprennau.

Any new school provided as a developer contribution is to serve the additional need generated by the development. As this is predicated on the sale and completion of new homes, and in the absence of planning permissions for large sites of the area, it is not possible to provide exact timescales for the delivery of the schools at this time. School phasing is carefully planned to avoid destabilising existing schools in closest proximity to these sites.

Supplementary Question - Councillor Carter

What discussions are you having with the developers to try to plan for that eventuality? I appreciate the land is there but what ongoing discussions are you and your officers having to try and pin the developers down towards identifying the patch of land for the High School which will serve the new development and parts of my ward as well?

Reply – Councillor Merry

I believe the actual site is already identified, but in terms of discussions for timescales I actually refer you back to my previous comment and it is largely in the hands of the developers about when the properties are completed.

Question - Councillor Dilwar Ali

Will the Cabinet Member make a statement on the latest update on Lydstep flats re-cladding and other issues?

Reply – Councillor Thorne

I was pleased to attend the public meeting that you arranged recently and was genuinely sorry to learn first-hand about the problems with condensation that many of the tenants have to deal with.

As you are aware, we are investigating options to improve the insulation of the blocks and are currently taking advice from a technical consultant to ensure that we identify the best possible solution.

Monitoring equipment has been placed in a number of occupied flats to measure issues like, moisture levels and effectiveness of existing ventilation and heating systems. Thermal imaging of the building fabric will also be undertaken.

The results of this work should be available in May and residents will be fully informed and consulted on any future improvement plans.

Supplementary Question – Councillor Dilwar Ali

Can you confirm that timeframe for the works to be carried out?

Reply – Councillor Thorne

Unfortunately, I am not able to confirm any timescales because until we know what we need to do to address those issues we will not know what we need to put in place and what sort of contract we need, but as soon as we have that information in May and know about what the proposed solutions are to address those problems, we will consult with residents and yourselves.

Question - Councillor Robson

How often is Lamby Way, the closest waste household waste recycling centre for north Cardiff, shut because of skips being full?

Reply – Councillor Michael

Not very often.

Supplementary Question – Councillor Robson

On the occasions it is. Are there any ways of getting the message out more widely. I have had a few issues where constituents have made the effort to go to Lamby Way, they have to trek down there now that Wedal Road has gone and obviously, it is very inconvenient to find that the place is shut even for a fairly short period because of the skips being full.

Is there any way you can improve the communications that the Council gets out on this issuer?

Reply – Councillor Michael

Bearing in mind that the site is open for 364 days a year, since the new Lamby Way site opened in 2017, it has shut three times for less than an hour due to operational issues.

1) a fire; we had to shut the site down for that one

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- 2) a member of the public breaking down on the exit ramp, and
- 3) in the last week, due to a breakdown of the vehicles that service the skips.

It is worth noting that the former Wedal Road site would shut on average 50/60 times a year so I think it is fair to say your constituent was unlucky.

Question - Councillor Sandrey

It has been said that there are currently two charities interested in occupying the empty Pentwyn Arms/My Local building on Pentwyn Drive; however, not all local members have been made aware of this.

Can the relevant Cabinet Member please provide an update on the situation?

Reply – Councillor Goodway

You will be aware that the Council does not have an ownership interest in this property.

I know that Councillor Jacobsen has been actively working with a number of organisations to explore whether the building could be brought back into beneficial use.

However, more recently, officials have been discussing the situation with both the property's owner and the tenant and it appears that the tenant is now attempting to negotiate a surrender of their lease and would therefore not consider any subletting it at this stage.

If those negotiations are successful, it is likely that the landlord will sell the site for redevelopment.

I have asked officials to continue to monitor progress and I will provide any updates accordingly to local members.

Question - Councillor Dilwar Ali

What steps has the Council taken to improve the personal safety of Councillors, particularly in light of Brexit and recent comments made by the UK Prime Minister?

Reply – Councillor Huw Thomas

The Council takes the health, safety and well-being of all Councillors very seriously. To date, no Brexit-related or other risks have been identified locally that have required additional personal safety measures to be put in place, that doesn't mean that we shouldn't remain vigilant and I personally was concerned to hear the language used by the Prime Minister in her address to the Nation last week, seeking to clearly position Members of Parliament in isolation to her Policy and indeed some of the language that we see used in the media used by Politicians and by the media themselves, the talk of traitors and betrayal, I think contributes to a sense of concern

amongst all Politicians of every party, about what some people out there may be planning so we do take those concerns very seriously.

Supplementary Question – Councillor Dilwar Ali

Council Members do important community case work and often lead on high profile campaigns and policies.

Can the Leader guarantee that any Councillor who requests a personal safety device can actually get one?

Reply - Councillor Huw Thomas

I understand that currently all Councillors have been given an opportunity to undertake a personal safety assessment with a suitably qualified officer and I understand to date there are five Councillors that have done so. These assessments assist in addressing any safety concerns that a Councillor may have while undertaking their role and identifying any additional support, which may be needed.

I understand that Democratic Services Committee has also agreed for personal safety briefings to be scheduled for all Councillors in the near future. These sessions will provide advice and enable Councillors to escalate any concerns they may have and provide some simple precautions that can be used to minimise any potential risks which may arise. With regard to your specific question, I understand that is not currently the policy, the policy is that you go through the assessment process and I am quite happy to work in my capacity as Leader with the Democratic Services Committee and with all Members to understand whether that policy remains the only appropriate response at this time.

Question - Councillor Jones-Pritchard

In the light of the announcement of a joint development of a recycling campaign to show that recycling is now the social norm, will the cabinet member agree that a joint HWRC located to the north of Cardiff, or south of RCT, capable of serving parts of RCT, Caerphilly and North Cardiff, would be a good example of regional working, bringing added efficiencies and cost savings to meet the needs of local communities?

Will he work with other authorities to see if this can be brought about or can he explain why it will not be supported?

Reply – Councillor Michael

We have had discussions with neighbouring authorities about shared investment. In addition, officers are working with the Welsh Government to build up a picture of the waste and recycling infrastructure that is needed across the region.

Cardiff has a proven track record of working with other local authorities and we are always open to discuss joint projects. Currently, there are no such opportunities relating to household waste recycling sites, but we remain open to the possibilities.

*This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg*

Question - Councillor Boyle

When will Howardian Primary School get its own catchment area?

Reply – Councillor Merry

Proposals to establish a catchment area for a primary school must identify and take account of implications for secondary school arrangements. The proposals to expand Cardiff High, Cathays High and Willows High Schools – each in similar proximity to the Howardian site – form part of Band B of the 21<sup>st</sup> Century Schools Programme.

The progress through consultation on each of these proposals will inform the process of reviewing secondary school catchment area boundaries. It is anticipated that consultation with schools, parents and other stakeholders on changes to catchment areas in this part of the city would be undertaken in the 2020-21 school year.

Supplementary Question – Councillor Boyle

That's very odd because when I asked this question in 2017, I was told in an answer on the 10th October that the establishment of a catchment area for Howardian Primary School would be undertaken no sooner than the 1 September 2018 and completed by the 1 March 2018 - three weeks ago, for implementation in September 2020.

You are now telling families in Penylan that instead of implementing it in September 2020 you are going to start consulting it in 2020 is this not grossly unfair?

Reply – Councillor Merry

I think it would be unfair is to review catchment areas when we know that we are going to review the size of the schools in location which would not be known at that stage.

The expansion is part that Band B of the 21st century schools the only reason to accelerate that process Joe would be if the alternative secondary schools that those children would attend with full currently there are places available for those children so they are not excluded from attending either Cathays or Willows because of not being within those catchment areas.

If you would prefer that the catchment area for Howardian was amended prior to the expansion of Cardiff high and the removal of Howardian from nestling within the Marlborough catchment area and Cardiff High then perhaps we could have that conversation outside the Council Chamber.

Question - Councillor Dilwar Ali

What steps has the Council taken with Welsh and UK Government to all mosques in Cardiff, Wales for the personal safety of worshippers and communities with the holy

month of Ramadan starting in May and long prayers at night, particularly in light of recent terrorist attacks in New Zealand and the UK?

Reply – Councillor Thorne

I am very aware of the concerns within the local Muslim community that have inevitably been generated by the horrific terror attack in New Zealand. I want to reassure residents that we are working in close partnership with the Police and communities in Cardiff, particularly the Muslim community, to ensure that the city provides a safe environment in which people can visit the city's mosques without fear.

Additional police presence has been highly visible at mosques across the city following the events in New Zealand. Security advice is also being offered to all places of worship by police counter-terrorism advisers, as well as assistance from the Home Office through a specific crime prevention scheme for places of worship.

Our Community Safety and Prevent teams have been engaging with local mosques to listen to the concerns of communities and to provide support wherever possible. Officers are in regular contact with key stakeholders to monitor tension levels locally and ensure that early interventions are made, as necessary. However, I am advised that there have been no observable changes to levels of hate crime in Cardiff, which remain consistent.

Above all, we want to provide reassurance to communities and encourage people to have the confidence to report any concerns. This will result in a prompt and effective partnership response that will ensure that Cardiff continues to be a safe, open welcoming city for people of all cultures and religions.

Supplementary Question – Councillor Dilwar Ali

As the holy month of Ramadan is coming from May can I request some additional support to the community in Cardiff?

Reply – Councillor Thorne

If you contact me and speak to me about further details, I can speak with the officers and see what is needed.

157 : URGENT BUSINESS

The Lord Mayor advised of notification in accordance with the CPR of an urgent item of business. The Party Group Leader of the Liberal Democrat Group, Councillor Boyle seconded by the Party Group Whip, Councillor Joe Carter requested that the Council consider a request for approval of absence under the six-month Councillor attendance rule in accordance with relevant legislation for Councillor Wendy Congreve who, due to ill health and ongoing medical treatment, had not attended a Council or Committee meeting since 7 November 2018.



The Council can only consider approval of any reasons for non-attendance before the end of the relevant six-month period, which will end on Thursday 6 May 2019. Councillor Congreve was due to attend the meeting today but unfortunately was unable to at the last minute.

The Lord Mayor certified this matter as Urgent Business.

RESOLVED – That

1. the request to approve the absence of Councillor Wendy Congreve pursuant to Section 85 (1) of the Local Government Act 1972 on the grounds of ill-health and ongoing recovery was approved; and
2. the absence was approved for a further 6-month period, to expire on 6 November 2019.

158 : APPOINTMENT OF LOCAL AUTHORITY SCHOOL GOVERNORS

The Council was requested to approve the recommendations of the Local Authority Governor Panel 18 March 2019

RESOLVED – That

1. the following appointments be approved to existing vacancies: -

| <b>School</b>                       | <b>Ward</b>          | <b>Start of Vacancy</b>  | <b>Appointment Approved</b>        |
|-------------------------------------|----------------------|--------------------------|------------------------------------|
| Creigiau Primary School             | Creigiau & St Fagans | 08/10/2016               | David Warren                       |
| Marlborough Primary School          | Penylan              | 01/09/2018               | Jake Howarth-Brown                 |
| Meadowbank School                   | Llandaff North       | 08/02/2019               | Elsbeth Webb                       |
| Meadowlane Primary School           | Trowbridge           | 31/01/2018               | Sheila Hunt                        |
| Moorland Primary School             | Splott               | 19/11/2018<br>30/01/2019 | Lowri Wynn Jones<br>Sarah Scullion |
| Radyr Comprehensive School          | Radyr & Morganstown  | 02/10/2018               | Mike James                         |
| St Bernadette's R.C. Primary School | Pentwyn              | 30/01/2019               | Patricia Arlotte                   |
| The Court School                    | Llanishen            | 05/12/2018               | Jonathan Shimmin                   |
| Ton Yr Ywen Primary School          | Heath                | 05/02/2019               | Phillip Elliot                     |
| Windsor Clive Primary School        | Ely                  | 10/01/2018               | Janet Palmer                       |

| <b>School</b>                   | <b>Ward</b>    | <b>Start of Vacancy</b> | <b>Appointment Approved</b> |
|---------------------------------|----------------|-------------------------|-----------------------------|
| Ysgol Gyfun Gymraeg Glantaf     | Llandaff North | 30/06/2018              | Karin Phillips              |
| Ysgol Gymraeg Coed-Y-Gof        | Fairwater      | 29/11/2018              | Elin Cousins                |
| Ysgol Gynradd Gymraeg Hamadryad | Butetown       | 10/01/2019              | Alison Lynch                |
| Ysgol Gymraeg Nant Caerau       | Caerau         | 27/06/2018              | Owain Rhys                  |
| Ysgol Gynradd Gwaelod Y Garth   | Pentyrch       | 02/05/2018              | Rhys James                  |
| Ysgol Gyfun Gymraeg Plasmawr    | Fairwater      | 30/01/2019              | Huw Jones                   |
| St David's Catholic College     | Penylan        | 07/03/2018              | Jackie Jones                |

2. the following appointments be approved to future Local Authority vacancies

| <b>School</b>                | <b>Ward</b>    | <b>Start of Vacancy</b> | <b>Appointment Approved</b> |
|------------------------------|----------------|-------------------------|-----------------------------|
| Cardiff High School          | Cyncoed        | 26/05/2019              | Jill Davies                 |
| Llandaff C.W. Primary School | Llandaff       | 26/06/2019              | David Oliver                |
| Llanishen High School        | Llanishen      | 19/05/2019              | Elizabeth Taylor            |
| Oakfield Primary School      | Trowbridge     | 26/06/2019              | Joanne Gordon-Smith         |
| Ysgol Glan Ceubal            | Llandaff North | 26/06/2019              | David Saunders              |

#### 159 : COMMITTEE APPOINTMENTS

There were no notification from Party Group Whips of any appointments to vacancies. The vacancies would be filled at the Annual meeting.

#### 160 : APPOINTMENTS TO OUTSIDE BODIES

There were no notification from Party Group Whips of any appointments to vacancies. The vacancies would be filled at the Annual meeting.

161 : URGENT DECISIONS - ST PETERS RC PRIMARY SCHOOL

This report was submitted for information only.

162 : WRITTEN QUESTIONS

In accordance with Council Procedure Rule 17 (f), [Written Questions](#) received for consideration and response had been published.

*(The meeting closed at 10.10pm)*

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**CYNGOR CAERDYDD  
CARDIFF COUNCIL**



**ANNUAL COUNCIL:**

**23 MAY 2019**

**REPORT OF DIRECTOR OF GOVERNANCE & LEGAL SERVICES &  
MONITORING OFFICER**

**CARDIFF UNDERTAKING**

**Purpose of the Report**

1. To allow all Elected Members to publicly reaffirm and formally sign the Cardiff Undertaking as a record of their commitment to the principles set out.

**Background**

2. The Cardiff Undertaking was first introduced in July 2004 following the report of the Commission on the Governance of Cardiff Council, and has subsequently been revised and updated following changes to the Code of Conduct and recommendations from the Standards and Ethics Committee and Full Council.
3. The Standards and Ethics Committee is responsible for ensuring the Council's Ethical Code is maintained in accordance with the National Code of Conduct and the statutory ethical framework set out under Part 3 of the Local Government Act 2000.
4. In accordance with the recommendations of the Standards and Ethics Committee, and the Cardiff Constitution, Council Procedure Rule 2(b) (vi), Elected Members are asked to reaffirm their commitment to the Cardiff Undertaking at each Annual Council meeting during their term of office.

**Issues**

5. [The Cardiff Undertaking](#) attached as Appendix A, should be considered in conjunction with the [Members' Code of Conduct](#) and forms part of the ethical code, which binds all Members of Cardiff Council to the seven principles of public life, and reaffirms their commitment to undertaking essential and appropriate training.

**Legal Implications**

6. A failure to comply with the Cardiff Undertaking may indicate a breach of the Members' Code of Conduct. This could result in a complaint being made against the individual councillor, which would be dealt with in accordance with

legislative and or locally adopted procedures (Cardiff's Local Resolution Protocol, where applicable) for dealing with complaints about Members.

### **Financial Implications**

7. There are no financial implications arising from this report

### **RECOMMENDATION**

The Council is recommended to ask all Members to publicly reaffirm and sign the Cardiff Undertaking to record their commitment to it.

**Davina Fiore**

**Director of Governance & Legal Services and Monitoring Officer**

17 May 2019

### **Appendices**

Appendix A Cardiff Undertaking (Bilingual)

Background Papers:  
[Cardiff Constitution](#)

# YMRWYMIAD CAERDYDD I GYNGHORWYR THE CARDIFF UNDERTAKING FOR COUNCILLORS



Dylid ystyried yr ymrwymiad hwn ochr yn ochr â'r Cod Ymarfer I Aelodau ac mae'n ffurfio rhan o'r cod moesegol y mae pob Aelod o Ddinas a Sir Caerdydd yn rhwym wrtho.

This undertaking should be considered in conjunction with the Members' Code of Conduct and forms part of the ethical code which binds all members of the City & County of Cardiff.

Fel Cynghorydd a etholwyd I Gyngor Sir Dinas a Sir Caerdydd, ac yn unol ag egwyddorion bywyd chyhoeddus:-

As a Councillor elected to the County Council of the City and County of Cardiff, and in accordance with the principles of public life:-

## YMRWYMAF I: I UNDERTAKE TO:-

### Hyrwyddo cydraddoldeb a pharch I eraill Promotion of equality and respect for others

- |   |  |
|---|--|
| 1. Cynrychioli Caerdydd a phobl Caerdydd a chynnal y cyfrifoldeb hwn o ran cynrychioli pawb yng Nghaerdydd yn gyfartal. | 1. Represent Cardiff and all the people of Cardiff and to hold this duty of representation equally to all the people of Cardiff. |
|---|--|

### Gwrthrychedd a phriodoldeb Objectivity and propriety

- |   |   |
|---|---|
| 2. Ystyried yr holl faterion ac achosion a gyflwynwyd I mi yn ôl eu rhinweddau eu hunain.   | 2. Consider all issues and cases brought to me on their merits.   |
| 3. Cydbwysu buddiannau fy Ward gyda buddiannau'r Cyngor a phobl Caerdydd yn ei chyfanrwydd. | 3. Balance the interests of my Ward with the interests of the Council and the people of Cardiff as a whole. |

### Ystyried eraill a stiwardiaeth Selflessness and stewardship

- |  |   |
|--|---|
| 4. Rhoi blaenoriaeth I fuddiannau'r Cyngor, Caerdydd a phobl Caerdydd.   | 4. Give priority to the interests of the Council, Cardiff and of the people of Cardiff.   |
| 5. Diogelu a hyrwyddo cyfleoedd bywyd plant sy'n derbyn gofal gan y Cyngor a chyflawni fy nghyfrifoldebau'n ddiwyd fel Rhiant Corfforaethol I'r plant hynny. | 5. Safeguard and promote the life chances of children looked after by the Council and diligently discharge my responsibilities as Corporate parent of those children. |

## Cywirdeb Integrity

- |   |   |
|---|---|
| 6. Gweithredu'n unol â'r safonau uchaf o ran cywirdeb wrth gyflawni fy nyletswyddau amrywiol fel Cynghorydd | 6. Act according to the highest standards of probity in carrying out my various duties as a Councillor. |
|---|---|

## Dyletswydd I gydymffurfio â'r gyfraith Duty to uphold the law

- |   |   |
|---|---|
| 7. Cydymffurfio â'r Cod Ymddygiad I Aelodau a'i barchu, ac ystyried y cyngor a'r canllawiau a gyhoeddir gan y Pwyllgor Safonau a Moeseg yn briodol.       | 7. Adhere to and respect the Members' Code of Conduct and have proper regard to the advice and guidance issued by the Standards & Ethics Committee. |
| 8. Parchu darpariaethau unrhyw Brotocolau Datrys Lleol a gynigiwyd gan y Pwyllgor Safonau a Moeseg ac a fabwysiadwyd gan y Cyngor, a chydymffurfio â nhw. | 8. Adhere to and respect the provisions of any Local Resolution Protocol proposed by the Standards & Ethics Committee and adopted by Council        |

## Atebolrwydd a gonestrwydd Accountability and openness

- |   |  |
|---|--|
| 9. Peidio â datgelu gwybodaeth a roddir I mi yn gyfrinachol.  | 9. Not to disclose information given to me in confidence   |
| 10. Cefnogi a hyrwyddo ymddygiad y Cyngor I sicrhau bod ei fusnes yn cael ei gynnal mewn ffordd onest a chlr. | 10. Support and promote the conduct of the Council's business being carried out in an open and transparent manner. |

**Er mwyn i mi allu cyflawni fy nyletswyddau, rwy'n ymrwmo i ddilyn hyfforddiant priodol, i gynnwys pob math o hyfforddiant a nodwyd yn hanfodol yn y Rhaglen Gyflwyno i Fyfirwyr/Cynllun Hyfforddi a Datblygu Aelodau, neu hyfforddiant cyfatebol, fel y gallaf gyflawni fy nyletswyddau fel Cynghorydd.**

**In order to enable me to carry out my duties I further undertake that I will commit to appropriate training, to include all training which has been identified as essential in the Member Induction Programme/Member Training and Development Plan, or equivalent, to equip me to carry out my duties as a Councillor.**

Enw/Name: ..... Dyddiad/ .....  
Date:

Llofnod/Signed: .....



## REPORT OF DIRECTOR OF GOVERNANCE & LEGAL SERVICES & MONITORING OFFICER

### ESTABLISHMENT OF STANDING COMMITTEES OF THE COUNCIL 2019 - 2020

#### Reason for this Report

1. To approve the establishment of Standing Committees of Council for the Municipal year 2019 to 2020, their size and terms of reference.

#### Background

2. The Constitution provides that, at its Annual meeting, the Council will decide on any amendment to the standing committees of the Council, including amendments to their size and terms of reference (Council Meeting Procedure Rules, Rule 2(b)(xi)).

#### Issues

##### Proposed Committees

3. The Council is recommended to establish the Standing Committees shown in Table A with the indicated number of seats.

**TABLE A – Establishment of Committees and Size**

| <b><u>COMMITTEES</u></b>   | <b><u>SEATS</u></b>  |
|--|--|
| <b><u>Regulatory and Other Committees</u></b>                    |  |
| Appointments Committee<br><i>(convened as and when required)</i> | To comprise 5 Members from those appointed to serve in accordance with the rule on political balance   |
| Audit Committee  | 12 Members<br>(8 Elected Members and 4 Independent Members)<br><b><i>(Cannot include more than 1 Member of the Cabinet who must not be the Council Leader)</i></b> |
| Constitution Committee   | 12 Members   |

| <b><u>COMMITTEES</u></b>   | <b><u>SEATS</u></b>   |
|--|---|
| Corporate Parenting Advisory Committee   | 8 Members<br>(Includes Deputy Leader and/ or Cabinet Member for Education and Cabinet Member for Children's Services up to a maximum of 3 Cabinet members)<br><b><i>(Must not be Members of the Children &amp; Young People Scrutiny Committee (or equivalent))</i></b> |
| Council Appeals Committee  | 9 Members   |
| Democratic Services Committee  | 12 Members<br><b><i>(Cannot include more than 1 Member of the Cabinet who must not be the Council Leader)</i></b>   |
| Disciplinary & Grievance Appeals Committee<br><i>(Convened as and when required)</i> | To comprise not less than 3 and not more than 5 Members from those appointed to serve in accordance with the rule on political balance.   |
| Employment Conditions Committee  | 8 Members   |
| Family Absence Appeals Panel<br><i>(Called as and when required)</i>                 | 3 Members<br><b><i>(To be Members of the Democratic Services Committee but not include the Chair of Council)</i></b>  |
| Licensing Committee  | 12 Members  |
| Planning   | 12 Members<br><b><i>(Should not include more than one Elected Member from a multi Member Ward)</i></b>  |
| Public Protection  | 12 Members  |
| Standards & Ethics Committee   | 9<br>(3 Elected Members**, 5 Independent Members & 1 Community Council Member)<br><br>**Not subject to Political proportionality requirements, but should be cross party  |
| Pensions Committee   | 5 Members   |

| <u>COMMITTEES</u>                     | <u>SEATS</u>  |
|---------------------------------------|---|
| <b><u>Scrutiny Committees</u></b>     |   |
| Children and Young People             | 9 Members<br>(plus 4 co-opted Members including one Church in Wales Representative; one Roman Catholic Representative and two Parent Governor representatives.) |
| Community and Adult Services          | 9 Members   |
| Economy and Culture                   | 9 Members   |
| Environmental                         | 9 Members   |
| Policy Review & Performance           | 9. Members  |
|                                       |   |
| <b><u>Other Groups and Panels</u></b> |   |
| Bilingual Cardiff Member Group        | 9 Members<br>(At least one member from each political Group)  |
| Health & Safety Advisory Group        | 5 Members<br>(Appropriate Cabinet Member and up to 4 other Members)   |
| Local Authority Governor Panel        | 7 Members<br>(Appropriate Cabinet Member and up to 6 other Members)   |
| Investment Advisory Panel             | 3 Members<br>(To be Members of the Pension Committee)   |
| Works Council                         | 5 Members<br>(To be Members of Employment Condition Committee)  |

4. The sizes of the Council's standing committees are set out in the Constitution Article 6.1 (Scrutiny Committees); and Article 8.1 (Regulatory and Other Committees).

#### Terms of Reference

5. The proposed terms of reference for each of the Standing Committees and Groups are set out in **Appendix A**.

#### Audit Committee Terms of Reference

6. The Audit Committee 22 January 2019 considered and agreed to recommend amendment of its terms of reference. The revised draft

terms of reference for the Audit Committee conform to best practice CIPFA guidance, as published in 2018 (Audit Committees, Practical Guidance for Local Authorities and Police).

7. In accordance with the CIPFA model template included within the guidance, a statement of purpose has been added to the terms of reference, and incremental updates have been included. The Audit Committee responsibility updates relate to reviewing the ethical framework and significant partnerships or collaborations, and a further documentation of the role in overseeing Internal Audit activities, performance and independence.
8. The Corporate Parenting Advisory Committee 2 April 2019 considered and agreed to amend its terms of reference to better reflect the purpose and focus of the work of the Committee and to refine and update terminology to reflect changes in legislation and protocols.

### **Legal Implications**

9. The arrangements made by the Council for discharging its functions may include the establishment of one or more ordinary committees. The size of its committees and their terms of reference are to be determined by Council (pursuant to the Local Government Act 1972, sections 101 and 102).
10. All decisions taken by or on behalf the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers of behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Council Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances
11. There are specific legislative provisions governing the following committees:

#### Standards and Ethics Committee

12. Councils in Wales are required to establish a Standards Committee to discharge the functions conferred under Part 3 of the Local Government Act 2000 governing Member conduct issues. Standards Committees must consist of not less than five and not more than nine members, and independent members must comprise at least half of all members. The Committee must include at least one 'Community Committee member' (i.e. a member of a community council within the authority's area) as the Standards Committee discharges functions in relation to Community Councils. Regulations specifically prohibit anyone other than a member of the Council, an independent member or a 'Community Committee' Member from being a member of the Committee. The Leader is

prohibited from being a member of the Standards Committee, and no more than one member of the Cabinet may be a member of the Committee. The political balance requirements of the Local Government and Housing Act 1989 do not apply.

13. The Council's Constitution (Article 9) provides that the Standards & Ethics Committee will be composed of 9 members comprising 5 'independent' members, 3 Cardiff County Councillors and 1 Community Councillor.

#### Democratic Services Committee

14. The Local Government (Wales) Measure 2011 requires Councils to establish a Democratic Services Committee to discharge the functions conferred under Part 1, Chapter 2 of the Measure. The legislation states that the Democratic Services Committee cannot include more than one member of the Cabinet, who must not be the Leader.

#### Audit Committee

15. The Local Government (Wales) Measure 2011 also requires Councils to establish an Audit Committee to discharge the functions conferred under Part 6, Chapter 2 of the Measure. The legislation provides that there must be at least one lay member on the Audit Committee or up to a third of the total membership. Subject to that, the Council must decide how many non-councillors should be appointed to the Audit Committee. The Committee can include no more than one Cabinet member, who may not be the Leader. The Committee is not subject to the statutory political balance requirements, but Statutory Guidance states that 'It is strongly recommended that the balance of members of the committee is at least as favourable to non-executive groups as would be achieved by political balance rules' (Guidance paragraph 9.24).
16. The current composition of the Audit Committee, as approved at Annual Council in May 2018, includes four non - councillor 'Independent Members' and 8 Councillors. The proportion of Independent Members is one third of the Committee members, which is the maximum permitted by law.

#### Planning Committee

17. The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 (made under s.39 of the Planning Wales Act 2015), stipulate the following legal requirements:
  - (a) A planning committee must contain no fewer than 11 members and no more than 21 members, but no more than 50% of the authority members (rounded up to the nearest whole number); and
  - (b) Where wards have more than one elected Member, only one Member may sit on the planning committee, in order to allow other

ward Members to perform the representative role for local community interests (but this rule is not applicable to authorities comprised solely of multiple Member wards).

These legal requirements are reflected in the Planning Committee Procedure Rules, Rule 1.1A.

15. The recommended size of Cardiff's Planning Committee is 12 members, which complies with the legal requirements in relation to the size of the committee (sub-paragraph (a) above). The legal requirements in relation to multi-member wards (sub-paragraph (b) above) will need to be followed in considering appointments to the Planning Committee, which is dealt with in the separate Council report under Agenda item 11.

#### Scrutiny Committees

16. The Local Government Act 2000 requires authorities to set up overview and scrutiny committees. The legislative provisions for overview and scrutiny committees for Wales have been amended and supplemented by the Local Government (Wales) Measure 2011 and Regulations made thereunder. In addition, other legislation imposes requirements regarding scrutiny of particular issues, for example, crime and disorder matters (the Police and Justice Act 2006); and Public Services Board functions (the Wellbeing of Future Generations (Wales) Act 2015). Subject to compliance with the relevant statutory provisions, the size of its scrutiny committees is a matter for each Council to determine.

#### Corporate Parenting Advisory Committee

17. An Advisory Committee may be established to advise and make recommendations to the Cabinet and or the Council on any matter relating to the discharge of its functions which fall within the Committee's approved terms of reference (s.102(4) of the Local Government Act 1972).
18. An Advisory Committee may consist of any persons the Authority chooses, whether Elected Members or not (but not including employees of the Authority, or others who are disqualified from being an elected Member of the Authority, eg. those declared bankrupt). The political balance requirements apply in relation to Elected Member appointments (s.15 and Schedule 1, paragraph 1(b) of the Local Government and Housing Act 1989).
19. The establishment of an Advisory Committee, agreeing its terms of reference and membership, and making appointments to the Committee are all matters which must be approved by full Council. Full Council approved the establishment of a Corporate Parenting Advisory Committee in July 2014.

## **Financial Implications**

20. There are no financial implications directly arising from this report. The costs associated with Members are to be contained within the allocated budget.

## **RECOMMENDATIONS**

The Council is recommended to

1. approve the establishment and size of the Council Committees set out in paragraph 3 (Table A); and the terms of reference of each Committee, as set out in **Appendix A** of this report, for the 2019 – 2020 Municipal Year; and
2. authorise the Monitoring Officer to update the terms of reference of the Audit Committee and Corporate Parenting Advisory Committee in the Constitution.

**DAVINA FIORE**

**Director of Governance & Legal Services and Monitoring Officer**

17 May 2019

Appendix A – Committee Terms of Reference

Background Papers

[Audit Committee 22 January 2019](#)

[Corporate Parenting Advisory Committee 2 April 2019](#)

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## PART 3 – RESPONSIBILITY FOR FUNCTIONS

### APPENDIX 2 – TERMS OF REFERENCE FOR COMMITTEES

| Committee   | Terms of Reference  |
|---|---|
| <p>Appointments (convened as and when required)</p> | <p>To discharge the functions of the authority in respect of the appointment and dismissal of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders)(Wales) Regulations 2006) and the statutory Head of Democratic Services, in accordance with the Employment Procedure Rules and any other relevant Council policies and procedures.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>  |
| <p>Audit</p>  | <p><u>Statement of Purpose</u></p> <ul style="list-style-type: none"> <li>• Our Audit Committee is a key component of Cardiff Council’s corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.</li> <li>• The purpose of our Audit Committee is to provide independent assurance to the members of Cardiff Council of the adequacy of the risk management framework and the internal control environment. It provides an independent review of Cardiff Council’s governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.</li> </ul> <p><u>Governance, Risk &amp; Control</u></p> <ul style="list-style-type: none"> <li>• To review the Council’s corporate governance arrangements against the good governance framework , including the ethical framework and consider annual governance reports and assurances.</li> <li>• To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account the internal audit opinion on the overall adequacy and effectiveness of the Council’s framework of governance, risk management and internal control.</li> </ul> |

| Committee | Terms of Reference  |
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|           | <ul style="list-style-type: none"> <li>• To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.</li> <li>• To consider the Council's framework of assurance and ensure that it adequately addresses the risk and priorities of the Council.</li> <li>• To monitor the effective development and operation of risk management in the Council.</li> <li>• To monitor progress in addressing risk-related issues reported to the committee.</li> <li>• To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.</li> <li>• To review the assessment of fraud risks and potential harm to the council from fraud and corruption.</li> <li>• To monitor the Counter-fraud strategy, actions and resources.</li> <li>• To review the governance and assurance arrangements for significant partnerships or collaborations.</li> </ul> <p><u>Internal Audit</u></p> <ul style="list-style-type: none"> <li>• To approve the Internal Audit Charter.</li> <li>• To review proposals in relation to the appointment of external providers of internal audit services and to make recommendations.</li> <li>• To approve the risk-based internal audit plan, containing internal audit's resource requirements, the approach to using other sources of assurances and any work required to place reliance upon those other sources.</li> <li>• To approve significant interim changes to the risk based internal audit plan and resource requirements.</li> <li>• To make appropriate enquiries of both management and the audit manager to determine if there are any inappropriate scope or resource limitations.</li> <li>• To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the Audit Manager. To approve and periodically review safeguards to limit such impairments.</li> </ul> |

| Committee | Terms of Reference   |
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|           | <ul style="list-style-type: none"> <li>• To consider reports from the Audit Manager on Internal Audit's performance during the year, including the performance of external providers of internal audit services. These will include: <ul style="list-style-type: none"> <li>- Updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work;</li> <li>- Regular reports on the results of the Quality Assurance and Improvement Programme (QAIP);</li> <li>- Reports on instances where the internal audit function does not conform to the PSIAS and Local Government Application Note (LGAN) considering whether the non-conformance is significant enough that it must be included in the Annual Governance Statement.</li> </ul> </li> <br/> <li>• To consider the Audit Manager's annual report: <ul style="list-style-type: none"> <li>- The statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement – these will indicate the reliability of the conclusions of internal audit;</li> <li>- The opinion on the adequacy and effectiveness of the Council's framework of governance, risk management and control together with a summary of the work supporting the opinion – these will assist the committee in reviewing the Annual Governance Statement.</li> </ul> </li> <br/> <li>• To consider summaries of specific internal audit reports as requested.</li> <br/> <li>• To receive reports outlining the action taken where the Audit Manager has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.</li> <br/> <li>• To contribute to the Quality Assurance and Improvement Programme and in particular the external quality assessment of internal audit that takes place at least once every five years.</li> <br/> <li>• To consider a report on the effectiveness of internal audit to support the Annual Governance Statement, where required to do so by the Accounts and Audit Regulations.</li> <br/> <li>• To provide free and unfettered access to the Audit Committee Chair for the Audit Manager, including the opportunity for a private meeting with the Committee.</li> </ul> |

| Committee | Terms of Reference   |
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|           | <p data-bbox="448 232 655 264"><u>External Audit</u></p> <ul data-bbox="448 271 1391 790" style="list-style-type: none"> <li data-bbox="448 271 1391 342">• To consider the external auditor’s annual letter, relevant reports, and the report to those charged with governance.</li> <li data-bbox="448 383 1391 454">• To consider specific reports as agreed with the external auditors.</li> <li data-bbox="448 495 1391 566">• To comment on the scope and depth of external audit work and to ensure it gives value for money.</li> <li data-bbox="448 607 1391 638">• To commission work from internal and external audit.</li> <li data-bbox="448 678 1391 790">• To advise and recommend on the effectiveness of relationships between external and internal audit and other inspector agencies or relevant bodies.</li> </ul> <p data-bbox="448 831 727 862"><u>Financial Reporting</u></p> <ul data-bbox="448 869 1391 1384" style="list-style-type: none"> <li data-bbox="448 869 1391 1048">• To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.</li> <li data-bbox="448 1088 1391 1196">• To consider the external auditor’s report to those charged with governance on issues arising from the audit of the accounts.</li> <li data-bbox="448 1236 1391 1384">• To seek assurances that the Council has complied with the Treasury Management Strategy and Practices by demonstrating effective control of the associated risks and pursuing optimum performance consistent with those risks.</li> </ul> <p data-bbox="448 1424 858 1456"><u>Accountability Arrangements</u></p> <ul data-bbox="448 1462 1391 2011" style="list-style-type: none"> <li data-bbox="448 1462 1391 1641">• To report to Council on the Committee’s findings, conclusions and recommendations concerning the adequacy and effectiveness of the governance, risk management and internal control frameworks, financial reporting arrangements and internal and external audit functions.</li> <li data-bbox="448 1682 1391 1830">• To report to Council on an annual basis and to publish an Annual Report on the Committee’s work, performance in relation to the terms of reference and its effectiveness in meeting its purpose.</li> <li data-bbox="448 1870 1391 2011">• To raise the profile of probity generally within the Council and to report on matters of concern to the individual Cabinet Member, relevant Scrutiny Committee, Cabinet or to Council as necessary and appropriate.</li> </ul> |

| Committee                              | Terms of Reference  |
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|  | <ul style="list-style-type: none"> <li>• To work in synergy with the five Scrutiny Committees of the Council and liaise with other Council Committees as and when appropriate to avoid duplication in work programmes.</li> </ul> <p><u>Training &amp; Development</u></p> <ul style="list-style-type: none"> <li>• To attend relevant training session in accordance with the Member Development Programme including specialist training tailored for Members of the Audit Committee e.g. Treasury Management.</li> </ul>  |
| Constitution                           | <p>To review the Council's Constitution, and to recommend to Council and/or Cabinet any changes, except that the Committee will have authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-</p> <p>(a) Drafting improvements to enhance clarity and remove minor anomalies.</p> <p>(b) Updating to reflect legislative changes and matters of record.</p> <p>(c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).</p>  |
| Corporate Parenting Advisory Committee | <p>(a) To champion the life chances and rights of Children Looked After; Children in need; Care Leavers and children and young people in the criminal justice system across the Council, with Elected Members and partners.</p> <p>(b) To actively promote real and sustained improvements by ensuring that there are mechanisms in place to:</p> <ul style="list-style-type: none"> <li>• ascertain and have regard to the child or young person's view, wishes and feelings, so far as reasonable practicable;</li> <li>• have regard to the importance of promoting and respecting the child or young person's dignity;</li> <li>• have regard to the characteristics, culture and beliefs of the child or young person;</li> <li>• have regard to the importance of providing appropriate support to enable the child or young person to participate in decisions that affect them;</li> <li>• have regard to the importance of promoting the upbringing of the child by the child's family, in so far as doing so is consistent with promoting the child's well-being;</li> <li>• Where the child is under the age of 16, ascertain and have regard to the views, wishes and feelings of those with parental responsibility for the child, in so far as doing so is consistent with the well-being of the child, and reasonably practicable</li> </ul> |

| Committee | Terms of Reference  |
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|           | <ul style="list-style-type: none"> <li>• That there is a follow on provision for young people leaving care that meets the need of young adults</li> </ul> <p>(c) To develop and undertake a programme of consultation, listening and engagement events with Children Looked After, Children in Need and Care Leavers as well as visits to services providing support and advice to those children and young people.</p> <p>(d) To recommend ways in which more integrated services can be developed across all Council directorates, schools and other stakeholders to lead towards</p> <ul style="list-style-type: none"> <li>• Improved education attainment and achievement for Children Looked After, Children in need and Care Leavers;</li> <li>• Emotional and Mental Health and Well-being Support for Children Looked After, Children in Need, and Care Leavers;</li> <li>• Improvements in services for children with disabilities</li> <li>• To encourage Looked After Children, Children in need and Care Leavers to become active citizens.</li> </ul> <p>(e) To ensure performance monitoring systems are in place, and regularly review performance data to ensure sustained performance improvements in outcomes;</p> <p>(f) To benchmark and learn from best practice of other Local Authorities</p> <p>(g) To receive all relevant Children’s Services inspection and annual reports, including: Children’s Homes Quality of Care Report; Child Practice Review Themes, Fostering Annual Quality of Care Report; Adoption Fostering Annual Quality of Care Report; 4C’s Commissioning; Out of Area Annual Report; Education Report; Children’s Complaints reports; and Advocacy Annual Report;</p> <p>(h) To develop, monitor and review a corporate parenting strategy, and ensure its effective implementation through work plans and corporate parenting training programmes;</p> <p>(i) To submit an annual progress report to the Cabinet and make recommendations where responsibility for that function rests with the Cabinet;</p> <p>(j) To report to the Children and Young People’s Scrutiny Committee as necessary;</p> <p>(k) To recommend the appointment of co-opted members to the Committee for approval by Council;</p> |

| Committee           | Terms of Reference   |
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|                     | <p>(l) To submit an Annual Report on the work of the Committee to full Council.</p> <p>(m) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>   |
| Council Appeals     | <p>To hear and determine appeals (other than those appeals which are within the terms of reference of any other Committee) from determinations and decisions of the Authority where there is a statutory requirement for there to be an appeal to Members of the Council or where such appeal is allowed for in any policy or procedure approved by the Council.</p> <p>On hearing an appeal the Committee shall be empowered, on behalf and in the name of the Council, to make such order as it considers appropriate, within the range of decisions permissible at law.</p> <p>The Committee, when sitting to hear an appeal, shall not include any Members of the Cabinet, or Members of any Committee principally concerned with the service by which the decision or determination has been made, or Members who have been concerned in any previous consideration of the matter, which has given rise to or from which the appeal arises.</p> <p>At each sitting of the Committee to hear an appeal, the Committee shall, firstly, ensure that the appeal has been properly made and, secondly, that the appellant has been afforded the opportunity of being represented at the hearing of his/her appeal by such friend, lawyer or other representative as he/she may choose.</p> <p>In hearing an appeal the Committee shall conform to the rules of natural justice.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| Democratic Services | <p>(a) To carry out the local authority's function of designating the Head of Democratic Services.</p> <p>(b) To keep under review the adequacy of provision of staff, accommodation and other resources made available to discharge the democratic services functions of the Authority.</p> <p>(c) To make reports, at least annually, to the full Council in relation to these matters.</p>  |

| Committee   | Terms of Reference  |
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| <p>Disciplinary &amp; Grievance Appeals (convened as and when required)</p> | <p>To hear and determine:</p> <ul style="list-style-type: none"> <li>(a) all appeals by employees of the Council who may have a right to appeal to Councillors in accordance with disciplinary and grievance procedures approved by the Council;</li> <li>(b) all other appeals from disciplinary actions which may be referred to it, whether by the Council or a Committee;</li> <li>(c) grievances by and against the Chief Executive in accordance with grievance procedures approved by the Council; and, with a differently constituted membership, appeals following decisions on such grievances; and</li> <li>(d) in exceptional circumstances, where the Chief Executive cannot address matters because of an associated grievance, disciplinary proceedings against the Chief Operating Officer; a Corporate Chief Officer or a Chief Officer; and, with a differently constituted membership, appeals following decisions in such disciplinary proceedings</li> </ul> <p>On hearing each case the Committee shall be empowered, on behalf and in the name of the Council, to make such order as it considers appropriate, except where retirement or redundancy is contemplated, when consultation with the Cabinet will take place prior to determination of the matter.</p> <p>The Committee, when sitting to hear an individual case, shall comprise not less than three nor more than five members. From the members appointed to serve on the Committee, those who are to sit to hear any particular matter shall be chosen by rota following consultation with the Group Whips, subject to the exclusion of any member who:</p> <ul style="list-style-type: none"> <li>(i) is a member of the Cabinet or of a Committee principally concerned with the service in which the employee concerned is employed; or</li> <li>(ii) has been concerned in any previous consideration of the matter which has given rise to the disciplinary action, grievance, or decision from which an appeal arises.</li> </ul> <p>At each sitting of the Committee to hear a disciplinary matter or appeal, the Committee shall, firstly, ensure that the matter of complaint has been clearly put to the employee and, secondly, that the employee has been afforded the opportunity of being represented at the hearing by such friend, trade union officer, lawyer or other representative as he/she may choose.</p> <p>In any hearing the Committee shall conform to the rules of natural justice.</p> |



| Committee                       | Terms of Reference  |
|---------------------------------|---|
|                                 | All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.   |
| Employment Conditions           | <p>(a) to consider and determine policy and issues arising from the organisation, terms and conditions of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006), together with any other category of employee specified in Regulation from time to time where this is necessary, subject to the approval of Council in respect of any determination or variation of the remuneration of Chief Officers;</p> <p>(b) to decide requests for re-grading of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006), together with any other category of employee specified in Regulation from time to time, whether by way of appeal by an employee against a decision to refuse a re-grading application or to decide applications for re-grading which are supported, subject to the approval of Council in respect of any determination or variation of the remuneration of a Chief Officer.</p> <p>(c) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p> |
| Family Absence Appeals Panel    | <p>To be the Appeals Panel required pursuant to Regulation 36(1) of the Family Absence for Members of Local Authorities (Wales) Regulations 2013 and any amendment thereof; and to discharge all functions of the Panel pursuant to those Regulations.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>   |
| Licensing                       | <p>To be the Council's Licensing Committee as required by the Licensing Act 2003 and Gambling Act 2005 and any re-enactment or modification thereof; and as full delegate of the Council to exercise all the powers and functions permitted under those Acts or otherwise required by law to be discharged by the statutory Licensing Committee.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>   |
| Local Authority Governors Panel | <p>For School Governing Bodies constituted under The Government of Maintained Schools (Wales) Regulations 2005:</p> <p>(a) To advise the Council on appointments and removal of governors to those places allocated to the Local Authority;</p>   |

| Committee         | Terms of Reference  |
|-------------------|---|
|                   | <p>(b) To consider and make decisions relating to the recruitment, training and vetting of potential governors and any other matters that may be referred to the Panel by the Cabinet for the Constitution Committee; and</p> <p>(c) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>  |
| Planning          | <p>(a) Those functions listed in Section A of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 and any amendments thereto and any matters ancillary thereto as defined in Regulation 3 (2) to (4) of the Regulations.</p> <p>(b) Those functions listed in paragraphs 3 and 4 of Section I of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 and any amendments thereto and any matters ancillary thereto as defined in Regulation 3 (2) to (4) of the Regulations.</p> <p>(c) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>  |
| Public Protection | <p>(a) Those functions listed in Sections B and C, and paragraph 10 of Section I, of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities)(Wales) Regulations 2007 (the Regulations), any amendments thereto and any matters ancillary thereto as defined in Regulation 3 (2) to (4) of the Regulations, except to the extent that such matters fall to the Licensing Committee by virtue of Section 7 of the Licensing Act 2003, the Gambling Act 2005 or any other legislative provision;</p> <p>(b) In relation to those functions acting as Appeal Committee where appropriate;</p> <p>(c) The discharge of any function relating to the control of pollution;</p> <p>(d) The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area;</p> <p>(e) Any function relating to contaminated land;</p> <p>(f) The service of an abatement notice in respect of a statutory nuisance; and</p> |

| Committee          | Terms of Reference   |
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|                    | <p>(g) Any function under a local Act of a licensing or regulatory nature,</p> <p>without prejudice to the functions lawfully exercised by the Shared Regulatory Services Joint Committee, pursuant to the Shared Regulatory Service Collaboration Agreement dated 10<sup>th</sup> April 2015.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>  |
| Standards & Ethics | <p>(a) To monitor and scrutinise the ethical standards of the Authority, its Members, employees and any associated providers of the Authority's services, and to report to the Council on any matters of concern.</p> <p>(b) To advise the Council on the content of its Ethical Code and to update the Code as appropriate.</p> <p>(c) To advise the Council on the effective implementation of the Code including such matters as the training of Members and employees on the Code's application.</p> <p>(d) To consider and determine the outcome of complaints that Councillors and co-opted members have acted in breach of the Code in accordance with procedures agreed by the Standards Committee, including the imposition of any penalties available to the Committee.</p> <p>(e) To oversee and monitor the Council's whistleblowing procedures and to consider ethical issues arising from complaints under the procedure and other complaints.</p> <p>(f) To grant or refuse requests for dispensations in respect of Members' interests under the Members Code of Conduct in accordance with the relevant statutory provisions.</p> <p>(g) To undertake those functions in relation to community councils situated in the area of the Council and members of those community councils which are required by law</p> <p>(h) To recommend to Council and the Cabinet any additional guidance on issues of probity.</p> <p>(i) To hear and determine any complaints of misconduct by Members or a report of the Monitoring Officer, whether on reference from the Ombudsman or otherwise.</p> <p>(j) To recommend the provision to the Monitoring Officer of such resources as he/she may require for the performance of his/her duties.</p> |

| Committee          | Terms of Reference   |
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|                    | <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>   |
| Pensions Committee | <p>To discharge the functions of the authority as Administering Authority of the Cardiff &amp; Vale of Glamorgan Pension Fund ('the Fund') as described in the Local Government Pension Scheme (LGPS) Regulations made under the Superannuation Act 1972 (sections 7,12 or 24) and Section 18(3A) of the Local Government and Housing Act 1989; and</p> <p>To discharge the following specific strategic functions with regards to the Fund, taking account of advice from the Corporate Director Resources and the Fund's professional advisers:-</p> |

| Committee | Terms of Reference   |
|-----------|--|
|           | <ul style="list-style-type: none"> <li>a) Determining the Fund's aims and objectives, strategies, statutory compliance statements, policies and procedures for the overall management of the Fund, including in relation to the following areas: <ul style="list-style-type: none"> <li>i) Governance – approving the Governance Policy and Compliance Statement for the Fund;</li> <li>ii) Funding Strategy – approving the Fund's Funding Strategy Statement including ongoing monitoring and management of the liabilities, giving due consideration to the results and impact of the triennial actuarial valuation and interim reports;</li> <li>iii) Investment strategy - approving the Fund's investment strategy, Statement of Investment Principles and Myners Compliance Statement including setting investment targets and ensuring these are aligned with the Fund's specific liability profile and risk appetite;</li> <li>iv) Communications Strategy – approving the Fund's Communication Strategy;</li> <li>v) Discretions – determining how the various administering authority discretions are operated for the Fund; and</li> <li>vi) Internal Dispute Resolution Procedure – determining how the Scheme Member disputes are administered.</li> </ul> </li> <li>b) Monitoring the implementation of these policies and strategies as outlined in a) above on an ongoing basis.</li> <li>c) Considering the Fund's financial statements as part of the approval process and agreeing the Fund's Annual Report. Receive internal and external audit reports on the same.</li> <li>d) Receiving ongoing reports from the Corporate Director Resources in relation to the delegated operational functions.</li> <li>e) To provide independent assurance to members of the Fund of the adequacy of the risk management and associated control environment, responsible for the Fund's financial and non-financial performance.</li> <li>f) To adhere to the principles set out in the Pensions Regulator Code of Practice and undertake its duties in compliance with the obligations imposed on it.</li> <li>g) To receive regular training to enable Committee Members to make effective decisions and be fully aware of their statutory and fiduciary responsibilities and their stewardship role.</li> <li>h) Consider any pension compliance matters raised by the Fund's Local Pension Board.</li> </ul> |

| Committee                             | Terms of Reference  |
|---------------------------------------|---|
|                                       | <p>i) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>   |
| <b>SCRUTINY</b>                       |   |
| <p>Children &amp; Young People</p>    | <p>To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of children and young people, including :</p> <ul style="list-style-type: none"> <li>• School Improvement</li> <li>• Schools Organisation</li> <li>• School Support Services</li> <li>• Education Welfare &amp; Inclusion</li> <li>• Early Years Development</li> <li>• Special Educational needs</li> <li>• Governor Services</li> <li>• Children's Social Services</li> <li>• Youth Services and Justice</li> <li>• Children's Play Services</li> </ul> <p>To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, Welsh Government Sponsored Public Bodies, joint local government services and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.</p> <p>To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.</p> |
| <p>Community &amp; Adult Services</p> | <p>To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of community and adult services, including:</p> <ul style="list-style-type: none"> <li>• Public and Private Housing</li> <li>• Disabled Facilities Grants</li> <li>• Community Safety</li> <li>• Neighbourhood Renewal and Communities First</li> <li>• Advice &amp; Benefits</li> <li>• Consumer Protection</li> <li>• Older Persons Strategy</li> <li>• Adult Social Care</li> <li>• Community Care Services</li> <li>• Mental Health &amp; Physical Impairment</li> </ul>   |

| Committee         | Terms of Reference   |
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|                   | <ul style="list-style-type: none"> <li>• Commissioning Strategy</li> <li>• Health Partnership</li> </ul> <p>To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.</p> <p>To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.</p> <p>To be the Council's Crime and Disorder Committee as required by the Police and Justice Act 2006 and any re-enactment or modification thereof; and as full delegate of the Council to exercise all the powers and functions permitted under that Act.</p>  |
| Economy & Culture | <p>To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of economic regeneration.</p> <ul style="list-style-type: none"> <li>• Cardiff City Region City Deal</li> <li>• Inward Investment and the marketing of Cardiff</li> <li>• Economic Strategy &amp; Employment</li> <li>• European Funding &amp; Investment</li> <li>• Small to Medium Enterprise Support</li> <li>• Cardiff Harbour Authority</li> <li>• Lifelong Learning</li> <li>• Leisure Centres</li> <li>• Sports Development</li> <li>• Parks &amp; Green Spaces</li> <li>• Libraries, Arts &amp; Culture</li> <li>• Civic Buildings</li> <li>• Events &amp; Tourism</li> <li>• Strategic Projects</li> <li>• Innovation &amp; Technology Centres</li> <li>• Local Training &amp; Enterprise</li> </ul> <p>To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.</p> |

| Committee                   | Terms of Reference   |
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|                             | To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance or service delivery in this area.   |
| Environmental               | <p>To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of environmental sustainability, including:</p> <ul style="list-style-type: none"> <li>• Strategic Planning Policy</li> <li>• Sustainability Policy</li> <li>• Environmental Health Policy</li> <li>• Public Protection Policy</li> <li>• Licensing Policy</li> <li>• Waste Management</li> <li>• Strategic Waste Projects</li> <li>• Street Cleansing</li> <li>• Cycling and Walking</li> <li>• Streetscape</li> <li>• Strategic Transportation Partnership</li> <li>• Transport Policy and Development</li> <li>• Intelligent Transport Solutions</li> <li>• Public Transport</li> <li>• Parking Management</li> </ul> <p>To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.</p> <p>To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.</p> |
| Policy Review & Performance | <p>To scrutinise, monitor and review the overall operation of the Cardiff Programme for Improvement and the effectiveness of the general implementation of the Council's policies, aims and objectives, including:</p> <ul style="list-style-type: none"> <li>• Council Business Management and Constitutional Issues</li> <li>• Cardiff Council Corporate Plan</li> <li>• Strategic Policy Development</li> <li>• Strategic Programmes</li> <li>• Community Planning &amp; vision Forum</li> <li>• Voluntary Sector Relations</li> <li>• Citizen Engagement &amp; Consultation</li> <li>• Corporate Communications</li> <li>• Contact Centre Services and Service Access</li> </ul>   |



| Committee | Terms of Reference   |
|-----------|--|
|           | <ul style="list-style-type: none"> <li>• International Policy</li> <li>• Cardiff Local Development Plan</li> <li>• Equalities</li> <li>• Finance and Corporate Grants</li> <li>• Organisational Development</li> <li>• Cardiff Efficiencies Programme</li> <li>• E-Government</li> <li>• Information and Communication Technology</li> <li>• Council Property</li> <li>• Commissioning and Procurement</li> <li>• Carbon Management</li> <li>• Legal Services</li> <li>• Public Services Board</li> </ul> <p>To scrutinise, monitor and review the effectiveness of the Council's systems of financial control and administration and use of human resources.</p> <p>To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.</p> <p>To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.</p> |

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**REPORT OF DIRECTOR OF GOVERNANCE AND LEGAL SERVICES  
AND MONITORING OFFICER**

**ALLOCATION OF SEATS AND NOMINATIONS AND APPOINTMENTS OF MEMBERS  
TO COMMITTEES**

**Reason for this Report**

1. The Council is requested to determine the allocation of seats on Committees to political groups in accordance with the Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.
2. The Council will also receive nominations and make appointments of Members to serve on each of the standing Committee in accordance with Party Group wishes.
3. The Council is asked to note the terms of office of the Independent Members of the Audit Committee, and make re-appointments as detailed.

**Background**

4. The previous report (Agenda Item 11) outlined matters relating to the establishment of Committees, together with their size and terms of reference.
5. The Council Procedure Rules in the Constitution provide that at the Annual meeting the Council will decide on the allocation of seats on committees to political groups in accordance with legislation.
6. The Local Government and Housing Act 1989 requires the Council to allocate Committee seats to political groups in proportion to the size of the groups on the Council as far as is reasonably practicable.
7. Having determined the allocation of seats to political groups, the Annual Council meeting is required to receive nominations of Members to serve on each of the established Committees and make such appointments.
8. The Standards and Ethics Committee is exempt from the political balance requirements (under Regulation 12 "*Allocation of seats to Political Groups*" of the Standards Committees (Wales) Regulations 2001).

## Issues

### Political Balance

9. The current composition of the Council is as set out in Table A:

**TABLE A** - Composition of the Council as at 1 May 2019:

| <b>Groups and Independents</b>     | <b>Number of Councillors</b> | <b>Political Balance</b> |
|------------------------------------|------------------------------|--------------------------|
| Labour                             | 39                           | 52.0%                    |
| Conservative                       | 20                           | 26.67%                   |
| Liberal Democrat                   | 11                           | 14.67%                   |
| Plaid Cymru                        | 3                            | 4.0%                     |
| Heath & Birchgrove Independent     | 1                            | 1.33%                    |
| Fairwater Cardiff West Independent | 1                            | 1.33%                    |

### Allocation of Seats

10. The total number of seats on the Committees recommended under Agenda item 11, which are subject to the political balance requirements is 144, as detailed in **Appendix A**. Based on the current composition of the Council (shown in Table A), the proportional allocation of seats on those Committees is as set out in Table B:

**TABLE B** – Allocation of Seats in accordance with Political Balance

| <b>Groups and Independents</b>   | <b>Number of Councillors</b> | <b>Number of Committee seats</b> | <b>Political Balance</b> |
|----------------------------------|------------------------------|----------------------------------|--------------------------|
| Labour                           | 39                           | 77                               | 53.47%                   |
| Conservative                     | 20                           | 38                               | 26.39%                   |
| Liberal Democrats                | 11                           | 22                               | 15.28%                   |
| Plaid Cymru                      | 3                            | 7                                | 4.86%                    |
| Independents (Not in a Group) ** | 2                            | 0                                | 0                        |

*\*\* Independent Councillors (Not in a Group) are not according to political balance legislation, entitled to seats on Committees and are not therefore taken into account for the purposes of the political balance calculation.*

11. The proportional allocation of seats, as set out in Table B above, has been discussed with all Party Group Whips on 30 April and 13 May 2019 when the calculations were agreed.
12. Under the rules on political balance, the Council may adopt an alternative arrangement to strict political proportionality for the allocation of seats on Committees, and distribute seats on a different basis provided that notice of such proposal is given in the Council Summons, and the alternative arrangement is approved by Council, without any Member voting against the arrangement (referred to as a 'nem con' vote).

## Nominations and Appointments to Committees

13. Based on the Committee structure and size set out in the previous report (Agenda Item 11), the total number of seats to be filled are 144.
14. It is normal practice for the Groups to make known their nominations at the Annual Council meeting, but where this is not achieved the Director of Governance and Legal Services and Monitoring Officer may exercise her delegated authority (reference LD17) to make appointments to fill committee seats in accordance with the wishes of the political groups and then report the appointments and any subsequent changes to the next Council meeting for information. Alternatively, appointments may be made at the next meeting of Full Council.
15. It is the duty of the Council to make appointments as soon as practicable on or after the annual meeting, and to give effect to the stated wishes of party groups regarding who is to be appointed to the seats allocated to each particular group.

## Audit Committee

16. The previous report (Establishment of Committees, Agenda item 11) recommended the establishment of an Audit Committee comprised of eight Elected Members and four Independent members, in accordance with the requirements of the Local Government (Wales) Measure 2011 (Section 82). It was noted that the Committee is not subject to the statutory political balance requirements, but Statutory Guidance strongly recommends 'that the balance of members of the committee is at least as favourable to non-executive groups as would be achieved by political balance rules' (Guidance paragraph 9.24). It is therefore recommended that the proportional allocation of committee seats be extended to include Elected Members of the Audit Committee.
17. The terms of office of two out of the four Independent Members are due to expire this year, as shown in the Table C below:

**TABLE C – Terms of Office of Independent Members**

| <b>Independent Member</b> | <b>Appointed</b> | <b>Term of office</b>            | <b>Expiry of Term</b> |
|---------------------------|------------------|----------------------------------|-----------------------|
| Ian Arundale<br>(Chair)   | 25/06/2014       | Administrative<br>term (5 years) | 25/06/2019            |
| David Hugh<br>Thomas      | 01/09/2014       |                                  | 01/09/2019            |
| David Price               | 25/11/2016       |                                  | 25/11/2021            |
| Gavin McArthur            | 01/12/2016       |                                  | 01/12/2021            |

18. The statutory guidance recommends that Independent (lay) members should not be appointed 'for more than two full terms of a local authority' (paragraph 9.27 of the Guidance). Both Mr Arundale and Mr Thomas are currently in their first term of office and have confirmed their willingness to remain for a further 5-year term. Council is recommended to approve their reappointments accordingly.

## Legal Implications

### Political balance

19. Sections 15 to 17 of the Local Government and Housing Act 1989 (“the 1989 Act”) and the Local Government (Committees and Political Groups) Regulations 1990 (“the 1990 Regulations”) lay down requirements designed to ensure that there is political balance on Committees. The rules apply to all ordinary committees, advisory committees, scrutiny committees, the Democratic Services Committee, and joint committees where the Council appoints three or more seats, but do not apply to the Standards and Ethics Committee or the Audit Committee (although statutory guidance recommends equivalent provision, as noted in paragraph 16 of the report)
20. At its Annual Meeting, the Council is required to review the political make up of its Committees, and determine the allocation of seats to political groups in accordance with the principles set out in Section 15 of 1989 Act, those principles being:
  - (a) not all seats on a Committee should be allocated to the same political group;
  - (b) the majority group on the Council should form the majority on the Committee;
  - (c) subject to (a) and (b), that the proportion of seats allocated to each political group on the total of all Committees should be the same as the proportion of Council Members who belong to that group; and
  - (d) subject to (a)–(c), that the proportion of seats allocated to each political group on each Committee should be the same as the proportion of Council Members who belong to that group.
21. However, the allocation of seats based on the political proportionality principles set out in Section 15 of the 1989 Act (please see paragraph 12 above) may be varied (pursuant to Section 17 of the 1989 Act) if alternative arrangements are approved by the Council, subject to:
  - i. Notice being given to all Members of the proposal to adopt the alternative arrangements for the allocation of seats – this is met by the express reference made in the Council Summons (Regulation 20 of the 1990 Regulations); and
  - ii. The alternative arrangements must be approved by the Council without dissent (a “nem con” vote).
22. Where a local authority has determined the allocation of political groups on a Committee, it is under a duty to give effect to the wishes of those groups with regard to the identities of the persons who are to represent that group on the Committee (pursuant to Section 16 of the 1989 Act). Regulation 14 of the Local Government (Committees and Political Groups) Regulations 1990 (‘the 1990 Regulations’) requires political groups to be notified of their allocation on a committee in order that they may nominate individuals to serve on that committee. Regulation 15 contains a residual power for the Council to make appointments if the political groups fail to do so. However, apart from this provision, the Council has no discretion in the matter - its function is simply to make appointments, which give effect to the wishes of the political groups.

23. The wishes of a political group are to be taken as those expressed to the Proper Officer (a) orally or in writing by the leader or representative of the group; or (b) in a written statement signed by a majority of the members of the group. In the event that different wishes of a political group are notified, the wishes notified in accordance with point (b) shall prevail (Regulation 13).
24. A political group is identified when two or more members of the Council who wish to be treated as a political group write to the Proper Officer to inform him of that fact and of their name and the identity of their leader. A person joins a particular political group by sending a notice signed by him/her and the leader of the group. People may cease to be members of the group by notifying the Proper Officer (the Monitoring Officer) of their resignation, joining another group, or being ousted by a notice signed by a majority of the members of the group.
25. The Annual Council meeting is required to 'receive nominations of members to serve on each of the standing committees and make such appointments' (Council Meeting Procedure Rules, Rule 2(b)(xiii). Under its approved Scheme of Delegations (Section 4E, delegation reference LD17), Council has also delegated authority to the Monitoring Officer 'To appoint councillors or non-councillor members to committee seats allocated to political groups or nominating bodies (or to make changes, fill vacancies or give effect to temporary membership changes – "substitutions") in accordance with the wishes of political groups or member nominating body.' This report recommends that Council makes appointments to its committees in accordance with the groups' nominations submitted to this Council meeting; and instructs the Monitoring Officer to make appointments to any remaining vacancies in accordance with the wishes of the relevant political groups, and to report all appointments made to the next Council meeting.

#### Standards and Ethics Committee

26. Standards Committees in Wales must consist of not less than five and not more than nine members, and independent members must comprise at least half of all members. The Committee must include at least one 'Community Committee member' (i.e. a member of a community council within the authority's area) as the Standards Committee discharges functions in relation to Community Councils. Regulations specifically prohibit anyone other than a member of the Council, an independent member or a 'Community Committee' Member from being a member of the Committee. The Leader is prohibited from being a member of the Standards Committee, and no more than one member of the Cabinet may be a member of the Committee. The political balance requirements of the 1989 Act do not apply.
27. The Council's Constitution (Article 9) provides that the Standards & Ethics Committee will be composed of 9 members comprising 5 'independent' members, 3 Cardiff County Councillors and 1 Community Councillor.
28. The terms of office of the five independent members and the Community Council Member have not expired and so no further appointments of independent members or a Community Council Member are presently required.
29. The term of office for a Councillor sitting on the Standards Committee can be no longer, than the period until the next ordinary Local Government Elections; but a Councillor may be re-appointed for one further consecutive term.

### Democratic Services Committee

30. The Local Government (Wales) Measure 2011 (section 12) states that the Democratic Services Committee cannot include more than one member of the Cabinet, who must not be the Leader.

### Audit Committee

31. The Local Government (Wales) Measure 2011 (section 82) provides that there must be at least one lay member on the Audit Committee or up to a third of the total membership. The current and recommended composition of the Audit Committee includes four non - councillor 'Independent Members' and 8 Councillors. The proportion of Independent Members is one third of the Committee members, which is the maximum permitted by law.
32. The Committee can include no more than one Cabinet member, who may not be the Leader. It is not subject to the political balance rules; however, Statutory Guidance recommends that the balance of members of the committee is at least as favourable to non-executive groups as would be achieved by political balance rules' (Guidance paragraph 9.24). Further, that all Members of the Committee should display independence of thinking and unbiased attitudes, and must recognise and understand the value of the audit function.

### Planning Committee

33. The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 (made under s.39 of the Planning Wales Act 2015), provide that where wards have more than one elected Member, only one Member may sit on the planning committee (but this rule is not applicable to authorities comprised solely of multiple Member wards). This allows other ward Members to perform the representative role for local community interests. This statutory requirement is reflected in the Planning Committee Procedure Rules, Rule 1.1A. In submitting nominations for the Planning Committee, political groups will need to comply with this rule.
34. All decisions taken by or on behalf the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers of behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Council Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

### **Financial Implications**

35. There are no financial implications arising from this report.



## **RECOMMENDATIONS**

The Council is recommended to:

1. approve the allocation of seats on Committees for the municipal year 2019/20 as set out in **Appendix A**;
2. receive nominations from Party Groups in respect of the seats allocated to each Group;
3. appoint Members to each Committee in accordance with the nominations received from Party Groups as detailed on the amendment sheet;
4. re-appoint Mr Ian Arundale as an Independent Member of the Audit Committee with effect from 25 June 2019 to 24 June 2024;
5. re-appoint Mr Hugh Thomas as an Independent Member of the Audit Committee with effect from 1 September 2019 to 31 August 2024;
6. note that the terms of office of the other two Independent members of the Audit Committee shall continue until 2021, as noted in the report; and
7. request the Monitoring Officer to make appointments in respect of any remaining vacancies in accordance with any further nominations or changes received from the relevant political groups following this meeting, and to report to the next Council meeting the details of all appointments to committees for information.

**DAVINA FIORE**

**Director of Governance and Legal Services and Monitoring Officer**

16 May 2019

Appendix A – Distribution of Seats Municipal Year 2019/20

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|  | Number of Seats | Labour |       | Cons |       | Lib Dem |       | Plaid |       | **Non Grouped |      | Totals |
|--|-----------------|--------|-------|------|-------|---------|-------|-------|-------|---------------|------|--------|
| Total Number of Seats                  | 144             | 77     | 53.47 | 38   | 26.39 | 22      | 15.28 | 7     | 4.86  | 0             | 0.00 | 144    |
| Councillors                            | 75              | 39     | 52.00 | 20   | 26.67 | 11      | 14.67 | 3     | 4.00  | 2             | 0    | 75     |
| Variation as a Percentage %            |                 |        | 1.47  |      | -0.28 |         | 0.61  |       | 0.86  |               | 0.00 |        |
| Variation as seats                     | 1.44            |        | 2.12  |      | -0.40 |         | 0.88  |       | 1.24  |               | 0.00 |        |
|  |                 |        |       |      |       |         |       |       |       |               |      |        |
| Ordinary Committees                    | Number of Seats | Labour |       | Cons |       | Lib Dem |       | Plaid |       | **Non Grouped |      | Totals |
|  |                 | N°     | %     | N°   | %     | N°      | %     | N°    | %     | N°            | %    |        |
| Audit Committee                        | 8               | 5      | 62.50 | 2    | 25.00 | 1       | 12.50 | 0     | 0.00  | 0             | 0.00 | 8      |
| Constitution Committee                 | 12              | 6      | 50.00 | 3    | 25.00 | 2       | 16.67 | 1     | 8.33  | 0             | 0.00 | 12     |
| Corporate Parenting Advisory Committee | 9               | 4      | 44.44 | 3    | 33.33 | 1       | 11.11 | 1     | 11.11 | 0             | 0.00 | 9      |
| Council Appeals                        | 9               | 5      | 55.56 | 3    | 33.33 | 1       | 11.11 | 0     | 0.00  | 0             | 0.00 | 9      |
| Democratic Services Committee          | 12              | 6      | 50.00 | 3    | 25.00 | 2       | 16.67 | 1     | 8.33  | 0             | 0.00 | 12     |
| Employment Conditions                  | 8               | 5      | 62.50 | 2    | 25.00 | 1       | 12.50 | 0     | 0.00  | 0             | 0.00 | 8      |
| Licensing                              | 12              | 6      | 50.00 | 3    | 25.00 | 2       | 16.67 | 1     | 8.33  | 0             | 0.00 | 12     |
| Public Protection                      | 12              | 6      | 50.00 | 3    | 25.00 | 2       | 16.67 | 1     | 8.33  | 0             | 0.00 | 12     |
| Pension Committee                      | 5               | 3      | 60.00 | 1    | 20.00 | 1       | 20.00 | 0     | 0.00  | 0             | 0.00 | 5      |
| Planning                               | 12              | 7      | 58.33 | 3    | 25.00 | 2       | 16.67 | 0     | 0.00  | 0             | 0.00 | 12     |
| Totals                                 | 99              | 53     | 53.54 | 26   | 26.26 | 15      | 15.15 | 5     | 5.05  | 0             | 0.00 | 99     |
| Councillors                            | 75              | 39     | 52.00 | 20   | 26.67 | 11      | 14.67 | 3     | 4.00  | 2             |      |        |
| Variation as a Percentage %            |                 |        | 1.54  |      | -0.40 |         | -0.48 |       | 1.05  |               | 0.00 |        |
| Variation as seats                     | 0.99            |        | 1.52  |      | -0.40 |         | -0.48 |       | 1.04  |               | 1.00 |        |
|  |                 |        |       |      |       |         |       |       |       |               |      |        |
| Scrutiny Committees                    |                 |        |       |      |       |         |       |       |       |               |      |        |
| Allocation of Chairs                   | 5               | 2      |       | 2    |       | 1       |       | 0     |       | 0             |      | 5      |
| Scrutiny Committees                    | Number of Seats | Labour |       | Cons |       | Lib Dem |       | Plaid |       | **Non Grouped |      | Totals |
|  |                 | N°     | %     | N°   | %     | N°      | %     | N°    | %     | N°            | %    |        |
| Children & Young People                | 9               | 5      | 55.56 | 3    | 33.33 | 1       | 11.11 |       |       |               |      | 9      |
| Community & Adult                      | 9               | 4      | 44.44 | 2    | 22.22 | 2       | 22.22 | 1     | 11.11 |               |      | 9      |
| Economic & Culture                     | 9               | 5      | 55.56 | 3    | 33.33 | 1       | 11.11 |       |       |               |      | 9      |
| Environment                            | 9               | 5      | 55.56 | 2    | 22.22 | 2       | 22.22 |       |       |               |      | 9      |
| Policy Review & Performance            | 9               | 5      | 55.56 | 2    | 22.22 | 1       | 11.11 | 1     | 11.11 |               |      | 9      |
| Totals                                 | 45              | 24     | 53.33 | 12   | 26.67 | 7       | 15.56 | 2     | 4.44  | 0             | 0.00 | 45     |
| Councillors                            | 75              | 39     | 52.00 | 20   | 26.67 | 11      | 14.67 | 3     | 4.00  | 2             |      | 75     |
| Variation as a Percentage %            |                 |        | 1.33  |      | 0.00  |         | 0.89  |       | 0.44  |               | 0.00 |        |
| Variation as seats                     | 0.45            |        | 0.60  |      | 0.00  |         | 0.40  |       | 0.20  |               | 1.00 |        |

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**REPORT OF THE DIRECTOR OF GOVERNANCE & LEGAL SERVICES & MONITORING OFFICER**

**ELECTION OF CHAIRS AND DEPUTY CHAIRS OF COMMITTEES**

**Reason for Report**

1. The purpose of this report is to facilitate the election of Chairs and Deputy Chairs for each of the committees established by Annual Council.

**Background**

2. Agenda Items 11 and 12 outlined matters relating to the establishment of Committees, together with their composition and allocation of seats and appointments made in accordance with the statutory rules on political balance.

**Issues**

3. The Constitution provides that the Annual Council meeting will elect a Chair and a Deputy Chair for each of the Committees. In order to take those decisions, political groups will need to ensure that formal notice has been given to the Proper Officer (and noted under Agenda item 12) of the group's nomination of any Member who is to be nominated for election as Chair or Deputy Chair of a Committee.
4. Part 6 of The Local Government (Wales) Measure 2011 requires the politically proportional allocation of Scrutiny Chairs for Councils comprised of several political groups. The proportional allocation of Scrutiny Committee Chairs calculated in accordance with the principles set out in section 70 of the Local Government (Wales) Measure 2011, and discussed with the political groups, is shown in the Table A below:

**TABLE A** - Allocation of the five Chairs of Scrutiny in accordance with Political Balance

|  |  |         |
|--|--|---------|
| <b>Labour</b> Group allocation   | 39 seats of 75 = 0.52% of the 5 Chairs seats available which is 0.52% x 5 = 2.6 seats. The legislation requires the figures for Executive Groups are rounded down. | 2 Seats |
| Opposition Groups are then entitled to the remaining 3 seats; each Opposition Group being entitled to their proportional share of the total Opposition Group seats rounded to the nearest whole number (including zero). |  |         |

|   |   |         |
|---|---|---------|
| <b>Conservative</b><br>Group allocation | 20 out of 34 total opposition seats = 0.59%<br>of 3 seats = 1.76, rounded up. | 2 Seats |
| <b>Lib Dem</b> Group<br>allocation      | 11 out of 34 = 0.32% of 3 seats = 0.96<br>rounded up                          | 1 Seat  |
| <b>Plaid Cymru</b><br>Group allocation  | 3 out of 34 = 0.09% of 3 seats = 0.26 seats,<br>rounded down                  | 0 Seats |

5. Once the Council has determined the allocation of Scrutiny Chairs to each political group, the law provides that the appointment of Scrutiny Chairs is to be made by the relevant group. Subject to Council approval of the proportional allocation of Scrutiny Chairs, political groups are requested to provide notice of their proposed appointments to the Proper Officer to enable Annual Council to note the appointments.
6. Nominations for the following Chairs and Deputy Chairs need to be notified to the Proper Officer: -

**TABLE B - Chairs and Deputy Chairs**

|  | <u>Chair</u>  | <u>Deputy Chair</u> |
|--|---------------|---------------------|
| <b><u>Regulatory and Other Committees and Groups</u></b> |               |                     |
| Corporate Parenting Advisory Committee                   | Deputy Leader | N/A                 |
| Constitution Committee                                   |               | N/A                 |
| Council Appeals Committee                                |               | N/A                 |
| Democratic Services Committee                            |               | N/A                 |
| Employment Conditions Committee                          |               | N/A                 |
| Licensing Committee                                      |               |                     |
| Public Protection Committee                              |               |                     |
| Planning Committee                                       |               |                     |
| Pension Committee  |               | N/A                 |
| Bilingual Cardiff Working Group                          |               | N/A                 |
| School Governor Panel                                    |               | N/A                 |

*\*\*Note that the law provides that the Chairs of the Audit Committee and the Standards & Ethics Committee are appointed by their respective Committees. (The Chair of the Standards and Ethics Committee must be a non-Council (Independent) Member.)*

|                                   | <b><u>Chair</u></b> | <b><u>Deputy Chair</u></b> |
|-----------------------------------|---------------------|----------------------------|
| <b><u>Scrutiny Committees</u></b> |                     |                            |
| Children & Young People Scrutiny  |                     | N/A                        |
| Community & Adult Services        |                     | N/A                        |
| Economy and Culture               |                     | N/A                        |
| Environmental                     |                     | N/A                        |
| Policy Review & Performance       |                     | N/A                        |

7. Details of the nominations received will be provided on the amendment sheet at the Annual Council meeting.

### **Legal Implications**

8. The Council Procedure Rules provide that, at the Annual Council meeting, the Council will elect a Chair and a Deputy Chair for each of the committees (Rule 2(b) (xv)). This report seeks nominations for the positions of Chair and Deputy Chair for each of the listed committees (and notes that nominees must have been validly nominated to the relevant committee under the separate Agenda item 12 on nominations to committees).

There are specific legislative provisions in respect of the Chairs of the following statutory committees:

#### Democratic Services Committee

9. The person appointed to Chair the Democratic Services Committee must not be a Member of the Executive Group i.e. the Chair cannot be a member of any political group included in the Cabinet (pursuant to sections 12 and 14 of the Local Government (Wales) Measure 2011).

#### Audit Committee

10. The Chair of the Audit Committee must be elected by the Committee and may be either a lay member or a non-executive group member (Section 83). The Committee has elected an independent member as Chair of this Committee, who remains in office. This report does not address that Committee.

#### Standards and Ethics Committee

11. The Standards Committees (Wales) Regulations 2001 provide that the Standards Committee Chair and Vice-Chair must be Independent Members of the Committee elected by the Committee (Regulation 22). The Committee has elected its Chair and Vice-Chair, who remain in office. This report does not address that Committee.

## Scrutiny Chairs

12. As noted in the body of the report, Part 6 of the Local Government (Wales) Measure 2011('the 2011 Measure') requires the politically proportional allocation of Scrutiny Committee Chairs. The proportional allocation of Scrutiny Committee Chairs must be calculated in accordance with section 70 of the 2011 Measure and the associated statutory guidance (as shown in paragraph 4, Table A in the body of the report); and approved by Council. Once the Council has determined the allocation of Scrutiny Chairs to each political group, the appointment of Scrutiny Chairs is to be made by the relevant group.

## Financial Implications

13. There are no financial implications directly arising from this report. The costs associated with Members are to be contained within the allocated budget.

## RECOMMENDATIONS

The Council is recommended to

- (1) receive nominations and elect the Chairs and Deputy Chairs (as appropriate) to the Regulatory and Other Committees and Groups shown in paragraph 6 – Table B, and or any other such Committees that may be established;
- (2) approve the proportional allocation of Scrutiny Chairs as set out in paragraph 4, Table A of the report; and
- (3) subject to approval of recommendation (2), note the proposed appointments of the Scrutiny Chairs to be made by Party Groups pursuant to Part 6 of The Local Government (Wales) Measure 2011.

**DAVINA FIORE**

**Director Governance & Legal Services and Monitoring Officer**

17 May 2019



**CYNGOR CAERDYDD  
CARDIFF COUNCIL**



**ANNUAL COUNCIL:**

**23 MAY 2019**

**REPORT OF DIRECTOR OF GOVERNANCE AND LEGAL SERVICES  
AND MONITORING OFFICER**

**APPOINTMENT OF MEMBERS TO SERVE ON OUTSIDE BODIES**

**Reasons for the Report**

1. To receive nominations and make appointments of Members to statutory and non-statutory outside bodies which are required annually.

**Background**

2. The Constitution provides that the Council will, from time to time, receive nominations and make Member appointments as necessary to serve as representatives of the Council on outside bodies.

**Issues**

3. The Council is asked to receive nominations and agree appointments of Members to serve on bodies which are required on an annual basis as set out in **Appendix A**.
4. Nominations for appointments to Outside Bodies are submitted by the Party Group Whips and a schedule detailing nominations will be circulated as part of the Amendment Sheet at the Annual Council meeting.

**Legal Implications**

5. The appointment of individuals to serve on outside bodies is a Local Choice function under the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007. In the approved Scheme of Delegations the Council has determined that responsibility for the proposed appointments shall rest with Full Council.
6. Guidance for Members appointed to outside bodies has been published by the WLGA explaining the roles and duties of Members in relation to both the outside body and the Council, including advice on managing potential conflicts of interest. The WLGA Guidance is accessible here: <https://www.wlga.gov.uk/appointments-to-outside-bodies-the-councillors-role> Further advice is available from Legal Services.

## **Financial Implications**

7. There are no financial implications directly arising from this report

## **RECOMMENDATION**

The Council is requested to receive nominations and approve appointments to outside bodies as listed in Appendix A and as set out on the amendment sheet.

**DAVINA FIORE**

**Director of Governance & Legal Services and Monitoring Officer**

17 May 2019

Appendix A: Annual Nominations and Appointments to vacancies on Outside Bodies  
2019/20

### **Background Papers**

Register Appointments to Outside Bodies

<https://www.wlga.gov.uk/appointments-to-outside-bodies-the-councillors-role>

| Organisation   | Aims of the Organisation  | Number of Representatives   | Notes   |
|--|---|---|---|
| Cardiff Bus  | Cardiff City Transport Services Ltd (otherwise known as Cardiff Bus) is a private limited company, which is wholly owned by Cardiff Council. It was constituted as a Public Transport company within the mean of Section 72 of the Transport Act 1985 and the main purpose of the company is the provision of road passenger transport services.  | <i>5 Members<br/>(3 Labour,<br/>1 Conservative,<br/>1 Lib Dem)</i>  | To reaffirm the nominations approved at Council on 28 February 2019 (Min No 133):<br><br>Councillors Gavin Hill-Joh, Owen Jones, Lay, Sandrey and Singh |
| Cardiff & Vale of Glamorgan Community Health Council | The Cardiff & Vale of Glamorgan Community Health Council (CHC) represents the interests of the patients and public of Cardiff and the Vale of Glamorgan in relation to local health services. The 4 statutory duties/functions of the CHC are to:<br><ol style="list-style-type: none"> <li>1. Scrutinise the operation of health services in Cardiff &amp; Vale of Glamorgan, to make recommendations for the improvement of that service, and to advise the Cardiff &amp; Vale University Health Board (UHB) upon such matters relating to the operation of the health service.</li> <li>2. To be consulted by the UHB in respect of health services for which it is responsible.</li> <li>3. To enter and inspect NHS premises.</li> <li>4. To provide an independent advocacy service on behalf of the Welsh Ministers for those aged 18 and over.</li> </ol> | <i>3 Members<br/>(Can be either an<br/>Elected Member or<br/>an external<br/>appointment by the<br/>Council).</i> | 1 vacancy<br><br><i>(Cllr Iona Gordon &amp; Ms Irene Humphries are currently in her first term of office)</i>   |

| Organisation  | Aims of the Organisation   | Number of Representatives                                   | Notes  |
|---|--|---|--|
| Local Government Association (LGA) General Assembly | The LGA is the membership organisation of local authorities in England and Wales and its mission is to support, promote and improve local government. The LGA General Assembly is the only LGA decision making forum which all local authorities in membership are eligible to attend and vote. The role of the General Assembly is to consider strategic policy of national significance to local government. | <i>4 Members (including the Leader of the Council)</i>      | <p>The Council is entitled to appoint 4 representatives to the LGA General Assembly. The LGA also encourages those Authorities entitled to 3 or 4 representatives on the General Assembly to allocate one of those positions to Minority Group Leaders.</p> <p>On the election of LGA Chair, Vice-Chairs and Deputy Chairs under Article 8.4 and on questions of estimated expenditure and subscriptions under Articles 21.1 and 21.2 of the LGA Constitution, Welsh Authorities in corporate membership are entitled to 1 vote, which is usually exercised by the Leader or nominated substitute.</p> <p>On non-devolved matters directly relevant to their statutory duties and responsibilities, the Council is entitled to 7 votes based on population size. These votes are usually exercised by the Leader or nominated substitute.</p> <p>The Annual Meeting of the LGA General Assembly will be held on Tuesday 3 July 2018 in Birmingham.</p> |
| South Wales Fire & Rescue Authority                 | The Fire & Rescue Authority (FRA) consists of 24 Councillors from the 10 local authorities which originally combined to form the Authority covering South Wales. The composition of the Authority is determined by the size of the electoral representation within each local authority and the political proportionality across the combined area.  | <i>5 Members (3 Labour, 1 Conservative &amp; 1 Lib Dem)</i> | The Independent Remuneration Panel for Wales has previously determined that the remuneration of ordinary members of an FRA should be aligned to the Basic Salary of a member of a principal council and that the time commitment required is in the region of 20 days per year. This remains the basis of the Panel's determinations. The Panel has also determined that a FRA Senior Salary can be paid to the Chair, Deputy Chair and up to two Chairs of Committees.  |

| Organisation                       | Aims of the Organisation   | Number of Representatives                | Notes   |
|------------------------------------|--|--|---|
| South Wales Police and Crime Panel | The Police and Crime Panel is responsible for overseeing the Police and Crime Commissioner and reviewing and scrutinising his decisions. | 2 Members<br>(1 Labour & 1 Conservative) | <p>The Panel is made up of 10 local Councillors, representing the 7 local authorities in South Wales, along with 2 co-opted independent members.</p> <p>Councillor representatives to the Police and Crime Panel are appointed in line with the population size and the political balance of the 7 local authorities within the South Wales Police area. As a result, Cardiff, Swansea and RCT are entitled to 2 representatives.</p> <p>A General Allowance is paid subject to a Member's attendance at meetings/training events up to a maximum of 5 meetings/training events per year. The level of General allowance for 2018/19 is to be advised.</p> <p>If Members elect to receive this General Allowance, there will be no additional payment for travel and/or subsistence expenses. Alternatively, those Members who do not wish to receive the General Allowance may opt out and claim for travel and/or subsistence expenses.</p> |

| Organisation                              | Aims of the Organisation   | Number of Representatives | Notes  |
|---|--|---------------------------|--|
| Welsh Local Government Association (WLGA) | The WLGA aims to promote, protect, support and develop democratic local government in Wales and in particular the interests of Welsh unitary authorities and associate organisations in membership.  |                           | A Local Authority in full membership is entitled to appoint one member of the Council for each 50,000 population or part thereof.  |
| (i) WLGA Council                          | The WLGA Council is the sovereign body of the Association and will primarily deal with the appointment of officers, constitutional and business issues. It will also have a deliberative role which can be utilised in the furtherance of WLGA policy.               | <i>8 Members</i>          | In 2015/16, Cardiff's entitlement was increased to 8 representatives on the WLGA Council, which does not need to reflect the requirements of political balance.<br><br>The vote allocation is 8 votes which is usually exercised en bloc by the Leader or nominated substitute.<br><br>The WLGA Council Annual Meeting is due to be held on Friday 24 June 2019 in Cardiff |
| (ii) WLGA Executive Board                 | The WLGA Executive Board is the main policy and deliberative forum of the Association that seeks to deal with issues at an all Wales level. It reports to the WLGA Council and receives relevant reports from the WLGA Management Sub-Committee and Audit Committee. | <i>1 Member</i>           | The WLGA Executive Board is comprised of one member appointed by each Member Council from among those members it has appointed to the WLGA Council (usually the Leader of the Council).  |

#### Other Vacancies

| Organisation                       | Aims of the Organisation   | Number of Representatives   | Notes      |
|------------------------------------|--|---|------------|
| Willie Seager Memorial Homes Trust | An independent charity that manages 10 almshouse accommodation for single elderly and retired Merchant Seamen in Cardiff. <i>(No longer administered by the Council)</i> | <i>2 – Members Nominative Trustees from the Council – Term of Office 4 years.</i> | 1 vacancy. |

# CYNGOR CAERDYDD CARDIFF COUNCIL



**ANNUAL COUNCIL:**

**23 MAY 2019**

## REPORT OF THE CHIEF EXECUTIVE

### MEMBERS' REMUNERATION AND ALLOWANCES 2019/20

#### Reason for this Report

1. To set out the determinations of the Independent Remuneration Panel for Wales (The Panel) following the publication of their 11<sup>th</sup> Annual Report in February 2019 on the levels of Members' remuneration and allowances that are payable for the municipal year 2019/2020 and other associated matters.
2. For the Council to agree those matters which are reserved for local determination by the Council.

#### Background

3. The Local Government Measure 2011 empowers the Independent Remuneration Panel for Wales (The Panel) to determine the level and scope of payments for elected Members of all authorities in Wales.
4. The Panel's Annual Report was published in February 2019 and the Council must implement the Panel's determinations in the report for 2019/20 from the date of its Annual Meeting. The report is available on the Independent Remuneration Panel for Wales website via the following link:  
English [https://gov.wales/sites/default/files/publications/2019-03/irp-annual-report-2019-2020\\_0.pdf](https://gov.wales/sites/default/files/publications/2019-03/irp-annual-report-2019-2020_0.pdf)  
Cymraeg <https://llyw.cymru/sites/default/files/publications/2019-03/pacga-adroddiad-blynyddol-2019-2020.pdf>

#### Issues

5. The Panel has consistently expressed its view that maintaining the democratic values of local governance cannot be cost-free. Members of local authorities (including co-opted and appointed members) are there to represent the interests of local people, undertake the governance of local communities, and secure appropriate value for money public services for local taxpayers through effective scrutiny for which they are accountable to their community. These are significant and important tasks for members of the relevant authorities within the Panel's remit.
6. Payments to Members for their time, worth and responsibility must be, and must be seen to be, fair and affordable. Publicly funded remuneration is made

available to encourage a diversity of willing and able people to undertake local governance through their elected, appointed or co-opted roles.

7. In 2017, following the Local Elections, the Panel visited all 22 of the principal authorities, to provide an opportunity for a cross section of members including Cabinet Members, other elected members, co-optees and senior officers to comment on the Remuneration Framework and to put forward ideas for future consideration. Wherever possible, some of the issues raised have been incorporated into the Panel's determinations.
8. The Panel originally determined (IRP Annual Report, December 2009) that the payment of Basic Salary would be aligned to the median gross earnings of full-time employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE). Given the pressures on public expenditure, it was not possible for this alignment to be maintained.
9. In its deliberations relating to its latest Annual report the Panel also considered the Retail Price Index, the Consumer Price Index, NJC Pay Scales and Living Wage figures. They noted these figures showed clear increases in the cost of living and earnings during this period. As the gap between the level of basic remuneration of Elected Members of principal councils, and relevant indicators of rises in income and costs of living indicators has continued to grow, the Panel believes it merited action to narrow the gap and limit the rate of erosion. They noted however, in doing so any adjustments must be in keeping with the Panel's principle that its determinations should be publicly affordable and acceptable.

#### Basic Salary

10. The Panel has decided to make an increase to the annual Basic Salary of £268 per annum (which equates to an increase of 1.97%) effective from 1st April 2019. This restores the level of the basic salary to the amount paid in 2011.
11. The Panel has determined that the Basic Salary that is payable to elected members of all principal councils in Wales will be **£13,868** in 2019/20.

#### Senior Salary

12. In 2009 the Panel concluded that Executive Members (in Cardiff known as Cabinet Members) should be considered as working the equivalent of full time (up to 40 hours per week) but not necessarily nine to five, and from further discussions between the Panel members and officers have reinforced this conclusion. In recognition of this the Panel has determined that there should be an increase to the Band 1 and Band 2 senior salaries payable to the Leader, the Deputy Leader and Cabinet Members. The amount of the increase is £800. This is inclusive of the £268 increase to the basic salary that all Elected Members receive.
13. The Panel has determined that the Senior Salaries payable in 2019/2019 by local authorities in population Group A (i.e. those with populations over 200,000, which includes Cardiff) are as follows:



**Table 1 - Senior salaries payable to Members of a principal Council**

| <b>Bands of Responsibility</b> | <b>Role(s)</b>   | <b>Senior Salaries determined by the Panel for 2019/20 (inclusive of Basic Salary)</b> |
|--------------------------------|--|--|
| Band 1                         | Leader   | £54,100  |
|                                | Deputy Leader  | £38, 100   |
| Band 2                         | Cabinet Members  | £33,100  |
| Band 3                         | Committee Chairs (if remunerated)  | £22,568  |
| Band 4                         | Leader of largest Opposition Group   | £22,568  |
| Band 5                         | Leader(s) of other political group(s) <i>'a political group other than controlling/ largest opposition group (if any) which comprises not less than ten per cent of the members of the Council'</i> (if remunerated) | £17,568  |

14. The level of Senior Salary set by the Panel is inclusive of Basic Salary and a member must not be paid more than one Senior Salary by his or her Authority. In addition, Cabinet Members in receipt of a Band 1 or Band 2 Senior Salary cannot receive a salary from the Fire & Rescue Authority should they be appointed to the Fire & Rescue Authority by Full Council.

Allocation of Senior Salary Positions

15. The Panel has determined that there is no change to the maximum number of the Council's membership that is eligible to receive a Senior Salary in 2019/20. In Cardiff (Population Group A), the maximum number of Senior Salary positions is **19**, excluding Civic Salary positions.
16. The Panel has taken the view that the payment to the Leader of the largest opposition group (subject to the political group comprising at least 10% membership of the Authority) is important for local democracy. The Panel has therefore continued its previous determination that a Band 4 Senior Salary must be paid.
17. In addition, it is a matter for individual authorities to determine which Chairs are paid at Band 3.
18. The Panel have stipulated that a Band 5 Senior Salary can if determined be paid to the Leader of any other political group comprising of at least 10% membership of the Authority.

19. The Council at its Annual Meeting in May 2018 approved the allocation of 19 Senior Salary posts in 2018 /2019 as set out in Table 2 below. No change is proposed to the current allocation.

**Table 2 – Allocation of Senior Salaries**

| <b>Bands of Responsibility</b> | <b>Role(s)</b>  | <b>No. of Senior Salary Positions</b> |
|--------------------------------|---|---------------------------------------|
| Band 1                         | Leader  | 1                                     |
|                                | Deputy Leader   | 1                                     |
| Band 2                         | Other Cabinet Members                                   | 8                                     |
| Band 3                         | Scrutiny Committee Chairs                               | 5                                     |
|                                | Planning Committee Chair                                | 1                                     |
|                                | Licensing / Public Protection Committees Chair          | 1                                     |
| Band 4                         | Leader of largest opposition group (Conservative Group) | 1                                     |
| Band 5                         | Leader of the Liberal Democrat Group                    | 1                                     |
| <b>Total</b>                   |   | <b>19</b>                             |

Specific or Additional Senior Salaries

20. The Panel has also determined that a provision for ‘development posts’ is to be included within the Remuneration Framework. In accordance with guidance issued by the Panel, this allows principal councils to apply to the Panel for specific and additional Senior Salaries, which do not fall within the current Remuneration Framework or which could not be accommodated within the maximum number of Senior Salaries payable, for a ‘development post’ that a principal council considers to be important and involves a significant, sustained and additional responsibility. Any applications to the Panel must provide clear evidence that the post(s) have additional responsibility demonstrated by a description of the role, function and duration and would be subject to both approval and formal review by Full Council.
21. The Panel have maintained the option for Councils of operating some senior posts on a job share arrangement and the Panel were supportive of this provided that each ‘sharer’ will be paid 50% of the appropriate salary and the statutory maximum number of Cabinet Members (i.e. 10) is not exceeded, so both job sharers will count toward the maximum. The Panel must be informed of the details of any job share arrangements.

Civic Salary

22. The Panel has noted that many Councils had previously set salaries for civic heads and deputies to accord with their population groups, rather than to reflect

the specific responsibilities attached to the roles. Councils also expressed to the Panel that Elected Members do not wish to make decisions that require the Councils themselves to choose and match the level of activity or duties of a specific member to a given range of salary levels for a role. The Panel has therefore determined that the Panel shall remove all such choices.

23. Consequently, in the case of civic heads the payment, if remunerated, has been set at **£22,568** for a civic head and **£17,568** for a deputy civic head.
24. The posts of Mayor and deputy Mayor are not included in the Senior Salary cap of 19.
25. Members must not be paid a Senior Salary and a Civic Salary.

#### Presiding Member and Deputy Presiding Member

26. The Local Government (Democracy) (Wales) Act 2013 allows local authorities to appoint an additional post of Presiding Member, in addition to a Civic Leader, who would Chair the business meetings of the Council. A Council may also appoint a Deputy Presiding Member.
27. Where appointed and if remunerated, the Panel has determined that a Presiding Member must be paid a Band 3 Level 1 Senior Salary (£22,568). The post would also count towards the maximum number of Senior Salaries, which can be allocated by the Council (i.e. 19).
28. The Panel has also determined that the position of Deputy Presiding Member will not be remunerated. The option of a Presiding Member / Deputy does not feature in the Council's current allocation of Senior Salaries.

#### Joint Overview and Scrutiny Committees (JOSCs)

29. The Panel has determined to delete the JOSC payment arrangements from the framework as it found little use had been made in respect of those arrangements.
30. The Panel has stipulated that in future if a Council wishes to remunerate a chair of JOSC it can apply to do so using the arrangements detailed under specific or additional senior salaries.

#### Pensions

31. The Panel has determined that the entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all elected members of principal councils.

#### Co-opted Member Payments

32. The Panel has determined that there will be no change to the payments or fees, which must be paid to Co-opted Members (provided that they are Co-opted Members with voting rights) in 2019/2020.

**Table 4: Fees for co-opted members 2019/20**

| <b>Co-opted Members (with voting rights)</b>  | <b>Co-opted Member Payments</b>                 |
|---|---|
| Chairs of: <ul style="list-style-type: none"> <li>Standards &amp; Ethics Committee;</li> <li>Audit Committee<br/>(if chaired by independent/lay member)</li> </ul>  | £256 (4 hours and over)<br>£128 (up to 4 hours) |
| Co-opted Ordinary Members of the Council's Standards & Ethics Committee who also chair standards committees for community councils  | £226 (4 hours and over)<br>£113 (up to 4 hours) |
| Ordinary Members of: <ul style="list-style-type: none"> <li>Standards &amp; Ethics Committee;</li> <li>Education Scrutiny Committee;</li> <li>Crime &amp; Disorder Scrutiny Committee;</li> <li>Audit Committee.</li> </ul> | £198 (4 hours and over)<br>£99 (up to 4 hours)  |
| Community and town councillors sitting on principal council committees  | £198 (4 hours and over)<br>£99 (up to 4 hours)  |

33. The Panel has confirmed that Councils can continue to decide on the maximum number of days for which co-opted members may be paid in any one year. The Council has previously agreed to cap the payments to Co-opted Members at a maximum of the equivalent of 10 full days a year for each Committee to which an independent/lay member has been co-opted (i.e. maximum payments totalling £2560 to Co-opted Member Chairs of Committees and £1980 to Co-opted Ordinary Members of Committees).
34. It is proposed that the Council should retain this maximum or 'cap' of the equivalent of 10 full days a year for each Committee including Co-opted Members in 2019/20.
35. The Panel has confirmed that reasonable time for pre meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.
36. Travelling time to and from the place of the meeting can be included in the claims for payments to co-opted members (up to the maximum of the daily rate).
37. The appropriate officer within the Council can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed. Meetings eligible for the payment of the fee include other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.
38. Co-opted Members are also eligible to claim reimbursement of costs of care, where applicable.

## Allowances

39. The Panel has determined that the term ‘allowance’ is reserved for payments which are for the reimbursement of actual expenses (e.g. for care, travel and subsistence) which are necessarily incurred by Members and Co-opted Members when conducting their duties as part of official business.

### Reimbursement of Costs of Care

40. The Panel has determined that, for 2019/20, all authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a **maximum payment of £403 per month**. The reimbursement of the costs of care is intended to enable any person whose ability to participate as a member of an authority would be limited by their responsibilities as a carer, or for a member to receive care support to enable that individual to carry out their role.
41. Reimbursement of expenses will only be made on the basis of the submission of a monthly claim form listing the duties completed or official business undertaken, together with the production of receipts from the carer for the cost of the formal and informal care arrangements claimed.
42. The Panel has confirmed that, as this is a contribution to actual monthly costs, this payment cannot be annualised and published as a total amount reimbursed by the Council during the year but not attributed to any named member

### Travel Allowance

43. The Travel Allowance payable in 2019/20 continues to be linked to current HM Revenue & Customs (HMRC) rates and is unchanged and payable as follows:

**Table 5: Travel Allowance Payable**

|                                  |                                     |
|----------------------------------|-------------------------------------|
| <b>45p per mile</b>              | Up to 10,000 miles in a year by car |
| <b>25p per mile</b>              | Over 10,000 miles in a year by car  |
| <b>5p per passenger per mile</b> | Passenger supplement                |
| <b>24p per mile</b>              | Motor cycles                        |
| <b>20p per mile</b>              | Bicycles                            |

44. Claims for the reimbursement of travel expenses incurred as part of official business will be payable on the completion of the relevant claim form and **should be accompanied by VAT fuel receipts**, where appropriate. All claims for other travel expenses (e.g. public transport) will only be reimbursed on production of receipts and are subject to any further requirements or limitations set by the Council.
45. Travel expenses paid to Councillors for travel between home and a permanent workplace, where their home is within the authority area or no more than 20 miles from the area boundary, are exempt from tax and National Insurance contributions up to the approved mileage allowance payment scheme maximum as detailed in Table 5

46. If a Councillor lives more than 20 miles outside the Authority area boundary, business mileage claims are subject to tax and National Insurance contributions.

#### Subsistence Allowance

47. Subsistence Allowance will only be paid for 'out-of-county' expenses incurred as part of official business outside the Council's administrative boundaries. Payment of a subsistence allowance to a local authority member for the performance of official business within the boundaries of a county or county borough where s/he is a member should only be made when the authority is satisfied that it can be justified on economic grounds. This does not apply in respect of co-opted members of a local authority who live outside that authority.
48. In terms of Subsistence Allowance for the reimbursement of the cost of any meals within a 24-hour period, the Panel has determined that a **maximum of £28 per day** is payable in 2019/20 (including breakfast if not included in overnight accommodation costs), provided that any claim for expenses is supported by receipts.
49. In terms of Subsistence Allowance which is payable in 2019/20 for the reimbursement of the cost of overnight accommodation, the Panel has determined that the maximum levels payable be set in line with Welsh Government rates and paid as follows:

|                            |   |
|----------------------------|---|
| <b>Max. £200 per night</b> | Overnight stay in London                  |
| <b>Max. £95 per night</b>  | Overnight stay elsewhere                  |
| <b>Max. £30 per night</b>  | Overnight stay with friends and/or family |

50. The Panel has confirmed that the above limits apply when an individual Member claims in arrears for the reimbursement of overnight accommodation costs and do not apply when the Council reserves and pays directly for overnight accommodation. However, costs incurred must still be within reasonable limits to be set by the local authority.

#### Entitlement to Family Absence

51. Members are entitled to the following periods of family absence under the Family Allowance for Members of Local Authorities (Wales) Regulations 2013:
- Maternity Absence – Available to pregnant Members who can take an absence period of up to a maximum of 26 weeks beginning any time between 11 weeks before up to the date of childbirth.
  - New-born Absence – Available to a Member who is the father or, is married to, is the civil partner or is the partner of a child's mother and expects to have the main responsibility for the upbringing of the child. Up to two consecutive weeks are available to be taken within 56 days following a child's birth.
  - Adopter's Absence – Available to a Member who adopts a child. Up to two consecutive weeks are available to be taken within 56 days of a child being adopted.

- New Adoption Absence – Available to a Member who is married to, the civil partner or partner of a person adopting a child and expects to have the main responsibility for the upbringing of the child. Up to two consecutive weeks are available to be taken within 56 days of a child being adopted.
  - Parental Absence – Available to a Member who has or expects to have responsibility for the care of a child and does not satisfy the criteria for New-born Absence, Adopters Absence or New Adoption Absence. Up to three months can be taken in a single or a series of absences from the date a Member assumes responsibility for the care of a child under the age of 14 and ends 1 year later.
52. Members are entitled to retain their Basic Salary during any period of family absence irrespective of the attendance record immediately preceding the commencement of family absence.
53. When a Senior Salary holder is eligible for family absence he/she will continue to receive the salary for the duration of the absence. Should a Senior Salary holder take a period of family absence, a substitute appointment can be made to that Senior Salary post and a Senior Salary paid (an addition is then allowed to the maximum number of senior salaries allowed for the duration of the substitution, the schedule of remuneration must be amended and the Panel must be informed).

#### Sickness Absence for Senior Salary Holders

54. The Family Absence Regulations (approved by the National Assembly in 2014) are very specific relating to entitlement and only available for elected members of principal councils. Absence for reasons of ill health is not included.
55. Instances have been raised with the Panel of senior salary holders on long term sickness and the perceived unfairness in comparison with the arrangements for family absence. In consequence, councils are faced with the dilemma of:
- Operating without the individual member but still paying him/her the senior salary.
  - Replacing the member who therefore loses the senior salary (but retains the basic salary).
56. The Panel has considered this and has determined that the Framework be amended to provide specific arrangements for long term sickness as set out below:
- a) Long term sickness is defined as certified absences in excess of 4 weeks.
  - b) The maximum length of sickness absence within these proposals is 26 weeks or until the individual's term of office ends, whichever is sooner (but if reappointed any remaining balance of the 26 weeks will be included).
  - c) Within these parameters a senior salary holder on long term sickness can, if the authority decides continue to receive remuneration for the post held.
  - d) It is a decision of the authority whether to make a substitute appointment but the substitute will be eligible to be paid the senior salary appropriate to the post.
  - e) If the paid substitution results in the authority exceeding the maximum number of senior salaries payable for that authority as set out in the Annual Report, an addition will be allowed for the duration of the substitution.

- f) When an authority agrees a paid substitution the Panel must be informed within 14 days of the decision of the details including the specific post and the estimated length of the substitution. The authority's Schedule of Remuneration must be amended accordingly.
  - g) It does not apply to elected members of principal councils who are not senior post holders as they continue to receive basic salary for at least 37 six months irrespective of attendance and any extension beyond this timescale is a matter for the authority.
57. This arrangement applies to members of principal councils, National Park Authorities and Fire and Rescue Authorities who are senior salary holders, including Welsh Government appointed members, but does not apply to co-opted members.

#### Specific or Additional Senior Salaries

58. The Panel has allowed for greater flexibility through the provision for the Council to apply for specific or additional senior salaries that do not fall within the current remuneration framework or which could not be accommodated within the maximum number of Senior Salaries relating to the Council.
59. Guidance to local authorities on the application process was issued in April 2014 and incorporated the following principles:
- (a) The total number of senior salaries cannot exceed fifty percent of the membership;
  - (b) Applications will have to be approved by the authority as a whole (this cannot be delegated) prior to submission to the Panel.
  - (c) There must be clear evidence that the post/posts have additional responsibility demonstrated by a description of the role, function and duration; and
  - (d) Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

#### Job Sharing Arrangements

60. The Panel has detailed the process to be followed in relation to Senior Salary job sharing arrangements in its latest report.

#### Supporting the Work of Local Authority Elected Members

61. The Panel has determined that each Authority, through its Democratic Services Committee, must ensure that all Members are given as much support as is necessary to enable them to fulfil their duties effectively. All Members should be provided with adequate telephone and email facilities and electronic access to appropriate information.
62. The Panel has further determined that such support should be provided without cost to individual Members. Deductions must not be made from Members' salaries as a contribution towards those support costs which the Authority has decided necessary for the effectiveness and/or efficiency of Members.



## Compliance and Publication of Remuneration and Allowances Information

63. The Council is required to agree, publish and maintain an annual Schedule of Member Remuneration, which sets out details of the specific payments that it intends to make to Members and Co-opted Members in accordance with the levels of remuneration and allowances determined by the Panel. In accordance with the Panel Regulations, the Council is required to produce a schedule of payments to Members and Co-opted Members no later than four weeks following the Council's Annual Meeting and to publish the Schedule of Member Remuneration as soon as practicable after determining the schedule of payments for the year and not later than 31 July 2019. In order to comply with this timescale, the Council's Schedule of Member Remuneration for 2019/20 is to be submitted for consideration by Council on 20 June 2019.
64. Details of Members' remuneration and allowances, including expenses claims made by Members and payments made to Members who are appointed by the Council to other public bodies, will also be published on the Council's website. The Panel has determined that consistency can be improved by the use of a standard proforma. The Council is required to make arrangements for the publication of details of all remuneration and allowances paid to Members and Co-opted Members in 2018/19 by 30 September 2019.

## Election to Forgo Entitlement to Payment

65. It remains the right of any individual Member or Co-opted Member to independently and voluntarily opt to forgo all or any part of their entitlement to a salary, allowance or fee determined annually by the Panel in its Annual Report or any Supplementary Reports by giving notice in writing to the Proper Officer of the Council.

## **Legal Implications**

66. The legal framework is set by Part 8 of the Local Government (Wales) Measure 2011 ("the Measure"), under which the Independent Remuneration Panel for Wales ("the Panel") is given functions relating to payments to Councillors and Councillors' pensions (s.142 of the Measure). The Panel is required to publish an annual report on the exercise of its functions with respect to each financial year (s.143 of the Measure); and the Council must comply with the requirements imposed on it by the Panel's Annual Report (s.153 of the Measure). The requirements imposed on the Council by the Panel's Annual Report are set out in the body of the report.
67. All Members entitled to receive payment have a personal interest in this report which should be declared. However, paragraph 12.2 of the Code of Conduct states that you will not be regarded as having a prejudicial interest in any business of the Council relating to remuneration or an allowance or payment or pension made in accordance with the Local Government (Wales) Measure 2011 or the Local Government and Housing Act 1989. This means all Members may debate and vote on the recommendations in this report.

## Financial Implications

68. The report sets out the Members Remuneration and Allowances for 2019/20. The additional costs as a result of the changes to members allowances were included within the budgetary allocation for the year.

## RECOMMENDATIONS

The Council is recommended to

1. note the determinations of the Independent Remuneration Panel for Wales made in its Annual Report 2019, as set out in the report;
2. note that an annual Basic Salary of £13,868 is payable to all elected members for the municipal year 2019/20;
3. agree to allocate the maximum of 19 Senior Salary positions payable for 2019/20 as follows:

| <b>Bands of Responsibility</b> | <b>Role(s)</b>  | <b>No. of Senior Salary Positions</b> |
|--------------------------------|---|---------------------------------------|
| Band 1                         | Leader  | 1                                     |
|                                | Deputy Leader   | 1                                     |
| Band 2                         | Other Cabinet Members                                   | 8                                     |
| Band 3                         | Scrutiny Committee Chairs                               | 5                                     |
|                                | Planning Committee Chair                                | 1                                     |
|                                | Licensing / Public Protection Committees Chair          | 1                                     |
| Band 4                         | Leader of largest opposition group (Conservative Group) | 1                                     |
| Band 5                         | Leader of the Liberal Democrat Group                    | 1                                     |
| <b>Total</b>                   |   | <b>19</b>                             |

4. note the Civic Salary payable in 2019/20 for the positions of Civic Head/Lord Mayor (£22,568) and Deputy Civic Head/Deputy Lord Mayor (£17,568), as prescribed by the Panel;
5. agree that the payment of Co-opted Member fees in 2019/20 should continue to be capped at a maximum of the equivalent of 10 full days a year; and
6. receive a report to approve a Schedule of Members' Remuneration 2019/20 at its next meeting.

## PAUL ORDERS

Chief Executive  
17 May 2019

## Background Paper

Independent Remuneration Panel for Wales Annual Report February 2019

English - [https://gov.wales/sites/default/files/publications/2019-03/irp-annualreport-2019-2020\\_0.pdf](https://gov.wales/sites/default/files/publications/2019-03/irp-annualreport-2019-2020_0.pdf)

Cymraeg – <https://llyw.cymru/sites/default/files/publications/2019-03/pacga-adroddiad-blynnyddol-2019-2020.pdf>

**ANNUAL COUNCIL:**

**23 MAY 2019**

**REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL SERVICES  
AND MONITORING OFFICER**

**PROGRAMME OF COUNCIL, CABINET & ORDINARY COMMITTEE MEETINGS  
2019/20**

**Reason for this report**

1. To agree the programme of Full Council meetings for the period June 2019 to August 2020, and note the interim programme of Cabinet and Committees for the period June 2019 to August 2020 to be finalised in consultation with Chairs of Committees and in line with Forward Work Plans.

**Background**

2. The Annual Council meeting is required to approve a programme of ordinary meetings of Council, and a provisional programme of meetings for Council Committees (Council Meeting Procedure Rules, Rule 2(b)(xvii) and (xviii)).
3. The Welsh Government has issued statutory guidance about the timing of Council meetings under Section 6(2) of the Local Government (Wales) Measure 2011, to which the Council must have regard. In accordance with the statutory guidance, a survey was carried out in May 2017 to assess Members' preferences regarding the times and intervals at which meetings of a local authority are held. The responses to the survey were considered by Annual Council in May 2017 in setting the Calendar of Meetings
4. The Annual Council on 24 May 2018 agreed a programme of Full Council meetings for 2018 – 2019 and indicative dates for Full Council for 2019-2020 municipal year.

**Issues**

5. Appendix A (*marked to follow*) is the Programme of Council, Cabinet and Committee meetings from June 2019 to August 2020.
6. The appointment of Committee Chairs (Agenda Item 13) may necessitate further consultation on the programme of ordinary Committee meetings from September 2019. It is therefore proposed that a full programme of meetings to August 2020 be reported to Council on 20 June 2019.

## Formal Meetings Diary

### Full Council

7. There are nine meetings of Full Council including the Annual meeting and Budget Setting meeting. There are no meetings of Council in April, August and December.

### Cabinet

8. Cabinet meetings are held on a monthly basis with the exception of August. Where the level of business to be determined from the Forward Plan is likely to be more than for one meeting, additional meetings will be arranged and publicised.

### Regulatory Committees

9. Licensing, Planning and Public Protection Committees are held on a monthly basis subject to there being sufficient business. Licensing Sub Committees convened under the Licensing Act 2003, will be held as and when required.

### Scrutiny Committees

10. Scrutiny Committees meet on a monthly basis with the exception of August and in an election year April and May.

### Corporate Parenting Advisory Committee

11. This Committee agreed to meet bi-monthly to meet their Work Plan requirements.

### Audit Committee

12. Five meetings of the Audit Committee per year are scheduled in accordance with their Work Plan.

### Democratic Services Committee

13. In accordance with the Local Government (Wales) Measure 2011 requirements (Section 15(2)) the Democratic Services Committee has to meet at least once a year. As for 2018/19 Municipal Year, it is proposed to meet twice and provisional dates will be included within the draft Calendar and are subject to confirmation with the Chair in consultation with Committee Members.

### Standards & Ethics Committee

14. The Standards Committee will meet as and when necessary in order to deliver its work programme. Provisional dates will be included within the draft Calendar and are subject to confirmation with the Chair and in consultation with Committee Members.

## Constitution Committee

15. As for 2018/19 Municipal Year, it is proposed to meet twice and provisional dates will be included within the draft Calendar and are subject to confirmation with the Chair in consultation with Committee Members. It is proposed that one of the meetings be scheduled towards the end of the municipal year to allow for any potential consideration of items prior to the AGM.

## Other Committees

16. Meetings of the Appointments Committee, Local Authority Governor Panel, Appeals Committee, Bilingual Cardiff Member Group, Pension Committee and Pension Panel will meet as and when required.

## Legal Implications

17. As noted in the body of the report, the Council must have regard to the Welsh Government's statutory guidance (issued under section 6 of the Local Government (Wales) Measure 2011) when considering the times and intervals of its meetings.
18. In summary, the guidance states that:
  - Work and other commitments make setting a programme of meetings that suits all Members difficult;
  - Welsh Government does not wish to prescribe the number/timings of meetings; and
  - it is important that Authorities proactively review their meeting arrangements, by way of example, the guidance states that "What may have been tradition or an arrangement which suited the previous generation of Councillors will not necessarily serve the interests of the new intake."
19. The guidance requires the Council to survey its Members in respect of times and intervals in which meetings of the local authority are held at least once a term and preferably shortly after the new council is elected. Members will note that a survey of Members was undertaken in May 2017 and that the programme of future meetings reflects the results of the survey and agreements made by individual Committees around preferred start times.

## Financial Implications

20. There are no financial implications directly arising from this report.

## RECOMMENDATIONS

The Council is recommended to

- (1) approve the programme of Council, Cabinet and Committee meeting dates for June 2019 – August 2020, subject to further consultation with Chairs of Committees appointed by Council;
- (2) delegate authority to the Director of Governance and Legal Services to make any minor alterations to the programme of Committee meetings and request that the final programme be reported to the ordinary Council meeting on 20 June 2019 for approval.

**DAVINA FIORE**

**Director of Governance and Legal Services and Monitoring Officer**

17 May 2019

The following Appendices are attached:

Appendix A                      Programme of Council, Cabinet and Committee meetings from June 2019 to August 2020. (*To follow*)

Background papers

Welsh Government Statutory Guidance from the Local Government Measure 2011, June 2012, Chapter 1

**COUNCIL:**

**23 MAY 2019**

**REPORT OF THE DIRECTOR OF GOVERNANCE & LEGAL  
SERVICES & MONITORING OFFICER**

**SIX-MONTH COUNCILLOR ATTENDANCE RULE – APPROVAL OF  
ABSENCE**

**Reason for this Report**

1. To enable Council to approve a request received for approval of absence under the six-month Councillor Attendance Rule in accordance with relevant legislation.

**Issues**

2. Section 85 (1) of the Local Government Act 1972 states that

*“If a member of a Local Authority fails, throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some reason approved by the Authority before the expiry of that period, cease to be a member of the Authority.”*

A Members' attendance can be at any Ordinary Council meeting, committee or sub-committee, or any joint committee, joint board or other body where the functions of the Authority are discharged or who were appointed to advise the Authority on any matter relating to the discharge of its functions.

3. Councillor Timothy Davies has not been able to attend Full Council or other Committee meetings since the meeting of Full Council on 28 November 2018 due to ill-health and ongoing medical treatment.
4. A request has been received from the Conservative Group Leader on behalf of Councillor Davies for Full Council to consider approving the absence so as to enable Councillor Davies to remain in office until he is able to resume normal duties.
5. The Council can only consider approval of any reasons for non-attendance before the end of the relevant six-month period, which will end on Thursday 28 May 2019. The Conservative Group Leader has advised that Councillor Davies may not be well enough to attend any meetings before the end of this period.

6. Should Councillor Davies be able to attend a meeting, or part of a meeting, on or before 28 May 2019, the request will be withdrawn.

### **Legal Implications**

7. Section 85 (1) of the Local Government Act 1972 enables a Local Authority to approve the reason(s) for non-attendance of a Member at any meeting of the Authority throughout a period of six consecutive months, provided that approval is given by the Authority before the expiry of the six month period.
8. Annual Council on 23 May is the final qualifying meeting prior to the end of the six-month period at which approval may be sought for Councillor Davies' absence.
9. If approval is not agreed at this meeting and Councillor Davies' absence continues, he would, under Section 85 (1) of the Local Government Act 1972 be disqualified on 28 May 2019 from the Office of a Councillor.
10. Once any Councillor loses office, through failure to attend for the six-month period, the disqualification cannot be overcome by the Councillor subsequently resuming attendance nor can retrospective approval of the Council be sought for an extension in time.

### **Financial Implications**

11. There are no direct financial implications arising from this request

### **RECOMMENDATIONS**

The Council is recommended to

1. consider the request to approve the absence of Councillor Timothy Davies pursuant to Section 85 (1) of the Local Government Act 1972 on the grounds of his ill-health and ongoing recovery; and
2. if minded to approve the absence, to grant approval for a further 6 month period, to expire on 28 November 2019.

**Davina Fiore**  
**DIRECTOR OF GOVERNANCE & LEGAL SERVICES**  
**16 May 2019**

Background Papers  
Email: Leader of Opposition Group to Democratic Services 13 May 2019