

CARDIFF COUNCIL

REGISTER OF CABINET DECISIONS: 13 JULY 2023

Decision No.	Minute No.	Decision	Reason	Consultation Undertaken	Dates			Responsibility for implementation after date shown
					Decision Made	Publication	Deadline for call-in	
	Min No 10	Minutes of the Cabinet Meeting held on 22 June 2023 Approved.						
CAB/23-24/6	Min No 11	Annual Well-Being Report RESOLVED: that 1. the contents of the report and its appendices, including the observations and any recommendations made by (i) the Performance Panel (Appendix 3a); (ii) the Governance and Audit Committee (Appendix 4a) and	To enable the Annual Well-Being Report 2022/23 to be considered and approved by Council on 22 July 2023 and published thereafter.	The Governance & Audit Committee and the Policy Review & Performance Scrutiny Committee considered this item. Letters from the Chairs of the Committees, and the Cabinet Member's responses were circulated prior	13 July 2023	14 July 2023	25 July 2023	Sarah McGill, Corporate Director People & Communities

		<p>(iii) the Policy Review and Performance Scrutiny Committee (Appendix 5a) be noted;</p> <p>2. authority be delegated to the Corporate Director (People & Communities), in consultation with the Leader of the Council and Cabinet Member for Finance, Modernisation & Performance, to make any consequential changes to the draft Annual Well-being Report 2022/23 arising from recommendation 1 above; and</p> <p>3. the Annual Well-being Report 2022/23, including any agreed amendments under recommendation 2</p>		to the Cabinet Meeting.				
--	--	--	--	-------------------------	--	--	--	--

		above, be recommended to Council for approval.						
CAB/23-24/ 7	Min No 12	<p>Replacement of the recycling fleet for residential collections</p> <p>RESOLVED: that</p> <ol style="list-style-type: none"> 1. the procurement of new recycling collection fleet over a three-year period with a value estimated at £9.7M be approved. 2. the award of an initial contract (as set out in the report) be approved. 3. Authority be delegated to the Director of Economic Development, subject to consultation with the Cabinet Member for Finance, Modernisation & Performance, Cabinet Member for Climate Change, s.151 Officer and Director of Governance & Legal Services and Monitoring 	<ol style="list-style-type: none"> 1. To support the programme of service improvements in recycling performance as identified in the Council's Recycling Strategy 2022-25. 2. To support the Council meeting the statutory requirement to collect household recycling and waste. 3. To support the Council meeting the statutory requirements 	<ol style="list-style-type: none"> 1. There are no local issues with respect to replacement of the recycling fleet. 2. The draft Recycling Strategy 2022-25 was published for public consultation with a resident survey on 14th February 2022 for 6 weeks. The feedback from the consultation supported the development 	13 Jul 2023	14 July 2023	25 July 2023	Neil Hanratty, Director Economic Development

		<p>Officer, to deal with the future award of contracts (and any ancillary agreements) as required in relation to this procurement.</p>	<p>of the vehicle operator's licence.</p>	<p>for the final Recycling Strategy 2022-25 and the development of actions to deliver improvements.</p> <p>3. The Environmental Scrutiny Committee reviewed the consultation response report to the Recycling Strategy 2022-25 on 22nd July 2022.</p> <p>4. The Environmental Scrutiny Committee considered this item. The letter from the Chair of the</p>				
--	--	--	---	--	--	--	--	--

				Committee was circulated before the Cabinet Meeting.				
CAB/23-24/ 8	Min No 13	<p>St David's Hall</p> <p><i>Appendices 1-3 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14 and 16 of Part 4 of Schedule 12A of the Local Government Act 1972. In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</i></p> <p>RESOLVED: that</p> <p>1) Authority be delegated to the</p>	To establish a sustainable long-term future for St David's Hall, the National Concert Hall of Wales and to protect the delivery of the classical music/community programme.	<p><u>Public Consultation</u></p> <p>1. A consultation on the proposal was undertaken with the public through the 2023/24 budget consultation process. The response from residents indicated that they were not opposed to the proposal to enter into a long-term</p>	13 July 2023	14 July 2023	25 July 2023	Neil Hanratty, Director Economic Development

		<p>Director of Economic Development, in consultation with the Cabinet Member for Culture, Parks & Events, the Section 151 Officer and the Legal Officer, to conclude negotiations with AMG and other relevant stakeholders to:</p> <p>a. complete the MOU with stakeholders based on the principles set out in the draft MOU attached at Confidential Appendix 1;</p> <p>b. complete the lease and associated documents as set out at</p>		<p>lease with AMG.</p> <p><u>Staff Consultation</u></p> <p>2. There are currently 37 FTE at St David's Hall for which TUPE will apply. This is made up of 48 posts and involves 47 individuals. There are also a number of casual workers (non-guaranteed hours) for which TUPE will also apply.</p> <p>3. The Council is committed to ensuring that staff transferring</p>				
--	--	--	--	---	--	--	--	--

		<p>Confidential Appendix 1; and</p> <p>c. complete the business sales agreement with AMG for St David's Hall based on the principles set out in the draft business sales agreement as set out at Confidential Appendix 1.</p> <p>2) the transfer of [all] employees to AMG under the Transfer of Undertaking (Protection of Employment Regulations 2006) (TUPE) be authorised.</p>		<p>to AMG will not be in detriment. Initial engagement has taken place with staff and this will be followed by formal consultation as part of the TUPE process if the proposed transfer is approved by Cabinet. Further details are provided in the HR Implications section below.</p> <p>Scrutiny Consideration</p> <p>4. The Economy & Culture Scrutiny</p>				
--	--	--	--	---	--	--	--	--

				Committee considered this item. A letter from the Chair and the Cabinet Member's response was circulated before the Cabinet Meeting.				
CAB/23-24/9	Min No 14	<p>School Organisation Planning: Provision for children and young people with Additional Learning Needs</p> <p><i>Appendices 5 and 6 are exempt from publication because they contain information of the kind described in paragraphs 14 (information relating to the financial or business affairs of any particular person) and 21 (public interest test)</i></p>	To meet increasing demand for special school places for primary, secondary and Post-16 age learners with emotional health and wellbeing needs and complex learning needs.	<ol style="list-style-type: none"> 1. Additional learning needs provision is city-wide, and members would be consulted as part of the public consultation. 2. The Children and Young People's Scrutiny 	13 July 2023	14 July 2023	25 July 2023	Melanie Godfrey, Director Education & Lifelong Learning

		<p><i>of parts 4 and 5 of Schedule 12A to the Local Government Act 1972 and in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</i></p> <p>RESOLVED: that</p> <ol style="list-style-type: none"> 1. officers be authorised to: <ol style="list-style-type: none"> a) Consult on the proposals to increase the number of places for learners with Emotional Health and Wellbeing Needs and the number of places for learners with Complex Learning Needs/ Autism Spectrum 		<p>Committee will considered this report on 4 July 2023, a letter from the Chair was circulated prior to the Cabinet meeting.</p>				
--	--	---	--	---	--	--	--	--

		<p>Condition.</p> <p>b) Proceed, ahead of the Sustainable Communities for Learning rolling programme, with the design and procurement of the Ty Glas and Oak House sites, and the temporary accommodation on the existing Fitzalan High School works through the School Organisation Programme.</p> <p>2. The following be noted:</p> <p>a) The increase in the Pupil Referral Unit provision and expansion of the age range to include Key Stage 3 pupils.</p>						
--	--	---	--	--	--	--	--	--

		<p>b) The expansion of the Community Teaching provision and the transfer of the service to the former Severn Adult Education Centre.</p> <p>c) The temporary relocation of Lansdowne Primary School to the existing Fitzalan High School site.</p> <p>d) That officers will bring a report on the outcome of the consultations on proposals to a future meeting to seek authorisation as to whether to proceed to publish proposals in</p>						
--	--	--	--	--	--	--	--	--

		<p>accordance with section 48 of The School Standards and Organisation (Wales) Act 2013</p> <p>3. authority be delegated to the Director of Economic Development to acquire the freehold interests for land at adjacent to the existing Greenhill Special School site, in line with an independent valuation, to allow the delivery of the replacement Greenhill Special School, subject to Ministerial approval for Welsh Government capital funding.</p>						
CAB/23-24/ 10	Min No 15	Budget 2024/25 and The Medium-Term Financial Plan: Update Report	1. To note the 2024/25 Budget and MTFP Update and to	1. In order to provide an opportunity for people to	13 July 2023	14 July 2023	25 July 2023	Chris Lee, Director Corporate Resources

		<p>RESOLVED: that</p> <p>i. budget principles on which the Budget Strategy will be based and the approach to meeting the Budget Reduction Requirement both in 2024/25 and across the period of the Medium-Term Financial Plan be agreed.</p> <p>ii. that directorates work with the relevant Portfolio Cabinet Member(s), in consultation with the Corporate Director Resources and Cabinet Member for Finance, Modernisation and Performance to identify potential savings to assist in addressing the indicative budget gap of £36.7 million for 2024/25 and</p>	<p>approve the next steps.</p> <p>2. To note the Income Generation Framework and agree this be used as the approach to setting fees and charges for 2024/25.</p> <p>3. To note the Budget Timetable Framework and forward this to Council for approval.</p>	<p>have their say on what is important to them and their communities. The proposed Budget Timetable Framework for 2024/25 is included at Appendix 3. Over this period, as well as undertaking public consultation, engagement will also take place with the third sector, Scrutiny Committees, Governance and Audit Committee, Schools (via the School Budget Forum) and</p>				
--	--	--	---	--	--	--	--	--

		<p>£119.2 million across the period of the Medium-Term Financial Plan.</p> <p>iii. Authority be delegated to the Chief Executive, in consultation with the Leader and Cabinet Member for Finance, Modernisation and Performance, the authority to implement any saving proposal in advance of 2024/25 where no policy recommendation is required or where a policy decision has already been taken.</p> <p>iv. It be noted that work will continue to update and refresh the MTFP and that this will be reported to Members as appropriate.</p> <p>v. It be noted that the Income Generation</p>		<p>Trade Unions. In addition, employee engagement at all levels within the organisation continues to be given high priority.</p> <p>2. Employees will continue to receive briefings on the overall position through these channels at all key stages of the budget process. In addition, managers will ensure that there is appropriate engagement and consultation with</p>				
--	--	--	--	--	--	--	--	--

		<p>Framework at Appendix 2 and agree this be used as the approach to setting fees and charges for 2024/25.</p> <p>vi. It be proposed that Council agree that the Budget Timetable Framework set out in Appendix 3 be adopted, and that the work outlined is progressed with a view to informing budget preparation.</p> <p>vii. consultation on the 2024/25 budget proposals will take place when the detail of options is available in order to inform the preparation of the draft 2024/25 Budget.</p>		employees who may be affected by any proposals.				
CAB/23-24/ 11	Min No 16	Delivering a Modern Cardiff Works and	1. To note the update on	The Community & Adult	14 July 2023	14 July 2023	25 July 2023	Sarah McGill,

		<p>Agency Provision</p> <p>RESOLVED that</p> <ol style="list-style-type: none"> 1. It be noted that the progress being made by the Council's in house recruitment service "Cardiff Works". 3. the overarching approach for the procurement of Vendor Neutral Agency Worker Services be approved. 4. Authority be delegated to the Corporate Director of People and Communities, in consultation with the Cabinet Member for Finance, Modernisation & Performance, to determine all aspects of the procurement process (including 	<p>Cardiff Works.</p> <ol style="list-style-type: none"> 2. The proposed procurement of a Vendor Neutral organisation will allow the benefits that have been achieved from the current arrangement to continue under a compliant contract. 3. The published rates contained within the new NPS All Wales Agency Framework remain at a lower level and will potentially reduce through the proposed further competition. 4. Without an Agreement in place, the 	<p>Services Scrutiny Committee considered this item. The letter from the Chair was circulated prior to the Cabinet meeting</p>				<p>Director People & Communities</p>
--	--	--	--	--	--	--	--	--

		approving the evaluation criteria to be used, commencement of the procurement process, the award of the contracts and all ancillary matters pertaining to the procurement).	Council will be unable to effectively manage the use of Agency Workers. This will result in increased charges.					
CAB/23-24/ 12	Min No 17	<p>Response to Community & Adult Services Scrutiny Committee's Inquiry into Cardiff Council's Support to Residents with the Cost of Living</p> <p>RESOLVED that the response to the findings and recommendations of the Community and Adult Services Scrutiny Committee report entitled 'Cardiff Council's Support to Residents with the Cost-of-Living be approved.</p>	To respond to the report of the Community and Adult Services Scrutiny Committee entitled 'Cardiff Council's Support to Residents with the Cost-of-Living'.		13 July 2023	14 July 2023	25 July 2023	Jane Thomas Director of Adults, Housing & Communities
CAB/23-24/13	Min No 18	<p>Annual Property Plan</p> <p>RESOLVED: that</p>	To enable Cabinet to approve the Annual Property	1. Member engagement will take	13 July 2023	14 July 2023	25 July 2023	Neil Hanratty, Director

		<p>i) the Annual Property Plan 2023/24 Transactions List (Appendix 1) and Annual Property Plan 2023/24 (Appendix 2) be approved.</p> <p>ii) the potential revenue and capital investment requirements needed to ensure ongoing compliance in existing areas and also in respect of emerging legislation, such as works relating to Energy Performance Certificates be noted.</p>	Plan 2023/24.	<p>place through the implementation of the plan.</p> <p>2. The Policy Review & Performance Scrutiny Committee considered this item, a letter from the Chair was circulated prior to the Cabinet meeting.</p>				Economic Development
CAB/23-24/ 14	Min No 19	<p>Response to Economy & Culture Scrutiny Committee Report: Shaping Cardiff's Post-Pandemic Economic Recovery</p> <p>RESOLVED: that the response to the</p>	To approve the Cabinet's response to recommendations of the ' <i>Shaping Cardiff's Post-Pandemic Economic Recovery</i> ' report.		13 July 2023	14 July 2023	25 July 2023	Neil Hanratty, Director Economic Development

		recommendations of the Economy & Culture Scrutiny Committee report entitled ' <i>Shaping Cardiff's Post-Pandemic Economic Recovery</i> ' as set out in Appendix B to this report be approved.						
CAB/23-24/15	Min No 20	<p>Atlantic Wharf Masterplan Update</p> <p><i>Appendices 1-3 & 5-9 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14 and 16 of Part 4 and paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972.</i></p> <p>RESOLVED: that</p> <p>1) an extension and variation to the Pre-Contract Service</p>	To progress the delivery of the new Indoor Arena and the wider regeneration of the Atlantic Wharf site.	<p>1. The Trade Unions have been consulted on the information within this report and there will be ongoing engagement and consultation with both trade unions and employees as the business case develops.</p> <p>2. The Economy & Culture Scrutiny Committee</p>	13 July 2023	14 July 2023	25 July 2023	Neil Hanratty, Director Economic Development

		<p>Agreement (PCSA) for the delivery of the new Indoor Arena in line with the legal conditions set out at Confidential Appendix 1 and the Financial Report Confidential Appendix 9 be approved.</p> <p>2) the Development and Funding Agreement (DFA) attached at Confidential Appendix 1 be approved and authority be delegated to the Director of Economic Development, in consultation with the Cabinet Member for Investment & Development, the Section 151 Officer and the Legal Officer to:</p> <p>a. approve</p>		<p>considered this item and a letter from the Chair circulated prior to the Cabinet meeting.</p>				
--	--	--	--	--	--	--	--	--

		<p>the final terms of the DFA and in so doing approve any amendments to the legal documentation approved as may be necessary, for reasons including, but not limited to ensuring consistency between them and finalising any outstanding areas; and</p> <p>b. approve any further deeds and documents which are ancillary to the legal</p>						
--	--	--	--	--	--	--	--	--

		<p>documents approved;</p> <p>with entry into the DFA being subject to approval of the funding strategy at a future meeting of Cabinet.</p> <p>3) the Outline Project Proposal for the Capella Production Studios as set out at Confidential Appendix 7 be approved.</p> <p>4) the procurement strategy set out at Confidential Appendix 6 including the development of a Full Business Case for the Capella Production Studios proposal as set out at Confidential Appendix 7 and a Full Business Case for the development plan for Area A as set out at Appendix</p>						
--	--	--	--	--	--	--	--	--

		<p>4 be approved and authority be delegated to the Director of Economic Development, in consultation with the Cabinet Member for Investment & Development, the Section 151 Officer and the Legal Officer, to deal with all aspects of the procurement strategy and to return to Cabinet for approval of the Full Business Cases in advance of the appointment of any contractors.</p> <p>5) a further market testing exercise for the area marked B on the plan attached at Appendix 4 be approved to assist with the completion of the Outline Business Case for the redevelopment of the Red Dragon</p>						
--	--	---	--	--	--	--	--	--

		Centre and authority be delegated to the Director of Economic Development, in consultation with the Cabinet Member for Investment & Development, the Corporate Director of People and Communities, the Section 151 Officer and the Legal Officer, to identify land to support the Council's Partnering Scheme as set out in this report.						
CAB/23-24/16	Min No 21	<p>International Sports Village - Full Business Case</p> <p><i>Appendices 2-5 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14, 16 and 21 of Schedule 12A of the Local Government Act 1972</i></p>	To update Cabinet on the various work streams to deliver the Council's vision for the International Sports Village.	The Economy & Culture Scrutiny Committee considered this item. A public and confidential letter from the Chair was circulated prior to the meeting.	13 July 2023	14 July 2023	25 July 2023	Neil Hanratty, Director Economic Development

		<p>An amendment sheet was circulated, which amended paragraph ten of the report, the amended paragraph now names the developer, this was following feedback from scrutiny.</p> <p>RESOLVED: that</p> <p>1) the disposal for the residential and commercial plots as set out in this report and the legal report attached at Confidential Appendix 2 and in line with independent valuers advice attached at Confidential Appendix 3 and the proposals at Confidential Appendix 5 be approved and authority be delegated to the Director of Economic Development, in</p>						
--	--	--	--	--	--	--	--	--

		<p>consultation with the Cabinet Member for Investment & Development, the Section 151 Officer and the Legal Officer, to conclude all legal agreements to complete the disposal strategy.</p> <p>2) the lift and shift obligation set-out at Confidential Appendix 2 and the development of a Full Business Case to determine a long-term car parking solution for the ISV site to be presented back to Cabinet for approval in advance of the first call-down of land by the appointed developer be noted.</p> <p>3) a soft market testing exercise be authorised to inform the further development of the</p>						
--	--	---	--	--	--	--	--	--

		Outline Business Case for the Energy Strategy to be presented back to a future meeting of Cabinet.						
CAB/23-24/ 17	Min No 22	<p>Participation Strategy</p> <p>RESOLVED: that</p> <ol style="list-style-type: none"> 1. the Participation Strategy 2023-27 (Appendix A) be approved for public consultation. 2. It be noted that the draft Guide to the Constitution (Appendix B) will form part of the consultation process. 3. a further report on the Participation Strategy 2023-27 be considered for final approval in Autumn 2023. 	To enable the Council to undertake public consultation to inform the development of its Participation Strategy 2023-27 in accordance with the requirements of the Local Government and Elections (Wales) Act 2021.	1. As part of the development of the draft Participation Strategy 2023-27, the Council has engaged extensively with a wide range of stakeholders to understand barriers to engagement and	13 July 2023	14 July 2023	25 July 2023	Paul Orders, Chief Executive

				<p>develop proposals for improvement, with a focus on understanding how the council can better reach out to groups who historically have not engaged in consultations. Stakeholders engaged with included local ward councillors in areas of low response, community organisations, representative bodies</p>				
--	--	--	--	---	--	--	--	--

				<p>and Council Employee Networks.</p> <p>2. Two workshops were held involving all elected members on 10 & 16 May 2023. The proposals contained within the draft Participati on Strategy 2023-27 were also considered by the Council's Policy Review and Performan ce Scrutiny Committee on 22</p>				
--	--	--	--	---	--	--	--	--

				<p>March 2023, providing committee members with an opportunity to shape the development of the strategy. All recommendations made by the Committee were accepted.</p> <p>3. It is proposed that a 6-week public consultation on the draft Participation Strategy 2023-27 (see</p>				
--	--	--	--	---	--	--	--	--

				<p>Appendix D) will run from Monday 24 July 2023 to Monday 4 September 2023. Information will be translated into Welsh, Polish, Arabic and Bengali, and hard copies will also be printed and made publicly available as part of the consultation process. Targeted engagement will also be undertaken with the</p>				
--	--	--	--	---	--	--	--	--

				<p>stakeholder groups identified in the strategy as being under-represented within consultation and engagement work. This will include direct engagement with advocacy groups and representative organisations and, to support the consultation exercise, focus groups will also be convened to engage</p>				
--	--	--	--	--	--	--	--	--

				<p>with:</p> <ul style="list-style-type: none">• Older People (+75 years old)• Children and Young People• Black, Asian and Minority Ethnic Communities• People who identify as Disabled <p>4. A new Petition Scheme was approved by the</p>				
--	--	--	--	--	--	--	--	--

				<p>Council on 17 March 2022 and was adopted with effect from 5 May 2022. The Council's Constitution Committee also recommended at its meeting on 28 February 2022 that the new Petition Scheme should be reviewed after six months of operation, with a public consultation as part of the developme</p>				
--	--	--	--	--	--	--	--	--

				<p>nt of the Council's public participation strategy and to take account of statutory guidance which should be finalised by that time. As part of the consultation on the Participati on Strategy, the Council will seek feedback on Petition Schemes.</p> <p>5. The statutory guidance on the Local Governme</p>				
--	--	--	--	---	--	--	--	--

				<p>nt and Elections (Wales) Act 2021 also states that the preparation of an effective Constitution Guide should form part of the council's strategy on encouraging public participation in decision making by the council. The draft Guide to the Constitution at Appendix B was considered previously</p>				
--	--	--	--	---	--	--	--	--

				<p>by the Constitution Committee on 28 February 2022 and reported to Council on 17 March 2022. The Constitution Committee authorised the Monitoring Officer, in consultation with the Chair, to make any agreed changes to the draft Guide to the Constitution to reflect the views expressed as part of the consultation</p>				
--	--	--	--	---	--	--	--	--

				<p>n, before recommending it to Cabinet for approval as part of the Council's public participation strategy.</p> <p>6. Following public consultation on the draft Participation Strategy 2023-27, it is proposed that a further report on the Participation Strategy 2023-27 will be considered</p>				
--	--	--	--	---	--	--	--	--

				for final approval by the Cabinet in Autumn 2023.				
Prepared by Cabinet office:					14 July 2023			
Submitted for Signature					14 July 2023			

Approved for Publication: Sarah McGill
 Corporate Director, People & Communities

Date: 14 July 2023