

MINUTES

CABINET MEETING: 13 JULY 2023

Present Councillor Huw Thomas (Leader)
Councillors Peter Bradbury/ Julie Sangani (job share)
Councillor Jen Burke
Councillor Dan De'Ath
Councillor Russell Goodway
Councillors Norma Mackie/ Ash Lister (job share)
Councillor Sarah Merry
Councillor Lynda Thorne
Councillor Chris Weaver
Councillor Caro Wild

Observers: Councillor Adrian Robson
Councillor Rodney Berman

Also:

Officers: Chris Lee, Section 151 Officer
Davina Fiore, Monitoring Officer
Sarah McGill, Corporate Director
Claire Deguara, Cabinet Office

Apologies:

117 MINUTES OF THE CABINET MEETING HELD ON 22 JUNE 2023

The minutes of the Cabinet meeting held on 22 Jun 2023, were approved.

118 ANNUAL WELL-BEING REPORT

Letters were circulated from the Governance and Audit Committee and Policy Review and Performance Scrutiny Committee.

Cabinet received the Annual Well-being Report is the Council's annual end of year review and self-evaluation of performance for the previous financial year. The Well-being report discharges a number of statutory requirements, particularly in relation to the new performance duties introduced by the Local Government and Elections (Wales) Act. These require an assessment of performance, use of resources and the governance arrangements in place for delivering effectively.

The report details progress for example, positive inspection from Estyn, shifting the balance of care, addressing climate change, and recognises challenges in relation to school attendance and recycling rates.

Cllr Weaver noted thanks to the Performance Panel, Policy and Performance Scrutiny Committee and the Governance and Audit Committee who play an important role throughout the year in relation to monitoring the Council's performance.

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 (iii) the Policy Review and Performance Scrutiny Committee (Appendix 5a) be noted;
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
3. the Annual Well-being Report 2022/23, including any agreed amendments under recommendation 2 above, be recommended to Council for approval.

119 **REPLACEMENT OF THE RECYCLING FLEET FOR RESIDENTIAL COLLECTIONS**

A letter from the Environmental Scrutiny Committee was circulated.

Cabinet considered a report regarding the phased replacement of the recycling fleet vehicles for residential collections over a period of three years. The purpose of the replacement is to ensure that the fleet is suitable for the new recycling strategy due to be rolled out across the city which requires the use of split back vehicles.

Cllr Wild noted that it would have been preferable to have an all electric fleet however, due to supply chain issues and electrical grid capacity at Lamby Way this was not possible at the current time. However work will continue to work towards this and all those diesel vehicles within the lease will be Euro VI.

RESOLVED: that

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 Officer, to deal with the future award of contracts (and any ancillary agreements) as required in relation to this procurement.

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.

A confidential and public letter from the Economy & Culture Scrutiny Committee were circulated and a confidential response was also circulated.

Cabinet received the St David's Hall report, which sought approval to transfer the business of St David's Hall via a business sale agreement, for a 45-year lease to Academy Music Group (AMG). This sale will ensure that St David's Hall is fully insured and repaired to enable this world class venue to maintain a music, cultural and community offer, including a classical programme. It was noted that the delivery of a classical and community programme is legal binding.

Cllr Burke noted that Cardiff and Wales will be the first to benefit from the AMG Academy at this venue. Furthermore, Council staff will transfer via TUPE arrangements with their Council terms and conditions protected.

RESOLVED: that

- 1) Authority be delegated to the 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:
 - a. complete the MOU with stakeholders based on the principles set out in the draft MOU attached at **Confidential Appendix 1**;
 - b. complete the lease and associated documents as set out at **Confidential Appendix 1**; and
 - 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**.
- 2) the transfer of [all] employees to AMG under the Transfer of Undertaking (Protection of Employment Regulations 2006) (TUPE) be authorised.

121 **SCHOOL ORGANISATION PLANNING: PROVISION FOR CHILDREN AND YOUNG PEOPLE WITH ADDITIONAL LEARNING NEEDS**

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) 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.

A letter from the Children & Young People Scrutiny Committee was circulated.

Cabinet received a report outlining proposals to deliver additional provision for children and young people with additional learning needs, with spread across the city. This will ensure that children may be able to attend specialist provision closer to homes, and for some young people be able to access specialist provision earlier and return to mainstream education.

Cllr Merry highlighted paragraph 73 of the report which details the proposed list of changes.

RESOLVED: that

1. officers be authorised to:
 - 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 Condition.
 - 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.
2. The following be noted:
 - a) The increase in the Pupil Referral Unit provision and expansion of the age range to include Key Stage 3 pupils.
 - b) The expansion of the Community Teaching provision and the transfer of the service to the former Severn Adult Education Centre.
 - c) The temporary relocation of Lansdowne Primary School to the existing Fitzalan High School site.
 - 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 accordance with section 48 of The School Standards and Organisation (Wales) Act 2013
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.

122 BUDGET 2024/25 AND THE MEDIUM-TERM FINANCIAL PLAN: UPDATE REPORT

Cabinet received a report providing an update on the budget for 2024/25 and the medium term financial plan (MTFP). The report sets out the anticipated resources needed to deliver services, outlines the 2024/25 Budget Strategy timetable, and sets out the approach for rolling the Capital Programme forward one year.

Cllr Weaver highlighted that income framework appendix which seeks to provide a consistent approach to the managements of fees and charges, and ensure that appropriate benchmarking takes place. That is not to say that there will be a blanket increase on charges.

Cllr Weaver further noted the anticipated time frame for setting the 2024/25 budget.

RESOLVED: that

- 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.
- 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 £119.2 million across the period of the Medium-Term Financial Plan.
- 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.
- iv. It be noted that work will continue to update and refresh the MTFP and that this will be reported to Members as appropriate.
- v. It be noted that the Income Generation Framework at Appendix 2 and agree this be used as the approach to setting fees and charges for 2024/25.
- 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.
- 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.

123 DELIVERING A MODERN CARDIFF WORKS AND AGENCY PROVISION

A letter from the Policy Review and Performance Scrutiny Committee was circulated.

Cabinet considered a report providing an update on the current and proposed service activity of the Council's in-house recruitment agency "Cardiff Works".

The report details the progress of Cardiff works to date including the digitalisation of the service, streamlining of the recruitment process, a new marketing and branding strategy, increased accessibility, greater community visibility.

Cllr Bradbury noted that 1000 individuals have come through the Cardiff Works pool and moved into placements during the last financial year, a 40% increase on the previous year.

RESOLVED that

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 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).

124 RESPONSE TO COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE'S INQUIRY INTO CARDIFF COUNCIL'S SUPPORT TO RESIDENTS WITH THE COST OF LIVING

Cabinet received a response to the Community & Adult Scrutiny Committee's Inquiry into Cardiff Council's support to residents with the cost of living. The report set out 32 key findings and made 10 recommendations, a detailed response to the recommendations is set out I Appendix 2 to the report, with 8 recommendations being fully accepted and 2 partially accepted.

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.

125 ANNUAL PROPERTY PLAN

Cabinet received the Annual Property Plan(APP) for 2023/24. The information set out in the APP contributes towards the five-year targets set out in the Corporate Property Strategy 2021-26, and reports the transaction completed from the previous financial year, as well as the transactions planned for the current financial year.

The report highlighted some areas around hybrid working, regeneration, housing, School Organisation Programme, depots, land, carbon reduction of the built environment, capital receipts, the investment and non-operational estate.

RESOLVED: that

- i) the Annual Property Plan 2023/24 Transactions List (Appendix 1) and Annual Property Plan 2023/24 (Appendix 2) be approved.
- 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.

126 **RESPONSE TO ECONOMY & CULTURE SCRUTINY COMMITTEE REPORT: SHAPING CARDIFF'S POST-PANDEMIC ECONOMIC RECOVERY**

Cabinet received a response to the Economy and Culture Scrutiny Committee report entitled "Shaping Cardiff's Post-Pandemic Economic Recovery".

The report contained 48 key findings and 19 recommendations, of which 16 were accepted and 3 were partially accepted.

RESOLVED: that the response to the recommendations of the Economy & Culture Scrutiny Committee report entitled '*Shaping Cardiff's Post-Pandemic Economic Recovery*' as set out in Appendix B to this report be approved.

127 **ATLANTIC WHARF MASTERPLAN UPDATE**

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.

Public and confidential letters from the Economy & Culture Scrutiny Committee were circulated.

Cabinet considered a report providing an update on the Atlantic Wharf Masterplan. The Leader, in his introduction noted the complexity of the project which aims to deliver the indoor arena along with regeneration of the wider Atlantic Wharf area.

The report seeks to split the site into two specific areas, with one being put out to tender to deliver a specific development and the other to do undergo further market testing to attract investment interest. Site A is the County Hall, and site B the Atlantic Wharf site including the Red Dragon Centre and car park.

RESOLVED: that

- 1) an extension and variation to the Pre-Contract Service 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.
- 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:
 - a. approve 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
 - b. approve any further deeds and documents which are ancillary to the legal documents approved;

with entry into the DFA being subject to approval of the funding strategy at a future meeting of Cabinet.

- 3) the Outline Project Proposal for the Capella Production Studios as set out at **Confidential Appendix 7** be approved.
- 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 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.
- 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 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.

128 INTERNATIONAL SPORTS VILLAGE - FULL BUSINESS CASE

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

Public and confidential letters from the Economy & Culture Scrutiny Committee were circulated. 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.

This report details the continuation of the ISV project and outlines a series of next steps including completing an agreement with a developer to enable work to begin on planning applications, determining the long term strategy for parking on the site, continuing the development of a full business case for the sport leisure attraction, and the necessary work on an outline business case for the energy strategy for the site.

The Leader, highlighted the clauses secured to avoid the risk of land banking with firm timeframe set for developer to bring forward plans through the planning process, should these not be met the control would fall back to the Council.

RESOLVED: that

- 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 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.
- 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.
- 3) a soft market testing exercise be authorised to inform the further development of the Outline Business Case for the Energy Strategy to be presented back to a future meeting of Cabinet.

129 PARTICIPATION STRATEGY

Cabinet considered the Council's Participation Strategy for 2023-27.

It was highlighted that promoting civic participation and giving the people of Cardiff a voice in shaping the decisions that affect their lives represents key priorities for the Council. The Participation Strategy sets out ways for this to be achieved.

Introducing a Participation Strategy is a statutory requirement under the Local Government & Elections Wales Act. The Strategy seeks to improve engagement with seldom heard voices, as well as amplify the voices of people who are currently less likely to get involved in the decision-making process.

The Strategy is split into two distinct components:

- Part 1 focuses on the Council's Consultation and Engagement arrangements, ensuring that citizen voice is at the heart of decision making.

4. Part 2 focuses on Democratic Engagement, promoting and supporting participation in the democratic process.

It was noted that following publication and completion of the consultation process, a further report will be brought to Cabinet in the Autumn to consider the outcome of the consultation and adopt a final version of the strategy.

RESOLVED: that

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.