



DINAS A SIR CAERDYDD
CITY AND COUNTY OF CARDIFF

COUNCIL SUMMONS

THURSDAY, 26 MAY 2016

GWYS Y CYNGOR

DYDD IAU, 26 MAI 2016,

You are summoned to attend a meeting of the **COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF** which will be held at Council Chamber, City Hall, Cathays Park, Cardiff on Thursday, 26 May 2016 at 4.30 pm to transact the business set out in the agenda attached.

David Marr

David Marr
Interim Monitoring Officer

County Hall
Cardiff
CF10 4UW

Friday, 20 May 2016

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

1.	<p>Apologies for Absence</p> <p><i>To receive apologies for absence.</i></p>
2.	<p>Declarations of Interest</p> <p><i>To receive declarations of interest (such declarations to be made in accordance with the Members Code of Conduct)</i></p>
3.	<p>To Elect the Lord Mayor of Council for 2016/17</p> <p><i>The Constitution provides that the Council will, at its Annual Meeting, elect the Lord Mayor of Council.</i></p> <p><i>Lord Mayor will address Council.</i></p>
4.	<p>To Appoint the Deputy Lord Mayor of Council for 2016/17</p> <p><i>The Constitution provides that the Council will, at its Annual Meeting, appoint the Deputy Lord Mayor of Council.</i></p>
5.	<p>Vote of Thanks</p> <p><i>The Leader of the Council to propose a vote of thanks to the immediate past Lord Mayor and to present him with his badge of office.</i></p> <p><i>Councillor Walker the immediate past Lord Mayor will respond.</i></p>
6.	<p>Minutes (Pages 1 - 56)</p> <p><i>To approve as a correct record the minutes of the meeting held on 24 March 2016 as a correct record.</i></p>
7.	<p>The Cardiff Undertaking for Councillors (Pages 57 - 60)</p> <p><i>Report of the Interim Monitoring Officer.</i></p> <p><i>Members are to affirm their commitment to the principles in the Cardiff Undertaking and adopted and sign up to an additional commitment to safeguard and promote the life chances of children looked after by the Council and diligently discharge their responsibilities as Corporate Parent of those children.</i></p>
8.	<p>Lord Mayor's Announcements</p> <p><i>To receive the Lord Mayor's announcements including Recognitions and Awards.</i></p>
9.	<p>Leader's Announcements</p> <p><i>To receive any announcements from the Leader relating to the coming municipal year.</i></p>

10.	<p>Establishment of Committees, their Size and Terms of Reference and the Allocation of Seats on Committees (Pages 61 - 82)</p> <p><i>Report of the Interim Monitoring Officer.</i></p> <p><i>The Constitution provides that the Council will, at its Annual Meeting, decide any amendments to its standing committees for the municipal year, the size and terms of reference of those committees, and the allocation of seats to political groups in accordance with Section 17 of the Local Government and Housing Act 1989 rules relating to Political Balance.</i></p> <p><i>Please note that the Council is asked under this item to approve alternative arrangements to strict political proportionality for appointments to all committees which requires a Nem Con vote – that is a vote to approve without any dissention.</i></p>
11.	<p>Nomination of Members to Serve on each Committee established and Election of Chairs and Deputy Chairs (Pages 83 - 90)</p> <p><i>Report of the Interim Monitoring Officer.</i></p> <p><i>The Constitution provides that the Council will, at its Annual Meeting, receive nominations of Members to serve on each committee, appoint to those committees, and also to elect a Chair and a Deputy Chair for each of those committees.</i></p>
12.	<p>Nominations of Members to Serve on Outside Bodies (Pages 91 - 96)</p> <p><i>Report of the Interim Monitoring Officer.</i></p> <p><i>The Constitution provides that the Council will, at its Annual meeting, receive nominations of Members to serve on outside bodies and to appoint to those outside bodies except where appointment to those bodies has been delegated by the Council or is only exercisable by the Cabinet.</i></p>
13.	<p>Appointment of Local Authority Governors to School Governing Bodies (Pages 97 - 104)</p> <p><i>Report of the Interim Monitoring Officer.</i></p> <p><i>To approve the recommendations of the Local Authority Governor Appointment Panel of the 19 May 2016.</i></p>
14.	<p>The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 - Adoption of New Members Code of Conduct. (Pages 105 - 124)</p> <p><i>Report of the Monitoring Officer.</i></p>

15.	<p>Members' Schedule of Remuneration 2016/17 (Pages 125 - 136)</p> <p><i>Report of the Chief Executive.</i></p> <p><i>For the Council to approve the prescribed levels of Members' remuneration and allowances that are payable in 2016/17 as determined by the Independent Remuneration Panel for Wales.</i></p>
16.	<p>Programme of Council, Cabinet & Committee Meetings 2016/17 (Pages 137 - 144)</p> <p><i>Report of the Interim Monitoring Officer.</i></p> <p><i>The Constitution provides that the Council at its Annual Meeting will approve a programme of ordinary meetings of the Council for the forthcoming year.</i></p>
17.	<p>Urgent Decision Taken in Respect of Woodlands High School (Pages 145 - 146)</p> <p><i>Report of the Interim Monitoring Officer.</i></p> <p><i>Reported to Council for information under Scrutiny Procedure Rule 13(a) of the Cardiff Constitution.</i></p>
18.	<p>Urgent Business (if any)</p> <p><i>To consider any matters that the Chair has, in accordance with the Council Procedure Rules, certified as urgent.</i></p>

THE COUNTY COUNCIL OF THE CITY & COUNTY OF CARDIFF

The County Council of the City & County of Cardiff met at County Hall, Cardiff on 24 March 2016 to transact the business set out in the Council summons dated Friday, 18 March 2016.

Present: County Councillor David Walker (Lord Mayor)

County Councillors Ali Ahmed, Dilwar Ali, Aubrey, Bale, Bowden, Boyle, Bradbury, Bridges, Burfoot, Carter, Chaundy, Richard Cook, Cowan, Kirsty Davies-Warner, Chris Davis, De'Ath, Derbyshire, Elsmore, Evans, Ford, Goddard, Goodway, Gordon, Graham, Groves, Hill-John, Hinchey, Holden, Howells, Hudson, Hunt, Hyde, Keith Jones, Margaret Jones, Joyce, Kelloway, Knight, Lent, Lloyd, Lomax, Magill, McEvoy, McGarry, McKerlich, Merry, Michael, Mitchell, Murphy, Parry, Patel, Phillips, David Rees, Dianne Rees, Robson, Sanders, Stubbs, Thomas, Ben Thomas, Graham Thomas, Lynda Thorne, Walker, Walsh, Weaver, White, Wild, Darren Williams and Woodman

161 : APOLOGIES FOR ABSENCE

Apologies were received from Councillors Manzoor Ahmed; Ralph Cook, Govier, Javed, Marshall, Derrick Morgan and Elaine Simmons.

162 : DECLARATIONS OF INTEREST

The following declarations were made:

<u>Councillor</u>	<u>Item</u>	<u>Interest</u>
Councillor Boyle	Item 11	Personal Interest as a Local Authority School Governor of Howardian Primary School; and personal friend of many families who are seeking a place at Cardiff High School.
Councillor Carter	Item 11	Personal Interest as have children in primary school in the east of the city.
Councillor Kelloway	Item 11	Personal interest as a Local authority School Governor for Marlborough Primary School which is in the Cardiff High School catchment area.
Councillor Lent	Item 11	Personal Interest as a Local Authority School Governor and Chair of Governors at Howardian Primary School.

In addition the Lord Mayor advised that Directors affected by the Pay Policy Item 8 have a pecuniary interest and will leave the meeting during consideration of this item.

163 : MINUTES

The minutes of the meeting of the Council held on 25 February 2016 were approved as a correct record and signed by the Chairperson.

164 : PETITIONS

The following petitions were submitted to Council:

1. Councillor Dilwar Ali – 105 signatures calling on the Council to relocate or install additional warning signs in relation to the low bridge in Mynachdy Road / Aberteifi Crescent, Llandaff North; and install traffic calming measures on this heavily used road where there have been several near misses involving cars.
2. Councillor Cowan – to date 3486 signatures against the proposed closure of Meadowbank School in Gabalfa because they are lacking students to come to this school. Meadowbank is the ONLY school in Wales which specialises in supporting children who have speech and language Impairments. Meadowbank is a friendly family environment school with dedicated teachers and helpers who are there for us. We all think we need to keep this speech and language Impairment School to help children succeed.

165 : LORD MAYOR'S ANNOUNCEMENTS

Lord Jack Brooks of Tremorfa

It was with great sadness that Members learnt that Jack Brooks passed away on 4 March. The Lord Mayor on behalf of the Council had written to his widow and family to express their sincere condolences.

Lord Brooks was an influential Leader of the former South Glamorgan County Council; local Councillor for Splott, who was made a lifelong peer in July 1979. A truly remarkable individual that some of our Members and officers here today had the opportunity to work with and be inspired by.

The Lord Mayor invited further tributes to Lord Brooks from Councillors. Councillor Bill Kelloway, Monica Walsh, Russell Goodway and Graham Hinchey spoke of Lord Brooks leadership, political astuteness, inspiration; guidance and friendship over decades of work for the City of Cardiff and the transformation of Cardiff Bay; and of his significant involvement with the British Boxing Board of Control and the development of British boxing.

The Funeral Service was to take place on Friday 1 April in Llandaff Cathedral at 11.15am.

Former South Glamorgan County Councillor Emlyn Williams

Sadly Emlyn Williams MBE a former South Glamorgan County Councillor passed away at the age of 91 on Tuesday 15 March. First elected in 1977 to South Glamorgan County Council and then elected to the Vale of Glamorgan County Borough Council in 1999 where he served as Mayor in 2004/05 and 2009/10.

The Lord Mayor on behalf of the Council extended sympathy to his widow and family.

The Funeral service was being held on Saturday 26 March at All Saints Church, Barry at 9.00am.

Recognition and Awards

The Lord Mayor congratulated and commended all on their achievements and successes.

Crosslands Children's Home

The Crosslands Children's Home won a Golden Spoon Award for whipping up some delicious recipes. Residential Childcare Officers, along with young people from the Home have been busy learning all about cooking and healthy eating.

Hosted by The Children's Food Trust and funded by Iceland Foods Charitable Foundation, the aim of the programme was to learn new skills and try new recipes with the 'Lets Get Cooking' recipe books. The programme encouraged the young people to start cooking and improve their cooking skills as well as teaching them to manage a food budget, portion control and food hygiene.

The 3 young people who took part in the programme completed 10 recipes in their journals and were awarded a £20 gift voucher. Crosslands was awarded £300 towards cooking equipment along with a Golden Spoon Award trophy and certificate.

C2C recognised for its People Engagement

Last month C2C won a Welsh Contact Centre Award for People Engagement. The multi-award winning, Investors in People accredited contact centre provides a 'one stop shop' to access all council services and prides itself on the excellent customer service it provides.

Procurement Team

The Procurement team were nominated as finalists in two categories of the National Government Opportunities (GO) Excellence in Public Procurement Awards. The team went on to be highly commended for the 'Procurement Team of the Year' at the awards on the 8th March 2016.

Now in their 16th year, the National GO Awards are the benchmark by which progress in this multi-billion-pound sector is measured.

The team were nominated for:

- Procurement Innovation or Initiative of the Year for their successful utilisation of a range of technology to deliver innovative solutions that meet Directorates procurement requirements across a range spend categories.

- Procurement Team of the Year as recognition for their work over the last four years to implement and embed category management, raise awareness of 'Buying Responsibly' and deliver significant savings from the Council's £350 million annual procurement spend.

National award for Hub Librarian

One of the neighbourhood development librarians has picked up an All Wales Library Marketing Innovations award for a project he established at Ely & Caerau Community Hub.

Established at the Ely & Caerau Hub Sports Club in September last year, the project, which won in the Joint Marketing Project of the Year category, has gone from strength to strength.

World Half Marathon

The Lord Mayor advised that Cardiff was delighted to be welcoming participants and visitors from all over the world to the City of Cardiff for the prestigious World Half Marathon event which takes place on Saturday 26 March. Cardiff was pleased that many elite runners were participating in the race and the Lord Mayor was sure many citizens would be on route to support the runners around the course.

The Lord Mayor wish fellow Councillors Boyle and Kelloway and the large number of employees who are taking part all the best for the day.

Lord Mayor's Charity

The Lord Mayor was delighted to announce that his charity was on target to raise £150,000 this Municipal Year.

The Lord Mayor thanked all those who had supported his charity of the year. The why the Lord Mayor hopped would be the Annual St David's Day dinner supported by business and rugby legends had raised over £20,00 on the night.

Last meeting

The Lord Mayor as the last full meeting of Council in his year of office, thanked Members for their positive contributions to the democratic process of Council and the lively debates. The Lord Mayor indicated that he would wish to support the work of the Constitution Committee in ensuring that Council meetings are more focussed going forward.

166 : LORD MAYOR AND DEPUTY LORD MAYOR ELECT

The Council received nominations for the positions of Lord Mayor and Deputy Lord Mayor for the 2016/17 Civic year.

Councillor Bale proposed the nomination of Councillor Monica Walsh as Lord Mayor elect. Councillor Dianne Rees seconded the proposal.

Councillor Woodman proposed the nomination of Councillor Georgina Phillips as Deputy Lord Mayor elect. Councillor Susan Lent seconded the proposal.

RESOLVED – That the nominations of

- (a) Councillor Monica Walsh as Lord Mayor Elect for the Civic year 2016/17 was approved;
- (b) Councillor Georgina Phillips as Deputy Lord Mayor Elect for the Civic year 2016/17 was approved.

167 : CARDIFF CAPITAL REGION CITY DEAL

The Council received an updated from Cabinet on the progress on the City Deal and the next steps. Council Bale proposed the report which was seconded by Councillor Hinchey.

In accordance with Section 100 B (4) of the Local Government Act 1972, I have certified this report as a late item by reason that the Heads of Terms Agreement was signed on 15th March, and a report was submitted to the next available Cabinet on 21st March; and in addition there is no Full Council meeting in April to fulfil the timetable requirements for future steps that all parties to the deal will be involved in.

The Lord Mayor invited debate and Members expressed the importance of this collaboration for the region; the need to develop the essential transport links and networks; the importance of the governance arrangements; and the economic benefits to the City region and employment and upskilling and development of skills for job opportunities which would bring greater prosperity to the region.

RESOLVED - That the Council noted the Cardiff Capital Region City Deal report and approved delegate authority to the Chief Executive, in consultation with the Leader of the Council, the Corporate Director Resources and Monitoring Officer to conclude any interim arrangements necessary to facilitate the development of the final City Deal (including without limitation to the generality of the foregoing appointment of external consultants and any interim appointments that may be required), provided the requisite budget provision is available.

168 : PAY POLICY 2016/17

(Directors affected by this item declared a pecuniary interest and left the meeting during consideration of this item).

The Council was asked to agree a Pay Policy Statement for 2016/176, in accordance with the requirements of the Localism Act 2011.

Councillor Hinchey introduced the report and moved the recommendations.
Councillor Hunt seconded the report.

RESOLVED – That the Council's Pay Policy Statement for 2016/17 prior to 31 March 2016 in accordance with Section 38 of the Localism Act 2011 was approved

169 : LEADER AND CABINET MEMBER STATEMENTS

The following Leader and Cabinet statements were received, and the Lord Mayor invited questions from Members.

1. Leader Statement (Economic Development & Partnerships):

City Deal

Last week saw the signing of a City Deal heads of terms agreement for the Cardiff Capital Region. I joined with the Leaders of the other nine local authorities in the region, as well as the First Minister of Wales, Welsh Minister for Finance and Government Business, Secretary of State for Wales and Chief Secretary to the Treasury, for the signing at Admiral's city centre headquarters. The £1.229 billion deal is expected to bring up to 25,000 new jobs and encourage large-scale private sector investment. One of the main priorities will be delivering the South East Wales Metro, ensuring a sustainable transport infrastructure for the region.

Great Western Cities

Following our initial prospectus on Great Western Cities early last year, Metro Dynamics was commissioned to produce a more detailed analysis of the region, developing the case for a Western Powerhouse. In their recently published report, they make a number of recommendations on how progress could be accelerated. The report recognises that, unlike the Northern Powerhouse, the Great Western Cities are already net contributors to the UK economy and have the potential for even higher growth and value. Metro Dynamics' recommendations include City Devolution Deals, better connectivity and a strategy aiming for Government funding and support similar to that of the Northern Powerhouse and Midlands Engine.

New Ice Arena

On 12 March 2016, I attended the first Cardiff Devils match at the new Ice Arena Wales at the International Sports Village in Cardiff Bay. I was very impressed with the new £16m twin ice rink arena and it was great to see a sold-out crowd cheering on the home side to a win over Belfast Giants. The new rink has been described as of world-class standard and gives the Devils a permanent home in Cardiff, as well as offering excellent facilities for public skating.

Yr Hen Lyfrgell

The Leader spoke at the recent official opening of the Welsh Language Centre – Yr Hen Lyfrgell – on 25 February 2016. This is an excellent example of partnership working between the Council, Cardiff University, Clwb Ifor Bach, Mela Media, Menter Caerdydd and Mudiad Meithrin. The centre was funded through Welsh Government capital investment and, significantly, has created more than 40 bilingual jobs. This unique centre will host a variety of events and activities for Welsh speakers and learners. It also complements the provision for visitors in the neighbouring Cardiff Story Museum, which pleasingly had around 600 visitors on Yr Hen Lyfrgell's opening day.

UpRising

UpRising is a UK-wide organisation which hopes to open pathways to power for talented young people from diverse and under-represented backgrounds. One of the ways it does this is through schemes such as their core leadership programme. As an Ambassador for UpRising, I've been supporting such a programme for 16-25 year olds that was launched in October 2015. I attended an UpRising Cymru discussion at City Hall on 2 February 2016 to talk about my own leadership journey and I was highly impressed by the enthusiasm and dedication of the young people who attended the session. Those that I spoke to were very passionate about local issues

and I am sure many will become future leaders in whatever career they choose to pursue.

3rd most Liveable European Capital

In the most recent European Commission “Quality of Life in European Cities” survey, Cardiff was voted joint third capital city, along with Copenhagen and Stockholm. This is based on citizens’ satisfaction with their city and it is great to be in such company. This result is a significant step towards realising the vision of being Europe’s most liveable capital city.

In response to a question the Leader undertook to clarify the data in respect of the EU urban audit and the Council’s Corporate Plan.

2. Environment Statement

Rent Smart Wales

Since Rent Smart Wales (RSW) launched on the 23 November 2015, until 1 March 2016, 5880 landlords have registered and 1435 people have booked onto classroom training. Training is generally very well received with 98% of delegates stating that they would recommend the course to others and 98% stating that they found the course useful to them.

Key recent achievements are that:

- a) We have published the revised fee structure for Agents. This change follows consultation with the Letting and Management Agent professional bodies. We have been able to accommodate some of their proposals. Specifically, we have introduced a fee structure which is:
 - i. Graduated based on the size of the organisation, specifically the number of properties they manage;
 - ii. A reduced fee is applied to those who are a member of a specified professional body;
 - iii. Payment options are available to smaller companies.

This new fee structure will be effective from the 25 April 2016.

- b) We have now launched the functionality within the RSW website to complete a licence application on line. This means that a landlord / agent can now:
 - a) Complete and pay for a registration on line;
 - b) Book and pay for training for himself and his employees;
 - c) Complete and pay for a licence, including uploading training records (required where the applicant has attended training not delivered by RSW)
- c) We have now approved 11 courses that meet the requirements of the Act and 9 training providers. One of our latest approvals is Carmarthenshire Council. They have recently achieved course approval and training authorisation status and will soon be advertising courses to meet RSW Licensing requirements. We are encouraging as many training providers to apply as possible, as it will

help us to make sure that there is sufficient capacity to meet the expected demand from landlords and agents, over the coming months.

Waste Management

i) Recycling

The Cabinet Member was pleased to see the key actions from this years' recycling strategy are all falling into place. The restricting changes have now been completed and the recycling figures are all showing positive increases towards our target of 58%. An additional 2200t have been collected since the changes began last August, which is as predicted. Seasonal opening of the Household Waste Recycling Centres and ID checks are now in place and residents are becoming familiar with the changes. We have delivered on the savings promised and doubled our support for the hygiene service.

We still face challenging financial times as the income from the global recycling markets continue to decline on all fronts, but we are working on high quality processing.

As we turn to next year we are already securing contracts for mattress and carpet recycling, paint reuse and also a community focused reuse partner to support us across the city.

ii) Restricting Update

The city wide waste restriction programme has now been concluded to schedule.

The savings of £267k for 2015/16 have been achieved.

Since mid-October when the main changes began with significant coverage, to date we have seen an increase of over an extra 1000 tonnes of recycling. This is a 19% increase on food recycling and an 8% increase in green bag recycling.

As was anticipated the demand for the hygiene services has doubled and the Council continue to provide even more families with this support while encouraging the additional recycling by slimming the bins and restricting residual bag provision in line with our Strategy and improved recycling performance.

C2C stood down their extra support at the end of January as the call volumes have reduced back to expected business as usual levels.

iii) Green Bag Controls

Since moving to council buildings, online and the sticker system, we have saved £300k on green bag and food liners purchases. This means that only local Cardiff residents can access the bags/liners. By just allowing one roll per visit this means more bags are available to more when people they need them.

In the past people, businesses and non-Cardiff residents would just help themselves to rolls, meaning there would be not bags/liners available when people needed them and the bags were abused

RHS Show

The Royal Horticultural Society will be commencing set up for the 2016 RHS Show, on Coopers Field, Bute Park shortly after the Easter break. This year's show will run from 15th -18th April and pre ticket sales are 72% up from this point last year. Exhibitor and trader pitches are at full capacity and this year's show will, for the first time since 2005 benefit from a main show sponsor, Riviera Travel, a Torbay based travel agency who have committed to a one year deal initially. The show is now firmly established in the RHS and Cardiff's event calendar and it is hoped that visitor numbers will surpass last year's record breaking figure, subject, of course to weather conditions over the 3 days which has a significant impact on 'walk up' numbers.

WW1 Memorial Hendre Lake

On 23 February 2016 staff at Bereavement Services organised the inaugural planting of trees at Hendre Park as part of the World War 1 Memorial Woodland being created which forms part of the centenary commemorations of the conflict. The event was attended by myself, local Ward Members and the Deputy Lord Lieutenant, High Sherriff, Lord Mayor, Friends of Cath Cobb and children from local schools.

The area will become a lasting memorial to those from the Cardiff area who died during the Great War. A bigger opening event for the area is currently being organised for July 2016 to link in with the 100 year anniversary of the battle of Mametz Wood and will see the unveiling of a new memorial and interpretation boards.

A number of questions were raised in relation to Rent Smart, Waste management; data on targets and efficiency savings. A member queried why the RHS Show was not being sponsored by a Welsh company. The Cabinet Member responded to the questions.

3. Health, Housing and Wellbeing Statement

Syrian Resettlement Programme

Significant progress has been made on our participation in the Home Office Syrian Resettlement Programme since the Council was last updated. Preparation is key to ensuring that these individuals are best able to integrate into the life of the City. Recently an invitation to tender was issued for the provision of a comprehensive Support and Integration Service. This will ensure the successful resettlement of 60 Syrian refugees in Cardiff and the Vale of Glamorgan.

The Home Office will provide financial support to the Council to meet the needs of those assisted by this programme. The contract will be awarded in mid-April with refugees likely to arrive in the region in May. We are continuing to work with the Vale of Glamorgan and the Regional Leadership Group of which I am the Chair continues to provide strategic direction as we move forward. During the interim period while the contract is being commissioned the Operational Group will continue to prepare and plan and I am grateful to the Vale of Glamorgan for establishing and hosting the role of Regional Resettlement Co-ordinator.

Advice Year End Update

The Money Advice Team helped over 6,000 customers and helped gain nearly £9 million in additional weekly benefits for customers over the year. Since the move Our Money Advice Team helped over 6,000 customers and helped gain nearly £9 million in additional weekly benefits for customers over the year. Since the move of the service from Marland House to the Central Library Hub in July, which was carried out with minimal disruption to service users, customer numbers have almost doubled. Customers on average had to wait less than 15 minutes to be seen by an advisor. The co-location and close working of a number of agencies including Citizens Advice, Speakeasy Advice and Cardiff and Vale Credit Union and many other partner organisations make the Central Library Hub a true one-stop shop for those needing help and advice.

Welfare Reform Changes

The Cabinet Member reported that the number of social housing tenants affected by the under occupation charge (bedroom tax) has reduced to 2,650, from the original number of 4,194 in October 2012, a 37% decrease to date. During this time we have made 2,562 offers of social housing. To date 713 tenants have chosen to move and we are also helping those who wish to stay with budgeting advice and help to maximise their income. Support remains available to those who wish to move or who need an additional bedroom due to disability or caring responsibility. No tenant is evicted if they are genuinely working with officers to resolve the issue.

The Benefit Cap is currently affecting 144 tenants of all tenure types, which is a 36% decrease since November 2013. Assistance to get back to work is available at Hubs across the city, with Into Work Advice Services offering support including training and assistance with CVs. 118 of those initially affected have returned to work and claimed Tax Credits. Discretionary housing payments are being made available for those affected by the Benefit Cap while they engage with Into Work Services.

Universal Credit was introduced to Cardiff on the 30th of November 2015 as part of a phased introduction and affects single people who are fit to work. The claim must be made online and is paid monthly, in arrears, directly to the claimant. Face to face advice and support is provided by Hub staff, on behalf of the Department of Work and Pensions, with Budgeting advice available in Central Library Hub and Digital Inclusion and Into Work Services across the city.

The year ahead will be challenging with many more Welfare Reform changes being introduced. Of particular concern is the further reduction in the Benefit Cap and the restrictions to be placed on social housing rents. However there are a range of other changes. I will keep colleagues updated of these changes and how we are planning to help those affected.

Independent Living Services

The Independent Living Service aims to help older people and people with physical disabilities to stay safe and independent at home. The service launched the "First Point of Contact" in October 2015 with a dedicated telephone line on 0292034234 to provide advice and assistance about a wide range of support that is available to promote independence. Since its launch the First Point of Contact has helped to reduce the demand on Social Services. Prior to its launch 31% of calls were dealt by the contact officers with 69% being transferred to Social Care. Since the start of the new service 44% of calls on average have been dealt with at First Point of Contact

without going to Social Care, allowing our care services to focus their resources on those who need them most.

The Independent Living staff have received a significant amount of training to enable them to provide a holistic service. Recently the Independent Living Officers achieved Trusted Assessor Status, which allows them to prescribe basic equipment to help people live more independently, while telephony staff are being trained in delivering better customer-focussed outcomes by the Social Services Improvement Agency. This training aligns well with the Social Services and Wellbeing Act.

Other Achievements of Independent Living Services so far this year include:

- 881 new clients have been referred to the Independent Living Officer Visiting Service, of these just 64 (7%) needed to be referred to social care as their complex needs could not be met by Independent Living Services.
- 375 people have had their income maximised, identifying additional unclaimed benefit income of £1.2 Million.
- 231 people have received a timely intervention for low level adaptations avoiding slips, trip and falls. This is estimated to save £2.43 for every £1.00 invested, equalling indicative cost avoidance to Health care of £162,688.
- 151 people have been moved out of Social Isolation, whether taking part in community activities or volunteer support.
- 210 people have been provided with assistive technology such as community alarm to help them live in a safer environment with increased independence.

Customer outcomes have been good with 97% of service users stating that Independent Living has helped improve their quality of life, while 85% state that as a result of services provided they felt more independent in their own home.

The aim for 2016/17 will be to build on this service and to create a Holistic Prevention Service by connecting services and developing a multi-disciplinary team. This will include the Occupational Therapy Service, Equipment service, delivery of disabled adaptations, as well as the new Day Opportunities team to prevent social isolation. To achieve this we will work closely with our Health colleagues and with third sector organisations to provide a comprehensive approach to supporting independence.

Other plans include developing a new approach to delivering services on a locality basis and providing more efficient services tailored to the local community, with improved management and coordination of both care and housing provision to meet local needs. A pilot will be initiated to identify gaps in services for older people whether provided by the local authority, the private sector, or 3rd sector within the community.

We also aim to make Cardiff a Dementia-Friendly City, undertaking a gap analysis of dementia services within localities and developing dementia-friendly programmes with the aim of making daily living and activities easier and more accessible for people with dementia and their carers.

Adult Social Care

The Cabinet Member was pleased with the way that Adult Social Care has progressed over the last 12 months. It is a vital service for some of the most

vulnerable people in Cardiff and is therefore so important that we as a council get this right. It is particularly pleasing to see all staff and partners beginning to come together to deliver real change in this area. Over the coming 12 months this will be progressed as we look to provide a more integrated Health and Social Care Service. We now have a better understanding of needs, can predict future demands and importantly it has enabled better decision making.

Over the past 12 months improvements include:

- Increase in the number of completed carer assessments has increased by 19% compared to the same period in 2014-15.
- The percentage of known carers who have had an assessment offer has increased to 62% at end of Quarter 3 2015-16 compared to 51% for the same period in 2014-15.
- The total number of adults using the direct payments scheme is 610, with 46 Adults working towards Direct Payments.
- The percentage of people helped back to independence without ongoing care services through short term intervention has shown improvement during 2015-16 – 80% as at Quarter 3 compared with 75% for Quarter 3 2014-15.

As we look to modernise the service to meet the growing demands we need to look at utilising the latest technology to increase our efficiency. The Agile Working project has been rolled out to 275 members of staff based at Global Link. These officers have been provided with the resources to mobile work, enabling them to spend more time out with clients and less time at a desk.

The Cabinet Member was very impressed with not only the delivery of this project from management and project staff, but all officers who this affects. It has been a significant change to the way they have worked for many years and it pleasing to see them embrace this change. This successful project means that we will no longer need Global Link, saving the authority £689,000 in annual building costs alone.

Additionally, the Community Resource Teams have gone live with mobile scheduling in the South and East Teams. North and West teams will go live in April. Again through the use of the latest technology these staff will no longer be required to come into a central base and can access key information anywhere. The scheduling software will also enable better allocation of care workers to support the client's needs and/or preference.

Members asked a number of questions around the resettlement programme and the Cabinet Member responded and reassured Members of the positive work being undertaken through the Refugee Leadership Group.

4. Corporate Services and Performance Statement

WAO

The WAO follow-on report published in February recognises the progress that we have made in the past two years, specifically noting better, more cohesive leadership and management; improved engagement with our Members and staff; and a clear strategic direction for the Council moving forward. The WAO report has also

identified improved arrangements in financial planning, HR management, performance management, asset management, IT, scrutiny, and governance.

As such the WAO have set out a number of proposals for improvement in the areas of: Leadership and Management; Governance; Performance Reporting; and the ways in which our Corporate Enabler services work together. We have responded with a statement of action that clearly sets out how we will meet these improvement areas by building on the progress we have already made.

Estyn

The Cabinet Member was pleased to say that Estyn have concluded that the Council is no longer in need of significant improvement and that we have made satisfactory progress against each of the six recommendations from their original 2014 findings. Cardiff schools are being challenged more rigorously, and we are working more effectively with our partners to provide services for children and young people. This approach has produced tangible results that Estyn have recognised: Foundation Phase and Key Stage 2 performance is improving faster than any other area in Wales and our Key Stage 4 performance including English or Welsh and maths exceeded the Welsh Government benchmark in 2014-15.

CCSIW

CCSIW's report into our Children's Social Services identifies many areas of strength. It notes that there is a clear strategic direction and strong corporate support for our children's services, with the needs of the child kept at the forefront of assessments. CCSIW report that both timeliness for managing contacts and referrals and the timeliness of initial assessments had improved in the first two quarters of 2015/16.

CCSIW found that our staff's morale was generally positive, workloads are manageable and both managers and social workers were optimistic about the plans for improving early preventative services. It was also noted that investment in workforce planning has resulted in improvement in the ability to recruit suitably qualified and experienced staff, which will be essential to ensuring the success of planned improvements to the service and continued achievement of outcomes for our city's children.

Property (Operational) Assets

Strategic Estates are in the process of finalising year end property completions. An ambitious target was set in terms of rationalising the estate and delivering important capital receipts for the capitalisation target.

The Cabinet Member reported that £3.6m is set to be delivered for the capitalisation programme. Statistics on the targets set out in the 2015/2016 Corporate Asset Management Plan will be finalised at year end next week and new targets will be set for 2016/2017.

The relinquishment of Global Link to the Health Board is progressing and the structure of this deal is being finalised. The office rationalisation project continues to make excellent progress vacating the building and moving staff into County Hall.

There are a number of Community Asset Transfers on going and the Estates Department are working on new processes to be implemented that will work to expedite CATs next year.

Finance

The final budget gap was £33 million and was bridged through a combination of savings totalling £28.835 million and a 3.7% Council Tax increase.

Whilst this is still a very significant gap, it is an improved position to that which was faced, following three post-consultation updates:

- A better than expected settlement from Welsh Government (funding reduction of 0.1% rather than the 3% reduction the Council had anticipated);
- Generation of additional council tax income as a result of additional properties and an improved collection rate, based on the Council Tax Base Report taken to cabinet in December 2015; and,
- Indicative energy price reductions for 2016/17.

This allowed the Council to review financial pressures and budget planning assumptions in order to reduce risk and to support corporate priorities. Consultation savings proposals were also reviewed in order to improve their achievability and take account of consultation feedback and financial resilience has been improved through the introduction of a new mechanism enabling one off investment and development in priority areas.

For 2016/17, this mechanism provides one off investment of £4 million, including:

- £1.9 million for Disabled Adaptations Grants, enabling more people to remain in their own homes for longer and reduce waiting times for adaptations.
- £500,000 to establish a fund for NEETS, Looked After Children, Apprenticeships and Youth Guarantee. This sum is in addition to growth of £11.185 million (5.45%) on delegated schools' budgets, which far exceeds the 1.85% protection requirement.
- £320,000 for targeted repair of potholes, allowing nearly 3,000 more repairs to be undertaken.
- 100,000 for City Centre and Neighbourhood Street Cleansing, increasing the ongoing funding already allocated of £220,000 to £320,000.
- £700,000 to support our workforce as the Council is reshaped, through additional training and development.

The Council's Medium Term Financial Plan identifies a budget gap of £73 million over the three year period 2017/18 – 2019/20. Closing this gap will be extremely challenging given that the Council has made savings of £190 million over the 10 year period 2006/07 – 2015/16 and that over half of these were between 2013/14 and 2015/16, but planning work is already ongoing to ensure that this gap can be bridged.

With regard to the current financial year the overall position as reported to Cabinet in February showed a potential surplus of £988,000. This is confirmed by the latest monitoring which continues to indicate of potential surplus of circa £1 million. This is despite the impact of increasing demographic and other financial pressures particularly in Social Services and has been achieved through sound financial

management and an effective challenge process which has been in place throughout the year.

Significant support has also been provided in relation to the City Deal for the Cardiff Capital Region. This was recently confirmed including a £1.2 billion investment in the city region's infrastructure which is expected to deliver up to 25,000 new jobs and leverage an additional £4 billion of private sector investment across the region over the next 20 years.

Health & Safety

Donna Jones has taken over as our lead Health & Safety Manager in a collaborative working arrangement with Caerphilly County Council

HR People Services

Following Cabinet approval in January 2016, a revised and streamlined Disciplinary Policy, 6 new additional guidance documents and a new resolution policy will go live from 1 April. The revised arrangements represent a major cultural shift in how disciplinary/conduct issues will be addressed within the Council in the future. Preparation for go live is well underway with over 150 managers attending briefings on the revised arrangements throughout March at a number of Council locations and more are scheduled for early April. An e-learning module for completion by all managers will be available in April and compliance will be required by July as part of cascaded PP&DR objectives for 2016/17.

Specific and mandatory training to support those required to fulfil roles of Investigating Officers and Hearing Chairs is being piloted at the end of March with programmes to be made available from April onwards.

The new arrangements will be subject to on-going monitoring, with an interim review at 6 months and a full review after 12 months operational experience.

The Council successfully gained Living Wage accreditation in November 2015 during the annual Living Wage Week. Cardiff became the first Council in Wales to pay its entire workforce the Living Wage in September 2012 and since April 2015, all agency staff employed by the Council have also been paid the Living Wage. The current Living Wage in the UK outside London is £8.25 per hour, £1.75 more than the national minimum wage and the Council will pay this from April 2016. The Leader was presented with the plaque at County Hall on Tuesday, March 1st 2016 from Citizens UK. In gaining the accreditation, the Council has committed to work closely with its contractors and other organisations that provide services on Council property to encourage them also to pay the Living Wage.

Connect 2 Cardiff - Wales Contact Centre Awards

The Cabinet Member had the pleasure of accompanying the Connect 2 Cardiff Team at the 2016 Welsh Annual Contact Centre Awards. I was extremely proud of the team who won the People Engagement Award ahead of organisations including Admiral, Virgin Media and HSBC. The award was a testament to the hard work and collaborative approach from the management and staff working at C2C. Regular 121 sessions, staff forums, an online staff suggestion form, and on site team building exercises put staff right at the heart of C2C and create a positive working culture. I have visited Willcox House on numerous occasions and I am always impressed by how well a key front facing service is operating. It links to the Welsh Audit Office

report that recognised the improvements that have been made across the council in relation to staff engagement and our task now is to

Members raised a number of matters in relation to performance; regulatory reports; collaborative working; Welsh Government grant funding; agency staff and the living wage.

The Cabinet Member responded and advised that there was realignment being made to performance reporting and timing of reports to scrutiny.

5. Deputy Leader Statement, (Early Years, Children and Families)

CSSIW

The Cabinet Member provided an update on the Children's Services inspection which took place over two weeks in January.

Care and Social Services Inspectorate Wales (CSSIW) undertook an inspection of children's services in the City of Cardiff Council in January 2016. Inspectors looked at the access arrangements for children and young people and their families who were either referred for care and support or where information was received about children's well-being. This inspection included reviewing the effectiveness of the interface between preventative and statutory provision; there was no focus on services for disabled children. Inspectors considered the quality of outcomes achieved for children and families who received a service. Inspectors read case files and interviewed staff, managers and professionals from partner agencies. An electronic staff survey was carried out across children's services. Wherever possible, they talked to children, young people and their families. In addition, inspectors evaluated what the local authority knew about how well it was performing and what difference it was making for the people who it was trying to help, protect and look after

The inspectors assessed 60 cases within the following cohort:

- Child in Need
- Child Protection
- Looked After Children
- Cases closed within the last two years
- Contacts which did not progress to a referral
- Referrals which did not progress to an assessment

The City of Cardiff Council has welcomed the findings of the Care and Social Services Inspectorate Wales (CSSIW) inspection of Children's Services published on 23rd March 2016.

The inspectorate found significant improvement since its last inspection in 2014 and the report makes recommendations to ensure this improvement continues. It has reported finding evidence of a clear strategic direction, led effectively by the Director of Social Services. Staff morale is seen as generally positive and the number of vacancies has fallen since 2014/15, when 31 per cent of posts were unfilled.

CSSIW inspector confirmed that the needs of the child are kept at the forefront of assessments, work is appropriately undertaken to help keep them safe, families supported to keep children safe and child protection procedures are well understood by staff. As a result of social work intervention, outcomes for children and young people are found to be improving.

The published report confirmed that the council is committed to prioritising services that support those who are most vulnerable, but had to deliver this against a backdrop of a declining budget and increasing demand. There is strong corporate support for children's services which had a high profile across the council. Elected members and the corporate management team demonstrated a common understanding of the direction and drive needed to ensure the service effectively supported improved outcomes for children and young people in Cardiff. There is a clear strategic direction articulated for children's services which was effectively led by the director of social services. There was a high level of confidence expressed in the leadership arrangements, particularly considering the relatively short time these had been in place.

Most importantly, the inspectors found that children and young people who were, or were likely to be at risk of harm, were identified, and work was appropriately undertaken to help keep them safe. The arrangements for child protection enquiries and investigations (including those which were outside working hours) were timely and effective.

This was a major test for the Council, coming two years after the last Care and Social Services Inspectorate Wales visit, when Children's Services was in a much less robust position. I welcome the findings of the report which reflect the positive effects of our two year strategic journey and confirm the areas we are focussing on to ensure this significant improvement continues.

The full inspection report can be found at <http://cssiw.org.uk/news/160323-cardiff-childrens-report/?lang=en> .

Members welcomed the positive regulatory report and hoped that the direction of travel would continue.

6. Education Statement

Creative Education Partnership

The Cabinet agreed a report on the new Creative Education Partnership for Cardiff. This will forge close working links between the city's education provision and its successful creative sector. The brand new secondary school in the west of the city would act as a "pathfinder" school to promote these links. The eight "Founding Partners" are National Museum of Wales, BBC Wales, Cardiff Council, Cardiff and Vale College, Creative and Cultural Skills, University of South Wales, Wales Millennium Centre and Welsh National Opera and I would like to thank the Founding Partners for having the vision and ambition to take part in the partnership which will strengthen education through putting creativity at the heart of learning.

The partnership will have a strong focus on ensuring that children and young people have the right skills by developing team working, flexibility, adaptability,

communication & entrepreneurial skills. It is part of improving outcomes for all our city's children. We want to ensure that no one is left behind and that a child's social background is not a determining factor in their education outcomes and life aspirations.

School Governors

A further 16 governors were appointed or reappointed at the last Panel meeting. The deadline for the next round of applications is 19th April and vacancies/upcoming vacancies can be checked here:

<https://www.cardiff.gov.uk/ENG/resident/Schools-and-learning/Schools/School-Governors/becoming-a-governor/Documents/vacancies.pdf>

Schools Organisation Planning

There has been progress on a number of fronts including:

Eastern High – Demolition work has commenced on the Trowbridge site.

New school in the West – the latest legal stage was completed and Cabinet have agreed to proceed with the project that will deliver a new high school in the west at a cost of £36.4m with the help of the Welsh Government 21st Century Schools Programme. In August 2017 the Glyn Derw/Michaelston Federation will formally close with a new school established from September 2017. The new school will then transfer to a newly built school on the current Glyn Derw site from September 2018.

Four Wards – the Cabinet have agreed to build a new 2FE Welsh medium school on the Hamadryad site (initially 1FE on former Tan yr Eos site) and increase Ninian Primary School from 2 FE to 3FE from September 2017. This, along with a planned expansion of St Mary the Virgin, is to address the shortfall of primary school places in the area and represents a £14.8m investment jointly with the Welsh Government.

Llandaff North – from September 2017 Gabalfa Primary will be consolidated at 1FE and Glan Ceubal will be permanently established from September 2016 with an extended age range 3-11. £6.83m investment

Adamsdown/Splott – the Cabinet agreed the outcome of the statutory notice to increase the capacity of Ysgol Glan Morfa from 1FE to 2FE from September 2017 transferring to a new school building on land at the Maltings from September 2018 and to increase the capacity of Moorland Primary School to 3FE from September 2017. £6.86m investment

Youth Innovation Grants

The final awards for Youth Innovation Grants have been made following a robust application process that involved young people in the evaluation process. We will be working with a wide range of partners to deliver youth provision, these organisations will also be in the position to seek external funding to supplement council funding.

The latest grants to be awarded are as follows:

Neighbourhood Partnership Area	Area	Youth Work Delivery Partner
East (Trowbridge, Llanrumney, Rumney & Trowbridge)	Llanrumney	Full Circle Education
	Rumney	Cardiff City FC Foundation
West (St Fagans, Pentyrch, Radyr & Morganstown, Whitchurch & Tongwynlais, Llandaff North, Llandaff, Fairwater)	Fairwater	ACE
	Whitchurch	YMCA
	Radyr	YMCA

Members welcomed the progress. The following matters were raised in relation to those not in education and employment; Key Stage 4 gap between boys and girls; the need to support the most vulnerable children; the Welsh language provision and school governor attendances at meetings. The Cabinet Member responded to the issues raised.

170 : MOTION 1

The Lord Mayor advised that a notice of motion proposed by Councillor Dilwar Ali and seconded by Councillor Darren Williams had been submitted and was included on the Summons for the meeting.

The Notice of Motion was as follows:

This Council notes:

1. That the EU and USA launched negotiations in July 2013 on a Transatlantic Trade and Investment Partnership (TTIP).
2. That negotiations are underway to determine which goods and services TTIP will apply to and if new rules can be agreed to protect investors, harmonise standards, reduce tariffs and open new markets throughout the EU and USA.
3. That there has been no impact assessment about the potential impact on local authorities.
4. That there has been no scrutiny of the negotiating texts by local government and no consultation with local government representatives.
5. That MPs are also unable to scrutinise the negotiating documents.

This Council believes that:

1. TTIP could have a detrimental impact on local services, employment, suppliers and decision-making.
2. A thorough impact assessment of TTIP on local authorities must be undertaken before the negotiations can be concluded.
3. The proposed Investor State Dispute Settlement (ISDS) mechanism has been used by corporations to overturn democratic decisions by all levels of

governments at significant public cost. Local decision-making must be protected from ISDS.

4. The EU's food, environmental and labour standards are better than those in the US and TTIP negotiations must raise and not lower these standards across the EU and USA.
5. Sourcing supplies and employment locally is important to strengthening local economies and meeting local needs. TTIP must not impact on local authorities' ability to act in the best interests its communities.

This Council resolves:

1. To write to the Welsh First Minister and Minister for Public Services; Cardiff MPs and AMs; and all Welsh MEPs, raising our serious concerns about the impact of TTIP on local authorities and the secrecy of the negotiating process.
2. To write to the local government association to raise our serious concerns about the impact of TTIP on local authorities and ask them to raise these with government on our behalf.
3. To call for an impact assessment on the impact of TTIP on local authorities.
4. To publicise the council's concerns about TTIP; join with other local authorities which are opposed to TTIP across Europe and work with local campaigners to raise awareness about the problems of TTIP.

The Lord Mayor advised that one amendment had been received

Amendment 1 was proposed by Councillor Boyle and seconded by Councillor Kelloway as follows:

After 'This Council resolves:' - delete point 4.
The amended to the Motion would then read:

This Council notes:

1. That the EU and USA launched negotiations in July 2013 on a Transatlantic Trade and Investment Partnership (TTIP).
2. That negotiations are underway to determine which goods and services TTIP will apply to and if new rules can be agreed to protect investors, harmonise standards, reduce tariffs and open new markets throughout the EU and USA.
3. That there has been no impact assessment about the potential impact on local authorities.
4. That there has been no scrutiny of the negotiating texts by local government and no consultation with local government representatives.
5. That MPs are also unable to scrutinise the negotiating documents.

This Council believes that:

1. TTIP could have a detrimental impact on local services, employment, suppliers and decision-making.
2. A thorough impact assessment of TTIP on local authorities must be undertaken before the negotiations can be concluded.
3. The proposed Investor State Dispute Settlement (ISDS) mechanism has been used by corporations to overturn democratic decisions by all levels of governments at significant public cost. Local decision-making must be protected from ISDS.
4. The EU's food, environmental and labour standards are better than those in the US and TTIP negotiations must raise and not lower these standards across the EU and USA.
5. Sourcing supplies and employment locally is important to strengthening local economies and meeting local needs. TTIP must not impact on local authorities' ability to act in the best interests its communities.

This Council resolves:

1. To write to the Welsh First Minister and Minister for Public Services; Cardiff MPs and AMs; and all Welsh MEPs, raising our serious concerns about the impact of TTIP on local authorities and the secrecy of the negotiating process.
2. To write to the local government association to raise our serious concerns about the impact of TTIP on local authorities and ask them to raise these with government on our behalf.
3. To call for an impact assessment on the impact of TTIP on local authorities.

The Lord Mayor invited debate on the motion.

Following the debate a vote on the Amendment proposed by Councillor Boyle was taken.

The Vote was LOST

The Lord Mayor called on Councillor Dilwar Ali as the proposer of the original Motion to give a right of reply before going to the vote.

The Motion was CARRIED.

171 : MOTION 2

The Lord Mayor advised that a notice of motion proposed by Councillor Boyle and seconded by Councillor Carter had been submitted and was included on the Summons for the meeting.

The Notice of Motion was as follows:

The Council notes that:

- the number of children in primary schools in Cardiff increased from 27,789 in January 2010 to 32,300 in January 2015, according to the Welsh Government school census;

- in September 2015, a new 2 FE primary school was opened in Penylan with no current plans to expand the size of Cardiff High School;
- this year, Cardiff High and St Teilos Church in Wales high schools were massively over-subscribed;
- between 2004 and 2008, councils across Wales were instructed to reduce surplus places by Welsh Government and Estyn, with almost 8,000 surplus places existing in Cardiff at that time.

The Council calls on the cabinet to start the process for a review of English-medium secondary school catchment areas in the East of the city so that all 11 year olds can access a local school.

The Lord Mayor advised that one amendment had been received

The amendment was proposed by Councillor Merry and seconded by Councillor Lent as follows:

The deletion of all words after bullet point 1 and insert the following wording to capture a city wide response

- *education is of fundamental importance to economic growth and Cardiff as a growing, prosperous city will continue to need to provide additional school places;*
- *the ambitious schools building programme under this administration, with the help of the Welsh Government's 21st Century Schools Programme, is already expanding provision across the city for primary, secondary and Welsh Medium education including innovative brand new secondary schools and the provision of numerous new primary schools, including a 2FE primary school in Penylan.*
- *it is a Cardiff Council Corporate Priority that every school should be a good school and that Cardiff's schools have improved markedly under this administration and we will see to it that they continue to improve;*
- *in the National Categorisation 70.5% of primary schools are in bands one and two up from 48.4% from 2014-15 and 55.6% secondary schools are in band one and two up from 44.4% in 2014-5;*
- *That last year at Key Stage 4 Level 2 + Cardiff results improved by 9.44% moving Cardiff 7 places up the Wales ranking – testimony to the work of pupils, teachers, the LEA and the Central South Consortium*

Council calls on the Cabinet to continue to address the issue of school places across the city by expanding existing provision, the building of new schools and the redrawing of school catchment areas as appropriate and with the appropriate consultation.

Council also supports moves to develop, in dialogue with the dioceses, a joint application process for school places which would streamline processes and remove uncertainty for parents.

The Amended motion would read: -

The Council notes that:

- the number of children in primary schools in Cardiff increased from 27,789 in January 2010 to 32,300 in January 2015, according to the Welsh Government school census;
- education is of fundamental importance to economic growth and Cardiff as a growing, prosperous city will continue to need to provide additional school places;
- the ambitious schools building programme under this administration, with the help of the Welsh Government's 21st Century Schools Programme, is already expanding provision across the city for primary, secondary and Welsh Medium education including innovative brand new secondary schools and the provision of numerous new primary schools, including a 2FE primary school in Penylan.
- it is a Cardiff Council Corporate Priority that every school should be a good school and that Cardiff's schools have improved markedly under this administration and we will see to it that they continue to improve;
- in the National Categorisation 70.5% of primary schools are in bands one and two up from 48.4% from 2014-15 and 55.6% secondary schools are in band one and two up from 44.4% in 2014-5;
- That last year at Key Stage 4 Level 2 + Cardiff results improved by 9.44% moving Cardiff 7 places up the Wales ranking – testimony to the work of pupils, teachers, the LEA and the Central South Consortium

Council calls on the Cabinet to continue to address the issue of school places across the city by expanding existing provision, the building of new schools and the redrawing of school catchment areas as appropriate and with the appropriate consultation.

Council also supports moves to develop, in dialogue with the dioceses, a joint application process for school places which would streamline processes and remove uncertainty for parents.

The Lord Mayor invited debate on the motion and amendment.

At the end of the debate a vote was taken on the amendment as proposed by Councillor Merry.

The amendment was CARRIED

The Lord Mayor invited Councillor Merry as the proposer of the amendment as carried the right of reply following which a vote was taken on the amended Motion as agreed.

The vote on the Substantive Motion was CARRIED

172 : MOTION 3

The Lord Mayor advised that a notice of motion proposed by Councillor Cowan and seconded by Councillor Robson had been submitted and was included on the Summons for the meeting.

The Notice of Motion was as follows:

The Council notes

1. The severe deterioration in the state of the city's streets since this administration came to power;
2. The increase in fly-tipping across the city as a direct consequence of Cabinet decisions to cut spending and, amongst other things, close household waste recycling centres at Wedal Road and Waungron Road;
3. The significant amount of litter left uncollected on the roads and pavements across the city;
4. The growing number of dangerous potholes left unrepaired.

The Council calls upon the Cabinet to

1. Re-prioritise its spending commitments to address this unacceptable situation;
2. Reverse its decision to close Wedal Road HWRC or provide an alternative facility to serve the residents of Cardiff North;
3. Bring forward alternative delivery arrangements to ensure these services can be delivered more cost-effectively and efficiently as other councils have demonstrated is possible;
4. Develop, as a matter of urgency, an improved programme of street cleansing and repairs to remedy the current situation.

The Lord Mayor advised that an amendment had been received. The amendment was proposed by Councillor Derbyshire and seconded by Councillor Patel as follows:

Delete everything after "The Council notes" and replace with:

1. *The severe financial pressures faced by this administration since it came to power, as a result of an austerity agenda imposed by the UK Government in London;*
2. *Rapid population growth has caused increased pressure on waste management in the City;*
3. *Cardiff has additionally had to meet ambitious recycling targets set by the Welsh Government;*
4. *A better than expected settlement from the Welsh Government has enabled the Council to allocate £320,000 extra funding to street cleaning in high footfall areas, funding that the opposition voted against;*
5. *A further £320,000 funding has been assigned to fixing approximately 3,000 potholes across the city, which was opposed by the opposition;*

6. *An extra £100,000 will be used to fund a team carrying out enforcement activities in relation to littering and dog fouling offences;*

The Council calls upon the Cabinet to

1. *Provide a suitable re-use alternative provision prior to the closure of Wedal Road facility;*
2. *Recognise there are areas of higher need in our city, and ensure that resources are concentrated in those areas in collaboration with local Councillors.*

The Amended Motion would read:

The Council notes” and replace with:

1. The severe financial pressures faced by this administration since it came to power, as a result of an austerity agenda imposed by the National Government in London;
2. Rapid population growth has caused increased pressure on waste management in the City;
3. Cardiff has additionally had to meet ambitious recycling targets set by the Welsh Government;
4. A better than expected settlement from the Welsh Government has enabled the Council to allocate £320,000 extra funding to street cleaning in high footfall areas, funding that the opposition voted against;
5. A further £320,000 funding has been assigned to fixing approximately 3,000 potholes across the city, which was opposed by the opposition;
6. An extra £100,000 will be used to fund a team carrying out enforcement activities in relation to littering and dog fouling offences;

The Council calls upon the Cabinet to

1. Provide a suitable re-use alternative provision prior to the closure of Wedal Road facility;
2. Recognise there are areas of higher need in our city, and ensure that resources are concentrated in those areas in collaboration with local Councillors.

The Lord Mayor invited debate on the motion and amendment.

At the end of the debate a vote was taken on the amendment as proposed by Councillor Derbyshire.

The amendment was CARRIED.

The Lord Mayor invited Councillor Derbyshire as the proposer of the Carried amendment the right of reply following which a vote was taken on the amended Motion as agreed.

The vote on the Substantive Motion was CARRIED.

173 : ORAL QUESTIONS

The following Oral Questions had been notified for response: -

Question: *County Councillor Clark*

I understand the criteria used to define fly tipping by Cardiff Council changed following the issue of guidance from Natural Resources Wales in 2012. Please could you provide the total number of incidents classified as fly-tipping and the total number of incidents classified as a waste presentation issue for each of the following years: 2012/13, 2013/14, 2014/15, and 2015/16 to date.

Reply: *County Councillor Derbyshire*

Looking at the number of incidents reported is a narrow way of gauging the true measure of fly tipping across the city. For example, the average fly-tipping tonnage removed each week in 14/15 was 23 tonnes; in 2015/16 it is 20 tonnes.

In addition, the new Neighbourhood Services approach means our teams are cleaning and reacting proactively in these areas as their cleaning methods have improved. More incidents are captured and waste is being removed quicker. Hence, our performance has improved in quarter three to 96% removal within five days.

The fly-tipping that you asked for is as follows:

- 10957 in 2012/13
- 4621 in 2013/14
- 3905 in 2014/15, and
- 4448 in 2015/16 up to mid-March.

With regard to figures for waste presentation issues, these are not formally recorded and will take time to collate together for the last three years.

I can confirm 9987 cases, which include reactive and proactive work, have been logged to date in 2015/16. The vast majority of cases in 2015/16 were in the first few months of the “Out of the Black into the Green” recycling campaign as people got used to the new recycling system. A similar peak is always seen after city wide changes.

Supplementary question: *County Councillor Clark*

I'm really disappointed that I haven't had the separate figures for fly tipping for each of those four years, and the separate figures for waste presentation, because what has come out at Scrutiny Committee is that from 1 April 2013 the criteria changed so the data for 2012/13 is about 10000/11000 incidents and these have halved in 2013/14 to around 4000. I'm very disappointed those figures haven't been available

to me because I do know in 2014 the figures were available at Scrutiny Committee and when the two figures are added up, they come to about 13000 incidents all together.

Why haven't I had these figures and what is your comment on the fact that the figures for 2014/15 have gone up so much, please?

Reply: *County Councillor Derbyshire*

I'm completely at a loss, Councillor Clark, because I've just given you the figures, and, as I said, they were not formally recorded and will take time to collate. That is the information I have been given.

Question: *County Councillor Cowan*

Does the Cabinet Member support the campaign to keep Meadowbank School open?

Reply: *County Councillor Merry*

I'm surprised the Member would expect me to comment on a current consultation or pre-judge the future outcome of that presentation.

When we go out to consult, it is a genuine consultation. I did not scuttle past the parents outside – I asked them in and spoke to them. That is the way we conduct consultations when as a Council we go out.

Supplementary question: *County Councillor Cowan*

If you find consultation that important. Can I ask why you weren't at the public meeting last week where officers outlined the proposals so that parents and interested people could ask you directly your view because people did ask where you were?

Reply: *County Councillor Merry*

I had a personal reason for not being there but I was happy to speak to the parents today and I promised to go out to the school.

Just to make a more general point, this consultation it's really important we get it right. I'd like Members to read the Cabinet report and come to me with questions and points they want to make, including yourself Councillor, as I've not received any [feedback yet.

Supplementary question: *County Councillor McEvoy*

Could you lay out the timetable of the process for Meadowbank over the next few months, please?

Reply: *County Councillor Merry*

The consultation closes for responses on 6 April and then consideration will be given to all of those responses.

Question: *County Councillor McEvoy*

Why does the Council refuse to agenda in a Council meeting the authority's role in reclassifying the land for now infamous Welsh Government's land deal at Lisvane?

Reply *County Councillor Bale*

The matter was not considered at the Council meeting on 28th January as it did not meet the test of Rule 22(k) and Rule 35 of the Council Meeting Procedure Rules.

For the sake of clarity, issues relating to the marketing and valuation of the land were not the responsibility of this City Council.

Supplementary question: *County Councillor McEvoy*

With the greatest of respect, I was assured outside of the meeting that the issue would be agenda'd. And it's not on the agenda. And I was told before the meeting when I emailed that it was not going to be put on.

The land was valued at £14,000 per acre. Not long after you took over the Council, that land was reclassified, making it worth £2m an acre.

Now what I want to know is how the reclassification of that land came about on this Council?

This Council reclassified that land so who, when, how, and why?

Reply: *County Councillor Bale*

I don't think you're listening to the answer I've given you, Councillor McEvoy.

Officer advice is that the process that you followed did not meet the rules of the constitution to be able to raise these issues in the chamber.

As far as the allocation of land, there was a very detailed local development process that went through all of the criteria, we had a proper debate in this chamber, and we voted it through, which is something that your administration when you were Deputy Leader failed to do.

Supplementary question: *County Councillor Carter*

Do you believe that your colleagues acted fairly in this project, or do you have misgivings that Cardiff and the planning in Cardiff has been put at risk by decision making in the Assembly?

Reply: *County Councillor Bale*

It would be totally inappropriate for me to comment on an issue that entirely rests with central government. There's been a great deal of comments within the Assembly

about this. Committees have considered these issues. It is not the remit of this Council to pass judgement on what's happened in this particular case.

Question: *County Councillor Evans*

What are the Council's intentions now that the 18 month 'pilot' Advice Services Contract, introduced in 2014 under a competitive procurement process, is coming to an end?

Will the Cabinet Member please make a statement?

Reply: *County Councillor Elsmore*

The Council undertook a full procurement process during 2014 to appoint an advice provider and the contract was awarded to Cardiff and Vale Citizens Advice Bureau. The contract was for 18 months with an option to extend for a further 12 months.

The Council has indicated its intention to extend the contract for that further 12 months allowed.

A further procurement process will be undertaken in order to award a new contract from April 2017.

Supplementary question: *County Councillor Evans*

Obtaining advice services through competitive procurement was, arguably, contrary to the spirit of being a cooperative council and it left most community-based advice services unfunded and contributed to the closure of Cardiff Law Centre.

What feedback, research, and consultation with the advice sector in Cardiff and others has been undertaken to enable us to evaluate whether this is a better process than former grant funding to community agencies?

Reply: *County Councillor Elmore*

As you'll know, because we had a full and frank exchange at our meeting this morning. In terms of evaluation going forward, we discussed that and Officers will look at it.

I take on board your point about cooperative tendering. A decision was made before my time in terms of ending grant funding and that the principles of competitive tendering would go ahead.

I absolutely take on board your comments made at the meeting and in the spirit of your question in terms of cooperation. I would always, as I said at the meeting and I'll repeat in the chamber, I would always encourage collaboration so that we have the healthiest advice sector for the city.

Supplementary question: *County Councillor Carter*

Do you envisage this whole project increasing the learning of the department when it comes to tendering out and encouraging social enterprises in the city?

I think this is a valuable exercise for the authority. I just wondered what thoughts have you had within the directorate to learn from this as we seek to expand and encourage social enterprises across the board?

Reply: *County Councillor Elsmore*

As you'll know from CASSC, social enterprises will feature very clearly in relation to services, particularly in terms of the Social Services and Wellbeing Act.

I think what we've learned from this process - we are after all a learning Council, and so it will be very important that we evaluate the processes in the past. What I would be very welcome to have contributions from Members of the chamber to how we can improve our processes.

Question: *County Councillor Bridges*

When will a report outlining the conclusions of the 20mph trial zones in Cathays and Plasnewydd be publicly available?

Reply: *County Councillor Patel*

A report on the full results of the pilot is expected to be presented to the Cabinet later this year and I will advise Members on the date in due course.

Supplementary question: *County Councillor Bridges*

I'm delighted that the results of the trial will be made public but I am conscious that you announced at the start of this month, the trial will be expanded to Riverside, Canton, Grangetown, and Rhiwbina. While I and the residents welcome and my residents welcome the idea of that 20mph scheme being extended, can you perhaps explain why you would announce that and why you would move into the process of doing that expansion before publishing the results of the lengthy trial?

I mean what's the point of having a trial if you don't then make the result of it public so there can be a public conversation about the benefits of extending that scheme or not?

Reply: *County Councillor Patel*

What you remember is the pilot is one element of it but there are many other elements to it. I've been to conferences; I'm looking at good practice from other cities which have also done the 20mph. I went London - parts of London have been doing it; Edinburgh has been doing it. So there's quite a lot of evidence to show that it is good practice.

So what we're saying is that, basically, our vision is very clear, that we will be expanding it, and that we will be looking at a city-wide expansion as well with consultation with Members. And that's the important bit.

Supplementary question: *County Councillor Richard Cook*

Councillor Patel, you've just mentioned that at the conference in London you made the welcome statement that Cardiff will go 20mph. Is it your intention to have 20mph zones across the whole of Cardiff or would you envisage specific areas of Cardiff? Because I would prefer the whole of Cardiff to be 20mph, other than the main routes. And what I think is confusing is if motorists have to go to a 20 to a 30 to a 20 again.

I think the whole-Cardiff approach would be better rather than specific zones, and I fear that we're going to have the zones, not the whole approach.

Reply: *County Councillor Patel*

What we're looking at is going city-wide, and a city-wide consultation with Members. The only ones we're certainly not going to be looking at this stage is the actually the main arterial routes.

But as far as the rest of the city goes, we won't be able to do this in one go – it is a costly exercise – it will have to be done in a phased manner as the money starts to come in. But we are looking at a city-wide. There may be some areas where Councillors say they do not want it.

If they do not want it that is something we will reflect on.

Question: *County Councillor Dianne Rees*

The grass verges, hedgerows, and roundabouts along many of the main arterial roads into and out of the city are strewn with long-standing litter. Fly-tipping incidents are increasing in quiet lanes and highways and even main highways. As an illustration of how badly littered our roads are, Lamby Way and Rover Way have verges and hedges strewn with shreds of plastic wrappings and green recycling bags along with soft drink cans and snack food litter. As these roads are close to the Council's main recycling and waste disposal site, it is poor reflection on the Council's attitude towards litter.

What was the cost of clearing litter and fly tipping last year, how many prosecutions were there for littering and fly tipping, and what will the Council do to cut down on littering and fly tipping?

Reply: *County Councillor Derbyshire*

Due to the nature of the main arterial routes, they can only be cleansed when traffic-control measures are in place. We are in the process of cleansing the main arterial routes into the city at present, prioritising those that will be used during this weekend's World Half Marathon. Following on from this, other areas such as Rover Way and Lamby Way are also scheduled to be cleaned.

Estimated costs for removal of reported fly tipping are £148,200 plus the cost of disposal.

To date in 2015/16, we have cleared over 96% of reported fly-tipping within five working days and enforcement action has been taken in 85% of reported incidents.

Between 1 April 2015 and March 2016, 502 Fixed Penalty Notices were issued for various littering offences and prosecutions have been progressed in relation to 10 fly-tipping and littering cases.

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Officers continue to be proactive in tackling waste and littering issues, and additional resources will be invested in targeting littering offences in particular during the next financial year.

We will also be refreshing our Usual Suspect Campaign in May and, remember, the Council doesn't fly tip – irresponsible people do that.

Supplementary question: *County Councillor Dianne Rees*

I'm interested in the fly-tipping cases that are going to prosecution. I wonder if you could find out for me or give me the response as to how many prosecutions took place in 2012/13, 2014/15 and the present year the 10 fly-tipping cases prosecuted. Is that the case?

I really am concerned because I've had visitors from Australia recently who were appalled by the state of the roads going into the city. Since then, I've noticed how many cans are appearing around our roundabouts, grass verges, and hedgerows alongside the A48, the entrance to the M4 and the number of incidents I've had reported to me constantly by my ward on a daily basis.

I've also noticed two mattresses that have appeared, one of which is actually on the A48 slip road to UHW. That's been there for three days. Could you let me know if that's been removed?

I've never seen that in my life.

Reply: *County Councillor Derbyshire*

As I said, it's people who are responsible for it. And this is the problem. I hope you reported the incident about the mattress to the Council and I'm sure it will be dealt with.

In terms of the information requested, yes, I'll get that to you.

Supplementary question: *County Councillor Woodman*

It's been mentioned about Lamby Way, and I totally concur – it is an absolute mess. But you also have another problem – you have the shrubbery, which is so overgrown it's hiding all the daffodils that have come out. You talk about people making a mess – let's make our city more presentable for people to respect it a bit better.

So will you cut back the shrubbery to expose all those daffodils that are trying to grow there? Councillor Walsh raised that when we were in administration and we dealt with it. Now it's worse than ever and she's silent while you're in power. I wonder why?

Reply: *County Councillor Derbyshire*

Well, you don't know if she's been silent or not, Councillor. She may have already raised the issue for all you know. There are more ways than Council meetings to raise issues with Cabinet Members, I can assure you, and most people use them.

In terms of cutting back the shrubbery, I'll discuss it with colleagues because I'm not even sure whose responsibility it would be to do that. But I'll discuss it and we'll have a look at it.

Question: *County Councillor McEvoy*

What did Cardiff Council do when the stream at Waungron Park was found to contain serious pollutants and when will a notice be served to ensure that action is taken to resolve the problem?

Reply: *County Councillor Derbyshire*

The Council has no power to serve a Notice, but as riparian landowner is working with Dŵr Cymru–Welsh Water to support their investigations. I am further advised that they have identified a specific source and are taking the appropriate action.

Public Health Wales has also been consulted on the matter and is of the opinion that the ongoing investigations between the Council and Welsh Water are the best course of action to try and resolve the misconnected foul drainage outfalls to the brook. They advised against placing any warning signs or fencing off the stream so that local people do not become over-alarmed.

Supplementary question: *County Councillor McEvoy*

I'll set the context then I'll ask the question.

The context is that raw sewage is going into the stream. It's been known for some time that sewage is going into the stream. The bacterial results were quite shocking from the water testing and children play in that park and balls go in the stream. They pick the balls out and their hands become contaminated.

Now, Welsh Water tell me that the Council should have served a notice and the person who used to serve these notices has been made redundant.

Now, the question is if it is the case that a notice should have been served, what will the Councillor do about it?

Reply: *County Councillor Derbyshire*

I know that you've been in conversation with Officers for some time over this so you actually know the answers without going through the process of spending Council time doing it.

You were informed that regulatory responsibility for that matter lies with Welsh Water. They have a responsibility to trace unlawful connections to surface water drains and are aware of the problems in this area, as are Natural Resources Wales.

A single water sample was taken from levels of low water last summer which revealed faecal matter in the brook. You were advised that Council received advice from Environmental Health that one sample alone at one point in time from one location would not be sufficient to fully characterise the water quality within the stream.

However, Council is still in conversation with Welsh Water, with Natural Resources Wales and will endeavour to get the situation resolved. However, as I've said, it is not the Council's responsibility.

Supplementary question: *County Councillor Mitchell*

As you are aware, since Christmas, I have been raising the issue of water quality, not just in a single brook but right across the city.

We've recently had a Scrutiny meeting – it would be nice if some of the opposition Members would come to the scrutiny meetings – they'd find out more about the water quality across the city.

So, would you not agree with me that the steps taken so far with Natural Resources Wales, Dŵr Cymru, and Glamorgan Anglers, and all the others who came to that working group that we have now set up under the auspices of Dŵr Cymru to tackle not just single streams, which are not the Council's responsibility, but also the rivers. For example, many of you do not know that Ely is technically dead because of all the sewage that's coming down from missed connections in the clean and the sewage outlets from farms.

Would you agree with me that the Council should support that working group fully to tackle not just this one missed connection in the brook but missed connections across the region?

Reply: *County Councillor Derbyshire*

I do support that, Councillor Mitchell, and I do commend you and your scrutiny committee for actually taking this matter on board and looking at it in a much more rounded way to see where missed connections may be and to try and get a connected way of actually resolving the problems.

Question: *County Councillor Evans*

What quality control mechanisms are built into the Advice Services Contract, awarded by competitive procurement in September 2014, to ensure that those requiring help receive the best advice and the Council obtains best value for its £500K investment in the contract? Will the Cabinet Member please make a statement?

Reply: *County Councillor Elsmore*

As you know, the Council has formally contracted with Cardiff and Vale Citizens Advice to provide advice services.

As part of the tender evaluation, the quality assurance processes carried out within the organisation were assessed. This showed that there were rigorous compliance procedures that must.

Council Officers hold regular contact meetings with Citizens Advice on a monthly and quarterly basis the results of these quality checks and general performance are reported to these meetings.

Customer satisfaction surveys are also carried out by the organisation itself and as part of our Hub monitoring. Feedback from customers is very good. Overall, I am assured that the quality of advice that we have procured is good and that value for money is being achieved.

Supplementary question: *County Councillor Evans*

For the public record, there is not external, independent evaluation or peer review of client files undertaken with a view to rating the quality and consistency of the advice, which is the kind of practice within the advice sector. And, in particular, it explores the extent successful outcomes for clients. So currently there is no external independent, external evaluation or peer review of client files that actually also tracks outcomes?

Reply: *County Councillor Elsmore*

As we discussed earlier this morning, individual Citizens Advice organisations are actually reviewed and there will be file checks that are done external to our processes by the main body, by their main holder. So those are done.

They also hold the main AQS quality mark, so there will be regular assurance done independently.

Question: *County Councillor Howells*

Has the Council given any consideration to creating an English immersion centre to support those schools who accept a significant number of children who arrive at the school with limited or no English?

Reply: *County Councillor Merry*

The Ethnic Minority and Traveller Achievement Service (EMTAS) has considered the concept of an English immersion centre in the past. In the 1980s, there were such centres.

This concept has now been raised again by several parties, including yourself, and current research is being considered by EMTAS.

The service continues to provide support to schools in their work with learners who have limited or no English.

Supplementary question: *County Councillor Howells*

I welcome that response.

I note that that is part of our Welsh education strategic plan. We do have a Welsh immersion unit for latecomers to Welsh and I'll give you an example of why it's so important.

In Adamsdown Primary School, we have children who speak 27 different languages. We regularly accept children with no English and this puts significant pressure on the teachers, other staff within the school, not to mention an impact on standards because we accept children with no English up to year six. So I'm convinced that an immersion unit, even if it's for just part of the week, would have a significant impact on those children, reduce the pressure on schools, but more importantly allow those children to make better progress when they do return to school.

Reply: *County Councillor Merry*

I appreciate the pressures on Adamsdown. There are similar experiences in Gladstone School.

As I say, we will look at the evidence and come back to you.

Supplementary question: *County Councillor Bowden*

I completely agree with Councillor Howells. We also have, I think, 26 or 27 different languages spoken at the primary school in Birchgrove. And the idea of an English immersion centre is, I believe, essential.

But what we do need if we haven't got that is more money to assist these children. Because in one year alone we have, for example, someone who speaks Hebrew, someone who speaks Russian, and someone who has just arrived from Syria, all of whom have gone into the same class and have to be resourced.

So can we consider funding for supporting these children?

Reply: *County Councillor Merry*

Well obviously EMTAS provide support. If you've got serious issues about the amount of support the school is receiving, perhaps we could meet about it.

Question: *County Councillor Hudson*

Dog fouling is a scourge on our parks and open spaces, risking the health of children and young people who play there and ruining the pleasure of a walk in green areas. How many fines have been given for dog fouling last year and what measures has the Council considered implementing to deal with dog owners who are irresponsible in not clearing up after their dogs?

Reply: *County Councillor Derbyshire*

This is an issue that we take very seriously in what is a difficult financial climate. The administration has taken major steps to tackle this problem and the blight.

We have authorised Waste Enforcement Officers, PCSOs, and Park Rangers to issue Fixed Penalty Notices to those caught in the act of allowing their dogs to foul.

We have also sourced the forthcoming use of body cameras will also help to secure robust evidence to help prosecute those who allow their dogs to foul without clearing up.

In the next financial year, we will also be increasing the number of waste officers, some of whom will be dedicated to dealing with littering and dog fouling in the city.

Catching someone in the act – and their dog in the act, for that matter – can be difficult, as many people do clear up after their dogs if they become aware that they are being watched. Nevertheless, between 1 April 2015 and 22 March 2016, 45 Fixed Penalty Notices were issued for dog fouling.

Supplementary question: *County Councillor Hudson*

Could I ask, please, how many new notices regarding the dog fouling have been erected and has a review been undertaken to renew those which have become unreadable?

Some of the notices are quite faded through time we need to renew them, please.

Reply: *County Councillor Derbyshire*

You won't be surprised to know that I can't answer that question off the top of my head.

But what I will say is, and I'm happy to get you the information, however we don't need a notice to prosecute people. It is an offence. A notice may or may not have some impact but in reality, the fact of the matter is if people allow their dogs to foul and don't clear up after them, that is an offence. A notice is not required to enforce that.

We know what the speed limit is. And it does deter motorists.

Question: *County Councillor McEvoy*

Will Cardiff Council accept the BSL Charter and act upon it?

Reply: *County Councillor De'Ath*

A key work stream of the new Strategic Equality Plan, which was discussed at Cabinet earlier this month, was to progress access for deaf citizens and Council staff over the next four years.

We are already working towards achieving British Sign Language Charter status as it provides an excellent framework within which we can plan and deliver our objective of ensuring wide access to council information, environments, and services.

Supplementary question: *County Councillor McEvoy*

I heard you mention four years. It wasn't particularly clear in terms of acceptance of the charter.

Can you tell me when everything in the charter will be in operation?

Reply: *County Councillor De'Ath*

At the moment we're working with Bridgend Council, who achieved charter status quite recently. It depends on when the British Deaf Association grants us charter status but I would anticipate between 12 to 18 months.

Question: *County Councillor Ali*

Will the Cabinet Member make a statement on the UK Government's budget cuts to Personal Independence Payments for the disabled?

Reply: *County Councillor Elsmore*

I'm pleased to make a statement. As a Council, we were deeply saddened by the original proposal.

So, to the Chancellor of the Exchequer's volte-face. The dictionary defines one: as an abrupt and complete reversal of attitude, opinion, or position. This is precisely what the Chancellor has done. Within the course of 72-hours he reversed what was one of the most heinous proposals in the Budget, to save £4.4b through disability benefit changes while rewarding the wealthy.

In Cardiff we care about individuals who need our support and are working enormously proactively with individuals, including disabled people, to ensure they maximise their entitlements.

Supplementary question: *County Councillor McKerlich*

Thank you, Councillor Elsmore. It was most gratifying to hear your comments on volte-faces and budgets but I wasn't entirely clear. Were you talking about the recent one in Parliament or your volte-face in your budget last year?

Reply: *County Councillor Elsmore*

I think it's very clear which one I was talking about.

Supplementary question: *County Councillor Ali*

Is the Cabinet Member aware approximately £33b has already been cut from the welfare budget since 2010, £300m to disabled people of working age in Cardiff?

Reply: *County Councillor Elsmore*

I'm aware how difficult the impact of welfare reform has had on citizens in Cardiff and, in particular, the impact on disabled people.

The Council has worked proactively with partners to raise awareness of the changes and the support that is available. This includes the recent Tackling Poverty conference that was co-hosted by the Council.

Discretionary housing payments to help people pay their rent of £815,000 have been paid this year. More than £100,000 paid to disabled people affected by the bedroom tax, who need an extra bedroom either because a couple cannot share a bedroom for medical reasons or to store equipment. No financial test is carried out for this support, meaning that any disabled person who needs an extra bedroom gets the extra help.

Question: *County Councillor Bowden*

Will the Leader take up the suggestion of the Mayor for Cardiff campaign to hold a referendum on a directly elected mayor on 23 June 2016, the same day as the EU referendum, thus minimising potential cost to the taxpayer while at the same time giving the people of Cardiff a say on the leadership of this city rather than it being decided by Councillors of the majority party?

Reply: *County Councillor Bale*

It's really not within my power to call a referendum and the Council's powers and duties in relation to the mayoral petition are prescribed by law and we have to follow the due legal process. The Council has no discretion to waiver the required numbers of signatures for a valid petition.

And I understand the UK Government has also indicated it doesn't intend to make any provision to enable the combination of the poll at the referendum with the poll at any other election.

Supplementary question: *County Councillor Bowden*

Surely there is capacity within this chamber for a motion to be brought to call for a referendum for the elected mayor for Cardiff. I'm just looking at... just in terms of what you just said, it is possible to call a motion.

Reply: *County Councillor Bale*

Just to be clear, it is set out the process very clearly in legislation. I think this Council would be in very dangerous territory if it was starting to dictate when it felt it should hold referendums or not. In this case, the legislation is very very clear, very specific – there is a certain percentage of electors that need to sign that petition. The moment you've been able to get those signatures, I'm sure we'll be able to start talking then about the actual referendum if it's possible.

Supplementary question: *County Councillor McEvoy*

First of all, I'd like to say that maybe you should realise that the stewardship of this Council over the last four years has guaranteed, virtually, that there will be a referendum.

And what you can still do – unless I misunderstand, so you can maybe clarify this for me. Hence the question... So what you're saying is that it's impossible – impossible – for this Council to make a decision which would actually save quite a bit of money. Is that the case?

Reply: *County Councillor Bale*

I've been very clear. The legislation sets out this process very very clearly. If you're able to secure the 10% of electors that you need to have a referendum, then the Council will have to go through the process of holding that.

We're also well aware of the costs – around £.5m of the previous election that the Council held – and what we're saying is that if it's possible to minimise those costs, it isn't in our gift to dictate when referendums are held with another election that's due to take place. We sought guidance from UK Government on this. We're just not in the position to do that.

And constant requests for us to go above and beyond the law – I think, simply, you're asking this administration to do something it's not in a position to do.

Question: *County Councillor Sanders*

Given the increase in reporting of fly tipping across the city, what measures are you putting in place to keep all our streets clean, across the whole city and how will you ensure visitors to all parts of the city don't leave believing we are a dirty city who takes no pride in our appearance?

Reply: *County Councillor Derbyshire*

We have put in extra resources in the financial year coming up and committed more for next year to tackle littering, waste presentation, and fly tipping.

Extra waste enforcement officers have been recruited and are in place to ensure that we undertake more activity on those irresponsible few that drop litter and dump their waste. This would almost double the size of the team, which demonstrates the Cabinet's commitment to zero tolerance on waste crimes.

In addition, the neighbourhood services, which is now being rolled out, is removing contrary waste quicker – hence the improved results from fly tipping of 96% – and also starting to yield improvements in our cleansing scores too.

Supplementary question: *County Councillor Sanders*

The issues regarding fly tipping, etc. have been well rehearsed going back and fore tonight, so I'm not going to go round that loop again.

But I'm interested in your views that to keep the areas clear, many volunteer groups have been doing an awful lot of clean-up sessions. We've heard Councillor Thomas talk about that in Whitchurch and I'm aware of others across the city. And that really ought to be a Council function paid for by our council tax payments. So I'm just interested in your views on the volunteer groups that are having to do something that the Council isn't doing at the moment.

Reply: *County Councillor Derbyshire*

It is obvious, isn't it, that over the past few years not just in Wales but in England as well how important volunteer groups have become as budgets have been cut from council's right across the UK.

And you look anywhere in the country and you'll find more volunteer groups are coming along to do all sorts of things. We've already had them in parks for many years and they do a great job there.

And I welcome volunteer groups' involvement. The Council has a commitment to try and do its best. Nevertheless, if you've got a volunteer group like the ones that Ben talked about in Whitchurch in conjunction with Keep Wales Tidy, which I think do a fantastic job, and they can actually go out and specifically target a particular area that has a particular problem, then I welcome their help assistance.

That doesn't mean that I and my Officers are abdicating their responsibilities to try and keep the streets clean – it just means that that help makes it even better.

Supplementary question: *County Councillor Chaundy*

Bob, can I ask you if you could ask the city centre waste team to clear litter that's along the Blackweir running along Boulevard de Nantes? I've often walked along there and thought "goodness me!" and it's sort of increasing regularly from the New Theatre onwards. I think it is maybe clubbers and whatever but there's obviously a considerable amount down by the New Theatre and it's behind a fence running along the river. So, if that could be cleared because it's becoming a bit of an eyesore all the way along there.

Reply: *County Councillor Derbyshire*

It would be helpful if you actually contacted me directly and give me the information because I'm not 100% certain whether that – it's often difficult with those areas – whether or not it's our land. So I need to check on that. But if it is our land, I'm more than happy to get that sorted.

Question: *County Councillor Clark*

Please provide the figures for the number and total sum of penalties/fines issued for the 2014/2015 and 2015/16 financial years to date for inappropriate activity regarding:

- Skips;

- Scaffolding
- Portaloos
- Dumping building materials on the highway

Please could you also let me know whether the fines for these breaches in each of these areas are returned to the Council or not?

Reply: *County Councillor Patel*

As you are aware, you recently asked the same question at Scrutiny.

But I do need to make you aware that no fines were issued by the previous administration with regard to Highway Licensing in Cardiff. It is only under this administration that direction and approval has been given for Fixed Penalty Notices to be issued for enforcement purposes. These powers were agreed by the Cabinet in November last year.

Supplementary question: *County Councillor Clark*

I asked for clarity at the last Scrutiny meeting because it wasn't recorded in the minutes but, from memory, and from a reply from your question, it seems that no fines have been issued for overflowing skips dumped on the highway in the last two years

The fact is, though, that over the last two years, problems with skips left out for weeks on end, building rubble, and cement mixers have got worse in my ward. Keeping in mind the fines are returned, I understand, to the Council, do you think that issuing no fines is acceptable when the rules are blatantly flouted and will the problems be addressed in the future?

Reply: *County Councillor Patel*

I'm a little bit confused by the supplementary question as the first part of your question I've already answered. As I've said, these powers were only given to us very recently where we now stand to look at it, which was in November of this year.

Under the previous administration, you hadn't brought any powers in. We've brought them in. And now what we're going to do is use enforcement processes, including technical support and body cameras are also currently being developed as part of our neighbourhood services approach, which will allow for the implementation of these powers and for Fixed Penalty Notices to be issued.

Question: *County Councillor Murphy*

What is going to happen to the homeless outside Marland House?

Generally, there are about three to four people sleeping in the area and also, at least once a week, there is one person in a wheelchair who also sleeps in the area. Now the building work in Central Square has started, is there anything in place to keep these people safe?

Reply: *County Councillor Elsmore*

We are aware of the persons that you referred to in your question. They are engaging with services. However, often to the chaotic nature of their lives, this can be intermittent. But what I think is important, Jim, to reassure you that Adult Services and Housing together are working closely to accommodate the person in the wheelchair.

The Breakfast Run visits the area of Marland House and around Marland House every morning and actually rarely finds – and I've been out with them – anyone who has been rough sleeping in that location. However, it is an area where people clearly congregate during the day and some street begging activity does take place due to its proximity to Cardiff Central train station.

I think what I want to say as we improve markedly our transport interchange, we absolutely have to ensure that alongside that we support our most vulnerable people and we will continue to do that.

Question: *County Councillor Kelloway*

Does the leader agree that the ID cards issued to councillors certify that they are authorised to carry out any duties required of them as Elected Members of the Council?

Reply: *County Councillor Bale*

Whilst ID cards are issued to all Elected Members, they are not always a suitable form of identification for every aspect of our role as a Member.

Supplementary question: *County Councillor Kelloway*

The wording of the question is as it is because that is how the statement on the reverse of our ID cards is actually worded. It actually says there that they are to certify that Members are authorised to carry out any duties required of them as Elected Members.

Now, I raise this point because I recently had occasion to – in the course of my duty – to take some waste that was deposited outside someone's home but wasn't collected by the regular waste collection team. So I took it upon myself to take it to Wedal Road. Now, I didn't have any other form of identification except my Councillor's ID card. Now, when I showed it to the official on the gate, he said "We cannot accept that."

Now, I find it very difficult when you read what's on the reverse of it to come to terms with a minor official telling me as an Elected Member of the Council that he's going to obstruct me in my duty.

So will you please answer the question? Does this card enable me to deposit waste at our waste disposal sites without having to show my address? Because, if I need to show my address to do my duty then straight away Councillor Goodway, for example,

who is not a resident of this city, cannot discharge his duties as a Councillor by taking rubbish to a waste tip.

Reply: *County Councillor Bale*

I am aware of the incident that you experienced. Obviously, Councillor Kelloway, you've been very much in contact with us since that incident to raise your concerns.

There is a very clear list of identifications accepted for using Council waste recycling centres. Obviously, we are reviewing the identification that's required to speed up the process. Indeed, we're looking at identification to go onto vehicles now to try and speed up that process.

It is very hard to create a form of identification that covers every single aspect of our role as Members. As you can appreciate, sometimes we find ourselves in very different environments. We've got a range of different services that require different levels of verification/authorisation. In this particular instance, it wasn't possible. Of course, we are mindful of the experience you felt when you visited the household waste recycling centre and we will take that on board when we are reflecting on any improvements we can make to the service available there.

Supplementary question: *County Councillor Richard Cook*

Would you agree that the most important part of the identity card that we all have is the expiry date? And it tells the citizens of Cardiff that we all have an expiry date of 8/5/17. And that's when they can re-elect all of us.

Reply: *County Councillor Bale*

I just want to clarify that mine's got a very different date on it. So we've clearly got different dates on our ID cards as well.

Question: *County Councillor Dianne Rees*

What will be the opening hours and activities housed within the Pontprennau School Community facility from September 2016?

Reply: *County Councillor Merry*

The current hours which are available for bookings are 4.00pm till 9.30pm Monday to Friday. On Saturday, 10.00am till 2.00pm. However, longer hours can be accommodated on request.

And I have no reason to believe they will be any different in September.

Supplementary question: *County Councillor Kelloway*

Sarah, can you tell me what will be the opening hours and activities housed within Howardian School community facility when the new school opens in 2017 or -18?

Reply: *County Councillor Merry*

I'm sorry, Councillor, that'll have to be an email.

Question: *County Councillor Richard Cook*

The last Cardiff Council Cycling Strategy was agreed in 2007. I understand that a new strategy is in preparation. Please can I have an update on when the new strategy will be published?

Reply: *County Councillor Patel*

The new cycling strategy is in the early stages of preparation. A programme of consultation and engagement is scheduled for May/June 2016 when elected members, stakeholders, and the public will be invited to provide input on the principal themes of the strategy and priorities for future action.

This consultation will be undertaken in parallel with the initial consultation on the plan for the future cycle network, which the Council will be producing as part of the Active Travel Integrated Network Map.

The draft cycling strategy and draft Integrated Network Map are expected to be considered by the Cabinet later this year prior to formal public consultation in the autumn.

Supplementary question: *County Councillor Bridges*

It's always good to hear you reaffirm your commitment to cycling in Cardiff. And I know from things you said previously about your desire for a 50/50 modal split in the city.

Given the need for Councillors to set an example, can you tell us how did you get to City Hall tonight?

Reply: *County Councillor Patel*

I am able to quite clearly inform you I did come by car. Like many others, quite simply – and I openly have said this to many of my colleagues – I don't have the confidence as a cyclist. I never have. Even as a child. And, obviously, I'm hoping that one day I will.

Question: *County Councillor Clark*

Last year, it was decided to move the local studies collection away from the fifth floor of Cardiff Central Library and move the collection to Dominions Way in Newport Road. Instead, an IT suite and creative suite were installed on the fifth floor of Central Library.

Please could you clarify:

- How much it has cost to rent the space to house the local studies collection in Dominions Way?

- How much the Canton Library consultation cost in staff time and other resources with regard to the proposals to relocate the local studies collection there?
- How much it cost to install the IT suite and creative suite on the fifth floor of Cardiff Central Library?
- How much income has been generated through the rental of the IT suite and creative suite in the Central Library since they were established in 2015 to date?

Reply: *County Councillor Bradbury*

I can confirm that no additional rental costs have been incurred through the temporary housing of the local-history studies collection within Dominions Way.

Additionally, the initial proposal to relocate the collection to Canton Library was included as part of the overall budget public consultation for 2015/16 and this was not progressed due to the public feedback received.

A £150k Welsh Government Community Learnings Capital grant was secured to create the digital floor within the Central Library Hub, which includes the creative suite.

The creative suite has enabled the Library Service to expand upon delivery of the digital literacy offer through coding, Minecraft, and programming sessions in collaboration with Code Club and Adult Community Learning that have been enjoyed by children and adults across the city.

Room bookings have generated £3,000 to date and booking charges for the 2016/17 financial year have just been set. Officers are in the process – along with myself – of actively marketing the rooms in order to fully capitalise upon the commercial opportunities they represent.

Supplementary question: *County Councillor Clark*

£150,000 is a goodly sum of public money and a £3000 return on income so far – though I appreciate it is just for a few months – is pretty low.

Do you think the cost of the suites in Central Library and the low level of income thus far represents good value of use of public money?

Supplementary question: *County Councillor Bradbury*

First of all, it cost this Council nothing because it was £150,000 from the Welsh Government Community Learning Libraries Capital Grant.

I do think it's value for money particularly when you have a fantastic digital suite teaching young people and enabling young people to be creative with modern technology; ensuring his Council is up to date with contemporary technological advances.

So, yes I do think it's value for money. £3000 in eight months, considering we haven't really had a lot of marketing time, is not a bad amount. I am very confident it will grow

and grow and grow. I would hope that your confidence will grow as well and that you will actually applaud what is a fantastic scheme for this city.

Question: *County Councillor Gordon*

Are there any plans to improve the surface of the access road and signage at the temporary coach depot in Sophia Gardens?

Reply: *County Councillor Patel*

We have identified the need for surfacing improvements relating to the introduction of coach services to Sophia Gardens and, as part of this work, I will also ensure that signage and further traffic-calming measures are introduced to control speeds at this location.

Officers are currently assessing the issues to identify a solution to the problems. Once this assessment has been undertaken, a scheme will be developed and implemented by early summer.

Supplementary question: *County Councillor Gordon*

Are you aware that that road is actually a 5mph zone anyway, so some signage to that effect would be hugely effective. Do you think that could be implemented?

Reply: *County Councillor Patel*

What we can certainly do is certainly look at that. There is a slight problem there: the road in Sophia Gardens is not a public highway. And, therefore, the signage place is, unfortunately, not enforceable and therefore advise drivers of the appropriate speeds. Because it's not a public highway. So that is important. But, certainly, I will get Officers to look at advisory signs because that may help.

Question: *County Councillor Gordon*

Do Waste Management have a timetable for consultation with representatives from the streets that participated in the "Big Sweep" of autumn leaves, in order to plan and prepare a similar exercise this autumn?

Reply: *County Councillor Derbyshire*

There are no specific consultation processes for activities such as the leaf-fall clearance that took place in the autumn. However, Officers are happy to support such community-stimulated initiatives wherever possible across the city. And I think your community group do a fine job there and I'm really pleased with what they do and I'm certainly more than happy for Officers to help you next year, if that's what you'd like.

Supplementary question: *County Councillor Carter*

I represent a ward where I still have autumn leaves gradually rotting on them. I'd just be curious whether there are any plans to liaise with Members across the city as to

when and how our own streets will be cleaned throughout the year. Because I appreciate our litter pickers are very busy and do go from place to place. But there are pavements, certainly across my ward in Pentwyn, which haven't seen a brush in a good long time.

Supplementary question: *County Councillor Derbyshire*

If you tell me where there are streets in your ward that have got a particular problem, as you see it, then by all means let me know and I will make sure Officers go and check them out.

Question: *County Councillor Gordon*

Will the City Deal's opportunity to create a metro system for the region be a bus-based system using the existing road network?

Reply: *County Councillor Bale*

The metro vision is for a new, fully integrated transport network in the Cardiff Capital Region, which will deliver a step change of improvement in public transport through investment in a range of transport modes: heavy rail, light rail, and bus rapid transit.

The decision on the actual metro projects is yet to be determined but, as I say, we'll bring that back to Members as soon as it's been decided.

Supplementary question: *County Councillor Graham Thomas*

The metro is a key element that must be delivered to achieve a 50/50 modal split and in the northwest of Cardiff in particular, which suffers from a poor road network, a poor rail network, a virtually non-existent cycle network, and even disintegrating pavements in many places.

Will you please make sure that the northwest-corridor element of the metro remains high on the regional agenda and will not rely on buses?

Reply: *County Councillor Bale*

As you are aware, the Welsh Government metro project has very much been driven by Welsh Government to date. We now have an opportunity through the City Deal to have a much more co-created product and we are and will continue to make the case for strategic transport infrastructure investment in the city.

Obviously, any investment in Cardiff has the potential to benefit the wider region, connecting people into and out of the capital city to the rest of the region. We'll continue to make that case as we go forward.

And the master planning that has been undertaken by the LDP is some of the finest you'll find in any local development plan across the country. We're very careful but very confident that the planning that has gone into designing transport around those communities has been well thought through and will help to sustain different modes of transport in those communities as they develop in the future.

174 : URGENT BUSINESS

None

175 : APPOINTMENTS TO COMMITTEE VACANCIES

The Council is requested to approve the nomination that has been received as set out on the Amendment Sheet.

RESOLVED – That the following nomination to Committee vacancies was approved as follows: -

<u>Committee</u>	<u>Nominations</u>
Constitution Committee	Councillor Dilwar Ali

(The meeting finished at 21.15pm)

176 : WRITTEN QUESTIONS

In accordance with the Council Procedure Rules, Rule 17(f) Written Questions received for consideration and response for the meeting are set out below.

EDUCATION (COUNCILLOR SARAH MERRY)

WRITTEN QUESTION FROM COUNTY COUNCILLOR BOWDEN

Schools across Cardiff are welcoming refugees from Syria. Could you please advise what support is being given to schools to assist them with the integration of these vulnerable children; what central role Council is playing in terms of starter classes for learning English as a second language; and what additional financial assistance will be given to schools to enable them to provide the additional support that these children need?

Reply

The Syrian resettlement scheme is likely to commence in May 2016.

Many Cardiff schools are used to admitting pupils on a regular basis from many different countries. Schools with high proportions of Black and Minority Ethnic pupils and pupils with English as an Additional Language (EAL) have additional funds from the Education Improvement Grant to meet the language and development needs of these pupils.

The Council's Ethnic Minority and Traveller Achievement Service (EMTAS) includes six Closing the Gap Officers – one officer for each of the neighbourhood partnership areas in the city who support schools to build capacity in this area of work.

There is also a central New Arrivals team which responds on a termly basis, if necessary, to schools' needs across the city.

There are no Authority-wide starter classes, but some schools have their own, which are funded from the minority ethnic achievement portion of the Education Improvement Grant.

ENVIRONMENT (COUNCILLOR BOB DERBYSHIRE)

WRITTEN QUESTION FROM COUNTY COUNCILLOR BOWDEN

Could you update me on what progress is being made towards making all Cardiff parks areas where dogs must be kept on leads?

Reply

As you may be aware, a report to expand enforcement powers was approved by the Cabinet in November 2015. The report encompassed numerous powers including Dog Control Orders.

Officers are currently in the process of preparing consultation documents for both the Cabinet and the public in order to consider areas to be designated for such powers, as it is essential that any changes to the control of dogs across the city is developed through consultation with our communities.

In the interim, the current byelaw does require owners who exercise their dogs throughout our public open space provision to keep them under control. These byelaws are enforced by the Council's Park Rangers who are active in challenging those owners who act irresponsibly by not being in control of their dogs and who spoil the enjoyment and put at risk the safety of other park users.

WRITTEN QUESTION FROM COUNTY COUNCILLOR McKERLICH

Please advise how frequently the team cleans outside the shops in Station Road, Radyr and the days this occurs. This shopping area is frequently in a poor state in respect of street cleanliness.

Reply

The local shopping centre on Station Road in Radyr is currently scheduled to be cleansed three times per week. All bins are emptied on Monday, Wednesday and Friday. Litter picking also takes place in the area on those days and mechanical sweeping is undertaken on a fortnightly basis.

Education and Enforcement officers will attend the area to identify whether there is a need for preventative action, such as working with local retailers to help tackle the litter generated from the shops.

HEALTH, HOUSING AND WELLBEING (COUNCILLOR SUSAN ELSMORE)

WRITTEN QUESTION FROM COUNTY COUNCILLOR BOWDEN

Could you provide details of the arrangements that are in place, and the services that are being provided, for the Syrian refugees in the City and whether central government has provided financial support to the Council for this vulnerable group of people?

Reply

I am pleased to be able to confirm that the City of Cardiff Council, together with the Vale of Glamorgan Council, and working with partners at our Joint Leadership Board have agreed to resettle an initial number of 60 Syrian refugees as part of the UK Government Syrian Resettlement Programme.

An operational group made up of officers from a range of council and partner services has been involved in detailed preparations for the delivery of the programme and to ensure the successful long term involvement of the region over the life of the scheme.

An opportunity to tender, with a closing date in early April 2016, was issued recently on 29 February 2016 for the provision of a wide range of support services across the region.

The Home Office will provide financial support to the Council to meet the needs of those assisted by this programme and it is likely that refugees settled through this scheme will arrive in Cardiff in May 2016.

There are, of course, refugees from Syria who have arrived in Cardiff as part of the Asylum Seeker dispersal arrangements. The contract for the provision of services for those seeking asylum is with a private sector provider and no funding is available to the Council for the support of these refugees.

TRANSPORT, PLANNING AND SUSTAINABILITY
(COUNCILLOR RAMESH PATEL)

WRITTEN QUESTION FROM COUNTY COUNCILLOR BRIDGES

Please set out the number of parking enforcement notices issued in Gabalfa ward and Plasnewydd ward after 8pm in each of the last six months for which data is available.

Reply

Month	Gabalfa Ward PCNs Issued	Plasnewydd Ward PCNs Issued
October 2015	22	79

November 2015	9	20
December 2015	11	38
January 2016	5	55
February 2016	5	56
March 2016 (up to 20 March 2016)	16	53
Total =	68	303

WRITTEN QUESTION FROM COUNTY COUNCILLOR McKERLICH

How many primary schools and secondary schools are now in a 20mph zone?

How many of each are not in a 20mph zone?

Can you name those which are not in a 20mph zone and append the target date for putting them in a 20mph zone?

Reply

There are 29 Primary Schools and 8 Secondary Schools in Cardiff which are within 20mph speed limit areas.

There are 40 Primary Schools within School Safety Zones, which have physical traffic calming measures that are intended to reduce traffic speeds to 20mph. Of these 40 schools, 17 are also within 20mph speed limit areas.

There are 12 Secondary Schools within School Safety Zones. Of these 12 schools, 7 are also within 20mph speed limit areas.

There are 47 Primary Schools and 6 Secondary Schools which are not within either a 20mph speed limit area or a School Safety Zone. These schools are as follows:

Primary Schools (47)

Adamsdown Primary School	St Cuthbert's R.C. Primary School
All Saints C.W. Primary School	St David's C.W. Primary School
Allensbank Primary School	St John Lloyd R.C. Primary School
Bryn Celyn Primary School	St Joseph's R.C. Primary School
Bryn Deri Primary School	St Mary The Virgin C.W. Primary School
	School
Creigiau Primary School	St Mary's Catholic Primary School
Glan-Yr-Afon Primary School	St Mellons C.W. Primary School
Glyncoed Primary School	St Patrick's R.C. Primary School
Greenway Primary School	St Paul's C.W. Primary School
Howardian Primary School	St Peter's R.C. Primary School
Kitchener Primary School	St Philip Evans R.C. Primary School
Lakeside Primary School	Stacey Primary School
Lansdowne Primary School	Tredegarville C.W. Primary School
Llanedeyrn Primary School	Trowbridge Primary School

Moorland Primary School
Ninian Park Primary School
Pen-Y-Bryn Primary School
Rhiwbeina Primary School
Rhydypenau Primary School
Rumney Primary School

Severn Primary School
Springwood Primary School
St Bernadette's R.C. Primary
School
St Cadoc's Catholic Primary
School

Secondary Schools (6)

Cathays High School
Corpus Christi R.C. High School
Radyr Comprehensive School
St Illtyd's Catholic High School
Ysgol Gyfun Gymraeg Bro Edern
Ysgol Gyfun Gymraeg Glantaf

Willowbrook Primary School
Windsor Clive Primary School
Ysgol Bro Eirwg
Ysgol Glan Morfa
Ysgol Gymraeg Melin Gruffydd
Ysgol Gynradd Gymraeg Pen-y-
Groes
Ysgol Pen Y Pil
Ysgol Pencae
Ysgol Y Wern

We do not have a target date for the implementation of 20mph speed limit areas outside all schools in Cardiff.

WRITTEN QUESTION FROM COUNTY COUNCILLOR ROBSON

5 years ago a constituent contacted me regarding the lack of crossing facilities at the Pantbach/Ty Wern/Ty'n y Parc Road (Monico) crossroads. At that time, their son had just moved into Year 3 of primary school and they contacted me with concerns that the route to school would be made much safer if pedestrians were able to cross all 4 roads at this junction. Despite repeated requests from local Councillors, and from residents wishing to access the Pantbach Road bus stop, there is still no safe way for local residents to cross Pantbach Road on the Rhiwbina side at this junction. The child in question is now in High school – will we have to wait until he is at University before much needed improvements to this junction are made?

Reply

I can confirm that a scheme to provide controlled pedestrian crossing facilities at the Pantbach/Ty Wern/Ty'n y Parc Road junction is currently in the Council's approved Local Transport Plan and will be implemented when funding is available.

The schemes included in the Local Transport Plan have been prioritised using an objective method of assessment and funding will be allocated to schemes on this priority basis. The objective method of assessment takes into account traffic and pedestrian flows, injury collision incidents over a five year period, traffic speed, site layout and delay in implementation.

In view of this, it is not possible to predict exactly when a scheme will be implemented due to many factors, such as the available budget; varying site conditions such as road casualty figures, and whether any new projects have been added to the Future Programme.

An assessment of the police injury collision record shows that there have been no recorded collisions at this location over a five year period.

This project is currently ranked as number 64 on the Future Programme, and is therefore unlikely to be implemented in the near future using funds from the Council's capital budget. However, should other funding sources become available, such as from planning conditions, we shall endeavour to deliver this road safety project sooner.

**CITY & COUNTY OF CARDIFF
DINAS A SIR CAERDYDD**



ANNUAL COUNCIL:

26th MAY 2016

REPORT OF THE INTERIM MONITORING OFFICER

CARDIFF UNDERTAKING

Purpose of the Report

1. To recommend an amendment to the Cardiff Undertaking and to invite Members to reaffirm their commitment to the revised Undertaking.

Background Information

2. The Council's ethical code comprises the National Code of Conduct which is incorporated into the Council's Constitution and the Cardiff Undertaking which was agreed at the Council meeting on 1st July 2004.
3. The Cardiff Undertaking provides an opportunity for Members to publicly commit to using their term of office to work for the Council, the City and its citizens, and to commit to the standards of conduct expected by the Council.
4. In accordance with the recommendations of the Standards and Ethics Committee, Elected Members have been asked since 2008 to reaffirm their commitment to the Cardiff Undertaking at each Annual Council meeting.

Issues

5. At the Council's Annual Meeting on 21 May 2015, it was requested that the important role of Councillors as Corporate Parents should be incorporated as an integral part of the Cardiff Undertaking. A draft amendment to the Cardiff Undertaking to this effect is shown in **Appendix A**.

Financial and Legal Implications

6. There are none arising from this report.

Recommendations

Council is recommended:-

- (a) to approve the amended Cardiff Undertaking shown in **Appendix A**.
- (b) to ask all Members to formally sign the amended Cardiff Undertaking to reaffirm their commitment to it.

David Marr
Interim Monitoring Officer

18th May 2016

Appendices

Appendix A Amended Cardiff Undertaking (draft)

Background Papers:

Council reports, 'Cardiff Undertaking', May 2008 and May 2015, and minutes thereof

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.

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

I UNDERTAKE TO:-

Promotion of equality and respect for others

1. Represent Cardiff and all the people of Cardiff and to hold this duty of representation equally to all the people of Cardiff.

Objectivity and propriety

2. Consider all issues and cases brought to me on their merits.
3. Balance the interests of my Ward with the interests of the Council and the people of Cardiff as a whole.

Selflessness and stewardship

4. Give priority to the interests of the Council, Cardiff and of the people of Cardiff.
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.**

Integrity

5. Act according to the highest standards of probity in carrying out my various duties as a Councillor.

Duty to uphold the law

6. Adhere to and respect the Members' Code of Conduct and have proper regard to the advice and guidance issued by the Standards & Ethics Committee.
7. Adhere to and respect the provisions of any Local Resolution Protocol proposed by the Standards & Ethics Committee and adopted by Council.

Accountability and openness

8. Not to disclose information given to me in confidence.
9. Support and promote the conduct of the Council's business being carried out in an open and transparent manner.

In order to enable me to carry out my duties I further undertake that I will commit to appropriate training to equip me to carry out my duties as a Councillor.

Name Date

Signed **Page 57**

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.

Fel Cynghorydd a etholwyd i Gyngor Sir Dinas a Sir Caerdydd, ac yn unol ag egwyddorion bywyd cyhoeddus:

YMRWYMAF I:

Hyrwyddo cydraddoldeb a pharch i eraill

1. Cynrychioli Caerdydd a phobl Caerdydd a chynnal y cyfrifoldeb hwn o ran cynrychioli pawb yng Nghaerdydd yn gyfartal.

Gwrthrychedd a phriodoldeb

2. Ystyried yr holl faterion ac achosion a gyflwynwyd i mi yn ôl eu rhinweddau eu hunain.
3. Cydbwysu buddiannau fy Ward gyda buddiannau'r Cyngor a phobl Caerdydd yn ei chyfanrwydd.

Ystyried eraill a stiwardiaeth

4. Rhoi blaenoriaeth i fuddiannau'r Cyngor, Caerdydd a phobl Caerdydd.
5. **Diogelu a hyrwyddo cyfleoedd bywydd plant sy'n derbyn gofal gan y Cyngor a chyflawni fy nghyfrifoldebau'n ddiwyd fel Rhiant Corfforaethol i'r plant hynny.**

Cywirdeb

5. Gweithredu'n unol â'r safonau uchaf o ran cywirdeb wrth gyflawni fy nyletswyddau amrywiol fel Cynghorydd.

Dyletswydd i gydymffurfio â'r gyfraith

6. 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. Parchu darpariaethau unrhyw Brotocolau Datrys Lleol a gynigwyd gan y Pwyllgor Safonau a Moeseg ac a fabwysiadwyd gan y Cyngor, a chydymffurfio â nhw.

Atebolrwydd a gonestrwydd

8. Peidio â datgelu gwybodaeth a roddir i mi yn gyfrinachol.
9. Cefnogi a hyrwyddo ymddygiad y Cyngor i sicrhau bod ei fusnes yn cael ei gynnal mewn ffordd onest a chllir.

I'm galluogi i gyflawni fy nyletswyddau, ymrwymaf i hyfforddiant priodol i'm galluogi i gyflawni fy nyletswyddau fel Cynghorydd.

Enw: Dyddiad:

**CITY & COUNTY OF CARDIFF
DINAS A SIR CAERDYDD**



ANNUAL COUNCIL

26 MAY 2016

REPORT OF INTERIM MONITORING OFFICER

ESTABLISHMENT OF COMMITTEES, THEIR SIZE AND TERMS OF REFERENCE; AND THE ALLOCATION OF SEATS ON COMMITTEES

Reason for this Report

1. To approve the establishment of Committees, their size, terms of reference and allocation of seats for 2016/17 in accordance with the statutory requirements concerning political balance.

Background

2. The Constitution provides that at its Annual meeting the Council will decide on any amendments to its standing Committees and their size, terms of reference and allocation of seats.
3. 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.
4. The appointment of Members to committees and the election of Chairs and Deputy Chairs for 2016/17 are dealt with in a separate report (Agenda item 11).

Issues

Proposed Committees

5. The Council is recommended to establish the Committees with the number of seats shown in Table A.
6. Included in the list is the number of seats allocated to the Council on Joint Committees and Boards that are established under joint arrangements with Welsh Government and other partner authorities.

TABLE A – Establishment of Committees and Size

<u>COMMITTEES</u>	<u>SEATS</u>
<u>Regulatory and Other Committees</u>	
Planning Committee	12
Licensing Committee	12
Public Protection Committee	12
Audit Committee	12 (8 Members and 4 Independent Members) Cannot include more than 1 Member of the Cabinet who must not be the Council Leader
Constitution Committee	12
Corporate Parenting Advisory Committee	8 (Not Members of the Children & Young People Scrutiny Committee)
Council Appeals Committee	9
Democratic Services Committee	12 (Cannot include more than 1 Member of the Cabinet who must not be the Council Leader)
Family Absence Appeals Panel (Called as and when required)	3 (To be Members of the Democratic Services Committee but not include the Chair of Council)
Employment Conditions Committee	8
Standards & Ethics Committee	9 (3 Members**, 5 Independent Members & 1 Community Member) **Not subject to Political balance arrangements
Local Authority Governor Panel	7
Appointments Committee	To comprise 5 Members from those appointed to serve in accordance with the rule on political balance

<u>COMMITTEES</u>	<u>SEATS</u>
Disciplinary & Grievance Appeals Committee	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.
<u>Scrutiny Committees</u>	
Children & Young People	13 (9 County Councillors + 4 Co-opted Members)
Community & Adult Services	9
Economy and Culture	9
Environmental	9
Policy Review & Performance	9
<u>Other Groups and Panels</u>	
Health & Safety Advisory Group	5 (Appropriate Cabinet Member and up to 4 other Members)
Works Council	5 (To be Members of Employment Condition Committee)
<u>Allocation of Seats on Joint or collaborative Committees & Boards</u>	
Public Services Board	1 Cardiff Councillor
Glamorgan Archives Joint Committee	5 Cardiff Councillors
Prosiect Gwyrd Joint Committee	2 (Relevant Cabinet Members)
Shared Regulatory Services Joint Committee	2 (Relevant Cabinet Member & Chair of Licensing Committee)

<u>COMMITTEES</u>	<u>SEATS</u>
Central South Consortium Joint Education Service Joint Committee	1 (Leader or relevant Cabinet Member)
Vale, Valleys and Cardiff Regional Adoption Collaborative Joint Committee	1 (Relevant Cabinet Member)

Terms of Reference

7. The proposed terms of reference of each of the established Council Committees and Groups are set out in Appendix A and are included in the Cardiff Constitution.
8. The Council is asked to note and agree revised terms of reference for the Community & Adult Services Scrutiny Committee and Policy Review & Performance Scrutiny Committee, which have been updated to reflect the change in responsibility for scrutiny of the Local Service Board (Cardiff Partnership Board).

Political Balance

9. Since January 2016 there have been three changes to the overall political composition of the Council as set out in Table B:

TABLE B - Composition of the Council as at 20 May 2016:

Groups	Number of Councillors	Proportionality
Labour	43	57.33%
Liberal Democrat	15	20%
Conservative	9	12%
Plaid Cymru	3	4%
Ungrouped Independent Councillors	5	6.67%

Allocation of Seats

10. The Council is required to allocate Committee seats to political groups in proportion, as far as is reasonably practicable, to the size of the Groups on the Council (in accordance with the Local Government and Housing Act 1989, Section 15 and the Local Government (Committees and Political Groups) Regulations 1990).
11. The total number of seats on the proposed Committees which are subject to the political balance requirements (as set out in paragraph 10 above) is 139. Based on the current composition of the Council (as of 20 May 2016), the proportional allocation of seats on those Committees is as set out in Table C:

TABLE C – Allocation of Seats in accordance with Political Balance

Groups	Number of Councillors	Proportionality	Number of Committee seats
Labour	43	75.33%	80
Liberal Democrat	15	20%	28
Conservative	9	12%	17
Plaid Cymru	3	4%	7
Ungrouped **	5	6.67%	(7)

*** Non-grouped Councillors 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.*

12. The proportional allocation of seats, as set out in Table C above, has been discussed with all Party Group Whips. The Plaid Group has indicated that it does not wish to take up its allocation of Committee seats, and therefore, these have been distributed amongst the other Groups, as shown in Appendix B.
13. In addition, the Liberal Democrat and Conservative Groups have given up an allocation of their seats to un-grouped members for this municipal year.
14. 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).
15. Notice has been given on the Council Summons to effect the alternative arrangement for the distribution of seats on Committees as detailed in Appendix B.

Legal Implications

16. 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, Audit Committee, and joint committees where the Council appoints 3 or more seats, but do not apply to the Standards and Ethics Committee.
17. At its Annual Meeting, the Council is required to review the political make up of its Committees 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.
18. 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 15 of the 1990 Regulations contains a residual power for the Council to make appointments if the political groups fail to do so. (The 1990 Regulations also make provision for identifying political groups and their members for these purposes). However, the allocation of seats based on the political proportionality principles set out in Section 15 of the 1989 Act (please see paragraph 11 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).

This report recommends the approval of alternative arrangements for the allocation of seats on Committees in accordance with section 17 of the 1989 Act.

Standards and Ethics Committee

19. 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.

20. 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.
21. The terms of office of the 5 independent members have not expired and so no further appointments of independent members are presently required.
22. 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.

Democratic Services Committee

23. 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

24. 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. 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. Statutory Guidance recommends 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.
25. The current composition of the Audit Committee, as approved at Annual Council in May 2015, 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.
26. 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

27. Assuming that the number of Committees and their size remains unchanged there are no additional financial implications arising from this report that have not been included within the Council's budget for 2016/17.

RECOMMENDATIONS

That the Council

- (1) approves the establishment of the Council Committee structure and the size and terms of reference of each Committee for the 2016/17 Municipal Year as set out in paragraph 7 (Table A) and Appendix A of this report; and
- (2) approves 'alternative arrangements' for the allocation of seats on each Committee as set out in Appendix B and agreed by Party Group Whips;

DAVID MARR
Interim Monitoring Officer
19 May 2016

Appendix A – Committee Terms of Reference

Appendix B - Distribution of Seats Municipal Year 2016/17 in accordance with Group Wishes

Planning Committee

- (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.
- (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.

Licensing Committee

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.

Public Protection Committee

- (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 & 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 or the Gambling Act 2005.
- (b) In relation to those functions acting as Appeal Committee where appropriate.
- (c) The discharge of any function relating to the control of pollution or the management of air quality.
- (d) The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area.
- (e) Any function relating to contaminated land.
- (f) The service of an abatement notice in respect of a statutory nuisance.
- (g) Any function under a local Act of a licensing or regulatory nature.
- (h) Any function in relation to the making of an Alcohol Consumption in Designated Public Places Order under the provisions of the Criminal Justices & Police Act 2001.

Audit Committee

Governance, Risk & Control

- To consider the Council's corporate governance arrangements against the good governance framework by way of the process of compiling the Annual Governance Statement.
- 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 and internal control.
- To consider the Council's framework of assurance and ensure that it adequately addresses the risk and priorities of the Council.
- To monitor and scrutinise the effective development and operation of the risk management arrangements within the Council.
- To oversee progress in addressing risk-related issues reported to the Committee, such as the Corporate Risk Register.
- To consider any Anti-Fraud strategies, policies or procedures.

Internal Audit

- To approve the Internal Audit Strategy comprising the risk-based internal audit plan, containing the internal audit resources (resources include; Audit, Investigations, Risk & Governance and Programme and Project Assurance Teams).
- To approve significant changes to the risk-based internal audit plan and resource requirements.
- To consider reports from the Audit Manager on Internal Audit's performance during the year e.g. progress reports.
- To consider the Audit Manager's Annual Report, including the statement of conformance with the Public Sector Internal Audit Standards 2013 and the results of the Quality Assurance and Improvement Programme that supports the statement. Fundamental to the annual report is the overall opinion on the adequacy and effectiveness of the Council's framework of governance, risk management and internal control together with a summary of the work supporting the opinion.
- To receive summaries of specific internal audit reports in accordance with agreed protocols.
- To receive reports on fraud prevention and detection initiatives and updates to any related policies and strategies.
- To receive reports of any significant incidents of fraud or financial impropriety and actions taken to enhance controls where this is considered necessary.

External Audit

- To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.
- To consider specific reports as agreed with the external auditors.
- To comment on the scope and depth of external audit work and to ensure it gives value for money.

Financial Reporting

- 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.
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.
- 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.

Accountability Arrangements

- 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.
- 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.
- 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.

Training & Development

- 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.

Corporate Parenting Advisory Committee

1. To oversee the development and effective implementation of Cardiff Council's Corporate Parenting Strategy.
2. To monitor the way in which services that have a responsibility to Looked After Children and Care Leavers fulfil their responsibilities and to raise matters of concern about the delivery of services that arise at meetings of the Board.
3. To promote the joining up of key strategies, policies and local planning arrangements where this will increase their effectiveness and support a holistic approach to improving the life changes and overall outcomes of looked after children and care leavers in line with their peers.

4. To raise the profile of the needs of looked after children and care leavers through a range of activities which will include consideration of performance information, meetings with looked after children, care leavers, parents, foster carers, staff and visits to children's services and resources, including children's homes.
5. To ensure that children and young people have information about what they can expect from Cardiff Council as their corporate parent.
6. To promote meaningful consultation and participation and ensure that the view of children, young people, their families and carers are listened to and taken into account through the Panel/Board and by the Council as a whole.
7. To ensure that the achievements of looked after children, care leavers, foster carers and staff are celebrated and rewarded.
8. To ensure that systems are in place to ensure children who are looked after can be confident that their individual interests will receive full and fair consideration including when these may be in conflict with aspects of the policies and procedures of the Council.
9. To make recommendations to others in respect of the corporate parenting of looked after children as consistent with the role and purpose of the panel.

Constitution Committee

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:-

- (a) Drafting improvements to enhance clarity and remove minor anomalies;
- (b) Updating to reflect legislative changes and matters of record;
- (c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).

Council Appeals Committee

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.

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.

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.

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.

In hearing an appeal the Committee shall conform to the rules of natural justice.

Democratic Services Committee

- To carry out the local authority's function of designating the Head of Democratic Services;
- To keep under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services in order to ensure that it is adequate for the responsibilities of the post;
- To make reports, at least annually, to the full Council in relation to these matters

Family Absence Appeals Panel

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.

Employment Conditions Committee

- (a) To consider and determine policy and issues arising from the organisation, terms and conditions of individual employees at Chief Officer/Assistant Director level and above (together with any other category of employee specified in Regulation from time to time) where this is necessary;
- (b) To decide requests for re-grading of posts at Chief Officer level and above (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.

Standards & Ethics Committee

- (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.
- (b) To advise the Council on the content of its Ethical Code and to update the Code as appropriate.
- (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.
- (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.
- (e) To oversee and monitor the Council's Whistleblowing procedures and to consider ethical issues arising from complaints under the procedure and other complaints.
- (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.
- (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.
- (h) To recommend to Council and the Cabinet any additional guidance on issues of probity.
- (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.
- (j) To recommend the provision to the Monitoring Officer of such resources as he/she may require for the performance of his/her duties

Local Authority Governor Panel

For School Governing Bodies constituted under The Government of Maintained Schools (Wales) Regulations 2005 to advise the council on appointments and removal of governors to those places allocated to the Local Authority;

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 or the Constitution Committee.

Appointments Committee

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), in accordance with the Employment Procedure Rules and any other relevant Council policies and procedures.

Disciplinary & Grievance Appeals Committee

To hear and determine:

- (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;
- (b) all other appeals from disciplinary actions which may be referred to it, whether by the Council or a Committee;
- (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
- (d) in exceptional circumstances, where the Chief Executive cannot address matters because of an associated grievance, disciplinary proceedings against any officer at Chief Officer/Assistant Director level and above; and, with a differently constituted membership, appeals following decisions in such disciplinary proceedings.

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.

The Committee, when sitting to hear an individual case, shall comprise not less than three no 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:

- (i) is a member of the Cabinet or of a Committee principally concerned with the service in which the employee concerned is employed; or
- (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.

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.

In any hearing the Committee shall conform to the rules of natural justice.

SCRUTINY COMMITTEES

Children and Young People Scrutiny Committee

- 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 :
 - School Improvement
 - Schools Organisation
 - School Support Services
 - Education Welfare & Inclusion
 - Early Years Development
 - Special Educational needs
 - Governor Services
 - Children's Social Services
 - Youth Services and Justice
 - Children's Play Services
- 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.
- 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.

Community and Adult Services Scrutiny Committee

- 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:
 - Public and Private Housing
 - Disabled Facilities Grants
 - Community Safety
 - Neighbourhood Renewal and Communities First
 - Advice & Benefits
 - Consumer Protection
 - Older Persons Strategy
 - Adult Social Care
 - Community Care Services
 - Mental Health & Physical Impairment
 - Commissioning Strategy
 - Health Partnership
- 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.

- 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.
- 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.

Economy and Culture Scrutiny Committee

- 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.
 - Cardiff City Region City Deal
 - Inward Investment and the marketing of Cardiff
 - Economic Strategy & Employment
 - European Funding & Investment
 - Small to Medium Enterprise Support
 - Cardiff Harbour Authority
 - Lifelong Learning
 - Leisure Centres
 - Sports Development
 - Parks & Green Spaces
 - Libraries, Arts & Culture
 - Civic Buildings
 - Events & Tourism
 - Strategic Projects
 - Innovation & Technology Centres
 - Local Training & Enterprise
- 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.
- 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 Scrutiny Committee

- 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:
 - Strategic Planning Policy
 - Sustainability Policy
 - Environmental Health Policy
 - Public Protection Policy
 - Licensing Policy
 - Waste Management
 - Strategic Waste Projects
 - Street Cleansing
 - Cycling and Walking
 - Streetscape
 - Strategic Transportation Partnership
 - Transport Policy and Development
 - Intelligent Transport Solutions
 - Public Transport
 - Parking Management
- 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.
- 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.

Policy Review and Performance Scrutiny Committee

- 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:
 - Council Business Management and Constitutional Issues
 - Cardiff Council Corporate Plan
 - Strategic Policy Development
 - Strategic Programmes
 - Community Planning & vision Forum
 - Voluntary Sector Relations
 - Citizen Engagement & Consultation
 - Corporate Communications
 - Contact Centre Services and Service Access
 - International Policy
 - Cardiff Local Development Plan
 - Equalities
 - Finance and Corporate Grants

- Organisational Development
 - Cardiff Efficiencies Programme
 - E-Government
 - Information and Communication Technology
 - Council Property
 - Commissioning and Procurement
 - Carbon Management
 - Legal Services
 - Public Services Board
- To scrutinise, monitor and review the effectiveness of the Council's systems of financial control and administration and use of human resources.
 - 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.
 - 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.

OTHER PANELS & WORKING GROUPS

Bilingual Cardiff Working Group

Aim

To take a lead role in developing a truly bilingual Cardiff where citizens and staff of the City of Cardiff Council can access services and support in either language equally through improved partnership working.

Objectives and Roles

- To ensure compliance with the Council's Welsh Language Scheme and the standards set by the Welsh Language Commissioner.
- To monitor the Council's performance against Welsh language legislation including investigating breaches of policy.
- To request evidence and/or presentations from officers within their respective areas in relation to specific Welsh language matters.
- To feed back on any issues relating to the Welsh language from Service Users or Service Providers to the forum, and vice versa if necessary.
- To review and contribute to the Council's final response for the Annual Monitoring Report with Bilingual Cardiff team prior to consideration by Cabinet/Council.
- To receive feedback from the Welsh Language Coordinators Meeting and work with Welsh Language Champions (O.M level and above) to further embed the awareness of Welsh within the Council's corporate culture.

- To contribute to responses on behalf of the Council on Welsh language consultation issues e.g. to the Welsh Language Commissioner
- To act as a reference group for Welsh language related issues and provide a voice for service users and providers.
- To have an advisory role and report to Cabinet every six months.

Health and Safety Advisory Group

- to promote corporate and strategic health and safety issues;
- to address specific health and safety issues which have not been resolved elsewhere in the organisation through normal administrative machinery, joint consultative arrangements or Service Area Health and Safety Committees;
- to consider reactive and active performance measures in respect of health and safety;
- to consider other health and safety issues as appropriate, whether raised by the Council or the trade unions;
- to make recommendations.

Works Council

- (1) to consider any relevant matter referred to it by the Council; the Employment Conditions Committee; the Executive; the Chief Executive; or trade union representatives providing that: -
 - (a) the matter has been raised previously by the representatives with the Chief Executive, Chief Operating Officer, Corporate Chief Officer as appropriate and/or Chief Officer/Head of Service and the trade unions are dissatisfied with the response; or
 - (b) there has been no response on the matter raised to the trade union representatives within a reasonable period of time.
- (2) to make recommendations.

Distribution of Seats Municipal Year 2016/17 in accordance with Group Wishes

Appendix B

Committee	Number of Seats	Labour	Lib Dem	Cons	Plaid	Heath Ind	Llanrumney Ind	Rhiwbina Ind	Splott Ind	Trow/ St Mellons Ind
Committees subject to Political Balance										
No of Seats	75/75	43/75	15/75	9/75	3/75	1/75	1/75	1/75	1/75	1/75
Percentage		57.33%	20%	12%	4%	1.33%	1.33%	1.33%	1.33%	1.33%
Total No Seats	139	80	28	17	7	7				
Ordinary Committees										
Planning	12	7	3	2						
Licensing	12	8	3	1						
Public Protection	12	8	3	1						
Audit Committee	8	5	2	1						
Constitution Committee	12	8	3	1						
Corporate Parenting Advisory Committee	9	6	2	*(1)				*1		
Council Appeals	9	6	2	1						
Democratic Services Committee	12	7	3	2						
Employment Conditions	8	5	2	1						
No of Seats	94	60	23	10	0	0	0	1	0	0
Scrutiny Committees										
Children & Young People	9	6	2	1						
Community & Adult	9	5	2	*(1)				1		*1
Economic & Culture	9	6	2	1						
Environment	9	6	2	1						
Policy Review & Performance	9	6	1 *(2)	1				*1		
No of Seats	45	29	9	4	0	0	0	2	0	1
TOTAL NO OF SEATS										
	139	89	32	14	0	0	0	3	0	1
Percentage		64%	23%	10%	0	0	0	2%		1%

*Indicates seats given up by political groups to un-grouped Members

Committee	Number of Seats	Labour	Lib Dem	Cons	Plaid	Heath Ind	Llanrumney Ind	Rhiwbina Ind	Splott Ind	Trow/ St Mellons Ind
<u>Political Balance not applicable</u>										
Standards & Ethics Committee	3	1	1	1						
Bilingual Cardiff Working Group	10	6	1	1	1					
Local Authority Governor Panel	7	4	1	1	*(1)	*1				
Works Council	5	3	1	1						
Health & Safety Advisory Group	5	3	1	1						
Glamorgan Archives Joint Committee	5	2	1	2						

REPORT OF THE INTERIM MONITORING OFFICER

NOMINATION & APPOINTMENT OF MEMBERS AND CHAIRS AND DEPUTY CHAIRS TO SERVE ON COMMITTEES, BOARDS & PANELS

Reason for Report

1. The purpose of this report is to facilitate the nomination and appointment of Members to serve on each Committee established in accordance with Agenda Item 10; and the election of the Chair and Deputy Chair (as appropriate) for each such Committee.

Background

2. The previous report (Agenda Item 10) outlined matters relating to the establishment of Committees, together with their composition and allocation of seats in accordance with the statutory provisions on political balance.

Issues

- a) Nominations and Appointments to Committees
3. Following the establishment of Committees and the allocation of seats on each Committee in accordance with the statutory provisions on political balance, the next step is to make appointments to those Committees. It is the duty of the Council to make appointments as soon as practical thereafter, and to give effect to the stated wishes of political groups with regard to their nominations to the seats allocated to each particular group.
 4. Based on the Committee structure and composition set out in the previous report (Agenda Item 10), total nominations required are set out in Table A as follows:

TABLE A

<u>COMMITTEES</u>	<u>SEATS</u>
<u>Regulatory and Other Committees</u>	
Planning Committee	12
Licensing Committee	12 (same membership as Public Protection Committee)

<u>COMMITTEES</u>	<u>SEATS</u>
Public Protection Committee	12 (same Membership as Licensing Committee)
Audit Committee	12 (8 Members and 4 Non-Councillor Members) Cannot include more than 1 Member of the Cabinet, who must not be the Council Leader
Constitution Committee	12
Corporate Parenting Advisory Committee	8 (not Members of the Children & Young People Scrutiny Committee) (to include relevant Cabinet Member for Children's Services , Education and Community Safety)
Council Appeals Committee	9
Democratic Services Committee	12 (cannot include more than 1 Member of the Cabinet, who must not be the Council Leader)
Family Absence Appeals Panel	3 (Members of Democratic Services Committee)
Employment Conditions Committee	8
Standards & Ethics Committee	9 (3 County Councillors, 1 Community Councillor and 5 Non - Councillor Members)
Local Authority Governor Panel	7 (to include relevant Cabinet Member)
<u>Scrutiny Committees</u>	
Children & Young People	13 (9 County Councillors + 4 Co-opted)
Community & Adult Services	9
Economy and Culture	9
Environmental	9
Policy Review & Performance	9
<u>Other Groups</u>	
Bilingual Cardiff Working Group	12
Health and Safety Advisory Group	5

<u>COMMITTEES</u>	<u>SEATS</u>
Works Council	5
<u>Joint Committees and Boards</u>	
Public Services Board	1 (Leader or relevant Cabinet Member)
Glamorgan Archives Joint Committee	5
Prosiect Gwyrdd Joint Committee	2 (relevant Cabinet Members)
Shared Regulatory Services Joint Committee	2 (relevant Cabinet Member & Chair of Licensing Committee)
Central South Consortium Joint Education Service Joint Committee	1 (Leader or relevant Cabinet Member)
Vale, Valleys and Cardiff Regional Adoption Collaborative Joint Committee	1 (Relevant Cabinet Member)

5. It is normal practice where possible for the groups to make known their nominees at the Annual meeting but where this is not achievable the Proper Officer will receive nominations and make appointments in accordance with the wishes of the relevant political groups (under delegated authority reference LD17), and report the appointments and any subsequent changes to the next Council meeting for Members' information.
- b) Election of Chairs and Deputy Chairs (as appropriate)
6. The Constitution provides that the Chair and a Deputy Chair for each Committee shall be elected at Annual Council. In order to take those decisions, political groups will (at least in relation to any person to be nominated for appointment as Chair or Deputy Chair as the case may be) need to ensure that formal notice is given to the Proper Officer of the group's wishes that that person is nominated to the relevant Committee.
7. Legislation requires the politically proportional allocation of Scrutiny Chairs for Councils comprised of several political groups (pursuant to Part 6 of The Local Government (Wales) Measure 2011). 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 B below:

TABLE B - Allocation of Chairs of Scrutiny in accordance with Political Balance

Groups	Allocation of Chairs	Political Balance
Labour	3	57.33%
Liberal Democrat	1	20%
Conservative	1	12%
Total	5	

8. 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. 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.
9. Nominations to the following Chairs and Deputy Chairs need to be notified to the Proper Officer: -

TABLE C

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

***Note 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.*

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

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

Legal Implications

11. The Council Procedure Rules provide that, at the Annual Council meeting, the Council will receive nominations of members to serve on its standing committees and make such appointments; and elect a Chair and a Deputy Chair for each of the committees (Rule 2(b) (xiii) and Rule 2(b) (xv) respectively).

Council is referred to the legal implications provided in the report on the establishment of Committees (Agenda Item 10) which are also relevant to this report.

12. As explained in the Legal Implications to that report (on Agenda Item 10), 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 relevant political groups.
13. 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).
14. 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.

Under the Scheme of Delegations (delegation reference LD17), the Monitoring Officer is authorised to appoint members to Committee seats allocated to political groups (or make changes and fill vacancies) in accordance with the wishes of the political groups.

For the avoidance of doubt the requirements for political balance do not apply to the Cabinet or a Committee of the Cabinet or to the Standards and Ethics Committee.

Democratic Services Committee

15. The Democratic Services Committee cannot include more than one Cabinet member; and any such Cabinet member cannot be the Leader of the Council. 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

16. The Local Government (Wales) Measure 2011 (section 82) provides that the Audit Committee can include no more than one Cabinet member, who may not be the Leader. 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).

Standards and Ethics Committee

17. The Standards Committees (Wales) Regulations 2001 provide that the Standards Committee is not subject to political balance (Regulation 12); and that its Chair and Vice-Chair must be Independent Members of the Committee elected by the Committee (Regulation 22)

Scrutiny Chairs

18. 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 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

19. Assuming that the number of Committees remains unchanged, there are no additional financial implications arising from this report that have not been included within the Council's budget for 2016/17.

RECOMMENDATIONS

That the Council

- (1) receives the nominations from the political groups to the seats allocated to each group as agreed under Agenda Item 10 and approves the corresponding appointments;
- (2) requests the Interim Monitoring Officer to report to the next Council meeting the details of all appointments to committees for information, taking into account any further nominations or changes notified following this meeting;
- (3) elects the Chairs and Deputy Chairs (as appropriate) to the Regulatory and Other Committees shown in paragraph 9 – Table C, and or any other such Committees that may be established;

- (4) approves the proportional allocation of Scrutiny Chairs as set out in paragraph 7, Table B of the report; and
- (5) subject to approval of recommendation 4), notes the appointment of the Scrutiny Chairs in accordance with the wishes of Party Groups pursuant to Part 6 of The Local Government (Wales) Measure 2011.

DAVID MARR
Interim Monitoring Officer
20 May 2016

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**CITY & COUNTY OF CARDIFF
DINAS A SIR CAERDYDD**



ANNUAL COUNCIL:

26 MAY 2016

REPORT OF THE INTERIM MONITORING OFFICER

NOMINATION OF MEMBERS TO SERVE ON OUTSIDE BODIES

Reasons for the Report

1. To consider and agree nominations to statutory and non-statutory outside bodies, and fill any existing outside body vacancies for 2016/17 municipal year.

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 consider and agree nominations to serve on bodies which are appointed on an annual basis as set out in Appendix A.
4. The Council is asked to note that the allocated number of Cardiff representatives on the Welsh Local Government Association (WLGA) Council is based on one member of the Council for each 50,000 populations or part thereof, which increased from 7 to 8 in 2015/16 based on the latest official population estimate for the city (2013 Mid Year Population Estimate = 351,700). The WLGA Council Annual Meeting will be held in Cardiff on 1 July 2016.
5. Nominations for appointments to Outside Bodies are submitted by the Party Group Whips and a schedule detailing proposed nominations will be circulated as part of the Amendment Sheet at the Annual Council meeting.

Legal Implications

6. 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.

Financial Implications

7. There are no financial implications arising as a direct consequence of 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.

DAVID MARR
Interim Monitoring Officer
20 May 2016

Appendix A: Annual Nominations and Appointments vacancies on Outside Bodies 2016/17

Background Papers
Register Appointments to Outside Bodies

Organisation	Aims of the Organisation	Number of Representatives	Notes
Cambrian Educational Foundation for Deaf Children	To offer financial assistance to young people between the ages of pre-school & 25 years, who have hearing impairment and either reside in Wales or have a parent who resides in Wales. Assistance is given for their education and social development.	1 Member	
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.	7 Members (4 Labour, 2 Liberal Democrat, 1 Conservative)	
Cardiff & Vale of Glamorgan Community Health Council	<p>The 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:</p> <ol style="list-style-type: none"> 1 Scrutinise the operation of health services in Cardiff & Vale of Glamorgan, to make recommendations for the improvement of that service, and to advise the UHB upon such matters relating to the operation of the health service. 2 To be consulted by the UHB in respect of health services for which it is responsible. 3 To enter and inspect NHS premises. 4 To provide an independent advocacy service on behalf of the Welsh Ministers for those aged 18 and over. 	3 Members (1 from each of the main Party Groups)	<p>Councillor Hudson (Conservative) is currently a Member.</p> <p>2 vacancies (an be Elected Member or external appointments)</p>

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.	4 Members (including the Leader of the Council)	<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 from their Authority.</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 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 5 July 2016 in Bournemouth.</p>
Race Equality First	Race Equality First aims to work towards the elimination of racial discrimination & promote equality of opportunity & good relations between persons of different racial groups.	2 Members (Inc. Relevant Cabinet Member)	Councillor Bradbury (Cabinet Member) 1 vacancy to be filled.

Organisation	Aims of the Organisation	Number of Representatives	Notes
South Wales Fire & Rescue Authority	The Fire & Rescue Authority consists of 24 Councillors from the 10 local authorities which originally combined to form the Authority. 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.	5 Members (3 Labour, 1 Liberal Democrat & 1 Conservative)	<p>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 and the Panel has determined that the Basic Salary for Fire & Rescue Authority ordinary members should be £1,700 (20/156 x £13,300) in 2016/17.</p> <p>The Panel has also determined that a Fire & Rescue Authority Senior Salary can be paid to the Chair, Deputy Chair and up to two Chairs of Committees.</p>
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 (1 Labour & 1 Liberal Democrat)	<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>In 2015/16, a General Allowance was paid subject to a Member's attendance at meetings/training events up to a maximum of 5 meetings/training events per year at an amount of £184 per attendance (max. £920.00 per year). The level of General allowance for 2016/17 is to be agreed.</p>

Organisation	Aims of the Organisation	Number of Representatives	Notes
			<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>
<p>Welsh Local Government Association (WLGA)</p> <p>(i) WLGA Council</p> <p>(ii) WLGA Co-coordinating Committee</p>	<p>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.</p> <p>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.</p>	<p>8 Members</p> <p>1 Member</p>	<p>A Local Authority in full membership shall be entitled to appoint one member of the Council for each 50,000 population or part thereof.</p> <p>In 2015/16, Cardiff's entitled was increased to 8 representatives on the WLGA Council, which does not need to reflect the requirements of political balance.</p> <p>The vote allocation is 8 votes which is usually exercised en bloc by the Leader or nominated substitute.</p> <p>The WLGA Council Annual Meeting is due to be held on Friday 1 July 2016 in Cardiff.</p> <p>The WLGA Co-ordinating Committee 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). The Co-ordinating Committee is the main policy and deliberative forum of the WLGA.</p>

**CITY & COUNTY OF CARDIFF
DINAS A SIR CAERDYDD**



COUNCIL:

26 MAY 2016

REPORT OF INTERIM MONITORING OFFICER

APPOINTMENT OF LOCAL AUTHORITY GOVERNORS TO SCHOOL GOVERNING BODIES

Reason for this Report

1. To appoint Local Authority School Governors.

Background

2. Section 19 of the Education Act 2002 creates the general ability for the Local Authority to appoint governors to the Governing Bodies of maintained schools, with further detail contained in the Government of Maintained Schools (Wales) Regulations 2005. When Local Authority school governor vacancies arise, either by appointees reaching the end of their term of office or resigning, it is the statutory duty of the Council to fill the vacancies as soon as possible.
3. The Local Authority Governors Panel to oversee this process was constituted at the Annual Council in May 2015 and held its first termly meeting in September 2015.

Issues

4. The Local Authority Governors Panel met on 19 May 2016 to consider new applications to current and future vacancies up to 30 September 2016. The recommendations of the Panel are contained in Appendix 1 to this report.

Reasons for Recommendations

5. To ensure that the Council fulfils its statutory functions in respect of the appointment of local authority governors for maintained schools.

Legal Implications

6. As noted in paragraph 2 of the report, the Council is required, pursuant to the Education Act 2002, section 19 and regulations made there under, to appoint local authority governors to the Governing Bodies of maintained schools, in accordance with those statutory provisions.

7. Appointments to outside bodies are a local choice function, which is reserved under the Council's Constitution to full Council. Accordingly, the appointment of local authority governors to Governing Bodies, as recommended in this report, requires the approval of full Council.

Financial Implications

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

Recommendation

That Council consider the recommendations of the Local Authority Governor Panel 19 May 2016 and approve the appointments of Local Authority Governors to the School Governing Bodies as set out in Appendix 1.

DAVID MARR
Interim Monitoring Officer
19 May 2016

The following Appendix is attached:

Appendix 1 List of Local Authority School Governor vacancies and recommendations for appointment by the Local Authority Governor Panel for the period 27 May 2016 to 30 September 2016

The following Background Documents have been taken into account: N/A

**LA Governor Vacancies - Recommendations from LA Governor Panel
27 May 2016 – 30 September 2016**

Appendix 1

- i. All appointments in the list are recommended by the LA Governor Appointments Panel and will have satisfied the required application process.
- ii. All terms of office unless otherwise stated are for 4 years.

Existing LA Governor Vacancies

School	Ward	Start of Vacancy	Re-appointment requested	Applications received	Approved Yes/No
B aden Powell Primary School	Splott	02/03/2016		Tony Powell	Yes
C ardiff High School	Cyncoed	30/04/2016		Miriam Norton	Yes
C reigiau Primary School	Creigiau	08/07/2015		Elizabeth Lewis	Yes
E astern High School	Rumney	17/03/2016		Paul Gorin	Yes
E ly and Caerau Children's Centre	Ely	23/06/2015			
Gabalfa Primary School	Llandaff North	09/01/2016 22/04/2016		Richard Norton	Yes
Glan Yr Afon Primary School	Llanrumney	13/10/2015			
Glyncoed Primary School	Pentwyn	24/09/2015			
Gwaelod Y Garth Primary School	Pentyrch	14/03/2016			
Howardian Primary School	Penylan	13/01/2016			
Lakeside Primary School	Cyncoed	25/09/2006		Andrew Gigg	Yes
Meadowbank Special School	Llandaff North	25/01/2006			
Oakfield Primary School	Trowbridge	04/03/2015			
Pen-Y-Bryn Primary School	Llanrumney	12/10/2015		Paul Stock	Yes
Pencaerau Primary School	Caerau	24/09/2014			

School	Ward	Start of Vacancy	Re-appointment requested	Applications received	Approved Yes/No
Peter Lea Primary School	Fairwater	23/09/2015		Louise Bassett	Yes
Rhiwbina Primary School	Rhiwbina	02/09/2015		Sue Powell	Yes
St John Lloyd RC Primary School	Trowbridge	30/01/2013			
St Francis RC Primary School	Ely	23/03/2016	Irene Humphreys		Yes
Thornhill Primary School	Llanishen	22/06/2015			
Trelai Primary School	Caerau	11/12/2015		Alan Smith	Yes
Trowbridge Primary School	Trowbridge	11/02/2016		Nicola Campbell	Yes
Windsor Clive Primary School 2 x vacancies	Ely	05/09/2015 23/03/2016	Irene Humphreys		Yes
Ysgol Glan Morfa	Splott	29/01/2014			
Ysgol Gyfun Gymraeg Bro Eder	Penylan	27/01/2016			
Ysgol Gymraeg Coed-Y-Gof	Fairwater	22/10/2015			
Ysgol Gymraeg Melin Gruffydd 2 x vacancies	Whitchurch	18/06/2015 21/11/2015 17/07/2015		Rhys Taylor	Yes
Ysgol Gymraeg Treganna	Canton	30/01/2016		Thomas Evan Morgan	Yes
Ysgol Mynydd Bychan	Gabalfa	16/12/2015			
Ysgol Pen Y Pil	Trowbridge	11/09/2013			
Ysgol Pencae	Llandaff	21/10/2015			
Ysgol Pwll Coch	Canton	27/01/2016			
Ysgol y Berllan Deg	Pentwyn	29/02/2016			
Ysgol-Y-Wern	Llanishen	18/04/2016		Margaret Kemp	Yes

Future LA Governor Vacancies – 31 May 2016 to 30 September 2016

School	Ward	Start of Vacancy	Re-appointment Requested	Applications Received	Approved
Albany Primary School	Plasnewydd	21/09/2016	Mark Stephens		Yes
Birchgrove Primary School	Heath	22/06/2016	Cllr Graham Hinchey		Yes
Bishop Childs C/W Primary School	Trowbridge	25/09/2016	Mr Richard Leyshon		Yes
Bryn Deri Primary School	Radyr	21/09/2016	Margaret Lloyd		Yes
Cantonian High School 2 x vacancies	Fairwater	27/06/2016 21/09/2016	Cllr Paul Mitchell	Susan Watts	Yes Yes
Cathays High School 2 x vacancies	Gabalfa	21/07/2016 25/09/2016	Mr Peter Wong		Yes Deferred to September LA Panel Meeting
Cardiff High School 3 x vacancies	Cyncoed	19/07/2016 19/07/2016 21/09/2016	Nonny Mathewson		Yes
Christ the King RC Primary School	Llanishen	20/07/2016	Lydia Haskey		Yes
Corpus Christi RC High School	Lisvane	28/09/2016		Marcia Donovan	Yes
Fairwater Primary School	Fairwater	28/09/2016	Mrs Jacqueline Turnbull		Yes
Fitzalan High School 2 x vacancies	Canton	21/09/2016 19/07/2016	Cllr Patel Jaswant Singh		Yes Yes
Gladstone Primary School	Cathays	22/06/2016	Cllr Weaver		Yes
Grangetown Primary School	Grangetown	19/07/2016	Cllr Chris Lomax		Yes
Greenhill School 2 x vacancies	Rhiwbina	28/09/2016 28/09/2016			

School	Ward	Start of Vacancy	Re-appointment Requested	Applications Received	Approved
Hawthorn Primary School 2 x vacancies	Llandaff North	28/09/2016 28/09/2016			Deferred to September LA Panel Meeting
Hywel Dda Primary School 2 x vacancies	Ely	01/09/2016 20/07/2016	Cllr James Murphy Susan Jones		Yes Yes
Lansdowne Primary School	Canton	28/09/2016		Cllr Darren Williams	Yes
Llanishen Fach Primary School	Rhiwbina	20/07/2016	Cllr Eleanor Sanders		Yes
Llysfaen Primary School 2 x vacancies	Lisvane	28/09/2016 28/09/2016	Cllr David Walker Susan Powell		Yes Yes
Mary Immaculate High School	Caerau	28/09/2016	Sally Power		Yes
Meadowbank Special School	Llandaff North	28/09/2016	David Melding		Yes
Millbank Primary School	Caerau	20/07/2016			Deferred to September LA Panel Meeting
		21/09/2016	Diane Leigh		Yes
Moorland Primary School	Splott	26/09/2016			
Mount Stuart Primary School X 2 vacancies	Butetown	22/06/2016 21/09/2016	Ivor Gittens Derek Walker		Yes Yes
Ninian Park Primary School	Grangetown	21/06/2016	Cllr Ashley Govier		Yes
Pentrebane Primary School	Fairwater	27/06/2016			
Peter Lea Primary School	Fairwater	27/06/2016			
Radyr Comprehensive School	Radyr	21/09/2016	David Silver		Yes
Radyr Primary School	Radyr	21/09/2016	Cllr Rod McKerlich		Yes
Rhydypenau Primary School	Cyncoed	21/09/2016	Nonny Mathewson		Yes
Roath Park Primary School 2 x vacancies	Plasnewydd	26/09/2016 21/09/2016	Cllr Sue Lent	Shavannah Taj	Yes Yes
Rumney Primary School 2 x vacancies	Rumney	01/09/2016 01/09/2016	Cllr Bob Derbyshire Caroline Derbyshire		Yes Yes

School	Ward	Start of Vacancy	Re-appointment Requested	Applications Received	Approved
St Cadoc's RC Primary School	Llanrumney	21/09/2016	Cllr Jaqueline Parry		Yes
St David's C/W Primary School	Pentwyn	26/09/2016	Cllr Paul Chaundy		Yes
St Joseph's RC Primary School (Cardiff)	Gabalfa	28/09/2016	Simon Lawrence		Yes
St Mary The Virgin C/W Primary School	Butetown	22/06/2016	Cllr Ali Ahmed		Yes
St Mary's Catholic Primary School	Riverside	22/06/2016	Louisa Devonish		Yes
St Mellons C/W Primary School	Llanrumney	21/09/2016	Idris Meurig Thomas		Yes
St Philip Evans RC Primary School	Pentwyn	21/09/2016	Cllr Paul Chaundy		Yes
The Hollies School (Pentwyn)	Pentwyn	26/09/2016			
Tongwynlais Primary School 2 x vacancies	Whitchurch	26/09/2016 28/09/2016	Kathy Haggarty Cllr Ben Thomas		Yes Yes
Ton Yr Ywen Primary School	Heath	22/06/2016	Cllr Graham Hinchey		Yes
Ysgol Frelai Primary School	Caerau	22/06/2016	Cllr Elaine Simmons		Yes
Whitchurch High (Foundation) School	Whitchurch	11/09/2016			
Ysgol Willows High School	Splott	22/06/2016	Cllr Huw Thomas		Yes
Ysgol Glan Morfa	Splott	22/06/2016	Cllr Huw Thomas		Yes
Ysgol Gyfun Gymraeg Bro Eder 4 x vacancies	Penylan	28/09/2016 28/09/2016 28/09/2016 28/09/2016	Elinor Patchell Hefin Jones Alison Gale		Yes Yes Yes
Ysgol Gyfun Gymraeg Glantaf	Llandaff North	21/09/2016	Elinor Patchell		Yes
Ysgol Gyfun Gymraeg Plasmawr 2 x vacancies	Fairwater	26/09/2016 26/09/2016	Arun Midha		Yes
Ysgol Pen y Groes 3 x vacancies	Pentwyn	28/09/2016 28/09/2016 28/09/2016	Mike Landers		Yes
Ysgol y Berllan Deg	Pentwyn	21/09/2016			
Ysgol-Y-Wern	Llanishen	25/09/2016			

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**CITY & COUNTY OF CARDIFF
DINAS A SIR CAERDYDD**



COUNCIL

26 MAY 2016

REPORT OF THE INTERIM MONITORING OFFICER

MEMBERS' CODE OF CONDUCT – MINOR AMENDMENTS TO CODE AND ETHICAL FRAMEWORK

Purpose of the Report

1. To inform Members of minor amendments to the Model Code of Conduct and other aspects of the ethical framework introduced by new legislation; and to recommend corresponding revisions to the Council's Members' Code of Conduct.

Background

2. The Local Government Act 2000, Part III (and regulations made thereunder) sets an ethical framework for the conduct of local government members. A key component of the ethical framework is the statutory Model Code of Conduct (issued under the Local Authorities (Model Code of Conduct) (Wales) Order 2008). The Council adopted the statutory Model Code in May 2008, as the Members' Code of Conduct.
3. In the 2012 White Paper, 'Promoting Local Democracy', the Welsh Government indicated its view that the current ethical framework provides an appropriate balance between guiding Members on the standards of conduct expected of them, and giving reassurance to the public that misconduct will be dealt with consistently and appropriately. However, the White Paper also set out a number of proposals for improving the operation of the ethical framework, some of which were introduced in the Local Government (Democracy)(Wales) Act 2013 ('the 2013 Act').

Issues

4. New subordinate legislation has now been introduced which is intended to support the proposed improvements to the ethical framework set out in the 2012 White Paper and introduced in the 2013 Act. The new legislation comprises of two new statutory instruments: the Local Authorities (Model Code of Conduct)(Wales)(Amendment) Order 2016 and the Local Government (Standards Committees, Investigations,

Dispensations and Referral)(Wales)(Amendment) Regulations 2016, both of which came into force on 1st April 2016.

5. The new legislation makes largely technical and consequential changes to the Model Code of Conduct and other subordinate legislation, intended to clarify certain issues and provide consistency with changes introduced by the 2013 Act.

Changes to the Model Code of Conduct

6. The effect of the changes made to the Model Code of Conduct is shown in **Appendix A** to this report.
7. The key changes to the current Model Code, which are of relevance to Members of County Councils, are as follows:
 - a) Register of Interests - The requirements for registering personal interests are clarified, to require that any personal interest disclosed for the first time must be entered in the Members' register of interests. Currently, Cardiff Councillors complete an annual Register of Interests form which is published on the Council website (and must be updated within 28 days of any changes) and declare personal interests as they arise at meetings which are recorded in the minutes. In order to comply with the revised Model Code, the personal interest forms of interests declared at meetings will need to be published on the Council website as part of the Register of Interests.
 - b) Reporting a breach - The obligation on a Member to report a potential breach of the Code to the Ombudsman is removed, in recognition and support of the operation of local complaints protocols. However, this does not prevent a member from quite properly reporting a potentially serious breach of the Code to the Ombudsman. The requirement to report a breach to the Monitoring Officer is retained.
 - c) Ward interests - The personal interests provision regarding perceived conflict between a Member's ward role and decisions taken on behalf of the Authority (paragraph 10(2)(b) of the Code) is removed. This is to overcome unintended difficulties, where this provision has been interpreted as potentially precluding Members from participating in any decisions affecting their ward. Members are, however, reminded that when participating in decisions relating to their ward, they must be mindful of the general obligation to act objectively and in the wider public interest (pursuant to paragraph 8 of the Code).
8. The Council is required to consider the amendments to the Model Code and approve revisions to its Code of Conduct within 6 months from the date on which the 2016 Order was made. The 2016 Order was made on 27th January 2016, which means that amendments to the Members' Code of Conduct must be approved by the Council by no later than 26th July 2016.

9. Members should note that the provisions of the Model Code are mandatory for all Councils to adopt, although it is possible for additions to be inserted locally which go beyond the statutory requirements. None of the mandatory provisions of the Model Code can be excluded.
10. The Standards and Ethics Committee considered the changes to the Model Code at its meeting in March 2016, and its recommendation to Council is to amend the Members' Code of Conduct to reflect the revised Model Code.
11. The Council is required to publicise any changes to its Code of Conduct by way of newspaper notices and any other means considered appropriate, to make copies of the amended Code available for public inspection and to send a copy to the Public Services Ombudsman for Wales (in accordance with the provisions of section 51(6) of the Local Government Act 2000).
12. Members should also note that the undertaking to comply with the Code of Conduct which all Members will have given in their Declaration of Acceptance of Office (under section 83(1) of the Local Government Act 1972), applies to the Code of Conduct 'for the time being, as may be revised from time to time'. (A fresh undertaking to comply with the Code is only required when an authority adopts a code of conduct for the first time – pursuant to section 52(1) of the Local Government Act 2000).

Other changes to the ethical framework

13. A number of other minor and consequential changes have been made to the ethical framework, in particular concerning the operation of Standards Committees and Monitoring Officers' functions. The changes are set out in the report to the Standards and Ethics Committee dated 22nd March 2016, appended as **Appendix B** to this report (specifically, paragraph 9 of that report).
14. Amongst the other changes is a removal of the current four year restriction on the term of office for local authority and community council members of a standards committee, to reflect the postponement of the 2016 local government elections. Under the new provisions, the term of office of local authority and community council members may continue up until the next ordinary elections following the member's appointment. The current Community Council representative on the Standards and Ethics committee has confirmed he is content to remain as a Committee member until the 2017 Local Government elections.
15. However, Article 9 of the Council's Constitution, which reflects the statutory provisions regarding Standards Committee members' terms of office, needs to be amended to reflect the removal of the four year restriction. Council is recommended to authorise the Monitoring Officer to make the necessary Constitution amendments.

Legal Implications

16. These are set out in the body of the report.

Financial Implications

17. There are none arising directly from this report.

Recommendations

Council is recommended to:

1. note the amendments made to the Model Code of Conduct and other aspects of the statutory ethical framework, as set out in the report;
2. approve the amendment of the Members' Code of Conduct, in accordance with the revised Model Code, as set out in **Appendix A**; and
3. delegate authority to the Interim Monitoring Officer to:
 - (i) publicise the changes to the Members' Code of Conduct, as required by law (and set out in paragraph 11 of the report); and
 - (ii) make the necessary amendments to Article 9 of the Constitution ('Standards and Ethics Committee), as set out in paragraph 15 of the report.

David Marr
Interim Monitoring Officer
20 May 2016

APPENDICES

Appendix A Amended Model Code of Conduct
Appendix B Standards and Ethics Committee report, 22nd March 2016, 'Minor Amendments to Members' Code of Conduct and Ethical Framework'

Background papers

Council report, 'The Local Authorities (Model Code of Conduct)(Wales) Order 2008 – New Code of Conduct', 15 May 2008; and minutes thereof

Standards and Ethics Committee report 'New Statutory Instruments on the Ethical Framework - Welsh Government Consultation', 15 December 2015

Welsh Government's letter dated 2nd March 2016 'Local Government Ethical Framework', informing Authorities about the new legislation

Welsh Government Consultation Document, 'Local Government Act 2000 – Part III, Conduct of Local Government Members, Amendments to Subordinate Legislation, 30 November 2015

Status: Law In Force

Local Authorities (Model Code of Conduct) (Wales) Order 2008/788

Schedule 1

This version in force from: **April 1, 2016** to **present**

(version 3 of 3)

THE MODEL CODE OF CONDUCT

PART 1 INTERPRETATION

1.—

(1) In this code—

“co-opted member” (*“aelod cyfetholedig”*), in relation to a relevant authority, means a person who is not a member of the authority but who—

(a) is a member of any committee or sub-committee of the authority, or

(b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority,

and who is entitled to vote on any question which falls to be decided at any meeting of that committee or sub-committee;

“meeting” (*“cyfarfod”*) means any meeting—

(a) of the relevant authority,

(b) of any executive or board of the relevant authority,

(c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, sub-committee, joint committee or joint sub-committee of any executive or board of the authority, or

(d) where members or officers of the relevant authority are present other than a meeting of a political group constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990

¹

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and includes circumstances in which a member of an executive or board or an officer acting alone exercises a function of an authority;

“member” (*“aelod”*) includes, unless the context requires otherwise, a co-opted member;

[*“register of members’ interests”* (*“cofrestr o fuddiannau’r aelodau”*) means the register established and maintained under [section 81](#) of the [Local Government Act 2000](#);

²

[*“registered society”* means a society, other than a society registered as a credit union, which is—

(a) a registered society within the meaning given by [section 1\(1\)](#) of the [Co-operative and Community Benefit Societies Act 2014](#); or

(b) a society registered or deemed to be registered under the Industrial and Provident

Societies Act (Northern Ireland) 1969;

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“*relevant authority*” (“*awdurdod perthnasol*”) means—

- (a) a county council,
- (b) a county borough council,
- (c) a community council,
- (d) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,
- (e) a National Park authority established under section 63 of the Environment Act 1995;

“*you*” (“*chi*”) means you as a member or co-opted member of a relevant authority; and

“*your authority*” (“*eich awdurdod*”) means the relevant authority of which you are a member or co-opted member.

[

(2) In relation to a community council—

(a) “*proper officer*” (“*swyddog priodol*”) means an officer of that council within the meaning of [section 270\(3\)](#) of the [Local Government Act 1972](#); and

(b) “*standards committee*” (“*pwylgor safonau*”) means the standards committee of the county or county borough council which has functions in relation to the community council for which it is responsible under [section 56\(1\) and \(2\)](#) of the [Local Government Act 2000](#).

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PART 2 GENERAL PROVISIONS

2.—

(1) Save where paragraph 3(a) applies, you must observe this code of conduct—

- (a) whenever you conduct the business, or are present at a meeting, of your authority;
- (b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;
- (c) whenever you act, claim to act or give the impression you are acting as a representative of your authority; or
- (d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.

(2) You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.

3.

Where you are elected, appointed or nominated by your authority to serve—

(a) on another relevant authority, or any other body, which includes a [...] ⁵

Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or

(b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4.

You must—

(a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;

(b) show respect and consideration for others;

(c) not use bullying behaviour or harass any person; and

(d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

5.

You must not—

(a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;

(b) prevent any person from gaining access to information to which that person is entitled by law.

6.—

(1) You must—

(a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;

(b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);

(c) report [...] ⁶

to your authority's monitoring officer any conduct by another member which you

reasonably believe breaches this code of conduct;

(d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.

(2) You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

7.

You must not—

(a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;

(b) use, or authorise others to use, the resources of your authority—

(i) imprudently;

(ii) in breach of your authority's requirements;

(iii) unlawfully;

(iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;

(v) improperly for political purposes; or

(vi) improperly for private purposes.

8.

You must—

(a) when participating in meetings or reaching decisions regarding the business of your authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your authority's officers, in particular by—

(i) the authority's head of paid service;

(ii) the authority's chief finance officer;

(iii) the authority's monitoring officer;

(iv) the authority's chief legal officer (who should be consulted when there is any doubt as to the authority's power to act, as to whether the action proposed lies within the policy framework agreed by the authority or where the legal consequences of action or failure to act by the authority might have important repercussions);

(b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

9.

You must—

(a) observe the law and your authority's rules governing the claiming of expenses and allowances in connection with your duties as a member;

(b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by your authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

PART 3 INTERESTS

Personal Interests

10.—

(1) You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.

(2) You must regard yourself as having a personal interest in any business of your authority if—

(a) it relates to, or is likely to affect—

(i) any employment or business carried on by you;

(ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;

(iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;

(iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;

(v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(vi) any land in which you have a beneficial interest and which is in the area of your authority;

(vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(viii) any body to which you have been elected, appointed or nominated by your

authority;

(ix) any—

(aa) public authority or body exercising functions of a public nature;

(bb) company, [registered society]

^z, charity, or body directed to charitable purposes;

(cc) body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within your authority's area,

in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

[...]

(c) a decision upon it might reasonably be regarded as affecting—

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(c)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(c)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(c)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(c)(i) hold a position of general control or management,

to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Disclosure of Personal Interests

11.—

(1) Where you have a personal interest in any business of your authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority and you make—

(a) written representations (whether by letter, facsimile or some other form of electronic communication) to a member or officer of your authority regarding that business, you should include details of that interest in the written communication; or

(b) oral representations (whether in person or some form of electronic communication) to a member or officer of your authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representation and interest in writing within 14 days of the representation.

(3) Subject to paragraph 14(1)(b) below, where you have a personal interest in any business of your authority and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.

(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1), give written notification to your authority in accordance with any requirements identified by your authority's monitoring officer [, or in relation to a community council, your authority's proper officer]

from time to time but, as a minimum containing—

(a) details of the personal interest;

(b) details of the business to which the personal interest relates; and

(c) your signature.

(5) Where you have agreement from your monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1), your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your monitoring officer has agreed that the nature of such personal interest is sensitive information.

(6) For the purposes of sub-paragraph (4), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of your authority.

(7) For the purposes of sub-paragraph (3), where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

Prejudicial Interests

12.—

(1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) Subject to sub-paragraph (3), you will not be regarded as having a prejudicial interest in any business where that business—

(a) relates to—

(i) another relevant authority of which you are also a member;

(ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;

(iii) a body to which you have been elected, appointed or nominated by your authority;

(iv) your role as a school governor (where not appointed or nominated by your authority) unless it relates particularly to the school of which you are a governor;

(v) your role as a member of a Local Health Board where you have not been appointed or nominated by your authority;

(b) relates to—

(i) the housing functions of your authority where you hold a tenancy or lease with your authority,

provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;

(ii) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;

(iii) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;

[

(iv) the functions of your authority in respect of an allowance or payment made in accordance with the provisions of [Part 8](#) of the [Local Government \(Wales\) Measure 2011](#), or an allowance or pension provided under [section 18](#) of the [Local Government and Housing Act 1989](#);

]

(c) your role as a community councillor in relation to a grant, loan or other form of financial assistance made by your community council to community or voluntary organisations up to a maximum of £500.

(3) The exemptions in subparagraph (2)(a) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

Overview and Scrutiny Committees

13.

You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

Participation in Relation to Disclosed Interests

14.—

(1) Subject to sub-paragraphs (2), [(2A),]

(3) and (4), where you have a prejudicial interest in any business of your authority you must, unless you have obtained a dispensation from your authority's standards committee—

(a) withdraw from the room, chamber or place where a meeting considering the business is being held—

(i) where sub-paragraph (2) applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

(ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;

(b) not exercise executive or board functions in relation to that business;

(c) not seek to influence a decision about that business;

(d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and

(e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

(2) Where you have a prejudicial interest in any business of your authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business,

provided that the public are also allowed to attend the meeting for the same purpose,

whether under a statutory right or otherwise.

[

(2A) Where you have a prejudicial interest in any business of your authority you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under a statutory right or otherwise.

(2B) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that your authority may adopt for the submission of such representations.

]

(3) Sub-paragraph (1) does not prevent you attending and participating in a meeting if—

(a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or

(b) you have the benefit of a dispensation provided that you—

(i) state at the meeting that you are relying on the dispensation; and

(ii) before or immediately after the close of the meeting give written notification to your authority containing—

(aa) details of the prejudicial interest;

(bb) details of the business to which the prejudicial interest relates;

(cc) details of, and the date on which, the dispensation was granted; and

(dd) your signature.

(4) Where you have a prejudicial interest and are making written or oral representations to your authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to your authority within 14 days of making the representation.

PART 4 THE REGISTER OF MEMBERS' INTERESTS

Registration of Financial and Other Interests and Memberships and Management Positions

[

15.— Registration of Personal Interests

(1) Subject to sub-paragraph (4), you must, within 28 days of—

(a) your authority's code of conduct being adopted or the mandatory provisions of this model code being applied to your authority; or

(b) your election or appointment to office (if that is later),

register your personal interests, where they fall within a category mentioned in paragraph 10(2)(a), in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

(2) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

(3) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a), register that change in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

(4) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 16(1).

(5) Sub-paragraphs (1) and (2) do not apply if you are a member of a relevant authority which is community council when you act in your capacity as a member of such an authority.

(6) You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

[1](#)
[13](#)

Sensitive information

16.—

(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (1) is no longer sensitive information, notify your authority's monitoring officer [, or in relation to a community council, your authority's proper officer]

[14](#)

asking that the information be included in your authority's register of members' interests.

(3) In this code, “*sensitive information*” (“*gwybodaeth sensitif*”) means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

Registration of Gifts and Hospitality

17.

You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of your authority, provide written notification to your authority's monitoring officer [, or in relation to a community council, to your authority's proper officer]

[15](#)

of the existence and nature of that gift, hospitality, material benefit or advantage.

Notes

1. S.I. 1990/1553 as amended by S.I. 1991/1389; S.I. 1993/1339; S.I. 1998/1918; and S.I. 1999/500.
2. Definition inserted in para.1(1) by Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 [art.2\(2\)\(a\)](#) (April 1, 2016)
3. Definition of 'registered society' inserted in para.1 of Sch.1 by Co-operative and Community Benefit Societies and Credit Unions Act 2010 (Consequential Amendments) Regulations 2014/1815 [Sch.1 para.21\(a\)](#) (August 1, 2014 immediately after 2014 c.14)
4. Para.1(2) substituted by Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 [art.2\(2\)\(b\)](#) (April 1, 2016)
5. Words revoked in para.3(a) by Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 [art.2\(3\)\(a\)](#) (April 1, 2016)
6. Words revoked in para.6(1)(c) by Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 [art.2\(3\)\(b\)](#) (April 1, 2016)
7. Words substituted in Sch.1 para.10(2)(a)(ix)(bb) by Co-operative and Community Benefit Societies and Credit Unions Act 2010 (Consequential Amendments) Regulations 2014/1815 [Sch.1 para.21\(b\)](#) (August 1, 2014 immediately after 2014 c.14)
8. Para.10(2)(b) revoked by Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 [art.2\(4\)\(a\)](#) (April 1, 2016)
9. Words inserted in para.11(4) by Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 [art.2\(4\)\(b\)](#) (April 1, 2016)
10. Para.12(2)(b)(iv) substituted by Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 [art.2\(4\)\(c\)](#) (April 1, 2016)
11. Word inserted in para.14(1) by Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 [art.2\(4\)\(d\)\(i\)](#) (April 1, 2016)
12. Para.14(2A) and (2B) inserted by Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 [art.2\(4\)\(d\)\(ii\)](#) (April 1, 2016)
13. Para.15 substituted by Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 [art.2\(5\)\(a\)](#) (April 1, 2016)
14. Words inserted in para.16(2) by Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 [art.2\(5\)\(b\)](#) (April 1, 2016)
15. Words inserted in para.17 by Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016/84 [art.2\(5\)\(c\)](#) (April 1, 2016)

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Subject: Local government



STANDARDS AND ETHICS COMMITTEE:

22 MARCH 2016

REPORT OF THE INTERIM MONITORING OFFICER

AGENDA ITEM: 8

**MINOR AMENDMENTS TO MEMBERS' CODE OF CONDUCT AND
ETHICAL FRAMEWORK**

Reason for this Report

1. To inform the Committee of minor amendments to the Model Code of Conduct and various other aspects of the statutory ethical framework, which have been introduced by new subordinate legislation made by the Welsh Government.

Background

2. The Local Government Act 2000, Part III (and regulations made thereunder) sets an ethical framework for the conduct of local government members. In its 2012 White Paper, 'Promoting Local Democracy', the Welsh Government set out a number of proposals for improving the operation of the framework, some of which were addressed in the Local Government (Democracy)(Wales) Act 2013 ('the 2013 Act').
3. On 30th November 2015, the Welsh Government issued a consultation on two draft statutory instruments (under Part III of the Local Government Act 2000), intended to give effect to the policy proposals set out in the 2012 White Paper and consequential upon the legislative changes introduced by the 2013 Act and related matters.
4. The proposed changes were considered by the Committee at its meeting in December 2015. The Committee noted that the proposals were largely technical, in that substantive changes to the law had already been made by the 2013 Act, and the proposals were mostly consequential changes to subordinate legislation and the Model Code of Conduct to make them compatible with the primary legislation.
5. The Committee expressed no concerns with the proposed amendments, but it was suggested that the Welsh Government should be asked to take this

opportunity to review the current restriction on the size of a standards committee, in light of the quorum problems which had been experienced in Cardiff. The Committee delegated authority to the Monitoring Officer, in consultation with the Chair, to prepare and submit a response to the Welsh Government's consultation on behalf of the Committee. A response on behalf of the Committee was sent accordingly.

Issues

6. Two new statutory instruments have now been made, both of which come into force on 1st April 2016. The key changes introduced are set out below.

The Local Authorities (Model Code of Conduct)(Wales)(Amendment) Order 2016

7. This Order amends the Model Code of Conduct for Members as follows:
 - a) Consequential amendments are made to reflect the transfer of responsibility for the maintenance of community councils' registers of interests from the Monitoring Officer to the 'proper officer' of each community council, which was introduced by the 2013 Act with effect from 1st May 2015.
 - b) The requirements for registering interests are clarified, to require that any interest disclosed for the first time must be entered in the Members' register of interests. This requirement applies to both Community Councillors and County Councillors, although the exemption for Community Councillors from the advance registration requirements (applicable to certain financial and other interests) is maintained.
 - c) The obligation on a Member to report a potential breach of the Code to the Ombudsman is removed.
 - d) The personal interests provision regarding perceived conflict between a Member's ward role and decisions taken on behalf of the Authority (paragraph 10(2)(b) of the Code) is removed. This is to overcome unintended difficulties in relation to Members' participation in business relating to their ward. Members are, however, reminded that when participating in decisions relating to their ward, they must be mindful of the general obligation to act objectively and in the wider public interest (pursuant to paragraph 8 of the Code).
8. The Council is required to consider the amendments to the Model Code and adopt a revised Code of Conduct within 6 months from the date on which the Amendment Order is made. The Amendment Order was made on 27th January 2016, which means a revised Code must be adopted by 26th July 2016. However, it is suggested that Authorities should adopt a revised Code no later than their forthcoming annual meetings.

Local Government (Standards Committees, Investigations, Dispensations and Referral)(Wales)(Amendment) Regulations 2016

9. This Order amends 3 statutory instruments (the Standards Committee Regulations 2001, the Functions of Monitoring Officers and Standards

Committees Regulations 2001, and the Grant of Dispensations Regulations 2001), as follows:

- a) A number of consequential amendments are made to include reference to joint standards committees, introduced by the 2013 Act.
 - b) The current maximum term of office for local authority and community council members of a standards committee (4 years) is removed, to reflect the postponement of the 2016 local government elections. Article 9 of the Council's Constitution needs to be amended accordingly; and consideration needs to be given to extending current Members' (in particular, the Community Council Committee member's) terms of office at the Council's forthcoming annual meeting.
 - c) Provision is made to enable standards committees to delay publication of agendas and information related to consideration of misconduct investigations until the misconduct proceedings are concluded. It is suggested, however, that misconduct hearings should generally be held in public, unless there are particular reasons why some or all of the proceedings should be held in private.
 - d) Provision is made to allow referral of misconduct matters to the standards committee of another authority, in order to overcome any potential conflict of interest which a standards committee may have.
 - e) The period of suspension imposed by a standards committee is limited to the remainder of a Members' term of office if this is less than 6 months. This clarification is in line with comparable powers of the Adjudication Panel.
 - f) A new requirement is introduced for a Member to seek permission from the President or nominated member of the Adjudication Panel for Wales in order to appeal against the determination of a standards committee. This is intended to remove frivolous or unmeritorious appeals.
 - g) Provision is made to allow referral of a dispensation application to the standards committee of another authority, for example, where there is a potential conflict of interest or to expedite an urgent application.
 - h) A new general dispensation category is introduced to enable a standards committee to grant a dispensation, allowing a Member with an otherwise prejudicial interest to participate in a matter, if it considers it appropriate in all the circumstances. The Committee's Policy on Dispensations will need to be amended to include this new basis for a dispensation.
10. Members will note that certain constitutional and policy amendments are required in order to reflect the above legislative changes. Members will also note that the Committee's suggestion regarding the current restriction on the size of a standards committee has not, unfortunately, been addressed by the Welsh Government at this time.

Legal Implications

11. Relevant legal provisions are set out in the body of the report.

Financial Implications

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

RECOMMENDATION

The Committee is recommended to:

1. Note the amendments made to the Model Code of Conduct and certain aspects of the statutory ethical framework, as set out in the report;
2. Recommend to Council the adoption of a revised Code of Conduct for Members, reflecting the amendments to the Model Code;
3. Delegate authority to the Monitoring Officer to make the necessary amendments to:
 - (a) Article 9 of the Constitution ('Standards and Ethics Committee'), subject to the approval of Council, and
 - (b) the Committee's Policy on Dispensations, in consultation with the Chair.

David Marr
Interim Monitoring Officer
15 March 2016

Background Papers

Welsh Government's letter dated 2nd March 2016 'Local Government Ethical Framework', informing Authorities about the new legislation

Standards and Ethics Committee report 'New Statutory Instruments on the Ethical Framework - Welsh Government Consultation', 15 December 2015

Welsh Government Consultation Document, 'Local Government Act 2000 – Part III, Conduct of Local Government Members, Amendments to Subordinate Legislation, 30 November 2015

CITY & COUNTY OF CARDIFF DINAS A SIR CAERDYDD



ANNUAL COUNCIL:

26 MAY 2016

REPORT OF THE CHIEF EXECUTIVE

MEMBERS' REMUNERATION AND ALLOWANCES 2016/17

Reason for this Report

1. To note the prescribed levels of Members' remuneration and allowances that are payable in 2016/17, as determined by the Independent Remuneration Panel for Wales (The Panel), and agree those matters which are reserved for local determination by the Council.

Background

2. The Independent Remuneration Panel for Wales is a statutory body that was established initially by the Welsh Government in January 2008 to recommend the levels of salaries, allowances and expenses payable to Councillors and Co-opted Members. The Local Government (Wales) Measure 2011 gave the Independent Remuneration Panel for Wales additional powers to prescribe the levels of member remuneration and allowances. The Panel also received further powers following the introduction of the Local Government (Democracy) (Wales) Act 2013.
3. The Panel's 8th Annual Report was published in February 2016 and a relevant authority must implement the Panel's determinations in the report for 2016/17 from the date of its Annual Meeting. The report is available on the Independent Remuneration Panel for Wales website via the following link:
<http://gov.wales/docs/dsjlg/publications/160217-irp-annual-report-16-17-en.pdf>

Issues

4. For the first time, the Panel was provided with a 'remit' letter in March 2015 by the Minister for Public Services, which drew the Panel's attention to the Welsh Government's desire to reduce the cost of politics to the public purse and pointed to a number of aspects of the current remuneration framework for consideration. The Minister also asked the Panel to consider whether the rates of payment to leaders and cabinet members is justified when compared with those paid in similarly sized councils in other parts of the UK. The Panel has given due consideration to the remit letter and has reached its determinations for 2016/17 without direction from the Welsh Government.
5. For 2016/17, the Panel has decided not to increase the basic or senior salaries because of the continuing constraints on local government spending.

Following consideration of advice and comparative information provided by a UK expert on elected member remuneration, the Panel is also reassured that, generally, the rates of Senior Salary that it has determined for leaders and cabinet members in Wales are both justified and appropriate in comparison to those of other UK nations.

6. The Panel remains firmly of the view that maintaining the democratic values of local government cannot be cost free, but 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.

Basic Salary

7. The Panel has determined that the Basic Salary that is payable to elected Members of all principal councils in Wales will remain at **£13,300** in 2016/17. This amount has remained unchanged since 2014/15.

Senior Salary

8. The Panel has determined that the Senior Salaries payable in 2016/17 by local authorities in population Group A (i.e. those with populations over 200,000, which includes Cardiff) are as follows:

Bands of Responsibility	Role(s)	Senior Salaries determined by the Panel for 2016/17 (inclusive of Basic Salary)
Band 1	Leader	£53,000
	Deputy Leader	£37,000
Band 2	Cabinet Members – Level 1	£32,000
	Cabinet Members – Level 2	£28,800
Band 3	Committee Chairs – Level 1 (if remunerated)	£22,000
	Committee Chairs – Level 2 (if remunerated)	£20,000
Band 4	Leader of largest opposition group	£22,000
Band 5	Leader(s) of other political group(s) comprising at least 10% membership of the Authority (if remunerated)	£17,000

9. Whilst the Panel has decided not to increase Senior Salaries in 2016/17, it has made some changes to Band 2 and 3 Senior Salaries to provide greater opportunities for flexibility at a local level to reflect the variations in the governance structures of principal councils. The Panel has introduced two salary levels for Cabinet Members (except Leaders and Deputy Leaders) and for Committee Chairs (if remunerated) of principal councils so that they can take account of the differences in responsibilities that may be attached to specific posts.
10. It is at the discretion of each council as to which salary level is paid according to local circumstances. Nevertheless, the Panel considers that, in many instances, there are differences in the responsibilities attached to the portfolios of Cabinet Members and this should be reflected in the level of salary paid. The same principle also applies to Committee Chairs.
11. It is a matter for individual authorities to decide the implementation of the determinations on Senior Salary within their specific Cabinet structures. In 2016/17, it is proposed that the Band 2 Senior Salary payable to all Cabinet Members (except for the Leader and Deputy Leader) should be set in accordance with the Level 1 payment (£32,000) prescribed by the Panel that is applicable to the Council (i.e. population Group A). This would be broadly consistent with the Basic and Special Responsibility Allowances paid currently to Cabinet Members by other Core Cities such as Bristol, Manchester and Nottingham, as well as with the Level 1 payment that was agreed by Swansea Council (Group A principal council) at its Annual Meeting on 19 May 2016. It would also continue the payment of the Band 2 Senior Salary in 2016/17 at the same level that has been paid since 2014/15.
12. It is a matter for individual authorities to determine at which level a Chair is paid to reflect the appropriate responsibility attached to the specific post. In 2016/17, it is proposed that the Band 3 Senior Salary payable to those Committee Chairs that are remunerated should be set in accordance with the Level 1 payment (£22,000) prescribed by the Panel. Again, this would be consistent with the Level 1 payment that was agreed by Swansea Council (Group A principal council) at its Annual Meeting on 19 May 2016 and would continue the payment of the Band 3 Senior Salary in 2016/17 at the same level that has been paid since 2014/15.
13. The level of Senior Salary set by the Panel is inclusive of Basic Salary and Members 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 to which they have been appointed.

Allocation of Senior Salary Positions

14. 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 2016/17. In Cardiff (Population Group A), the maximum number of Senior Salary positions is 19, excluding Civic Salary positions.
15. At the Annual Meeting of Council in May 2015, the Council agreed initially to allocate 18 of the maximum of 19 Senior Salaries allowable in 2015/16. An

additional Senior Salary (Band 5) for the Leader of the Conservative Group, payable on a pro rata basis from 26 June 2015 for the remainder of 2015/16, was agreed by the Council on 25 June 2015. This followed an increase in the group membership to 8 Members in June 2015, which increased further to 9 Members following the Pentyrch By-Election that was held on 30 June 2015. This meant that the Conservative Group exceeded the eligibility threshold of 10% of the Council's membership that applies to the payment of a Band 5 Senior Salary to Leaders of other political groups.

16. The 19 Senior Salaries paid by the Council from 26 June 2015 were as follows:

Bands of Responsibility	Role(s)	No. of Senior Salary Positions
Band 1	Leader	1
	Deputy Leader	1
Band 2	Other Cabinet Members	7
Band 3	Scrutiny Committee Chairs	5
	Planning Committee Chair	1
	Licensing / Public Protection Committees Chair	1
	Democratic Services Committee Chair	1
Band 4	Leader of largest opposition group	1
Band 5	Leader of the Conservative Group	1
Total =		19

17. The Panel has taken the view that the payment of 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 have therefore continued their previous determination that this Band 4 Senior Salary must be paid.

Specific or Additional Senior Salaries

18. 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 in 2014, 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.

Civic Salary

19. The Panel has determined that the levels of Civic Salary (inclusive of Basic Salary) which are payable in 2016/17 should remain the same as 2015/16 and will be applied by individual authorities as each considers appropriate, taking account of the anticipated workload and responsibilities of Civic Heads and Deputy Civic Heads:

Responsibility Level	Civic Heads (inclusive of Basic Salary)	Deputy Civic Heads (inclusive of Basic Salary)
Level 1	£24,000	£18,000
Level 2	£21,500	£16,000
Level 3	£19,000	£14,000

20. A Councillor must not be paid a Senior Salary and a Civic Salary.
21. It is proposed that a Level 1 Civic Salary will be paid by the Council in 2016/17 to both the Civic Head/Lord Mayor (£24,000) and Deputy Civic Head/Deputy Lord Mayor (£18,000), which would be commensurate with Cardiff's status as the Capital City of Wales and the associated civic responsibilities and workload during the municipal year.

Presiding Member and Deputy Presiding Member

22. 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.
23. Where appointed and if remunerated, the Panel has determined that a Presiding Member must be paid a Band 3 Level 1 Senior Salary (£22,000). The post would also count towards the maximum number of Senior Salaries which can be allocated by the Council (i.e. 19). The Panel has also determined that the position of Deputy Presiding Member will not be remunerated.

Joint Overview and Scrutiny Committees (JOSCs)

24. Two or more authorities can establish joint scrutiny committees and decide whether or not the chairs of those committees (or a sub-committee of a joint scrutiny committee) will be paid. If they decide to make payments, the following determinations by the Panel, which will apply for 2016/17:
25. If a Senior Salary is paid for this role, the Panel has determined that the Chair of a JOSC is eligible for a Senior Salary of **£6,700**, which is equivalent to that part of a Band 3 Level 2 Senior Salary for a Committee Chair (i.e. £20,000),

excluding the amount of Basic Salary (£13,300). In cases where the Chair of a JOSC is already in receipt of a Band 3, 4 or 5 Senior Salary, the payment will be **£3,350**.

26. The Chair of a JOSC Sub Committee is eligible for a salary of **£1,675**. In cases where the Chair of the JOSC Sub Committee is already in receipt of a Band 3, 4 or 5 Senior Salary, the payment will be **£837**. Payments to Chairs of JOSC Task & Finish Sub Committees are to be pro-rated to the duration of the task.
27. Payments made to a Chair of a JOSC or a Chair of a JOSC Sub Committee are additional to the maximum proportion of the Council's membership that is eligible to be paid a Senior Salary (i.e. 25% of membership). However, this should not exceed the statutory limit on Senior Salary payments of no more than 50% of a council's membership.
28. Deputy Chairs of JOSCs or JOSC Sub Committees are not eligible for payment. In addition, Co-opted Members of JOSCs or JOSC Sub Committees are not eligible for payment of a Co-opted Member fee unless they are appointed by an authority under Section 144(5) of the Local Government (Wales) Measure 2011 and have voting rights.

Pensions

29. 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

30. 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 2016/17. The payments are as follows:

Co-opted Members (with voting rights)	Co-opted Member Payments
Chairs of: <ul style="list-style-type: none"> • Standards & Ethics Committee; • Audit Committee (if chaired by independent/lay member) 	£256 (4 hours and over) £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) £113 (up to 4 hours)
Ordinary Members of: <ul style="list-style-type: none"> • Standards & Ethics Committee; • Education Scrutiny Committee; • Crime & Disorder Scrutiny Committee; • Audit Committee. 	£198 (4 hours and over) £99 (up to 4 hours)

31. The level of Co-opted Member payments is equivalent to the current daily rates for chairs and members of the Welsh Government's Band 2 sponsored

bodies. The Panel has noted that there has been no uplift in these payment levels across such bodies since 2010.

32. The Panel determined that a Council can decide on a maximum number of days for which Co-opted Members may be paid in any one year. Since 2013/14, the Council has 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). It is proposed that this maximum or 'cap' of the equivalent of 10 full days a year for each Committee including Co-opted Members should be retained by the Council in 2016/17.
33. A full day meeting is defined by the Panel as over 4 hours and a half day meeting is defined as up to 4 hours. Eligible meetings include other committees and working groups (including task & 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.
34. Co-opted Members with voting rights can claim travel allowance for travelling time to/from the place of the meeting and reasonable time for pre-meeting preparation, the extent of which can be determined by the appropriate officer in advance of the meeting. The appropriate officer can also determine in advance whether a meeting is programmed for a full day (over 4 hours) and Co-opted Member payments will be made on the basis of this determination even if the meeting finishes before 4 hours has elapsed.
35. Co-opted Members are also eligible to claim for Care, Travel and Subsistence Allowances, where applicable.

Allowances

36. 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.

Care Allowance

37. The Panel has determined that, for 2016/17, Care Allowance will continue to be payable up to a **maximum payment of £403 per month** (depending upon actual costs incurred) to reimburse those Members or Co-opted Members who incur necessary expenses for the care of dependent children or adults or the care of personal assistance needs (provided by informal or formal carers) whilst undertaking their duties.
38. 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 for the cost of the formal and informal care arrangements claimed. The Panel has confirmed that, as this is a contribution to actual monthly costs, this payment cannot be annualised.

Travel Allowance

39. The Travel Allowance payable in 2016/17 is linked to current HM Revenue & Customs (HMRC) rates and is unchanged and payable as follows:

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

40. 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.
41. Travel expenses paid to councillors by their local authority are exempt from Income Tax and employee National Insurance contributions.

Subsistence Allowance

42. 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.
43. 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 2016/17 (including breakfast if not included in overnight accommodation costs), provided that any claim for expenses is supported by receipts.
44. In terms of Subsistence Allowance which is payable in 2016/17 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:

Max. £200 per night	Overnight stay in London
Max. £95 per night	Overnight stay elsewhere
Max. £30 per night	Overnight stay with friends and/or family

45. In 2016/17, the Subsistence Allowance payable for an overnight stay in London has been increased to a maximum of £200 per night from a maximum of £150 per night.

night. Likewise, the maximum amount payable for an overnight stay with friends and/or family has been increased from £25 per night to £30 per night. The maximum amount payable for an overnight stay elsewhere in the UK remains unchanged at £95 per night.

46. 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

47. 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.
- Newborn 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 Newborn 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.

48. 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.

49. 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).

Supporting the Work of Local Authority Elected Members

50. 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.
51. 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.

Publication of Remuneration and Allowances Information

52. 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 2016. In order to comply with this timescale, the Council's Schedule of Member Remuneration for 2016/17 is to be submitted for consideration by Council on 30 June 2016.
53. 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 Council is required to make arrangements for the publication of details of all remuneration and allowances paid to Members and Co-opted Members in 2015/16 by 30 September 2016.

Election to Forgo Entitlement to Payment

54. 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

55. 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.

Financial Implications

56. This report sets out the framework within which the salaries and allowances will be determined. The proposals as listed are similar to the assumptions built in setting the 2016/17 budget for this function thus there are no direct financial implications arising from this report. However, in the event of the demands on the budget exceeding the allocation then consideration needs to be given as to what mitigation would need to be taken in order to remain within the budgetary resources allocated.

RECOMMENDATIONS

Council is recommended to:

1. note the determinations of the Independent Remuneration Panel for Wales in respect of the prescribed levels of Members' remuneration and allowances payable in 2016/17, as set out in the report;
2. agree to set the Band 2 Senior Salary payable in 2016/17 to all Cabinet Members (except for the Leader and Deputy Leader) in accordance with the Level 1 payment (£32,000) prescribed by the Panel, as applicable to the Council;
3. agree to set the Band 3 Senior Salary payable in 2016/17 to those Committee Chairs that are remunerated in accordance with the Level 1 payment (£22,000) prescribed by the Panel;
4. agree to retain the current allocation of the maximum of 19 Senior Salary positions for 2016/17, as set out in paragraph 16 of the report;
5. agree to set the Civic Salary payable in 2016/17 for the positions of Civic Head/Lord Mayor (£24,000) and Deputy Civic Head/Deputy Lord Mayor (£18,000) in accordance with the Level 1 payments prescribed by the Panel; and
6. agree that the payment of Co-opted Member fees in 2016/17 should continue to be capped at a maximum of the equivalent of 10 full days a year.

PAUL ORDERS
Chief Executive
20 May 2016

Background Paper

Independent Remuneration Panel for Wales Annual Report February 2016:

<http://gov.wales/docs/dsjlg/publications/160217-irp-annual-report-16-17-en.pdf>

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ANNUAL COUNCIL:

26 MAY 2016

REPORT OF THE INTERIM MONITORING OFFICER

**PROGRAMME OF COUNCIL, CABINET & ORDINARY COUNCIL
MEETINGS 2016/17**

Reason for this report

1. The purpose of this report is to update Council on the programme of Full Council meetings for the period June 2016 to May 2017, and approve the interim programme of Cabinet and Committees for the period June 2016 to August 2016.

Background

2. The approval of the programme of ordinary meetings of Council, Cabinet and Council Committees is required in accordance with the Council's Constitution.
3. The Council on 29 January 2015 agreed an indicative programme of Full Council meetings for 2016/17 municipal year based on the number and frequency of meetings as agreed by the Constitution Committee, 19 March 2014.
4. Annual Council on 21 May 2015 agreed a programme of Cabinet & ordinary Committee meetings to August 2016.

Issues

5. The programme of Cabinet and Council Committee meetings to August 2016 has been reviewed and updated to include all currently scheduled meeting and is attached as Appendix A.
6. The appointment of Committee Chairs (Agenda Item 11) may necessitate in further consultation on the programme of ordinary Committee meetings from September 2016. It is therefore proposed that a full programme of meetings to August 2017 be reported to Council on 30 June 2016.

Legal Implications

7. Welsh Government issued guidance under section 6 of the Local Government (Wales) Measure 2011 that by virtue of section 6(2) of the Measure, Local Authorities must have regard to this guidance when considering the times and intervals at which meetings of a local authority are held.
8. 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.”

9. The guidance requires the Council to survey its Members in respect of times and interval in which meetings of the local authority are held at least once a term and preferably shortly after the new council is elected. This was done in May 2012 and as part of the Constitution Council & Committee meeting review in 2013/14.

Financial Implications

10. There are no direct financial implications arising from this report apart from the potential for administrative savings, if as recommended by the Constitution Committee the number of full Council meetings is reduced to nine per year.

RECOMMENDATIONS

The Council is recommended to

- (1) approve the updated programme of Cabinet and Council meetings for June 2016 – August 2016;
- (2) note the dates of Full Council meetings June 2016 to May 2017 as provisionally agreed at Council 29 January 2015;
- (3) note that a full programme of all Council, Cabinet and Committee meetings will be presented to Council on 30 June 2016 for approval.

DAVID MARR

Interim Monitoring Officer

20 May 2016

The following Appendices are attached:

Appendix A Dates of Full Council meetings June 2016 to May 2017

Appendix B Programme of All Council, Cabinet & Committee meetings June 2016 to August 2016

APPENDIX A

DATES OF FULL COUNCIL MEETINGS JUNE 2016 to MAY 2017				
June 2016				
Thurs	30	Council	4.30pm	City Hall
July 2016				
Thurs	28	Council	4.30pm	City Hall
September 2016				
Thurs	29	Council	4.30pm	City Hall
October 2016				
Thurs	20	Council	4.30pm	City Hall
November 2016				
Thurs	24	Council	4.30pm	City Hall
NO MEETING IN DECEMBER 2016				
January 2017				
Thurs	26	Council	4.30pm	City Hall
February 2017				
Thurs	23	Council (Budget)	4.30pm	City Hall
March 2017				
Thurs	23	Council	4.30pm	City Hall
NO MEETING IN APRIL 2017 (PRE-ELECTION PERIOD)				
May				
Thurs	25	Annual Council	4.30pm	City Hall

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**CALENDAR OF COUNCIL, CABINET & COMMITTEE MEETINGS
JUNE TO AUGUST 2016**

May 2016				
Mon	30	Bank Holiday		
Tue	31			
June 2016				
Wed	01			
Thu	02			
Fri	03			
Mon	06	Joint Environment and Policy Review & Performance Scrutiny	4.00pm	Committee Room 3
Tue	07	Licensing Committee	10.00am	Committee Room 4
Tue	07	Public Protection Committee	10.30am	Committee Room 4
Tue	07	Policy Review & Performance Scrutiny	4.30pm	Committee Room 4
Wed	08	Community and Adult Services Scrutiny	5.00pm	Committee Room 4
Thu	09	Economy & Culture Scrutiny	4.30pm	Committee Room 4
Fri	10			
Mon	13			
Tue	14	Children and Young People Scrutiny Committee	2.30pm	Committee Room 4
Tue	14	Environmental Scrutiny Committee	4.30pm	Committee Room 3
Wed	15	Planning Committee (DC)	2.30pm	Committee Room 4
Thu	16	Cabinet	3.30pm	City Hall
Fri	17			
Mon	20			
Tue	21			
Wed	22			
Thu	23	EU Referendum		
Fri	24	Glamorgan Archives Joint Committee	2.00pm	Records Office
Mon	27	Audit Committee	10.30am	Committee Room 4
Tue	28			
Wed	29			
Thu	30	Council	4.30pm	City Hall
July 2016				
Fri	01			
Mon	04			
Tue	05	Licensing Committee	10.00am	Committee Room 1

Tue	05	Public Protection Committee	10.30am	Committee Room 1
Tue	05	Policy Review & Performance Scrutiny	4.30pm	Committee Room 4
Wed	06	Community and Adult Services Scrutiny	5.00pm	Committee Room 4
Thu	07	Economy & Culture Scrutiny	4.30pm	Committee Room 4
Fri	08			
Mon	11			
Tue	12	Children and Young People Scrutiny Committee	2.30pm	Committee Room 4
Tue	12	Environmental Scrutiny Committee	4.30pm	Committee Room 3
Wed	13	Planning Committee (DC)	2.30pm	Committee Room 4
Thu	14	Cabinet	3.30pm	City Hall
Thu	14	Constitution Committee	5.30pm	Room A, City Hall
Fri	15			
Mon	18			
Tue	19	Corporate Parenting Committee	2.00pm	Committee Room 4
Wed	20	Standards & Ethics Committee	4.30pm	Committee Room 4
Thu	21			
Fri	22			
Mon	25			
Tue	26			
Wed	27			
Thu	28	Council	4.30pm	City Hall
Fri	29			
August 2016				
Mon	01			
Tue	02	Licensing Committee	10.00am	Committee Room 1
		Public Protection Committee	10.30am	Committee Room 1
Wed	03			
Thu	04			
Fri	05			
Mon	08			
Tue	09			
Wed	10	Planning Committee (DC)	2.30pm	Committee Room 4
Thu	11			
Fri	12			
Mon	15			
Tue	16			
Wed	17			

Thu	18			
Fri	19			
Mon	22			
Tue	23			
Wed	24			
Thu	25			
Fri	26			
Mon	29	Bank Holiday		
Tue	30			
Wed	31			

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**CITY & COUNTY OF CARDIFF
DINAS A SIR CAERDYDD**



COUNCIL:

26 MAY 2016

REPORT OF THE INTERIM MONITORING OFFICER

URGENT DECISIONS TAKEN IN RESPECT OF

Reason for this Report

1. In accordance with the Council's Scrutiny Procedure Rule 13(a), urgent officer decisions taken in respect of Woodlands High School are being reported to Council for information.

Issues

Woodlands High School

2. An Officer Decision – 'Intervention in Woodlands High School' was taken on 11 April 2016 by the Director of Education as an urgent decision. The decision was to:
 - (i) Intervene in Woodlands High School pursuant to the School Standards and Organisation (Wales) Act 2013 ('the SSOW Act 2013');
 - (ii) Require the Governing Body to secure advice from another school; and
 - (iii) Appoint two additional Governors (David Saunders and Andrew Gregory) and nominate one of those governors, David Saunders, to be the Chair of the governing body pursuant to Section 6 of the SSOW Act 2013.
3. The reason for the decision was that, pursuant to the SSOW Act 2013, one or more of the statutory grounds for intervention by the Council existed, and the exercise of one or more of the Council's powers of intervention was necessary in order to address the concerns and secure improvement.
4. The Decision was taken in consultation with the Cabinet Member with portfolio responsibility for Education and Local Ward Members.
5. It was noted that any delay in implementation of the decision would impede the achievement of the necessary improvements and was not therefore in the public interest. For these reasons, the Monitoring Officer

and the Chair of the Children and Young People's Scrutiny Committee agreed the decision should be taken on an urgent basis.

Legal Implications

6. There are no direct legal implications arising from this report. Legal implications were considered and included as part of the Officer Decision process.

Financial Implications

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

RECOMMENDATION

That Council receives the report for information.

David Marr
INTERIM MONITORING OFFICER
20 May 2016

Background Papers

Officer Decision,