



DINAS A SIR CAERDYDD  
CITY AND COUNTY OF CARDIFF

**GWYS Y CYNGOR**

DYDD IAU, 24 MAI 2018

**COUNCIL SUMMONS**

THURSDAY, 24 MAY 2018,

Fe'ch gwysir i fynychu **Cyfarfod Blynyddol y CYNGOR SIR DINAS A SIR CAERDYDD**, a gynhelir yn Siambr y Cyngor - Neuadd y Ddinas, Parc Cathays, Heol Gerddi'r Orsedd, Caerdydd, CF10 3ND ar **Dydd Iau, 24 Mai 2018** yn dilyn y cyfarfod Cyngor Arbenning, ond dim cynt na **4.45 pm** i drafod y materion a nodir yn yr agenda atodedig.

**Davina Fiore**  
Cyfarwyddwr Llywodraethu a Gwasanaethau  
Cyfreithiol

Neuadd y Sir  
Caerdydd  
CF10 4UW

Dydd Gwener, 18 Mai 2018

- 1 Ethol Cadeirydd**
  - 2 Penodi Dirprwy Gadeirydd**
  - 3 Ymddiheuriadau am Absenoldeb**  
*Derbyn ymddiheuriadau am absenoldebau.*
  - 4 Cofnodion** *(Tudalennau 3 - 44)*  
*Cymeradwyo cofnodion y cyfarfod blaenorol fel rhai cywir.*
  - 5 Datgan Buddiannau**  
*Derbyn datganiadau buddiannau (i'w gwneud yn unol â Chod Ymddygiad yr Aelodau).*
  - 6 Ymrwymiad Caerdydd** *(Tudalennau 45 - 48)*
  - 7 Cyhoeddiadau'r Cadeirydd**  
*Derbyn cyhoeddiadau'r Cadeirydd gan gynnwys Cydnabyddiaethau a Gwobrau.*
  - 8 Cyhoeddiadau'r Arweinydd sy'n ymwneud â'r Flwyddyn Ariannol sy'n dod**
  - 9 Sefydlu Pwyllgorau Sefydlog y Cyngor ar gyfer 2018/19** *(Tudalennau 49 - 74)*
  - 10 Dyrannu Seddau ac Enwebu a Phenodi Aelodau i Bwyllgorau** *(Tudalennau 75 - 82)*
  - 11 Ethol Cadeiryddion a Dirprwy Gadeiryddion Pwyllgorau** *(Tudalennau 83 - 86)*
  - 12 Penodi i Gyrff Allanol** *(Tudalennau 87 - 92)*
  - 13 Tâl a Lwfans Aelodau 2018/19** *(Tudalennau 93 - 104)*
  - 14 Rhaglen o Gyfarfodydd** *(Tudalennau 105 - 120)*
  - 15 Materion Brys**
- Materion y Cyngor nas Gwrthwynebir**
- 16 Penderfyniad Brys: Offeryn Llywodraethu – Sefydliad Pear Tree**  
*(Tudalennau 121 - 122)*

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

The County Council of the City & County of Cardiff met at County Hall, Cardiff on 22 March 2018 to transact the business set out in the Council summons dated Friday, 16 March 2018.

Present: County Councillor Derbyshire (Lord Mayor)

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

## 132 : APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bale, Bowden, Bridgeman, Carter and Stubbs.

## 133 : DECLARATIONS OF INTEREST

The following declarations of interest were received in accordance with the Member Code of Conduct.

<b>Councillor</b>	<b>Item No</b>	<b>Interest</b>
Councillor Dilwar Ali	Item No 9 – Cardiff's Local Wellbeing Plan	Personal Interest as a Council's representative on South Wales Fire & Rescue Service
Councillor Heather Joyce	Item No 9 – Cardiff's Local Wellbeing Plan	Personal Interest as a Council's representative on South Wales Fire & Rescue Service
Councillor Dan Naughton	Item No 9 – Cardiff's Local Wellbeing Plan	Personal Interest as a Council's representative on South Wales Fire & Rescue Service
Councillor Peter Wong	Item No 9 – Cardiff's Local Wellbeing Plan	Personal Interest as a Council's representative on South Wales Fire & Rescue Service

Councillor	Item No	Interest
Councillor Hudson	Item No 9 – Cardiff's Local Wellbeing Plan And Item No 12 – Social Care, Health & Wellbeing Statement	Personal Interest as a relative in receipt of Social Care Services

Senior Officers affected by Item 10 the Pay Policy Statement 2018/19 have a pecuniary interest and will leave the meeting during consideration of this item.

#### 134 : MINUTES

The minutes of the meeting 22 February 2018 were approved as a correct record and signed by the Chairperson.

#### 135 : PETITIONS

The following petitions were submitted to Council:

Councillor Rhys Taylor: - 75 signatures calling on the Council to consult with businesses to address trader and customer parking on Whitchurch Road

Councillor Dan Naughton: - a petition containing further signatures calling on the Council to take over the Pentwyn Arms site and turn it into a community building. The petition has 111 signatures.

Councillor Emma Sandrey: - 28 signatures requesting that the Council install lockable gates on both ends of the back lane between Glyn Rhosyn/Ty Cerrig and Cardiff Golf Club.

#### 136 : LORD MAYOR'S ANNOUNCEMENTS

The Lord Mayor's monthly [Civic Brief](#) had been circulated.

The Lord Mayor reported the sudden death of Mr Peter Morris who until recently was the Head teacher at Mount Stuart Primary School and former Head teacher at Kitchener Primary School, which were schools in two the city's most diverse communities. The Lord Mayor on behalf of the Council sent condolences to his wife and family for their sad loss.

The Lord Mayor was delighted to have joined with the Leader, Cabinet Members and Councillors in the signing of the Motor Neurone Disease Charter which raises awareness of the disease and what support can be provided and issues to consider when making decisions.

The Lord Mayor wished the Reverend Canon Dr Sarah Rowland Jones, the Priest in Charge of the Civic Church of St John the Baptist all the very best as she was taking up the post of Dean of St David's Cathedral Pembrokeshire.

The Lord Mayor provided an update on his charity fundraising and the Three Peaks challenge that he was undertaken with the Leader of the Council and fellow Councillors on 28/ 29 April 2018.

137 : LORD MAYOR AND DEPUTY LORD MAYOR ELECT

The Council received nominations for the positions of Lord Mayor and Deputy Lord Mayor for the 2018/19 Civic year.

Councillor Huw Thomas proposed the nomination of Councillor Dianne Rees as Lord Mayor elect. Councillor Joe Boyle seconded the proposal.

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

There were no other nominations

RESOLVED – That the nomination of

1. Councillor Dianne Rees as Lord Mayor Elect for the Civic year 2018/19 was approved;
2. Councillor Rod McKerlich as Deputy Lord Mayor Elect for the Civic year 2018/19 was approved.

138 : CARDIFF CAPITAL REGION CITY DEAL JOINT WORKING AGREEMENT  
BUSINESS PLAN

The Leader of the Council, Councillor Huw Thomas presented the report which sought approval of the Cardiff Capital Region Joint Working Agreement Business Plan which focused on the delivery specific aspects of the Council's ambitions through the City Deal and projects to create economic opportunity and increase productivity across the South East Wales regional footprint.

In January 2017 the Leader of the previous administration made a commitment to report to Council further on the Council's contributions to the City Deal, and this Joint Working Agreement Business Plan provide Members with the detail and the headline projects as well as clarity on the direction of spending.

Critically for Cardiff the Business Plan includes an in-principle commitment for the Metro, an essential piece of infrastructure for the city and the region, and aims to lever in £2bn of private commercial development investment. There are also investments in housing, skills and the digital agenda that will benefit all authorities across the Capital Region.

The Leader confirmed that approving of the Joint Working Agreement Business Plan would not be delegating any further powers to the Joint Committee than otherwise approved by Council in January 2017.

The commitment for Cardiff was £50m to the Wider Investment Fund which would unlock almost £500m for the city-region and allow greater integration of regional working across South East Wales, drive prosperity and tackle inequalities and poverty.

The report was seconded by the Cabinet Member for Finance, Modernisation and Performance, Councillor Weaver who confirmed that the proposal provide clarity on the release of funding; provides a platform for investment decisions; breaks down the artificial structural fund boundaries; would provide the city region with £1.2m investment including over £700m for the South East Wales Metro, and focus on addressing concerns around the redevelopment of Cardiff Central Station; as well as supporting potential jobs, skills and the digital infrastructure.

The Lord Mayor invited debate. Progress to date and cross party and regional working was welcomed. However concerns were raised around the democratic deficit and the involvement of local Councillors in the decision making process and how it was important that the Leader and the Joint Committee engaged with local authorities and residents throughout the region so that they better understand the proposals. Members highlighted the lack detail on projects in particular relating to infrastructure and housing schemes for example the Metro, the ambition for a 50/50 modal split, capital and revenue costs, timescales for realising projects and issues previously raised as part of the decision making process around Cardiff's Local Development Plan.

The Leader responded to observations made and recognised that it was important to ensure that Members and the people of the city understood and were aware of proposed projects and the likely impact and improvements that will be made.

RESOLVED - That the Council approved the Cardiff Capital Region Joint Working Agreement Business Plan.

#### 139 : CORPORATE PLAN 2018 - 2021

The Leader of the Council, Councillor Huw Thomas presented the Corporate Plan 2018 – 2021 for approval by the Council. The Plan represents the administrations ambitions and aspirations for the capital city and the people of Cardiff and Wales. The Plan is the Council vision, policy and delivery framework set within the context of ensuring everyone benefits from the city's success; continuing pressures on services and diminishing budgets; and the ambition of equity and social justice.

Alongside the City Deal Business plan and the Well-Being plan, the Corporate Plan clearly sets out how the city and the region's performance will be measured, reflecting the strategic alignment between the Council and the Public Service Board and the shared seven well-being objectives and the common understanding of the challenges facing the city.

The Leader thanked the Policy Review & Performance Scrutiny Committee and the Performance Panel lead by Councillor Walker who had over the last four months engaged with the development of the Plan and provided constructive feedback on the structure, content and performance targets.

The Corporate Plan was seconded by the Deputy Leader and Cabinet Member for Education and Skills, Councillor Merry who linked ambitions to the budget proposals approved in February 2018 and the administration priorities to deliver on creating opportunities; tackling inequalities, poverty and ill health, action on homelessness and protection of the most vulnerable in society.

The Lord Mayor advised that he had received in accordance with Council Procedure Rule 24a an amendment to the report. The Lord Mayor invited Councillor Boyle to propose the amendment.

The amendment called for the recommendation to be deferred to a future Council to enable Cabinet to bring forward a revised plan which included sufficient proposals and actions at a local level aimed at helping to address significant health inequalities, differences in life expectancy and reflect on the motion brought before Council by the Liberal Democrat Group on loneliness existing in different communities in Cardiff.

Councillor Berman seconded the amendment reinforcing the fundamental issues around health inequalities including mortality rates and life expectancy between affluent and less affluent parts of the city; and the importance of working with health networks on major issues for example health promotion and tackling obesity.

Prior to taking a vote on the amendment the Lord Mayor invited debate. During the debate there were observations made about the ambition of the Corporate Plan, what more can be achieved; the challenges of inequalities and poverty; strengthening of preventative and support services; the importance of education opportunities and attainment; and the work being undertaken with partners on the seven objectives.

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

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

The vote on the amendment was CARRIED.

The Lord Mayor invited Councillor Boyle to sum up.

The Lord Mayor called for a vote on the amended recommendation.

The Vote on the amended recommendation was LOST.

RESOLVED – That the Corporate Plan was not approved and was referred back to Cabinet.

140 : CARDIFF'S LOCAL WELLBEING PLAN

The Leader of the Council, Councillor Huw Thomas presented Cardiff's Local Wellbeing Plan for approval by Council. In presenting the report he was disappointed that the Corporate Plan a vital part of the policy framework that sat alongside this important document had not been approved and that the delay would impact on the implementation of the Well-being Plan. The Well-being Plan had been prepared in collaboration with the Public Service Board and deals with complex issues of the health and wellbeing of the citizens of Cardiff which the previous amendment and the amendment to this report dealt with.

The Well-being Plan was a well-developed document which built on the evidence base set out in the comprehensive Well-being Assessment and gave a platform for partners to respond together on issues of protecting the vulnerable; helping the homeless; supporting older people to stay happy and healthy in their own communities and tackling issues such as radicalisation.

The Cabinet Member, Health and Social Care seconded the Plan and drew attention to the challenges and partnership arrangements; work with Ministers and the Welsh Government, the breaking down of barriers and the delivery of complex issues. She advised of the importance of a step change at community level joining up schools and social services; health and public services to support families and tackle issues early. The alignment between the Corporate Plan, the Well-being Plan and the Area Plan are fundamentally important in providing the strategic framework between the city's public and community services, and in the delivery of the Cardiff Ambition.

The Lord Mayor advised that he had received in accordance with Council Procedure Rule 24a an amendment to the report. The Lord Mayor invited Councillor Berman to propose the amendment.

The amendment called for the recommendation to defer consideration of the Well-being Plan until a future Council meeting to enable a Health Impact Assessment of the Plan before its approval with a view to have a better plan, give consideration of unintentional consequences, and meet the requirements of the future Welsh Government Public Health Act.

The amendment was seconded by Councillor Boyle who reminded Council of his Group's consistently approach to promote the priority of health inequality and will continue to work to ensure that the Plan is fit for purpose.

The Lord Mayor opened the item for debate and observations were made in relation to health and the family; the well-being of young people and children; the need to ensure services are available at a local level; actions and consultation on the draft plan and the seven well-being objectives. Concerns around democratic deficit of the membership of the Cardiff Public Service Board with only one politician on the Board.

Councillor Dianne Rees moved a motion without notice CPR 25(iv) to refer the Plan back to Cabinet this was seconded by Councillor Robson.



The Lord Mayor invited the Leader to respond. The Leader responded to issues raised in relation to child well-being, and support from partners including the Local Health and Public Service Boards. The Leader indicated that in relation to Health Impact Assessment it was proposed to pilot these in the future.

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

The vote on the amendment was LOST

The Lord Mayor called for a vote on the reference back proposed by Councillor Dianne Rees.

The vote on the reference back was LOST.

The Lord Mayor called for a vote on the recommendation

The vote on the recommendation was CARRIED

RESOLVED – That the Cardiff's Local Wellbeing Plan was approved.

141 : PAY POLICY STATEMENT 2018 - 2019

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

The Cabinet Member, Finance, Modernisation and Performance, Councillor Weaver presented the annual Policy Statement for 2018/19 prepared in accordance with the requirements of the Localism Act 2011. The Council in line with its commitment to fairness and transparency will published the gender pay gap report as part of the annual Pay Policy Statement to be published 31 March 2018.

The Deputy Leader, and Cabinet Member Education and Skills seconded the report. The Lord Mayor invited debate. Members welcomed the publication of the gender pay gap information, although it was clear from the information there was some way to go. Observations were raised around the pay award; pensions and pension benefits, links between education and employment.

During the debate Councillor Williams proposed a Motion without Notice under CPR25 (iv) to refer the report back to Cabinet. The reference back was seconded by Councillor Davies.

The Lord Mayor invited the Cabinet Member to sum up before the vote on the amendment was taken.

Vote on the Reference back was LOST

RESOLVED – That

1. the Pay Policy Statement 2018/19 was approved;

2. to note the employer's pension contributions have been included in the calculation of an employee's weekly pay, where appropriate;
3. to note the Council will need to take steps to implement changes arising from the NJC for Local Government Pay for 2018/20;
4. the inclusion of the Gender Pay Gap report was welcomed;
5. to note the commitment to the principles and guidance on the appropriate use of non-guaranteed hours arrangements in the devolved public services in Wales, as developed by the Public Services Staff Commission in social partnership with the Welsh Government's Partnership Council and its sector groups.

#### 142 : CONSTITUTION AMENDMENTS

The Chair of the Constitution Committee, Councillor Goodway presented the recommendations of the Constitution Committee in respect of proposals to update and amend rules of the Constitution in relation to Contracts Standing Orders and Procurement and Financial Procedure Rules; amendments to the Council and Committees procedure rules in relation to recording of Council meetings; the realigning of the Air Quality Management functions; clarity on the requirements for Ward Member Consultation and the establishment of rules around the All Party Council Groups available to ordinary Councillors to engage in topics that can influence policy within the Council.

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

RESOLVED – That the Council

1. the Constitution amendments recommended by the Constitution Committee were approved in respect of:
  - (i) the recording of Council meetings;
  - (ii) requirements of Ward Member consultation;
  - (iii) establishment of All Party Council Groups;
  - (iv) the responsibility for air quality management functions.
2. the revised Contracts Standing Orders and Procurement Rules and Financial Procedure Rules were approved.

#### 143 : LEADER AND CABINET MEMBER STATEMENTS

The following statements were received: -

[Leader Statement](#) – Councillor Huw Thomas

The Leader responded to questions raised in relation to the Severe Winter Weather response; Business Rates, Community Cohesion and Local Government Reform.

[Cabinet Member, Social Care, Health & Well-being](#) – Councillor Elsmore

The Cabinet Member responded to a question in relation to the membership of the Inclusive Cities Project Cardiff Taskforce.

[Cabinet Member, Strategic Planning & Transport](#) – Councillor Wild

The Cabinet Member responded to questions on the Transport and Clean Air Green Paper including active travel and the Next Bike Scheme; Cardiff Bus Station update and Car Free Day Cardiff 2018, Sunday 13<sup>th</sup> May 2018.

[Cabinet Member, Investment & Development](#) – Councillor Goodway

The Cabinet Member responded to questions in relation the MIPIM exhibition, Cardiff Bus Station, the Metro delivery partner and Cardiff West transport hub.

[Cabinet Member, Culture & Leisure](#) – Councillor Bradbury

The Cabinet Member responded to a question on the unsuccessful outcome for the Council of their bid to host some of the Euro 2020 matches.

[Deputy Leader, Education, Employment & Skills Statement](#) - Councillor Merry

The Deputy Leader responded to questions on the School Holiday Enrichment Programme, the Pear Tree federation and International Women's Day.

[Cabinet Member, Finance Modernisation & Performance](#) - Councillor Weaver

The Cabinet Member responded to questions on International Women's Day; the Living Wage accreditation scheme for small and medium size enterprises in Cardiff.

[Cabinet Member, Housing & Communities](#) - Councillor Thorne

The Cabinet Member responded to questions raised in relation to the update on additional fire safety checks on cladding of high-rise housing blocks in Cardiff, and the give DIFFerently scheme supporting the homeless and those at risk of homelessness in Cardiff.

[Cabinet Member, Clean Streets, Recycling & Environment](#) – Councillor Michael

The Cabinet Member responded to questions on fly tipping and the love where you live initiative.

[Cabinet Member, Children & Families](#) - Councillor Hinchey

The Cabinet Member was pleased to report on the new Families First programme, Swan Family Centres, Hafan Gobaith and the Bright Start Traineeship Scheme.

144 : MOTION 1

The Lord Mayor advised that the notice of motion proposed by Councillor Jones-Pritchard and seconded by Councillor Lancaster had been received for consideration and was included on the Summons for the meeting. Two amendments had been received to the motion.

The Lord Mayor invited Councillor Jones-Pritchard to propose the motion as follows:

That this Council recognise the damage that waste plastics cause to the world wide environment, acknowledge that there are measures we can take now to reduce, or

cease, our contribution to that contamination and damage and commit to becoming a “Plastic Free” City.

This Council resolves to start the process to becoming a Plastic-Free city by;

- Supporting Plastic Free Coastlines, committing to plastic free alternatives and supporting plastic free initiatives within the City. Setting the example and leading the way by removing single-use plastics from Council premises, encouraging plastic free initiatives and promoting the removal of single-use plastics elsewhere.
- Working to encourage local businesses and retailers to stop using, and selling, single-use plastic items, replacing them with sustainable alternatives.
- Creating plastic-free community spaces in our parks, libraries, hubs, community and leisure centres.
- Working with stakeholders to create plastic-free schools, colleges and organisations.
- Promoting or organising community events to remove plastic waste from our coastline and elsewhere.
- Seeking to set up, with local businesses and community representatives, a stakeholders group to further this aim.

Examples of single use plastics and alternatives are;

- Paper instead of plastic straws,
- Recyclable or reusable cups
- Metal, compostable or other material instead of plastic cutlery
- No single serve condiment sachets
- Compostable or reusable stirrers
- Paper bags or wrapping instead of plastic
- Reusable bottles instead of throwaway plastic
- Punched and bound papers instead of polypockets.
- Seeking alternatives to laminating paper public notices for a non plastic option.

Opportunities;

- Schools plastic free policy
- Planning condition, perhaps with Welsh Government support, for inclusion in management or waste policies
- Increase our percentage of recyclable waste, reduce incineration and landfill
- Our offices, parks, hubs, schools, libraries, leisure centres, vehicles and thousands of staff

- Our purchasing and influencing power with supplies, partners and stakeholders
- Future Generations Act – this has to be one of the most compliant decisions that can possibly be made!

The Motion was seconded by Councillor Lancaster

The Lord Mayor took each of the amendments in turn

Amendment 1: Proposed by Councillor Wood  
Seconded by Councillor Sandrey

After the first paragraph replace all text with: -

This Council notes that:

- Single use plastics create unnecessary waste with negative impacts on our communities and environment. Approximately 400 million tonnes of plastic are produced globally each year of which 40% is intended to be single-use [1].
- Over 8 million tonnes of plastic enter the world's oceans each year, with most originating from the land [2].
- Many plastics, including polystyrene, cannot be recycled and paper coffee cups are often fused with polyethylene making them difficult to recycle.
- Re-use is preferable to recycling or disposal, requiring less energy and creating less waste.
- Small businesses across South Wales are taking proactive steps to encourage consumers to use less plastic [3].
- Cardiff University students have already taken the initiative with a 'No Straw campaign' [4].

This Council resolves to start the process to becoming a Plastic-Free city by:

- Supporting Plastic Free Coastlines, committing to plastic free alternatives and supporting plastic free initiatives within the City. Setting the example and leading the way by aiming to remove all single-use plastics from Council premises by the end of the 2018-19 financial year, and promoting the removal of single-use plastics elsewhere.
- Urging all business with which we work, through procurement avenues and other networks, to promote the phasing out of similar products in their business environments. Furthermore, encourage all local businesses and retailers to stop using, and selling, single-use plastic items, replacing them with sustainable alternatives.
- Ensuring all organisations in receipt of council funds to make a commitment to sustainable practices and be encouraged to phase out all single use plastics.
- Seeking to set up a stakeholders group including community representatives, to further this aim, in all business environments and communities.

- Creating plastic-free community spaces in our parks, libraries, hubs, community and leisure centres.
- Working with stakeholders to create plastic-free schools, colleges and other organisations.
- Continuing to promote, organise and support community events to remove plastic waste from our coastline and elsewhere.
- Developing a plastics policy.

Opportunities:

- Schools plastic free policy
- Supporting the wider introduction and use of water fountains and re-fill stations.
- Planning conditions for inclusion in management or waste policies
- Increase our percentage of recyclable waste, reducing incineration and landfill
- Our offices, parks, hubs, schools, libraries, leisure centres, vehicles and thousands of staff
- Our purchasing and influencing power with suppliers, partners and stakeholders
- Future Generations Act – this has to be one of the most compliant decisions possible!

1. Geyer R, Jambeck JR, Law KL. Production, use, and fate of all plastics ever made. *Sci Adv.* 2017;3(7).

2. “BBC to ban single-use plastics by 2020 after Blue Planet II”.

<http://www.bbc.co.uk/news/uk-43051153>

3. “Momentum builds in small businesses to curb plastic use”.

<http://www.bbc.co.uk/news/uk-wales-42832201>

4. “Students spearhead anti-plastic movement in Cardiff”.

<http://www.jomec.co.uk/intercardiff/environment/students-spearhead-anti-plastic-movement-in-cardiff>

Amendment 2: Proposed by Councillor Michael  
Seconded by Councillor Lister

First Paragraph delete all after damage and replace with: -

Single use plastics create unnecessary waste with negative impacts on our communities and environment.

Approximately 400 million tonnes of plastic are produced globally each year of which 40% is intended to be single use.

Over 8 million tonnes of plastic enter the world’s oceans each year with most originating from the land.

Re-use is always preferable to recycling or disposal, as it requires less energy and creates less waste.

Businesses across South Wales are taking proactive steps to encourage consumers to use less plastic.

Cardiff is the leading city in the UK for recycling.

Cardiff is the best city of the 10 core cities for recycling.

Cardiff's new 2018-21 Waste Strategy will focus on meeting the targets set by WAG of 70% recycling by 2025.

Cardiff Council will identify recycling streams that will add to our recycling figures and calls on all Councillors for support.

This Council recognises the good work being done to increase recycling.

This Council recognises the damage to our World by waste, including single use items and calls on the UK Government to take steps to reduce waste and prevent it getting into the oceans and causing more harm.

This Council calls on the Cabinet to continue:

- (i) to work with partners such as the No Straw Stand to get the message on single use straws, as well as working with them on getting environmental Education books to every primary school, and giving them space on our 'Love Where You Live' website.
- (ii) to work with Welsh Water on Refill Stations such as:-

- Cardiff Central Library
- Grangetown Hub
- Llandaff North & Gabalfa Hub
- Llanishen Hub
- Llanrumney Hub
- Rhydypennau Hub
- Rumney Hub
- St Mellons Hub
- Star Hub

This Council further calls on the Cabinet to ensure that we continue to explore markets for recycling previously thought to be not recyclable such as: -

- Card Tyres;
- UPVC Double Glazing;
- Polystyrene
- Mattresses etc.,

This Council calls on the Cabinet to produce a report outlining plans by October 2018 to reduce single use items on council premises such as cups, wrapping, bags etc.,

And further calls on the Cabinet to discuss with partners and stakeholders on the reduction of single use items.

The Lord Mayor invited debate on the motion. At the conclusion of the debate the Lord Mayor invited Councillor Jones-Pritchard to sum up. In summing up Councillor Jones Pritchard indicated that he accepted amendment 2 as the substantive motion.

The Lord Mayor moved to the votes.

The vote on Amendment 1 was LOST

The vote on the Substantive Motion was CARRIED as follows: -

That this Council recognise the damage that waste plastics cause to the world wide environment, acknowledge that there are measures we can take now to reduce, or cease, our contribution to that contamination and damage.

Single use plastics create unnecessary waste with negative impacts on our communities and environment.

Approximately 400 million tonnes of plastic are produced globally each year of which 40% is intended to be single use.

Over 8 million tonnes of plastic enter the world's oceans each year with most originating from the land.

Re-use is always preferable to recycling or disposal, as it requires less energy and creates less waste.

Businesses across South Wales are taking proactive steps to encourage consumers to use less plastic.

Cardiff is the leading city in the UK for recycling.

Cardiff is the best city of the 10 core cities for recycling.

Cardiff's new 2018-21 Waste Strategy will focus on meeting the targets set by WAG of 70% recycling by 2025.

Cardiff Council will identify recycling streams that will add to our recycling figures and calls on all Councillors for support.

This Council recognises the good work being done to increase recycling.

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This Council calls on the Cabinet to continue:

- (i) to work with partners such as the No Straw Stand to get the message on single use straws, as well as working with them on getting environmental Education books to every primary school, and giving them space on our 'Love Where You Live' website.
- (ii) to work with Welsh Water on Refill Stations such as:-
  - Cardiff Central Library
  - Grangetown Hub
  - Llandaff North & Gabalfa Hub
  - Llanishen Hub
  - Llanrumney Hub
  - Rhydypennau Hub
  - Rumney Hub
  - St Mellons Hub
  - Star Hub

This Council further calls on the Cabinet to ensure that we continue to explore markets for recycling previously thought to be not recyclable such as: -

- Card Tyres;
- UPVC Double Glazing;
- Polystyrene
- Mattresses etc.,

This Council calls on the Cabinet to produce a report outlining plans by October 2018 to reduce single use items on council premises such as cups, wrapping, bags etc.,

And further calls on the Cabinet to discuss with partners and stakeholders on the reduction of single use items.

145 : MOTION 2

The Lord Mayor advised that a notice of motion proposed by Councillor Wood and seconded by Councillor Sandrey had been received for consideration and was included on the Summons for the meeting. The motion was substantially the same as Motion 1 which had been debated earlier.

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

Cardiff Council notes that:

- Single use plastics create unnecessary waste with negative impacts on our communities and environment.
- Approximately 400 million tonnes of plastic are produced globally each year of which 40% is intended to be single-use [1].

- Over 8 million tonnes of plastic enter the world's oceans each year, with most originating from the land [2].
- Plastics such as polystyrene cannot be recycled.
- Paper coffee cups are often fused with polyethylene which makes them difficult to recycle.
- Re-use is always preferable to recycling or disposal, as it requires less energy.
- Small businesses across South Wales are taking proactive steps to encourage consumers to use less plastic [3].
- Students from Cardiff University are also leading the way with a 'No Straw campaign' [4].

We call on Cardiff Council to:

- Phase out all single use plastics, including cups, lids, plastic bottles, plastic-lined cardboard, and any other single use plastics from the entire Cardiff Council Estate by the end of the 2018-19 financial year.
- Ensure all organisations in receipt of council funds make a commitment to sustainable practices and be encouraged to phase out all single use plastics.
- Urge all businesses with which we work, through procurement avenues and other networks, to promote the phasing out of similar products in their business environments.
- Provide re-useable cups and utensils where required and make provisions for cleaning of said items.
- Support the introduction of public drinking water fountains and re-fill stations.
- Investigate a deposit return scheme for Cardiff.

1. Geyer R, Jambeck JR, Law KL. Production, use, and fate of all plastics ever made. *Sci Adv.* 2017;3(7).

2. "BBC to ban single-use plastics by 2020 after Blue Planet II".  
<http://www.bbc.co.uk/news/uk-43051153>

3. "Momentum builds in small businesses to curb plastic use".  
<http://www.bbc.co.uk/news/uk-wales-42832201>

4. "Students spearhead anti-plastic movement in Cardiff".  
<http://www.jomec.co.uk/intercardiff/environment/students-spearhead-anti-plastic-movement-in-cardiff>.

The motion was seconded by Councillor Sandrey.

The Lord Mayor advised that the Motion would be put to the vote without debate.

The vote on the Motion as proposed was LOST.

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Question - *County Councillor Hudson*

As Heath Park is to be upgraded, as we are working towards Green Flag status, could we have a drinking fountain installed combined with a plaque to commemorate its re-dedication?

Reply – *Councillor Bradbury*

As part of our management plan for Heath Park, I have requested that officers explore opportunities for providing drinking water on site – this may be through drinking fountains or by other means.

I am very aware of the environmental benefits of such provision, in particular, moving away from the purchase and use of single use plastics.

I am happy to look into this.

Supplementary Question – *Councillor Hudson*

If you do look into this could we have it near the sports field, but there is a question over who owns the sports field, so perhaps you can answer that at the same time?

Reply – *Councillor Bradbury*

I'm happy to look at it and work with you and your colleagues in the ward to see where the best location may be, if we go ahead and do it. I can't make any guarantees we will but it is something we are looking at.

Question - *Councillor Berman*

Many of the residents in Penylan who are unhappy with the proposed loss of trees in Roath Brook Gardens and Roath Mill Gardens to facilitate phase 3 of the Roath flood scheme works being undertaken by Natural Resources Wales (NRW) have said they would prefer to see an alternative scheme that would instead involve increasing the capacity of Roath Park lake through the lowering of the lake bed. With NRW having recently announced that they are pausing this phase of the flood scheme works to give the residents group an opportunity to seek their own independent hydrology assessment, could you advise if the council would be supportive of such an alternative scheme should it prove a feasible alternative option for providing flood mitigation, and what (if any) previous view has the council given as to whether or not it would be supportive of such an option?

Reply - *Councillor Michael*

Natural Resources Wales are the competent responsible body for managing flood risk from Main Rivers and are therefore the body who design and implement flood alleviation schemes on Main Rivers, such as Roath Brook.

The final decisions in relation to the design and implementation of Main River flood alleviation schemes rests with NRW; however, the Council would be supportive of any scheme that provides flood protection to residents and is feasible.

Supplementary Question – *Councillor Berman*

I think it remains to be seen whether this alternative option might be feasible but nonetheless NRW are allowing a residential group the opportunity to explore it.

The issue is, if it was decided it was a feasible alternative, what the Council's attitude would be to the idea because obviously the Council would have to agree if the option of looking at increasing the capacity of Roath Park Lake was pursued.

It would be helpful to know now whether the Council would be minded to support that as a way forward?

Reply – *Councillor Michael*

Lots of schemes were considered by NRW before they actually came up with a final scheme. I don't know if they considered this, I'm not a hydrologist, but I think the problem here is not what is coming from Roath Park Lake, but what is coming from the tidal flow of the Rumney, that's the serious aspect of this.

If there is a suggestion for one of these from NRW or a competent body, I'm sure the Council will actually help. We are happy to look at schemes that actually alleviate flooding. I don't know if this scheme is actually feasible, personally I don't think it is, but let's wait for NRW to come to the Council and then we will have those discussions.

Supplementary Question – *Councillor Robson*

Whatever scheme is eventually decided upon in Roath Brook, can I urge that, as we had yesterday in Rhiwbina, a rehearsal and practice run is conducted so that residents and the Agencies involved, know what to do in the event of a flood. We had a very useful exercise yesterday installing the stop logs, to prevent the brook from flooding, and a few lessons were learned so thank goodness we did that on a nice sunny day, in the middle of the day, rather than 3am which is invariably when Rhiwbina Brook floods.

Reply – *Councillor Michael*

Yes I'll take your sentiments and discuss them with Officers.

Question - *Councillor Singh*

Due to the high level of development going on in the city centre and the close proximity to Riverside, are there any plans to invoke compulsory purchase orders in Riverside?

Reply - *Councillor Goodway*

To my knowledge, there are no plans to invoke CPOs in the Riverside area relating to the city centre redevelopment works.

Supplementary Question- *Councillor Singh*

Although I welcome the investment that the Council is making in the City Centre, it's really important that we protect the character of local communities and that no plans are made to demolish valued areas of the local communities.

One such example of this in Riverside is Tudor Lane, which houses some fantastic local businesses such as the Broken Hair Workshop, Fireworks Ceramics Studio and the Three Sevens Garage. Many of these small businesses are concerned that due to their proximity to the bus station and the BBC building, that the Council may redevelop this area at a detriment to the businesses in Tudor Lane. So can you just reassure the residents of Riverside that these small businesses are not subject to any such scheme?

Reply - *Councillor Goodway*

I can assure you the administration's commitment to protecting small businesses and we wouldn't wish to do anything that was detrimental to their success. The issue in terms of beneficial development that can take place as a result of investment in the City, I think is something that you would want to explore with colleagues.

I would have to say that that probably is outside of my portfolio responsibilities and falls within the portfolio responsibilities of my colleague, but the important thing is to engage at an early date with the community to establish what their aspirations might be and see how we can work together to deliver on those ambitions.

Supplementary Question - *Councillor Molik*

We have a similar issue with roadworks and pavements being replaced in Clearwater Way where the parking area has been taken over by officers working at that site and its leading to dire impact on the local small businesses, very limited businesses we have in Cyncoed but its effecting them hugely so can I just ask for further consideration when you are planning for improvement of roads or development, that you do consider the local businesses a bit more.

Reply - *Councillor Goodway*

I'm certainly prepared to ask officials to ensure that there is a close dialogue with other portfolio areas and other departments so that when these sorts of works are

being considered they are done in a way that protects the businesses there as far as possible, and I'll have those conversations as early as next week.

Question - *Councillor Robson*

Will the Cabinet Member outline the Council's plans for the Graving Docks?

Reply – *Councillor Goodway*

Discussions regarding a potential development on this site are at a very early stage such that there are, as yet, no specific redevelopment proposals. However, the discussions are being informed by the known aspirations of neighbouring property owners along with the potential to deliver a major new cultural attraction sitting over the top of one of the graving docks.

Such an attraction is likely to require a degree of subsidy and the Council, therefore, needs to understand what any potential ancillary developments could generate to create a viable scheme.

I am currently working with officials to establish whether there is a possibility of working exclusively with an adjacent landowner to undertake a detailed feasibility study to determine the true potential of the site.

Supplementary Question - *Councillor Robson*

I've been asking this question on and off every four years, to see how far this site has got since becoming aware of it. It's a classic example of land banking by the Council and it's a real disappointment that Council, over many Administrations, has not done something with the site, so I'm actually encouraged by your answer Councillor Goodway, because that's the most progress managed to achieve on this issue in my time in this Chamber.

All I ask is will you keep us updated please as matters progress either directly or through Economy & Culture Scrutiny Committee, this is a valuable site and adjacent landowners, one in particular where there would be a natural fit with the offer that they have for visitors.

Reply - *Councillor Goodway*

I'm grateful for the kind remarks the Councillor has just provided, I can say it's another reflection of the revitalised leadership that we have within the Council and it's now spearheading this agenda and taking it forward. I reject the accusation that this is a piece of land that has been land banked the only reason that we have not been able to take forward development proposals is that we have not been able to identify a viable scheme. Discussions with the neighbouring landowners with adjacent property owners who are coming to the point where they have to give some thought to how they are going to take their operations forward, means that the timing is now right for us to have those discussions and hopefully bring forward further proposals that will result in something very special occurring around that particular part of Cardiff Bay.

Question - *Councillor Sandrey*

Most parents in the UK back air pollution exclusion zones around schools, according to a study by Client Earth. Will these be considered as part of the proposals that come out of the green paper on transport and clean air?

Reply - *Councillor Wild*

I'm concerned as you are about Air Quality especially around Schools and where vulnerable people are as well as elsewhere in the City. I can confirm as you will have seen that Active Travel Zones are one of the elements in the Green Paper but nonetheless I think there are things we need to do on that, I've had representations from different Councillors in the Chamber with ideas around double red lines and very concerning where there are measures in place around schools where a lot of parents or guardians are still parking there despite there being quite clear markings so I'm aware there is more we need to do regardless of what's in the Green Paper.

Supplementary Question - *Councillor Sandrey*

Do you think that live Air Quality Pollution monitors should play a part in identifying schools where exclusion zones could be most effective while also helping to convince local parents of the need to introduce them?

Reply - *Councillor Wild*

I agree completely and I think they are being put in place based on particular representations here at previous meetings, so I understand that's now in place, I will get an update as to how those are going.

Supplementary Question - *Councillor Williams*

In terms of promoting a Clean Air Strategy in the Council could Councillor Wild update the Council on what he is doing to ensure that the benefits of electric vehicles is promoted and could he provide an update on electric charging points not only in the City Centre but also on the outskirts of the City and just to declare I do own an electric car.

Reply - *Councillor Wild*

I'm not going to take the whole time to give you a full update on electric charging points, it is something we are working with my colleague on, I'm happy to give you an update as we go and as you know the important thing is about having a debate on those things which is in the Green Paper as well.

Question - *Councillor Ahmed*

What are your future plans regarding the 20 mile per hour speed limit throughout our city?

Reply – *Councillor Wild*

The Council has made a commitment to roll out 20 mph limits on appropriate streets throughout the city, you will also have seen in the Green Paper there is a proposal where we might consider making Cardiff a 20mph zone in its entirety other than arterial routes where it is not necessary. So I ask you to take part in that.

Supplementary Question - *Councillor Ahmed*

Have you noticed any changes in traffic around 20mph zones that this Council has introduced and are you getting any feedback from the local residents about the benefit, especially families, parents etc.

Reply - *Councillor Wild*

As you know in Cathays where the pilot has been in place for a while, my understanding is that brought down average speeds in 24 out of the 34 roads. I don't know if there has been any work done to see how that's affected the walking environment, I know it takes a while to tweak those things. In my own ward in Riverside where it's been put in place, that's being reviewed as we speak and during the next couple of weeks to see how that's reduced speeds and how it affected things. From my personal point of view, I find it easier and a nicer environment to walk and cycle around as I do when I'm in Cathays, so it's something I'm certainly a supporter of and

I hope we can continue to move this forward and generally calm traffic down across the City and slow speeds around so it's easier for people to walk and safer for people to get around.

Supplementary Question - *Councillor Kelloway*

There are parts of Cardiff where public transport provision is poor, such as Cyncoed and many residents for whom public transport is not appropriate.

Will the Cabinet think any further escalation in their war on motorists by dismissing proposals for congestion charging in the Centre and mandatory 20 mph zones everywhere else?

Reply - *Councillor Wild*

We brought forward following two motions from your party as well, looking at all things around congestion and traffic in the City, 18 different ideas and we are expecting as we have said all along a grown up debate on this and I'm hoping we are going to get one from a number of parties, I know we will from most people across the Chamber and I hope we will from yourself as well Councillor.



Question - *Councillor Driscoll*

In light of the delay of the green paper on transport, can you confirm that the Live Air Quality Monitoring stations have now been purchased, and when will they be installed in Llandaff and across the city?

Reply – *Councillor Michael*

I can confirm that a new automatic station has now been installed on Newport Road and data will soon be available online. In addition, a further monitoring station has been ordered using Section 106 funding from the Fitzalan Court development and this monitor will be installed in the near future.

As I advised you at Council in January, the air quality monitoring network within the Llandaff Air Quality Management Area has been revised for 2018.

Air quality in Llandaff has improved gradually over recent years and the latest results from the 2017 data show that all monitoring locations in the Air Quality Management Area are now compliant with Nitrogen Dioxide air quality standards.

However, officers will further assess the potential to implement real-time monitoring capabilities in the Llandaff Air Quality Management Area, but this will be dependent on the availability of appropriate funding and there being suitable infrastructure to install such monitors in the area.

Supplementary Question - *Councillor Driscoll*

Before I ask my question I just want to make it clear that I have a commercial arrangement with Councillor Michael where he cuts my hair and I give him a tenner. I am mindful that he is stood behind me at least once a month with an open razor so I don't wish to argue or upset him.

You only have to look at the destruction of hedgerow and the major housing developments underway in Cardiff West, heavy goods vehicles travelling to and from the site and converging on Llandaff. This is leading to additional air pollution in Llandaff which is outside schools and we know that children and older people are the most affected by this super pollution. Do you understand why people want to know when they can expect alive air monitor installed outside schools in Llandaff which this Council agreed they would put across the City; or are you and your colleagues in Welsh Government afraid of the results you might find.

Reply - *Councillor Michael*

The answer to your original question was there, we are trying to sort out and install one there. The actual results as I said say the air quality in Llandaff has got better but the real thing to do is wait for what we are trying to do so with the Transport Green Paper as that will have measures for Green Air across the whole of the City. But as I said when we have the money, the infrastructure, and appropriate funding which we are trying to identify you will get one there.

Supplementary Question - *Councillor Berman*

I think you referred to Newport Road in your original answer and obviously that's an air quality hotspot, and does affect my ward as well as other wards. I just wondered if you could update the Council as to what specific initiatives you are pursuing to try to improve air quality in that area.

Reply - *Councillor Michael*

I'll take you back to what I just about the Green Paper, there are a whole host of things in there for you to get involved in. I think that's when we are going to draw out what we need to do, at the moment there is debate going on and we have consultants that are going to come in and look at this in small minutia of what we can do to improve these areas.

Question - *Councillor Sandrey*

Is there a process in place to establish and communicate diversions for bus companies and their customers during road works?

Reply – *Councillor Wild*

All roadworks that involve road closures and have major traffic management implications are communicated to all bus operators in advance. We would usually provide at least 7 days' notice; however, on occasions, this can be less depending on whether the works are emergency or planned works. We also provide a weekly road report to all bus operators.

Supplementary Question - *Councillor Sandrey*

In respect of roadworks that have been planned recently in Llanedeyrn and Pentwyn, I've had some complaints from residents who claim that the bus companies weren't told about the road works and the subsequent diversions, so I wanted to ask if it's possible to make sure that these companies know about the necessary diversions otherwise people might chose to jump in their cars because of the uncertainty and confusion about where to get their bus.

Reply - *Councillor Wild*

I certainly will check for you and I see you have been using social media to help your local residents in terms of getting that information across so I appreciate your help. Ill check and see if that information is getting through as it should do because obviously residents need to know in advance and I wonder if there are other ways of then knowing as well.

Question - *Councillor Ebrahim*

We are all aware of the risks associated with smoking cigarettes, such as increased risk of cancer, heart disease and respiratory problems. Similarly, these risks are

present when smoking shisha. There is a growing number of shisha bars in Cardiff. What kind of licensing conditions can the council use to regulate these shisha bars?

Reply - *Councillor Parry*

There are a range of powers that the Council can use to control shisha smoking in the city in accordance with a range of public health, planning, highways, trading standards and environmental protection legislation.

Officers will be visiting premises and inspecting very soon but obviously I can't give you the dates. If there is anything else you would like to know then please get in touch.

Supplementary Question – *Councillor Ebrahim*

I would just like to say, looking at the British Heart Foundation website, it clearly outlines an hour spent in a Shisha bar is equivalent to 100 cigarettes, we have many of our young people in this City making the Shisha as a regular session on a regular basis and I think it's a risk that we need to start grabbing hold of because we cannot wait any longer.

Reply - *Councillor Parry*

You are right, it's something we are looking into as it can be a risk for public health, we will bring this back to you as soon as any measures are taken.

Supplementary Question - *Councillor Hudson*

As a non-smoker I don't understand this but I wanted to know is there hard medical fact on this please because I didn't know about it.

Reply - *Councillor Parry*

It is being looked into in all seriousness, we can get back to you and we can report to you the findings and what is going to be done.

Question - *Councillor Graham Thomas*

Many residents are concerned about pressure on local schools places in coming years in NW Cardiff in light of multiple, very large new developments along the A4119 Llantrisant Road. Although the developments will include new schools, they will not be ready until the 500<sup>th</sup> house occupation. That could mean around 5 years and 100s of students moving into these new developments that have to use existing schools in Creigiau, Radyr and Pentyrch for example. Given they clearly don't have capacity for this, what is plan for them in the years before any new school builds are available?

Reply – *Councillor Merry*

The first of five new primary schools serving North West Cardiff is anticipated in 2020/21 and will provide an additional 420 school places. Adding significant school capacity too early represents a risk, as new and existing schools could find themselves operating significantly below capacity with resulting budgetary issues.

Supplementary Question - *Councillor Graham Thomas*

I'm sure you understand the concern here, many residents have raised this with me and the situation looks like a potential ticking time bomb. Many of the trigger points for these primary schools are the new developments and not until many hundreds of houses are built and different trigger points in different developments. I would ask what assessments have been done for the demand for future school places from these multiple developments across the area and their impacts on local school capacity before any of the new school builds are ready and if as I suspect we have a worrying disconnect will you explore the possibility of these new school builds being brought forward.

Reply - *Councillor Merry*

I was hoping that as you talked about five years for a new school I was hoping that 2020/2021 would actually be good news. I'm quite happy to sit down and go through the data with you and officers but to be honest its 2018 and we would have to actually build the new schools I'm not sure you could bring that forward significantly earlier than that in any case.

Question - *Councillor Molik*

Mothers have contacted me regarding concerns with sitting in their back garden with their children; pets and postman have been attacked on Farm Drive; bin bags torn open leading to mess on our streets; it isn't just the accumulation of bird mess that raises concerns regarding increasing seagull population, but also the fact that they come down and attack people and pets that raises concerns.

As we approach nesting time and with growing seagull population to reach 5,000 by 2020 in Cardiff, what is the council doing to ensure residents in areas like Cyncoed feel safe and unthreatened by seagulls?

Reply - *Councillor Michael*

The increasing numbers of gulls nesting in urban environments is a nationwide phenomenon and not restricted to coastal cities like Cardiff.

One of the best ways to prevent any nuisance caused by seagulls is for residents to ensure that they dispose of their food waste responsibly.

This means making full use of the caddies provided for food waste collections, putting leftover food in public litterbins and not putting food waste in black bags to help limit available food sources and to discourage gulls from staying in an area.

Supplementary Question - *Councillor Molik*

I appreciate the need to reduce littering and things and managing waste better is one of the ways of preventing gulls but there needs to be steps beyond that. Residents in Cyncoed have been doing that but they are still being threatened in their neighbourhood.

A mother and child are scared of sitting in the back garden due to seagulls so there needs to be more proactive steps from the Council to support these families that feel threatened by the rising population of seagulls as you acknowledge yourself. There are various procedures that can be applied and it requires often license people to apply those procedures however getting license people to the premises to do the procedures such as egg replacement or spiking comes at a cost, some people may be able to afford it but not everyone and so those procedures can't be accessed by all and there is no fairness in the way the system is working and Council should be supporting it. I want to see what the Council will do to support these families.

Reply - *Councillor Michael*

Gulls are actually protected under the Countryside Act 1981, in a previous council we had a scrutiny where we looked at what we could do about the situation and they came up with the egg replacement service, pest control officers can offer advice on what to do with them, but the one thing I cannot do is order Gulls not to go to Cyncoed. As annoying as it seems, I really haven't got that kind of power.

Supplementary Question- *Councillor Owen Jones*

I'm quite glad the Adamsdown Seagull is slightly less aggressive than the Cyncoed Seagull, that's not to belittle your claim. On your answer to Councillor Molik regarding food waste being put correctly in food bins, in areas such as Adamsdown, Splott, areas that don't have black wheelie bins, residents put their general waste out which will have food residue and especially in the summer, seagulls will assault and you can have waste everywhere.

Are there measures we can look at because it comes around every summer and these are people presenting waste correctly but in the southern arc areas that don't have black bins do get battered on certain weeks, are we looking at ways to sort that.

Reply - *Councillor Michael*

You have far less of a seagull problem now than we used to have when we landfilled. One of the problems with landfill was the landfill of the food and seagulls would go there take it and if you go to Flat Holm you have more chicken bones there than anywhere because they fly back with the food and use it as a breeding colony.

We have got less seagulls than previously, one of the problems with the bags and bins, we are looking at new waste strategy to actually provide more black bins and officers will be starting those discussions soon. There are limited measures you can take to stop a free flying bird flying to where it wants to.

Question - *Councillor Gordon*

Could the Cabinet Member reassure residents of Pontcanna that there will be no repeat of the damage to the parkland as there was at the 2008 Eisteddfod?

Reply - *Councillor Bradbury*

It is important for me to be clear that the proposed campsite at Pontcanna Fields in no way resembles the full infrastructure of the main Eisteddfod site that was located there back in 2008.

As you will be aware, council officers are working closely with the Eisteddfod organisers and Ward Members in Riverside to ensure that the site is managed safely and any impact is kept to a minimum.

It has already been agreed that both the cricket wickets and rugby pitches will be protected. Trackway will be used to cover areas of heavy footfall and to support the limited movement of service vehicles.

A bond will also be paid in advance of the event to cover the costs of any reinstatement works to ensure that the site is returned to its original state.

We are honoured to host National Eisteddfod and I'm sure it will be a great event notwithstanding local difficulties in Pontcanna.

Supplementary Question - *Councillor Gordon*

We are extremely concerned about the campsite coming to Pontcanna Fields in August, 700 caravans and the Youth tents. The Youth camp is next to the River Taff, I wonder if the Council are aware that last National Eisteddfod a 17 year old boy camping in the youth camp drowned because the camp was by a river, I think this is something that we should really look into.

What alternatives were looked at by the National Eisteddfod in terms of other parks in our City and school sites because in our opinion, a school site would have been a very preferable option?

Reply - *Councillor Bradbury*

I've been reliably informed that the death occurred at the Royal Welsh Show and not the National Eisteddfod but notwithstanding that tragic case we will make sure that the camp is as safe as it possibly can be. Other sites were considered and the National Eisteddfod were taken and it was their decision to choose Pontcanna, we took them all around Cardiff, other sites included Hamadryad Park the Mall and my own Trelai Park, I would have been happy if they had come to Trelai Park, but it was the National Eisteddfod organising committee themselves who chose Pontcanna. I will make this pledge that I will work with you and local residents to minimise the impact on your community. I know all about what happened ten years ago as I was on a football club committee that was involved in Sunday league football which

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meant we had to move because of those works. I'm more than happy to work with you and ward colleagues to make sure that we can limit the damage that can be caused by this.

Supplementary Question - *Councillor Williams*

I never thought I'd see the day when I actually agree with Iona on something but I really do and I think that's its bigger than Pontcanna ward because residents in Pontprennau and Old St Mellons who are members of sports clubs and so on have got in touch to express concern about the consultation for the Eisteddfod and actually was any consultation undertaken so residents could comment before the tender and decision was to give the site to the Eisteddfod.

It's great that we are hosting the Eisteddfod but can you provide some background on the bond and give us an undertaking that there will be no damage and if there is it will be restored promptly.

Reply - *Councillor Bradbury*

A bond is being paid and will cover any reinstatement costs. Detail is an agreement between the Council and the Eisteddfod.

The other thing I would say is I'm sure that Riverside Members are touched by your concern for their ward, we have outlined the alternative sites that were looked at, maybe your right maybe I should tell them to move from Pontcanna to Pontprennau and have a look there, we won't do that, they have chosen the site that they wanted to go to, I am going to work with local Members, the elected representatives of Riverside to ensure that any damage is limited. I can't guarantee that there will be no damage because of British summertime but if there is it will be paid for by the Eisteddfod and we will limit it as much as possible.

Question - *Councillor Owen*

Following the unfortunate closure earlier this month of the much used Household Waste Recycling Centre at Wedal Road, can the Cabinet Member please outline how discussions are progressing to find an alternative site and a proposed timescale for a new facility to become operational?

Reply - *Councillor Michael*

I would refer you to the report that was considered last month by the Cabinet and our decision to review the future provision of household waste recycling facilities in Cardiff in the context of the anticipated future growth of the city.

We agreed the preparation of a business case on the potential future requirement for additional Household Waste Recycling Centres, as well as a site options appraisal to identify a preferred location. These would then be considered at a future Cabinet meeting.

This remains the position and work is currently underway to develop the scope for the commissioning of this work.

Supplementary Question - *Councillor Owen*

I think we are getting to a position where the people in Rhiwbina and across Cardiff North really would appreciate more clarity on this. We held a Councillor surgery in Rhiwbina yesterday and every single person who came to us no matter what they wanted to discuss also asked about the provision of a new essentially Wedal Road in the north of the City, so it really is a very contentious issue and we really do want a replacement as soon as possible.

Could you confirm whether the land at Wedal Road HWRC was disposed of at market value or above as it is my understanding that the YMCA at the bottom of the area was sold for in excess of £1million?

Reply - *Councillor Michael*

What you don't want is another Wedal Road, what you want is a top quality recycling facility like Lamby Way because otherwise it's going backwards. What I cannot do is confirm anything about the sale because it is not in my portfolio.

Question - *Councillor Taylor*

The decision to opt with Option A for 2018/19 School Admissions arrangements broadly represents maintaining the status quo and will not address the significant pressures on admissions to secondary school. When can we expect proposals to be brought forward to address capacity issues before the Council's Band B capital investment programme is completed?

Reply – *Councillor Merry*

Neither Option A nor B would have addressed issues of over-subscription.

The Band B investment programme will create additional school places at Cantonian High, Cardiff High, Cathays High and Willows High Schools.

Any measures required to provide additional places for the 2019 cohort will be agreed with schools in mid-2018, in good time for secondary schools to plan for the September 2019 intake and for primary schools to make suitable transition arrangements.

These measures will take into account the location and timing of the Band B schemes.

Supplementary Question - *Councillor Taylor*

Thanks for that response and for the clarity on when those plans will be brought forward. In the Cabinet report there was a comment about bringing forward consultations on redrawn catchment areas, I was wondering when we can expect



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those reports and perhaps what lessons have been learnt from the public engagement for the schools admissions process?

Reply - *Councillor Merry*

We have always been very clear, however frustrating it is for people, that there should be a step by step progress. The first one is where we are going to put in the additional school places and then looking at catchment areas. I do understand parental concern but if we try to redraw the catchment areas without planning our additional school places there would be a mismatch almost as soon as you built the new schools.

Supplementary Question - *Councillor Rees*

Could you provide us with an update on what is happening with the school for St Ederyn site, there is a great deal of concern amongst parents who have moved in there, they don't know which school they have to send their child to.

Reply - *Councillor Merry*

I'm not currently in a position to do that but if you email me I will try and get that information.

Question - *Councillor Dilwar Ali*

Firstly, I would like to thank you and the council staff for responding so well to the severe weather conditions over the past few weeks. However, following this severe weather, road surfaces have been damaged and potholes increased. What are the Council's plans to address this?

Reply – *Councillor Wild*

The weather has caused a significant increase in the number of potholes in the city over recent months and it's estimated that there has been an approximate 30% increase in demand for repairs. Ice, Grit, Salt and when it defrosts, it gets into it and churns the road up unfortunately.

The guys are playing catch up at the moment. Routine and reactive inspections are continuing, please Members report to me and those who have will appreciate they have been filled as soon as possible.

Supplementary Question - *Councillor Ali*

I have been contacted by a number of my local residents in Llandaff North, I would urge you to do a site visit with me and take those into account and repair as soon as possible.

Reply - *Councillor Wild*

I'd be happy to and I also will look at the Hayley Park issues that are ongoing with some of the cycle paths there and walking as well.

Supplementary Question - *Councillor Molik*

Weather does affect our roads and I understand that but the quality of repair I think needs to be looked at. I find myself reporting the same potholes time and time again a few weeks or months later. The quality of the repair needs to be looked into I think.

Reply - *Councillor Wild*

I agree with you although I do get concerned in this Chamber when people are seen to be criticising the work of officers who are sometimes doing things very rushed in response to a lot of those Members who are wanting people to work to a quick speed on this. The pothole repairs are generally just a temporary measure we try to do larger scale patching work where it is necessary which does give a better result when it's done. So there are still those series of works ongoing as well, the pothole repairs I accept that they don't always stay in place for as long as we would like.

Question - *Councillor Williams*

Does the Leader of the Council support recent suggestions made by a Cardiff Labour Assembly Member that the Welsh Government should introduce a 100% car park levy on city centre parking, known as the 'Car Park Tax'?

Reply – *Councillor Huw Thomas*

I wouldn't want to pre-empt the consultation on the Transport & Clean Air Green Paper, however I'm grateful to Councillor Williams for drawing the suggestion to my attention and I'd be very happy to consider it as part of the submission to the consultation.

Supplementary Question - *Councillor Williams*

It's quite clear that we on these benches are on the side of the Cardiff Citizen, we know that there are so many people with disabilities for whom public transport is not the answer. Do you support the suggestion aired on the floor of the Welsh Assembly for a 100% Car Park Tax on city centre parking, yes or no?

Reply - *Councillor Huw Thomas*

I am entirely open minded to any suggestions about how we can address the issues of transport and congestion in this City. I think everybody in this chamber would acknowledge that it is a challenge, you yourself have brought motions calling for action, so let's not pre-empt the Green Paper, and respond to it constructively.

I accused the Liberal Democrat Party earlier of playing politics but I will congratulate them on the mature way they responded to the Green Paper today it shows a level of maturity that perhaps others might want to aspire to.

We need to have a sensible grown up conversation in this City about the whole range of transport options and interventions available to us without scaremongering without saying that the Council are proposing something that we are not, but looking at all the options and I encourage all Members to engage with that debate.

Question - *Councillor Rees*

How many of Cardiff's total number of schools do not have a defibrillator on site?

Reply – *Councillor Merry*

In a survey of Cardiff Schools that was undertaken in September last year, 35 schools confirmed that they had a defibrillator on the school site. In addition, a further 20 schools knew of a defibrillator located within 500 metres of the school site.

Schools are asked to register their defibrillators on the Welsh Ambulance Service Trust website, where they can also find out the location of the nearest defibrillator to them.

Supplementary Question - *Councillor Rees*

35 schools, that's less than a third isn't it? How many Schools do we have Councillor Merry can you confirm that?

Reply - *Councillor Merry*

I actually added in that 20 schools knew of one within 500 metres of the school site. What I would say is that many Members in the chamber are actually governors of their local school and it may be an issue that they wish to raise with their school governing body.

Supplementary Question - *Councillor Lister*

Prior to Christmas I joined my friend Shelly Johnson in presenting a defibrillator to Eastern High, she actually raised the funds herself and managed to purchase I think 4, so just wondering if you would join me in thanking her.

Reply - *Councillor Merry*

Yes I would certainly thank her for doing that work and of course that is something that other organisations may want to do.

147 : URGENT BUSINESS

The Lord Mayor had not been advised of any urgent business.

148 : LOCAL AUTHORITY SCHOOL GOVERNOR APPOINTMENTS

RESOLVED – That the recommendations of the Local Authority Governor Panel 12 March 2018 where approved as follows:

(1) Existing Local Authority Governors

School	Ward	Start of Vacancy	Recommendation Approved
Bryn Hafod Primary School	Llanrumney	01/02/2018	John Brown
Cantonian High School	Fairwater	22/11/2017	Barbara Connell
Eastern High School	Trowbridge	13/10/2017	Cllr Lee Bridgeman
Glan Yr Afon Primary School	Llanrumney	13/01/2018	Phillip Smith
Llanishen High School	Llanishen	03/02/2018	Cllr Phil Bale
Ninian Park Primary School	Grangetown	20/01/2018	Riyadh Issa
Pontprennau Primary School	Pontprennau & Old St Mellons	14/12/2017	Catrin Lewis
Ysgol Gymraeg Nant Caerau	Caerau	28/06/2016	Gareth Hall Williams

(2) Future Local Authority Governors

School	Ward	Start of Vacancy	Recommendation Approved
The Pear Tree Federation (Federation of Coryton Primary School & Tongwynlais Primary School)	Whitchurch & Tongwynlais	27/03/2018	Nick Ashby Sharron Dore Kathy Haggarty Cllr Mike Jones Pritchard
Llanishen High School	Llanishen	27/06/2018	Elisabeth Roth
The Hollies School	Gabalfa	27/06/2018	Cllr Joel Williams
Ton-Yr-Ywen Primary School	Heath	18/04/2018	Charles Martin
Whitchurch High School	Whitchurch & Tongwynlais	18/04/2018	Michael Newman
Whitchurch Primary School	Whitchurch & Tongwynlais	17/04/2018	Anita Pilgrim
Ysgol Bro Eirwg	Llanrumney	23/04/2018	Huw Phillips
Ysgol Y Berllan Deg	Pentwyn	28/03/2018	Nick Webb
Ysgol Mynydd Bychan	Heath	27/06/2018	Andrew Connell

149 : COMMITTEE MEMBERSHIP

The Council was requested to approve the nomination that has been received from Party Group Whips to existing vacancies on committees as set out on the Amendment Sheet.

RESOLVED –That the following nominations from Party Group Whips are approved:

<b>Committee</b>	<b>No vacancies</b>	<b>Nomination</b>
Licensing Committee	2 vacancies	Councillor Tim Davies – to replace Councillor Hudson
Public Protection Committee	2 vacancies	Councillor Tim Davies – to replace Councillor Hudson
Policy Review & Performance	1 vacancy	Councillor Owen Jones - to permanently replace Cllr Jacobsen

150 : WRITTEN QUESTIONS

EDUCATION, EMPLOYMENT AND SKILLS (COUNCILLOR SARAH MERRY)

WRITTEN QUESTION FROM COUNTY COUNCILLOR McKERLICH

Does the Council commission regular testing for Radon at our many schools? If so, may I have the most recent date on which Bryn Deri, Radyr Primary and Radyr Comp were tested and may I have the results found and the methodology employed?

Reply

All schools that are located either in or close to known Radon Areas, as advised by Welsh Government, were tested in 2015. This exercise was replicated across Wales.

The threshold for measurement, above which action would be required, was 400 Bqm<sup>3</sup> of Radon Gas identified. This is a low level and is therefore seen as precautionary due to the young age of occupants within the building.

The method of measurement advised by Public Health involved the use of small Radon monitors that are placed at ground floor level within the school buildings at equal distances. The monitors were in place for a prescribed period of time, after which they were collected and analysed by a public health laboratory and results provided for each school measured as follows:

Bryn Deri Primary School

All monitors collected from the school returned levels below 100 Bqm<sup>3</sup>.

Radyr Primary School

All monitors collected from the school returned levels below 100 Bqm<sup>3</sup>.

Radyr Comprehensive School

All monitors collected from the school returned levels below 100 Bqm<sup>3</sup>, apart from one from a ground floor classroom which returned a reading of 110 Bqm<sup>3</sup>. This was still well below the 400 Bqm<sup>3</sup> threshold.

Based on the measurements undertaken in 2015, there would be no requirement currently to repeat the exercise in these schools.

#### WRITTEN QUESTION FROM COUNTY COUNCILLOR TAYLOR

In late 2017 the Minister for Welsh Language and Lifelong Learning said that Band B submissions would only be funded if authorities showed significant ambition for the Welsh language. What implications are there for Cardiff's Band B submission?

#### Reply

Approval has been given in principle by the Welsh Government for the schemes within our Band B programme, including the enlargement of two existing Welsh-medium primary schools.

This month, Welsh Ministers have also approved the Council's Welsh in Education Strategic Plan 2017-2020 setting out the Council's drive to increase pupils within the Welsh-medium sector. This is clear recognition of how Cardiff has demonstrated its ambition and commitment to achieving the growth in Welsh speakers that is targeted in Cymraeg 2050.

#### WRITTEN QUESTION FROM COUNTY COUNCILLOR TAYLOR

When can members expect to be informed of the Council's proposals to reduce class sizes in Cardiff following its bid to the Welsh Governments' Infant Class Size Reduction Fund in 2017?

#### Reply

In May 2017, Welsh Government wrote to all local authorities in Wales outlining a new grant to further reduce infant class sizes and raise standards. The grant funding to be made available would be a combination of £16 million revenue and £20 million capital funding over the period from April 2017 to March 2021.

In the original notice, the Welsh Government outlined that funding would be targeted at classes with 29 or more pupils and that receiving schools should demonstrate at least one or a combination of the following:

- Significant levels of free school meals;
- Below average outcomes and where a school is judged to be red or amber;
- Significant levels of special educational and additional learning needs;
- Significant levels of where Welsh/English is not the first language.

In the original notice, the Welsh Government also outlined that Cardiff's notional revenue allocation may be as follows:

- 2017/18: £261,970
- 2018/19: £392,956
- 2019/20: £654,926
- 2020/21: £785,912

At the time of making the return to Welsh Government, of the 478 classes in the Infant year groups, 225 contained 28 or less pupils and 253 (52.92%) contained 29 or more pupils.

Cardiff's notional revenue allocation for the current financial year (2017/18) of £261,970.68 is equivalent to the cost of 10.45 teachers (Teachers scale M6 plus on-costs).

Restricting the grant bid with these additional resources to 10 schools was achieved by using the following prioritisation factors:

- School with an E-FSM % in excess of 40%
- School with a class size of 29 or more in the infant age range
- School not carrying forward an excessive revenue balance

A bid was made to Welsh Government on behalf of the following schools:

- Bryn Hafod
- Greenway
- Hywel Dda
- Moorland
- Pencaerau
- Pentrebanne
- St Albans
- St Mary the Virgin
- Trelai
- Trowbridge

In February 2018, the Council received confirmation of the approval in principle for this grant funding; however, we are yet to receive the formal award letter from the Welsh Government to enable employment of these additional staff.

In addition to the bid for revenue resources, the Council also made a bid for capital funding for the following three schools:

Oakfield Primary School – the school has two classes of pupils being taught in one open plan space, which continues to be detrimental to the teachers' ability to teach effectively and for pupils to engage with lessons adequately. This specific project would create additional individual classroom space.

St Fagan's Primary School – the school has classes of 30 pupils and above in a number of classes, and has minimal additional or withdrawal space to compliment the classroom accommodation. In order to ensure class numbers can be made smaller additional classroom space is required. Feasibility studies are being undertaken with regards to the site and additional land or the potential to extend upwards in the current building.

St Francis RC Primary School – as above, the school has classes of over 30 pupils in a number of classes. There is ample external area on which an extension could be built to create additional classroom accommodation.

We have yet to receive formal approval of these schemes.

WRITTEN QUESTION FROM COUNTY COUNCILLOR TAYLOR

What plans does the council have to increase the number of Welsh medium primary places available in the North of Cardiff?

Reply

The Council has significantly expanded Welsh-medium primary provision in the past six years, by six forms of entry. In the September 2017 intake to Reception year, there were over 120 spare places available spread across 9 schools city-wide.

Approval has been given in principle by the Welsh Government for the enlargement of two schools in Band B, and a further 8-9 new primary schools are planned in North East and North West Cardiff, including new English and Welsh-medium primary schools.

Cardiff is already well prepared to meet projected parental demand, and to drive the increase in demand for Welsh-medium primary school places.

FINANCE, MODERNISATION AND PERFORMANCE (COUNCILLOR CHRIS WEAVER)

WRITTEN QUESTION FROM COUNTY COUNCILLOR BERMAN

How many of the savings agreed as part of the council's budget for 2018-19 still lack detailed plans for how they will be delivered, and what percentage of the total number of savings does this constitute?

Reply

The report on the 2018/19 Budget, which was approved by Council on 22 February 2018, identified that 96 saving proposals (87%) were either realised or had detailed plans in place, with 14 (13%) still at general planning stage. The value of saving proposals that were either realised or had detailed plans in place amounted to £12.862 million, compared with £1.434 million at general planning stage. Directorates will continue to review and update the plans as necessary in order to achieve the savings.



WRITTEN QUESTION FROM COUNTY COUNCILLOR BERMAN

Please provide a full breakdown of the targeted reductions to external spend that have been undertaken in the current financial year to date as a contribution towards the aim of reaching a balanced position against budget by the year end?

Reply

In response to the level of financial pressures identified as part of the budget monitoring process during the year, all directorates put in place management actions to control expenditure, including reviewing non-essential third party spend, temporary staff arrangements and opportunities to maximise income, targeting savings in these areas where possible.

No breakdown of the reductions to external spend linked specifically to these actions is available; however, where savings have been achieved, they are reflected in the directorate monitoring positions.

What is clear is that despite significant on-going pressures, particularly in Social Services, the overall position in relation to directorate budgets has improved since the Month 4 position that was reported to Cabinet in September 2017. This has enabled balanced positions to be reported for the Council as a whole, both for Month 6 and, more recently, for Month 9. The management actions taken by directorates have supported this position, with most directorates showing significant improvements over this period.

WRITTEN QUESTION FROM COUNTY COUNCILLOR BERMAN

Please provide a full list of posts that have been held vacant in the current financial year as part of the action taken towards the aim of delivering a balanced position against budget by the year end, and specify for how long each such post has been (or will be) held vacant?

Reply

As set out in my previous answer, due to the level of financial pressures identified as part of the budget monitoring process during the year, all directorates put in place management actions to control expenditure including reviewing non-essential third party spend, temporary staff arrangements and opportunities to maximise income, targeting savings in these areas where possible.

In relation to employee costs, the emphasis was on reviewing agency and other temporary staff arrangements and the careful management of vacancies and appointments during the year. There is therefore no list of posts held vacant linked specifically to these actions.

All savings achieved are reflected in the directorate monitoring positions, with most directorates showing improvements compared to the Month 4 position that was reported to Cabinet in September 2017. This has enabled balanced positions to be

reported for the Council as a whole, both for Month 6 and, more recently, for Month 9.

HOUSING AND COMMUNITIES (COUNCILLOR LYNDA THORNE)

WRITTEN QUESTION FROM COUNTY COUNCILLOR CARTER

Over the last 5 years, how much of the Discretionary Housing Payment monies have been returned to government each year unspent?

Reply

The Council receives a grant each year from the Department of Work and Pensions (DWP) to fund discretionary payments above Housing Benefit/Universal Credit entitlement; this allows the Council to assist those in exceptional circumstances. Any unspent grant is returned to the DWP.

Year	DWP Contribution	Paid	Returned to DWP
2012/13	£485,508.00	£484,392.26	£1,115.74 (0.2%)
2013/14	£1,252,669.00	£1,507,313.65 *	Nil
2014/15	£1,175,868.00	£1,181,416.86	Nil
2015/16	£815,034.00	£1,166,975.64	Nil
2016/17	£1,033,073.00	£1,078,280.54	Nil
2017/18 to date	£1,368,916.00	£1,275,613.69	Nil (estimated)

In 2012/13, late changes to benefit claims resulted in a small underspend.

Since 2013/14, no grant has been returned to the DWP and spend has exceeded the grant each year.

In 2013/14, additional funding was also received from the Welsh Government to add to the grant. All of the money was spent.

INVESTMENT AND DEVELOPMENT (COUNCILLOR RUSSELL GOODWAY)

WRITTEN QUESTION FROM COUNTY COUNCILLOR BOYLE

What is the latest on the process for procuring a contractor to build the new bus station and when can we expect them to start work?

Reply

The Councillor will be aware that the detailed negotiations between the partners involved in the Metro Delivery Partnership are on-going and will be concluded in the very near future. Concurrently, the developer is concluding negotiations with two main contractors and expects to make an announcement in the next 2 weeks.

STRATEGIC PLANNING AND TRANSPORT (COUNCILLOR CARO WILD)

WRITTEN QUESTION FROM COUNTY COUNCILLOR BERMAN

Residents in Brandreth Road remain perplexed that only the southern section of the road is on the council's gritting route and do not feel it is logical that the northern section of Brandreth Road and neighbouring Birchwood Road are not also routinely gritted given that many side roads also lead off these ungritted sections of road. I share their concern and would therefore ask if this could be reconsidered in order to add the rest of Brandreth Road and Birchwood Road to the regular gritting route in future as part the council's winter maintenance schedule. Can you please advise if this could be done?

Reply

A number of factors are taken into consideration when assessing which roads in the city should be subject to routine salting treatment as part of the Council's winter maintenance service. Due to the ever changing nature of the highway network, routes are reviewed annually over the summer period and any changes are then integrated into the service for the following winter season. I would be happy to ask officers to consider adding the rest of Brandreth Road and Birchwood Road to the regular gritting route as part of the annual review process.

WRITTEN QUESTION FROM COUNTY COUNCILLOR TAYLOR

Ward members were informed in summer 2017 that improved LED lighting would be installed in the underpass on North Road, linking from St Mark's Church to the Mynachdy Estate. This route is heavily used by families taking their children to school. When can this work be expected to be completed, and what other plans does the council have to improve safe routes to school in Gabalfa?

Reply

The delivery of the LED lighting tubes was due to take place this week. The underpass in question on North Road is early in the programme of lighting improvements, which encompasses all underpasses across Cardiff and is expected to be delivered over the next two months.

We are currently implementing a strategic 20mph speed limit in the Gabalfa Ward. This work is due to be completed on site by 31<sup>st</sup> March 2018. Slower vehicle speeds will help to create a safer highway environment, particularly for pedestrians and cyclists, and will benefit pupils accessing schools within the ward.

*(Meeting closed at 20.55pm)*

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**CYNGOR CAERDYDD  
CARDIFF COUNCIL****ANNUAL COUNCIL:****24 MAY 2018**

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

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**CARDIFF UNDERTAKING****Purpose of the Report**

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

**Background**

2. The Cardiff Undertaking was first introduced in July 2004 following the report of the Commission on the Governance of Cardiff Council, and has subsequently been revised and updated following changes to the Code of Conduct and recommendations from the Standards and Ethics Committee and Full Council.
3. The Standards and Ethics Committee is responsible for ensuring the Council's Ethical Code is maintained in accordance with the National Code of Conduct which is incorporated into the Council's Constitution and the Cardiff Undertaking.
4. The Council Meeting Procedure Rules provide that the Annual Council meeting will receive the Cardiff Undertaking from Members in years where an ordinary election has taken place (Rule 2(b) (vi)).
5. However, 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 during their term of office.

**Issues**

6. The Cardiff Undertaking provides an opportunity for Elected Members to publicly commit to using their term of office to work for the Council, the City and its citizens; to commit to the role of being a corporate parent; and to commit to the standards of conduct expected by the Council, which includes a commitment to undertaking all training identified as essential for them to properly discharge their roles.

7. As Members are asked to reaffirm their commitment to the Cardiff Undertaking annually, in line with the recommendations of the Standards and Ethics Committee, it is recommended that the Council Meeting Procedure Rules (Rule 2(b)(vi), referred to in paragraph 4 above) should be amended to reflect this, as follows:

Rule 2(b) The Annual Meeting will:

...(vi) receive from Members the Cardiff Undertaking;

8. Members may wish to note that, during 2017/18, no formal complaints in relation to breaches of the Code of Conduct have been referred for consideration by the Standards and Ethics Committee; and the Committee has commented that there has been a good standard of ethical conduct during this year.

### **Legal Implications**

9. A failure to comply with the Cardiff Undertaking may indicate a breach of the Members' Code of Conduct. This could result in a complaint being made against the individual councillor, which would be dealt with in accordance with the Council's and legislative procedures for dealing with complaints about Members.

### **Financial Implications**

10. There are no financial implications arising from this report

### **Recommendations**

The Council is recommended to:

1. Ask all Members to publicly reaffirm and sign the Cardiff Undertaking to record their commitment to it; and
2. Authorise the Monitoring Officer to amend Council Procedure Rule 2(b)(vi) as shown in paragraph 6 of the report.

**Davina Fiore**

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

17 May 2018

### **Appendices**

Appendix A Cardiff Undertaking (Bilingual)

### Background Papers:

Council report, 'Cardiff Undertaking', May 2017

# YMRWYMIAD CAERDYDD I GYNGHORWYR THE CARDIFF UNDERTAKING FOR COUNCILLORS



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

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

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

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

## YMRWYMAF I: I UNDERTAKE TO:-

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

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

### Gwrthrychedd a phriodoldeb Objectivity and propriety

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

### Ystyried eraill a stiwardiaeth Selflessness and stewardship

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

## Cywirdeb Integrity

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

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

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

### Atebolrwydd a gonestrwydd Accountability and openness

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

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

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

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

Llofnod/Signed: .....



**CYNGOR CAERDYDD  
CARDIFF COUNCIL**



**ANNUAL COUNCIL**

**24 MAY 2018**

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

**ESTABLISHMENT OF STANDING COMMITTEES OF THE COUNCIL  
2018/19**

**Reason for this Report**

1. To approve the establishment of Standing Committees of Council for 2018/19, their size and terms of reference.

**Background**

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

**Issues**

Proposed Committees

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

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

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

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

<u>COMMITTEES</u>	<u>SEATS</u>
<u>Other Groups and Panels</u>	
Health & Safety Advisory Group	5 (Appropriate Cabinet Member and up to 4 other Members)
Local Authority Governor Panel	7
Investment Advisory Panel	3 (to be Members of the Pension Committee)
Works Council	5 (To be Members of Employment Condition Committee)

4. The size of the Council's standing committees is not currently set out in the Constitution. In the interests of transparency, it is recommended that the Monitoring Officer should be asked to incorporate the size of each of the Council's Committees into the Constitution, Article 6.1 (Scrutiny Committees); and Article 8.1 (Regulatory and Other Committees), as shown in Appendix A1 and A2 respectively.

#### Terms of Reference

5. The proposed terms of reference for each of the Standing Committees and Groups are set out in **Appendix B**.
6. Council is asked to note and agree the revised terms of reference for the Licensing Committee and the Public Protection Committee. The terms of reference have been revised to make provision for new licensing functions (in relation to 'special procedures' such as tattooing, acupuncture, piercing etc) which are being introduced by the Public Health (Wales) Act 2017 (but are not yet in force), which must, by law, be discharged by the Licensing Committee.

#### **Legal Implications**

7. The arrangements made by the Council for discharging its functions may include the establishment of one or more ordinary committees. The size of its committees and their terms of reference are to be determined by Council (pursuant to the Local Government Act 1972, sections 101 and 102).
8. 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

9. There are specific legislative provisions governing the following committees:

#### Standards and Ethics Committee

10. Councils in Wales are required to establish a Standards Committee to discharge the functions conferred under Part 3 of the Local Government Act 2000 governing Member conduct issues. Standards Committees must consist of not less than five and not more than nine members, and independent members must comprise at least half of all members. The Committee must include at least one 'Community Committee member' (i.e. a member of a community council within the authority's area) as the Standards Committee discharges functions in relation to Community Councils. Regulations specifically prohibit anyone other than a member of the Council, an independent member or a 'Community Committee' Member from being a member of the Committee. The Leader is prohibited from being a member of the Standards Committee, and no more than one member of the Cabinet may be a member of the Committee. The political balance requirements of the Local Government and Housing Act 1989 do not apply.
11. The Council's Constitution (Article 9) provides that the Standards & Ethics Committee will be composed of 9 members comprising 5 'independent' members, 3 Cardiff County Councillors and 1 Community Councillor.

#### Democratic Services Committee

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

#### Audit Committee

13. The Local Government (Wales) Measure 2011 also requires Councils to establish an Audit Committee to discharge the functions conferred under Part 6, Chapter 2 of the Measure. The legislation provides that there must be at least one lay member on the Audit Committee or up to a third of the total membership. Subject to that, the Council must decide how many non-councillors should be appointed to the Audit Committee. The Committee can include no more than one Cabinet member, who may not be the Leader. 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.

14. The current composition of the Audit Committee, as approved at Annual Council in May 2017, includes four non - councillor 'Independent Members' and 8 Councillors. The proportion of Independent Members is one third of the Committee members, which is the maximum permitted by law.

#### Planning Committee

15. The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 (made under s.39 of the Planning Wales Act 2015), which came into force in May 2017, introduced the following legal requirements:
  - (a) A planning committee must contain no fewer than 11 members and no more than 21 members, but no more than 50% of the authority members (rounded up to the nearest whole number); and
  - (b) Where wards have more than one elected Member, only one Member may sit on the planning committee, in order to allow other ward Members to perform the representative role for local community interests (but this rule is not applicable to authorities comprised solely of multiple Member wards).

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

15. The recommended size of Cardiff's Planning Committee is 12 members, which complies with the legal requirements in relation to the size of the committee (sub-paragraph (a) above). The legal requirements in relation to multi-member wards (sub-paragraph (b) above) will need to be followed in considering appointments to the Planning Committee, which is dealt with in the separate Council report under Agenda item 10.

#### Scrutiny Committees

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

### **Financial Implications**

17. The overall costs associated with members can be contained within the overall Members budget get allocated for 2018/19

## **RECOMMENDATIONS**

The Council

1. approves the establishment and size of the Council Committees set out in paragraph 3 (Table A); and the terms of reference of each Committee, as set out in **Appendix B** of this report, for the 2018/19 Municipal Year; and
2. authorises the Monitoring Officer to update the Constitution accordingly, to include incorporating the size of each of the Council's Committees into the Constitution, Article 6.1 (Scrutiny Committees); and Article 8.1 (Regulatory and Other Committees) as shown in Appendices A1 and A2 respectively.

**DAVINA FIORE**

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

18 May 2018

Appendix A1 - Article 6.1 Scrutiny Committees – proposed amendments

Appendix A2 – Article 8.1 Regulatory and Other Committees – proposed amendments

Appendix B – Committee Terms of Reference

## PART 2 – ARTICLES OF THE CONSTITUTION

### Article 6 – Scrutiny Committees

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#### 6.1 Terms of Reference, Size & Membership

The Council has appointed the following Scrutiny Committees:

- (a) Children and Young People
- (b) Community and Adult Services
- (c) Economy and Culture
- (d) Environmental
- (e) Policy Review and Performance

to discharge the functions set out in the Terms of Reference shown in Appendix 2 to Part 3 of this Constitution. Each Scrutiny Committee shall be comprised of 9 elected Members. Membership of Scrutiny Committees is restricted to those Councillors who are not members of the Cabinet.

#### 6.2 General

Within their terms of reference, Scrutiny Committees will:

- review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Authority's functions;
- make reports and/or recommendations to the Council and/or the Cabinet;
- consider any matter affecting the area or its inhabitants; and
- exercise the right to 'call-in', for reconsideration, decisions made but not yet implemented by the Cabinet, Cabinet Members and designated senior officers.
- Receive and consider reports from statutory external inspectors or auditors referred to them.
- Act in accordance with the Scrutiny Procedure Rules.

#### 6.3 Specific functions

##### (a) Policy Review and Performance

The **Policy Review and Performance** Scrutiny Committee will:

- (i) assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues;
- (ii) conduct research, community and other consultation in the analysis of policy issues and possible options;
- (iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- (iv) question relevant people and organisations about their views on issues and proposals affecting the area;

- (v) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
- (vi) adjudicate on any areas of overlap between the functions of the Scrutiny Committees and allocate any additional areas of responsibility which are not already included within the terms of reference of any particular Scrutiny Committee.

## **(b) Scrutiny**

Scrutiny Committees will:

- (i) review and scrutinise the decisions made by and performance of the Cabinet and/or committees and employees both in relation to individual decisions and over time;
- (ii) review and scrutinise the performance of the Authority in relation to its policy objectives, performance targets and/or service areas;
- (iii) question members of the Cabinet and committees and/or employees about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (iv) make recommendations to the Cabinet and/or appropriate committee and/or Council arising from the outcome of the scrutiny process;
- (v) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the scrutiny committee and local people about their activities and performance; and
- (vi) question and gather evidence from any person (with their consent).

## **(c) Resources**

Scrutiny Committees may exercise overall responsibility for the resources made available to them.

## **(d) Annual Report**

Scrutiny Committees must report annually to the Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

### **6.4 Proceedings of Scrutiny Committees**

Scrutiny Committees will conduct their proceedings in accordance with the Scrutiny Procedure Rules, as set out in Part 4 of this Constitution.



## PART 2 – ARTICLES OF THE CONSTITUTION

### Article 8 – Regulatory & other committees

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#### 8.1 Regulatory and other committees

The Council will appoint the following committees with the terms of reference set out in Appendix 2 of Part 3 of the Constitution:

<u>COMMITTEE</u>	<u>SIZE</u>
<u>Appointments Committee</u> <i>(convened as and when required)</i>	<u>To comprise 5 Members from those appointed to serve in accordance with the rule on political balance</u>
<u>Audit Committee</u>	<u>12 (8 Elected Members and 4 Independent Members)</u>
<u>Constitution Committee</u>	<u>12</u>
<u>Corporate Parenting Advisory Committee</u>	<u>8</u>
<u>Council Appeals Committee</u>	<u>9</u>
<u>Democratic Services Committee</u>	<u>12</u>
<u>Disciplinary &amp; Grievance Appeals Committee</u> <i>(Convened as and when required)</i>	<u>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>
<u>Employment Conditions Committee</u>	<u>8</u>
<u>Family Absence Appeals Panel</u> <i>(Called as and when required)</i>	<u>3</u>
<u>Licensing Committee</u>	<u>12</u>
<u>Pensions Committee</u>	<u>5</u>
<u>Planning Committee</u>	<u>12</u>
<u>Public Protection Committee</u>	<u>12</u>
<u>Standards &amp; Ethics Committee</u>	<u>9 (3 Elected Members, 5 Independent Members &amp; 1 Community Council)</u>

	<u>member)</u>
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## PART 3 – RESPONSIBILITY FOR FUNCTIONS

### APPENDIX 2 – TERMS OF REFERENCE FOR COMMITTEES

Committee	Terms of Reference
Appointments (convened as and when required)	<p>To discharge the functions of the authority in respect of the appointment and dismissal of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders)(Wales) Regulations 2006) and the statutory Head of Democratic Services, in accordance with the Employment Procedure Rules and any other relevant Council policies and procedures.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>
Audit	<p><u>Governance, Risk &amp; Control</u></p> <ul style="list-style-type: none"> <li>• To review the Council's corporate governance arrangements against the good governance framework and consider annual governance reports and assurances.</li> <li>• To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account the internal audit opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and internal control.</li> <li>• To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.</li> <li>• To consider the Council's framework of assurance and ensure that it adequately addresses the risk and priorities of the Council.</li> <li>• To monitor the effective development and operation of risk management in the Council.</li> <li>• To monitor progress in addressing risk-related issues reported to the committee.</li> <li>• To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.</li> <li>• To review the assessment of fraud risks and potential harm to the council from fraud and corruption.</li> <li>• To monitor the Counter-fraud strategy, actions and resources.</li> </ul>

Committee	Terms of Reference
	<p data-bbox="432 230 627 264"><u>Internal Audit</u></p> <ul style="list-style-type: none"> <li data-bbox="432 271 1050 304">• To approve the Internal Audit Charter.</li> <li data-bbox="432 344 1374 490">• To approve the risk-based internal audit plan, containing internal audit's resource requirements, the approach to using other sources of assurances and any work required to place reliance upon those other sources.</li> <li data-bbox="432 530 1374 676">• To approve significant changes to the risk-based internal audit plan, including audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.</li> <li data-bbox="432 716 1374 790">• To approve significant interim changes to the risk based internal audit plan and resource requirements.</li> <li data-bbox="432 831 1374 936">• To make appropriate enquiries of both management and the audit manager to determine if there are any inappropriate scope or resource limitations.</li> <li data-bbox="432 976 1374 1413">• To consider reports from the Audit Manager on Internal Audit's performance during the year. These will include: <ul style="list-style-type: none"> <li data-bbox="507 1055 1374 1160">- Updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work;</li> <li data-bbox="507 1167 1374 1240">- Regular reports on the results of the Quality Assurance and Improvement Programme;</li> <li data-bbox="507 1247 1374 1413">- Reports on instances where the internal audit function does not conform to the PSIAS and Local Government Application Note considering whether the non-conformance is significant enough that it must be included in the Annual Governance Statement.</li> </ul> </li> <li data-bbox="432 1456 1374 1637">• The 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 – these will assist the committee in reviewing the Annual Governance Statement.</li> <li data-bbox="432 1680 1374 1753">• To consider summaries of specific internal audit reports as requested.</li> <li data-bbox="432 1794 1374 1975">• To receive reports outlining the action taken where the Audit Manager has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.</li> <li data-bbox="432 2016 1374 2078">• To contribute to the Quality Assurance and Improvement Programme and in particular the external quality</li> </ul>

Committee	Terms of Reference
	<p>assessment of internal audit that takes place at least once every five years.</p> <ul style="list-style-type: none"> <li>• To consider a report on the effectiveness of internal audit to support the Annual governance Statement, where required to do so by the Accounts and Audit Regulations.</li> <li>• To support the development of effective communication with the audit manager.</li> </ul> <p><u>External Audit</u></p> <ul style="list-style-type: none"> <li>• To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.</li> <li>• To consider specific reports as agreed with the external auditors.</li> <li>• To comment on the scope and depth of external audit work and to ensure it gives value for money.</li> <li>• To commission work from internal and external audit.</li> <li>• To advise and recommend on the effectiveness of relationships between external and internal audit and other inspector agencies or relevant bodies.</li> </ul> <p><u>Financial Reporting</u></p> <ul style="list-style-type: none"> <li>• To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.</li> <li>• To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.</li> <li>• To seek assurances that the Council has complied with the Treasury Management Strategy and Practices by demonstrating effective control of the associated risks and pursuing optimum performance consistent with those risks.</li> </ul> <p><u>Accountability Arrangements</u></p> <ul style="list-style-type: none"> <li>• To report to Council on the Committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of the governance, risk management and internal control frameworks, financial reporting arrangements and internal and external audit functions.</li> </ul>

Committee	Terms of Reference
	<ul style="list-style-type: none"> <li>• To report to Council on an annual basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.</li> <li>• To raise the profile of probity generally within the Council and to report on matters of concern to the individual Cabinet Member, relevant Scrutiny Committee, Cabinet or to Council as necessary and appropriate.</li> <li>• To work in synergy with the Scrutiny Committees of the Council and liaise with other Council Committees as and when appropriate to avoid duplication in work programmes.</li> </ul> <p><u>Training &amp; Development</u></p> <ul style="list-style-type: none"> <li>• To attend relevant training session in accordance with the Member Development Programme including specialist training tailored for Members of the Audit Committee e.g. treasury management.</li> </ul>
Constitution	<p>To review the Council's Constitution, and to recommend to Council and/or Cabinet any changes, except that the Committee will have authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-</p> <ul style="list-style-type: none"> <li>(a) Drafting improvements to enhance clarity and remove minor anomalies.</li> <li>(b) Updating to reflect legislative changes and matters of record.</li> <li>(c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).</li> </ul>
Corporate Parenting Advisory Committee	<ul style="list-style-type: none"> <li>(a) To actively promote real and sustained improvements in the life chances of Looked After Children, Children in Need, Care Leavers and children and young people in the criminal justice system and to work within an annual programme to that end;</li> <li>(b) To develop, monitor and review a corporate parenting strategy, and ensure its effective implementation through work plans and corporate parenting training programmes;</li> <li>(c) To seek to ensure that the life chances of Looked After Children, Children in Need and care leavers are maximised in terms of health, educational attainment, and access to training and employment, to aid the transition to a secure and productive adulthood;</li> <li>(d) To recommend ways in which more integrated services can</li> </ul>

Committee	Terms of Reference
	<p>be developed across all Council directorates, schools and other stakeholders to lead towards better outcomes for Looked After Children, Children in Need and care leavers;</p> <p>(e) To ensure that mechanisms are in place to enable Looked After Children, Children in Need and care leavers, to play an integral role in service planning and design, and that their views are regularly sought and acted upon;</p> <p>(f) To ensure performance monitoring systems are in place, and regularly review performance data to ensure sustained performance improvements in outcomes for Looked After Children, Children in Need and care leavers;</p> <p>(g) To receive all relevant Children’s Services inspection and annual reports, including: Children’s Homes Quality of Care Report; Case Practice Reviews, Fostering Annual Quality of Care Report; Adoption Fostering Annual Quality of Care Report; 4C’s Commissioning; Out of Area Annual Report; Annual Report of Brighter Futures (with education); Children’s Complaints reports; and Advocacy Annual Report;</p> <p>(h) To report to the Cabinet at least twice a year;</p> <p>(i) To make recommendations to the Cabinet where responsibility for that function rests with the Cabinet;</p> <p>(j) To report to the Children and Young People’s Scrutiny Committee as necessary;</p> <p>(k) To recommend the appointment of co-opted members to the Committee for approval by Council;</p> <p>(l) To develop and undertake a programme of consultation, listening and engagement events with Looked After Children and care leavers, as well as visits to services providing support and advice to Looked After Children, Children in Need and care leavers;</p> <p>(m) To submit an Annual Report on the work of the Committee to full Council.</p> <p>(n) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>
Council Appeals	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

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



Committee	Terms of Reference
	<p>(d) in exceptional circumstances, where the Chief Executive cannot address matters because of an associated grievance, disciplinary proceedings against the Chief Operating Officer; a Corporate Chief Officer or a Chief Officer; and, with a differently constituted membership, appeals following decisions in such disciplinary proceedings</p> <p>On hearing each case the Committee shall be empowered, on behalf and in the name of the Council, to make such order as it considers appropriate, except where retirement or redundancy is contemplated, when consultation with the Cabinet will take place prior to determination of the matter.</p> <p>The Committee, when sitting to hear an individual case, shall comprise not less than three nor more than five members. From the members appointed to serve on the Committee, those who are to sit to hear any particular matter shall be chosen by rota following consultation with the Group Whips, subject to the exclusion of any member who:</p> <ul style="list-style-type: none"> <li>(i) is a member of the Cabinet or of a Committee principally concerned with the service in which the employee concerned is employed; or</li> <li>(ii) has been concerned in any previous consideration of the matter which has given rise to the disciplinary action, grievance, or decision from which an appeal arises.</li> </ul> <p>At each sitting of the Committee to hear a disciplinary matter or appeal, the Committee shall, firstly, ensure that the matter of complaint has been clearly put to the employee and, secondly, that the employee has been afforded the opportunity of being represented at the hearing by such friend, trade union officer, lawyer or other representative as he/she may choose.</p> <p>In any hearing the Committee shall conform to the rules of natural justice.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>
Employment Conditions	<p>(a) to consider and determine policy and issues arising from the organisation, terms and conditions of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006), together with any other category of employee specified in Regulation from time to time where this is necessary, subject to the approval of Council in respect of any determination or variation of the remuneration of Chief Officers;</p> <p>(b) to decide requests for re-grading of Chief Officers and Deputy</p>

Committee	Terms of Reference
	<p>Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006), together with any other category of employee specified in Regulation from time to time, whether by way of appeal by an employee against a decision to refuse a re-grading application or to decide applications for re-grading which are supported, subject to the approval of Council in respect of any determination or variation of the remuneration of a Chief Officer.</p> <p>(c) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>
<p>Family Absence Appeals Panel</p>	<p>To be the Appeals Panel required pursuant to Regulation 36(1) of the Family Absence for Members of Local Authorities (Wales) Regulations 2013 and any amendment thereof; and to discharge all functions of the Panel pursuant to those Regulations.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>
<p>Licensing</p>	<p>To be the Council's Licensing Committee as required by the Licensing Act 2003 and Gambling Act 2005 and any re-enactment or modification thereof; and as full delegate of the Council to exercise all the powers and functions permitted under those Acts <u>or otherwise required by law to be discharged by the statutory Licensing Committee.</u></p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>
<p>Local Authority Governors Panel</p>	<p>For School Governing Bodies constituted under The Government of Maintained Schools (Wales) Regulations 2005:</p> <p>(a) To advise the Council on appointments and removal of governors to those places allocated to the Local Authority;</p> <p>(b) To consider and make decisions relating to the recruitment, training and vetting of potential governors and any other matters that may be referred to the Panel by the Cabinet for the Constitution Committee; and</p> <p>(c) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>
<p>Planning</p>	<p>(a) Those functions listed in Section A of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 and any</p>

Committee	Terms of Reference
	<p>amendments thereto and any matters ancillary thereto as defined in Regulation 3 (2) to (4) of the Regulations.</p> <p>(b) Those functions listed in paragraphs 3 and 4 of Section I of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 and any amendments thereto and any matters ancillary thereto as defined in Regulation 3 (2) to (4) of the Regulations.</p> <p>(d) All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>
Public Protection	<p>(a) Those functions listed in Sections B and C, and paragraph 10 of Section I, of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities)(Wales) Regulations 2007 (the Regulations), any amendments thereto and any matters ancillary thereto as defined in Regulation 3 (2) to (4) of the Regulations, except to the extent that such matters fall to the Licensing Committee by virtue of Section 7 of the Licensing Act 2003, <del>or</del> the Gambling Act 2005 <u>or any other legislative provision</u>;</p> <p>(b) In relation to those functions acting as Appeal Committee where appropriate;</p> <p>(c) The discharge of any function relating to the control of pollution;</p> <p>(d) The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area;</p> <p>(e) Any function relating to contaminated land;</p> <p>(f) The service of an abatement notice in respect of a statutory nuisance; and</p> <p>(g) Any function under a local Act of a licensing or regulatory nature,</p> <p>without prejudice to the functions lawfully exercised by the Shared Regulatory Services Joint Committee, pursuant to the Shared Regulatory Service Collaboration Agreement dated 10<sup>th</sup> April 2015.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>

Committee	Terms of Reference
Standards & Ethics	<p>(a) To monitor and scrutinise the ethical standards of the Authority, its Members, employees and any associated providers of the Authority's services, and to report to the Council on any matters of concern.</p> <p>(b) To advise the Council on the content of its Ethical Code and to update the Code as appropriate.</p> <p>(c) To advise the Council on the effective implementation of the Code including such matters as the training of Members and employees on the Code's application.</p> <p>(d) To consider and determine the outcome of complaints that Councillors and co-opted members have acted in breach of the Code in accordance with procedures agreed by the Standards Committee, including the imposition of any penalties available to the Committee.</p> <p>(e) To oversee and monitor the Council's whistleblowing procedures and to consider ethical issues arising from complaints under the procedure and other complaints.</p> <p>(f) To grant or refuse requests for dispensations in respect of Members' interests under the Members Code of Conduct in accordance with the relevant statutory provisions.</p> <p>(g) To undertake those functions in relation to community councils situated in the area of the Council and members of those community councils which are required by law</p> <p>(h) To recommend to Council and the Cabinet any additional guidance on issues of probity.</p> <p>(i) To hear and determine any complaints of misconduct by Members or a report of the Monitoring Officer, whether on reference from the Ombudsman or otherwise.</p> <p>(j) To recommend the provision to the Monitoring Officer of such resources as he/she may require for the performance of his/her duties.</p> <p>All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.</p>
Pensions Committee	<p>To discharge the functions of the authority as Administering Authority of the Cardiff &amp; Vale of Glamorgan Pension Fund ('the Fund') as described in the Local Government Pension Scheme (LGPS) Regulations made under the Superannuation Act 1972 (sections 7,12 or 24) and Section 18(3A) of the Local Government and Housing Act 1989; and</p>

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

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

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

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



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

Mae'r dudalen hon yn wag yn fwriadol

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

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

**Reason for this Report**

1. The Council is requested to determine the allocation of seats on Committees to political groups in accordance with the Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.
2. The Council will also receive nominations and make appointments of Members to serve on each Committee in accordance with party group wishes.

**Background**

3. The previous report (Agenda Item 9) outlined matters relating to the establishment of Committees, together with their size and terms of reference.
4. The Council Procedure Rules in the Constitution provide that at the Annual meeting the Council will decide on the allocation of seats on committees to political groups in accordance with legislation.
5. 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.
6. Having determined the allocation of seats to political groups, the Annual Council meeting is required to receive nominations of Members to serve on each of the established Committees and make such appointments.
7. The Standards and Ethics Committee is exempt from the political balance requirements (under Regulation 12 "*Allocation of seats to Political Groups*" of the Standards Committees (Wales) Regulations 2001).

**Issues**

Political Balance

8. In April 2018 Monitoring Officer was notified by the Plaid Cymru group of a change in their membership from 3 to 2 members. In accordance with the Local

Government and Housing Act 1989 and the Local Government (Committee and Political Groups) Regulations 1990 a Group is classified as having two or more members.

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

**TABLE A** - Composition of the Council as at 25 April 2018:

<b>Groups and Independents</b>	<b>Number of Councillors</b>
Labour	40
Conservative	20
Liberal Democrat	11
Plaid Cymru	2
Heath & Birchgrove Independent	1
Fairwater Cardiff West Independent	1

#### Allocation of Seats

10. The total number of seats on the Committees recommended under Agenda item 9, which are subject to the political balance requirements is 144, as detailed in **Appendix A**. Based on the current composition of the Council (shown in Table A), the proportional allocation of seats on those Committees is as set out in Table B:

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

<b>Groups and Independents</b>	<b>Number of Councillors</b>	<b>Number of Committee seats</b>
Labour	40	79
Conservative	20	39
Liberal Democrats	11	22
Plaid Cymru	2	4
Independents (Not in a Group) **	2	0

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

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

#### Nominations and Appointments to Committees

13. Based on the Committee structure and size set out in the previous report (Agenda Item 9), the total number of seats to be filled are 144.

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

## **Legal Implications**

### Political balance

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 three 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, and determine the allocation of seats to political groups in accordance with the principles set out in Section 15 of 1989 Act, those principles being:
  - (a) not all seats on a Committee should be allocated to the same political group;
  - (b) the majority group on the Council should form the majority on the Committee;
  - (c) subject to (a) and (b), that the proportion of seats allocated to each political group on the total of all Committees should be the same as the proportion of Council Members who belong to that group; and
  - (d) subject to (a)–(c), that the proportion of seats allocated to each political group on each Committee should be the same as the proportion of Council Members who belong to that group.
18. However, the allocation of seats based on the political proportionality principles set out in Section 15 of the 1989 Act (please see paragraph 12 above) may be varied (pursuant to Section 17 of the 1989 Act) if alternative arrangements are approved by the Council, subject to:
  - i. Notice being given to all Members of the proposal to adopt the alternative arrangements for the allocation of seats – this is met by the express reference made in the Council Summons (Regulation 20 of the 1990 Regulations); and
  - ii. The alternative arrangements must be approved by the Council without dissent (a “nem con” vote).

19. Where a local authority has determined the allocation of political groups on a Committee, it is under a duty to give effect to the wishes of those groups with regard to the identities of the persons who are to represent that group on the Committee (pursuant to Section 16 of the 1989 Act). Regulation 14 of the Local Government (Committees and Political\_Groups) Regulations 1990 ('the 1990 Regulations') requires political groups to be notified of their allocation on a committee in order that they may nominate individuals to serve on that committee. Regulation 15 contains a residual power for the Council to make appointments if the political groups fail to do so. However, apart from this provision, the Council has no discretion in the matter—its function is simply to make appointments which give effect to the wishes of the political groups.
20. 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).
21. 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.
22. The Annual Council meeting is required to 'receive nominations of members to serve on each of the standing committees and make such appointments' (Council Meeting Procedure Rules, Rule 2(b)(xiii). Under its approved Scheme of Delegations (Section 4E, delegation reference LD17), Council has also delegated authority to the Monitoring Officer 'To appoint councillors or non-councillor members to committee seats allocated to political groups or nominating bodies (or to make changes, fill vacancies or give effect to temporary membership changes – "substitutions" ) in accordance with the wishes of political groups or member nominating body.' This report recommends that Council makes appointments to its committees in accordance with the groups' nominations submitted to this Council meeting; and instructs the Monitoring Officer to make appointments to any remaining vacancies in accordance with the wishes of the relevant political groups, and to report all appointments made to the next Council meeting.

#### Standards and Ethics Committee

23. 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.

24. 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.
25. The terms of office of the 5 independent members and the Community Council Member have not expired and so no further appointments of independent members or a Community Council Member are presently required.
26. The term of office for a Councillor sitting on the Standards Committee can be no longer than the period until the next ordinary Local Government Elections; but a Councillor may be re-appointed for one further consecutive term.

#### Democratic Services Committee

27. 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

28. 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.
29. The current composition of the Audit Committee, as approved at Annual Council in May 2017, includes four non - councillor 'Independent Members' and 8 Councillors. The proportion of Independent Members is one third of the Committee members, which is the maximum permitted by law.

#### Planning Committee

30. The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 (made under s.39 of the Planning Wales Act 2015), provide that where wards have more than one elected Member, only one Member may sit on the planning committee (but this rule is not applicable to authorities comprised solely of multiple Member wards). This allows other ward Members to perform the representative role for local community interests. This statutory requirement is reflected in the Planning Committee Procedure Rules, Rule 1.1A. In submitting nominations for the Planning Committee, political groups will need to comply with this rule.
31. 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**

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

### **RECOMMENDATIONS**

The Council:

1. approves the allocation of seats on Committees for the municipal year 2018/ 19 as set out in **Appendix A**;
2. receives nominations from Party Groups in respect of the seats allocated to each Group;
3. appoints Members to each Committee in accordance with the nominations received from Party Groups; and
4. requests the Monitoring Officer to make appointments in respect of any remaining vacancies in accordance with any further nominations or changes received from the relevant political groups following this meeting, and to report to the next Council meeting the details of all appointments to committees for information.

**DAVINA FIORE**

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

17 May 2018

Appendix A – Distribution of Seats Municipal Year 2018/19



## Distribution of Seats 2018/19 Municipal Year

Committee	Number of Seats	Labour	Cons	Lib Dem	Plaid	**Non Grouped	
<b><u>Committees subject to Political Balance</u></b>							
No of Seats	75/75	40	20	11	2	2	75
Percentage %		54.8%	27.4%	15.1%	2.7%	0	100%
Total No Seats	144	79	39	22	4	0	144
Political Balance		54.9%	27.1%	15.3%	2.7%	0	100%
<b>Ordinary Committees</b>							
Audit Committee	8	5	2	1			8
Constitution Committee	12	6	3	2	1		12
Corporate Parenting Advisory Committee	9	5	3	1			9
Council Appeals	9	5	3	1			9
Democratic Services Committee	12	6	3	2	1		12
Employment Conditions	8	5	2	1			8
Licensing	12	6	3	2	1		12
Public Protection	12	6	3	2	1		12
Pension Committee	5	3	1	1			5
Planning	12	7	3	2			12
No of Seats	99	54	26	15	4	0	99
<b>Scrutiny Committees</b>							
<b>Allocation of Chairs</b>	5	3	1	1			1
Children & Young People	9	5	3	1			9
Community & Adult	9	5	2	2			9
Economic & Culture	9	5	3	1			9
Environment	9	5	3	1			9
Policy Review & Performance	9	5	2	2			9
No of Seats	45	25	13	7	0		45

Committee	Number of Seats	Labour	Cons	Lib Dem	Plaid	**Non Grouped	
<b><u>Political Balance Not applicable</u></b>							
Standards & Ethics Committee	3	1	1	1			3
Bilingual Cardiff Working Group	9	5	2	1	1		9
Local Authority Governor Panel	7	4	2	1			7
Health & Safety Advisory Group	5	3	1	1			5
Investment Advisory Panel ( <i>** from Membership of Pension Committee</i> )	3	1	1	1			3
Works Council ( <i>** from Membership of Employment Conditions Committee</i> )	5	3	1	1			5

**CYNGOR CAERDYDD  
CARDIFF COUNCIL**



**24 MAY 2018**

**ANNUAL COUNCIL**

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

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

**Reason for Report**

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

**Background**

2. Agenda Items 9 and 10 outlined matters relating to the establishment of Committees, together with their composition and allocation of seats in accordance with the statutory rules on political balance.

**Issues**

3. The Constitution provides that the Annual Council meeting will elect a Chair and a Deputy Chair for each of the Committees. In order to take those decisions, political groups will need to ensure that formal notice has been given to the Proper Officer (and noted under Agenda item 10) of the group's nomination of any Member who is to be nominated for election as Chair or Deputy Chair of a Committee.
4. 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 A below:

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

<b>Groups</b>	<b>Political Balance</b>	<b>Allocation of Chairs</b>
Labour	54.8%	3
Conservative	27.4%	1
Liberal Democrat	15.1%	1
Plaid Cymru	2.7%	0
Total	100%	5

5. Once the Council has determined the allocation of Scrutiny Chairs to each political group, the law provides that the appointment of Scrutiny Chairs is to be made by the

relevant group. Subject to Council approval of the proportional allocation of Scrutiny Chairs, political groups are requested to provide notice of their proposed appointments to the Proper Officer to enable Annual Council to note the appointments.

6. Nominations for the following Chairs and Deputy Chairs need to be notified to the Proper Officer: -

**TABLE B - Chairs and Deputy Chairs**

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

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

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

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

### **Legal Implications**

8. The Council Procedure Rules provide that, at the Annual Council meeting, the Council will elect a Chair and a Deputy Chair for each of the committees (Rule 2(b) (xv)). This report seeks nominations for the positions of Chair and Deputy Chair for each of the listed committees (and notes that nominees must have been validly nominated to the relevant committee under the separate Agenda item 10 on nominations to committees).

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

#### Democratic Services Committee

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

#### Audit Committee

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

#### Standards and Ethics Committee

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

#### Scrutiny Chairs

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

### **Financial Implications**

13. The overall costs associated with members can be contained within the overall Members budget get allocated for 2018/19

## **RECOMMENDATIONS**

The Council is recommended to

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

**DAVINA FIORE**

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

17 May 2018

**ANNUAL COUNCIL:**

**24 MAY 2018**

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

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

**Reasons for the Report**

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

**Background**

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

**Issues**

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

**Legal Implications**

5. The appointment of individuals to serve on outside bodies is a Local Choice function under the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007. In the approved Scheme of Delegations the Council has determined that responsibility for the proposed appointments shall rest with Full Council.

**Financial Implications**

6. 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.

**DAVINA FIORE**

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

17 May 2018

Appendix A: Annual Nominations and Appointments to vacancies on Outside Bodies  
2018/19

### **Background Papers**

Register Appointments to Outside Bodies



Organisation	Aims of the Organisation	Number of Representatives	Notes
Cardiff Bus	Cardiff City Transport Services Ltd (otherwise known as Cardiff Bus) is a private limited company which is wholly owned by Cardiff Council. It was constituted as a Public Transport company within the mean of Section 72 of the Transport Act 1985 and the main purpose of the company is the provision of road passenger transport services.	7 Members (4 Labour, 2 Conservative, 1 Lib Dem)	
Cardiff & Vale of Glamorgan Community Health Council	<p>The Cardiff &amp; Vale of Glamorgan Community Health Council (CHC) represents the interests of the patients and public of Cardiff and the Vale of Glamorgan in relation to local health services. The 4 statutory duties/functions of the CHC are to:</p> <ol style="list-style-type: none"> <li>1. Scrutinise the operation of health services in Cardiff &amp; Vale of Glamorgan, to make recommendations for the improvement of that service, and to advise the Cardiff &amp; Vale University Health Board (UHB) upon such matters relating to the operation of the health service.</li> <li>2. To be consulted by the UHB in respect of health services for which it is responsible.</li> <li>3. To enter and inspect NHS premises.</li> <li>4. To provide an independent advocacy service on behalf of the Welsh Ministers for those aged 18 and over.</li> </ol>	3 Members <b><i>(Can be either an Elected Member or an external appointment by the Council).</i></b>	<p>2 vacancies (1 to be filled from 01/07/18)</p> <p><i>[NOTE: Cllr Hudson has completed two terms and will stand down 30/06/18]</i></p> <p><i>(Cllr Iona Gordon is currently in her first term of office)</i></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.</p> <p>On the election of LGA Chair, Vice-Chairs and Deputy Chairs under Article 8.4 and on questions of estimated expenditure and subscriptions under Articles 21.1 and 21.2 of the LGA Constitution, Welsh Authorities in corporate membership are entitled to 1 vote, which is usually exercised by the Leader or nominated substitute.</p> <p>On non-devolved matters directly relevant to their statutory duties and responsibilities, the Council is entitled to 7 votes based on population size. These votes are usually exercised by the Leader or nominated substitute.</p> <p>The Annual Meeting of the LGA General Assembly will be held on Tuesday 3 July 2018 in Birmingham.</p>
South Wales Fire & Rescue Authority	The Fire & Rescue Authority (FRA) consists of 24 Councillors from the 10 local authorities which originally combined to form the Authority covering South Wales. The composition of the Authority is determined by the size of the electoral representation within each local authority and the political proportionality across the combined area.	5 Members (3 Labour, 1 Conservative & 1 Lib Dem)	The Independent Remuneration Panel for Wales has previously determined that the remuneration of ordinary members of an FRA should be aligned to the Basic Salary of a member of a principal council and that the time commitment required is in the region of 20 days per year. This remains the basis of the Panel's determinations. The Panel has also determined that a FRA Senior Salary can

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

Organisation	Aims of the Organisation	Number of Representatives	Notes
<p>Welsh Local Government Association (WLGA)</p> <p>(i) WLGA Council</p> <p>(ii) WLGA Executive Board</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>The WLGA Executive Board is the main policy and deliberative forum of the Association that seeks to deal with issues at an all Wales level. It reports to the WLGA Council and receives relevant reports from the WLGA Management Sub-Committee and Audit Committee.</p>	<p>8 Members</p> <p>1 Member</p>	<p>A Local Authority in full membership is entitled to appoint one member of the Council for each 50,000 population or part thereof.</p> <p>In 2015/16, Cardiff's entitlement was increased to 8 representatives on the WLGA Council, which does not need to reflect the requirements of political balance.</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 29 June 2018 in Llandudno.</p> <p>The WLGA Executive Board is comprised of one member appointed by each Member Council from among those members it has appointed to the WLGA Council (usually the Leader of the Council).</p>

# CYNGOR CAERDYDD CARDIFF COUNCIL



**ANNUAL COUNCIL:**

**24 MAY 2018**

## REPORT OF THE CHIEF EXECUTIVE

### MEMBERS' REMUNERATION AND ALLOWANCES 2018/19

#### Reason for this Report

1. To set out the determinations of the Independent Remuneration Panel for Wales (The Panel) with regard to the levels of Members' remuneration and allowances that are payable for the municipal year 2018/2019 and other associated matters, and for Council to agree those matters which are reserved for local determination by the Council.

#### Background

2. The Local Government Measure 2011 empowers the Independent Remuneration Panel for Wales (The Panel) to determine the level and scope of payments for elected Members of all authorities in Wales.
3. The Panel's Annual Report was published in February 2018 and the Council must implement the Panel's determinations in the report for 2018/19 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/localgov/180226-annual-report-2018-en.pdf>

#### Issues

4. The Panel has consistently expressed its view that maintaining the democratic values of local governance 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.
5. In 2017, following the Local Elections, the Panel visited all 22 of the principal authorities, to provide an opportunity for a cross section of members including Cabinet Members, other elected members, co-optees and senior officers to comment on the Remuneration Framework and to put forward ideas for future consideration. Some of the issues raised have, wherever possible, been incorporated into the Panel's determinations.

6. The Panel has proposed a modest increase in the annual basic salary for Councillors in 2018/19 to £13,600 (an increase of 1.49%). No increase is proposed for senior salaries but these post holders will receive the uplift in the basic salary element. The financial constraints on the public sector have meant that the link with average Welsh earnings has not been maintained for a number of years, and the Panel considers that this has undervalued the worth of elected members and does not attract younger and more diverse candidates to stand for office.
7. The IRPW Annual Report 2016 introduced two levels of salary for members of councils' executives and committee chairs of principal authorities, Fire and Rescue Authorities (FRAs) and National Park Authorities (NPAs). This was to provide flexibility to enable authorities to reflect, in their schedules of remuneration, variations in the level of responsibility of portfolios and chairs. However as far as the payments to members of executives is concerned this flexibility has not been used other than in one case. Similarly it has not been taken on board in respect of chairs of committees. It was clear from the discussions that arose during the Panel's visits that almost all councils took the view that this arrangement was contrary to the desire for the Panel to be prescriptive in its determinations. The Panel accepts this and has therefore removed the two tier arrangement for executive members and for committee chairs.
8. From the discussions during the Panel visits to the principal councils it was clear that very few members were utilising the provision in the framework to reimburse the costs of care. It was found that some members are still reluctant to claim all that they are entitled to support them in their role, because of concerns about the adverse publicity this can attract. The Panel once again urges Democratic Services Committees to take steps to encourage and facilitate greater use of this element of the framework so that members concerned are not financially disadvantaged.
9. Since the Welsh Government introduced regulations relating to Family Absence of elected members of principal councils, the Panel has incorporated remuneration issues related to such absences in its framework. The Panel also introduced in 2017 arrangements to recognise the implications of long term sickness of senior salary holders and has made changes to provide more flexibility for authorities without undermining the principle of prescribing payments which still has continuing support.

#### Basic Salary

10. The Panel has determined that the Basic Salary that is payable to elected members of all principal councils in Wales will be **£13,600** in 2018/19.

#### Senior Salary

11. The Panel has determined that the Senior Salaries payable in 2018/19 by local authorities in population Group A (i.e. those with populations over 200,000, which includes Cardiff) are as follows:

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

<b>Bands of Responsibility</b>	<b>Role(s)</b>	<b>Senior Salaries determined by the Panel for 2018/19 (inclusive of Basic Salary)</b>
Band 1	Leader	£53,300
	Deputy Leader	£37,300
Band 2	Cabinet Members	£32,300
Band 3	Committee Chairs (if remunerated)	£22,300
Band 4	Leader of largest opposition group	£22,300
Band 5	Leader(s) of other political group(s) comprising at least 10% membership of the Authority (if remunerated)	£17,300

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

#### Allocation of Senior Salary Positions

13. 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 2018/19. In Cardiff (Population Group A), the maximum number of Senior Salary positions is **19**, excluding Civic Salary positions.
14. The Panel has taken the view that the payment to the Leader of the largest opposition group (subject to the political group comprising at least 10% membership of the Authority) is important for local democracy. The Panel has therefore continued its previous determination that a Band 4 Senior Salary must be paid.
15. In addition, it is a matter for individual authorities to determine which Chairs are paid at Band 3.
16. The Panel have stipulated that a Band 5 Senior Salary can be paid to the Leader of any other political group comprising of at least 10% membership of the Authority.
17. The Council at its Annual Meeting in May 2017 approved the allocation of 19 Senior Salary posts in 2017 /2018 as set out in Table 2 below. No change is proposed to the current allocation.

**Table 2 – Allocation of Senior Salaries**

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

Specific or Additional Senior Salaries

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, 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.
19. Some councils also raised with the Panel the possibility of operating some senior posts on a job share arrangement and the Panel were supportive of this provided that each ‘sharer’ will be paid 50% of the appropriate salary and the statutory maximum number of Cabinet Members (i.e. 10) is not exceeded, so both job sharers will count toward the maximum. The Panel must be informed of the details of any job share arrangements.

Civic Salary

20. The Panel has determined that the levels of Civic Salary (inclusive of Basic Salary) which are payable in 2018/19 should be increased in line with the increase in the Basic Salary and are to be applied by individual authorities as each considers appropriate, taking account of the anticipated workload and responsibilities of Civic Heads and Deputy Civic Heads:



**Table 3: Civic Salaries payable to members of principal councils**

<b>Responsibility Level</b>	<b>Civic Heads (inclusive of Basic Salary)</b>	<b>Deputy Civic Heads (inclusive of Basic Salary)</b>
Level 1	£24,300	£18,300
Level 2	£21,800	£16,300
Level 3	£19,300	£14,300

21. A Councillor must not be paid a Senior Salary and a Civic Salary.
22. It is proposed that a Level 1 Civic Salary will be paid by the Council in 2018/198 to both the Civic Head/Lord Mayor (£24,300) and Deputy Civic Head/Deputy Lord Mayor (£18,300), 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

23. 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.
24. Where appointed and if remunerated, the Panel has determined that a Presiding Member must be paid a Band 3 Level 1 Senior Salary (£22,300). 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. The option of a Presiding Member / Deputy does not feature in the Council's current allocation of Senior Salaries.

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

25. 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 will apply for 2018/19.
26. 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. £20,100), excluding the amount of Basic Salary (£13,400). 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**.
27. 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.

28. 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.
29. 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

30. 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

31. 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 2018/19.

**Table 4: Fees for co-opted members**

<b>Co-opted Members (with voting rights)</b>	<b>Co-opted Member Payments</b>
Chairs of: <ul style="list-style-type: none"> <li>Standards &amp; Ethics Committee;</li> <li>Audit Committee</li> </ul> (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"> <li>Standards &amp; Ethics Committee;</li> <li>Education Scrutiny Committee;</li> <li>Crime &amp; Disorder Scrutiny Committee;</li> <li>Audit Committee.</li> </ul>	£198 (4 hours and over) £99 (up to 4 hours)
Community and town councillors sitting on principal council committees	£198 (4 hours and over) £99 (up to 4 hours)

32. 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.

33. 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 2018/19.
34. 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.
35. 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.
36. Co-opted Members are also eligible to claim for Travel and Subsistence Allowances and reimbursement of costs of care, where applicable.

### **Allowances**

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

### Reimbursement of Costs of Care

38. The Panel has determined that, for 2018/19, all authorities must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a **maximum payment of £403 per month**. The reimbursement of the costs of care is intended to enable any person whose ability to participate as a member of an authority would be limited by their responsibilities as a carer, or for a member to receive care support to enable that individual to carry out their role.
39. Reimbursement of expenses will only be made on the basis of the submission of a monthly claim form listing the duties completed or official business undertaken, together with the production of receipts from the carer for the cost of the formal and informal care arrangements claimed. The Panel has confirmed that, as this is a contribution to actual monthly costs, this payment cannot be annualised.

## Travel Allowance

40. The Travel Allowance payable in 2018/19 continues to be linked to current HM Revenue & Customs (HMRC) rates and is unchanged and payable as follows:

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

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

## Subsistence Allowance

43. 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.
44. 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 2018/19 (including breakfast if not included in overnight accommodation costs), provided that any claim for expenses is supported by receipts.
45. In terms of Subsistence Allowance which is payable in 2018/19 for the reimbursement of the cost of overnight accommodation, the Panel has determined that the maximum levels payable be set in line with Welsh Government rates and paid as follows:

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

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).

#### Sickness Absence for Senior Salary Holders

50. The Family Absence Regulations (approved by the National Assembly in 2014) are very specific relating to entitlement and only available for elected members of principal councils. Absence for reasons of ill-health is not included.

51. Instances have been raised with the Panel of senior salary holders on long term sickness and the perceived unfairness in comparison with the arrangements for family absence. In consequence, councils are faced with the dilemma of:
- Operating without the individual member but still paying him/her the senior salary.
  - Replacing the member who therefore loses the senior salary (but retains the basic salary).
52. The Panel has considered this and has determined that the Framework be amended to provide specific arrangements for long term sickness as set out below:
- a) Long term sickness is defined as certified absences in excess of 4 weeks.
  - b) The maximum length of sickness absence within these proposals is 26 weeks or until the individual's term of office ends, whichever is sooner (but if reappointed any remaining balance of the 26 weeks will be included).
  - c) Within these parameters a senior salary holder on long term sickness can, if the authority decides continue to receive remuneration for the post held.
  - d) It is a decision of the authority whether to make a substitute appointment but the substitute will be eligible to be paid the senior salary appropriate to the post.
  - e) If the paid substitution results in the authority exceeding the maximum number of senior salaries payable for that authority as set out in the Annual Report, an addition will be allowed for the duration of the substitution.
  - f) When an authority agrees a paid substitution the Panel must be informed within 14 days of the decision of the details including the specific post and the estimated length of the substitution. The authority's Schedule of Remuneration must be amended accordingly.
  - g) It does not apply to elected members of principal councils who are not senior post holders as they continue to receive basic salary for at least 37 six months irrespective of attendance and any extension beyond this timescale is a matter for the authority.
53. This arrangement applies to members of principal councils, National Park Authorities and Fire and Rescue Authorities who are senior salary holders, including Welsh Government appointed members, but does not apply to co-opted members

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

54. 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.
55. 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

56. 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 2018. In order to comply with this timescale, the Council's Schedule of Member Remuneration for 2018/19 is to be submitted for consideration by Council on 21 June 2018.
57. Details of Members' remuneration and allowances, including expenses claims made by Members and payments made to Members who are appointed by the Council to other public bodies, will also be published on the Council's website. The Panel has determined that consistency can be improved by the use of a standard proforma. The Council is required to make arrangements for the publication of details of all remuneration and allowances paid to Members and Co-opted Members in 2017/18 by 30 September 2018.

## Election to Forgo Entitlement to Payment

58. 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**

59. 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.
60. All Members entitled to receive payment have a personal interest in this report which should be declared. However, paragraph 12.2 of the Code of Conduct states that you will not be regarded as having a prejudicial interest in any business of the Council relating to remuneration or an allowance or payment or pension made in accordance with the Local Government (Wales) Measure 2011 or the Local Government and Housing Act 1989. This means all Members may debate and vote on the recommendations in this report.

## Financial Implications

61. The report sets out the Members Remuneration and Allowances for 2018/19. The costs of these allowances can be contained within the budgetary allocation held for this purpose.

## RECOMMENDATIONS

The Council is recommended to

1. note the determinations of the Independent Remuneration Panel for Wales made in its Annual Report 2018, as set out in the report;
2. note that an annual Basic Salary of £13,600 is payable to all elected members for the municipal year 2018/19;
3. agree to allocate the maximum of 19 Senior Salary positions payable for 2018/19 as follows:

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

4. agree to set the Civic Salary payable in 2018/19 for the positions of Civic Head/Lord Mayor (£24,300) and Deputy Civic Head/Deputy Lord Mayor (£18,300) at Level 1 as prescribed by the Panel;
5. agree that the payment of Co-opted Member fees in 2018/19 should continue to be capped at a maximum of the equivalent of 10 full days a year; and
6. receive a report to approve a Schedule of Members' Remuneration 2018/19 at its next meeting.

## PAUL ORDERS

Chief Executive  
17 May 2018

## Background Paper

Independent Remuneration Panel for Wales Annual Report February 2018



**ANNUAL COUNCIL:****24 MAY 2018**

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

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**PROGRAMME OF COUNCIL, CABINET & ORDINARY COMMITTEE MEETINGS  
2018/19****Reason for this report**

1. To agree the programme of Full Council meetings for the period June 2018 to August 2019, and note the interim programme of Cabinet and Committees for the period June 2018 to August 2019 to be finalised in consultation with Chairs of Committees.

**Background**

2. The Annual Council meeting is required to approve a programme of ordinary meetings of Council, and a provisional programme of meetings for Council Committees (Council Meeting Procedure Rules, Rule 2(b)(xvii) and (xviii)).
3. The Annual Council on 25 May 2017 agreed an indicative programme of Full Council meetings for 2018 - 2019 municipal year.

**Issues**

4. Attached as Appendix A is the Programme of Council, Cabinet and Committee meetings from June 2018 to August 2019.
5. Indicative dates for Council meetings from September 2019 to August 2020 are set out in Appendix B. These are indicative dates and will be confirmed by Annual Council in May 2019.
6. The appointment of Committee Chairs (Agenda Item 11) may necessitate further consultation on the programme of ordinary Committee meetings from September 2018. It is therefore proposed that a full programme of meetings to August 2019 be reported to Council on 21 June 2018.

**Legal Implications**

7. Welsh Government has issued statutory guidance (under section 6 of the Local Government (Wales) Measure 2011), which the Council must have regard to when considering the times and intervals of its meetings.

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 intervals in which meetings of the local authority are held at least once a term and preferably shortly after the new council is elected. A survey of Members was undertaken in May 2017 and the programme of future meetings reflects the results of the survey and agreements made by individual Committees around preferred start times.

### **Financial Implications**

10. There are no financial implications arising from this report

### **RECOMMENDATIONS**

The Council is recommended to

- (1) approve the programme of Council, Cabinet and Committee meeting dates for June 2018 – August 2019, subject to further consultation with Chairs of Committees appointed by Council;
- (2) delegate authority to the Director of Governance and Legal Services to make any minor alterations to the programme of Committee meetings and request that the final programme be reported to the ordinary Council meeting on 21 June 2018 for approval.
- (3) note the indicative dates of Full Council meetings for the period September 2019 – August 2020.

### **DAVINA FIORE**

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

18 May 2018

The following Appendices are attached:

- |            |   |
|------------|---|
| Appendix A | Programme of Council, Cabinet and Committee meetings from June 2018 to August 2019. |
| Appendix B | Indicative dates for Council meetings from September 2019 to August 2020            |

## SCHEDULE OF COUNCIL CABINET AND COMMITTEE MEETINGS 2018/19

<u>June 2018</u>				
Fri	01			
Mon	04			
Tue	05	Public Protection Committee	10.30am	Committee Room 1
Tue	05	Environment Scrutiny Committee (w)	4.30pm	Committee Room 4
Wed	06	Community and Adult Services Scrutiny	4.30pm	Committee Room 4
Thu	07	Local Authority School Governors	5.00pm	Committee Room 2
Fri	08			
Mon	11			
Tue	12	Prosiect Gwyrdd Joint Committee	10.00am	Caerphilly CBC
Tue	12	Children and Young People Scrutiny Committee	4.30pm	Committee Room 4
Wed	13	Planning Committee (DC) (w)	1.30pm	Committee Room 4
Wed	13	Standards & Ethics Committee	4.30pm	Committee Room 2
Thu	14	Cabinet	3.30pm	County Hall
Thu	14	Economy & Culture Scrutiny	4.30pm	Committee Room 4
Fri	15	Glamorgan Archives Joint Committee	2.00pm	Glamorgan Archives, Leckwith
Mon	18			
Tue	19			
Wed	20	Policy Review & Performance Scrutiny	4.30pm	Committee Room 4
Thu	21	COUNCIL (w)	4.30pm	City Hall
Fri	22			
Mon	25			
Tue	26	Audit Committee	2.00pm	Committee Room 4
Wed	27	Pensions Committee	5.00pm	Committee Room 2
Thu	28			
Fri	29			
<u>July 2018</u>				
Mon	02			
Tue	03	Public Protection Committee	10.30am	Committee Room 1
Tue	03	Environment Scrutiny Committee (w)	4.30pm	Committee Room 4
Wed	04	Community and Adult Services Scrutiny	4.30pm	Committee Room 4
Thu	05	Economy & Culture Scrutiny	4.30pm	Committee Room 4
Fri	06			

Mon	09			
Tue	10	Children and Young People Scrutiny Committee	4.30pm	Committee Room 4
Wed	11	Planning Committee (DC) (w)	1.30pm	Committee Room 4
Wed	11	Policy Review & Performance Scrutiny	4.30pm	Committee Room 2
Thu	12	Cabinet	2.00pm	
Fri	13			
Mon	16			
Tue	17	Corporate Parenting Advisory Committee	2.00pm	Committee Room 4
Wed	18			
Thu	19	COUNCIL (w)	4.30pm	City Hall
Fri	20			
Mon	23			
Tue	24			
Wed	25			
Thu	26			
Fri	27			
Mon	30			
Tue	31			
<b>August 2018</b>				
Wed	01			
Thu	02			
Fri	03			
Mon	06			
Tue	07	Public Protection Committee	10.30am	Committee Room 1
Wed	08			
Thu	09			
Fri	10			
Mon	13			
Tue	14			
Wed	15	Planning Committee (DC) (w)	1.30pm	Committee Room 4
Thu	16			
Fri	17			
Mon	20			
Tue	21			

Wed	22			
Thu	23			
Fri	24			
Mon	27	<b>BANK HOLIDAY</b>		
Tue	28			
Wed	29			
Thu	30			
Fri	31			

**(w)** – Webcasted meetings

## PROPOSED COUNCIL, CABINET & COMMITTEE MEETING DATES

<u>September 2018</u>				
Mon	03			
Tue	04	Public Protection Committee	10.30am	Committee Room 1
Tue	04	Environment Scrutiny <b>(w)</b>	4.30pm	Committee Room 4
Wed	05	Community and Adult Services Scrutiny <b>(w)</b>	4.30pm	Committee Room 4
Thu	06			
Fri	07			
Mon	10	Local Authority School Governors	5.00pm	Committee Room 2
Tue	11	Children and Young People Scrutiny <b>(w)</b>	4.30pm	Committee Room 4
Wed	12	Policy Review & Performance Scrutiny <b>(w)</b>	4.30pm	Committee Room 4
Thu	13	Economy & Culture Scrutiny <b>(w)</b>	4.30pm	Committee Room 4
Fri	14	Glamorgan Archives Joint Committee	2.00pm	Glamorgan Archives, Leckwith
Mon	17			
Tue	18	Audit Committee	2.00pm	Committee Room 4
Wed	19	Planning Committee (DC) <b>(w)</b>	1.30pm	Committee Room 4
Thu	20	Cabinet	2.00pm	County Hall
Thu	20	Pensions Committee	5.00pm	Committee Room 2
Fri	21			
Mon	24	Democratic Services Committee	5.00pm	Committee Room 2
Tue	25			
Wed	26			
Thu	27	<b>COUNCIL (w)</b>	4.30pm	City Hall
Fri	28			

<b>October 2018</b>				
Mon	01	Constitution Committee	5.00pm	Committee Room 2
Tue	02	Public Protection Committee	10.30am	Committee Room 1
Tue	02	Environment Scrutiny Committee (w)	4.30pm	Committee Room 4
Wed	03	Policy Review & Performance Scrutiny (w)	4.30pm	Committee Room 4
Thu	04	Economy & Culture Scrutiny (w)	4.30pm	Committee Room 4
Fri	05			
Mon	08			
Tue	09	Children and Young People Scrutiny (w)	4.30pm	Committee Room 4
Wed	10	Community and Adult Services Scrutiny (w)	4.30pm	Committee Room 4
Thu	11	Cabinet	2.00pm	County Hall
Fri	12			
Mon	15			
Tue	16	Corporate Parenting Advisory Committee	2.00pm	Committee Room 4
Wed	17	Planning Committee (DC) (w)	1.30pm	Committee Room 4
Thu	18			
Fri	19			
Mon	22			
Tue	23			
Wed	24			
Thu	25	COUNCIL	4.30pm	City Hall
Fri	26			
Mon	29			
Tue	30			
Wed	31			
<b>November 2018</b>				
Thu	01			
Fri	02			
Mon	05			
Tue	06	Public Protection Committee	10.30am	Committee Room 1
Tue	06	Environment Scrutiny Committee (w)	4.30pm	Committee Room 4
Wed	07	Community and Adult Services Scrutiny (w)	4.30pm	Committee Room 4
Thu	08	Economy & Culture Scrutiny (w)	4.30pm	Committee Room 4
Fri	09			
Mon	12			

Tue	13	Audit Committee	2.00pm	Committee Room ??
Tue	13	Children and Young People Scrutiny (w)	4.30pm	Committee Room 4
Wed	14	Policy Review & Performance Scrutiny(w)	4.30pm	Committee Room 4
Thu	15	Cabinet	2.00pm	County Hall
Fri	16			
Mon	19			
Tue	20			
Wed	21	Planning Committee (DC) (w)	1.30pm	Committee Room 4
Thu	22			
Fri	23			
Mon	26	Pensions Committee	5.00pm	Committee Room 2
Tue	27			
Wed	28			
Thu	29	COUNCIL (w)	4.30pm	City Hall
Fri	30			
<b><u>December 2018</u></b>				
Mon	03			
Tue	04	Public Protection Committee	10.30am	Committee Room 1
Tue	04	Environment Scrutiny Committee (w)	4.30pm	Committee Room 4
Wed	05	Community and Adult Services Scrutiny (w)	4.30pm	Committee Room 4
Thu	06	Economy & Culture Scrutiny (w)	4.30pm	Committee Room 4
Fri	07			
Mon	10			
Tue	11	Children and Young People Scrutiny (w)	4.30pm	Committee Room 4
Wed	12	Policy Review & Performance Scrutiny (w)	4.30pm	Committee Room 4
Thu	13			
Fri	14	Cabinet	2.00pm	County Hall
Fri	14	Glamorgan Archives Joint Committee	2.00pm	Glamorgan Archives, Leckwith
Mon	17			
Tue	18			
Wed	19	Planning Committee (DC) (w)	1.30pm	Committee Room 4
Thu	20			
Fri	21			
Mon	24			

Tue	25	BANK HOLIDAY		
Wed	26	BANK HOLIDAY		
Thu	27			
Fri	28			
Mon	31			
<b><u>January 2019</u></b>				
Tue	01	BANK HOLIDAY		
Wed	02			
Thu	03			
Fri	04			
Mon	07			
Tue	08	Public Protection Committee	10.30am	Committee Room 1
Tue	08	Environment Scrutiny Committee (w)	4.30pm	Committee Room 4
Wed	09	Community and Adult Services Scrutiny (w)	4.30pm	Committee Room 4
Thu	10			
Fri	11			
Mon	14	Local Authority School Governors	5.00pm	Committee Room 2
Tue	15	Children and Young People Scrutiny (w)	4.30pm	Committee Room 4
Wed	16	Policy Review & Performance Scrutiny (w)	4.30pm	Committee Room 4
Thu	17	Economy & Culture Scrutiny (w)	4.30pm	Committee Room 4
Fri	18			
Mon	21			
Tue	22	Audit Committee	2.00pm	Committee Room 4
Wed	23	Planning Committee (DC) (w)	1.30pm	Committee Room 4
Thu	24	Cabinet	2.00pm	County Hall
Fri	25			
Mon	28			
Tue	29	Corporate Parenting Advisory Committee	2.00pm	Committee Room 4
Wed	30			
Thu	31	COUNCIL (w)	4.30pm	City Hall
<b><u>February 2019</u></b>				
Fri	01			



Mon	04	Democratic Services Committee	5.00pm	Committee Room 2
Tue	05	Public Protection Committee	10.30am	Committee Room 1
Wed	06			
Thu	07			
Fri	08			
Mon	11			
Tue	12			
Wed	13	Planning Committee (DC) (w)	1.30pm	Committee Room 4
Thu	14			
Fri	15			
Mon	18	Environment Scrutiny Committee (w)	10.30am	Committee Room 4
Mon	18	Community and Adult Services Scrutiny (w)	4.30pm	Committee Room 4
Tue	19	Children and Young People Scrutiny Committee (w)	1.30pm	Committee Room 4
Tue	19	Economy & Culture Scrutiny (w)	4.30pm	Committee Room 4
Wed	20	Policy Review & Performance Scrutiny (w)	10.30am	Committee Room 4
Thu	21	Cabinet	2.00pm	County Hall
Fri	22			
Mon	25			
Tue	26			
Wed	27			
Thu	28	COUNCIL (BUDGET) (w)	4.30pm	City Hall
<b><u>March 2019</u></b>				
Fri	01			
Mon	04	Constitution Committee	5.00pm	Committee Room 2
Tue	05	Public Protection Committee	10.30am	Committee Room 1
Tue	05	Environment Scrutiny Committee (w)	4.30pm	Committee Room 4
Wed	06	Community and Adult Services Scrutiny (w)	4.30pm	Committee Room 4
Thu	07			
Fri	08			
Mon	11			
Tue	12	Children and Young People Scrutiny (w)	4.30pm	Committee Room 4
Wed	13	Policy Review & Performance Scrutiny (w)	4.30pm	Committee Room 4
Thu	14	Economy & Culture Scrutiny (w)	4.30pm	Committee Room 4

Fri	15	Glamorgan Archives Joint Committee	2.00pm	Glamorgan Archives, Leckwith
Mon	18			
Tue	19			
Wed	20	Planning Committee (DC) (w)	1.30pm	Committee Room 4
Thu	21	Cabinet	2.00pm	County Hall
Fri	22			
Mon	25			
Tue	26	Audit Committee	2.00pm	Committee Room 4
Wed	27			
Thu	28	COUNCIL (w)	4.30pm	City Hall
Fri	29			
<b>April 2019</b>				
Mon	01			
Tue	02	Corporate Parenting Advisory Committee	2.00pm	Committee Room 2
Tue	02	Environment Scrutiny Committee (w)	4.30pm	Committee Room 4
Wed	03	Community and Adult Services Scrutiny (w)	4.30pm	Committee Room 4
Thu	04	Economy & Culture Scrutiny (w)	4.30pm	Committee Room 4
Fri	05			
Mon	08			
Tue	09	Public Protection Committee	10.30am	Committee Room 1
Tue	09	Children and Young People Scrutiny Committee (w)	4.30pm	Committee Room 4
Wed	10	Policy Review & Performance Scrutiny (w)	4.30pm	Committee Room 4
Thu	11	Cabinet	2.00pm	County Hall
Fri	12			
Mon	15			
Tue	16			
Wed	17	Planning Committee (DC) (w)	1.30pm	Committee Room 4
Thu	18			
Fri	19	BANK HOLIDAY		
Mon	22	BANK HOLIDAY		
Tue	23			
Wed	24			
Thu	25			
Fri	26			

Mon	29			
Tue	30			
<b>May 2019</b>				
Wed	01	Community and Adult Services Scrutiny(w)	4.40pm	Committee Room 4
Thu	02			
Fri	03			
Mon	06	<b>BANK HOLIDAY</b>		
Tue	07	Environment Scrutiny Committee(w)	4.30pm	Committee Room 4
Wed	08	Policy Review & Performance Scrutiny (w)	4.30pm	Committee Room 4
Thu	09	Economy & Culture Scrutiny (w)	4.30pm	Committee Room 4
Fri	10			
Mon	13	Local Authority School Governors	5.00pm	Committee Room 2
Tue	14	Children and Young People Scrutiny Committee (w)	4.30pm	Committee Room 4
Wed	15	Planning Committee (DC) (w)	1.30pm	Committee Room 4
Thu	16	Cabinet	2.00pm	County Hall
Fri	17			
Mon	20			
Tue	21			
Wed	22			
Thu	23	<b>ANNUAL COUNCIL (w)</b>	4.30pm	City Hall
Fri	24			
Mon	27	<b>BANK HOLIDAY</b>		
Tue	28			
Wed	29			
Thu	30			
Fri	31			
<b>June 2019</b>				
Mon	03			
Tue	04	Public Protection Committee	10.30am	Committee Room 1
Tue	04	Environment Scrutiny Committee (w)	4.30pm	Committee Room 4
Wed	05	Community and Adult Services Scrutiny (w)	4.30pm	Committee Room 4
Wed	05	Policy Review & Performance Scrutiny (w)	4.30pm	Committee Room 4
Thu	06	Local Authority School Governors	5.00pm	Committee Room 2

Thu	06	Economy & Culture Scrutiny (w)	4.30pm	Committee Room 4
Fri	07			
Mon	10			
Tue	11	Children and Young People Scrutiny Committee(w)	4.30pm	Committee Room 4
Wed	12	Policy Review & Performance Scrutiny (w)	4.30pm	Committee Room 4
Thu	13	Cabinet (Provisional)	2.00pm	County Hall
Fri	14	Glamorgan Archives Joint Committee	2.00pm	Glamorgan Archives, Leckwith
Mon	17			
Tue	18			
Wed	19	Planning Committee (DC) (w)	1.30pm	Committee Room 4
Thu	20	COUNCIL (w)	4.30pm	City Hall
Fri	21			
Mon	24			
Tue	25	Audit Committee	2.00pm	Committee Room 4
Wed	26			
Thu	27			
Fri	28			
<b>July 2019</b>				
Mon	01			
Tue	02	Public Protection Committee	10.30am	Committee Room 1
Tue	02	Environment Scrutiny Committee (w)	4.30pm	Committee Room 4
Wed	03	Community and Adult Services Scrutiny (w)	4.30pm	Committee Room 4
Wed	03	Policy Review & Performance Scrutiny (w)	4.30pm	Committee Room 4
Thu	04	Economy & Culture Scrutiny (w)	4.30pm	Committee Room 4
Fri	05			
Mon	08			
Tue	09	Children and Young People Scrutiny (w)	4.30pm	Committee Room 4
Wed	10			
Thu	11	Cabinet (Provisional)	2.00pm	County Hall
Fri	12			
Mon	15			
Tue	16	Corporate Parenting Advisory Committee	2.00pm	Committee Room 4
Wed	17	Planning Committee (DC) (w)	1.30pm	Committee Room 4

Thu	18	<b>COUNCIL (w)</b>	<b>4.30pm</b>	<b>City Hall</b>
Fri	19			
Mon	22			
Tue	23			
Wed	24			
Thu	25			
Fri	26			
Mon	29			
Tue	30			
Wed	31			
<b>August 2019</b>				
Thu	01			
Fri	02			
Mon	05			
Tue	06	<b>Public Protection Committee</b>	<b>10.30am</b>	<b>Committee Room 1</b>
Wed	07			
Thu	08			
Fri	09			
Mon	12			
Tue	13			
Wed	14	<b>Planning Committee (DC) (w)</b>	<b>1.30pm</b>	<b>Committee Room 4</b>
Thu	15			
Fri	16			
Mon	19			
Tue	20			
Wed	21			
Thu	22			
Fri	23			
Mon	26	<b>BANK HOLIDAY</b>		
Tue	27			
Wed	28			
Thu	29			
Fri	30			

**(w)**- Webcasted meetings

Mae'r dudalen hon yn wag yn fwriadol

**COUNCIL MEETING DATES 2018 – 2020****APPENDIX B****COUNCIL MEETING DATES 2018 – 19**

<b>Day</b>	<b>Date</b>	<b>Meeting</b>	<b>Venue</b>
Thu	24 May 2018	Annual Council	City Hall
Thu	21 June 2018	Ordinary Council	City Hall
Thu	19 July 2018	Ordinary Council	City Hall
Thu	27 Sept 2018	Ordinary Council	City Hall
Thu	25 Oct 2018	Ordinary Council	City Hall
Thu	29 Nov 2018	Ordinary Council	County Hall
Thu	31 Jan 2019	Ordinary Council	City Hall
Thu	28 Feb 2019	Budget Setting Council	City Hall
Thu	28 March 2019	Ordinary Council	City Hall

**INDICATIVE COUNCIL MEETING DATES 2019 – 2020 (these dates maybe subject to change).**

<b>Day</b>	<b>Date</b>	<b>Meeting</b>	<b>Venue</b>
Thu	23 May 2019	Annual Council	City Hall
Thu	20 June 2019	Ordinary Council	City Hall
Thu	18 July 2019	Ordinary Council	City Hall
Thu	26 Sept 2019	Ordinary Council	City Hall
Thu	24 Oct 2019	Ordinary Council	City Hall
Thu	28 Nov 2019	Ordinary Council	County Hall
Thu	30 Jan 2020	Ordinary Council	City Hall
Thu	27 Feb 2020	Budget Setting Council	City Hall
Thu	26 March 2020	Ordinary Council	City Hall
Thu	23 May 2020	Annual Council	City Hall
Thu	20 June 2020	Ordinary Council	City Hall
Thu	18 July 2020	Ordinary Council	City Hall

Mae'r dudalen hon yn wag yn fwriadol



**CYNGOR CAERDYDD  
CARDIFF COUNCIL****COUNCIL:****24 MAY 2018**

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

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**URGENT DECISIONS TAKEN – INSTRUMENT OF GOVERNMENT – THE PEAR TREE FEDERATION****Reason for this Report**

1. In accordance with the Director of Education's delegation under DEd1 in Section 4F and Council Constitution - Scrutiny Procedure Rule 13(a), this urgent decision, certified by the Director of Education in relation to the making of an Instrument of Government under The Federation of Maintained Schools (Wales) Regulations 2014 for the Pear Tree Federation, is reported to Council for information.

**Background and Issues**

2. Section 20 of the Education Act 2002 states that for every maintained school there must be an instrument known as the instrument of government which determines the constitution of the governing body and other matters relating to the school.
3. Section 44 of The Federation of Maintained Schools (Wales) Regulations 2014 states that the governing bodies which are to form the federation must jointly prepare a draft instrument of government and submit it to the Local Authority. If the Local Authority is content that the draft complies with all the applicable provisions, the instrument of government is to be made by the Local Authority in the form of the draft.
4. A federation is a formal and legal agreement by which the schools involved work together in a formal partnership. There is a single Governing Body which has strategic oversight in all schools within the federation.
5. In April 2017, the Governing Bodies of Coryton Primary School and Tongwynlais Primary School began exploring federation and the process for establishing federations. A joint committee consisting of members of the two governing bodies was established to provide information, advice and guidance to the respective governing bodies on options for establishing a federation/collaboration. Following this, a decision was made by the two individual governing bodies to consult on federation.
6. The two governing bodies developed consultation proposals to establish the Pear Tree Federation and these were published on 17 July 2017. The proposals were circulated to a wide range of stakeholders and a number

of consultation events were held. The closing date for responses was 6 October 2017.

7. On 20 November 2017, the two governing bodies met jointly to consider the responses to the proposals and then individually and agreed to proceed to federation.
8. The two governing bodies met on 28 February 2018 and prepared a draft instrument of government for the new federated governing body of The Pear Tree Federation.
9. The Local Authority is required to ensure that a federation of schools has an instrument of government in place on the federation date, which must be at least 125 days from the date proposals for federation are published. The two governing bodies agreed that the federation date would be 27 March 2018 and the draft instrument of government should be made immediately. Any delay in implementation of the decision would have seriously prejudice the Council and/or the public. It was therefore recommended that the decision be taken on an urgent basis.
10. The Cabinet Member for Education and Skills and the Local Ward Members were consulted and were content with the recommended decision. The Monitoring Officer and the Chair of the Children and Young People Scrutiny Committee on the basis of the consultation and legal requirement agreed that the decision should be taken on an urgent basis and was therefore not subject to call-in. The Director of Education in accordance with his delegated took the decision on 20 March 2018.

### **Legal Implications**

11. 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**

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

### **RECOMMENDATION**

That Council receives the report for information.

**Davina Fiore**  
**DIRECTOR GOVERNANCE & LEGAL SERVICES**  
**17 May 2018**

*The following Background Papers have been taken into account*  
Instrument of Government – The Pear Tree Federation