



DINAS A SIR CAERDYDD  
CITY AND COUNTY OF CARDIFF

**COUNCIL SUMMONS**

THURSDAY, 28 NOVEMBER 2019

**GWYS Y CYNGOR**

DYDD IAU, 28 TACHWEDD 2019,

You are summoned to attend a meeting of the **COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF** which will be held at Council Chamber - County Hall, Atlantic Wharf, Cardiff CF10 4UWD on Thursday, 28 November 2019 at 4.30 pm to transact the business set out in the agenda attached.

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

County Hall  
Cardiff  
CF10 4UW

22 November 2019

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

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<i>Item</i>		<i>Approx Time</i>	<i>Max Time Allotted</i>
<b>1</b>	<b>Apologies for Absence</b> <i>To receive apologies for absence.</i>	4.30 pm	5 mins
<b>2</b>	<b>Declarations of Interest</b> <i>To receive declarations of interest (such declarations to be made in accordance with the Members Code of Conduct)</i>		
<b>3</b>	<b>Minutes (Pages 7 - 38)</b> <i>To approve as a correct record the minutes of the 24 October 2019</i>		
<b>4</b>	<b>Llanishen By-Election</b>  To report on the outcome of the Llanishen By-Election held on 21 November 2019 and welcome the new elected Member.	4.35 pm	5 mins
<b>5</b>	<b>Petitions</b>	4.40 pm	5 mins
<b>6</b>	<b>Lord Mayor's Announcements</b>  <i>To receive the Lord Mayor's announcements including Recognitions and Awards.</i>	4.45 pm	5 mins
<b>7</b>	<b>Treasury Management Mid - Year Report 2019-20</b> <i>(Pages 39 - 56)</i>  <i>Annexes B &amp; C to Appendix 1 to this report are not for publication as they contain exempt information of the description in Paragraphs 14 and 21 of Schedule 12A of the Local Government Act 1972.</i>	4.50 pm	15 mins
<b>8</b>	<b>Cardiff Local Development Plan Full Review</b> <i>(Pages 57 - 134)</i>	5.05 pm	20 mins
<b>9</b>	<b>Oral Questions</b>  <i>To receive oral questions to the Leader, Cabinet Members; Chairs of Committee and/or nominated Members of the Fire Authority.</i>	5.25 pm	60 mins
<b>10</b>	<b>Urgent Business</b>	6.25 pm	

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<b>Unopposed Council Business</b>			
<b>11</b>	<b>Appointment of Standards &amp; Ethics Independent Members</b> (Pages 135 - 138)  <i>Report of the Director Governance and Legal Services</i>	6.25 pm	5 mins
<b>12</b>	<b>Leave of Absence Request</b> (Pages 139 - 140)  <i>Report of the Director of Governance and Legal Services</i>	6.30 pm	5 mins
<b>13</b>	<b>Review of Political Balance</b> (Pages 141 - 146)  <i>Report of the Director of Governance and Legal Services</i>	6.35 pm	5 mins
<b>14</b>	<b>Committee Membership</b> (Pages 147 - 148)  <i>Report of the Director of Governance and Legal Services.</i>	6.40 pm	5 mins
<b>15</b>	<b>Appointment of Council Representatives on Outside Bodies</b> (Pages 149 - 150)  <i>Report of the Director Governance and Legal Services</i>	6.45 pm	5 mins
<b>16</b>	<b>Appointment to Millennium Stadium PLC</b> (Pages 151 - 154)  <i>Report of the Director Governance and Legal Services</i>	6.50 pm	5 mins
<b>17</b>	<b>Local Authority Governor Appointments</b> (Pages 155 - 156)  Report of Director Governance and Legal Services.	6.55 pm	5 mins
<b>18</b>	Written Questions  <i>In accordance with the Council Procedure Rules, Rule 17(f) Written Questions received for consideration and response will be included as a record in the minutes of the meeting.</i>		

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City Council of the City & County of Cardiff  
24 October 2019

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

The County Council of the City & County of Cardiff met at County Hall, Cardiff on 24 October 2019 to transact the business set out in the Council summons dated Friday, 18 October 2019.

Present: County Councillor (Lord Mayor)

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

### 86 : APOLOGIES FOR ABSENCE

Apologies for absence were received from councillors Asghar Ali, Thomas Parkhill and Emma Sandrey.

Councillor McEvoy had advised that he would be late in attending the meeting.

### 87 : DECLARATIONS OF INTEREST

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

COUNCILLOR	ITEM	INTEREST
Councillor Gavin Hill-John	17	Personal Interest - Vice Chair, Cardiff Bus
Councillor Owen Jones	17	Personal Interest - Non-Executive Director, Cardiff Bus
Councillor Chris Lay	17	Personal Interest - Chair, Cardiff Bus
Councillor Singh	17	Personal Interest - Non-Executive Director, Cardiff Bus
Councillor Williams	17	Pecuniary Interest- Involved in an ongoing legal dispute with Cardiff Bus.

### 88 : MINUTES

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The minutes of the meeting held on 12 September 2019 were approved as a correct record and signed by the Chairperson.

#### 89 : WHITCHURCH & TONGWYNLAIS BY-ELECTION

A warm welcome was extended to Councillor Mia Rees to her first meeting of the Council as the newly elected Member for the Whitchurch and Tongwynlais following the by-election on 3 October 2019. Councillor Rees was invited to speak.

Councillor Rees paid tribute to the late Councillor Tim Davies and his dedication to citizens of the area over many years in Whitchurch and Tongwynlais.

Councillor Rees thanked the Returning Officer and his team for the effective and efficiently run election and count, and thanked all the other candidates for their courtesy and professional approach to the campaign.

Councillor Rees was grateful for the trust given to him by the residents of Whitchurch and Tongwynlais; and the privilege to be their Councillor and an Elected Member of Cardiff Council. Councillor Rees underlined the importance to her of acting with integrity and respect and undertook to work hard to represent the interests of every individual in the ward as well as the interests of the citizens of Cardiff as a whole.

#### 90 : PUBLIC QUESTIONS

##### Public Question – *Madhu Khanna-Davies*

The loss of the No. 28 bus service along Lake Road West has left the residents of a section of Cyncoed cut off and isolated, abandoned by a public service that no longer serves them. I ask the Council will they stand by the residents of Cyncoed and insist that Cardiff Bus reroute a service along Lake Road West?

##### Reply – *Councillor Wild*

The vast majority of bus services in Cardiff are provided commercially. Continuing pressures on the Council's budget due to austerity has seriously reduced our ability to subsidise non-commercial or socially necessary bus services and regrettably, this has meant that some services, which have been withdrawn as they were loss making have not been replaced.

The No. 28 bus service was re-routed as part of changes to services connected with the withdrawal of a number of bus services in January this year. This service still does serve Cyncoed, but now runs along Lake Road East instead of serving Lake Road West and Celyn Avenue as it did previously due to previous low passenger numbers.

##### Supplementary Question – *Madhu Khanna-Davies*

From the loss of the service along Lake Road West it is clear that Cardiff Bus does not consider the Cyncoed routes as profitable. We have lost other services under the same reasoning. The No. 54, historically the No. 29, and a reduced No. 51 and 53

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service. Going forward the question still remains - how is the Council and Cardiff Bus going to inclusively integrate and properly service Cyncoed as a whole, offering residents a viable, affordable and environmentally sound commuting option which at present is lacking? What plans do you have?

Reply – *Councillor Wild*

We've made no bones about admitting that public transport in the City needs a lot of improvement. I would reiterate that Cardiff Bus operates as a commercial entity at arm's length from the Council. It is very difficult for us to insist exactly where they are running routes, however, we are very impressed with the recent work that Cardiff Bus has made recently, including work from people in this Chamber to improve that business and to serve more parts of Cardiff. And I'm happy to have ongoing negotiations with them to see how we can improve matters.

#### 91 : PETITIONS

The following petition was received:

<b>Councillor</b>	<b>No of Signatures</b>	<b>Request</b>
Councillor Naughton	20	Calling on the Council to request the necessary powers from Welsh Government to introduce anti-idling zones outside schools to clean up the air children breath.

#### 92 : LORD MAYOR'S ANNOUNCEMENTS

The Lord Mayor spoke of the untimely and tragic passing away of Nick Beckley at the age of 35 after completing the Cardiff Half Marathon. Nick was a Senior Planner within the Planning Service. He was an immense talent in performing his role, a meticulous, passionate and hard-working Officer, indeed, a model public servant and rising star within the Council. Moreover, Nick was a hugely popular figure, a true gentleman and beacon of decency and moderation. On behalf of the Council the Lord Mayor offered sincere condolences to Nick's family and friends and would be writing to the family.

The Lord Mayor congratulated Councillor Stephen Cunnah and his partner Hannah on the birth of their daughter Megan Rose, born on the 14 October weighing in at 7lb 5oz.

#### 93 : NOTICE OF VACANCY

The Council was notified of the notice of vacancy for the Office of Councillor in the Electoral Division for Llanishen and the arrangements for an election to fill the vacancy.

RESOLVED: That the Council noted the vacancy for the Office of Councillor in the Electoral Division of Llanishen and the arrangements for an election to fill the vacancy.

94 : POLLING STATION REVIEW

Councillor Huw Thomas, Leader of the Council proposed the report.

Councillor Mick Jones-Pritchard seconded the report.

RESOLVED: That the Council:

- i) Approved the amalgamation of polling district 28B with 28A as noted in paragraph 11 (b)
- ii) Noted that the Electoral Registration Officer will implement any consequential changes to the register of electors.
- iii) Designates each polling place as within the general vicinity of each location utilised for polling station purposes.
- iv) Makes no other changes to the polling districts.
- v) Noted the Returning Officer shall confirm the polling stations within each district prior to elections, having regards to the proposals set out in paragraph 11 above and any other relevant factors pertaining at that time.

95 : CARDIFF LOCAL DEVELOPMENT PLAN ANNUAL MONITORING REPORT

The Cabinet Member for Strategic Planning and Transport proposed the report, which outlined the purpose of the Local Development Plan (LDP) Annual Monitoring Report (AMR) process and to seek the endorsement of the third Cardiff LDP AMR for submission to the Welsh Government by 31 October 2019. This was the third AMR to be prepared since the adoption of the plan and was based on the period 1 April 2019 to 31 March 2019.

The report was seconded by Councillor Keith Jones.

The Lord Mayor invited debate on the item during which the following comments and observations were made.

Infrastructure to support large developments, public transport improvements, schools, hospital and other public services. Quality of design, along with parking spaces. Increased traffic into the city. Cycle improvements in Cardiff North and impact on the Future Generations and Wellbeing Act.

Councillor Joel Williams proposed a reference back on the report.

The reference back was seconded by Councillor Philippa Hill-John.



A recorded vote was requested on the reference back and the results were as follows:

For – Councillors G. Thomas, L Morgan, O Owen, M Rees, J Williams, S Driscoll, S Jenkins, K Kelloway, M Jones-Pritchard, J Lancaster, A Robson, J Cowan, M Phillips, D Rees, M Rees, D Walker, R McKerlich, L Hudson, P Hill-John, G Hill-John, F Bowden, A Gibson, L Ford, N McEvoy, K Parry.

Against – Councillors A Ahmed, H Joyce, R Goodway, A Lister, L Thorne, H Thomas, E Stubbs, B Derbyshire, R Patel, O Owen-Jones, M Michael, L Bridgeman, B Bowen-Thompson, J Burke-Davies, J Parry, K Singh, G Hinchey, C Weaver, J Henshaw, M McGarry, F Jacobsen, A Sattar, S Elsmore, S Goddard, S Cunnah, N Mackie, I Gordon, D Ali, S Ebrahim, E Simmons, C Lay, C Wild, S Merry, P Bradbury, K Jones, P Wong, S Lent, B Molik, J Boyle, R Hopkins, J Carter, R Berman, A Wood, D Naughton, N Howells.

The reference back LOST.

A recorded vote was requested on the recommendations as outlined in the report:

For - Councillors A Ahmed, H Joyce, R Goodway, A Lister, L Thorne, H Thomas, E Stubbs, B Derbyshire, R Patel, O Owen-Jones, M Michael, L Bridgeman, B Bowen-Thompson, J Burke-Davies, J Parry, K Singh, G Hinchey, C Weaver, J Henshaw, M McGarry, F Jacobsen, A Sattar, S Elsmore, S Goddard, S Cunnah, N Mackie, I Gordon, D Ali, S Ebrahim, E Simmons, C Lay, C Wild, S Merry, P Bradbury, K Jones, P Wong, S Lent.

Abstain – F Bowden.

Against - Councillors G. Thomas, L Morgan, M Rees, J Williams, S Driscoll, S Jenkins, K Kelloway, O Owen, M Jones-Pritchard, J Lancaster, A Robson, J Cowan, M Phillips, D Rees, M Rees, D Walker, R McKerlich, L Hudson, P Hill-John, G Hill-John, A Gibson, L Ford, K Parry, B Molik, J Boyle, R Hopkins, J Carter, R Berman, A Wood, D Naughton, N Howells.

RESOLVED: The report was CARRIED.

## 96 : STREET NAMING POLICY

The Cabinet Member for Strategic Planning and Transport, Councillor Caro Wild proposed the report and recommended the Street Naming Policy. The Council had statutory responsibilities and powers, within the context of adoptive legislation, for the naming of streets, alteration of street names and indication of street names. The also had additional discretionary powers to provide a number or name to a property. Street naming and numbering had a number of important functions, for example, wayfinding, efficient delivery of mail and ensuring the emergency services could locate properties quickly.

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

The Lord Mayor invite debate on the item during which the following comments and observations were made.

The history of Cardiff street names and the story they told, should be accessible for everyone regardless of language preference. Clarity within the report on whether English street naming would be blocked. Would the Council have a mandate to enforce the policy on new developments.

Councillor Shaun Jenkins proposed a reference back on the report.

The reference back was seconded by Councillor Joel Williams.

A recorded vote was requested on the reference back and the results were as follows:

For – Councillors G. Thomas, L Morgan, M Rees, J Williams, S Driscoll, S Jenkins, K Kelloway, M Jones-Pritchard, J Lancaster, A Robson, J Cowan, M Phillips, D Rees, D Walker, R McKerlich, L Hudson, P Hill-John, G Hill-John.

Abstain - O Owen.

Against – Councillors A Ahmed, H Joyce, R Goodway, A Lister, L Thorne, H Thomas, E Stubbs, B Derbyshire, R Patel, O Owen-Jones, M Michael, L Bridgeman, B Bowen-Thompson, J Burke-Davies, J Parry, K Singh, G Hinchey, C Weaver, J Henshaw, M McGarry, F Jacobsen, A Sattar, S Elsmore, S Goddard, S Cunnah, N Mackie, I Gordon, D Ali, S Ebrahim, E Simmons, C Lay, C Wild, S Merry, P Bradbury, K Jones, P Wong, S Lent, B Molik, J Boyle, R Hopkins, J Carter, R Berman, A Wood, D Naughton, N Howells, F Bowden, A Gibson, L Ford, K Parry.

Reference Back was LOST

A recorded vote was requested on the Substantive report and the results were as follows:

Against – Councillors G Thomas, J Williams, S Jenkins, D Walker, R McKerlich.

Abstain – Councillors L Morgan, M Rees, K Kelloway, J Lancaster, M Phillips, D Rees, P Hill-John, G Hill-John.

For – Councillors O Owen, S Driscoll, M Jones-Pritchard, A Robson, J Cowan, L Hudson, F Bowden, A Gibson, L Ford, K Parry, A Ahmed, H Joyce, R Goodway, A Lister, L Thorne, H Thomas, E Stubbs, B Derbyshire, R Patel, O Owen-Jones, M Michael, L Bridgeman, B Bowen-Thompson, J Burke-Davies, J Parry, K Singh, G Hinchey, C Weaver, J Henshaw, M McGarry, F Jacobsen, A Sattar, S Elsmore, S Goddard, S Cunnah, N Mackie, I Gordon, D Ali, S Ebrahim, E Simmons, C Lay, C Wild, S Merry, P Bradbury, K Jones, P Wong, S Lent, B Molik, J Boyle, R Hopkins, J Carter, R Berman, A Wood, D Naughton, N Howells.

RESOLVED: The report was CARRIED.

## 97 : LEADER AND CABINET MEMBER STATEMENTS

The following statements were received and questions were invited from Members on matters within the statement.

### [The Leader's Statement](#)

The Leader responded to questions in relation to:

- Operation Yellowhammer and whether there had been any impact or actions for Cardiff;
- The Global Climate Strike and the findings of the Royal Institute of Chartered Surveyors findings that energy used in existing buildings have the most significant impact in the built environment;
- What Cardiff Council has done specifically since declaring a Climate Emergency;
- The Council's preparedness for a General Election in terms of availability of Polling stations and the use of Registers;

### [Cabinet Member, Strategic Planning & Transport Statement](#)

The Cabinet Member responded to questions relating to:

- Whether a Cycle Super Highway would be diverted away from Nant Fawr woodlands;
- An update on Next Bike Provision in Pentwyn and Llanedeyrn;
- An update on the infrastructure such as Bus Lanes to support a Park and Ride site at Nantgarw.

### [Cabinet Member, Investment & Development Statement](#)

The Cabinet Member responded to questions relating to:

- The Indoor Arena and the provision of a car park in relation to modal split;
- Assurances around stations for Cardiff Parkway in Splott and Adamsdown;
- Transport Infrastructure to support the Cardiff East Industrial Strategy;
- Assurances about Green and Community Spaces being included in development plans.

### [Cabinet Member, Culture & Leisure Statement](#)

The Cabinet Member responded to questions relating to:

- The reduction in the hours and days for free swimming for the over 60's;
- The future provision of the New Theatre and assurances for Staff;

### [Deputy Leader and Cabinet Member , Education, Employment & Skills Statement](#)

The Deputy Leader responded to questions in relation to:

- School Uniform, donation schemes and affordability.
- Rights Respecting Schools.
- Cardiff 2030 and Welsh Language provision.

[Cabinet Member, Finance Modernisation & Performance Statement](#)

The Cabinet Member responded to questions relating to:

- The Mobile App and its development going forward in relation to users having confirmation texts and whether problem parking may be reported via the App;
- The concerns from Policy Review and Performance Scrutiny Committee on the projected overspend.

[Cabinet Member, Housing & Communities Statement](#)

The Cabinet Member responded to questions relating to:

- The support provided in the Hubs for Concessionary Bus Pass applications, and support that may be provided after the application stage;
- Provision of services such as cafes in the Hubs;
- The Summer Reading Challenge;
- Request for information such as trends/number of users in relation to libraries;
- Assurance that the timescales in relation to Tudor Street can be met.

98 : MOTION 1

The Lord Mayor advised that the notice of motion proposed by Councillor Rhys Taylor and seconded by Councillor Joe Boyle had been received for consideration and was included on the Summons for the meeting. One amendment had been received.

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

This Council:

1. Welcomes the fact that the current administration declared a climate emergency in March 2019, noting the evidence that shows the impact of human-induced climate change.
2. Accepts the findings of the Royal Institution of Chartered Surveyors' 2017 'Whole life carbon assessment for the built environment' professionalism statement that the energy used in the operation of existing buildings represents the most significant carbon impact from the built environment contributing 30% of the UK total emissions in 2017.
3. Recognises that, in the words of the UK Green Building Council (UK GBC) the UK building industry currently rarely measures or reports on embodied carbon impacts for the maintenance repair, refurbishment and end-of life stages of a buildings lifecycle.
4. Believes that local authorities have a key role to play in ensuring that major construction projects, in which they have a stake, must be accounted for and offset all carbon impacts emerging from those projects.
5. Refuses, in light of its declared Climate emergency, to justify, endorse or progress major construction projects that cannot prove they will be net zero carbon in terms of both construction and operational energy use

This Council will therefore:

- Adopt the UK Green Building Council's *Net Zero Carbon Buildings* framework definition, in its current and future iterations, appending the framework to the Council's development plan, key policies and planning guidance, as appropriate.
- Require all major construction projects to demonstrate achievement of net zero carbon status, through application of the UKGBC *Net Zero Carbon Buildings* framework, before receiving cabinet approval.
- Sign up to the World Green Building Council's *Net Zero Carbon Buildings Commitment*, which 'challenges signatory companies, cities, states and regions to reach net zero carbon for operational energy in their portfolios by 2030, and to advocate for all buildings to be net zero in operation by 2050.'

The motion was seconded by Councillor Joe Boyle.

The Lord Mayor invited the proposer of the amendment Councillor Russell Goodway to table the amendment:

1. ***First line of paragraph 2 replace Accept with Notes.***
2. ***First line of paragraph 2 replace Accept with Notes***
3. ***First line of paragraph 3 replace Recognises with Notes***
4. ***Delete paragraph's 4 and 5.***

***Amend sentence to read:***

***The Council asks Cabinet to ensure that the future LDP review considers the impact of the following:***

***Amend paragraph to read***

- ***Adopting*** the UK Green Building Council's *Net Zero Carbon Buildings* framework definition, in its current and future iterations, appending the framework to the Council's development plan, key policies and planning guidance, as appropriate.
- ***Delete 2<sup>nd</sup> paragraph***

***Amend paragraph to read***

- **Signing** up to the World Green Building Council's *Net Zero Carbon Buildings Commitment*, which 'challenges signatory companies, cities, states and regions to reach net zero carbon for operational energy in their portfolios by 2030, and to advocate for all buildings to be net zero in operation by 2050.'

**Additional Paragraph to read:**

Furthermore, the Council welcomes the Cabinet's already stated intention to publish, early next year, a comprehensive strategy in response to the Climate Emergency Declaration and requests that the strategy gives full consideration to how a net zero carbon position can be achieved.

Amended Motion read:

The Council:

1. Welcomes the fact that the current administration declared a climate emergency in March 2019, noting the evidence that shows the impact of human-induced climate change.
2. Notes the findings of the Royal Institution of Chartered Surveyors' 2017 '*Whole life carbon assessment for the built environment*' professional statement that the energy used in the operation of existing buildings represents the most significant carbon impact from the built environment, contributing 30% of the UK's total emissions in 2017.

Notes that, in the words of the UK Green Building Council [UK GBC], 'the UK building industry currently rarely measures or reports on embodied carbon impacts for the maintenance, repair, refurbishment and Th Council asks Cabinet to ensure that the future LDP review considers the impact of the following: :

- Adopting the UK Green Building Council's *Net Zero Carbon Buildings* framework definition, in its current and future iterations, appending the framework to the Council's development plan, key policies and planning guidance, as appropriate.
- Signing up to the World Green Building Council's *Net Zero Carbon Buildings Commitment*, which 'challenges signatory companies, cities, states and regions to reach net zero carbon for operational energy in their portfolios by 2030, and to advocate for all buildings to be net zero in operation by 2050.'

Furthermore, the Council welcomes the Cabinet's already stated intention to publish, early next year, a comprehensive strategy in response to the Climate Emergency Declaration and requests that the strategy gives full consideration to how a net zero carbon position can be achieved.

Councillor Michael seconded the amendment.

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The Lord Mayor invited debate, the Lord Mayor invited Councillor Taylor to respond to items raised during the debate. Councillor Taylor did not accept the amendment.

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

The Amendment was CARRIED.

The Lord Mayor invited Councillor Goodway as the proposer of the Substantive Motion to the right of reply.

The Lord Mayor moved to the vote on the Substantive Motion

The Substantive Motion was CARRIED as follows.

The Council:

Welcomes the fact that the current administration declared a climate emergency in March 2019, noting the evidence that shows the impact of human-induced climate change.

Notes the findings of the Royal Institution of Chartered Surveyors' 2017 '*Whole life carbon assessment for the built environment*' professional statement that the energy used in the operation of existing buildings represents the most significant carbon impact from the built environment, contributing 30% of the UK's total emissions in 2017.

Notes that, in the words of the UK Green Building Council [UK GBC], 'the UK building industry currently rarely measures or reports on embodied carbon impacts for the maintenance, repair, refurbishment and Th Council asks Cabinet to ensure that the future LDP review considers the impact of the following: :

- Adopting the UK Green Building Council's *Net Zero Carbon Buildings* framework definition, in its current and future iterations, appending the framework to the Council's development plan, key policies and planning guidance, as appropriate.
- Signing up to the World Green Building Council's *Net Zero Carbon Buildings Commitment*, which 'challenges signatory companies, cities, states and regions to reach net zero carbon for operational energy in their portfolios by 2030, and to advocate for all buildings to be net zero in operation by 2050.'

Furthermore, the Council welcomes the Cabinet's already stated intention to publish, early next year, a comprehensive strategy in response to the Climate Emergency Declaration and requests that the strategy gives full consideration to how a net zero carbon position can be achieved.

99 : MOTION 2

The Lord Mayor advised that the notice of motion proposed by Councillor John Lancaster and seconded by Councillor Shaun Jenkins 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 Lancaster to propose the motion as follows.

According to Planning Policy Wales Edition 10 (December 2018), the essential difference between a green wedge and a Green Belt is, "...that land within a Green Belt should be protected for a longer period than the relevant current development plan period, whereas green wedge policies should be reviewed as part of the development plan review process."

This Council notes:

- The current Local Development Plan will expire in 2026.
- That the green wedge protection to the North of Cardiff, stretching from Creigiau to St Mellons will be reviewed as part of the next LDP.
- That the National Development Framework Consultation Draft states: "The Welsh Government supports the use of green belts in the South East region in managing and planning urban growth. Planning Policy Wales sets out the policy context for them. The Strategic Development Plan must identify a green belt that includes the area to the north of the M4 from the Severn Crossings to North Cardiff."

We therefore call on this Council to work with neighbouring Local Authorities to reaffirm and enhance the protection by designating the current green wedge land as a Green Belt in order to afford greater long term protection to the City region's green assets.

The motion was seconded by Councillor Jenkins.

The Lord Mayor took each of the amendments in order.

Amendment 1: Proposed by Councillor Rodney Berman and seconded by Councillor Nigel Howells.

The amendment was as follows:

- *Remove full stop after "green assets" at end of motion and add:*

*“; and in order to ensure that this does not adversely impact on the ability to address future housing need, lobby the Welsh Government to introduce greater flexibility in the planning framework and relevant Welsh planning policies to enable such need to be addressed and met on a more regional*

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*basis across local authorities in the wider region with less reliance on individual local authorities having to assess and plan for future housing need in isolation within their own boundaries.”*

Amended Motion would read as follows:

According to Planning Policy Wales Edition 10 (December 2018), the essential difference between a green wedge and a Green Belt is, “...that land within a Green Belt should be protected for a longer period than the relevant current development plan period, whereas green wedge policies should be reviewed as part of the development plan review process.”

This Council notes:

- The current Local Development Plan will expire in 2026.
- That the green wedge protection to the North of Cardiff, stretching from Creigiau to St Mellons will be reviewed as part of the next LDP.
- That the National Development Framework Consultation Draft states: *“The Welsh Government supports the use of green belts in the South East region in managing and planning urban growth. Planning Policy Wales sets out the policy context for them. The Strategic Development Plan must identify a green belt that includes the area to the north of the M4 from the Severn Crossings to North Cardiff.”*

We therefore call on this Council to work with neighbouring Local Authorities to reaffirm and enhance the protection by designating the current green wedge land as a Green Belt in order to afford greater long term protection to the City region’s green assets and in order to ensure that this does not adversely impact on the ability to address future housing need, lobby the Welsh Government to introduce greater flexibility in the planning framework and relevant Welsh planning policies to enable such need to be addressed and met on a more regional basis across local authorities in the wider region with less reliance on individual local authorities having to assess and plan for future housing need in isolation within their own boundaries.”

Amendment 2: Proposed by Councillor Caro Wild and seconded by Councillor Bob Derbyshire.

The amendment was as follows:

According to Planning Policy Wales Edition 10 (December 2018), the essential difference between a green wedge and a Green Belt is, “...that land within a Green Belt should be protected for a longer period than the relevant current development plan period, whereas green wedge policies should be reviewed as part of the development plan review process.”

This Council notes:

- Adds. That the Council applied for Green Belt designation for our current LDP, but were refused by the independent planning inspectorate.
- The current Local Development Plan will expire in 2026.

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

- That the green wedge protection to the North of Cardiff, stretching from Creigiau to St Mellons will be reviewed as part of the next LDP.  
Adds. This administration's continued commitment to protecting the green belt area.
- That the National Development Framework Consultation Draft states:  
*"The Welsh Government supports the use of green belts in the South East region in managing and planning urban growth. Planning Policy Wales sets out the policy context for them. The Strategic Development Plan must identify a green belt that includes the area to the north of the M4 from the Severn Crossings to North Cardiff."*

We therefore call on this Council to work with neighbouring Local Authorities

ADD and the Welsh Government to reaffirm and enhance the protection

~~DELETE by designating the current green wedge land as a Green Belt in order to afford greater long term protection to the City region's green assets.~~

ADD for this site and green spaces across the whole City as part of our next LDP review, and via any forthcoming consultations around a possible Regional SDP.

Amended Motion would read:

According to Planning Policy Wales Edition 10 (December 2018), the essential difference between a green wedge and a Green Belt is, "...that land within a Green Belt should be protected for a longer period than the relevant current development plan period, whereas green wedge policies should be reviewed as part of the development plan review process."

This Council notes:

- That the Council applied for Green Belt designation for our current LDP, but were refused by the independent planning inspectorate.
- The current Local Development Plan will expire in 2026.
- That the green wedge protection to the North of Cardiff, stretching from Creigiau to St Mellons will be reviewed as part of the next LDP.
- This administration's continued commitment to protecting the green belt area.
- That the National Development Framework Consultation Draft states:  
*"The Welsh Government supports the use of green belts in the South East region in managing and planning urban growth. Planning Policy Wales sets out the policy context for them. The Strategic Development Plan must identify a green belt that includes the area to the north of the M4 from the Severn Crossings to North Cardiff."*

We therefore call on this Council to work with neighbouring Local Authorities and the Welsh Government to reaffirm and enhance the protection for this site and green spaces across the whole City as part of our next LDP review, and via any forthcoming consultations around a possible Regional SDP.

The Lord Mayor invited debate on the motion.

At the conclusion of the debate the Lord Mayor invited Councillor John Lancaster to respond. In summing up Councillor Lancaster confirmed that he accepted Amendment 1 as the substantive motion.

The Lord Mayor moved to vote on Amendment 2 as proposed by Councillor Caro Wild.

The vote on Amendment 2 was CARRIED.

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

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

The Substantive Motion was CARRIED as follows.

According to Planning Policy Wales Edition 10 (December 2018), the essential difference between a green wedge and a Green Belt is, "...that land within a Green Belt should be protected for a longer period than the relevant current development plan period, whereas green wedge policies should be reviewed as part of the development plan review process."

This Council notes:

- That the Council applied for Green Belt designation for our current LDP, but were refused by the independent planning inspectorate.
- The current Local Development Plan will expire in 2026.
- That the green wedge protection to the North of Cardiff, stretching from Creigiau to St Mellons will be reviewed as part of the next LDP.
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We therefore call on this Council to work with neighbouring Local Authorities and the Welsh Government to reaffirm and enhance the protection for this site and green spaces across the whole City as part of our next LDP review, and via any forthcoming consultations around a possible Regional SDP.

100 : ORAL QUESTIONS

Question – *Councillor Robson*

Between 2014/15 - 2018/19 £26.4m was spent on redundancy payments for 1,246 staff yet the Council's total overall headcount fell by less than 300. What actions will you take to ensure that future budget savings are achievable and that newly created posts are under tight control throughout the whole Council?

Reply – *Councillor Weaver*

To be clear all redundancies must evidence a net financial benefit to the Council over a 5-year period. It is important to remember of course that redundancy costs are a one-off, and that the saving is of course ongoing. Your question though as to the headcount hasn't reduced at quite the same rate as redundancies, that is exactly as we would expect. Services have not all reduced at the same rate. So savings from in redundancies in some areas have helped to close that budget gap each year which we have to do in order to create new posts in those areas of growth and demand in Schools and Social Services in particular. So, for example, non-school jobs in this Council have reduced over the last 5 years but the net number of jobs in schools has increased, we have had increased pupil numbers, we have increased school places and so we have had a net headcount increase. It's also worth noting that over the years we have successfully attracted various bits of grant funding for a number of projects in various service areas, and of course sometimes we will use our grant funding to recruit to posts and bring new people in that way, but of course that is not an additional burden to the Council.

Supplementary Question – *Councillor Robson*

Sorry Councillor I missed the first part of your answer because of the noise but I take the point about things like grant funding where it is not a cost to the Council to increase the headcount however when you look at what are bare figures like this, it does seem that we have lost, unfortunately, a number of staff and yet the headcount hadn't fallen a lot, so whereas I think I expected the gap between the reduction in headcount and the payments on redundancies to be a lot wider, that is my concern, it's about the budgeting process and making sure that when we do decide to take that difficult decision to make redundancies, that actually it is meaningful for the

Council in terms of savings and that we're not just, it had happened in certain departments, bringing consultants back in to fill a gap that was perhaps unforeseen.

Reply – *Councillor Weaver*

No I understand that, I think this might help explain it perhaps if you look at non-school services we've had just over 800 redundancies over that period with a net headcount reduction of 768 so it actually very closely correlated. It's actually in schools where, even though they have been redundancies in an individual school because each school sets its budget, has its own power set its budget, across the city we actually had a net headcount increase of nearly 400 staff in schools that just reflect our growing pupil numbers and the increased number of places we've offered in schools in the city. I can I can write to you about the first part of my answer is obviously can have the full answer.

Question – *Councillor Berman*

Following the recent publication of the Welsh Government's finalised obesity strategy, '*Healthy Weight: Healthy Wales*', will the council:

- a) now take action to work with the city's schools on initiatives aimed at tackling obesity amongst children;
- b) work with local businesses to promote greater provision of nutritional information to give customers the ability to make better informed choices when eating out;
- c) look into the possibility of imposing a ban on junk food advertising on all council-controlled advertising sites;
- d) work towards increased provision of water re-fill stations;
- e) ensure action aimed at preventing and tackling obesity is co-ordinated across council policies; and
- f) explore the development of planning policies with a view to placing limits on the establishment of new hot food takeaways around schools and communities?

Reply – *Councillor Huw Thomas*

I was struck by some of your suggestions, they did strike me as possibly a bit illiberal, some of the ideas, but I welcome your move towards the conversion towards a centralised planned economy. This is an agenda that we take very seriously in Cardiff as you will be aware and we had some discussion in the Chamber tonight about needing to read various documents well can I urge you to familiarise yourself with the Cardiff Healthy Schools Twitter account, so not too much reading, but you will see there, very simply, excellent examples of actually exactly how we are working with the city's schools on initiatives aimed at tackling obesity amongst children. Can I take the opportunity of congratulating three schools who, just within the last week, have achieved awards, Hywel Dda Primary achieved Phase 4 of the Healthy School Programme, Coryton Primary who achieved Phase 6, of the Healthy School Programme and Glyncoed Primary were in fact were awarded a national award for their work on healthy eating. I could go through each of your suggestions in terms of

various ways we are responding to it but I'm sure you want to cover that in the supplementary

Supplementary Question - *Councillor Berman*

The points that are in the question are all points that were picking up on issues in the motion we put forward that your amendment removed but subsequently but then subsequently have made it in similar format to the Welsh government statutory so really I'm hoping to see that the Council is going to now embrace taking some of these issues forward hopefully more than just putting out a few tweets as you referred to so could we perhaps have a report come to Council in the near future that demonstrates how the Council is going to take a lot of these issues forward.

Reply – *Councillor Huw Thomas*

I don't want to dwell on the tweeting but that tweeting represents a programme that is 20 years old and has delivered significant events including, I would imagine, when you were Leader. On other fronts, in relation to the questions you are asking, Councillor Michael will give you chapter and verse, at some length I'm sure, about our refill stations strategy, our award-winning food strategy which is about to be refreshed next month but I will congratulate the Councillor for helping shape Welsh Government Policy as well, certainly as the Public Services Board in Cardiff we will be, next week in fact, considering a city-wide response to delivering then Welsh Government Strategy. You will be aware that the aware that the Cardiff Public Health Team have launched the Move More, Eat Well Action plan – that's got specific actions for all public authorities and certainly as a Council we will be looking to play our full part in delivering them.

Question – *Councillor McGarry*

Now that there are lots of new cycling lanes to encourage cycling in the city, what are the plans to inspect and repair, if necessary, all the old cycling lanes?

Reply – *Councillor Wild*

Our plans to develop cycle routes across the city are not limited to developing new routes. We are also working on upgrading and improving existing routes, for example our recent upgrade of the poor quality cycle lane through the North Road car park.

We are also currently seeking the views of cyclists through an online survey as to which cycle routes would benefit most from resurfacing. The results of this survey will be taken into account when we prioritise our resurfacing programme..

Supplementary Question – *Councillor McGarry*

I just wondered, when they do the survey, are they people on bicycles cycling those routes so that they can see where the edges of the roads on the cycle ways, they are often very uneven, not just potholes, but very uneven so that you actually have to cycle up on the pavement to get by so I hope they are people on bicycles that do these surveys.

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

Reply – *Councillor Wild*

Exactly that, I think surveys when they have done traditional engineering has focused mainly on the overall surface rather than the bit to the left which is exactly why we have cyclists for their views and they have told us. Broadly speaking we have actually resurfaced most of the ones they have listed as the worse but the deadline for that conversation for tomorrow if you want to get that in.

Question – *Councillor Cowan*

During the last financial year:

How many children were placed in out of county placements, which is the furthest location from Cardiff, which was the most expensive placement and associated costs and the total cost of all placements?

Reply – *Councillor Hinchey*

I would be happy to meet with you because the question is a little bit vague in terms of the question. Placements cover a wide range of services and options that we do for children looked after. I would be happy to meet with you to discuss in more detail the question that you have put forward but you probably need to be a little bit more specific about the type of placement you are referring to and the related costs could be then worked out. For example – Residential, Fostering, Kinship Care, Supported Lodging, Special Guardianship, When I'm Ready placements, and the list goes on. I would be more than happy to work with you, in fact last night I think some Members in the Chamber were here and we went through some of the detail of the various placements of what they actually mean rather than come up with the headline figure that may be good for leaflets I'm more interested in the right type of placement for that right child. We heard some really good stories last night about one particular young person, in fact the Regional Partnership Board had the video the day before about an external placement – placed that girl up in Scotland. We've talked about some of these distances it doesn't mean to say it's wrong. Actually the story, which I am more than happy to share with you, it was a very very successful story in terms of repatriating that young person back to back to their family and a really successful life so in terms of the detail I know you would like some headline figures but I think firstly you need to understand, perhaps if you could come to the next Children's Services briefing, you would understand the different types, I think you would probably understand because the feedback across the Chamber, I see people nodding even in your own party, was really helpful because it is sort of identified the different types of placements and what they are so more than happy to work with you.

Supplementary Question – *Councillor Cowan*

I have to say Lord Mayor I have sat here quietly all night because I am absolutely raging I have to say. The Councillor here is alleging that we want to use this information for election purposes for newsletters, that's not the point – I have asked this question previously and I have to say your lack of action in relation to how we

have been treated tonight has been nothing short of disgraceful I have to say. I will write to you.

*Question – Councillor Berman*

Is the cabinet member satisfied that the Month 4 Budget Monitoring Report presented to Cabinet at its meeting on 26 September showed that the council is projected to fail to achieve £6.290 million in savings out of the £19.157 million of savings agreed in the 2019-20 budget, representing just under a third of planned savings this year and demonstrating that budget control in this authority seems to be completely lacking once again?

*Reply – Councillor Weaver*

As you will know from the report I am not satisfied with our position in Month 4 even though I am confident that overall we will reach a balanced position by end of year. We are all aware that it is increasingly difficult to continue to deliver savings on a scale required to balance the budget each year and there's no escaping that. A number of the savings proposals we passed in February though had an achievability risk of red or red amber. In order to reflect this risk we included a contingency budget of three million pounds, this contingency, along with the other measures were taking as part of in-year budget control and mitigating the impact on the bottom line.

However looking forward to next year's budget, I'm going to continue to push for an even greater focus and making sure our saving proposals are in a state of detailed planning and for implementation to begin as early as possible to increase our confidence we will be able to deliver both transformational and efficiency savings. We will of course also be reviewing the pressures building in certain service areas to ensure that our base budget position reflects that.

*Supplementary Question – Councillor Berman*

It is quite frankly embarrassing that such a high proportion of the savings that are agreed in this year's budget are projected not to be met by the end of the year, I mean, a third is quite ridiculous. And when we looked at this at scrutiny we looked at a couple of service areas, one of the areas which is overspending, facilities management, where there is a projected overspend of about half a million. When I questioned how we come to that it became quite clear that we appear to have set an unrealistic budget for the ongoing servers and yet the council has carried on spending despite the fact that we should had known beforehand that there wasn't enough funding allocated for what was being provided.

So I suppose my question to you is what steps are you now going to take to make sure that not just savings proposals but underlying budget are given the appropriate level of challenge to ensure that we are not in a repeat of this position yet again next year?



Reply – *Councillor Weaver*

I have already said that is exactly what we are doing in terms of reviewing our base budget, but I tell you what is embarrassing is the ten years of cut that local government has suffered in this country.

If you look at the savings that we have now achieved 4 million of those in social services, particularly Children Services, we know the pressures that are coming there, they are national. We do not get given the budget we deserve to put into that service.

So yes, we do ask service areas to push forward challenging savings and they are difficult to make, but that is why we have a consolidated budget so that we can take those risks, we can push for transformation rather than just simply shutting the doors on the services we need. But that gives us the financial stability to do that. Now yes I want many more savings achieved than we have done so far this year and we will continue to push them out. But I will make no apology that the fact that we will seek to protect services wherever we can, we will put forward challenging services and we will make sure that this Council is in a financial position that we can take those risks.

Question – *Councillor Dilwar Ali*

Can the Cabinet Member make a statement about the next rollout in Cardiff North of the Next bikes?

Reply – *Councillor Wild*

Thanks to Councillor Ali for taking me there. As you may be aware, officers are currently involved in the installation of additional Next bike stations in the city, I can see them popping up around the place following there was a bit of a pause because of the significant vandalism.

Additional locations are scheduled to be installed this autumn in the North Cardiff area, including Llandaff North, at the train station, and I know that we are working with Transport Wales, a little bit frustrating that we haven't got that in already, but I'm told that it's still planned to be in this round.

Supplementary Question – *Councillor Ali*

Thank you for the update about the Llandaff North stations. Do you have any timeframe when we can have the Next Bike in Llandaff North?

Reply – *Councillor Wild*

Soon as I can make it happen.

*Question – Councillor Williams*

The Conference and Events Team at City Hall do a tremendous job and last year generated over £1m in revenue for the Council. I'm sure you'll wish to join me and acknowledge and thank the Conference and Events Team for all they do for our Council and our City. It is important that all our Officers based at City Hall are kept fully briefed and updated on any plans the administration has for City Hall – it is disappointing that in recent times Officers have not been kept informed and have relied on press reports for information. This is unacceptable. Can you update Full Council on your plans for the future of City Hall?

*Reply – Councillor Goodway*

I am sure that my colleague, Councillor Bradbury, the Cabinet Member for Culture & Leisure will welcome Councillor William's kind remarks regarding the performance of the Council's City Hall Conference & Events Team and no doubt he will convey the sentiments you express to the team leader.

I can inform the Councillor that the Council has no extant plans for City Hall, and therefore, there are no plans on which I can base an update to Council or which could be shared with members of staff located in the building.

*Supplementary Question – Councillor Williams*

Just to confirm the Conference & Events Team at City Hall do a fantastic job, and they deserve our praise, and I think that's great that it's across the party chamber.

Councillor Goodway can you give an update to staff at City Hall because staff are rightfully anxious about the future of City Hall. We are after an undertaking that throughout the course of your administration, Councillor Thomas' administration, two and a half years left, there will be no attempt to palm of City Hall to a third-party to lease it out. Can you give us that undertaking this evening?

*Reply – Councillor Goodway*

The illustration position in relation to the development of the protection of our heritage buildings is on the public record. It has been the matter of a cabinet report which I refer the Councillor to. He will be well informed and then he won't have to mislead the staff at City Hall.

*Question – Councillor Taylor*

What does the council consider to be safe levels of air pollution outside our schools?

Reply – *Councillor Michael*

I would refer you to the answer provided to your Written Question on this same subject.

Supplementary Question – *Councillor Taylor*

Thank you for your response to my written question, you may be aware that more than half of GPs in Cardiff are in places where PM 2.5 is above World Health Organisation averages. I was wondering whether you would adopt better practices in reporting on World Health Organisation's levels for PM 2.5 as a matter of best practice to make sure that we are driving the best health outcomes for people in this city.

Reply – *Councillor Michael*

There is no safe safe level in air pollution, it is a legal level in which we express that what we have done is monitored is below that level. In schools for instance we monitor regularly, we've actually doubled the monitoring we are doing. What we will continue to do is be within that low level and continue to do the best we can to get the air quality of this city as low as we can possible.

Question – *Councillor Keith Jones*

Can the Cabinet Member give an update on the Capital Ambition statement on restoring sailing on the Llanishen reservoir?

Reply – *Councillor Bradbury*

I can confirm that the Council, through the Parks service, is part of a stakeholder group that is actively involved in a project led by Welsh Water that is aimed at bringing the site back into use for recreational purposes.

I understand that the recruitment process for the Partnership Manager for the project will conclude shortly and Welsh Water are in the process of preparing for the pre-application planning stage, which will involve consultation with local communities. This is a key commitment as part of Capital Ambition document and good progress is being made on it.

Supplementary Question – *Councillor Jones*

As the members will know I have also been a keen sailor all my life. I welcome the response, obviously as Cllr Williams has said before, he's raised questions we are councillors for the entire city. So this is good news for the people of Llanishen but also Llanrumney and everybody across the city.

I've been going for the last 23 years, I have had the good fortunes of going to Banbury where Mrs Jones hails from, and they have a wonderful reservoir which is

just a few minutes from that lovely English market town and there it's used for recreation sailing, lots of activities for the families.

Do you have any idea with the further work the Labour Council can do to ensure that I can reciprocate to the in-laws what they've showed me for 23 years? They have a wonderful reservoir, I can show them Cardiff's wonderful reservoir.

*Reply – Councillor Bradbury*

I note your long-standing interest in sailing and that the timing of this question is purely coincidental. I also always wanted to make sure that you are pleasing your in-laws so I will leave you with this, that Welsh Water have started the refilling of Llanishen reservoir naturally using a combination of rain water and local streams that will feed into it. That process will take two years and that is something that all members of this Chamber can be delighted about, particularly those who fought so hard against the reservoir being drained in the first place.

*Question – Councillor Jones-Pritchard*

With regard to Cardiff's policy on the housing of young people leaving our care, how many are successfully placed in safe and secure long term assured housing and what are the outcomes for those who are not?

Will you please provide a breakdown of the various outcomes and the numbers/percentages of care leavers applicable to each outcome, including any for whom no provision is able to be made?

*Reply – Councillor Thorne*

Children's Services and Housing & Communities work closely to ensure that young people who are leaving care move on successfully into permanent housing.

A high priority for social housing is given to young people leaving care or who have become homeless at a young age and training and support is provided to help them move on into independence.

Tenancy training is offered to young people moving into independent living to ensure that they have the skills necessary to maintain a tenancy. 192 young people have received this training to date, of whom around 50% are young people leaving care.

Housing related support is available for 6 months after the young person has moved into independent living. 154 people have received this support and, again, around 50% were from leaving care. Only 2 tenancies have failed.

Where tenancies do fail, young people can return into supported housing and will be considered for another tenancy when their support needs have been addressed. We have no record of any care leavers not being able to secure accommodation.

*Supplementary Question – Councillor Pritchard*

I'm sure we agree the importance of keeping our care for our children, for whom we are corporate parents, extends beyond the time of which they cease to be of an age when they have to be looked after by other adults.

Reply – *Councillor*

It is crucial. They have been through some traumatic experiences more often than not throughout their lives, and they are young lives. And it is important that we provide that support and enable them actually to live fulfilled lives. That's what we try to do.

Question – *Councillor Wood*

Many areas of the city cannot easily access the services provided by the community hubs due to distance or poor public transport links. Does the council have any plans for additional community hubs?

Reply – *Councillor Thorne*

I recall when we rolled out plans to develop new community hubs in the city back in 2012/13 that they were met with criticism from opposition members. Now it seems everybody wants one!

The success of our hubs programme is testament to our commitment to keeping services operating within our local communities and to protecting and enhancing our library services.

We have already fully developed 12 hubs which offer a wide range of services and activities and they are very much valued by their communities.

Our first Youth Hub at Butetown Pavilion is also currently undergoing refurbishment. We are also now further developing our existing library buildings. We have plans for the redevelopment of two of these buildings – Rhydypennau and Whitchurch – and funding bids have been submitted. We will continue to develop plans to raise the standard of the remaining buildings.

Supplementary Question – *Councillor Wood*

I just want it to be clear that I wasn't criticising how things are - actually very welcome.

Many of the residents in my ward, particularly the Mynachdy estate, have expressed difficulty reaching existing hubs. I admit there might be difficulties in trying to build new hubs because of the costs, but maybe the Council - would be willing to look at ways of alternative delivery of some of those services in the communities that need them, that might be further away from the existing hubs.

Reply – *Councillor Thorne*

Other services are available that reach out into the community – including a mobile library and housebound service; our Independent Living Service which provides

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advice over the phone or in the home where needed; and our Advice Line which provides money advice with home visits available as needed and I've personally arranged home visits particularly for money advice for constituents that have contacted me and I really think that we need to promote that. The other thing I'd like to have but very often people believe that money advice is only available to those people who are on benefits. It is not, it is available for people who are working staff.

Question – *Councillor Gordon*

What is the Council's policy on the design of cycle parking stands?

Reply – *Councillor Wild*

Cycle parking stands should comply with Welsh Government's Active Travel Design Guidance and, in the case of new development, the Council's SPG on Managing Transportation Impacts.

Sheffield-type stands are considered to be appropriate for short stay cycle parking in most situations. Alternatives would be considered as long as they provide at least the same level of service as a Sheffield stand.

Supplementary Question – *Councillor Gordon*

It's great and there are definitely - as well as lot of people on Next bikes around our city, there are also, as a cyclist, I see on a daily basis more and more cyclists out and about even though the weather is getting a bit cooler now. But locking up your bike safely is absolutely essential to being able to know if you can take your bike out and the Sheffield-type stands which you mentioned are good ones because you can lean your bike up against a stand without it falling over and then lock your bike up. So where there are stands, which has been installed even though recently, which don't comply to that standard, will you be able to replace them with the ones that are recommend by the Active Travel guidance?

Reply – *Councillor Wild*

I'll look into that. It is really good to see all these stands full. I looked around Central Square the other day and I've been noticing five or six stands including a lot of the new ones full to the brim with bikes, and we know we put in and doubled the amount of cycle parking over the last couple of years. That's really good to see. I mean bikes come in different shapes and sizes now so I think, I wouldn't want to say we'll remove old ones but able to make sure we put in other suitable new ones cos bikes of different shapes and sizes may well be suitable for different stands. If there is a particular problem with a type then obviously we'll need to look at that and consider removing it.

Question – *Councillor Williams*

How many employees have been dismissed from the employment of the Council for gross misconduct in the last three years?

Please provide a breakdown of annual numbers and the broad subject of the misconduct which resulted in the dismissal.

Reply – *Councillor Weaver*

Across the Council, including schools, there have been 33 dismissals for gross misconduct between 1<sup>st</sup> April 2016 and 23<sup>rd</sup> October 2019.

There were:

- 14 dismissals in 2016/17;
- 10 dismissals in 2017/18;
- 4 dismissals in 2018/19; and
- 5 so far this financial year to date.

The broad categories for the dismissals include:

- Breach of trust;
- Conduct and/or behaviour outside of work;
- Fraud or dishonesty;
- Safeguarding;
- Unacceptable behaviour within work;
- Breaches of Council policies; and
- Frustration of contract.

Supplementary Question – *Councillor Williams*

Thank you for the response, obviously some very concerning revelations in his answer to my question specifically turning to the waste department. It is public knowledge that there is an ongoing investigation by South Wales Police. When that concludes Councillor Weaver, would you agree with me that it is entirely proper to instruct an independent investigation, so someone independent from the council can come in and investigate the waste department, and the allegations that are there after it has concluded so this council can best learn and learn from the recommendations?

Reply – *Councillor Weaver*

The council has thorough and utterly valid investigation processes, the rights of our members of staff are clear, our procedures are clear. I'm not going to comment on an investigation that's ongoing of course - like any large organisation, including the government, there will be issues where members of staff do misbehave and it is right that it is dealt with in the appropriate manner which is outside of this Chamber.

Question – *Councillor Boyle*

Does the cabinet member believe the Zenith student accommodation block is of sufficient architectural merit for a building of such prominence?

Reply – *Councillor Wild*

My own personal view on the architectural merits of the building in question are pretty irrelevant as I was not involved in the planning decision that was taken by the Council's Planning Committee. So it's fairly irrelevant for me to comment and slightly unbecoming to comment on homes that people are now living in.

Supplementary Question – *Councillor Boyle*

I think it is very disappointing. I think we have a privilege position as elected representatives to start calling out low quality architecture and to send a message to architects, developers and planners that we won't accept lazy, brutal and anachronistic design and we are entitled to have an opinion and I would had thought that you and your cabinet position would have a particular position to that. So perhaps you can tell the Council how you use your role to promote good quality architectural design?

Reply – *Councillor Wild*

Councillor Boyle, again, we are entitled to our opinion and you are entitled to your opinion and the other people who are entitled to their opinion was the planning committee. And I don't know if you got involved at the planning committee stage to look into the architectural merits. That's when the conversation happens and it happens next to SPGs which talk very in depth about architectural qualities of tall buildings. That's the time to do it. It's easy to come in afterwards and you don't like something. The time to actually make the comment is before. And actually when I walk down that street, East Tindall Street, it use to be car parks, it use to be wasteland and I see a thriving community down there now. It is thriving, people are living there and it's opened up the canal, opened up jobs and I'm proud when I walk down that street in terms of the development that's happened in that area

Question – *Councillor Robson*

Does the Leader believe that pedestrians and road traffic should be separated as much as possible?

Reply – *Councillor Huw Thomas*

I am grateful to the leader of the opposition for his slightly cryptic questions about separation of road traffic and pedestrians. I think I can best answer it by referring to a quote from Welsh Labour's very own Aneurin Bevan 'we know what happens to people who stay in the middle of the road. They get knocked over'.

Supplementary Question – *Councillor Robson*

Thank you for that enlightening reply. The question referred to the suggestion's that have emerged about filling in the underpass opposite City Hall. My opinion certainly is that if you fill in the underpass pedestrians will have to go over the road. I understand that's an issue at the minute. But please can you advise, in writing if necessary, what an anticipated cost would be for filling in the underpass, which I think in my view is money not well spent and also what more can be done to improve



safety so that pedestrians can who decide to take their chicken run can be dissuaded from doing so?

Reply – *Councillor Huw Thomas*

The plans that made the public domain last week around the underpass are at a very early stage and I have mixed views about them.

Clearly when you look at, for example the grass verges, around that area you can see they are actually muddy verges. You can see that there are people walking across a particular crossing on the side next to the Council, so there is reasonable argument I think for opening that area to make it more accessible from the City Centre proper with City Hall.

Whether closing the underpass, as well, requires doing remains to be seen. I can certainly see the argument why you want to avoid conflict between cyclists in particular and motorists, and keep that flow of both cyclists and traffic going as smooth as possible.

So the ideas are in a very very early stage, certainly there no costs attached to it and it was quite refreshing to see a quite mature debate on social media around the pros and cons of that scheme

Question – *Councillor Hopkins*

What meetings has the cabinet member had with Cardiff Bus to explore the reasons for the decline in bus usage, the reductions in services and how to prevent further reductions over the year ahead?

Reply – *Councillor Wild*

I have met with representatives from Cardiff Bus on numerous occasions to discuss matters relating to the company's provision of bus services in the city.

Officers also meet regularly with Cardiff Bus to discuss both operational and strategic matters. I must say I am indebted to my fellow Members across the Chamber from different political parties who serve on the Board of Cardiff Bus and I must commend them for their recent work in terms of their positive messages we are getting from that company.

Supplementary Question – *Councillor Hopkins*

Whether a declining bus usage is unique to Cardiff there are particular circumstances in the city that have contributed to this decline. Several of them are set out in the LDP monitoring report and will be well known to members across the chamber here, relating to the delay in the transport hub for a lack of investment in bus infrastructure, the withdrawal of some bus routes and reduction in service frequency in others which are being referred to early in the meeting this evening.

The lack of connection across the city as opposed to journeys into the centre, fare increases and the current temporary arrangement on Westgate Street that are causing delays in many services.

I'm sure no of us will be surprised at the result of this has been to erode resident's faith in public transport and to increase the isolation of elderly people in particular. This is at a time when we should be doing all we can to meet the objectives of the Local transport plan.

So the real worry Councillor Wild must be that the sustainability of the bus services in the future will be compromised in the year ahead and in the future. So can you assure us that every effort will be made to avoid that?

Reply – *Councillor Wild*

It's worth noting that bus figures in the city based on our most recent report are actually faring relatively well and as you've mentioned other cities are hitting even more of a dip, and that's despite some of the challenges we all recognise. And I will happily accept the challenge that the city's public transport structure is not as good as it should be.

We will be coming forward with plans, a white paper, very shortly that will include trying to make sure that the bus service is prioritised and we get more people on our buses across Cardiff.

101 : URGENT BUSINESS

None

102 : CARDIFF BUS, APPOINTMENT OF EXECUTIVE DIRECTOR

The Council considered the appointment of a new Executive Director to Cardiff Bus, who would also be the new Managing Director of the Company.

RESOLVED: The Council APPROVED the appointment of the names individual in Confidential Appendix 1 to this report as an Executive Director of Cardiff Bus.

103 : COMMITTEE APPOINTMENTS

To receive nominations and make appointments to current committee vacancies as set out in the report and in accordance with approved allocation of seats and political group wishes.

RESOLVED: The Council agreed to appoint to the vacancies on Committee in accordance with the approved allocation of seats and Party Group wishes as set out on the Amendment Sheet.

<b>Committee</b>	<b>Vacancy</b>	<b>Group</b>	<b>Nomination Received</b>
Audit Committee	1 vacancy	1 X Labour	

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

<b>Committee</b>	<b>Vacancy</b>	<b>Group</b>	<b>Nomination Received</b>
Corporate Parenting Advisory Committee	1 vacancies	1 x Conservative	
Planning Committee	1 vacancy	1 x Labour	.Cllr Ed Stubbs
Public Protection	3 vacancies	1 x Conservative 1 x Cardiff West Independent 1 x Labour	
Policy Review & Performance Scrutiny	2 vacancies	1 x Labour 1 x Cardiff West Independent	
Licensing Committee	1 vacancy	1 x Conservative	
Community and Adult Services Committee	1 vacancy	1 x Labour	

104 : APPOINTMENTS OF REPRESENTATIVES TO OUTSIDE BODIES

To receive nomination and make appointments of Council representatives to statutory and non-statutory outside bodies.

RESOLVED: The Council noted there were no nominations.

105 : WRITTEN QUESTIONS

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

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**COUNCIL:**

**28 NOVEMBER 2019**

**CABINET PROPOSAL**

**TREASURY MANAGEMENT MID-YEAR REPORT 2019-20**

*Annexes B & C to Appendix 1 to this report are not for publication as they contain exempt information of the description in Paragraphs 14 and 21 of Schedule 12A of the Local Government Act 1972.*

**Reason for this Report**

1. To inform members of the Council's treasury management activities since 1 April 2019 and the position as at 30 September 2019.

**Background**

2. The Council's treasury management activities are governed by legislation and a Code of Practice developed by the Chartered Institute of Public Finance and Accountancy (CIPFA) updated in 2017.

**Issues**

3. In the budget report of February 2010, Council adopted CIPFA's Treasury Management Code by formal acceptance of the Four Clauses of Treasury Management and Treasury Management Policy Statement as Council policy.
4. In accordance with these policies, this report provides members with a mid year update of Treasury Management activities as at 30 September 2019. This includes its borrowing and investments at a point in time and also initially highlights a recent change by the Public Works Loan Board in respect of its lending policy.
5. Council requires the scrutiny of the accounting, audit and commercial issues of its Treasury Management Strategy and Practices to be undertaken by the Council's Audit Committee. Audit Committee have received a number of reports in relation to 2019/10 treasury management activities including, performance reports, benchmarking and the Council's Treasury Management Practices.

6. The mid-year report and supporting Annexes are attached as Appendix 1 and is to be referred to Council on the 28 November 2019 after consideration by the Cabinet.

### **Reasons for Recommendations**

7. Council policy requires the Treasury Management Mid-Year Report 2019-20 update to be submitted to Council.

### **Legal Implications**

8. No direct legal implications arise from this report.

### **Financial Implications**

9. The Council's treasury management activities are undertaken in accordance with the policies adopted by Council and under professional codes of conduct established by CIPFA, the Welsh Government and the Corporate Director Resources as part of Treasury Management Practices. This report is part of a suite of reports that members receive on the Council's treasury management activities during the course of a year. Whilst there are no direct financial implications arising from this report, the risks involved with treasury management are continuously reviewed in conjunction with the Council's treasury management advisors and forms part of the Council's Medium term Financial Plan.

## **CABINET PROPOSAL**

Council is recommended to note the Treasury Management Mid-Year Report 2019-20 (Appendix 1)

### **THE CABINET**

21 November 2019

*The following Appendix is attached:-*

- Appendix 1: Treasury Management Mid-Year Report 2019-20
- Annexe A – Treasury Management Policy Extract
  - Annexe B – Investments at 30 September 2019 (Confidential)
  - Annexe C – Investment Charts at 30 September 2019 (Confidential)
  - Annexe D – Maturity Analysis of borrowing as at 30 September 2019
  - Annexe E – Glossary of Treasury Management terms

**Treasury Management Policy and Four Clauses of Treasury Management adopted by Council 25/02/2010**

**Council's treasury management Policy / Activities**

1. This Council defines its treasury management activities as: the management of its investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.
2. This Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications.
3. This Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable comprehensive performance measurement techniques, within the context of effective risk management.

**Four Clauses of Treasury Management**

4. In compliance with the First Clause, this Council will create and maintain, as the cornerstones for effective treasury management:-
  - A treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities
  - Suitable Treasury Management Practices (TMPs), setting out the manner in which the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities
5. In compliance with the Second Clause, this Council will receive reports on its treasury management policies, practices and activities, including, as a minimum, an annual strategy in advance of the year, a mid-year review and an annual report after the year's close, in the form prescribed in its TMPs.
6. In compliance with the Third Clause, this Council delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to the Executive, and for the execution and administration of treasury management decisions to the Corporate Director Resources in accordance with existing delegations, who will act in accordance with the Policy Statement, TMPs and CIPFA's Standard of Professional Practice on Treasury Management.
7. In compliance with the Fourth Clause, this Council requires the scrutiny of the accounting, audit and commercial issues of its Treasury Management Strategy

and Practices to be undertaken by the Council's Audit Panel due to the technical nature of the documents.

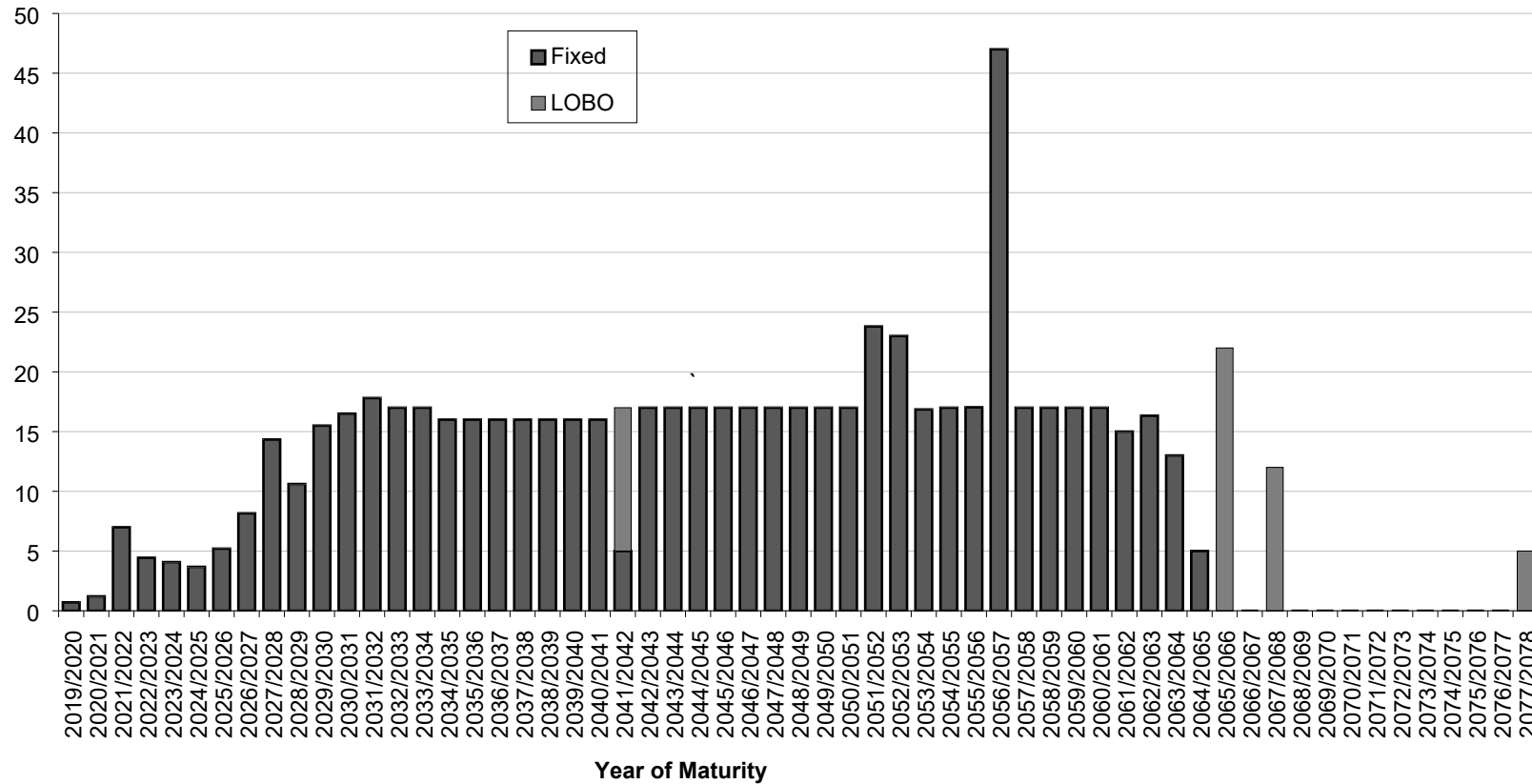


By virtue of paragraph(s) 14, 21 of Part(s) 4 and 5 of Schedule 12A of the Local Government Act 1972.

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Maturity Profile of Debt at 30 September 2019



## Glossary of Terms - Treasury

### **Bank Rate**

The rate of interest set by the Bank of England as a benchmark rate for British banks.

### **Bonds**

A long-term debt security issued by a company, a financial institution, a local authority, national government or its affiliated agencies. It represents an undertaking to repay the holder the fixed amount of the principal on the maturity date plus a specified rate of interest payable either on a regular basis during the bond's life (coupon) or at maturity.

### **Borrowing**

Loans taken out by the authority to pay for capital expenditure or for the prudent management of the Council's financial affairs, which are repayable with interest.

### **Capital Expenditure**

Capital expenditure pays for improvements to existing and new assets used in the delivery of Council services as well as other items determined by Regulation. Capital resources are scarce, costly and also have long term revenue implications over many years and even generations where capital expenditure is funded by borrowing. Hence the requirement of the Prudential Code to ensure what is charged as Capital Expenditure is Prudent, Sustainable and Affordable.

The statutory definition of capital expenditure is given in the Local Government Act 2003, the Local Authorities (Capital Finance) Regulations 2003 and 2004 as amended. Statute relies on the accounting measurement of cost in International Accounting Standard (IAS) 16 to determine whether expenditure is eligible to be capitalised or whether it should be treated as revenue expenditure. Key to what is eligible as capital spend are the following words in IAS 16 - 'Costs directly attributable to bringing the specific asset into working condition for its intended use'.

### **Capital Financing Requirement (CFR)**

An authority's underlying need to borrow for a capital purpose. It measures capital expenditure incurred but not yet financed by the receipt of grants, contributions and charges to the revenue account.

### **Capital Market**

A market for securities (debt or equity), where companies and governments can raise long-term funds (periods greater than one year). The raising of short-term funds takes place on other markets (e.g. the money market).

### **Capital Programme**

The Capital Programme sets out the Council's capital expenditure plans for the forthcoming financial year as well as for the medium term. It is approved annually at Council and identifies the estimated cost of those schemes, their projected phasing over financial years as well as the method of funding such expenditure.

### **Certificates of Deposits (CDs)**

A certificate issued for deposits made at a deposit-taking institution (generally a bank). The bank agrees to pay a fixed interest rate for the specified period of time, and repays the principal at maturity. CDs can be purchased directly from the banking institution or through a securities broker. An active interbank secondary market exists to buy and sell CDs.

### **Chartered Institute of Public Finance & Accountancy (CIPFA)**

CIPFA is the professional body for accountants in public finance. As a specialised public services body, it provides information, guidance, and determines accounting standards and reporting standards to be followed by Local Government.

### **Collective Investment Scheme Structures**

Schemes whereby monies from a number of investors are pooled and invested as one portfolio in accordance with pre-determined objectives.

### **Corporate Bonds**

Bonds that are issued by a company or other non-government issuers. They represent a form of corporate debt finance and are an alternative means of raising new capital other than equity finance or bank lending.

### **Counterparty**

One of the parties involved in a financial transaction with whom the Council may place investments.

### **Counterparty / Credit Risk**

Risk that a counterparty fails to meet its contractual obligations to the Council to repay sums invested.

### **Credit Criteria**

The parameters used as a starting point in considering with whom the Council may place investments, aimed at ensuring the security of the sums invested.

### **Credit Default Swaps**

A financial transaction which the buyer transfers the credit risk related to a debt security to the seller, who receives a series of fees for assuming this risk. The levels of fees reflect the perceived level of risk.

### **Credit Rating**

A credit rating assesses the credit worthiness of an individual, corporation, or even a country. Credit ratings are calculated from financial history and current assets and liabilities. Typically, a credit rating tells a lender or investor the probability of the subject being able to pay back a loan. Ratings usually consist of a long-term, short term, viability and support indicators. The Fitch credit rating of F1 used by the Council is designated as “Highest Credit Quality” and indicates the strongest capacity for timely payment of financial commitments.

### **Debt Management Account Deposit Facility (DMADF)**

The Debt Management Office provides this service as part of its cash management operations and of a wider series of measures designed to improve local and central government's investment framework and cash management. The key objective of the DMADF is to provide users with a flexible and secure facility to supplement their existing range of investment options while saving interest costs for central government.

### **Debt Restructuring**

Debt restructuring is a process that allows an organisation to reduce, renegotiate and undertake replacement debt.

### **Diversification of Investments**

The process of creating a portfolio of different types of financial instruments with regard to type, price, risk issuer, location, maturity, etc. in order to reduce the overall risk of the portfolio as a whole.

### **Duration (Maturity)**

The length of time between the issue of a security and the date on which it becomes payable.

### **External Borrowing**

Money borrowed from outside of the Council.

### **Financial Instrument**

Any contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another. Typical financial liabilities are borrowing and financial guarantees. Typical financial assets include bank deposits, amounts owed by customers, loans receivable and investments.

### **Fitch Credit Ratings**

A commercial organisation providing an opinion on the relative ability of an entity to meet financial commitments, such as interest, preferred dividends, repayment of principal, insurance claims or counterparty obligations. The opinion is usually provided in the form of a credit rating.

### **Fixed Rate**

An interest rate that does not change over the life of a loan or other form of credit.

### **Floating Rate Notes**

A money market security paying a floating or variable interest rate, which may incorporate a minimum or floor.

### **Four Clauses of Treasury Management**

In compliance with the First Clause, this Council will create and maintain, as the cornerstones for effective treasury management:

- A treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities.

- Suitable Treasury Management Practices (TMPs), setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

In compliance with the Second Clause, this Council will receive reports on its treasury management policies, practices and activities, including, as a minimum, an annual strategy in advance of the year, a mid year review and an annual report after its close, in the form prescribed in its TMPs.

In compliance with the Third Clause, this Council delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to the Cabinet, and for the execution and administration of treasury management decisions to the Corporate Director Resources in accordance with existing delegations, who will act in accordance with the organisation's policy statement, TMPs and CIPFA's Standard of Professional Practice on Treasury Management.

In compliance with the Fourth Clause, this Council requires the scrutiny of the accounting, audit and commercial issues of its Treasury Management Strategy and Practices to be undertaken by the Council's Audit Committee due to the technical nature of the documents.

### **Fraud / Error Risk**

Risk of losses being incurred as a result of fraud, error or corruption in treasury management and failure to institute adequate systems, procedures and other arrangements to prevent irregularities.

### **Housing Revenue Account (HRA)**

The HRA is an account of expenditure and income that every local authority housing department must keep in accordance with the Local Government & Housing Act 1989. The account is kept separate or ring fenced from other Council activities. Income is primarily generated by the rents and service charges paid by tenants, while expenditure is on the management and maintenance of the housing stock, and capital financing charges on the HRA's outstanding loan debt.

### **Interest Rate Risk**

Risk that fluctuations in interest rates could impose extra costs against which the Council has failed to protect itself adequately.

### **Internal Borrowing**

Money borrowed from within the Council, sourced from temporary internal cash balances.

### **Investments**

The purchase of financial assets in order to receive income and/or make capital gain at a future time, however with the prime concern being security of the initial sum invested.

### **Lender Option Borrower Option Loans (LOBOs)**

Loans to the Council where the lender can request a change in the rate of interest payable by the Council at pre-defined dates and intervals. The council at this point has the option to repay the loan.

### **Liquidity**

The ability of the Council to meet its financial obligations as they fall due.

### **Market Loans**

Borrowing that is sourced from the market i.e. organisations other than the Public Works Loan Board or a Public Body.

### **Medium Term Financial Plan**

Plan outlining the financial strategies and actions that are envisaged by the Council in the medium term regarding the budget.

### **Markets in Financial Instruments Directive (MiFID)**

EU legislation that regulates firms who provide financial instrument services. MiFID was applied in the UK from November 2007, but was revised with changes taking effect from **3 January 2018 (MiFID II)**.

The aim is to ensure financial institutions undertake more extensive checks on their client's suitability for investment products. Organisations undertaking investments will be either classified as 'retail' or 'professional'.

MiFID II requires all Local Authorities to be initially treated as "retail clients" unless they "opt up" to a "professional client". The assumption being that retail clients require a greater level of due diligence and support for investment decision making. Financial institutions will owe a greater duty of care to retail clients, however, they will have no greater financial protection than professional clients.

### **Minimum Revenue Provision (MRP)**

This is the amount which must be charged to the authority's revenue account each year and set aside as provision for repaying external loans and meeting other credit liabilities. The prudent amount is determined having regard to guidance issued by WG. This has the effect of reducing the Capital Financing Requirement (CFR).

### **Money Market**

The market for short-term securities or investments, such as certificates of deposit, commercial paper or treasury bills, with maturities of up to one year.

### **Money Market Funds**

An investment fund which pools the investments of numerous depositors, spreading those investments over a number of different financial instruments and counterparties. Funds with a constant Net Asset Value (NAV) are those where any sum invested is likely to be the same on maturity. Funds with a variable Net Asset Value (NAV) are those where the sum on maturity could be higher or lower due to movements in the value of the underlying investments.



### **Net Asset Value (NAV)**

The market value of an investment fund's portfolio of securities as measured by the price at which an investor will sell a fund's shares or units.

### **Pooling**

The process whereby investments or loans are held corporately rather than for specific projects or parts of the Council, with recharges to those areas for their share of the relevant income and expenditure using an agreed methodology, where such a recharge is required to be made.

### **Prudential Code for Capital Finance**

The system introduced on 1 April 2004 by Part 1 of the Local Government Act 2003 which allows local authorities to borrow without Government consent, provided that they can afford to service the debt from their own resources and that any such borrowing is prudent and sustainable. This requires the preparation and approval of various indicators.

### **Public Works Loans Board (PWLB)**

The Public Works Loans Board is a statutory body operating within the United Kingdom Debt Management Office, an Executive Agency of HM Treasury. PWLB's function is to lend money from the National Loans Fund to local authorities and other prescribed bodies, and to collect the repayments.

### **Refinancing Risk**

Risk that maturing borrowing or other financing of capital projects cannot be renewed on terms that reflect existing assumptions and that the Council will suffer extra costs as a result.

### **Regulatory Risk**

Risk that actions by the Council or by any person outside of it are in breach of legal powers or regulatory requirements resulting in losses to the Council, or the imposition of extra costs.

### **Security**

Protecting investments from the risk of significant loss, either from a fall in value or from default of a counterparty.

### **Sovereign Credit Ratings**

The credit rating of a country. It indicates the risk level of the investing environment of a country, taking into account political risk and other factors.

### **Sterling**

The monetary unit of the United Kingdom (the British pound).

### **Term Deposits**

A term deposit is a money deposit at a banking institution that cannot be withdrawn for a certain "term" or period of time.

### **Treasury Management**

The management of the organisation's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.

### **Treasury Bills**

Debt securities issued by a government with a short-term maturity of up to 6 months.

### **UK Government Gilts**

Fixed-interest debt securities issued or secured by the British Government. Gilts are always denominated in sterling though the Government occasionally also issues instruments in other currencies in the Eurobond market or elsewhere.

### **Variable Rate**

An interest rate that changes in line with market rates.

### **Yield**

The annual rate of return paid out on an investment, expressed as a percentage of the current market price of the relevant investment.

**CARDIFF COUNCIL  
CYNGOR CAERDYDD****COUNCIL: 28 NOVEMBER 2019**

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**CABINET PROPOSAL**

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**CARDIFF LOCAL DEVELOPMENT PLAN FULL REVIEW****Reason for this Report**

1. The purpose of this report is to respond to legislation which requires Local Authorities to undertake a full review of their Local Development Plan (LDP) within 4 years of adoption.
2. Specifically, approval is sought to:
  - Undertake consultation on the draft Cardiff LDP Review Report (Appendix 1) which proposes that a full revision of the LDP is undertaken through the preparation of a Replacement LDP for the period 2020-2035;
  - Undertake consultation on the Cardiff Replacement LDP draft Delivery Agreement (Appendix 2); and
  - Report back to Council on the findings of the consultation processes and the final Review Report in Spring 2020

**Background**

3. The Cardiff Local Development Plan (LDP) was adopted by the Council on 28th January 2016 and sets out the Council's planning framework for the development and use of land in the city over the period 2006 to 2026.
4. An up-to-date LDP is an essential part of the plan-led planning system in Wales and statutory measures are in place to manage the Plan review process. In this respect, the Council is required under Section 69 of the Planning and Compulsory Purchase Act 2004 to undertake a full review of the adopted LDP at intervals not longer than every 4 years from the date of adoption. As such, this report directly responds to this requirement given the LDP adoption date.

**Draft Review Report**

5. Regulations state that the full review process must be informed by a Review Report (RR) which must determine the revision procedure to be followed- specifically, whether to undertake a full or short form revision. A

full revision would require the preparation of a Replacement LDP, whereas a short form revision would involve revising limited parts of the existing LDP. Guidance makes it clear that should a Local Planning Authority decide to employ the short form revision, it must be sure it can fully justify its approach as there are significant risks that this approach may be considered inappropriate and challenged since the issues involved may warrant the full revision procedure.

6. The Draft RR is contained in Appendix 1 and must be subject consultation prior to the final RR being formally approved by the Council. It considers relevant information and issues to help inform the review process and includes the following sections:
  1. Introduction- Outlining the requirements for the draft RR
  2. Information and issues informing the Plan review- Including:
    - Significant contextual changes with regard to national legislation and guidance, the regional/local context and evidence base
    - Findings of the 3<sup>rd</sup> LDP Annual Monitoring Report
  3. Review of Plan and potential changes required- Assessing the implementation of Plan strategy and policy topic areas to inform potential changes to be addressed through the revision procedure
  4. Future evidence base requirements- Identifying which parts of the evidence base require updating
  5. LDP review options including opportunities for collaborative working
  6. Conclusions and next steps
7. The draft RR concludes that the full revision procedure is considered the most appropriate option and that a replacement LDP is prepared for the period 2020-2035. In this respect, it is recognised that the significant scale, complexity and over-lapping nature of issues to be addressed in a Replacement LDP cannot justify the short form revision procedure. This approach will ensure that the Council will have up-to-date Plan coverage beyond 2026 and supports the Plan-led approach in Wales.
8. Importantly, the preparation of a Replacement LDP provides an opportunity to positively respond to a national policy framework which has evolved significantly since the evidence base was collated underpinning the existing LDP. Furthermore, it enables other matters identified in the draft RR to be more fully assessed as part of a comprehensive review process which will then represent a new and updated evidence base to inform the Replacement Plan.
9. The draft RR identifies topic areas where new evidence is required to inform the Replacement Plan. It is therefore premature to be articulating potential replacement LDP strategy at this juncture. However, work undertaken to date on the draft RR shows that the starting point is completely different to the existing LDP which was faced with high official

population projections and a low supply of housing sites. A Replacement LDP would overlap with the current LDP period and coupled with a 'carry over' of existing consents, would result in a far stronger supply of housing sites. In terms of demand, it is noted that Welsh Government projections issued since those informing the existing LDP have shown reduced anticipated rates of population growth.

10. The existing LDP benefitted from a bespoke regional collaborative exercise to help inform the Plan strategy involving all Local Authorities and other key stakeholders in South East Wales. This process worked well and a similar approach is proposed again to help inform the Replacement LDP. Should work commence on a Strategic Development Plan (SDP) for South East Wales, information gathered through the LDP process can be used to inform the SDP and vice versa. Ongoing dialogue with other Local Authorities will help maximise efficiencies and consistency with regard to gathering/sharing evidence and agreeing methodologies where possible.
11. There has been positive regional dialogue regarding the progression of a SDP for the Cardiff Capital Region. Leaders have agreed in principle to pursue the development of a Strategic Development Plan. However, significant uncertainties have been created by the publication of the draft National Development Framework, with the Council expressing concern about the draft proposals, and the proposed establishment of Corporate Joint Committees (CJCs). It would therefore be premature to consider a report on the SDP until there is greater clarity on these emerging matters of such fundamental importance.
12. In line with national guidance, consideration must be given to the scope for preparing a Joint LDP. However, it is noted that 7 of the 10 Local Authorities in South East Wales are already preparing their own Replacement LDPs with no examples of a joint approach or regional collaborative exercises to help inform Plans. Of the remaining 2 Local Authorities excluding Cardiff, the Vale of Glamorgan and Newport, it is not considered that there are sufficient synergies to warrant the preparation of a Joint LDP. The proposed regional collaborative working approach referenced in the paragraph above is considered the most effective way of addressing cross-boundary matters.

### **Draft Delivery Agreement**

13. In addition to the preparation of a Review Report, a Delivery Agreement will also need to be submitted to Welsh Government demonstrating that plan preparation can be achieved in within 3½ years from the formal commencement of the review process. The draft Delivery Agreement consists of a timetable for preparation of the Replacement LDP and a Community Involvement Scheme. The summary timetable below sets out the key dates including statutory consultation periods, for each of the different stages of Plan preparation and publication. It also includes key stages for the Sustainability Appraisal, which is an iterative process undertaken as an integral part of the Plan preparation process.

<b>Key Stage</b>			
<b>Definitive</b>		<b>From</b>	<b>To</b>
1	Review Report Consultation and submission to Welsh Government	Jan 2020	March 2020
2	Delivery Agreement – Consultation and submission to Welsh Government	Jan 2020	March 2020
3	Evidence Base Preparation	Dec 2019	June 2022
4	Pre-Deposit Participation <ul style="list-style-type: none"> <li>• Candidate Site submission and appraisal</li> <li>• SA Scoping Report</li> <li>• Vision/Objectives/growth levels and spatial options</li> </ul>	March 2020	Sept 2021
5	Preferred Strategy Consultation – six weeks statutory consultation	Oct 2021	Nov 2021
6	Deposit Plan Consultation – six weeks statutory consultation	Oct 2022	Nov 2022
<b>Indicative</b>		<b>From</b>	<b>To</b>
7	Submission	March 2023	
8	Examination	March 2023	Sept 2023
9	Inspectors Report	Sept 2023	
10	Adoption by Council	October 2023	

14. The timetable of Plan preparation has Definitive and Indicative stages. Definitive stages are up to the Deposit of the Plan and are under the control of the Council. The Council has less control over the progress of the Plan after the statutory Deposit stage, as subsequent stages associated with Examination, Receipt of the Inspector's Report and Adoption is more dependent on external factors from Welsh Government and the Planning Inspectorate (PINS). As such these stages are indicative only.
15. The Community Involvement Scheme outlines the LPA's principles of community engagement, its approach in relation to who, how and when it intends to engage with the community and stakeholders; how it will respond to representations and how these representations will inform later stages of plan preparation.

16. The draft Delivery Agreement also sets out the resources that will be required to prepare the Replacement LDP together with a Risk Assessment identifying areas of uncertainty that may impact on the timetable for Plan preparation and mitigation measures required to keep the Plan on track.

### **Next Steps**

17. In order to provide an opportunity to comment, consultation is proposed to take place on the draft Review Report and Delivery Agreement in January/February 2020. A report on the consultation findings and recommendations will be taken to Cabinet in Spring 2020. Should the recommendations support the preparation of a Replacement LDP, it is proposed to report the final Review Report and Delivery Agreement to Council for approval and submit both documents to Welsh Government in the Spring 2020 for their approval so formal preparation of the Replacement LDP can begin.

### **Reason for the Recommendation**

18. The Planning and Compulsory Purchase Act 2004 and regulation 41 of the Town and Country Planning (Local Development Plan) (Wales) Regulation 2005 requires that a Local Planning Authority must commence a full review of its LDP every 4 years from the date of its initial adoption and that such a review must be preceded by a Review Report. The LDP Manual (2015) also advises that the review process should involve engagement with key stakeholders to assist in clarifying the issues to be considered in the review process.

### **Legal Implications**

19. A review of the LDP is part of the wider statutory LDP process as referred to in paragraph 21 above.
20. The decision about these recommendations has to be made in the context of the Council's public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties) – the Public Sector Equality Duties (PSED). These duties require the Council to have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of 'protected characteristics'. The 'Protected characteristics' are: • Age • Gender reassignment • Sex • Race – including ethnic or national origin, colour or nationality • Disability • Pregnancy and maternity • Marriage and civil partnership • Sexual orientation • Religion or belief – including lack of belief.
21. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.

22. In discharging its duties under the Act, the Council has set and published well-being objectives designed to maximise its contribution to achieving the national well-being goals. The well-being objectives are set out in Cardiff's Corporate Plan 2019-22 <http://cmsprd.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202018-21.pdf> When exercising its functions, the Council is required to take all reasonable steps to meet its well-being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well-being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
23. The well-being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- Look to the long term
  - Focus on prevention by understanding the root causes of problems
  - Deliver an integrated approach to achieving the 7 national well-being goals
  - Work in collaboration with others to find shared sustainable solutions
  - Involve people from all sections of the community in the decisions which affect them.
  - The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>
24. The Council has to be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact upon the Welsh Language, the report and Equality Impact Assessment deals with all these obligations. The Council has to consider the Well Being of Future Generations (Wales) Act 2015 and how this strategy may improve the social, economic, environmental and cultural well-being of Wales..

### **Financial Implications**

25. The costs of undertaking the suggested full review of the LDP are expected to be incurred over a number of years, with projected costs of c£1m to be incurred over 4 years. The detailed mechanism for funding the full review of the LDP will be considered as part of the 2020/21 Budget setting process.



## **Human Resources Implications**

26. There are no HR implications for this report.

### **CABINET PROPOSAL**

Council is recommended to approve the draft Review Report and draft Delivery Agreement for the purposes of consultation and a further report is taken to Council in Spring 2020 with the findings of the consultation processes and recommendation(s) on the proposed way forward.

### **THE CABINET 21 November 2019**

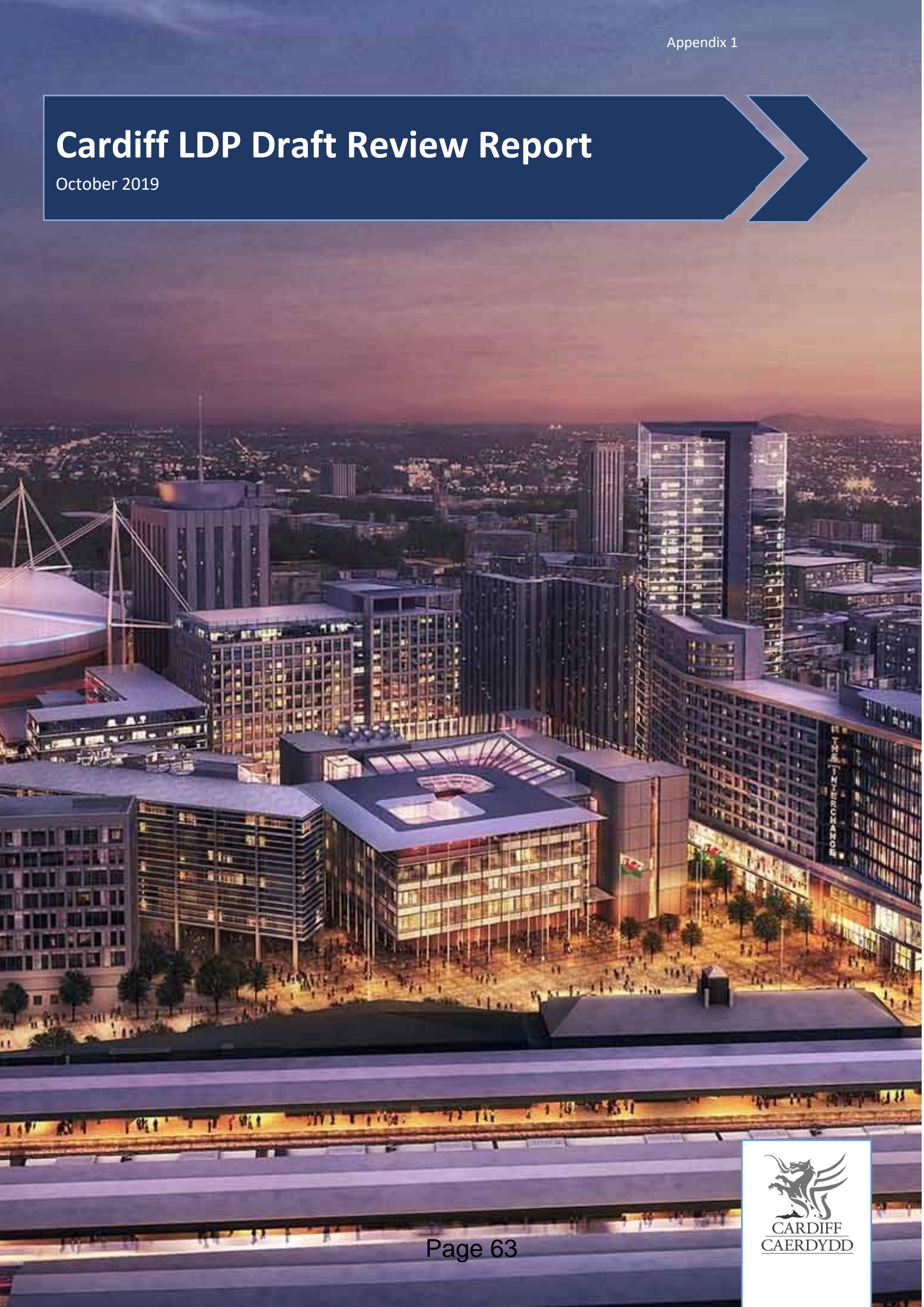
*The following Appendices are attached:*

- Appendix 1 – Draft Review Report, October 2019
- Appendix 2 – Draft Delivery Agreement, October 2019

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# Cardiff LDP Draft Review Report

October 2019



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# 1. Introduction

## Background

- 1.1. The Cardiff Local Development Plan (LDP) was adopted by the Council on 28<sup>th</sup> January 2016 and sets out the Council's planning framework for the development and use of land in Cardiff over the period 2006 to 2026.

## Purpose of this Report

- 1.2. The draft Review Report sets out the proposed extent of likely changes to the existing LDP (2006-2026) and seeks to confirm the revision procedure to be followed in preparing a replacement LDP. It is proposed that the Replacement LDP will cover a plan period up to 2035, which is the end of a 15 year plan period that will commence in 2020.

## Structure of the Report

- 1.3. The draft Review Report is structured as recommended in national guidance and contains the following sections:
- 1.4. **Section 2** details the key legislative, national and local policy changes and evidence base that have occurred since the adoption of the LDP in 2016 which are important considerations to inform the review of the LDP and a summary of the main findings of the 2019 Annual Monitoring Report, taking into account the previous 2 AMR's and associated implications for review of the LDP.
- 1.5. **Section 3** provides an assessment of the current LDP and sets out the potential changes required in terms of the Vision and Objectives, Development Strategy and Policies to inform the review process.
- 1.6. **Section 4** considers the areas of evidence base that would need to be reviewed/ updated in preparing a revised LDP
- 1.7. **Section 5** considers the potential options for review of the LDP and opportunities for collaboration.
- 1.8. **Section 6** provides a conclusion on the appropriate form of plan revision.

## **2. Information and Issues informing the LDP Review**

### **Contextual Changes**

2.1. A wide range of contextual material has been published since the adoption of the LDP and creates a more up-to-date evidence base to inform plan review. This includes national legislation and relevant plans, policies and strategies at the national, regional and local level. The most significant of these changes are set out below.

### **Legislative Changes**

#### **Planning (Wales) Act 2015**

2.2. The Planning (Wales) Act received Royal Assent in July 2015 and came into force in stages between October 2015 and January 2016. It sets out a series of legislative changes to deliver reform of the planning system in Wales, to ensure that it is fair, resilient and enables development. The Act addresses 5 key objectives which includes strengthening the plan-led approach to planning. It introduces a legal basis for the preparation of a National Development Framework (NDF) and Strategic Development Plans (SDP). The NDF is a national land use plan which will set out Welsh Government's policies in relation to the development and use of land in Wales. It has currently reached the Consultation Draft stage with adoption anticipated in 2020 when the NDF is intended to replace the Wales Spatial Plan. SDPs are intended to address cross-boundary issues at a regional level such as housing, employment and waste and must be in general conformity with the NDF. The Regulations make reference to three strategic planning areas including South East Wales. It is anticipated that Cardiff will be part of this strategic planning area, in alignment with the emerging Cardiff Capital Region City Deal proposals. LDPs will continue to have a fundamental role in the plan-led system. The Act requires LDPs to be in general conformity with the NDF and any SDP which includes all or part of the area of the authority. SDPs must set the scene for the preparation of LDP 'Lites' by LPAs. These must be in general conformity with the SDP.

#### **The Town and Country Planning (Local Development Plan) (Wales) (Amendment) Regulations 2015**

2.3. Amendments to The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 were carried out in response to the outcome of the LDP Refinement Exercise and aim to simplify certain aspects of the local development plan process.

2.4. The amended Regulations:

- Remove the statutory requirement to advertise consultation stages in the local press;
- Allow local planning authorities to make revisions to the local development plan where the issues involved are not of sufficient significance to warrant the full procedure, without going through the full revision process;



- Eliminate the need to call for and consult on alternative sites following the deposit consultation; and
- Make minor and consequential amendments.

2.5. The amended LDP Regulations came into force on 28 August 2015 and together with the related policy and guidance in Planning Policy Wales (PPW) and the revised LDP Manual aim to make the LDP process more efficient and effective (i.e. enabling swifter plan preparation and revision without imposing unnecessary prescription). The amended Regulations do not have any implications for the current LDP but will need to be considered in relation to any Plan review and will be given further consideration as necessary.

### **Well-being of Future Generations (Wales) Act 2015**

2.6. The Well-being of Future Generations (Wales) Act gained Royal Assent in April 2015 and came into force on 1<sup>st</sup> April 2016. The Act strengthens existing governance arrangements for improving the well-being of Wales by ensuring that sustainable development is at the heart of government and public bodies. It aims to make a difference to the lives of people in Wales through setting objectives which maximise its contribution to achieving each of the seven wellbeing goals namely ‘a globally responsible Wales’, a prosperous Wales, a resilient Wales, a healthier Wales, a more equal Wales; a Wales of cohesive communities, and a Wales of vibrant culture and thriving Welsh Language.

2.7. The Act established a Public Service Board for each local authority area in Wales who must improve the economic, social environmental and cultural well-being of its area by working to achieve the well-being goals. The Cardiff PS are responsible for preparing and publishing a Local Well Being Plan (LWBP) which sets out its objectives and the steps it will take to meet them. The four statutory members of the PSB are the Local Authority, Local Health Board, Fire and Rescue Authority and Natural Resources Wales; other organisations are also invited. As part of its responsibility the PSB has produced a well-being assessment which assesses the state of economic, social, environmental and cultural well-being in Cardiff. The PSB LWBP was agreed in May 2018 and sets out a 5 year plan (2018-2023) to respond to the issues raised. The objectives are set out below and will inform the vision and objectives for the replacement LDP:

- Objective 1 A Capital City that Works for Wales;
- Objective 2 Cardiff grows in a resilient way;
- Objective 3 Safe, Confident and Empowered Communities;
- Objective 4 Cardiff is a great place to grow up;
- Objective 5 Supporting people out of poverty
- Objective 6 Cardiff is a great place to grow older; and
- Objective 7 Modernising and Integrating Our Public Services

2.8. Given that sustainable development is the core underlying principle of the LDP (and SEA) there are clear associations between the aspirations of both the LDP and Act/Local Well-being Plans. It is important that the Plan review process recognises the importance of responding to this agenda and consequent WG guidance as captured in the revised Planning Policy Wales (Edition 10) also referenced in this section.

### **Environment (Wales) Act 2016**

2.9. This Act received Royal Assent in March 2016 and came into force on 21<sup>st</sup> May 2016 and sits alongside the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015 in promoting sustainable use, management and development of Welsh resources. The Environment (Wales) Act introduces new legislation for the environment and provides an iterative framework which ensures that managing Wales' natural resources sustainably will be a core consideration in decision-making. It requires Natural Resources Wales (NRW) to prepare a State of Natural Resources Report that provides an assessment of natural resources and considers the extent to which they are being sustainably managed. The Act also requires Welsh Government to produce a National Natural Resources Policy that sets out the priorities, risks and opportunities for managing Wales' natural resources sustainably. NRW will also produce a local evidence base (Area Statements) to help implement the priorities, risks and opportunities identified in the National Policy and set out how these will be addressed.

### **Historic Environment (Wales) Act 2016**

2.10. The Historic Environment (Wales) Act 2016 received Royal Assent in March 2016. The Act makes important changes to the two main UK laws that provide the legislative framework for the protection and management of the historic environment: the Ancient Monuments and Archaeological Areas Act 1979 and the Planning (Listed Buildings and Conservation Areas) Act 1990. The Act will give more effective protection to listed buildings and scheduled ancient monuments; improve the sustainable management of the historic environment; and introduce greater transparency and accountability into decisions taken on the historic environment. While some of the Act's measures came into force in May 2016, the majority will require further secondary legislation or other preparations before they are brought into effect later in 2017 or in 2018.

### **Public Health (Wales) Act 2017**

2.11. The Public Health (Wales) Act 2017 received Royal Assent in July 2017. The Act makes changes to the law in Wales to improve health and prevent avoidable health harms. Some of the relevant changes in the Act include the production of a national strategy on preventing and reducing obesity and a requirement to undertake Health Impact Assessment (HIA) on key decisions.



## **National Planning Policy Amendments**

### **Planning Policy Wales and Technical Advice Notes**

2.12. Since the LDP was adopted in January 2016 Welsh Government have issued a completely revised version of Planning Policy Wales (Edition 10) in December 2018. This has been re-drafted so that the seven well-being goals and five ways of working of the Well Being of Future Generations Act 2015 is fully integrated into policy. It also puts the concept of placemaking into the heart of national planning policy in order to ensure that planning decisions consider all aspects of well-being and deliver new development which is sustainable and provides for the needs of all people. In addition the following new or amended Technical Advice Notes have been issued since the LDP was adopted in January 2016:-

- TAN 4: Retail and Commercial Development (November 2016)
- TAN12: Design (March 2016)
- TAN 20: Planning and the Welsh Language (October 2017)
- TAN21: Waste (February 2017)
- New TAN 24: The Historic Environment (May 2017)

### **Natural Resources Policy**

2.13. In line with the Environment (Wales) Act 2015 the Welsh Government produced a Natural Resources Policy (NRP) in August 2017. The focus of the NRP is the sustainable management of Wales' natural resources, to maximise their contribution to achieving goals within the Well-being of Future Generations Act. The NRP sets out three National Priorities: delivering nature-based solutions, increasing renewable energy and resource efficiency, and, taking a place-based approach. The NRP also sets the context for Area Statements, which will be produced by Natural Resources Wales, ensuring that the national priorities for sustainable management of natural resources inform the approach to local delivery. Local Planning Authorities must have regard to the relevant area statement in Local Development Plans. The implications of the NRP and the relevant Area Statement, which is due to be finalised in 2019, for the LDP will be considered through the revision process.

### **National Development Framework**

2.14. The Welsh Government has commenced work on the production of a National Development Framework (NDF) which will replace the Wales Spatial Plan. The NDF will set out the 20 year spatial framework for land use in Wales, providing a context for the provision of new infrastructure/growth. It will concentrate on development and land use issues of national significance which the planning system is able to influence and deliver. WG undertook a Call for Evidence and Projects between December 2016 and March 2017, consulted on Issues and Options in April 2018 and a draft NDF in August 2019. Any resultant implications of the NDF will be considered through the LDP revision process.

## Overview

2.15. Overall, there has been significant and strategic changes to the national legislative and policy framework which are considered to be of direct relevance to land use planning. Collectively, the new legislative policy and guidance represents a significant departure from the evidence base informing the existing LDP and supports the need to respond to this new contextual framework.

## Regional Context

### Cardiff Capital Region and City Deal

2.16. South-East Wales is identified as a new city-region in Wales, covering Cardiff and South-East Wales Local Authorities. As set out in the report 'Powering the Welsh Economy'<sup>1</sup>, the Cardiff Capital Region is intended to encourage the ten local authorities and other key partners in its boundaries to work together and collaborate on projects and plans for the area. The Authorities forming the Capital Region are continuing to work on a City Deal bid to fund projects aimed at boosting the competitiveness of the region over the next 20 years. Of note, the City Deal document was signed by the 10 local authority leaders, Secretary of State for Wales, Chief Secretary to the Treasury and First Minister in March 2016. The progress of the Cardiff Capital Region agenda, City Deal Bid and any subsequent implications for the LDP will be given further consideration in subsequent AMRs where appropriate.

### Neighboring LDPS

2.17. The **Vale of Glamorgan LDP** was adopted by the Council on 28<sup>th</sup> June 2017 and provides the local planning framework to 2026. The Council must commence a review of its LDP before June 2021.

2.18. **Rhondda Cynon Taff LDP** was adopted by the Council on 2<sup>nd</sup> March 2011 and provides the local planning policy framework up until 2021. RCT have commenced a review of their LDP covering the period 2020 to 2030 and a draft Review Report and Draft Delivery Agreement were agreed by their Cabinet on 17<sup>th</sup> October 2019.

2.19. The **Newport LDP** was adopted by the Council on 27<sup>th</sup> January 2015 and covers the plan period 2011 – 2026. A Full Review has not been commenced to date with the 4<sup>th</sup> AMR (October 2019) concluding that the Council is of the view that the LDP is performing well and enabling growth in sustainable locations. The AMR also recommends that consideration be given to triggering a review of the LDP prior to the fifth anniversary of the plan in January 2020 dependant on the outcome of discussions with Senior Managers and Members, Welsh Government, the development industry, neighbouring Authorities and progress with the Strategic Development Plan.

2.20. The **Caerphilly LDP** was adopted on 23<sup>rd</sup> November 2010 and covers the period 2006 – 2021. On the 8<sup>th</sup> October 2013, the Council considered the findings of the second AMR and resolved to commence work on the Review of the Plan in order to update the LDP to cover the Plan period up to 2031. The Council consulted on the Deposit

Replacement LDP between 11th February and 22nd April 2016. However, on 11th October 2016, following receipt of objections from the Welsh Government to the Deposit Replacement LDP consultation, the Council resolved to withdraw the Replacement LDP. Recently Caerphilly agreed at their Council meeting on 23<sup>rd</sup> October 2019 to commence work on a full revision of their adopted LDP.

## **Local Context**

2.21. A number of local policy documents and strategies have been prepared or revised since the adoption of the LDP.

## **Capital Ambition (2017 to 2022)**

2.22. This sets out the Administration's five-year policy agenda for the city. The plan focuses on four main areas: Working for Cardiff - making sure everyone who lives and works here can contribute to, and benefit from, the city's success. Working for Wales - A successful Wales needs a successful capital city. Working for the future - Managing the city's growth in a sustainable way. Working for public services - Making sure public services are delivered efficiently, effectively and sustainably in the face of rising demands and reduced budgets. The Corporate Plan (2019-2022) and the Well-Being Plan 2018-2023 are the key documents in delivering Capital Ambition.

## **Cardiff Well-Being Plan 2018-2023**

2.23. Under the provisions of the Well-Being of Future Generations Act, every Public Service Board in Wales must publish a Local Well-Being Plan by May 2018.

2.24. Having undertaken a local well-being assessment to understand the city's strengths and challenges, Cardiff's Public Services Board (PSB) has produced a Local Well-being Plan – a 5 year plan to respond to the issues raised.

2.25. The Well-being Plan sets out the Cardiff PSB's priorities for action focusing on the areas of public service delivery which fundamentally require partnership working between the city's public and community services, and with the citizens of Cardiff.

2.26. The Plan contains Well-being Objectives, high-level priorities that the Cardiff PSB has identified as being most important. It also contains 'Commitments,' or practical steps that the city's public services, together, will deliver over the next 5 years.

## **Bilingual Cardiff 5 Year Welsh Language Strategy**

2.27. The strategy was published in March 2017 following Cabinet and full Council consideration. It sets out our priorities for facilitating and promoting the Welsh language in Cardiff with our partners, starting our journey to becoming a truly bilingual capital for Wales.

## **Strategic Equality Plan**

2.28. In March 2016 the Council adopted a new plan to set out the Council's equality priorities for the next four years. Seven new Equality Objectives were agreed in conjunction with

local citizens and third sector organisations. These new Equality Objectives are shaping the Council's policy, service delivery, and support to employees – eliminating discrimination, advancing equality of opportunity, and fostering good relations between different groups.

### **Transport Strategy**

2.29. The Council's Transport Strategy was agreed by Cabinet in October 2016 and brings together the proposals in the Local Development Plan and the Local Transport Plan. The purpose of this strategy is to:

- Raise awareness of Cardiff's transport challenges over the next 20 years
- Highlight the main projects and actions which the Council proposes to undertake to tackle the challenges and increase sustainable travel in Cardiff

### **Clean Air Strategy**

2.30. This strategy was agreed by Cabinet in June 2019 and proposes major changes to vehicle access in Cardiff city centre, which form part of a £21 million plan to clean up the city's air. Proposal include:

- A new two-way segregated cycle track around the city centre, passing Cardiff Castle, Queen Street station and the Motorpoint Arena
- Traffic on Castle Street cut to one lane in each direction, keeping the southbound bus lane
- Single-lane traffic in Westgate Street plus one-way cycle lanes
- A gate on Westgate Street which would allow only buses to access the junctions with Wood Street and Park Street
- Loans of £3.8m to Cardiff Bus to buy 36 electric buses
- A target of 30% of taxi trade to switch to electric or hybrid vehicles

2.31. The Council has now submitted the plans to Welsh Government to request funding for the proposals.

### **Cardiff Older Persons' Housing Strategy 2019 - 2023**

2.32. This strategy sets out how the Council and its partners will deliver the best housing outcomes for all older people in Cardiff. The Strategy has a number of key aims, including planning new homes and communities to address future housing and care needs across all tenures and building strong inclusive communities and tackling social isolation.

### **The Council's Economic Strategy Building More Homes and Better Jobs**

2.33. The Economic Strategy contains 3 parts – a spatial strategy, an industrial strategy and underpinning themes to support the strategy and sets out a number of priorities and projects aimed at delivering the Council's aims for the economy over the next 10 years including: generating 20,000 additional jobs for the city –region; creating Wales first significant commercial business cluster in Central Square, Central Quay and Callaghan

Square; establishing Cardiff Bay as a leading UK urban visitor destination in its own right; putting Cardiff at the heart of the UK's Creative and Digital sector; positioning Cardiff as a national centre for Reg-Tech as part of its fin-tech and cyber security cluster; strengthening Cardiff city-region's place as the focal point for advanced manufacturing in Wales, focusing on compound semi-conductors and life sciences; supporting the city's communities and districts to take advantage of the city's growth and; establishing stronger city-region governance that delivers for Wales.

### **Cardiff 2030 A Ten Year Vision for a Capital City of Learning and Opportunity**

2.34. This strategy was launched in October 2019 and includes aims to continue to enhance and develop the education estate in order to meet the changing demographic and societal requirements of the city. The strategy includes commitments to deliver the 21<sup>st</sup> Century Schools Programme including new/rebuilt schools and deliver new schools to take account of population growth and economic development in the city through the LDP.

### **Welsh Government Population and Household Projections**

2.35. Since the LDP was adopted the Welsh Government has released population and household projections based on mid-year population estimates for 2014 (published 2016) and mid-year population estimates (published annually). The key changes for Cardiff are as follows:

- The 2014 based population projections indicate that population levels will increase from 354,294 to 395,679 between 2014 and 2026. This is a 2% lower level of increase to that projected in the LDP which showed an increase to 403,684.
- The 2014 based household projections indicate that household levels will increase from 147,582 to 169,745 between 2014 and 2026. This is a 5% lower level of increase to that projected in the LDP which showed an increase to 177,845.
- The Mid Year Estimates for the period 2011 to 2018 identify a steady increase from 345,442 to 364,248, which equates to an increase of 0.78% per year over the last 7 years.

2.36. New official Welsh Government population and household projections are anticipated in the near future. Together with previously issued projections since LDP adoption, this important source of evidence will clearly be of significance in the Plan review process where the level of growth over an increased time period will need to be assessed.

### **LDP Annual Monitoring Report – Key Findings**

2.37. Overall the findings of the third AMR for year 3 are positive with the majority of the indicators shown as green indicating that most LDP policies are being implemented effectively. A summary of performance against the main Plan topics are set out below with Appendix 1 setting out the data and conclusions in more detail.

2.38. **Employment** – Monitoring data shows continuing strong performance. Of particular importance is data regarding net job creation - There is a requirement for 40,000 new jobs over the plan period 2006-2026. 20,900 jobs were created between 2006 and 2015

and therefore the target for the remaining plan period is 19,100 jobs or 1,750 jobs annually. Since the first AMR (16/17) the number of jobs has been steadily increasing and the latest AMR shows an increase of 6,000 jobs since April 2018.

2.39. **Housing** – Monitoring data shows new homes have now started to be completed on many of the LDP Strategic Sites. Specifically, there are new completions on 3 of the Strategic Sites.

- 511 completions have been achieved at St Ederyns Village (just short of the 515 target included in the AMR);
- 167 completions have been achieved on the North West Cardiff Strategic site, which has three separate outlets underway with more planned in the near future
- 51 completions have been recorded on the North East Cardiff Strategic site and construction is underway at Churchlands.

2.40. Although these rates are below targets set out in the AMR it is now evident that the Plan-led approach is now starting to successfully drive the delivery of new homes at a level not seen for the last 10 years. The 1,444 completions in 2018/19 (43% higher than 2017/18) contrast with the previous 9 years where completions averaged 725 units per annum, with no year above 1,000 units for this period.

2.41. The data on housing delivery demonstrates the ‘lag’ between Plan adoption and homes being completed on new sites allocated in the Plan. Due to a combination of site assembly, legal and logistical factors experienced by landowners/developers along with the time required to secure the necessary planning and adoption consents, trajectories of delivery are slower than originally anticipated. This includes time spent securing the accompanying Section 106 Agreements which fully deliver the Council’s aspirations as set out in the LDP. Overall, over the 13 years between 2006 and 2019 a total of 16,521 new dwellings were built in Cardiff which represents 40% of the overall dwelling requirement.

2.42. However, construction has now started or is about to start on most of the strategic housing sites following the master planning and infrastructure plans approach as set out in the plan and it is therefore expected that housing completions over the remaining 7 years of the Plan period will increase significantly.

2.43. **Affordable Housing** - In terms of the delivery of affordable housing, the plan sets a target for the delivery of 6,646 affordable units to be provided for the 12 years between 2014 and 2026, with an interim target in the AMR to provide 1,942 affordable dwellings by 2019.

2.44. Monitoring data indicates that at 2019, 1,082 affordable units had been delivered which represents 25% of overall completions. Whilst this is less than the numerical target, as highlighted above it reflects the slower than anticipated progress in the strategic housing allocations being delivered. Given the low overall completion rates over previous years, it would be unrealistic in these circumstances to expect any significantly higher affordable housing contribution which inevitably reflects a percentage of the overall number of completions. As set out above, construction has now started or is

about to start on most of the strategic housing sites following the master planning and infrastructure plans approach as set out in the plan and it is therefore expected that affordable housing completions over the remaining 7 years of the Plan period will increase significantly.

- 2.45. **Transportation** - Data collected in relation to travel by sustainable modes is reflecting the fluctuations as shown in past trends over the last 10 years. This demonstrates that sustainable travel trends have continued to increase over the last 10 years for both work and shopping, although for leisure and education the trends show a slight decrease.
- 2.46. There has been a positive outturn in sustainable travel over the past year, with the target 1% increase having been achieved for each of the journey purposes, with significant growth in particular evident for journeys to Work (+5.3% mode-shift). In terms of sustainable travel modes, significant progress has been made in meeting cycling targets for all journey purposes with cycling to work in particular having experienced substantial growth in the past one year period (+3.7%). Train use has very slightly declined over the past year for work and education but the 10 year trend shows a significant increase. Walking has increase over the last year for all journey purposes with a fluctuating longer term trend. Bus use has decreased for education, shopping and leisure, reflecting a longer term downward trend.
- 2.47. At this juncture, without the significant roll-out of new houses and provision of supporting sustainable transportation infrastructure, the early stage of Metro delivery together with the ongoing implementation of wider Council initiatives, it is too early to draw any firm conclusions with regard to policy delivery, particularly given that the 50:50 modal split target relates to 2026. Future AMR's will provide formal regular annual updates. However, the masterplanning approach together with section 106 Agreements already secured will enhance the phased future provision of supporting transportation infrastructure along with other measures such as increased frequency of public transport services and provision of bus passes to new residents.
- 2.48. **Gypsy and Traveller Sites** - work is progressing the identification of sites to meet the evidenced need for permanent and transit Gypsy and Traveller sites. This has included discussions with the Welsh Government and work continues to secure appropriate outcomes. In terms of transit sites, it is considered that these would best be considered on a regional basis, requiring collaboration with neighbouring local authorities through the LDP revision process.
- 2.49. **Supplementary Planning Guidance** – Significant progress has been made in producing a programme of new Supplementary Planning Guidance (SPG) and since adoption of the LDP 18 SPGs have been approved by Council to support the policies in the adopted Plan and the Cardiff Infrastructure Plan is currently being updated.

2.50. **Contextual Changes** – the contextual review highlights significant changes in the national planning policy framework which has evolved significantly over the last three monitoring periods. In particular, Planning Policy Wales (PPW, Edition 10, December 2018) which in turn responds to the Well-being of Future Generations Act, 2015 have made significant changes to the high-level policy framework.



### 3. Review of LDP and potential changes required

#### LDP Vision

3.1. In order to tackle key issues and guide and manage future development the LDP identified a clear vision of what the City should look like in 2026. Therefore, an important aspect of the LDP review, will be assessing the extent the Plan vision should be updated having regard to changes since Plan adoption. Specifically, the LDP Vision was derived from the vision is as set out in the 10 year, 'What Matters' Strategy (2010-2020) and states that:

***By 2020...Cardiff will be a world class European capital city with an exceptional quality of life and at the heart of a thriving city-region.***

3.2. In order to deliver the vision set out in the 'What Matters' Strategy it identified the following seven strategic outcomes:

- People in Cardiff are healthy
- People in Cardiff have a clean, attractive and sustainable environment
- People in Cardiff are safe and feel safe
- Cardiff has a thriving and prosperous economy
- People in Cardiff achieve their full potential
- Cardiff is a great place to live, work and play
- Cardiff is a fair, just and inclusive society

3.3. The "What Matters" Strategy was replaced by a Local Well Being Plan (Agreed May 2018) which a requirement of the Well Being of Future Generations Act (2015).

3.4. The review process provides a timely opportunity to consider the implications of the new context for determining the most appropriate future vision.

#### LDP Objectives

3.5. The LDP Vision is delivered through 4 Strategic Objectives (and 23 specific objectives) which seek to respond to the evidenced economic and social needs but in a way that is co-ordinated, respects and enhances Cardiff's environment and sets out a framework for delivering the sustainable neighbourhoods of the future. These four strategic objectives are at the centre of the LDP: They are:

1. To respond to evidenced economic needs and provide the necessary infrastructure to deliver development;
2. To respond to evidenced social needs;

3. To deliver economic and social needs in a co-ordinated way that respects and enhances Cardiff's environment; and
4. To create sustainable neighbourhoods that form part of a sustainable city.

### Assessment of the existing LDP Objectives against the Well Being Goals

3.6. The assessment of compatibility between the 4 Strategic LDP Objectives (and 37 specific objectives) and the 7 Well Being Goals indicates that the current LDP Objectives contribute to achieving a range of Well Being goals and individual objectives delivering multiple goals. There is no obvious conflict between the Objectives and the Well Being Goals. However, the review process will allow a more in-depth assessment to take place and inform the most appropriate and up-to-date objectives.

3.7. The table below provides an assessment of LDP Objectives against Well Being Goals.

### Seven Well Being Goals

<b>Prosperous Wales</b>
<b>Resilient Wales</b>
<b>Healthier Wales</b>
<b>More Equal Wales</b>
<b>Wales of Cohesive Communities</b>
<b>Wales of vibrant culture and thriving Welsh Language</b>
<b>Globally Responsible Wales</b>

LDP Objectives	Well Being Goals						
	Prosperous	Resilient	Healthier	More Equal	Cohesive	Vibrant	Responsible
<b>1. To respond to evidenced economic needs and provide the necessary infrastructure to deliver development</b>	Green	Green	Green	Green	Green	Green	Green
<i>1a. To effectively respond to Cardiff's role as capital city for Wales, seat of the National Government and centre of the city-region in terms of providing a range and choice of economic opportunities that will drive the prosperity of the region.</i>	Light Green	White	Light Green	Light Green	Light Green	Light Green	White

LDP Objectives	Well Being Goals						
	Yellow	Orange	Red	Dark Red	Dark Blue	Blue	Light Blue
1b. To maximise the economic potential of the city centre of Cardiff as a major financial and service sector opportunity that builds upon its position next to a transport hub of national and regional significance and is readily accessible from all areas within the city and well connected to other UK cities.	Green		Green	Green	Green		
1c. To maintain and enhance the vitality, attractiveness and viability of the city centre as a major retail and cultural destination and as a place to work, visit and live.	Green		Green	Green	Green	Green	
1d. To continue the successful regeneration of the Cardiff Bay area, maximising opportunities for quality commercial buildings and further development, particularly water and river frontage developments that can provide attractive and distinctive environments.	Green		Green	Green	Green		
1e. To promote clusters of specialist sectors and research & development expertise including the following key sectors: ICT; Energy and environment; Advanced materials and manufacturing; Creative industries; Life sciences; and Financial and professional services.	Green		Green	Green	Green		
1f. To ensure a range and choice of employment land and business premises at sustainable locations across the city is provided to assist economic competitiveness, encourage entrepreneurship, promote the growth of indigenous businesses of all types and size and attract inward investment.	Green		Green	Green	Green		
1g. To assist the promotion of Cardiff as a major tourist destination including the provision of the development of a variety of high quality tourist facilities and visitor accommodation.	Green		Green	Green	Green	Green	
1h. To create a physical and economic environment that develops, attracts and retains skilled workers, businesses and entrepreneurs to Cardiff together with maximising links with Universities and supporting indigenous skills and enterprises.	Green		Green	Green	Green	Green	
1i. To quantify critical strategic infrastructure required to realise development aspirations and set out clear mechanisms for delivery including sustainable transport solutions for strategic sites.	Green	Green	Green	Green	Green		Green
1j. To establish Cardiff as a sustainable travel city by reducing the need to travel, increasing the use of sustainable travel modes and networks (particularly walking and cycling), decreasing private car use and improving the city's key transport hub based at the adjacent central bus and train stations.	Green	Green	Green	Green	Green		Green
1k. To protect existing mineral resources and ensure an adequate supply of limestone aggregates in the north west of the city for the construction industry and to promote their efficient and appropriate usage, including the use of recycled aggregates where possible.	Green		Green				Green
1l. To support sustainable collection and recycling methods for Municipal Waste by maintaining and improving an integrated network of facilities in Cardiff.	Green	Green	Green				Green

LDP Objectives	Well Being Goals						
	Yellow	Orange	Red	Dark Red	Dark Blue	Blue	Light Blue
<i>1m. To lead and participate in securing regional facilities for the sustainable treatment and disposal of Municipal Waste in accordance with the Regional Waste Plan and in a manner that follows the waste hierarchy which seeks to maximise the reduction of waste in the first place and thereafter reusing, recovering and recycling options before the disposal of waste material is considered.</i>	Green	Green	Green	White	White	White	Green
<i>1n. To facilitate an integrated network of commercial and industrial sustainable waste management facilities consistent with the needs of the South East Wales area and in a manner that follows the waste hierarchy which seeks to maximise the reduction of waste in the first place and thereafter reusing, recovering and recycling options before the disposal of waste material is considered.</i>	Green	Green	Green	White	White	White	Green
<b>2. To respond to evidenced social needs</b>	Green	Green	Green	Green	Green	Green	Green
<i>2a. To provide new homes required to support the economic progression of the city and to respond to population change, continued in-migration and evidenced demand for affordable and family housing so that social needs can be addressed.</i>	Green	White	Green	Green	Green	White	Green
<i>2b. To provide a range and choice of new homes of different tenure, type and location that meets specific needs such as the provision of affordable housing, family accommodation, housing for the elderly, the disabled and students and pitches for the gypsy and traveller community.</i>	Green	White	Green	Green	Green	White	Green
<i>2c. To maximise the use of the existing building stock through refurbishment, retro-fitting and empty homes initiatives.</i>	Green	White	Green	White	White	White	White
<i>2d. To bring about changes to Cardiff's environment and neighbourhoods that help to tackle health inequalities, promote good health and enable healthier lifestyles to be led by the city's population in line with Cardiff's status as a World Health Organisation, 'Healthy City'.</i>	Green	White	Green	Green	Green	White	White
<i>2e. To bring about changes to Cardiff's environment that create a safer city and reduce the likelihood, fear and consequences of crime.</i>	Green	White	Green	White	Green	White	White
<i>2f. To create an environment that is made more accessible to all groups in society so that the employment opportunities, facilities and services of the city can be more readily used and enjoyed by all.</i>	Green	White	Green	Green	Green	White	White
<i>2g. To maximise the multi-functional role played by Cardiff's parks, open spaces and allotments together with improving their accessibility for the whole community.</i>	Green	White	Green	Green	Green	White	White
<i>3h. To recognise, support and enhance the key role played by existing District, Local and Neighbourhood Centres as accessible local hubs providing community services, local shops, healthy food choices, businesses, employment and access to public transport.</i>	Green	White	Green	Green	Green	White	White

LDP Objectives	Well Being Goals						
	Yellow	Orange	Red	Dark Red	Dark Blue	Blue	Light Blue
2i. To support the regeneration of local neighbourhoods including reducing inequalities, particularly areas experiencing high levels of deprivation, areas vulnerable to decline and areas with opportunities for change.	Green		Green	Green	Green		
2j. To ensure that the necessary education and training facilities are provided and are accessible to all: to build strong futures for children, provide a diverse range of learning opportunities for all and assist economic progress through the development of required skills.	Green		Green	Green	Green		
2k. To develop new cultural, leisure and sporting facilities to meet needs and enhance Cardiff's role as a premier cultural and sporting destination.	Green		Green		Green	Green	
2l. To ensure that the necessary community and cultural facilities (community centres, shops with healthy food choices, youth facilities, child care, faith buildings, health centres, etc.) are provided that are accessible to all in areas that are deprived.	Green		Green	Green	Green		
2m. To address rising unemployment and provide accessible local job opportunities, particularly in areas of greatest need.	Green		Green	Green	Green		
2n. To promote social inclusion, equality of opportunity and access for all.	Green		Green	Green	Green		
<b>5. To deliver economic and social needs in a co-ordinated way that respects Cardiff's environment and responds to the challenges of climate change.</b>	Green	Green	Green	Green	Green	Green	Green
3a. To mitigate the effects of climate change through reducing energy demand and increasing the supply of renewable energy.		Green	Green				Green
3b. To ensure that Cardiff adapts to the full anticipated impacts of climate change and that new development and infrastructure is designed to be resilient to possible consequences.		Green	Green				Green
3c. To protect, manage and enhance Cardiff's natural environmental assets.	Green	Green	Green				Green
3d. To conserve and enhance Cardiff's built and historic assets that define distinctive character and reflect its past development.	Green	Green	Green				Green
3e. In identifying new sites to meet economic/social needs, to follow a sequence of firstly maximising the contribution of brownfield sites, then identifying greenfield sites that are considered to represent the most	Green	Green	Green				Green
3f. To have full regard to flood risk when considering the acceptability of development proposals and considering mitigation and adaptation measures.		Green	Green				Green
3g. To maximise opportunities to create a cleaner and more attractive environment that enhances the quality of life and helps Cardiff to become a world-class European capital city.	Green	Green	Green	Green	Green	Green	Green
<b>6. To create sustainable neighbourhoods that form part of a sustainable city</b>	Green	Green	Green	Green	Green	Green	Green

LDP Objectives	Well Being Goals						
	Yellow	Orange	Red	Dark Red	Dark Blue	Blue	Light Blue
4a. To ensure that all new development areas (whether greenfield or brownfield) create sustainable neighbourhoods.	Green	Green	Green	Green	Green	Green	Green
4b. To take opportunities to apply the above principles to existing neighbourhoods in order to create a more sustainable city.	Green	Green	Green	Green	Green	Green	Green

## LDP Strategy and Policies

3.8. The LDP strategy and policies have been reviewed having regard to the following:

- Findings of the three LDP Annual Monitoring Reports;
- Significant contextual changes that have occurred since the Plan’s adoption, including changes in national policy and legislation and updates to the evidence base; and
- Internal consultation with relevant specialist officers.

3.9. This gives an overview of whether a policy/allocation is functioning effectively, whether any amendments are likely to be needed and whether any policies should be removed as part of the Plan revision process. The policy assessment undertaken to date is not considered to be definitive and further consideration will be given to the need to revise the Plan’s policies as part of the revision process.

3.10. The revision of the Plan will also need to consider the implications of an extended Plan period. The current Plan runs to 2026, with the Replacement Plan likely to extend to 2035 (plan period 2020-2035). Extending the Plan period will result in a revised dwelling need and a requirement for new sites for both market and affordable dwellings. It will need to take account of the revised version of Planning Policy Wales, latest population and household projections and a revised Local Housing Market Assessment, as well as other updates to the evidence base. Furthermore, the review process can also explore the ways that a new plan could respond to current challenges such as the climate emergency, obesity crises and other issues identified below. These updates and issues will need to be thoroughly considered and addressed in a comprehensive manner.

3.11. The key policy areas that are considered likely to require amendment based on the policy review assessment are discussed in more detail below.

### Level of growth, delivery, spatial distribution and allocations (KP1, KP2 A-H, H1)

3.12. The proposed level of housing provision in the LDP is 41,415 dwellings (Policy KP1) over the Plan period 2006-2026. This figure was primarily informed by the then latest WG household projections which projected a population rise of 33% over the Plan period. Official WG population and household projections issued since have shown reduced levels of growth, with the latest 2014 based population and household

projections showing a 2% lower level of increase in population and 5% lower level of increase in households.

- 3.13. Whilst the level of growth in the latest WG projections has reduced, Cardiff is still projected to experience significant growth over future years. This is illustrated by the fact that even using these latest WG projections Cardiff's population is still expected to grow by 18% up to 2035. This growth is be driven by both natural change – the difference between births and deaths and net migration levels – the difference between in and out migration. Whilst growth due to natural change is easier to predict growth as a result of migration is more volatile and difficult to predict.
- 3.14. New WG projections are anticipated in the near future and can help directly inform the Plan review process which will need to assess the most appropriate level of growth for a Plan period beyond the end date of the existing LDP.
- 3.15. In terms of spatial distribution, the LDP recognises that brownfield sites will continue to play an important role in delivering windfall sites and proposes that brownfield sites contribute over half of the provision. However, the LDP also recognises that that there is a limited supply of brownfield land. Therefore, in order to provide a catalyst to the local housing market and recognise the role greenfield sites can play in bringing forward high levels of affordable and family housing and wider provision of strategic infrastructure the LDP proposes 5 strategic greenfield housing allocations around the edge of the city, to deliver a total of 13,450 homes by 2026 (Policies KP2 (C) to KP2 (G)).
- 3.16. Future considerations as part of the review process can also be usefully informed by evidence regarding the delivery of growth. In this respect it is clear that the Plan-led approach is now starting to successfully drive the delivery of new homes at a level not seen for the last 10 years. The 1,444 completions in 2018/19 (43% higher than 2017/18) contrast with the previous 9 years where completions averaged 725 units per annum, with no year above 1,000 units for this period.
- 3.17. The data on housing delivery demonstrates the 'lag' between Plan adoption and homes being completed on new sites allocated in the Plan. Due to a combination of site assembly, legal and logistical factors experienced by landowners/developers along with the time required to secure the necessary planning and adoption consents, trajectories of delivery are slower than originally anticipated. This includes time spent securing the accompanying Section 106 Agreements which fully deliver the Council's aspirations as set out in the LDP. Overall, over the 13 years between 2006 and 2019 a total of 16,521 new dwellings were built in Cardiff which represents 40% of the overall dwelling requirement.
- 3.18. However, construction has now started or is about to start on most of the strategic housing sites following the master planning and infrastructure plans approach as set

out in the plan and it is therefore expected that housing completions over the remaining 7 years of the Plan period will increase significantly.

3.19. Evidence gained from the Housing Land Availability Study can also inform the plan review process. Data from the last 10 years is shown below and shows that Cardiff has not achieved a 5 year housing land supply over this period. However, since the adoption of the plan in 2016, the overall land bank, including dwellings estimated to be completed beyond 5 years, has significantly increased to around 13,788. Despite the housing land supply currently standing at 3.5 years, Cardiff has therefore has a large overall landbank of 24,947 dwellings with such data providing an important source of information to inform the review process.

**Table 1: Cardiff Housing Land Supply April 2009 to April 2018**

Year	Number of Years Supply
2009	4.5
2010	3.4
2011	2.3
2012	2.9
2013	3.2
2014	3.6
2015*	No adopted Plan in place
2016	3.8
2017	3.6
2018	3.5

3.20. Overall, the evidence summarised above demonstrates that good progress is now being made and importantly the spatial housing strategy is sound and is adhering to the masterplanning and infrastructure plan approach embedded in the plan.

3.21. However, the review process provides an opportunity to revisit the most appropriate future levels of growth for an extended Plan period and allows a thorough analysis of all other relevant factors such as delivery, urban capacity, spatial approach and how the level of growth would form a key element of the overall Plan strategy.

### **Affordable Housing (H3)**

3.22. In terms of the delivery of affordable housing, Policy KP13: Responding to Evidenced Social Needs sets a target for the delivery of 6,646 affordable units to be provided for the 12 years between 2014 and 2026, with an interim target in the AMR to provide 1,942 affordable dwellings by 2019.

3.23. Monitoring data indicates that at 2019, 1,082 affordable units had been delivered which represents 25% of overall completions. Whilst this is less than the numerical target, as highlighted above it reflects the slower than anticipated progress in the strategic



housing allocations being delivered. Given the low overall completion rates over previous years, it would be unrealistic in these circumstances to expect any significantly higher affordable housing contribution which inevitably reflects a percentage of the overall number of completions.

- 3.24. Encouragingly, the allocated strategic sites are securing the required 30% affordable housing through the issuing of planning consents. This accords with the policy set in the LDP but the physical completions are yet to be fully implemented on the ground.
- 3.25. Construction has now started or is about to start on most of the strategic housing sites so affordable housing completions over the remaining 7 years are expected to increase significantly. This conclusion is supported by the fact there are an additional 4,790 affordable homes in the landbank, which are due to come forward over the next 7 years.
- 3.26. In addition, the Council has a target of delivering 2,000 Council homes, with 1,000 of these programmed to be delivered by May 2022. Part of this target will be delivered through the Cardiff Partnership Programme, which has a target of delivering 1,500 homes in the next 10 years (600 of these will be council homes). To date 109 Council homes have been completed and a further 191 are currently under construction.
- 3.27. Away from the Strategic Sites, a wide range of percentages of affordable housing has been achieved on brownfield sites. Examples include Former Highfields Road Centre, Allensbank Road (24%), Briardene, North Road (23%), Former Wharf Pub, Atlantic Wharf (17%), Capital Quarter (20%) and Avenue Industrial Park (20%).
- 3.28. An issue which can be further assessed as part of the review process relates to the impact of viability factors undermining the ability of some sites/proposals to deliver either on-site provision or off-site contributions. Whilst the greenfield strategic sites allocated in the LDP with a clear Plan-led requirement to deliver provision have successfully met expectations, some brownfield windfall proposals are using viability evidence to justify a limited or zero provision (given the policy requirement is subject to viability considerations).
- 3.29. The review process will therefore allow a further analysis on need data, the most appropriate policy response, a thorough consideration of viability aspects and wider analysis of potentially suitable sites to meet the demand.

### **Gypsy & Traveller accommodation (H7)**

- 3.30. The Housing (Wales) Act 2014 requires each local authority in Wales to undertake a Gypsy and Traveller Accommodation Assessment to ensure that needs are properly assessed and planned for. An assessment was required to be submitted to Welsh Government by February 2016 with a statutory duty placed on local authorities to make provision for site(s) where an assessment identifies an unmet need.

- 3.31. The Cardiff Gypsy and Traveller Accommodation Assessment was formally approved by Welsh Government in 2016. In summary, the GTAA covers the period 2016-2026 and estimates the additional pitch provision needed for Gypsies and Travellers in Cardiff. For the first 5 years of the GTAA plan period, there is a requirement for 48 additional pitches, and for the remainder of the GTAA plan period, a further 24 additional pitch is required. This gives a total need for the whole GTAA plan period of 72 additional pitches.
- 3.32. Work is progressing the identification of sites to meet the evidenced need for permanent and transit Gypsy and Traveller sites. This has included discussions with the Welsh Government and work continues to secure appropriate outcomes. In terms of transit sites, it is considered that these would best be considered on a regional basis, requiring collaboration with neighbouring local authorities through the LDP revision process.
- 3.33. This issue will need to be given further consideration in the LDP revision process with a clear need for the process to demonstrate the ability to identify an appropriate level of need and how this will be met in terms of site allocation(s).

#### **Detailed housing policies (H2, H4-6)**

- 3.34. The plan review provides an opportunity to review these policies which concern changes of use of existing residential properties, conversions/redevelopment to residential use and the sub-division of residential properties.
- 3.35. Collectively, these policies provide the framework for managing an important aspect of housing supply in the city and can help deliver important brownfield contributions to supply in sustainable locations.
- 3.36. The review process allows a refreshed consideration of these policies to take into account changes in national planning policy, contextual changes, any changes in the LDP evidence base and monitoring of on-going Development Management decisions. In this respect, the issue of sub-divisions/conversions into HMOs and flats is a matter which is considered to warrant a detailed analysis in response to concerns regarding the cumulative impact of proposals on local communities and amenity considerations of occupiers and neighbours. Whilst additional SPG has been prepared, appeal decisions are not always supporting the Council's position so a review is considered timely.

#### **Employment (KP9, EC1-7)**

- 3.37. Local Development Plan Policy KP9: Responding to Evidence Economic Needs responds to Cardiff's role as the main economic driver in South East Wales and deliver the strategic aspirations for economic development in Cardiff and meet the demand for 40,000 new jobs over the plan period through the identification and protection of

employment land and premises and opportunities to deliver the key economic growth sectors.

3.38. The Local Development Plan's employment land is safeguarded for employment purposes, with Policies EC1, EC3 and EC4 and the future prosperity of the local economy is facilitated by ensuring that Cardiff can offer a range and choice of employment sites and premises for employment uses with the allocation of Cardiff Central Enterprise Zone (Policy KP2 (A)) and South of St Mellons Business Park (Policy KP2 (H)). In addition policy EC7 allows for employment proposals on land not identified for employment uses which provides an element of flexibility, should there be an additional demand for employment land over the plan period and which will satisfactorily enable businesses to locate within the County.

3.39. An analysis of monitoring indicators during the period 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019 shows continuing strong performance. Of particular importance is data regarding net job creation - There is a requirement for 40,000 new jobs over the plan period 2006-2026. 20,900 jobs were created between 2006 and 2015 and therefore the target for the remaining plan period is 19,100 jobs or 1,750 jobs annually. Since the first AMR (16/17) the number of jobs has been steadily increasing and the latest AMR shows an increase of 6,000 jobs since April 2018 which demonstrates that Policy KP1 is functioning effectively. Other findings include:

- The employment land permitted (hectares) on allocated sites as a percentage of all employment allocations is 2.4%, slightly higher than the previous 12 months. While the take up in terms of hectares would appear low, the schemes permitted are high density, high rise offices which have smaller land requirements.
- Office completions amounted to 39,726sq m largely attributable to completions within the Central Enterprise Zone. A further 42,652sq m of office floorspace is under construction and 49,328sq with planning permission which is not yet started.
- Although falling short of the annual target there have been a number of significant industrial completions, which includes 0.6ha for a new brewery production facility/head office at Pacific Business Park.
- There are a number of current planning permissions for industrial use including 16.5ha of land for a biomass power plant with industrial accommodation.
- The employment land lost to alternative uses has largely been as a result of uses which are considered complementary uses such as day nursery, gyms and small scale food and drink uses to cater for the needs of the workforce.
- Planning permissions have been granted on strategic sites at North West Cardiff, part of north east Cardiff and North West Cardiff, however, the employment elements of these residential led schemes are yet to be started. Pre application

dialogue is continuing with regard to the strategic employment site at St. Mellons Business Park which will inform a submission for consent in the near future.

3.40. Overall, the LDP policy review has found in general the Plan's employment policies are functioning effectively in enabling appropriate industrial and business development across the county. However as part of the revision process, consideration will need to be given to the economies of the future and their locational, sites and premises requirements, new labour force projections, an assessment of current employment land allocations and the identification of new employment land allocations. The Council's long term economic priorities and aspirations linked to the Cardiff Capital Region City Deal and Cardiff's Economic Strategy 'Building More and Better Jobs' will also need to be considered through the revision process.

### **Retail (Policies KP10, R1 to R8)**

3.41. Policy R1: Retail Hierarchy is the central component of the retail strategy and establishes the hierarchy of centres in line with national guidance and favours new and improved retail facilities within the Central Shopping Area and at an appropriate scale, within district and local centres, whilst seeking to control the amount, size and nature of out-of-centre retail.

- The latest annual retail survey indicates that:
- Central Shopping Area – vacancy rate is 10.7%
- District centre – vacancy rate is 10%
- Local centre – vacancy rate is 8%
- Vacancy rates in the Central Shopping Area and Local Centres have fallen since the 2017/18 AMR and are in line with national trends.

3.42. These average vacancy rates are below the Goad UK average 11.8%. This below average vacancy rate suggest that the LDP retail policies are functioning effectively and there is a reasonable balance between the supply of shop premises and occupiers demand for space within these centres. The presence of some vacancies within centres provides an opportunity for new businesses to enter the market, attracting investment and modernising vacant units.

3.43. A new Retail Study will be undertaken in order to inform the revised LDP. This study will provide an update of the retail expenditure forecasts for comparison and convenience retail for the County. The purpose of a new retail study will be to provide comprehensive data and information on the current performance of the retailing and commercial centres and to provide an up-to-date assessment of retail expenditure capacity within the County and identify capacity for comparison and convenience goods. This updated study will inform the Plan revision in terms of retail strategy, retail policies and LDP allocations. Wider work will also be undertaken in response to the current challenges faced by the High Street to inform the merits or otherwise of how future LDP policy can respond most effectively.

## **Transport (KP8, T1-T9)**

- 3.44. Data collected in relation to travel by sustainable modes is reflecting the fluctuations as shown in past trends over the last 10 years. This demonstrates that sustainable travel trends have continued to increase over the last 10 years for both work and shopping, although for leisure and education the trends show a slight decrease.
- 3.45. In terms of sustainable travel modes, significant progress has been made in meeting cycling targets for all journey purposes with cycling to work in particular having experienced substantial growth in the past one year period (+3.7%). Train use has very slightly declined over the past year for work and education but the 10 year trend shows a significant increase. Walking has increase over the last year for all journey purposes with a fluctuating longer term trend. Bus use has decreased for education, shopping and leisure, reflecting a longer term downward trend.
- 3.46. In accordance with Welsh Government Local Transport Plan (LTP) guidance (May 2014), Cardiff Council prepared a new Local Transport Plan (LTP) in 2015 which was approved by Welsh Government. The LTP replaces the 2010 South East Wales Regional Transport Plan (RTP) which informed the preparation of the adopted LDP. As directed by the guidance, the LDP is an update of schemes and priorities identified in the RTP.
- 3.47. In addition, the LTP reflects the requirements of the Active Travel (Wales) Act 2013 which places a duty on local authorities in Wales to continuously improve facilities and routes for pedestrians and cyclists, together with preparing maps identifying current and potential future routes. Cardiff has made good progress in advance of the Act through schemes to develop the city's Strategic Cycle Network and numerous pedestrian improvements. Recent increases in cycling trips demonstrate Cardiff's potential to become one of the UK's leading cycling cities. Any new or amended proposals for active travel routes and facilities, especially for walking and cycling may be considered for safeguarding through the LDP revision process where they are within a programme, supported by funding and likely to be delivered in the plan period.
- 3.48. The Council's Transport Strategy was agreed by Cabinet in October 2016 and brings together the proposals in the Local Development Plan and the Local Transport Plan. The purpose of this strategy is to:
- Raise awareness of Cardiff's transport challenges over the next 20 years
  - Highlight the main projects and actions which the Council proposes to undertake to tackle the challenges and increase sustainable travel in Cardiff
- 3.49. Consideration will also be given to the policy/land use implications of the Cardiff Capital City Region South East Wales Metro proposals in the Plan revision process.

The Metro proposals seek to improve transport connectivity across the region which is integral to achieving wider economic and social outcomes for South East Wales.

3.50. Overall, the direction of travel of the LDP policies is considered to be consistent with subsequent guidance produced at a national and local level. Indeed, the approach set out in the LDP for sustainable travel, modal shift and active travel are considered to become more fully embraced in national policy. The review process allows for the further development of this approach to maximise the way that sustainable travel can form part of the overall plan strategy.

#### **Environment (KP3 A&B, KP15-16, KP18, EN1-8, EN10-14)**

3.51. The effectiveness of Green Wedge and Settlement boundary policies has been monitored by the 3 AMR's produced to date and no applications for inappropriate development in the Green Wedge have been permitted and no applications were permitted outside the settlement boundary that did not satisfy policy, since the LDP was adopted. Given this it is considered that both these policies are functioning effectively. However, as part of the review of the plan a review of both the boundary of the Green Wedge and Settlement boundary will take place to ensure it takes account of changes in national planning policy and the evidence base for the plan.

3.52. The effectiveness of wider environment policies (EN1-8) has been monitored by the 3 AMR's produced to date and have shown that there has been no negative impact on Special Landscape Areas, Ancient Woodlands, SSSI's, SNCI's, and Natura 2000 and European designated sites. Given this it is considered that both these policies are functioning effectively. However, as part of the review of the plan a review of these policies will take place to ensure it takes account of changes in national planning policy, contextual changes and any changes in the LDP evidence base.

3.53. The effectiveness of natural resources policies (KP18, EN11, and EN13) has been monitored by the 3 AMR's produced to date and have shown that there has been no negative impact on water quality and quantity and the number of Air Quality Management Areas has not increased since the plan was adopted. Given this it is considered that both these policies are functioning effectively. However, as part of the review of the plan a review of these policies will take place to ensure it takes account of changes in national planning policy, contextual changes and any changes in the LDP evidence base.

3.54. The effectiveness of policies regarding climate change (KP15, EN10, EN12, EN14) have been monitored by the 3 AMR's produced to date and they have shown the policies are functioning effectively.

3.55. Monitoring for the flood risk policies shows that no applications for highly vulnerable development have been permitted in flood zone C2 and only 4 applications for highly vulnerable development have been permitted in flood zone C1, which didn't meet the flood risk criteria set out in TAN15. These applications related to the conversion and

extension of existing properties in the Canton and Riverside area of the city to flats and Natural Resources Wales had objected stating the depth of flooding at ground floor level would be greater than 600 metres and therefore did not meet the tolerable limits set out in TAN15 (Section A1.14). In determining these applications the Council considered that it would be unreasonable to refuse planning permission on this issue as the properties were already in residential use and surrounded by other residential properties with the same finished floor level. In addition it was noted that each flat unit has access to a first floor refuge and in both cases the applicant was made aware of the risk of flooding at the premises. Given this it is considered these four applications raise particular issues that need separate consideration and are not related to the performance of Policy EN14 which is functioning effectively as evidenced by the fact that flood risk has been considered.

- 3.56. However, as part of the review of the plan a review of these policies will take place to ensure it takes account of changes in national planning policy and the evolving evidence base relating to the links between climate change and flood risk in order to ensure the plan review responds to the climate change emergency.
- 3.57. In relation to Policy EN12: Renewable Energy and Low Carbon Technologies the LDP review found that since the adoption of the LDP a total of 6 schemes have been permitted.
- 3.58. In many respects, it is considered that there is relatively limited scope for renewable energy in Cardiff. Unlike some other local authorities in Wales, Cardiff has no Strategic Search Areas (TAN8) thereby restricting the potential for harnessing large-scale onshore wind power. With regards to other technologies, Cardiff is a relatively small area with much of its land already developed. Outside the urban areas, topography, environmental constraints plus relatively high land values constrain opportunities for medium-large renewable energy generation. There are however exceptions, within the former docklands two notable schemes are already in operation including an Energy Recovery Facility in Splott (30MW) and more recently a biomass plant in Tremorfa (2MW). Planning permission was also granted in June 2018 for a biomass plant at Rover Way (9.5MW) and just outside the current monitoring period in May 2019 for a 8.7 MW Solar Farm on the former Lamby Way tip. Also during the year 9 applications were granted planning permission which incorporated solar energy amounting to 0.52 MW in total.
- 3.59. However, significant contextual changes have occurred in relation to renewable and low carbon energy since LDP adoption which will need to be considered/addressed through the LDP review process. In addition, the Cardiff Renewable Energy Assessment (September 2013) informed the policies set out within the LDP. The new LDP will need to consider the revised Toolkit and address the additional requirements set out within it to produce a revised REA as evidence to support carbon reduction targets and mitigate the effect of climate change.

3.60. Overall, the plan review process will need to look beyond AMR reporting and the analysis of existing policy in response to the current declared Climate Emergency and wider evidence regarding the extent and magnitude of issues faced. The review process can explore the most appropriate policy response to this changed context.

### **Built Heritage (KP17, EN9)**

3.61. The effectiveness of these policies has been monitored by the 3 AMR's produced to date and have shown that all the relevant applications received on historic environment assets were considered to be policy compliant subject to conditions/recommendations placed on the permission. No applications were permitted with an outstanding objection from statutory heritage advisors. Given this it is considered that both these policies are functioning effectively. However, as part of the review of the plan a review of these policies will take place to ensure it takes account of changes in national planning policy, contextual changes and any changes in the LDP evidence base.

### **Masterplanning, design and infrastructure (KP4-7)**

3.62. The Materplanning Approach set out in KP4 (and delivered in a site-specific manner through Policies KP2 (A) to (H)) has proved very effective in providing an over-arching framework to ensure that Strategic Sites are delivered in a comprehensive manner; putting placemaking principles at the heart of new developments, and delivering necessary infrastructure in a timely manner. Policy KP5, alongside a series of new design supplementary planning guidance, has also proved effective in setting detailed criteria to secure high quality and sustainable design.

3.63. Changes to Planning Policy Wales (Edition 10) in 2018 are broadly consistent with this policy approach. The review process will provide the opportunity to further embed placemaking principles through good design, preservation of heritage assets, biodiversity and community infrastructure delivery within the planning policy framework.

3.64. LDP Strategic Policy KP6: New Infrastructure identifies that new development will make appropriate provision for, or contribute towards, the necessary infrastructure required as a consequence of proposed new development. LDP Strategic Policy KP7: Planning Obligations seeks contributions from developers towards the additional demands new development generates upon existing services, facilities, infrastructure and the environment, as well as negotiating benefits that improve the standard of development proposals by providing necessary infrastructure and community benefits. This policy is delivered through the development management process.

3.65. Since 2009, the Council has secured £164 million in financial contributions from planning applications (see table 2 below). This figure does not include on-site works such as affordable housing, green infrastructure, active travel and highway improvements. A significant proportion of these contributions are from the LDP strategic sites where detailed policies and the masterplanning approach have assisted in negotiating, securing and phasing infrastructure delivery in a comprehensive and timely manner.



**Table 2: Section 106 Financial Contributions secured 2009 to 2019**

<b>Year</b>	<b>Section 106 financial contributions secured (£)</b>
2009	2,057,283
2010	3,488,465
2011	8,331,659
2012	1,459,561
2013	5,779,325
2014	31,304,088
2015	12,555,008
2016	14,248,428
2017	77,470,070
2018	4,223,307
2019	3,204,329
<b>Total</b>	<b>164,121,524</b>

- 3.66. Contributions are secured through the use of planning obligations as set out in Section 106 of the Town and Country Planning Act 1990. Agreements can also be entered into under Sections 278 and 38 of the 1980 Highways Act. These prescribe the highway works required as a result of proposed developments.
- 3.67. The Council resolved on 18 September 2014 to commence work on a Community Infrastructure Levy (CIL) for Cardiff and consult on a Preliminary Draft Charging Schedule (PDCS). Following consultation on the PDCS in November/December 2014, a consultation on the Draft Charging Schedule (DCS) took place in September/October 2016. The next stage would have been to submit the DCS for Examination by an independent inspector. However, further stages in the preparation of a CIL for Cardiff were not actioned given impending changes to CIL governance outlined below.
- 3.68. In 2017, the Department for Communities and Local Government (DCLG) published a review of the Community Infrastructure Levy, entitled 'CIL Review: Report to Government', which recommended a series of changes to the process. CIL has now been devolved to the Welsh Government through the Wales Act 2017. The *Welsh Ministers (Transfer of Functions) Order 2018* also transferred the necessary executive functions to the Welsh Ministers to accompany devolution of the CIL. This came into force in May 2018.
- 3.69. The review process will provide a timely opportunity to consider if there is merit in progressing a CIL for Cardiff given the changes in context. For example, this could examine if there is scope for the CIL to secure monies from the type of sites and uses which are sometimes proving challenging to secure Section 106 monies due to viability

factors or policy thresholds. The CIL can apply to residential and non-residential developments, and may include smaller brownfield and non-strategic sites.

- 3.70. The extended plan period allows for a review of infrastructure requirements associated with growth, along with a parallel consideration of realistic policy expectations, development viability and alternative infrastructure delivery mechanisms.
- 3.71. Supplementary Planning Guidance on Planning Obligations to supplement Policies KP6 and KP7 has been prepared to ensure that developments contribute toward the provision of the necessary infrastructure and measures required to mitigate their impact and to provide clarity to developers, agents and other stakeholders regarding the basis on which planning obligations will be secured.
- 3.72. In addition the Cardiff Infrastructure Plan (IP) is updated on an annual basis and is a 'living document' which sits alongside Cardiff's Local Development Plan (LDP). It covers the plan period to 2026 and identifies the infrastructure required to facilitate and sustain the city's projected level of growth. The Infrastructure Plan is directly linked to the LDP Monitoring Framework and updated annually in order to effectively respond to changes in baseline information, procedures and legislation.
- 3.73. As part of the monitoring of LDP sites, a series of bespoke Strategic Monitoring Documents have been produced to monitor ongoing progress in terms of planning consents and infrastructure provision within each of the strategic sites.

### **Social and community (KP13-14, C1-7)**

- 3.74. It is considered that in general the Plan's open space policies are functioning effectively in safeguarding existing recreation facilities and public open space and in securing provision of new facilities in connection with new residential development in accordance with the adopted standards. However, as part of the revision process the implications of the findings of the latest open space survey, undertaken in May 2019 will need to be considered.
- 3.75. In addition the implications of the contextual changes to national planning policy set out in Planning Policy Wales (Edition 10, December 2018) will need to be considered together with new guidance produced by Fields in Trust in 2017, 'Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard.' This guidance, while retaining the same headline rates of provision as the original "Six Acre Standard", draws out new recommendations for accessibility, for flexible application of standards and the minimum dimensions of formal outdoor space. The revision of the guidelines also introduces benchmarking for informal open space not involving organised sport and play and includes parks and gardens and natural and semi-natural habitats. The amendments to the guidance do not result in a requirement to make modifications to current LDP standards as the TAN16 promotes evidence based locally generated standards. However, the revised recommended benchmark guidelines for both formal and informal outdoor space will be taken into account in the LDP revision process. The

Council is also moving away from an approach to recreation and open space provision based on strict compliance with predetermined standards. This is in accordance with LDP Green Infrastructure policies that encourage the multifunctional use of open space.

- 3.76. It is considered that policies regarding health are functioning effectively. However, as part of the review of the plan a review of these policies will take place to ensure it takes account of changes in national planning policy and the evolving evidence base setting out links between obesity and the built environment. Overall, the plan review process will need to look beyond AMR reporting and the analysis of existing policy in response to the increased evidence, which highlights the links between health and the built environment and seeks to favour the creation of more healthy and active environments. In particular, the review process can explore the links between obesity, health and well-being and healthy and active lifestyles and the built environment and consider the most appropriate policy response to this changed context.
- 3.77. It is considered that policies regarding the community (C1 to C3, C7) are functioning effectively. However, as part of the review of the plan a review of these policies will take place to ensure it takes account of changes in national planning policy and the evolving evidence base setting out links between obesity and the built environment.

#### **Waste (KP12, W1-2)**

- 3.78. The LDP Waste policies were prepared in the context of the South East Wales Regional Waste Plan (RWP) – First Review 2008. This set out land requirements for new waste management facilities, which were taken on board in the Policy W1: Sites for Waste Management Facilities, which identified sites that had potential for the location of waste management facilities – class B2 industrial sites and existing waste management sites. The monitoring report results for the last three years show that this policy is functioning effectively and there is sufficient land available to meet Cardiff's waste management needs.
- 3.79. RWPs, however, no longer have effect after a re-write of national planning policy on waste was needed to reflect the new waste policy context introduced through the EU Directive on Waste (2008/98/EC), the Waste Strategy for Wales, 'Towards Zero Waste', June 2010 and the underpinning suite of waste sector plans, in particular the Collections, Infrastructure and Markets Sector (CIMS) Plan. The general approach of the CIMS Plan has been to move away from land-take based calculations to an approach where the need for waste management facilities is expressed by future capacity in tonnes. As stated in Welsh Government Policy Clarification Letter CL-01-12, technology development has led to the potential for smaller, more dispersed facilities to be developed (more flexible, able to take advantage of niche opportunities). It has also led to the possibility of larger facilities being developed to reflect economies of scale and reduce expenditure by businesses and local authorities on the management of their residual waste. The end result of this is that it is now more difficult

to ascribe a value to an ‘average facility’ – and as such, area-based land-take calculations have become less applicable.

- 3.80. The CIMS Plan describes the waste management framework considered to provide the best solutions to meet environmental, social and economic needs in Wales to 2050. Waste assessments contained within the CIMS Plan do not have to be repeated by local planning authorities at a regional or local level. However, monitoring needs to be carried out through voluntary co-operation at a regional level to inform decision making in future LDPs and in dealing with planning applications for waste. The regional monitoring work has resulted in the first Waste Planning Monitoring Report (WPMR) for South East Wales (April 2016). This concluded that the regional position was:
- There is no further need for landfill capacity within the South East region.
  - Any proposals for further residual waste treatment should be carefully assessed to ensure that the facility would not result in overprovision.

3.81. It appears, therefore, that there is no current need for residual waste facilities in Cardiff although PPW (Edition 10, paragraph 5.13.12) requires that the identification of suitable locations for sustainable waste management facilities should be considered as part of LDP preparation. PPW (paragraph 5.13.8) also requires that development plans should demonstrate how national waste policy, and in particular the CIMS Plan, along with any updated position adopted in the waste planning monitoring reports and any other form of waste management priorities relevant to its local area have been taken into account.

3.82. It is considered that the waste policies are functioning effectively. However, the review of the plan will need to ensure it takes account of changes in national planning policy and the evolving evidence base, including any changes to national recycling targets and the need for additional waste management recycling facilities over the extended plan period up to 2035.

### **Minerals (KP11, M1-8)**

3.83. LDP Minerals policies were prepared in the context of the Regional Technical Statement (RTS) 1<sup>st</sup> Review (August 2014), which was produced by the South Wales Regional Aggregates Working Party. A 2<sup>nd</sup> Review of the RTS is currently ongoing and following consultation is due to be finalised in March 2020. The monitoring of the Minerals policies set out in the three AMRs show that the policies are functioning effectively. However, the review of the LDP will need to consider the implications of the recommendations in 2<sup>nd</sup> Review of the RTS for the mineral strategy set out in the LDP along with any changes in current government guidance.

### **Supplementary Planning Guidance (SPG)**

3.84. A number of supplementary planning guidance (SPG) documents to support key LDP policy areas have been approved by the Council since adoption of the plan. These are:

- Houses in Multiple Occupation
- Waste Collection and Storage Facilities
- Locating Waste Management Facilities
- Planning Obligations
- Tall Buildings
- Residential Design Guide
- Childcare SPG
- Planning for Health and Well-being
- Infill Design Guidance
- Residential Extensions and Alterations Guidance
- Green Infrastructure (including Technical Guidance Notes relating to Open Space, Ecology and Biodiversity, Trees, Soils, Public Rights of Way and River Corridors)
- Safeguarding Business and Industrial Land and Premises
- Food, Drink and Leisure Uses
- Archaeologically Sensitive Areas
- Managing Transportation Impacts (including Parking Standards)
- Flat Conversions
- Student Accommodation
- Shop Fronts and Signs Guidance

3.85. A review of the existing SPG including ones recently amended and adopted will be undertaken as part of the LDP Revision process.

### **Proposals Map and Constraints Map**

3.86. The form and content of the LDP Proposals Map will require changes as part of the LDP Review to reflect any changes to the plan.

3.87. The LDP Constraints Map contains designations that are not directly proposals of the LDP but are constraints to development created by legislation or other mechanisms outside of the LDP process such as Flood Risk Areas, Conservation Areas, SSSI's, etc. The printed Constraints Map for the LDP represents a point in time and includes a number of designations particularly flood risk areas that have been updated since adoption of the LDP and therefore it is out of date. Going forward it is likely that the Constraints Map will be produced in an electronic form with public access that will allow for it be updated as necessary.

## 4. Future LDP Evidence Base Requirements

4.1. To inform the review of the LDP there will be a need to update various elements of the evidence base that informed the current Local Development Plan which is out-of-date and needs to be updated and/or replaced in order to fully understand the land use requirements of the City up to 2035 as well as taking into account any contextual or policy changes that have occurred since adoption of the plan. A sample of potential evidence base studies which may be required to inform the LDP include:

1. **Population and household forecasts** – to inform the LDP’s dwelling requirement up to 2035.
2. **Local Housing Needs Assessment** – to inform the housing requirement tenure type and size of dwelling to match future household type and age profile of the population.
3. **Gypsy and Traveller Accommodation Assessment** - to identify the need for permanent and transit pitches up to 2035.
4. **Transport Assessment** – to assess the impact of the scale and distribution of development detailed in the emerging Local Development Plan.
5. **Employment Land Review Update** – to assess the future need of employment land suitable for all employment sectors and regional employment aspirations.
6. **Retail Needs Assessment** – to identify if there is a requirement for additional floorspace to help inform the Council’s approach to manage the vitality and viability of our town centres.
7. **Urban Capacity Study** – to quantify the amount of brownfield land which could contribute to the housing need in the city up to 2035.
8. **Settlement Boundary Review** – to define, clear, defensible boundaries around settlements in the form settlement boundaries.
9. **Affordable Housing Viability Assessment** – to provide advice on achievable and viable targets and thresholds for affordable housing.
10. **Infrastructure Requirements over the plan period** – to build upon existing Cardiff Infrastructure Plan and extend to cover proposed plan period.
11. **Renewable Energy Assessment** – evidence to support carbon reduction targets and mitigate the effect of climate change.

12. **Strategic Flood Risk Assessment** – to identify areas at risk of flooding.

13. **Green Infrastructure Data** – to identify relevant data regarding Cardiff's natural environment.

4.2 The above is not a definitive list and additional evidence base update requirements may emerge as plan revision progresses. There are number authorities in South-east Wales who are currently in the process of considering reviewing their Local Development Plans on the basis that their current plans expire at the end of 2021. This presents an opportunity for collaboration regarding the sharing of data and/or methodologies.

### **Sustainability Appraisal including Strategic Environment Assessment**

4.3 A requirement of the LDP process is that Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) informs preparation of the LDP. The SA/SEA process is integral to the development of the LDP to ensure the policies in the LDP promote Sustainable Development through integration of the key economic, environmental, social and cultural objectives in the development of the LDP policies and proposals and take account of any significant effects on the Environment. The SA/SEA has been an iterative process throughout preparation of the LDP and policies and proposals in the LDP reflect this.

4.4 SA monitoring of the Sustainability Appraisal Objectives is undertaken on an annual basis and reported through the LDP Annual Monitoring Report. This enables the Council to assess the extent to which the LDP is contributing to the achievement of sustainable development and to identify any concerns. To inform the review of the LDP it will be necessary to revisit and update the environmental, social and economic baseline information, along with the review of relevant plans policies and program. The SA Monitoring Framework including the SA Objectives will need to be reviewed to ensure this remains up to date, and this will include considering whether the methodologies need revising due to changes in legislation.

### **Habitats Regulations Assessment**

4.5 The LDP was informed by Habitats Regulations Assessment (HRA), the purpose of which is to assess the impacts of a land use plan, in combination with the effects of other plans and projects, against the conservation objectives of internationally important European sites of nature conservation importance such as Special Areas of Conservation and Special Protection Areas (designated for their ecological status) and to ascertain following screening what needs Appropriate Assessment (AA). As part of the review of the LDP the HRA will need to be reviewed.

## **5. The LDP Review options**

### **Joint LDPs and Joint Working**

- 5.1. In line with national guidance, consideration must be given to the scope for preparing a Joint LDP. However, it is noted that 7 of the 10 Local Authorities in South East Wales are already preparing their own Replacement LDPs with no examples of a joint approach or regional collaborative exercises to help inform Plans. Of the remaining 2 Local Authorities excluding Cardiff, the Vale of Glamorgan and Newport, it is not considered that there are sufficient synergies to warrant the preparation of a Joint LDP.
- 5.2. The existing LDP benefitted from a bespoke regional collaborative exercise to help inform the Plan strategy involving all Local Authorities and other key stakeholders in South East Wales. This process worked well and is considered the most effective way of addressing cross-boundary matters. Given this a similar approach is proposed again to help inform the LDP review.
- 5.3. Should work commence on a Strategic Development Plan (SDP) for South East Wales, information gathered through the LDP process can be used to inform the SDP and vice versa. Ongoing dialogue with other Local Authorities will help maximise efficiencies and consistency with regard to gathering/sharing evidence and agreeing methodologies where possible. Ongoing dialogue with other Local Authorities will help maximise efficiencies and consistency with regard to gathering/sharing evidence and agreeing methodologies where possible.



## **6. Conclusions and next steps**

### **Recommendation**

- 6.1 This report concludes that the full revision procedure is considered the most appropriate form of review and that a Replacement LDP is prepared for the period 2020 to 2035. In this respect, it is recognised that the strategic nature of issues to be addressed in a replacement LDP cannot justify the short form revision procedure. This will ensure the Council has up-to-date Plan coverage beyond 2026 and supports the Plan-led approach in Wales.

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# Cardiff Replacement LDP Delivery Agreement

October 2019



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# PART 1: INTRODUCTION

## The purpose of this Delivery Agreement

- 1.1 The Cardiff Local Development Plan (LDP) was adopted by the Council on the 28<sup>th</sup> January 2016. An up to date LDP is an essential part of the plan-led planning system in Wales. In this respect the Council is required to undertake a full review of the adopted LDP every four years from the date of adoption.
- 1.2 A full review of the Cardiff Local Development Plan 2006-2026 has been undertaken, the findings of which are set out in the Draft Review Report. The revised LDP will cover the period 2020-035. The preparation of a Delivery Agreement is a key requirement in the preparation of a revised LDP. The Delivery Agreement must include:
  - A **Community Involvement Scheme (CIS)** - indicating how the Council will involve consultation bodies and the public in plan preparation; and
  - A **Timetable** for preparing and adopting the LDP, and for preparing and publishing the sustainability report, the Annual Monitoring Report and supplementary planning guidance (SPG).
- 1.3 The Delivery Agreement is an important part of the plan preparation process. It indicates how and when the Council will provide opportunities for consultees and the local community to be involved in the process, as set out in relevant legislation, regulations and Welsh Government guidance. Delivery of the plan in accordance with the Agreement will be one of the tests of the plan's soundness examined by the Planning Inspectorate (see paragraph 1.26). Part 3 of this document contains details of the proposed plan preparation timetable and Appendix B contains a flow chart summarising the main stages of preparation.
- 1.4 This Agreement has been prepared in accordance with Welsh Government regulations and guidance, including:
  - The Town and Country Planning (Local Development Plan) (Wales) Regulations 2015; and
  - The Local Development Plan Manual (Edition 2, 2015).
- 1.5. The LDP Regulations require that, before formally approving and submitting a Delivery Agreement to the Welsh Government, the Council must:
  - Consult specific consultation bodies (see Appendix A) in the preparation of the timetable; and
  - Engage with those general consultation bodies who appear to have an interest in development matters in Cardiff, in the preparation of the community involvement scheme. The general consultation bodies to be consulted on this draft Agreement are identified in Appendix A



1.6. Any comments on this draft document should be sent to the below address by **18<sup>th</sup> February 2020**:

**Email:** [LDP@cardiff.gov.uk](mailto:LDP@cardiff.gov.uk)

**Tel:** 029 2087 2087

**Post:** The Development Plan Team Cardiff  
Council,  
Room 219, County Hall, Atlantic  
Wharf, Cardiff CF10 4UW

### **What will happen next?**

1.7. Following this consultation, the Council will:

- Analyse responses, review the draft Agreement making any changes considered necessary and formally approve at Full Council prior to submission to the Welsh Government;
- Make available its analysis and response to the consultation responses on the Council web site.

1.8. Following approval from the Welsh Government, the Delivery Agreement will be published on the Council's website and made available for inspection at County Hall.

### **Preparation of the Replacement LDP**

1.9. The 2004 Planning and Compulsory Purchase Act (as amended by the 2015 Planning (Wales) Act) requires the Council to prepare a replacement LDP setting out its objectives for the development and use of land in Cardiff over the Plan period (2020 to 2035) and its policies to implement them. This period allows 12 years to implement the Plan following proposed adoption in 2023, thereby according with Welsh Government guidance on the duration of the Plan. The aims of the Plan are to:

- Deliver sustainable development;
- Reflect local aspirations for the City, based on a vision agreed by the local community and other stakeholders;
- Provide a basis for rational and consistent development control decisions;
- Guide growth and change, while protecting local diversity, character and sensitive environments; and
- Show how and where change will occur over the plan period.

1.10. In preparing the replacement LDP, the Council must also take account of:

- A wide range of legislation, policies and other initiatives, at European, national and local levels of government; and
- Relevant social, economic and environmental considerations.

1.11. The 2004 Act (as amended by 2015 Act requires the Council), in preparing the LDP, to have regard to:

- Current national policies:
- Strategic Development Plan for the area
- The National Development Framework for Wales; and
- The resources likely to be available for implementing plan.

1.12. The principal sources of national planning policy and guidance issued by the Welsh Government are:

- Planning Policy Wales (Edition 10, December 2018);
- Technical Advice Notes (Wales) (TANs) (various dates);
- Minerals Technical Advice Note (Wales) 1: MTANS (various dates);
- Local Development Plan Manual (WG, Edition 2, 2015).

### **Sustainability Appraisal incorporating Strategic Environmental Assessment (SA/SEA) and other related assessments**

1.13. The LDP must be subject to Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) as required European Union Directive 2001/42/EC & Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 and the Planning and Compulsory Purchase Act 2004 (as amended by the by 2015 Act).

1.14. These are tools to ensure that policies in the LDP reflect sustainable development principles and take into account the significant effects of the plan on the environment. The Council will adopt an integrated approach to the appraisal and assessment in which economic and social issues are considered alongside environmental elements.

1.15. Guidance on how SA/SEA should be undertaken is provided in:

- The Assessment of Plans and Programmes (Wales) Regulations 2004 (“the SEA Regulations”);
- A Practical Guide to the Strategic Environmental Assessment Directive (September 2005)<sup>1</sup>;
- Local Development Plan Manual (Edition 2, 2015).

1.16. SA/SEA is an iterative process that will be undertaken throughout plan preparation. There will be six key stages:

- Establish policy context, identify and document evidence base, identify sustainability issues and develop SA/SEA objectives and indicators;
- Consult Specific consultees on Scoping Report;
- Publish SA Report of Strategic options and Preferred Strategy;
- Publish Deposit SA Report including Environmental Report (with LDP);
- Publish the final SA report following the Inspectors Report and adoption;
- Monitoring and implementation of the SA.

1.17. At the outset of the SA/SEA process, there will be an opportunity for stakeholders to comment on the SA Scoping Report that sets out how the SA/SEA process will be undertaken. The findings of the SA/SEA work will be evidenced at key stages in the Replacement LDP preparation process; Reports will be prepared, and subject to consultation with stakeholders, in parallel with the Preferred Strategy consultation and Deposit Plan consultation. A Final SA Report will be submitted along with all other Replacement LDP documentation when submitted to Welsh Government for examination. The statutory Environment Bodies will be consulted at all the stages referred to above and there will be wider on-going dialogue with these bodies as the process proceeds.

1.18. In addition to the SA/SEA processes, the Council will also undertake other assessments of the Replacement LDP as it is being prepared. These include a Habitat Regulation Appraisal (HRA), Health Impact Assessment (HIA), together with ensuring that equality and diversity issues are satisfactorily addressed.

### **Habitats Regulations Assessment (HRA)**

1.19. The requirement for Habitats Regulations Assessment (HRA) comes from the Habitats Directive, specifically Article 6(3), which requires that land use plans, including LDPs, are subject to a HRA Screening to determine whether any plan [or project] is likely to have a significant effect upon a European site, either alone, or in combination with other projects. In Wales, requirements for HRA, including for proposed modifications to existing plans, are set out within Part 6 of the Conservation of Habitats and Species Regulations 2017 and Part 2 of the Conservation of Offshore Marine Habitats and Species Regulations 2017.

1.20. The HRA process follows a series of Stages; these will be undertaken for the LDP Review, as necessary, to meet with the requirements of the Regulations:

- **Stage 1 - HRA Screening:** to determine whether the LDP Review is likely to have significant effects on European Sites;
- **Stage 2 – Appropriate Assessment:** If the HRA Screening indicates that the LDP Review is likely to have significant effects, a further level of assessment is needed to consider whether the LDP Review could adversely affect the integrity of one or more European site(s), either alone or in combination with other plans or projects, in view of their established conservation objectives and conservation status. If the potential for adverse effects on site integrity are identified, the Appropriate Assessment should also consider mitigation measures to control the identified impacts, to avoid adverse effects on site integrity; and
- **Stage 3 and 4 – Consideration of Alternatives and Imperative Reasons of Overriding Public Interest:** Only where significant effects remain at the end



of Stage 2 in the HRA process is there a need to consider alternatives and Imperative Reasons of Overriding Public Interest.

1.21. The HRA process will be undertaken in conjunction with the SA (incorporating SEA) to ensure an integrated approach to assessment. It is intended that the process will run concurrently with the plan making process and form an iterative part of the LDP Review, involving the consideration of all emerging policy and site options. Natural Resources Wales will be consulted throughout the HRA process.

### **Evidence Base Assessments**

1.22. To inform the review of the LDP there will be a need to update various elements of the evidence base that informed the current Local Development Plan which is out-of-date and needs to be updated and/or replaced in order to fully understand the land use requirements of the City up to 2035 as well as taking into account any contextual or policy changes that have occurred since adoption of the plan. A sample of potential evidence base studies which may be required to inform the LDP include:

1. **Population and household forecasts** – to inform the LDP’s dwelling requirement up to 2035.
2. **Local Housing Needs Assessment** – to inform the housing requirement tenure type and size of dwelling to match future household type and age profile of the population.
3. **Gypsy and Traveller Accommodation Assessment** - to identify the need for permanent and transit pitches up to 2035.
4. **Transport Assessment** – to assess the impact of the scale and distribution of development detailed in the emerging Local Development Plan.
5. **Employment Land Review Update** – to assess the future need of employment land suitable for all employment sectors and regional employment aspirations.
6. **Retail Needs Assessment** – to identify if there is a requirement for additional floorspace to help inform the Council’s approach to manage the vitality and viability of our town centres.
7. **Urban Capacity Study** – to quantify the amount of brownfield land which could contribute to the housing need in the city up to 2035.
8. **Settlement Boundary Review** – to define, clear, defensible boundaries around settlements in the form settlement boundaries.

9. **Affordable Housing Viability Assessment** – to provide advice on achievable and viable targets and thresholds for affordable housing.
10. **Infrastructure Requirements over the plan period** – to build upon existing Cardiff Infrastructure Plan and extend to cover proposed plan period.
11. **Renewable Energy Assessment** – evidence to support carbon reduction targets and mitigate the effect of climate change.
12. **Strategic Flood Risk Assessment** – to identify areas at risk of flooding.
13. **Green Infrastructure Data** – to identify relevant data regarding Cardiff's natural environment.

1.23. The above is not a definitive list and additional evidence base update requirements may emerge as plan revision progresses. There are number authorities in South-east Wales who are currently in the process of considering reviewing their Local Development Plans on the basis that their current plans expire at the end of 2021. This presents an opportunity for collaboration regarding the sharing of data and/or methodologies.

### **Well-being of Future Generations Act**

1.24. The Well Being of Future Generations (Wales) Act (WBFG) gained Royal Assent in April 2015. The Act aims to make a difference to lives of people in Wales in relation to seven well-being goals and also sets out five ways of working. The seven well-being goals relate to:

- a prosperous Wales;
- a resilient Wales;
- a healthier Wales;
- a more equal Wales;
- a Wales of cohesive communities;
- a Wales of vibrant culture and Welsh language; and
- a globally responsible Wales.

1.25. The five ways of working are long-term, integration, involvement, collaboration and prevention. Given that sustainable development is the core underlying principle of the LDP (and SEA); there are clear associations between both the LDP and the WBFG Act. As a requirement of the Act a Local Well-being Plan (LWBP) must be produced (Bridgend's LWBP is currently in the process of being finalised). This plan will look at the economic, social, environmental and cultural well-being of the county and will have clear links with the LDP. Both the WBFG Act and the LWBP will be considered fully throughout the preparation of the revised LDP, which will follow the five ways of working.

## **Independent examination of soundness**

1.26. When the Council has finalised its plan, it must place it on deposit for public inspection and the submission of representations, and then submit it to the Welsh Government for examination by an Inspector appointed by the Welsh Government. The examination of the Replacement LDP is an independent process for determining whether the plan is fundamentally sound. Having regard to the evidence submitted with the plan and the representations received at deposit, the inspector must determine whether the plan meets the following 3 tests of soundness set out in guidance issued by the Welsh Government and the Planning Inspectorate:

- Test 1 – Does the plan fit? (i.e. is it clear that the Replacement LDP is consistent with other plans?);
- Test 2 – Is the plan appropriate? (i.e. is the plan appropriate for the area in the light of the evidence?);
- Test 3 – Will the plan deliver? (i.e. is it likely to be effective?).

1.27. Following the examination the Inspector will produce a report recommending required changes to the Replacement LDP together with reasons for the changes. The report will focus on the issue of whether the Replacement LDP is sound and if an Inspector considers the plan is fundamentally unsound the Plan will not be recommended for adoption. The conclusions reached by the Inspector will be binding and unless the Welsh Government intervenes, the Council must accept the changes required by the Inspector and adopt the Replacement LDP as amended.

## **Supplementary Planning Guidance (SPG)**

1.28. The replacement LDP will contain sufficient policies to provide the basis for determining planning applications. However, SPG has an important supporting role in providing more detailed or site specific guidance on the way in which Replacement LDP policies will be applied. These are non statutory documents intended to expand upon the policies and proposals in the Replacement LDP. They cannot introduce new policy and are not the subject of independent examination but will undergo public consultation.

1.29. The need for any new or revised SPG (related to existing Local Development Plan policies) as the Replacement LDP is being prepared will be considered on its merits having regard to the need for new guidance together with the adequacy of the existing policy framework as set out in the Local Development Plan and contained in national guidance. In such cases, the SPG will be subject to its own consultation process.

1.30. Consultation with stakeholders as the LDP is prepared may reveal the need for new SPG to be produced that directly relates to the Replacement LDP. In such cases,

it is intended that public consultation on the SPG would be undertaken in parallel with wider Replacement LDP engagement. Stakeholders will be kept informed of any such consultations.

- 1.31. SPG relating to proposed policies contained in the Replacement LDP cannot be formally adopted until after the Inspector's binding report has been received on the Replacement LDP and it is clear that there is no change to the policy approach.

### **Monitoring and Review**

- 1.32. The Council will monitor and regularly review progress of the replacement LDP against the requirements of the Delivery Agreement to ensure the timetable is being kept to and the public engagement as set out in the CIS is being met. Any amendments to the DA will require approval by the Council prior to Welsh Government agreement. The DA may need to be amended if the following circumstances, which are beyond the LPA's control, occur during the preparation of the revised LDP:

- Significant change to the resources available to undertake preparation of the revised LDP.
- Preparation of the revised LDP falls behind schedule i.e. more than 3 months.
- Significant changes to European, UK or Welsh legislation directly affecting the revised LDP preparation process.
- Any other change in circumstances that will materially affect the delivery of the revised LDP in accordance with the DA.
- Significant changes to the Community Involvement Scheme.

- 1.33. An updated timetable will be submitted to the Welsh Government following the Deposit stage. This will provide certainty of the timescales for the remaining stages (i.e. replacing indicative stages with definitive stages). The indicative timetable will be redefined within 3 months of the close of the formal Deposit period and submitted to the Welsh Government for agreement.

## PART 2: THE COMMUNITY INVOLVEMENT SCHEME (CIS)

### Aims of the scheme

- 2.1. The LDP Regulations require the Council to work in partnership with a wide range of stakeholders in preparing the LDP, including specific and general consultation bodies (see Appendix A) and the general public.
- 2.2. This CIS indicates how and when the Council will provide opportunities for everyone with an interest in the Cardiff LDP to be involved in its preparation. In so doing, the aim is to build as much consensus as possible concerning the overall strategy of the plan.

### Principles and methods of community engagement

- 2.3. The following consultation principles will guide the Council's approach to involving the local community and other stakeholders in preparation of the LDP:
  - **Commitment** – The Council will provide opportunities for the whole community to engage at appropriate stages in the process.
  - **Inclusiveness** – The Council will encourage the active participation of everyone who has an interest in, or who may be affected by, the LDP.
  - **Appropriateness** – The Council will seek to engage the community through the most appropriate methods as determined through consultation on this document.
  - **Transparency and accessibility** – The Council will make publicly available all relevant information available to it and undertake engagement in a transparent and open way.
  - **Accountability** – The Council will publish the results of community engagement and seek to ensure that all stakeholders are informed of the outcome of their involvement.
  - **Productivity** – The Council will seek to use consultation and community engagement to secure as much consensus as possible on the content of the LDP.
  - **Realism** – The Council will seek to ensure that all parties involved in the process understand and remain realistic about what can be achieved within the context of relevant legislation, Welsh Government guidance, and resources available.
- 2.4. The Council intends to build as much consensus as possible during the LDP preparation process and hopes that all parties will actively engage from the outset. Paragraphs 2.5 to 2.7, give a broad outline of some of the key methods that will be used whilst paragraphs 2.14 to 2.32 outline the main stages of the LDP preparation process together with a summary of opportunities for involvement at each stage. Appendix C contains a table that summarises how the Council intends to undertake community engagement and consultation up to the deposit stage. The Agreement will be reviewed within 3 months of deposit of the LDP and appropriate engagement from deposit to adoption will be included in that review.

2.5. Information will be regularly updated on the Council's website. Copies of the Preferred Strategy and Deposit Plan will also be made available at all libraries during the formal consultation periods. It will be possible to make representations in an electronic format (the preferred format) and also in writing. Efforts will be made to make the consultation processes as clear and accessible as possible. Staff will be available on weekdays during normal office hours to deal with any queries and can be contacted as set out below:

**LDP Team Room**  
**Room 219, County Hall,**  
**Atlantic Wharf, Cardiff CF10 4UW**  
**Tel. 029 2087 2087**  
**Email: [LDP@cardiff.gov.uk](mailto:LDP@cardiff.gov.uk)**  
**Website Address: [www.cardiff.gov.uk](http://www.cardiff.gov.uk)**

2.6. Whilst the Council is providing a wide range of opportunities to access information and become involved in the LDP process, there are clearly resource limitations to the extent of engagement that is possible. Additionally, it is important that all consultees are dealt with in a fair and equal manner. Taking account of both of these points, it is not proposed that Officers attend meetings organised by individual groups. However, it is stressed that Officers are available throughout the process, as outlined above, and consultees are strongly advised to use this facility should information or advice be required.

2.7. The following list provides a summary of the expectations of consultees during the Replacement LDP preparation process:

- A commitment to the process including consensus building
- To raise legitimate land use issues
- To engage in the debate with an open mind
- All parties to submit the appropriate level of information as specified
- Responses made within prescribed periods
- To treat Officers with due respect
- If in any doubt about the process, to contact the LDP Team for advice

### **Feedback**

2.8. The Council will ensure that feedback is provided as soon as possible on the outcome of engagement and consultation throughout the plan preparation process.

2.9. Feedback from the Council relating to consultation exercises will take the following forms:

- Acknowledgement letter or e-mail providing contact details and detailing how the Council will deal with the representation
- Details of the next steps in the plan preparation process

- 2.10. Petitions received during consultation on the plan will be acknowledged by letter or e-mail to the presenter of the petition only. This will include contact details and set out how the Council will deal with the issues raised in the petition. Specific guidance on the scope and procedures when using petitions will be established and made available prior to each formal stage of consultation.

### **Council decision-making process and local elected member involvement**

2.11. Decisions on the plan and its proposed content will be made by the full Council normally with recommendations from the Cabinet. The Cabinet and Council meet each month. The Council has established a Corporate Officer LDP Working Group to assist preparing the LDP in accordance with the timetable.

2.12. The Council will establish an on-going Scrutiny process that will evidence its findings to the Policy Review and Performance Committee. Individual Members of Council will be consulted in the preparation of this Agreement and will continue to be consulted throughout the plan preparation process.

### **Use of Welsh language**

#### **Welsh Language and Bilingual engagement**

2.13. The Welsh Language Standards place a legal duty on Councils to make it easier for people to use services through the medium of Welsh. The Council has published a Welsh Language Strategy for 2017 – 2022, the requirements of both the corporate strategy and Welsh Language Standards will be maintained at each stage of the revised LDP. Bilingual engagement will be carried out in the following ways:

1. We welcome correspondence in both Welsh and English. Where correspondence is received in Welsh and a reply is necessary, this will be sent in Welsh;
2. All consultation letters, comments forms, public notices (including site notices) and newsletters will be bilingual;
3. Any pages on the Local Development Plan website and social media posts published on twitter will be bilingual;
4. Any public meetings will be conducted bilingually where a request has been made ahead of time. Prior notification is required in order to provide a translation service; and
5. Draft documents can be made available in Welsh if requested. The revised LDP once adopted will be available in both Welsh and English Format.

## **Key stages of plan preparation and opportunities for involvement**

2.14. The LDP Regulations set out the legal requirements for participation and public consultation in plan preparation. This Section provides more details on how stakeholders can become involved in the different stages of preparing Cardiff's LDP. Information will be constantly updated on the Council's website and any events or consultations will be mailed out to all consultees including formal notices in the local press when required.

### **Stage 1: The Delivery Agreement (Jan 2020 to March 2020) (Reg 9)**

2.15. Summary: Securing wider involvement in preparation of document that sets out the timetable for preparing the LDP and how stakeholders can become involved in the process. Opportunities for involvement include Consultation on Draft Delivery Agreement during January and February 2020.

### **Stage 2: Evidence base - (Dec 2019 – June 2022) (Reg 14)**

2.16. Summary: Before the Council can develop the strategic objectives that will form the framework of the LDP it is essential for it to have a clear understanding of the dynamic social, environmental and economic characteristics and issues that exist within Cardiff. Therefore the Council will collect data to review and develop the evidence base. The overall Evidence Base will be an extensive collection of data from across all relevant topics. New studies will be commissioned and new data collected where necessary to ensure that the evidence database is as comprehensive as possible. The evidence base will inform the Sustainability Appraisal. New evidence that comes to light at later stages of Plan preparation will be assessed and appropriate response made.

2.17. As part of the preparation of the evidence base the Council will invite developers and landowners to submit candidate development sites for potential inclusion in the plan. This forms part of an information gathering exercise and should not be interpreted as a commitment that such sites will be taken forward in the LDP. When putting forward such sites developers and landowners will be required to include sufficient information to allow a robust assessment of the site to be made.

2.18. As part of the Council's duty to undertake a SA and SEA of the Plan a SA Scoping Report will be prepared and consulted on setting out:

- The economic, social and environmental issues and objectives the Council proposes to address in helping to deliver sustainable development through the LDP; and
- The proposed framework by which the strategic options and detailed policies and proposals of the LDP will be appraised.

2.19. Opportunities for involvement (during 2020) include:

- Candidate Site submissions
- Consultation on SA Scoping Report



### **Stage 3: Preferred Strategy (Regs. 14/15)**

#### **Pre- Deposit participation (March 2020- Sept 2021) (Reg 14)**

2.20. Summary: In accordance with Regulation 14 the Council will engage with the Specific and General Consultation Bodies (listed in Appendix A) during the preparation of the Preferred Strategy. Engagement will focus upon vision/objectives, evidence/issues and alternative strategies and options. This will provide an early opportunity for dialogue ahead of the Preferred Strategy being prepared.

#### **Pre-Deposit consultation (Oct 2021 – Nov 2021) (Regs. 15)**

2.21. Summary: This stage will include statutory consultation on the Preferred Strategy and strategic locations for new development and accompanying SA Report (statutory 6 week period).

2.22. Opportunities for involvement:

- Consultation on Preferred Strategy
- Consultation on Initial SA report

#### **Stage 4: LDP Deposit of proposals (Dec 2021 – Nov 2022) (Reg 17)**

2.23. Summary: In formulating this document the Council will pay due regard to the foregoing consultation exercises and stakeholder engagements when drafting policies and identifying sites.

2.24. The Deposit Plan will be subject to statutory consultation for a period of six weeks to allow representations to be made by any stakeholder. Any representations received as a result of the consultation exercise will be made available for public inspection and on the Council's web site. The documents to be published at this time will comprise the Deposit LDP, the SA Report (incorporating the SEA Environmental Report), a list of supporting documents and the initial consultation report.

2.25. Opportunities for involvement:

- Consultation on Deposit LDP
- Consultation on Final SA Report

#### **Stage 6: Submission of LDP to Welsh Government (March 2023 (Indicative)) (Reg 22)**

2.26. Summary: At this stage the Council is required to submit the Deposit Plan, Sustainability Appraisal Report, Community Involvement Scheme, copies of all representations received, key supporting evidence, the Consultation Report, the report on the LPA's suggested changes and a Statement of the main issues to the WG and the Planning Inspectorate. Following this submission an Inspector will be appointed to examine the Deposit Plan to determine whether it satisfies

the preparation requirements of the 2004 Act and whether it is "sound" (section 64(5) of the 2004 Act refers). The examination will also consider representations including objections that have been made in accordance with the LDP Regulations.

2.27. Opportunities for involvement:

- Once submitted, the examination process will be undertaken by an Independent Inspector. A Programme Officer working for the Inspector will provide the first point of contact to stakeholders. Information will be made available on the forthcoming examination process.

**Stage 7: Independent examination (March 2023 to Sept 2023 (Indicative)) (Reg 23)**

2.28. Summary: The Council will enter into a Service Level Agreement with the Planning Inspectorate prior to the Submission of the Deposit LDP. The Planning Inspectorate has indicated that the Independent Examination and the production of the Inspector's Report should take no more than 12 months.

2.29. Opportunities for involvement:

- Arrangements for public participation in the examination process will be advertised nearer the time (at least 6 weeks before the opening of the examination).

**Stage 8: Inspector's report (Sept 2023 (Indicative)) (Reg 24)**

2.30. Summary: Once the Inspector is satisfied that no further information is necessary to inform their consideration of the Plan, he/she will publish a report outlining the examination's findings, together with any changes to the Deposit Plan and reasons for those recommendations. The Inspector's decisions will be binding upon the Council. The aim of the Independent Examination is to ensure that the Plan is at a stage where it is sound and can be safely adopted. It follows therefore that any changes made by the Inspector must themselves be demonstrably sound.

**Stage 9: Adoption (Oct 23 (Indicative)) (Reg 25)**

2.31. Summary: On receipt of the Inspector's Report, following a fact checking period, the Council is required to adopt the final LDP incorporating the Inspector's recommendations within 8 weeks, unless the Welsh Government intervenes. On or before the day on which the LDP is adopted, the Council will publish the Inspector's Report and make it available for inspection and to view on Council's web site ([www.cardiff.gov.uk](http://www.cardiff.gov.uk)). The Local Development Plan will become operative on the date it is adopted, and final publication of the Plan should follow as soon as possible (after the expiry of the six-week legal challenge period).

## **Stage 10: Monitoring (Oct 24 Indicative)**

2.32. The Planning and Compulsory Purchase Act requires authorities to keep under review matters that may affect the planning and development of their areas. In this regard, the Council will establish monitoring procedures in accordance with guidance contained within the LDP Manual and will produce an Annual Monitoring Report for submission to the Welsh Government by the 31st October each year

## PART 3: THE TIMETABLE

3.1 Table 1 outlines the Council's proposed timetable for achieving the key stages of LDP preparation required by the Planning and Compulsory Purchase Act 2004 and the LDP Regulations.

<b>Definitive</b>		<b>From</b>	<b>To</b>
1	Delivery Agreement – Consultation and submission to Welsh Government	Jan 2020	March 2020
2	Evidence Base Preparation	Dec 2019	June 2022
3	Pre-Deposit Participation Candidate Site submission and appraisal Consultation on SA Scoping Report Vision/Objectives/growth levels and spatial options	March 2020	Sept 2021
4	Preferred Strategy and Initial SA Report Consultation – six weeks statutory consultation	Oct 2021	Nov 2021
5	Deposit Plan and Final SA Report Consultation – six weeks statutory consultation	Oct 2022	Nov 2022
<b>Indicative</b>		<b>From</b>	<b>To</b>
6	Submission to Welsh Government	March 2023	
7	Examination	March 2023	Sept 2023
8	Inspectors Report	Sept 2023	
9	Adoption by Council	October 2023	
10	Annual Monitoring Report	October 2024	

### Definitive and Indicative Stages

3.2. Stages 1-5, leading up to and including deposit, are under the direct control of the Council, which will make every effort to adhere to this part of the timetable (see paragraphs 2.15-2.25).

- 3.3. The Council has less control over the process at Stages 6-9, which are dependant on a range of factors including the number of deposit representations and the requirements of the Independent Examination. The timetable for these stages is, therefore, at present indicative.
- 3.4. The LDP Regulations clarify that, within 3 months of the close of deposit, the timetable (i.e. the indicative stages) will need to be reviewed and resubmitted once the Council has entered into a Service Level Agreement with the Planning Inspectorate.

### **Achievability and risk management**

- 3.5. The definitive part of the proposed timetable is considered to be realistic and achievable having regard to:
- The scope of work the Council understands to be involved in plan preparation, having regard to the regulations and guidance published by the Welsh Government;
  - The resources (essentially staff and revenue) the Council is able to commit to plan preparation;
  - The current structure of the Council, its decision making structures, meeting cycles and future elections.
- 3.6. While every effort will be made to avoid deviation from this timetable, Appendix D identifies a number of potential risks, together with the Council's proposed approach to managing them.

### **Resources**

- 3.7. In terms of staff resources, there is a small team of officers in the Council's Strategic Planning Section dedicated to LDP preparation. In addition a range of other officers in that section as well as in other Service Areas will also be involved in various aspects of plan formulation including SA and SEA.
- 3.8. If necessary, to supplement its own resources, the Council may employ consultants to undertake appropriate work and advise on the Sustainability Appraisal and Strategic Environmental Assessment of the plan.

## **PART 4: MONITORING AND REVIEW**

### **Delivery Agreement**

- 4.1. The Council will monitor progress against the Delivery Agreement throughout preparation of the LDP, to ensure that the aims and principles of the Community Involvement Scheme (CIS) are met in line with the target timetable. Where necessary reports will be made to the Council's Cabinet.
- 4.2. Circumstances in which the Agreement may need to be reviewed and amended include:
  - If the process falls 4 months or more behind schedule;
  - If any significant changes are required to the CIS;
  - If there is significant change in the resources available to the Council;
  - If new European, UK or Welsh Government legislation, regulations or guidance should require new procedures or tasks to be undertaken; or
  - If any other change of circumstances should materially affect the delivery of the plan in accordance with the Agreement.
- 4.3. Should the Agreement require review prior to or after the indicative stage review (outlined below) a revised Agreement will be sent to the Welsh Government for agreement. Once agreed this will be made available on the Council's website.

### **LDP Post-adoption**

- 4.4. After it has been adopted the Council will monitor the plan on an annual basis and report the findings in an Annual Monitoring Report (AMR). Future reviews or amendments to the plan, will go through the same stages of preparation as the original plan and within 6 months of the decision to undertake a review the Council will publish a timetable for review of the plan. The Council will also apply the general principles outlined in the CIS when it reviews and carries out any amendments to the plan. A full review of the plan will be undertaken at least once every 4 years.

## **APPENDIX A: CONSULTATION BODIES**

### **Internal Consultees**

To be consulted at all stages in the preparation of the LDP

- Cardiff County Councillors
- Cardiff Council Service Areas

### **External Consultees**

#### **Specific Consultation Bodies**

The Council will consult the following specific consultation bodies at all stages in the preparation of the LDP:

- Welsh Government
- Natural Resources Wales
- CADW
- Network Rail Infrastructure Limited (Western & Wales) – Property)
- Secretary of State for Transport (in relation to previous Strategic Rail authority functions)
- Cardiff and the Vale University Health Board
- Cardiff Community Councils
  - Lisvane Community Council
  - Old St Mellons Community Council
  - Pentyrch Community Council
  - Radyr & Morganstown Community Council
  - St Fagans Community Council
  - Tongwynlais Community Council
- Adjoining Local Authorities and South East Wales Authorities
  - Bristol City Council
  - Caerphilly County Borough Council
  - Newport City Council
  - Rhondda Cynon Taf County Borough Council
  - Vale of Glamorgan Council
  - Bridgend County Borough Council
  - Merthyr Tydfil County Borough Council
  - Torfaen County Borough Council
  - Blaenau Gwent County Borough Council
  - Monmouthshire County Council
- Adjoining Community Councils
- Mobile Phone Operators
  - Hutchinson
  - O2 UK
  - Orange
  - T-Mobile (UK) Ltd
  - Virgin Media
  - Vodafone

- Service Providers
  - Network Rail Infrastructure
  - British Gas
  - BT Group Plc
  - Virgin Media
  - Dwr Cymru Welsh Water
  - National Grid
  - Npower
  - Powergen
  - Swalec
  - Transco
  - Wales & West Utilities
  - Western Power Distribution

## **General Consultation Bodies**

The following is a list of general consultation bodies to be consulted at the relevant stages outlined in the preparation of the LDP. This list is not intended to be exhaustive and other organisations and bodies who wish to be involved can be added and consulted where appropriate:

- Age Concern Cardiff & Vale
- Age Concern Cymru
- Transport for Wales
- Arts Council of Wales
- Associated British Ports
- Association of Inland Navigation Authorities
- Black Environment Network
- Business in the Community Wales
- Cadw
- Cadwyn Housing Association
- Caldicot & Wentlooge Levels Drainage Board
- Campaign for Real Ale
- Campaign for the Protection of Rural Wales
- Cardiff & District Allotments Association
- Cardiff & Vale Coalition of Disabled People
- Cardiff & Vale Mental Health Development Project
- Cardiff & Vale Parents Federation
- Cardiff Bus
- Cardiff Business Safe
- Cardiff Chamber of Commerce, Trade and Industry
- Cardiff Civic Society
- Cardiff Community Health Council
- Cardiff Community Housing Association
- Cardiff Cycling Campaign
- Cardiff Fiends of the Earth



- Cardiff Gypsy Sites Group
- Cardiff Heliport
- Cardiff International Airport Ltd.
- Cardiff Prison
- Cardiff University
- Cardiff YMCA
- Care & Social Services Inspectorate Wales
- CBI Wales
- CCAB
- Cemex UK
- Church in Wales
- CILT (UK) Cymru
- Citizens Advice Bureau
- Civic Trust for Wales
- Civil Aviation Authority
- Coal Authority
- Coed Cadw (the Woodland Trust)
- Commission for Racial Equality
- Confederation Of British Industry
- Confederation of Passenger Transport
- Country Land and Business Association
- Defence Estates
- Design Circle - RSAW South
- Design Commission for Wales
- Disability Wales
- Energy Savings Trust Ltd
- Equal Opportunities Commission
- Federation of Small Businesses
- Fields In Trust
- Freight Transport Association
- Friends of Nantfawr Community Woodland
- Friends of the Earth Cymru
- Glamorgan Gwent Housing Association
- Glamorgan-Gwent Archaeological Trust
- Great Western Trains Company Limited
- Gwalia
- Health & Safety Executive
- Home Builders Federation
- Home Office Crime Team in Wales
- Inland Waterways Amenity Advisory Council
- Institute of Cemetery and Crematorium Management
- Jehovahs Witness Mid Glamorgan No. 1 Circuit
- Landscape Institute Wales
- Lisvane Community Association
- Lisvane Graig Protection Society
- Living Streets Cardiff
- Llamau

- Llandaff Society
- Mineral Products Association
- Mobile Operators Association
- National Car Parks Limited
- National Express Ltd
- National Grid
- National Grid Property Holdings
- National Museum Wales
- NFU Cymru
- NPFA Cymru
- Planning Aid Wales
- Planning Inspectorate
- Quarry Products Association
- Ramblers Cymru
- Ramblers Cymru Cardiff Group
- Rhiwbina Civic Society
- Road Haulage Association Ltd
- Royal Commission on the Ancient & Historical Monuments of Wales
- Royal Mail Group plc
- RSPB Cymru
- Rumney Community Development Association
- SE Wales Local Energy Support Team
- South Wales Fire & Rescue Service
- South Wales Police
- Sports Council for Wales
- Sustrans Cymru
- Trajectory
- University of Wales Institute Cardiff
- Voluntary Action Cardiff
- Wales & West Housing Association
- Wales Council for Voluntary Action
- Welsh Ambulance Services NHS Trust
- Welsh Federation of Housing Associations
- Welsh Historic Garden Trust (Mid and South Glamorgan Branch)
- Welsh Historic Gardens Trust
- Wildlife Trust for South and West Wales







## APPENDIX C: TABLE SUMMARISING INVOLVEMENT IN LDP STAGES

Consultation Stage	Purpose	Timescale	Summary of Involvement	Reporting Mechanism
Delivery Agreement	Set out timetable for plan preparation and process of involvement.	January 2020 to March 2020	<ul style="list-style-type: none"> <li>8 week consultation on content of Delivery Agreement in Dec 2019/Jan 2020.</li> </ul>	<ul style="list-style-type: none"> <li>All information available on website.</li> </ul>
Evidence base	To have a clear understanding of the dynamic social, environmental and economic characteristics and issues that exist within Cardiff. As part of this information gathering the Council will invite developers and landowners to submit candidate development sites for potential inclusion in the plan.	Dec 2019 to June 2022 (with necessary updates thereafter)	<ul style="list-style-type: none"> <li>6 week consultation on SA Scoping Report</li> <li>Invitation for Candidate Site submissions.</li> <li>Opportunity to engage as part of preparation of Preferred Strategy outlined below.</li> </ul>	<ul style="list-style-type: none"> <li>Updated information on both processes will be available on website.</li> </ul>
Preferred Strategy	To develop the LDP vision and objectives for the area, based on an understanding of the relevant issues. From this base, strategic options will be identified and assessed leading to the identification of strategic sites to feed into the Preferred Strategy. In parallel, the SA and other assessments will be undertaken.	March 2020 to November 2021	<ul style="list-style-type: none"> <li>Stakeholder Conference 'Launch Event' at early stage of development of vision/objectives, alternative strategies and options.</li> <li>Involvement in development of the Preferred Strategy focussing engagement upon vision/objectives, evidence base/issues and alternative strategies and options.</li> <li>6 week consultation on Preferred Strategy and Initial SA report consultation.</li> </ul>	<ul style="list-style-type: none"> <li>A report will be prepared setting out the Council's response to all comments made on the Preferred Strategy and Initial SA Report.</li> <li>All information available on website.</li> </ul>

Consultation Stage	Purpose	Timescale	Summary of Involvement	Reporting Mechanism
Deposit	To pay due regard to the foregoing consultation exercises and stakeholder engagements and formulate and consult on a Deposit Plan.	December 2021 to November 2022	<ul style="list-style-type: none"> <li>6 week consultation on Deposit LDP together and Final SA Report.</li> </ul>	<ul style="list-style-type: none"> <li>A final consultation report will be prepared setting out the Council's response to all comments made on the Deposit Plan and Final SA Report.</li> <li>All information available on website.</li> </ul>
Submission of LDP to WG	To submit the Deposit Plan, Sustainability Appraisal Report, Community Involvement Scheme, copies of all representations received, key supporting evidence, the Consultation Report, the report on the LPA's suggested changes and a Statement of the main issues to the WG and the Planning Inspectorate.	March 2023 (Indicative)	<ul style="list-style-type: none"> <li>Once submitted, the examination process will be undertaken by an Independent Inspector. An independent Programme Officer employed by the Council will provide the first point of contact to stakeholders providing a link between the authority and the Inspector. Information will be made available on the forthcoming examination process.</li> </ul>	<ul style="list-style-type: none"> <li>All information available on examination website and library.</li> </ul>
Independent examination	Following this submission an Inspector will be appointed to examine the Deposit Plan to determine whether it satisfies the preparation requirements of the 2004 Act and whether it is "sound" The examination will also consider representations including objections that have been made in accordance with the LDP Regulations.	March to September 2023 (Indicative)	<ul style="list-style-type: none"> <li>Arrangements for public participation in the examination process will be advertised nearer the time (at least 6 weeks before the opening of the examination).</li> </ul>	<ul style="list-style-type: none"> <li>All information available on examination website and library.</li> </ul>

Consultation Stage	Purpose	Timescale	Summary of Involvement	Reporting Mechanism
Inspectors Report	The Inspector will publish a report outlining the examination's findings, together with any changes to the Deposit Plan and reasons for those recommendations. The Inspector's decisions will be binding upon the Council.	September 2023 (indicative)		
Adoption	The Council is required to adopt the final LDP incorporating the Inspector's recommendations within 8 weeks of receiving it, unless the Welsh Government intervenes.	October 2023 (indicative)	<ul style="list-style-type: none"> <li>On or before the day on which the LDP is adopted, the Council will publish the Inspector's Report and make it available for inspection and to view on Council's web site. The Local Development Plan will become operative on the date it is adopted, and final publication of the Plan should follow as soon as possible (after the expiry of the six-week legal challenge period).</li> </ul>	

## APPENDIX D: RISK MANAGEMENT

The proposed timetable for plan preparation is considered to be realistic and achievable having regard to the scope of work the Council believes to be involved having regard to existing Welsh Government regulations and guidance, and the resources the Council is able to commit to plan preparation. While every effort will be made to avoid deviations from the proposed timetable, the Council has identified a number of potential risks which are set out below, together with the Council's proposed approach to managing them. The timetable, together with the anticipated work programme and available resources will be kept under continual review to monitor possible slippage or other impacts resulting from the risks identified or other causes. Where necessary, progress reports will be made to the Council's Cabinet.

Risk	Potential Impact	Mitigation
<ul style="list-style-type: none"> <li>Additional requirements arising from <b>new legislation, national guidance and/or new evidence</b></li> </ul>	<ul style="list-style-type: none"> <li>Additional work required, causing programme slippage</li> </ul>	<ul style="list-style-type: none"> <li>Monitor emerging legislation/guidance/evidence and respond early to changes</li> </ul>
<ul style="list-style-type: none"> <li><b>Programme/timetable proves too ambitious for resources available due to greater than anticipated workload</b> e.g. number of representations</li> </ul>	<ul style="list-style-type: none"> <li>Programme slippage</li> </ul>	<ul style="list-style-type: none"> <li>Realistic timetable prepared with some flexibility</li> <li>Consider additional resources when required</li> </ul>
<ul style="list-style-type: none"> <li><b>Insufficient information</b> to enable preparation of a sound plan (e.g. up to date population projections) to undertake SEA of proposals</li> </ul>	<ul style="list-style-type: none"> <li>Programme slippage</li> </ul>	<ul style="list-style-type: none"> <li>Identify expectations of consultees in Delivery Agreement</li> </ul>
<ul style="list-style-type: none"> <li><b>Delays caused by Council delaying approval of documents</b></li> </ul>	<ul style="list-style-type: none"> <li>Programme slippage</li> </ul>	<ul style="list-style-type: none"> <li>Undertake Scrutiny process together with wider Member Briefing to raise awareness</li> </ul>
<ul style="list-style-type: none"> <li><b>Delay caused by scheduling of Cabinet Business, Planning or Scrutiny Committee meetings</b></li> </ul>	<ul style="list-style-type: none"> <li>Programme slippage</li> </ul>	<ul style="list-style-type: none"> <li>Monitor progress against Delivery Agreement</li> <li>Book target meetings in Council's Forward Plan</li> </ul>
<ul style="list-style-type: none"> <li><b>Significant Objections</b> from Statutory Consultation Bodies</li> </ul>	<ul style="list-style-type: none"> <li>LDP cannot be submitted for examination without significant work</li> </ul>	<ul style="list-style-type: none"> <li>Ensure the views of statutory bodies are sought and considered as early as possible</li> </ul>
<ul style="list-style-type: none"> <li><b>Planning Inspectorate</b> unable to meet the timescale for examination and reporting</li> </ul>	<ul style="list-style-type: none"> <li>Examination and/or report is delayed</li> <li>Key milestone in programme not met</li> </ul>	<ul style="list-style-type: none"> <li>Close liaison with the Planning Inspectorate to ensure early warning of any problems (e.g. Consultation on LDP)</li> </ul>
<ul style="list-style-type: none"> <li><b>LDP fails test of soundness</b></li> </ul>	<ul style="list-style-type: none"> <li>LDP cannot be adopted without additional work</li> </ul>	<ul style="list-style-type: none"> <li>Ensure LDP is sound, founded on a robust evidence base with sustainability appraisal and well audited community and stakeholder engagement</li> </ul>
<ul style="list-style-type: none"> <li><b>Legal challenge</b></li> </ul>	<ul style="list-style-type: none"> <li>Adopted LDP quashed</li> <li>Significant slippage/ additional work</li> </ul>	<ul style="list-style-type: none"> <li>Ensure procedures, Act, Regulations etc, are complied with and no undue risks taken</li> </ul>





**CYNGOR CAERDYDD  
CARDIFF COUNCIL**



**COUNCIL:**

**28<sup>th</sup> NOVEMBER 2019**

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

**STANDARDS & ETHICS COMMITTEE - INDEPENDENT MEMBER  
APPOINTMENTS**

**Reason for this Report**

1. To seek Council's approval for the appointment of 3 independent members of the Standards and Ethics Committee to fill vacancies which have arisen.

**Background**

2. The Constitution provides that the Standards & Ethics Committee shall have five independent members, three county councillors and one community councillor – Constitution Article 9.2(a).
3. Three vacancies have arisen for independent members of the Committee following the resignations of 2 members (Lizz Roe and Hugh Thomas) due to personal circumstances and the expiry of the second term of office of the previous Chair, Richard Tebboth.
4. The Committee has elected a new Chair, James Downe, and Vice-Chair, Hollie Edwards-Davies, with effect from 23<sup>rd</sup> September 2019.

**Issues**

5. As the Constitution requires the Standards and Ethics Committee to have five Independent Members, the Council needs to make three new appointments to fill the vacancies.
6. The appointment of members of the Standards and Ethics Committee is governed by the Standards Committees (Wales) Regulations 2001 (as amended) ("the Regulations") and the Council's Constitution.
7. The Regulations require a public recruitment process to be followed for an Independent Member vacancy, specifically, the Council must:

- a) advertise the vacancies in at least 2 newspapers circulating in its area, and may additionally advertise the vacancies in its own newspaper;
  - b) set selection criteria and publish those criteria in the advertisement of the vacancies;
  - c) establish an Appointments Panel, comprised of up to five panel members, and including one lay panel member and one Cardiff community councillor; and
  - d) arrange for the Appointments Panel to assess all applications against the published criteria and make recommendations on the appointments to Council for approval.
8. The Regulations provide that an Independent Member's term of office must be set at between four and six years.
9. In accordance with the requirements of the Regulations, the vacancies have been advertised (in the Western Mail July 2019 and South Wales Echo July 2019). The vacancies have also been published through the Council's Website, a media brief and social media links; and shared with Elected Members, Community Council Clerks, WLGA and partner networks including Third Sector Council and in particular minority and disability groups to encourage applications from a more diverse group of candidates.
10. An Appointments Panel comprised of Kate Thomas CVO, JP, as lay panel member; Community Councillor Stuart Thomas and Hollie Edwards-Davies Vice Chair of the Standards & Ethics Committee, Independent Member has assessed all applications received against the published criteria, and shortlisted and interviewed candidates.
11. The Appointments Panel has recommended the appointment of 3 new independent members: Jason Bartlett, Chrissie Nicholls and Arthur Hallett, subject to receipt of satisfactory references.

### **Legal Implications**

12. The legal implications are contained within the body of the report.

### **Financial Implications**

13. There are no financial considerations beyond the cost of the recruitment advert, which will be met from within the Directorate budget.

## **RECOMMENDATIONS**

Council is recommended to approve the appointment of (1) Jason Bartlett, (2) Chrissie Nicholls and (3) Arthur Hallett, as independent members of the Standards and Ethics Committee, for a term of 4 years, subject to the receipt of satisfactory references.

**Davina Fiore**

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

22 November 2019

### **Background papers:**

Standards and Ethics Committee report, 'Independent Members and Chair of the Committee – Update', 30<sup>th</sup> July 2019

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**COUNCIL:****28 November 2019**

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**REPORT OF THE HEAD OF DEMOCRATIC SERVICES**

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**AUDIT COMMITTEE INDEPENDENT MEMBER - LEAVE OF ABSENCE  
REQUEST****Reason for this Report**

1. For the Council to consider a recommendation from the Audit Committee for one of the Committee's Independent Members to be granted a leave of absence.

**Background**

2. In accordance with section 82 of the Local Government (Wales) Measure 2011, the Audit Committee is required to have at least one independent (lay) member, and no more than one third of the Committee's membership may be independent members.
3. The Audit Committee is currently comprised of eight Councillors (5 Labour, 2 Conservative and 1 Liberal Democrat) and four Independent Lay Members. (At the time of reporting there are two Labour Councillor vacancies on the Committee.) The number of independent members constitutes one third of the total Committee membership, which is the statutory maximum number permitted.
4. One independent member, the Chair, has written to the Council to request a leave of absence for up to one year, due to other work commitments. The request was considered by the Audit Committee at its meeting on 12<sup>th</sup> November.

**Issues**

5. The Audit Committee has carefully considered the request for a leave of absence. The Committee noted, in particular:
  - (i) the member's commitment to his role and assurance of his intention to resume his position within one year, to serve the remainder of his term of office (over three years); and
  - (ii) that a new Chair would need to be elected by the Committee (pursuant to section 83 of the Local Government (Wales) Measure 2011) for the duration of the Chair's leave, if approved.

## **Legal Implications**

6. The Council has power to determine the size and membership of its Audit Committee and make appointments to it, subject to compliance with the statutory provisions set out in Part 6, Chapter 2 of the Local Government (Wales) Measure 2011. The recommended leave of absence may be approved by Council pursuant to these powers.
7. Other relevant legal implications are set out in the body of the report.

## **Financial Implications**

8. There are no direct financial implications arising from this report. However, if fewer Co-opted Audit Committee Members were to attend Committee Meetings, associated meeting attendance costs would be lower, in accordance with the rates applicable through the Members' Schedule of Remuneration.

## **RECOMMENDATIONS**

That Council:

- a) Approves the recommendation of the Audit Committee to grant the Chairperson's request for a leave of absence of up to one year; and
- b) Notes that, subject to approval of recommendation 1, a new Chairperson, for the duration of the leave of absence, is to be elected by the Audit Committee at its next meeting.

**GP JONES**  
**HEAD OF DEMOCRATIC SERVICES**  
22 November 2019

Background papers  
Audit Committee report 'Leave of absence request', 12 November 2019

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

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**REVIEW OF POLITICAL BALANCE****Reason for this Report**

1. Following the formation of the Cardiff West Independent group on 23rd October 2019, and the resignation of Councillor Bale as a Councillor in the Llanishen ward on 9<sup>th</sup> October resulting in a by election on 21<sup>st</sup> November 2019, a review of the political balance and allocation of seats on Committees has been undertaken 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. Council is requested to approve the outcomes of the political balance review and to agree any changes necessary to re-establish the political balance of the membership of the Council's committees.

**Background**

3. The Local Government and Housing Act 1989 requires the Council to allocate Committee seats to political groups in proportion to the size of the groups on the Council as far as is reasonably practicable.

**Issues**

4. The formation of the Cardiff Independent group replaced the Plaid Cymru Group and included the addition of Councillor N McEvoy. The composition of the Council is then reflected in **TABLE A** below.

**TABLE A** - Composition of the Council

<b>Groups and Independents</b>	<b>Number of Councillors</b>	<b>Political Balance</b>
Labour	39	52.0%
Conservative	20	26.67%
Liberal Democrat	11	14.67%
Cardiff West Independent	4	5.33%
Heath & Birchgrove Independent	1	1.33%
<b>Totals</b>	<b>75</b>	<b>100.00%</b>

5. The total number of seats on the Committees, which are subject to the political balance requirements is 144. Based on the composition of the Council shown in Table A above 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**

Groups and Independents	Number of Committee seats
Labour	76
Conservative	39
Liberal Democrats	21
Cardiff West Independents	8
Independent (Not in a Group)	0
<b>Totals</b>	<b>144</b>

6. The proportional allocation of seats, as set out in Table B above, has been discussed with all Party Group Whips on 18 November 2019. It was agreed that the political balance would reflect the formation of the Cardiff West Independents prior to the outcome of the Llanishen By-Election being known.

Llanishen By-Election

7. Councillor Sian Melbourne (Conservative) was elected at the Llanishen By-Election held on 21 November 2019. The composition of the Council was updated to reflect this change and is shown in Table C.

**TABLE C – Revised Composition of the Council**

Groups and Independents	Number of Councillors	Political Balance
Labour	38	50.67%
Conservative	21	28.00%
Liberal Democrat	11	14.67%
Cardiff West Independent	4	5.33%
Heath & Birchgrove Independent	1	1.33%
<b>Totals</b>	<b>75</b>	<b>100.00%</b>

8. Based on the revised composition of the Council shown in Table C above the proportional allocation of seats on those Committees is as set out in Table D:



**TABLE D – Revised Allocation of Seats in accordance with Political Balance**

<b>Groups and Independents</b>	<b>Number of Committee seats</b>
Labour	75
Conservative	41
Liberal Democrats	21
Cardiff West Independents	8
Independent (Not in a Group)	0
<b>Totals</b>	<b>144</b>

#### Proposed Changes to Committee Memberships

9. To achieve the allocation of seats required in Table D initial proposals are being considered by the political groups and will be included in the amendment sheet to be published before the Council meeting.
10. The changes to the committee membership are fully described in **Appendix A (to follow)**.

#### Nominations and Appointments to Committees

11. It is the duty of the Council to make appointments as soon as practicable 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.
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).
13. It is normal practice for the Groups to make known their nominations, 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.

#### **Legal Implications**

14. Sections 15 to 17 of the Local Government and Housing Act 1989 ("the 1989 Act") and the Local Government (Committees and Political Groups) Regulations 1990 ("the 1990 Regulations") lay down requirements designed to ensure that there is political balance on Committees. The rules apply to all ordinary committees, advisory committees, scrutiny committees, the Democratic Services Committee, and joint committees where the Council appoints three or more seats, but do not apply to the Standards and Ethics Committee or the Audit Committee (although

statutory guidance recommends equivalent provision, as noted in paragraph 16 of the report)

15. 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.
16. However, the allocation of seats based on the political proportionality principles set out in Section 15 of the 1989 Act (please see paragraph 11 above) may be varied (pursuant to Section 17 of the 1989 Act) if alternative arrangements are approved by the Council, subject to:
  - i. Notice being given to all Members of the proposal to adopt the alternative arrangements for the allocation of seats – this is met by the express reference made in the Council Summons (Regulation 20 of the 1990 Regulations); and
  - ii. The alternative arrangements must be approved by the Council without dissent (a “nem con” vote).
17. 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.
18. 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).
19. 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.

20. This report recommends that Council makes changes to the appointments to its committees in accordance with the groups' nominations submitted to this Council meeting; and instructs the Monitoring Officer to make changes and appointments to any remaining vacancies in accordance with the wishes of the relevant political groups, and to report all changes and appointments made to the next Council meeting.

### **Financial Implications**

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

### **RECOMMENDATIONS**

The Council is recommended to:

24. approve the allocation of seats on Committees for the remainder of the 2019/20 municipal year as set out in **Appendix A**;
25. receive nominations from Party Groups in respect of the changes made to the allocation of seats to each Group;
26. make changes and appoint Members to each Committee in accordance with the wishes expressed by relevant Party Groups as detailed on the amendment sheet;
27. request the Monitoring Officer to make changes and appointments in respect of any remaining vacancies in accordance with the wishes expressed by the relevant political groups following this meeting, and to report to the next Council meeting the details of all changes and appointments to committees for information.

**DAVINA FIORE**

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

22 November 2019

Appendix A – Revised Allocation of Committee Seats

**Background Papers:** None other than those identified in the report.

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# CYNGOR CAERDYDD CARDIFF COUNCIL

**COUNCIL:**

**28 NOVEMBER 2019**

## REPORT OF THE DIRECTOR OF GOVERNANCE & LEGAL SERVICES

### COMMITTEE APPOINTMENTS

#### Reason for Report

1. To receive nominations and make appointments to current committee vacancies as set out in the report and in accordance with the approved allocation of seats and political group wishes.

#### Background

2. The Annual Council 23 May 2019 established the Committees and Panels of the Council and their composition. The seats allocated to political groups on each committee were calculated in accordance with political balance, and nominations were received for each committee from the political groups.
3. In accordance with the Welsh Audit Office Statement of Action P3b (report March 2016), Membership of Committees is a standing item on monthly Group Whips meetings and Full Council, as appropriate.

#### Issues

4. The Annual Council 23 May 2019 received nominations to committee seats. Not all seats were filled and the vacancies that remain are as follows:

Committee	Vacancy	Group
Corporate Parenting Advisory Committee	2 vacancies	1 x Liberal Democrats 1 Cardiff West Independents
Licensing Committee	1 vacancy	1 x Conservative
Public Protection	2 vacancies	1 x Conservative 1 x Cardiff West Independents
Policy Review & Performance Scrutiny	2 vacancies	1 x Labour 1 x Cardiff West Independents

5. Further nominations to fill existing vacancies received from political groups prior to Full Council on 28 November 2019 will be reported on the amendment sheet.

## **Legal Implications**

6. The Council is under a duty to make appointments to Committees, in accordance with the approved allocation of seats to political groups, so as to give effect to the wishes of the political groups (pursuant to Section 16 of the 1989 Act).

## **Financial Implications**

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

## **RECOMMENDATION**

The Council is recommended to appoint to the vacancies on Committees in accordance with the approved allocation of seats and Party Group wishes, as set out on the Amendment Sheet.

### **DAVINA FIORE**

#### **Director Governance and Legal Services**

22 November 2019

#### **Background Papers**

Annual Council Reports and Minutes 23 May 2019

Report and Minutes of Council 20 June 2019

Report and Minutes of Council 18 July 2019

**CYNGOR CAERDYDD  
CARDIFF COUNCIL**



**COUNCIL:**

**28 NOVEMBER 2019**

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

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

**Reasons for the Report**

1. To receive nominations and make appointments of Council representatives to statutory and non-statutory outside bodies.

**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.
3. The Council at its Annual meeting on 23 May 2019 received nominations and agreed appointments of Members to serve on bodies which are required on an annual basis and other vacancies.
4. The Council from time to time receives nominations to vacancies that occur during the Municipal Year.

**Issues**

5. The Council is asked to receive a nominations to following bodies: -

<b>Body</b>	<b>Vacancy Information</b>
Willie Seager Memorial Homes Trust.	One vacancy to replace Councillor Lister.

6. The Party Group Whips were advised of these vacancies on 18 November 2019 and nominations received will be detailed on the Amendment Sheet to be circulated at the Council meeting.

**Legal Implications**

7. 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**

8. There are no financial implications arising as a direct consequence of this report.

### **RECOMMENDATION**

The Council is requested to receive nominations and approve appointments as set out on the amendment sheet to the following bodies:

- (a) Willie Seager Memorial Homes Trust.

**DAVINA FIORE**

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

22 November 2019

### **Background Papers**

Register of Appointments to Outside Bodies

Annual Council 23 May 2019 - Appointment of Representatives to Outside Bodies



**COUNCIL:**

**28 NOVEMBER 2019**

## **REPORT OF DIRECTOR, GOVERNANCE & LEGAL SERVICES**

### **MILLENNIUM STADIUM PLC – APPOINTMENT OF NON-EXECUTIVE DIRECTOR**

#### **Reason for the Report**

1. To appoint one independent representative to serve as a Non-Executive Director of Millennium Stadium plc.

#### **Background**

2. The appointment of Members to serve on outside bodies is a Local Choice function under the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001, as amended. The Constitution provides that this matter is reserved for Council which will, from time to time, receive nominations and make these appointments.
3. Millennium Stadium plc is owned by the Welsh Rugby Union (WRU), but the Council has a number of rights, as the Special Shareholder in the Company, which are set out in the Company's Articles.
4. The Company's Articles provide that the Board of Directors shall have a maximum of eleven Directors. The WRU is entitled to appoint a maximum of six Directors; and the Council, as the Special Shareholder, is entitled to appoint a maximum of five representatives to serve as non-executive Directors on the Board of the company. To date, the Council has appointed one elected member (usually the Leader of the Council or a Cabinet Member), one officer (usually the Chief Executive) and three independent persons following a public appointment process for these positions. The term of office of the three previous Council-appointed independent Non-Executive Directors expired on 25 April 2017.
5. The Council agreed previously on 25 May 2017 to delegate authority to the Corporate Director (Resources) and the Director of Governance and Legal Services and Monitoring Officer to proceed with the advertising and appointment for the independent Non-Executive Director positions on the board of Millennium Stadium plc. The Council also agreed to establish a politically balanced Member Appointment Panel for the purpose of the

appointment process (based on three Labour; one Liberal Democrat and one Conservative Members).

## **Issues**

6. Further to this decision, discussions have taken place between the Council and WRU about the future status and governance of Millennium Stadium plc, including proposed changes to the number of Directors to be appointed to the company. This formed part of a wider review by the WRU of its various governance structures and arrangements, as well as those of other entities within the WRU Group, including Millennium Stadium plc. For example, the WRU Board has agreed a number of changes to its governance, including a reduction in the number of WRU Board Members from 20 to 12.
7. Similarly, in order for the Board of Millennium Stadium plc to be agile and properly-functioning, the Council and WRU agreed to reduce the size of the Board by not currently appointing all of the maximum of eleven Directors permitted currently under the Company's Articles. Instead, the Council and WRU agreed in late 2018 to reduce the size of the Millennium Stadium plc Board of Directors (from eleven) to seven Directors; by reducing the number of Directors to be appointed by Cardiff Council (from five) to three (including the Leader/Cabinet Member, Chief Executive and one independent appointment), with a corresponding reduction in the number of Directors to be appointed by the Welsh Rugby Union (from six) to four. A delegated officer decision on this matter was taken by the former Corporate Director Resources & Section 151 Officer in October 2018 (Ref: SMT/1819/34).
8. The vacant position of the one independent Non-Executive Director position appointed by the Council to the Board of Millennium Stadium plc was advertised in September 2019. The shortlisting and interview processes were undertaken during November 2019 by a politically balanced Member Appointment Panel comprised of Councillors Boyle, Bradbury (Chair), Jones-Pritchard, Mackie and Weaver. The panel was supported by the Corporate Director (Resources) and Deputy Monitoring Officer.
9. Following completion of the appointment process and subject to the receipt of satisfactory references, the Panel's agreed nomination for appointment as the one Council-appointed independent representative as a Non-Executive Director to Millennium Stadium plc for a 3-year term is Mr Sameer Rahman. The proposed 3-year term is in line with that of the independent Non-Executive Directors appointed by the WRU.
10. The other two Council-appointed Non-Executive Directors to the Board of Millennium Stadium plc are currently the Leader of the Council, Councillor Huw Thomas, and the Chief Executive.

## **Legal Implications**

11. The legal implications are contained within the body of the report.

## **Financial Implications**

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

## **RECOMMENDATION**

Council is recommended to approve the appointment of Mr Sameer Rahman as the nominated independent representative as a Non-Executive Director to Millennium Stadium plc for a term of 3 years, subject to the receipt of satisfactory references.

**DAVINA FIORE**

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

**22 November 2019**

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**CYNGOR CAERDYDD  
CARDIFF COUNCIL**



**COUNCIL:**

**28 November 2019**

**REPORT OF DIRECTOR GOVERNANCE & LEGAL SERVICES**

**APPOINTMENT OF LOCAL AUTHORITY GOVERNORS TO SCHOOL GOVERNING BODIES**

**Reason for this Report**

1. To appoint Local Authority School Governors.

**Background**

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

**Issues**

4. The Local Authority Governor Panel will meet on 26 November 2019 to consider new applications to current and future vacancies up 31 March 2020. The recommendations of the panel will be listed on the Amendment Sheet.

**Reasons for Recommendations**

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

**Legal Implications**

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

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

### **Financial Implications**

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

### **Recommendation**

9. That Council consider the recommendations of the Local Authority Governor Panel of 10 September 2019 and approve the appointments of Local Authority governors to the school governing bodies as set out in Appendix 1.

**Davina Fiore**

**Director Governance & Legal Services**

6 September 2019

*List of Local Authority school governor vacancies and recommendations for appointment by the Local Authority Governor Panel for the period 01 December to 31 March 2020 will be listed on the Amendment Sheet.*