



GWYS Y CYNGOR

DYDD IAU, 29 TACHWEDD 2018

COUNCIL SUMMONS

THURSDAY, 29 NOVEMBER 2018,

Fe'ch gwysir I fynychu cyfarfod **CYNGOR SIR DINAS A SIR CAERDYDD**, a gynhelir yn Siambr y Cyngor - Neuadd y Ddinas, Parc Cathays, Heol Gerddi'r Orsedd, Caerdydd, CF10 3ND on Dydd Iau, 29 Tachwedd 2018 at 4.30 pm I drafod y materion a nodir yn yr agenda atodedig.

Davina Fiore
Cyfarwyddwr Llywodraethu a Gwasanaethau
Cyfreithiol

Neuadd y Sir
Caerdydd
CF10 4UW

Dydd Gwener, 23 Tachwedd
2018

Hyrwyddo cydraddoldeb a pharch at eraill Gwrthrychedd a priodoldeb Anhunaoldeb a stiwardiaeth
Uniondeb Dyletswydd i gynnal y gyfraith Atebolrwydd a bod yn agored

GWE-DARLLEDU

Caiff y cyfarfod hwn ei ffilmio i'w ddarlledu'n fyw a/neu yn olynol trwy wefan y Cyngor. Caiff yr holl gyfarfod ei ffilmio, heblaw am eitemau eithriedig neu gyfrinachol, a bydd y ffilm ar gael ar y wefan am 12 mis. Cedwir copi o'r recordiad yn unol â pholisi cadw data'r Cyngor.

Ar ddechrau'r cyfarfod, bydd y Cadeirydd yn cadarnhau a gaiff y cyfarfod cyfan neu ran ohono ei ffilmio. Fel rheol, ni chaiff ardaloedd y cyhoedd eu ffilmio. Fodd bynnag, wrth fynd i'r ystafell gyfarfod a defnyddio'r ardal gyhoeddus, mae aelodau'r cyhoedd yn cydsynio i gael eu ffilmio ac y defnyddir y lluniau a recordiadau sain hynny o bosibl at ddibenion gwe-ddarlledu a/neu hyfforddi.

Os oes gennych gwestiynau ynghylch gwe-ddarlledu cyfarfodydd, cysylltwch â'r Gwasanaethau Pwyllgorau ac Aelodau ar 02920 872020 neu e-bost [Gwasanethau Democrataidd](mailto:Gwasanethau.Democrataidd@cyngor-y-nant-y-nant.gov.uk)

<i>Eitem</i>		<i>Tua Amser</i>	<i>Max Amser</i>
1	Ymddiheuriadau am Absenoldeb <i>I dderbyn ymddiheuriadau am absenoldeb.</i>	4.30 pm	5 mins
2	Datgan Buddiannau <i>Derbyn datganiadau buddiannau (i'w gwneud yn unol â Chod Ymddygiad yr Aelodau).</i>		
3	Cofnodion (Tudalennau 9 - 38) <i>Cymeradwyo cofnodion y cyfarfod ar 25 Hydref 2018 fel rhai cywir.</i>		
4	Cwestiynau Cyhoeddus (Tudalennau 39 - 46) <i>Derbyn cwestiynau yr hysbyswyd amdanynt ymlaen llaw gan Aelodau'r Cyhoedd.</i>	4.40 pm	10 mins
5	Deisebau <i>Derbyn deisebau gan Aelodau Etholedig i'r Cyngor.</i>	4.45 pm	5 mins
6	Cyhoeddiadau'r Arglwydd Faer <i>Derbyn cyhoeddiadau'r Arglwydd Faer gan gynnwys Cydnabyddiaethau a Gwobrau.</i>	4.50 pm	5 mins
7	Adroddiad Blynyddol y Pwyllgor Safonau a Moeseg 2017/18 (Tudalennau 47 - 70) <i>Derbyn yr Adroddiad Blynyddol a gyflwynwyd gan Gadeirydd y Pwyllgor Safonau a Moeseg, Mr Richard Tebboth.</i>	4.55 pm	20 mins
8	Datganiad Teirblwydd o'r Polisi Trwydded Gamblo (Tudalennau 71 - 126) <i>Adroddiad Pennaeth y Gwasanaethau Rheoliadol wedi'i gyfeirio i gael cymeradwyaeth y Pwyllgor Trwyddedu 6 Tachwedd 2018.</i>	5.15 pm	15 mins
9	Gostyngiadau a Phremiymau'r Dreth Gyngor Eiddo Gwag (Tudalennau 127 - 134) <i>Cynnig y Cabinet</i>	5.30 pm	15 mins

Trwy dderbyn y Pecyn Agenda hwn yn electronig, rydych wedi arbed yr Awdurdod tua. **£ 5.81** mewn costau argraffu

10	<p>Adroddiad Rheoli'r Trysorlys Canol y Flwyddyn 2018-19 (<i>Tudalennau 135 - 160</i>)</p> <p><i>Ni chaiff Atodlenni B a C Atodiad 1 yr adroddiad hwn eu cyhoeddi oherwydd eu bod yn cynnwys gwybodaeth a eithrir fel y disgrifir ym Mharagraffau 14 ac 21 Rhestr 12A Deddf Llywodraeth Leol 1972. Felly gallai fod angen penderfynu Eithrio'r Cyhoedd tra bod yr eitem hon yn cael ei thrafod.</i></p> <p><i>Cynnig y Cabinet.</i></p>	5.45 pm	10 mins
11	<p>Datganiadau gan yr Arweinydd ac Aelod Cabinet (<i>Tudalennau 161 - 188</i>)</p> <p><i>Derbyn datganiadau gan yr Arweinydd ac Aelodau'r Cabinet</i></p>	5.55 pm	45 mins
Egwyl			
Hysbysiad o Gynnig			
12	<p>Cynnig 1</p> <p>Cynigiwyd gan: Y Cynghorydd Dilwar Ali</p> <p>Eiliwyd gan: Y Cynghorydd Norma Mackie</p> <p><u>Cefndir</u></p> <p>Gwybyddir bod Caerdydd yn ddinas sy'n hoff iawn o gŵn ac mae llawer o'n trigolion yn talu llawer o arian am y ci bach o'u dewis, weithiau miloedd o bunnoedd. Mae'r hoffter hwn am gŵn yn cael ei gamdrin gan berchenogion fferm cŵn bach anghyfreithlon sy'n parhau i fridio cŵn mewn cyflyrau gwael iawn ac sy'n parhau i'w bridio. Maent hefyd yn creu cŵn bach sy'n sâl, sy'n cael eu cymryd o'u mamau'n rhy gynnar, sydd yn aml yn eu hachosi i gael problemau cymdeithasu. Maent yn costio llawer o arian i'w perchenogion newydd o ran biliau milfeddygon er yn aml yn y pen draw mae'r ci bach yn marw neu'n anodd ei reoli. Roedd Lucy yn un o'r cŵn bridio hyn a achubwyd o fferm cŵn bach ac mae Lucy's Law yn ymgyrch i wahardd trydydd partïon rhag gwerth cŵn bach i helpu i stopio hyn.</p> <p>Mae Cartref Cŵn Caerdydd, gwasanaeth a redir gan Gyngor Caerdydd, yn gorfod rhoi cartref i'r cŵn bach hyn a thrio dod o hyd i gartref newydd parhaol iddynt. Rydym yn gwybod bod nifer cynyddol o ffermydd cŵn bach anghyfreithlon mewn ardaloedd yng ngorllewin Cymru yn defnyddio trydydd partïon i werthu'r cŵn bach a bod cŵn</p>	7.00 pm	30 mins

	<p>bach yn cael eu gwerthu yng Nghaerdydd.</p> <p>Mae Llywodraeth y DU wedi cytuno i wahardd trydydd partïon rhag gwerthu cŵn bach yn Lloegr ac mae tri Aelod Seneddol yn gofyn i Lywodraeth Cymru i wneud hyn hefyd oherwydd heb Lucy's Law, bydd cŵn bridio ffermydd cŵn bach anghyfreithlon a'u cŵn bach yn parhau i ddioddef y tu ôl i ddrysau wedi'u cais dan ddwylo pobl sy'n rhoi elw cyn llesiant anifeiliaid.</p> <p><u>Cynnig</u></p> <p>Mae'r Cyngor hwn yn galw ar Arweinydd Cyngor Caerdydd i ysgrifennu at Lywodraeth Cymru, yn cefnogi'r galw am gamau gweithredu brys i wahardd trydydd partïon rhag gwerthu cŵn bach.</p>		
13	<p>Cynnig 2</p> <p>Cynigiwyd gan: Y Cynghorydd Lyn Hudson</p> <p>Eiliwyd gan: Y Cynghorydd Oliver Owen</p> <p>Mae'r Cyngor hwn wedi ymrwymo i gefnogi dinasyddion a theuluoedd sy'n byw gyda demensia ac i wneud Caerdydd yn ddinas sy'n deall demensia gydnabyddedig, lle y gall pobl y mae demensia'n effeithio arnynt ffynnu a mwynhau bywyd yn ddiogel gan wybod bod y gymuned ehangach yn deall ac yn cefnogi eu hanghenion.</p> <p>Mae'r Cyngor hwn yn nodi'r canlynol:</p> <ul style="list-style-type: none"> • Bod bod yn gyfarwydd â lleoliad a gofal yn hanfodol i lawer o bobl sy'n dioddef o ddemensia a bod canolfan dydd leol yn helpu i atal dinasyddion rhag cael eu drysu'n ddaearyddol. • Bod canolfan dydd gyda gwasanaethau demensia'n codi ymwybyddiaeth o'r mater yn y gymuned leol. • Bod canolfannau dydd a ariennir gan y Cyngor ar hyn o bryd wedi'u lleoli'n logistaidd yn nwyrain a gorllewin y ddinas. Nid oes unrhyw lwybrau bws uniongyrchol o wardiau mwyaf gogleddol Caerdydd i ganolfannau dydd cyfredol a gall trafndiaeth gymunedol VEST gymryd hyd at awr mewn traffig trwm. Nid oes gan y canolfannau dydd cyfredol, er eu bod yn wych, y capasiti i fodloni'n ddigonol anghenion trigolion hŷn ledled Caerdydd. 	7.30 pm	30 mins

	Mae'r Cyngor hwn yn galw ar y Cabinet i greu canolfan dydd ar wahân a ariennir gan y Cyngor sy'n cynnig gwasanaethau demensia yng ngogledd dinas Caerdydd, lle mai dinasyddion yw'r canolbwynt mwyaf, erbyn diwedd cyfnod y Cyngor hwn yn y swydd yn 2022 a llunio amserlen ar gyfer achredu Caerdydd yn Ddinas sy'n Deall Demensia.		
14	Cwestiynau Llafar <i>Cwestiynau ar lafar i'r Arweinydd, Aelodau'r Cabinet; Cadeiryddion y Pwyllgor a/neu Aelodau enwebedig o'r Awdurdod Tân.</i>	8.00 pm	60 mins
15	Materion Brys	9.00 pm	5 mins
Materion y Cyngor nas Gwrthwynebir			
16	Bws Caerdydd - Penodi Cyfarwyddwyr Anweithredol Annibynnol <i>(Tudalennau 189 - 194)</i> <i>Adroddiad y Prif Weithredwr</i>	9.05 pm	5 mins
17	Penodi Llywodraethwyr Ysgolion yr Awdurdod Lleol <i>(Tudalennau 195 - 200)</i> <i>Cymeradwyo argymhellion Panel Llywodraethwyr yr Awdurdod Lleol 19 Tachwedd 2018.</i> <i>Adroddiad y Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol.</i>		
18	Penodi Cynrychiolwyr y Cyngor i Gyrff Allanol <i>(Tudalennau 201 - 204)</i> <i>Adroddiad y Cyfarwyddwr Llywodraethiant a Gwasanaethau Cyfreithiol.</i>		
19	Cwestiynau Ysgrifenedig <i>Yn unol â Rheolau Gweithdrefn y Cyngor, Rheol 17(f), caiff Cwestiynau Ysgrifenedig eu hystyried a'r ymateb ei gynnwys fel cofnod yng nghofnodion y cyfarfod.</i>		

City Council of the City & County of Cardiff
25 October 2018

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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 25 October 2018 to transact the business set out in the Council summons dated Friday, 19 October 2018.

Present: County Councillor Dianne Rees (Lord Mayor)

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

78 : APOLOGIES FOR ABSENCE

Apologies for Absence had been received from Councillors Bale, Congreve, Joyce, Lister and Simmons.

79 : DECLARATIONS OF INTEREST

The following declaration of interest was received in accordance with the Members Code of Conduct: -

Councillor	Item	Interest
Councillor Bowden	Item 8 – Annual Statutory Wellbeing Report 2017-18	Personal Interest in receipt of Telecare Services
Councillor Hudson	Item 8 – Annual Statutory Wellbeing Report 2017-18 Item 9 - Cabinet Member, Social Care. Health & Well-being – Statement.	Personal Interest as a family member is in receipt of Social Care Services

80 : MINUTES

The minutes of the meeting of the Council held on 27 September 2018 were approved as a correct record and signed by the Chairperson

81 : PUBLIC QUESTIONS

Public Question – *Mr Tim London*

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

What additional resources would be applied by the Council (if any) in terms of the enforcement of the dog control Public Space Protection Order (PSPO) and how will these be financed?

Reply – Councillor Michael

The consultation on the proposed introduction of a PSPO relating to dog control has only recently closed. The question of whether any additional resources will be provided will be considered as part of a future report to Cabinet and, if necessary, as part of the Council's budget process for 2019/20.

Supplementary Question – Mr Tim London

I welcome the very recent announcement from Councillor Bradbury on the dog control PSPO.

Will the Council now be reviewing the proposal to reflect this and apply resources to target those who actually offend in relation to not picking up dog mess rather than those who actually obey the law?

Reply – Councillor Michael

As the consultation has only just finished, I think the best thing to do is to evaluate that consultation and then take that forward. I think the one part of the consultation that everyone seems to be concerned about, was just one part of a very wide ranging consultation. We will look at the outcomes and actions and consider the way forward.

Public Question – Mr Charles Allen

In an effort to reduce plastic waste and make Cardiff a more environmentally friendly city, would you consider installing drinking water fountains in the city centre?

Reply – Councillor Michael

The Council is committed to helping make Cardiff an environmentally friendly city and has developed an action plan in relation to single use plastics, which is scheduled to be considered by the Cabinet next month. The draft action plan considers the provision of both water fountains and drinking bottle 'refill' stations.

The Refill campaign, which was started by City to Sea in Bristol in 2015, has seen over 60 Refill schemes being implemented across the UK. These involve participating businesses displaying 'Refill' stickers in their windows to let people know that they offer free tap water. They have now developed an App, if you go to Refill.Wales you can get the App there and use the App to let you know exactly where the Refill stations are.

In Cardiff we have 72 at present ranging from multinationals like Starbucks and others to Hubs, Clubs, and Libraries etc. We are due, with Welsh Government, to make an announcement soon because the Welsh Government is committed to making Wales the world's first Refill nation and the Council is working with the Welsh Government to help promote the Refill Cymru scheme next month.

Public Question – Mr Adam Johannes

For years grassroots groups have distributed free food in Cardiff City Centre. Recently several groups report being asked by the Council to move from their usual spots away from the centre to areas where the volunteers feel unsafe and vulnerable. One group asked to move has served food once a week in the same spot for almost a decade.

These projects have become increasingly important with the growth of people in extreme poverty, including rough sleepers and asylum seekers. The food provided by the volunteers is one of the small comforts these people can look forward to, especially as the weather gets colder a hot meal could literally be life-saving.

On social media many people have expressed concern saying *'the volunteers should not be treated like a nuisance by Cardiff Council and shoved off. They should be supported and applauded for their generosity'*.

We would like to know the reason and rationale for these projects being asked to move out of the city centre and the formal justifications for this new change in policy and approach?

Reply – Councillor Thorne

It's really pleasing to see so many people have turned up in support to show how much they care about this issue.

I can assure you there has been no unfavourable change of policy or approach towards volunteer groups who operate in the city.

On the contrary, the Council has great respect for people who provide support to vulnerable people in their own time and recognises the potential to work more closely together to try to expand our ambitions and provide services that make even more of a difference.

This has been demonstrated by a joint event held at City Hall in March 2018, followed by ongoing forums at which volunteer groups attend alongside representatives from the statutory and third sector (with a plan in place to expand and include service users in the future).

These meetings have included joint awareness training and productive discussions to develop more opportunities for people who are homeless. These include befriending and peer mentoring schemes, into work training, an ambitious arts project and lots of other activities.

The Council has taken no formal action to relocate any group. However, I am aware of a request that was made to one group to consider a move because of a very large number of complaints that the existing position was severely restricting a public thoroughfare, as well as issues relating to an excessive amount of waste being left behind.

I would hope that everyone recognises the need to balance the needs of everyone using the city centre and the group in question did agree to try out a different site. At the same time, through the forums I have already mentioned, this group (along with

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others) was offered free food hygiene training and access to DBS checks when recruiting volunteers.

Finally, alongside a wide range of different organisations and individuals, Cardiff Council has been involved with the development of a Homeless Charter for the City. The Charter identifies that tackling homelessness is a target to which everyone can contribute. It's very similar to what's used in Manchester and if you check Manchester's website you'll be able to see it.

Supplementary Question – Mr Adam Johannes

It was announced in the press that FOR Cardiff (formerly the Cardiff's Business Improvement District (BID)) a private business consortium will be funding and hiring two Police Officers particularly to target beggars and people on the street and you will be aware that there was a letter in the South Wales Echo from Assembly Members like Julie Morgan and Trade Union leaders expressing concern about this.

Do you not think that it comes across as quite dodgy that our police are operating as a private firm that can be hired by a business interests to target people they feel are a nuisance, and would you urge FOR Cardiff, instead of hiring and funding two Police Officers, to fund projects that actually help the homeless rather than harass them.

Reply – Councillor Thorne

FOR Cardiff is working with the Council and all of the other voluntary organisations in Cardiff both to look at and try to help address the homeless issues as well as the safety issues in the city centre.

While I was outside prior to the meeting one of my colleagues was talking to a member of your group who was talking about police harassment, there was a homeless person there who said that the police don't harass them. We work together with the police and it is about making sure the safety of both the homeless individuals and people using the city centre and while we were talking I also got told about how drunks on the weekend actually urinate over homeless people. So FOR Cardiff have funded two Police Officers so that we have got dedicated Police Officers and they work with the Outreach team and the volunteers and it is about making Cardiff city centre a safe place, whether that's for homeless people who are sleeping rough on our streets, or those people who are visiting the city centre for their pleasure.

82 : PETITIONS

The following Petitions were received by Full Council:

Councillor	No of signatures	Topic
Councillor Mike Phillips	Over 16,000 residents	Opposing the proposals for PSPO's for Dog Controls in Cardiff
Councillor Lee Bridgeman	377 Residents	Opposing the closure of Glan yr Afon Primary School in Llanrumney

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83 : LORD MAYOR'S ANNOUNCEMENTS

Congratulations

The Lord Mayor congratulated the Leader, Councillor Huw Thomas on his marriage to Charlotte on 13 October, and on behalf of the Council, she wished them both all the very best for the future – dymuniadau gorau'r dyfodol.

Chair of Audit Committee

The Lord Mayor welcomed Mr Ian Arundale, Chair of the Council's Audit Committee to the meeting to present the Committee's Annual Report.

Events

Details of the Lord Mayor's [duties and events](#) since the last meeting had been published on the website. The Lord Mayor was pleased to report that just over £49,000 had been raised for her nominated charity Noah's Ark Tiny Lives Appeal. The Lord Mayor thanked Elected Members and officers of the Council for their continuing support and in particular Councillor Stubbs who raised over £700 by competing in the Cardiff Half Marathon, and the employees of the Education Directorate who raised over £4,000 climbing Pen y Fan.

Recognition and Awards

The Lord Mayor congratulated all those who had received awards or being involved in initiatives since the last meeting details of which were included in her report.

84 : AUDIT COMMITTEE ANNUAL REPORT 2017-18

The Chair of the Audit Committee Mr Ian Arundale was pleased to present the [Audit Committee Annual Report for 2017/18](#) which set out an overview of the work carried out by the Committee over the 12 months. The Chair drew attention to areas of the report in particular:

- The effectiveness of governance, risk management and controls within the Council; risk management and treasury management procedures and scrutiny of the statement of accounts and informing the Council's Annual Governance Statement 2017/18.
- The Council's budget position and budget monitoring; the Council's financial resilience and overall financial position within the challenges of an ever shrinking resources.
- Concerns raised on the continuing significant unrealised savings and overspends in the Social Services Directorate which were dealt with by the Director of Social Services when he attended Committee to provide an overview of the governance and management assurance in directorate.
- the Committee welcomed the receipt of an overview of all internal audit reports and the opportunity to review those marked red or amber their audit recommendations and associated management response and actions completed or outstanding.
- The Council in 2017/18 received it 5 yearly external audit of the internal audit function which has been completed and did not

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- highlight any issues was completed.
- the Committee was pleased to receive presentations from each of the lead Directors on issues of control, governance and risks within their Directorate some of which allowed the Committee to probe and investigate matters further such as School Governance and monitoring of deficits and surpluses; contract monitoring arrangements for Leisure Services; Health and Safety management and were assured that there were no statutory breaches; and assets and buildings.
- outcomes from the Committees own self-assessment workshop undertaken in March 2018, identified some improvement areas which included engagement by the Committee with stakeholders and partners through the development of a Communication Plan, network engagement with other Audit Committees, and the building on the knowledge and skills we currently have within the Committee.

The Chair thanked fellow Committee Members, Independent Members, the Deputy Chair, Corporate Director Resources and her officers for the knowledge and expertise that they bring to meetings and their valuable contribution to the work of the Audit Committee. The Chair welcomed the input from the Wales Audit Office and their feedback on regional and national audits and reports.

The Chair confirmed the opinion of the Audit Committee, based on the evidence presented, was that the Council has, for the most part, sound financial controls and governance arrangements in place and that strategic risks representing the true challenges for the Council are captured and reviewed on a regular basis.

The Lord Mayor invited questions on the annual report and matters were raised and responded to on the following areas:

- School Governance and School budget deficits and surpluses and the need for strategic planning and robust governance and financial management and transparency.
- The importance of sharing good practice across directorates.
- Internal audit of schools and model and policies that can be shared with School Governors
- HMRC investigation into waste matters which was ongoing and the Committee has been kept informed at each stage but would not wish to effect the outcome of the current investigation,
- The financial position and risks to the Council in relation to last year's out-turn from Cardiff Bus.
- Recognition in the report of improvements in governance arrangements that are now in place in Social Services and a recognition of unplanned expenditure. The Committee would also review the new management structure.
- It was felt that adequate resources were made available to Committee to support its role and that the self-assessment for the current year would probably better reflect that following some recent changes including the appointment of an Audit Manager to the vacant post.

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RESOLVED – That the Audit Committee Annual Report for 2017- 18 be noted.

85 : ANNUAL STATUTORY WELLBEING REPORT 2017-18

The Cabinet Member Finance, Modernisation and Performance presented the [Annual Statutory Wellbeing Report 2017-18](#) required under the Well-Being of Future Generations Act 2015 for publication by 31 October 2018 in accordance with the Local Government (Wales) Measure 2009. The Annual Report was formerly known as the Statutory Improvement Report.

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

One amendment was received to the recommendation contained in the report and Councillor Berman was invited to propose the amendment which was seconded by Councillor Boyle.

The Lord Mayor invited debate on the report during which the following observations were raised:

- The Safeguarding of various communities in the city.
- The continuing levels of sickness absence in the Council's workforce.
- The importance of the responsibilities of the Council and Elected Members as Corporate Parents in supporting children and young people and ensuring that there are opportunities and the tools for young people to attain and excel in Cardiff.
- Recognition from Policy Review & Performance Committee of the progress made on performance and that the Council is on a journey and that more needs to be done.
- The achievements, despite significant challenges and cuts in funding, in areas such as provision of cycling; parks and green spaces.
- The report did not address fully issues and concerns identified by citizens.
- Concerns around performance against the Local Development Plan.
- Failing Key Performance Indicators (KPI's) in supporting disabled children; Safeguarding and Looked After Children.
- Concerns on the number and costs of the Senior Management structure in Cardiff.
- Welcomed the improvements in attainment of children at Key Stage 2 and 4
- Issues around enforcement particularly in relation to dog fouling and matter raised around the PSPO consultation process

The Cabinet Member responded to matters raised and praised all officers of the Council for their hard work and dedication in service delivery and performance despite all the financial and demand challenges they face.

The Lord Mayor moved to the vote on the amendment proposed by Councillor Berman and a recorded vote was taken as follows:

For County Councillors Ahmed, Asghar Ali, Dilwar Ali, Berman, Bowden, Bowen-Thomson, Boyle, Bradbury, Bridgeman, Burke-Davies, Carter, Cowan, Cunnah, Davies, De'Ath, Derbyshire, Driscoll, Ebrahim, Elsmore, Ford, Goddard, Goodway, Gordon, Henshaw, Gavin Hill-John, Philippa Hill-John, Hinchey, Howells, Hudson, Jacobsen, Jenkins, Jones-Pritchard, Keith Jones, Owen Jones, Kelloway, Lancaster, Lay, Lent, Mackie, McEvoy, McGarry, McKerlich, Merry, Michael, Molik, Morgan, Murphy, Naughton, Owen, Parkhill, Jackie Parry, Keith Parry, Patel, Phillips, Robson, Sandrey, Sattar, Singh, Stubbs, Taylor, Graham Thomas, Huw Thomas, Lynda Thorne, Walker, Weaver, Wild, Williams, Wong and Wood.
(31)

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

Not present Cllr McEvoy was not present during the vote

The Amendment was LOST

The Lord Mayor called for a vote by show of hands on the recommendation as set out in the report. The Recommendation was CARRIED

RESOLVED – That the Annual Statutory Wellbeing Report 2017-18 be approved.

86 : LEADER AND CABINET MEMBER STATEMENTS

The following statements were received: -

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

The Leader responded to questions raised on the Provisional Local Government Finance Settlement of £1.7million additional funding - an increase of 0.4%. The Leader advised that this increase would not meet the
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significant financial pressures and anticipated deficit as set out in the Council's Budget Strategy and ongoing challenges.

2. [The Deputy Leader and Cabinet Member Education, Employment and Skills Statement](#)

The Deputy Leader responded to questions on

- the establishment of a Specialist Resource Base and the future plans for Special Educational Needs (SEN) provision across the city which has been set out in the SEN Strategy and identifies the types of provision that is and will be available going forward and what is proposed via the 21st Century Schools projects.
- The accessing the School Holiday Enrichment Programme and evidence that shows over time more and more families access the provision.

3. [Cabinet Member, Finance, Modernisation and Performance Statement](#)

The Cabinet Member responded questions on the Cardiff App and promotion of the App with new residents and involving Councillors in development and updating of the App; social media engagement on the PSPO's consultation and concerns raised on the accuracy of the information.

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

The Cabinet Member responded to questions on:

- the number of new Council Homes to be built in Cardiff;
- the various development systems being used including a highly energy efficient modular system;
- whether Housing Association could benefit from the Innovative Housing Programme Fund.

The Cabinet Member reported that the cap funding of housing new builds had been lifted and land for 2,177 homes had been identified.

- An update was requested on the roll out of Community Well-being Hubs in the North of the City and progress was being made and consultation with communities was due to start in November;
- Issues around Long Term Empty Properties and efforts being made to meet the target a system to bring vacant homes back into use.

The Cabinet Member during this part responded to an Oral Question from Councillor Hudson which is detailed in Min No 89.

5. [Cabinet Member, Clean Streets, Recycling & Environment Statement](#)

The Cabinet Member responded questions on the Cardiff Dogs Home and the work of the team and volunteers and process of providing a new facility in collaboration with other dog charities.

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6. [Cabinet Member, Children & Families Statement](#)

The Cabinet Member responded to questions on the new approach to Family Help and Support in particular the approach to raising educational attainment and aspirations of children and young people; the support given to the well-being of children in care or on the brink of going into care; and Councillors were assured that scrutiny will have an opportunity to look at the new approach.

An update was requested on the post of Assistant Director – Children’s Services which it was reported was being covered on a temporary basis on the same terms as the previous interim post holder.

7. [Cabinet Member, Social Care, Health & Well-being Statement](#)

The Cabinet Member responded to questions on support to older people and the newly integrated dementia day services at the newly refurbished Grand Avenue Older Persons Day Centre and the Day Service at Tremorfa which are excellent provisions and provide that specialist support to older people and combat issues such as loneliness. The Cabinet Member was asked about plans for a similar provision in the North of the City. It was reported that the current day centre provision was available to all in Cardiff.

The Cabinet Member was please to acknowledge the work of Councillor Molik with the Mental Health and Wellbeing Minority Ethnic Communities Annual Health Fair but concerns about the financial support to such events in the future. Issues around supporting BME communities and the provision of a community based day centre for the BME communities similar to the Africa Centre in Birmingham.

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

The Cabinet Member responded questions on

- Air Quality and clarity on the reports and studies being produced and timescales. The Cabinet Member proposed to clarify the position for Members.
- Air Quality all four quality monitoring are compliant with the European standards and what the Cabinet Member considered that the roll-out of the Euro 6 buses had help to reduce poor air quality
- Next Bike scheme and roll-out to Tongwynlais; and the need to look at additional funding; the provisioning of bikes at docking station; station at Companies house. The Cabinet Member advised that a further 50 sites were proposed once the funding had been identified
- Relationship and discussion with Transport for Wales and forward planning to prepare for new communities in north of Cardiff
- Rail Services and relationship lobby hard to bring changes to Valley Line Services
- Segregated Cycling Routes and need to be cleansed and are kept in a usable state. The Cabinet Member advised that

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there will be a need to alter and approve the cleansing and repair regime for Cycle routes.

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

The Cabinet Member responded to questions on

- Cardiff Workday Population data in particular in relation to his statement that this reflected the confidence business has in the city since the new administration in 2017
- The efforts being made in Cardiff to increase employment and businesses has not resulted in an increase in allocation of business rates to Cardiff
- Assurances from the UK government that the Shared Prosperity Fund will at or above the current EU Structural and if reduced will have a detrimental effect on Cardiff
- The establishment of a business organisation in Cardiff. The Cabinet Member confirmed the Council had been awaiting the establishment of a body at the City Deal level but in the new year the Cabinet Member would bring forward the establishment of a business forum for the Cabinet.

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

There were no questions to the Cabinet Member

87 : MOTION 1

The Lord Mayor advised that the notice of motion proposed by Councillor Philippa Hill-John and seconded by Councillor Joel Williams had been received for consideration and was included on the Summons for the meeting. Two amendments had been received.

The Lord Mayor invited Councillor Philippa Hill-John to propose the motion as follows:

Considering the major impact the LDP process will have on the city over the next 10 years, we call on this Council to consider and approve the following proposal:

- The Annual LDP Monitoring report should come before full Council for consideration and review. It should detail progress against targets set, houses sold and whether trigger points for key infrastructure measures are being met; and
- an overarching communication strategy should be adopted and implemented as a means to keep residents informed of the key stages of the LDP, including a central information point to maintain transparency and clarity; and
- a named officer should be assigned to coordinate and oversee the entire LDP process for the city and be available to liaise with elected members and representative bodies; and

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- an immediate review should be conducted to ensure that a proportion of the new homes built meet the needs of the growing elderly population and policies are in place to ensure that affordable homes are made available to buy as well as to rent; and
- the renewal of the green wedge in the North and North West of Cardiff, which will expire with the LDP in 2026; or the provision for a new full green belt for this area to be included in any new regional planning system to ensure the preservation of this important backdrop to the Welsh Capital for generations to come.

The motion was seconded by Councillor Joel Williams.

Amendment 1

The Lord Mayor invited Councillor Joe Carter to propose amendment 1 as follows:

Delete Bullet Points 4 and 5 and replace with the following 3 paragraphs:

- An immediate review into the provision of different types of housing in the city, to ensure that new social housing increases to meet demand, that the private rented market meets demand and that the amount of social housing for supported living accommodation is increased;
- The effectiveness of the green wedge in the North and North West of Cardiff is reviewed in 2026;
- Ahead of the first full review of the plan, re-examine the possibility of including proposals aimed at managing the location of fast food takeaways near schools. This should include lobbying the Welsh Government to change Welsh planning policies, allowing the council to consider adopting policies that could enable other factors, such as the number of hot food takeaways already present and the existence of high levels of obesity, to be taken into account before permission for new takeaways are considered.

Amendment 1 was seconded by Councillor Rodney Berman.

Amendment 2

The Lord Mayor invited Councillor Caro Wild to propose amendment 2 as follows:

Prior to the Proposal add the following paragraph:

Cardiff's population is expected to grow by 90,000 according to the official WG/ONS projections for the period 2014-2039, and we already have a significant housing shortage. The LDP was adopted in January 2016 to help plan how Cardiff can grow sustainably, and protect the city from ad hoc sporadic developments. The 2nd annual monitoring report came to Cabinet in September 2018 showing overall good progress against the 107 indicators, with no red indicators.

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Bullet Point 1 Second sentence - Delete the words 'It should' and replace with 'The report'

Bullet Point 2 First Line – Delete an overarching communication strategy should be adopted and implemented as a means and replace with 'A user- friendly document will be produced'

Bullet point 2 – add after the word 'central' the word online

Delete Bullet Point 3, 4 and 5 and replace with

- that continues to recognise the hard work and expertise shown by the Council's Head of Planning and Planning Department who make themselves available to Elected Members and representative bodies on a daily basis; and
- notes that the new Older Persons Housing Strategy will be considered by Cabinet and will be brought to full Council for debate early in the new year. The strategy is based on independent research already undertaken to assess future housing and care needs across all tenures, and informs the LDP process; and
- notes this Council's Administration's commitment to the green wedge. Further, this Council believes that any future regional planning must not diminish Cardiff's ability to protect green spaces across the city.

Amendment 2 was seconded by Councillor Keith Jones.

The Lord Mayor invited debate on the motion and the amendments as proposed. During the debate Councillor Philippa Hill-John confirmed That she did not accept either of the two amendments. Councillor Hill-John responded to matters raised during the debate.

Voting on this item took place as follows by a show of hands: -

Amendment 1 as proposed by Councillor Carter. The vote was LOST.

Amendment 2 as proposed by Councillor Wild was CARRIED

The Substantive motion as proposed by Councillor Wild was as follows:

Cardiff's population is expected to grow by 90,000 according to the official WG/ONS projections for the period 2014-2039, and we already have a significant housing shortage. The LDP was adopted in January 2016 to help plan how Cardiff can grow sustainably, and protect the city from ad hoc sporadic developments. The 2nd annual monitoring report came to Cabinet in September 2018 showing overall good progress against the 107 indicators, with no red indicators.

Considering the major impact the LDP process will have on the city over the next 10 years, we call on this Council to consider and approve the following proposal:

- The Annual LDP Monitoring report should come before full Council for consideration and review. The report details progress against targets set, houses sold and whether trigger points for key infrastructure measures are being met; and
- A user- friendly document will be produced to keep residents informed of the key stages of the LDP, including a central online information point to maintain transparency and clarity; and
- that continues to recognise the hard work and expertise shown by the Council's Head of Planning and Planning Department who make themselves available to Elected Members and representative bodies on a daily basis; and
- notes that the new Older Persons Housing Strategy will be considered by Cabinet and will be brought to full Council for debate early in the new year. The strategy is based on independent research already undertaken to assess future housing and care needs across all tenures, and informs the LDP process; and
- notes this Council's Administration's commitment to the green wedge. Further, this Council believes that any future regional planning must not diminish Cardiff's ability to protect green spaces across the city.

A vote was taken on the Substantive Motion.

The Substantive motion was carried

88 : MOTION 2

The Lord Mayor advised that the notice of motion proposed by Councillor Saeed Ebrahim and seconded by Councillor Le Bridgeman had been received for consideration and was included on the Summons for the meeting. No amendments had been received.

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

This Council calls on the Cabinet to explore how best it can support those individuals and their families that settled in Cardiff during the 1950's and 1960's who became known as the Windrush Generation, in having the same opportunities as other Cardiff citizens in accessing services and advice provided by the Council.

The motion was seconded by Councillor Lee Bridgeman.

The Lord Mayor invited debate on the motion as proposed. At the end of the debate the Cabinet Member Housing and Communities was invited to speak. Councillor Ebrahim responded to matters raised during the debate.

A vote was taken by a show of hands on the Motion as proposed by

Councillor Ebrahim the Motion was CARRIED unanimously.

89 : ORAL QUESTIONS

This question and answer was provided as part of the Cabinet Member Statement earlier in the meeting.

Question – Councillor Hudson

What is happening to the PassivHaus development at Highfields, Heath, now that it has been proved that it will be ineffective and more expensive to continue with the project due to the flawed orientation?

Reply – Councillor Thorne

I am unaware of any report which suggests that the PassivHaus development at Highfields is ineffective and more expensive due to the flawed orientation of the buildings. In fact, we are starting work on site in January.

As I confirmed in my statement, the scheme has been awarded Welsh Government Innovative Housing Funding, which will enable us to test the market for the private sale of affordable PassivHaus properties on that site in Heath.

We are targeting these homes to first time buyers and older people – providing homes that are truly affordable to heat and run, helping to tackle fuel poverty and enabling independent living.

The scheme will help raise the bar for the provision of quality, highly energy efficient homes in Cardiff, which – given the level of housing need in the city – is something I would imagine that we would all support.

Supplementary Question – Councillor Hudson

I don't think the Councillor has understood me, it says here the orientation of the site and its ability to maximise solar gain - the orientation will not maximise solar gain.

Reply – Councillor Thorne

I'm advised by officers that actually the orientation will not affect the scheme in terms of Passivhaus systems and I think I answered that question previously to a public questioner from your ward.

Question – Councillor Naughton

With extreme weather events more likely due to climate change, what plans do the council have to ensure Cardiff can cope with more extreme climate in coming years?

Reply – Councillor Michael

As of 7th January next year, surface water drainage for all developments will be required to comply with mandatory national standards, which will need to be approved by Cardiff Council. This will ensure resilient developments with the requirement to include an allowance for climate change within their design.

Continual review of flood risk in Cardiff will aid in the identification of flooding hotspots requiring intervention. Proposed flood alleviation schemes within the developed area will have an allowance for climate change, where possible.

In addition, the Cardiff Coastal Defence Scheme is about to go through the detailed design stage. The project will extend from the Rover Way foreshore to Lamby Way tip, including the River Rhymney Estuary. It will help reduce and manage coastal flood risk to people and assets within this part of south-east Cardiff for the next 100 years, taking into account predicted future climate change.

Supplementary Question – Councillor Naughton

Can the Council commit to developing a draft Strategy on how to deal with the effects of extreme weather and bring it to a future Council meeting during this Council term?

Reply – Councillor Michael

I think most of the things we do have an element of climate change in it. I'm not sure whether we need a separate complete new policy just for climate change which is unpredictable, I think we take that into account in most of what we do, but I'll take advice on that and get back to you.

Question – Councillor Owen Jones

Can the Cabinet Member outline how the Council plans to address the high levels of air pollution around Tredegarville Primary School?

Reply – Councillor Michael

At the start of this year, the Council began undertaking air quality monitoring at number of schools across Cardiff to measure levels of Nitrogen Dioxide. This included Tredegarville Primary School.

Two locations are monitored at the school – one at the school reception and one in the playground. Current average results for Nitrogen Dioxide at these locations are 20 and 25 Micrograms per Cubic Metre of Air respectively and the results are currently considered to be compliant with the air quality standard of 40 Micrograms per Cubic Metre of Air as an annual average.

The Council is also currently undertaking a feasibility study to assess measures that can deliver compliance with Nitrogen Dioxide limit values in the shortest possible time. The outcome of this study will identify preferred measures to improve air quality across Cardiff, which should lead to further improvements in air quality at Tredegarville Primary School.

Supplementary Question – Councillor Owen Jones

Maybe they are within safe limits but obviously as it's a primary school and by such a major road in Cardiff there are measures that we should be taking.

Are we considering measures such as hedges or short term solutions that don't address the actual issue but do protect the safety of the students who are there?

Reply – Councillor Michael

One of the things we are looking at and working in partnership with the University and others is to look at Green Walls and we are looking to pilot one at this school. We are quite advanced on this one at the moment and I think what I will do is arrange for the local Councillors to be brought in and we can discuss what we are planning to do.

Question – Councillor Robson

How many fines have been issued for dog fouling by Cardiff Council between:

- October 2015 – September 2016;
- October 2016 – September 2017; and
- October 2017 – September 2018?.

How many of these were in Cardiff's parks?

Reply – Councillor Michael

Enforcement Officers undertake patrols in areas throughout the city to enforce offences where dog owners are not removing their dogs' faeces. However, dog fouling is a difficult crime to enforce against, as you need to actually catch someone in the act in order to issue a Fixed Penalty Notice.

In the 2015/16, the total number of Fixed Penalty Notices issued was 49; of which 11 were issued by park rangers.

In 2016/17, it was 28; of which 24 were issued by park rangers.

In 2017/18, it was 19; of which 16 were issued by park rangers.

Supplementary Question – Councillor Robson

I must admit that's very interesting data, it's slightly different data to what I've seen through an FOI that was requested, but even so the figures are low.

I take the point that it's actually sometimes difficult to catch people not picking up dog faeces but equally the answer to that then is not necessarily to introduce a PSPO banning dogs from all sports pitches at most times of the year which seems to be what the Cabinet Members behind you originally planned to do.

Do you agree with me that there is actually a need for further enforcement to look at better ways of enforcing the current system without necessarily penalising the majority of dog owners who do make the effort to clean up after their dog, and that the minority are the ones you should be going after? Perhaps the Cabinet Member for Highways can offer some tips bearing in mind the number of drivers that his Council seems to like to go after as well.

Reply – Councillor Michael

I am confused, if you actually obey the law and don't do anything wrong, then you are not going to be enforced against.

What we were trying to do was make it easier to enforce against those who actually do the evil deed. I am puzzled that earlier on we were told that you were going to

oppose all of this and this was not just a single item consultation there were five different elements of this.

What we have done is a consultation, we will reflect on that consultation and then we will make a decision.

Question – Councillor Sandrey

What role will big companies in the Central Square development in the city centre be expected play in encouraging a move towards a 50/50 transport mode split?

Reply – Councillor Wild

As the new development is based around Central Station and the bus station as well it is in itself a project that will make Wales rethink how we commute to work.

Part of what is attracting investment into that area is the accessibility for the workforce around the region, especially with the exciting new Metro plans starting to take shape. That said we do expect companies to play their part and all permissions given thus far for have been subject to conditions requiring the development of site Travel Plans. Such plans give details of the measures that the developer and occupiers of new buildings will implement to promote and facilitate sustainable travel to and from work by employees.

Supplementary Question – Councillor Sandrey

Given that the buildings in Central Square are quite literally sitting on the site of the old bus station, will you commit to working with these companies to encourage them to see the importance of their employees using active travel and or public transport to get to work where possible?

Reply – Councillor Wild

We are, and we will. One thing I think we are planning on doing is -there is a wonderful piece of work done by Public Health Wales to get the Public Sector to sign up to active travel targets and we will be challenging the commercial sector to consider signing up to these ambitious targets as well.

Question – Councillor Ahmed

Residents in Cardiff are very pleased to see cycle lanes in some parts of Cardiff. Would you kindly update us on the progress of future cycle lanes in Cardiff?

Reply – Councillor Wild

The construction of a “bicycle street” on Taff Embankment as part of the Greener Grangetown project has just come forward recently and also just around the corner in your ward, North Road car park up to the Taff Trail has got a wonderful new segregated protected cycle lane.

We have advanced design work on Dumfries Place and Senghennydd Road subject to Traffic Regulation Orders and I know there are local issues we are trying to iron out before we go on with that scheme but over time we are looking to introduce a full network subject to funding of protected cycle lanes.

Supplementary Question – Councillor Ahmed

I know you have repaired a lot of potholes in the roads, the cycle lanes that are being introduced now and in the future, are you going to repair the potholes that are there already which can be a serious danger especially for children and our senior citizens. What is your plan to repair those potholes and I'm sure you know where they are?

Reply – Councillor Wild

We increased the investment into patching and potholes this year, some of it got held up with the weather but a lot of it has been caught up. In terms of the new cycle lanes we are also now investing in surfaces where cyclists use them primarily as well so we have changed the formula for that.

Question – Councillor Robson

Will you update the Council on the outcome of your recent meeting with the First Minister regarding the Welsh Government draft budget?

Reply – Councillor Huw Thomas

I think you have better access to my diary than I have because I'm really not sure what meeting you are referring to, I'd be grateful if you could clarify.

Supplementary Question – Councillor Robson

It is my understanding that along with a number of other Labour Council Leaders you met with the First Minister and the Finance Minister to discuss Local Government Budget and whilst I have no objection of course to you meeting with those who hold the purse strings, I wondered whether you thought it was appropriate that it was just the 6 or 7 Labour Council Leaders in Wales and that the majority of Council's which are led by coalitions or other parties don't have the same opportunities to have such a meeting to speak to those who hold the purse strings in a bid to get money right across the sector?

Reply – Councillor Huw Thomas

Well I haven't met with the First Minister to discuss that however I am hoping to meet with him next week along with my fellow Labour Leaders.

I can give some reassurance, I think, because seemingly the position that Labour Leaders will be making to the First Minister about the need for more money, is a position more closely aligned to what of the Leader of the Vale and the Leader of Monmouthshire than with the Conservative Leader in the Assembly. We have seen he wants to penalise a local authority in South Wales in order to provide more money to a rural authority in North Wales.

What I think must be understood is, that the distribution formula is set very transparently agreed through discussions between Welsh Government and the WLGA including officers from this Council, so any uplift that as Labour Leaders we are able to secure for local government will be reflected in the budgets of all the Council's other than Labour as well.

Question – Councillor Boyle

In its Cabinet report, *Developing the Education Estate in Cardiff* (October 2017), the administration reported that 'the large primary cohorts are now reaching secondary

school age and by September 2019, they will exceed the numbers of places available across the city at entry to Year 7'.

Could the Cabinet Member provide us with an update on the position regarding secondary school capacity and catalogue what capacity has been or will be brought into the system in time for next September?

Reply – Councillor Merry

Updated projection data on a city-wide and catchment area basis indicate that there will be sufficient places overall at entry to secondary education in September 2019.

Despite projecting an overall sufficiency of places based on the most recent data, we recognise that – owing to the fluctuation in trends associated with net migration rates and uncertainty regarding the impact of Brexit – we need to provide a degree of surplus over and above our current projections.

Officers are currently working with schools to identify the most appropriate proportion of surplus based on the most recent projections to build in for September 2019 and where this would be best located.

Supplementary Question – Councillor Boyle

So just for clarity, for September 2019 the warnings from last year's report can in a way be ignored - there is capacity for this September and what is claimed in that report confirms that actually the situation has improved but your concerns are about 12 months' time thereafter and that is what you are now working on. Have I understood that correctly? - just so that people going through the application process right now can be reassured on that front.

Reply – Councillor Merry

What I actually said was officers are working with schools to identify the most appropriate proportion of surplus places based on the most recent projections to build in for September 2019. There is a bit of recognition that although we may have sufficient places, just simply having enough places across the City isn't really sufficient.

Question – Councillor De'Ath

Please could you give us the statistics of green recycling bags not collected in the city?

Reply – Councillor Michael

In the last 12 months from October 2017 to September 2018, Waste Management has received 2,064 complaints for missed green bag collections. This figure does not include contaminated green bags or bags presented on the wrong day, which the crews are instructed not to collect.

To put this into context, it is worth noting that the team services 156,000 households each week for green bag collections and the number of complaints about missed collections in the last 12 months represents approximately 0.3% of all collections.

Supplementary Question – Councillor De'Ath

It's good to know that such a small amount of collections are missed and I know you work very hard to keep those figures as low as you can, however Wordsworth Avenue in Roath has experienced long running problems with waste collections, particularly collection of green bags where there have been 3 missed three times since August alone and residents are becoming increasingly frustrated with the local authority.

Can you update us with what you're doing to ensure this doesn't happen going forward?

Reply – Councillor Michael

I think one of the problems we have had there is the parking, the access situation because of the building going on people are parking the wrong way and it's made it really awkward for our wagons to get through. I've spoken to officers since they have assured me that they will make sure the bags are collected. I understand and feel for anyone who has had their bags left, we don't want to leave any behind and while I am in post we will carry on trying to improve on that record.

Question – Councillor Driscoll

Following the last traffic survey of vehicle movements east and west on Western Avenue, over the period of the survey, what were the recorded speeds, and how many vehicles breached those speeds in each category between 40-50, 50-60, 60-70, 70-80, 80-90, 90-100, 100+ in mph not average speeds?

Reply – Councillor Wild

An SDR Radar Traffic Classifier machine was installed on Western Avenue in Llandaff earlier this year for the week beginning 10th August. I would be happy to provide you with a breakdown of the survey findings following the meeting.

Supplementary Question – Councillor Driscoll

Councillor Michael mentioned having some advice from a former Councillor, Councillor Michael gave me a bit of advice which was never ask a question unless you know the answer. So I will give you the answer, on a single day on Western Avenue in that survey, one day 24 hours, 2800 vehicles broke the speed limit, 410 up to 60mph, 37 up to 70mph, 10 up to 80mph, 3 up to 90mph and 2 up to 100mph.

In order of priority, I've got the next 60 list of safety priority crossings here and the next 17 speed reductions, Western Avenue is on the bottom of the list for speed reductions and safety crossing at Caerau Road that was planned is not even on the list.

There are 70 vehicles doing up to 80mph - so when are you going to get this on the list, I asked you at the last meeting and you said you would bring it up the list? We want the crossing on the list and Western Avenue's priority put up the list.

Reply – Councillor Wild

Interesting turn around with you coming to me with the figures when you asked me for the figures. I think the cars on that road, as I've said to you before, are clearly going too fast. I will take a look at those and check where it is on the list but we

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shouldn't be using a technical thing to do with road safety based on how many times you ask me in the chamber so let's have a look at it and see where it is on the list and I will check that for you.

Question – Councillor Berman

In view of the ongoing, and at times conflicting, media reports in recent days regarding the future of the Cardiff branch of House of Fraser, what assurances can you provide that the council is continuing to work with all parties concerned to secure an ongoing future for the store in this city?

Reply – Councillor Goodway

I understand that there is a possibility that House of Fraser may decide not to occupy the whole of the existing retail space and, as a result, the objective would be to attract a range of retailers to the store along with, subject to planning approval, non-retail uses such as hotel / leisure activities. The need to broaden the activities within the Howells building was highlighted at earlier meetings between the Council and owners Naissance Capital and this strategy is being actively pursued.

As pressure on the retail sector continues, owners of retail property are increasingly looking to attract a wider range of uses and turn stores which were once wholly retail into a more diversified offer. Naissance Capital has briefed my officials on the challenges they face in Cardiff and, as the Howells building lends itself to being divided to accommodate a range of uses with the building being 270,000 sq. ft. and occupying a 1.7 acre site, they are exploring all possibilities.

The objective is to return the building to a more sustainable use and officials will continue to liaise with the owners to offer the Council's support in their efforts to give the store a sustainable future.

Supplementary Question – Councillor Berman

It's reassuring that the Council is doing what it can and I appreciate that not all the levers are in the Council's control.

In view of the recent news we have had now that Debenhams is the latest chain in trouble, I was just wondering what initiatives you are thinking of taking forward to ensure that we do have a continued high quality and diverse retail offer within Cardiff because clearly if we have one large department store at threat another potentially might be soon we don't know yet, that could have a knock on effect on other stores throughout the city centre if it starts to reduce the footfall itself further.

So how are you going to take this forward to make sure that Cardiff is best placed to try to rebut these challenges?

Reply – Councillor Goodway

I think the Councillor will appreciate that this is a National phenomenon at the moment, but I do accept that individual cities have to be as creative as possible to ensure that people don't face barriers and obstacles to come into the city centre to shop.

I think there are particular initiatives that we could consider in order to perhaps put on particular retail event days when retail stores can focus on a particular offer that me attractive to different generations of people that will increase footfall over a period of months.

I can't pretend that we have solutions but I suggest that we will probably work with our partners in the core cities initiative who are obviously facing exactly the same challenges.

Question – Councillor Owen Jones

In light of the consultation on PSPOs closing on Monday, can the Cabinet Member give an update on any potential action that can be taken?

Reply – Councillor Bradbury

I know that this is a subject that has interested you greatly. We have had an overwhelming response to the consultation and we have, of course, noticed the strength of public feeling against proposals to ban dogs from marked sports pitches at certain times in the year.

After assessing all of the available information and the results of the consultation, the Cabinet will be taking a formal decision early in the New Year. However, my personal view, which I have discussed with my Cabinet colleagues and which has since been reported in the media, is that we are very unlikely to proceed with this element of the proposals.

We will now proceed to fully review the consultation responses and work closely with the city's sports clubs, dog-walking community and other park stakeholders to find a way forward to ensure that our public and green spaces are clean and safe for everyone.

Supplementary Question – Councillor Owen Jones

Can I first put on record that I applaud you Peter for your dedication to Local Democracy Week, I now don't doubt no dog owner doesn't know who their local Councillor is at this point so well done for that, superb job.

What has come out following the PSPO and I'm glad to hear the taking out of the sports pitch element, is that there is obviously a willingness from dog owners to help in this situation because it is a minority that is causing the problem.

We currently have excellent volunteers with the Keep Wales Tidy and our litter picking projects, so is this an element that we can use to bring in reliable good dog owners to help with the situation because they are the eyes on the ground and they can help us and they are offering to do so?

Reply – Councillor Bradbury

I completely agree with that last point particularly about the dog owners actually taking a lead on this, for want of another phrase, I've been working on that one, I've met with the Cardiff Dog Action Group and I met with dog walkers in my own ward during the consultation process and I was very keen for them to feel that their views not only on the 6 elements of the PSPO were reflected but some of the excellent

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

suggestions that they made in terms of keeping our parks clean not just in terms of dog mess but also litter and other aspects of the challenges we have to face here as a Council with regards to our parks. I will meet with the dog owning groups I hope that one day we will get to a stage in the near future where we can have groups such as the dog walking community and sport action groups sat together to play their part and agreeing with us as a Cabinet and as a Council because it's a Council wide decision, that we will come up with a PSPO that will satisfy everybody and can be passed without consternation.

Question – Councillor Gavin Hill-John

Following the closure of Rover Way between the 10th and 12th of October, what lessons have been learned and what protocols are now in place to ensure that the chaos caused by this closure is not repeated?

Reply – Councillor Wild

I must point out that Rover Way was closed until lunchtime on 11th October it didn't go on until the 12th. You said about what protocols could be in place, I think to be fair those protocols weren't followed on that day and they should have been.

I think everyone was surprised by the scale of the funeral that took place and I think that was what caused the majority of the problems but yes some protocols weren't followed and they should have been.

Supplementary Question – Councillor Gavin Hill-John

You said that protocols weren't followed, so what are we going to do going forward to ensure that they are followed if that ever happens again.

Reply – Councillor Wild

I've spoken to the Officers and the Police involved in this and expressed in clear and frank way that they should be followed next time.

Question – Councillor Carter

In light of the continued length of time that council properties are void and empty in between tenants, what steps is the council taking to get these properties back into use sooner?

Reply – Councillor Thorne

As you know, this issue was discussed earlier this month at a meeting of the Community and Adult Services Scrutiny Committee, where it was explained that one of the three contractors appointed to deal with building maintenance works on void properties in Cardiff West quit their contract at the end of September.

A tender will be issued shortly for a new contract for void works only and it is anticipated that the new contractor will be appointed by April 2019.

The contract will cover the whole of Cardiff and will allow for a cascade so that another suitable contractor can be appointed to allow for peaks in demand.

A new in-house voids team is also being developed. This team will start at a small scale at first, with the intention to build this capacity further in the future.

There are a number of things that we are doing to address the voids. Some properties where possible may be let and some of the repairs done with the tenant in situ, some will be offered with a decoration allowance. Other properties will be passed to the Council's temporary accommodation provider on the condition that they carry out the void works. Funding will be provided for this work at normal rates.

Supplementary Question – Councillor Carter

Thanks for the very detailed response, it's very good for the whole chamber to hear that.

The reason I asked the question was the concern of the contractor pulling out and the risk of having to wait until April next year until we get another substantive one. In the meantime is it your vision that a combination of the in-house provider and the other contractors picking up the slack will cover the shortfall until April?

Reply – Councillor Thorne

We are going to do our best, I have to say it concerns me that we have to wait until April to appoint the new contractor and I actually wrote to Councillor Walker as Chair of Policy Review and Performance Scrutiny Committee (PRAP) to ask if would be prepared to do a task and finish group to look at the timescales. He advised me that they have already done this but if I provide him with more information he will ask PRAP to scrutinise that.

We went through a whole process and when a contractor pulls out so late in the day we were unable to go back to other tenders and it is really disappointing that we are left in this situation after putting 3 contractors in place to make sure that actually we could cope with the workload.

Question – Councillor Cunnah

Could the Cabinet Member please give us an update on the pilot recycling collection of glass and bottles?

Reply – Councillor Michael

The pilot scheme for the separate collection of glass bottles and jars for recycling is progressing well.

Deliveries of communication material and the blue caddies to households participating in the pilot scheme went as scheduled. Our teams spoke to over 1,000 residents during the outreach sessions and the public have been supportive of the changes, which I thank them for.

Collections are now in their second week and reports of incorrect usage of the blue caddy, which is for glass bottles and jars only, are low. Officers are also monitoring the volume of glass received and the quality of the glass product, and the results so far as extremely promising.

I am happy with the progress of the pilot scheme and officers will continue to provide weekly updates to Councillors in the trial areas.

Supplementary Question – Councillor Cunnah

Thank you for that update it seems to me that the pilot has been well received in Canton, as you know about a third of the Canton ward is taking part in the pilot.

You also know because I met you there, you welcomed me and other Councillors to the Material Recycling Facility (MRF) recently where we looked at what was happening with glass at the moment as well as all the other waste. I was really impressed with all the technology used and also the manual work of the operatives there which can be really hard and dirty work, especially with the contamination of the green bags which we have.

It's been explained to me about the glass, about the economic and the environmental benefit of separating it which I fully support but at that MRF lots of other waste as well there which maybe could be separated or there may be other ways of processing it for environmental and economic benefit to the Council, so I am wondering if there is anything else down the line that we can do to improve our recycling, help us get better rates and get more money?

Reply – Councillor Michael

I enjoyed taking you and Councillor McKerlich and others to the site, I'm still surprised by how many Councillors haven't been to the site I would like them all to come and visit.

I think that despite the fact that we have got a really good record and we are the best recycling city I do think we have to review what we do and the way we do it. I think we have to lift the quality of the recycling to get better markets. We are going to be working with Waste and Resources Action Programme (WRAP) we have lots of discussion with Welsh Government so we will be working with them and I think we seriously need an education element to come along and we really could engage more with the citizens and cut down on the amount of stuff that is coming into our green bags that shouldn't be there, there is too much contamination. We have a lot of hard work to do over the next few years and I urge everyone to take advantage and come to Lamby Way and if we need to do pilots to get better quality then I think we will approach them the way we approached the Glass Pilot because so far so good.

Question – Councillor Hudson

What are your plans when the second Council site in lower Wedal Road is deemed surplus to requirements, and will it be put up for sale by auction?

Reply – Councillor Goodway

No decision has yet been taken regarding the date by which vacant possession will be achieved in relation to this property nor to the manner of its disposal. However, I know that the Councillor is very familiar with the protocol that provides for the site to be offered to public sector partners in the first instance.

Supplementary Question – Councillor Hudson

Like Councillor Driscoll, I know the answer, but I'm asking you anyway to put it on record. Has it already been offered to a public body?

Reply – Councillor Goodway

If you know the answer I can tell you that I genuinely do not so if you could let me know after the meeting I'd be very grateful and I'll take it up with my officials.

Question – Councillor Parkhill

Did you sign off the PSPO consultation document before it was released to the public?

Reply – Councillor Bradbury

Yes, I signed off the principal questions contained within the consultation document and I also signed off other aspects of the consultation exercise, including the provision of the consultation mailbox, making sure it was advertised fully on social media and also I take responsibility for the fact it was one of the most successful consultations we've ever held on any policy we have ever consulted on with nearly 6000 respondents.

Supplementary Question – Councillor Parkhill

I just want to understand a bit more about your reasoning of grouping in one of the questions, the controversial issue of whether dogs should be banned from sports pitches with completely uncontroversial issues such as dog walking in cemetery's and also in school grounds which this whole group supports.

Also can you explain a little bit more the concerns that residents had at the dog walk last Sunday, they were concerned that this consultation was gerrymandering the answers and give assurances that that won't be the case in future consultations.

Reply – Councillor Bradbury

On the last point how can we be manipulating the answers to get a solution, to get something we want when the actual thing that people have called to be stopped is being ruled as very unlikely.

The consultation is only as good as its results and the results that have come forward have said that there is significant concern about that so we have reflected that. There was no grouping of the marked pitches proposal with cemeteries, there was no grouping of marked pitches with any of the other elements that you mentioned.

There was however, and I will say in hindsight we shouldn't have done this, a grouping with the enclosed playgrounds question but that was why we put a comments section on the consultation and had an email box so that people could respond directly to us with any specific concerns they may have. We did try and model our consultation on several other local authorities that have done it including the Conservative run Vale of Glamorgan.

90 : URGENT BUSINESS

There was no urgent business for this meeting.

91 : COMMITTEE APPOINTMENTS

The Council received in accordance with political group wishes nominations to current committee vacancies and elect a Deputy Chairperson for the Pension Committee.

RESOLVED – That

1. Councillor Christopher Lay be appointed to the Pension Committee in accordance with Party Group Wishes;
2. Councillor Christopher Lay be elected Deputy Chairperson of the Pension Committee for the remainder of the Municipal year.

92 : WRITTEN QUESTIONS

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

The meeting ended at 21.40pm

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**CYNGOR CAERDYDD
CARDIFF COUNCIL**



COUNCIL:

29 NOVEMBER 2018

**QUESTION TO COUNTY COUNCILLOR LYNDA THORNE
(CABINET MEMBER FOR HOUSING AND COMMUNITIES)**

PUBLIC QUESTION FROM MR TROY TYLER

What measures have Cardiff Council been taking to ensure overall community cohesion, ensuring opportunity for all?

Mae'r dudalen hon yn wag yn fwriadol

COUNCIL:

29 NOVEMBER 2018

**QUESTION TO THE LEADER OF THE COUNCIL, COUNCILLOR
HUW THOMAS**

PUBLIC QUESTION FROM MR LEE CANNING

Fake News and false claims have largely taken over social media, how is Cardiff Council ensuring 'Fake News' isn't accidentally pushed by its social media feeds?

Mae'r dudalen hon yn wag yn fwriadol

COUNCIL:

29 NOVEMBER 2018

**QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER
EDUCATION, EMPLOYMENT AND SKILLS, COUNCILLOR
SARAH MERRY**

PUBLIC QUESTION FROM MRS JODIE RANDALL

Why have the school buildings at Glan Yr Afon Primary School been allowed to deteriorate to such an extent that the Council justify this as one of the reasons why the school has to close?

Mae'r dudalen hon yn wag yn fwriadol

COUNCIL:

29 NOVEMBER 2018

**QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER
EDUCATION, EMPLOYMENT AND SKILLS, COUNCILLOR
SARAH MERRY**

PUBLIC QUESTION FROM MR LEE JONES

Why should children at Glan Yr Afon an English Medium Primary School be sent to a Roman Catholic Primary School instead?

Mae'r dudalen hon yn wag yn fwriadol



Standards and Ethics Committee Annual Report 2017/18

Cardiff Council



The Ten General Principles of Public Life

<p>Selflessness – members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.</p>	<p>Personal judgement – members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.</p>
<p>Honesty and integrity – members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.</p>	<p>Respect for others – members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.</p>
<p>Objectivity – members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefit.</p>	<p>Duty to uphold the law – members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.</p>
<p>Accountability – members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.</p>	<p>Stewardship – members should do whatever they are able to do to ensure that their authorities use their resources prudently, and in accordance with the law.</p>
<p>Openness – members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.</p>	<p>Leadership – members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.</p>
<p><i>“Nolan Committee on Standards in Public Life”</i></p>	

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Chair's Foreword

I am pleased to present the Committee's Annual Report, which outlines the work undertaken by the Committee in the municipal year 2017-18.

Since last year we have had significant changes of membership. We have been pleased to welcome three new Cardiff County Councillors, following the Local Government Election May 2017, and a new Community Councillor Representative. We welcomed also a new Independent Member, Mrs Thora Lewis; her sudden death so soon after taking up her office was a sad loss. We are pleased to welcome back for a second term of office as an independent member, Hollie Edwards-Davies, after her absence for maternity.

This is a good report. There have been no findings of misconduct against County or Community Councillors and the number of complaints has reduced substantially over the past few years. The Committee has been particularly pleased also to note the marked improvement in the conduct of Council meetings – the result of a determination to improve across political groups and firm chairing by the Lord Mayor.

There is never room for complacency. Members still express concerns about bullying and discriminatory behaviour. If there are clear instances of such misconduct, the Committee, given the necessary evidence, will of course act firmly against it. There are also more subtle, cumulative and sometimes unintentional actions, which can combine to create an experience of bullying or discrimination. These may best be dealt with through education and through the opportunity to share experience and understanding. The Committee will promote opportunities for such constructive learning. The Council as a public body has responsibility for the well-being of Elected Members. This falls within the remit of the Democratic Services Committee and is monitored by our Committee.

Our Annual meeting with political group Leaders and Whips was especially useful in discussing the matters mentioned in the preceding two paragraphs.

The Committee has continued its routine monitoring of Council policies relating to Standards and Ethics, such as Whistleblowing and Gifts and Hospitality.

Through discussions with Councillor Directors of the Cardiff Bus company, we were able to clarify the benefits accruing to Members, to the satisfaction of the Committee.

As ever I acknowledge the contribution of my fellow Committee members and of the officers who support us, particularly the Monitoring Officer and her staff. I wish also to acknowledge the support given by One Voice Wales to our Community Councils regarding standards and ethics.

Finally, I wish to thank all Elected Members who strive to maintain high standards in carrying out their duties for the benefit of the people of Cardiff.

Richard Tebboth
Chair of Standards and Ethics Committee
Cardiff Council

The Role of the Standards and Ethics Committee

The Committee operates within a statutory framework and the following terms of reference:

- | | |
|---|--|
| (a) To monitor and scrutinise the ethical standards of the Authority, its members, employees and any associated providers of the Authority's services, and to report to the Council on any matters of concern. | (f) To grant or refuse requests for dispensations in respect of members' interests under the Members Code of Conduct in accordance with the relevant statutory provisions. |
| (b) To advise the Council on the content of its Ethical Code and to update the Code as appropriate. | (g) To undertake those functions in relation to community councils situated in the area of the Council and members of those community councils which are required by law. |
| (c) To advise the Council on the effective implementation of the Code including such matters as the training of members and employees on the Code's application. | (h) To recommend to Council and the Cabinet any additional guidance on issues of probity. |
| (d) To consider and determine the outcome of complaints that Councillors and co-opted members have acted in breach of the Code in accordance with procedures agreed by the Standards Committee, including the imposition of any penalties available to the Committee. | (i) To hear and determine any complaints of misconduct by members or a report of the Monitoring Officer, whether on reference from the Ombudsman or otherwise. |
| (e) To oversee and monitor the Council's whistleblowing procedures and to consider ethical issues arising from complaints under the procedure and other complaints. | (j) To recommend the provision to the Monitoring Officer of such resources as he/she may require for the performance of his/her duties. |

The Committee has identified its major role as being to:

- | | |
|---|--|
| • Promote and maintain high standards of conduct by County Councillors, Community Councillors and Co-opted Members. | • Hear and determine any complaints referred by the Public Services Ombudsman for Wales. |
| • Provide support advice and training for County Councillors and Community Councillors on conduct and personal interests. | • Provide advice and guidance on the whistleblowing procedure, constitutional, protocols and ethical issues. |
| • Monitor the operation of the Code of Conduct and the governance of the Council. | |

The Committee operates on the clear understanding that Elected Members that sit on the Committee are independent of political allegiance and that all discussions and decisions are taken with ethical principles at the forefront. The Committee is mindful that not all political groups are represented on the Committee, but welcomes attendance by all Members at its meetings and is happy to receive contributions from those groups not so represented. The Committee wishes to do all it can to support Elected Members in their role.

The Committee's Work in 2017/18

MEMBER INDUCTION 2017 & CODE OF CONDUCT TRAINING

The Standards and Ethics Committee has statutory responsibility for promoting high standards of Member conduct and ensuring all Members receive appropriate training on the Code of Conduct. In recognition of the fact that the Member Induction Programme following the May 2017 elections would set the tone for the future administration, the Committee took an active role in the 2017 Induction Programme. The Chair of the Committee addressed all Members following the Chief Executive's welcome to the induction sessions, and took the opportunity to introduce himself to Members, to emphasise the importance of high ethical standards for all holders of public office and to explain the role of the Committee.

The Committee oversaw the arrangements for the Code of Conduct training sessions, which were included within the Member Induction Programme as an essential training requirement for all Members. The content of the training sessions was developed to incorporate topical issues, such as Members' use of social media, the type of behaviour which may be regarded as bullying or discriminatory, and the important role of political groups in addressing conduct issues. The training was delivered through four workshop sessions offered on various dates during the period from May to August 2017. Online training was also provided through the All Wales Academy E-Learning platform for any Members who were unable to attend the workshop training sessions, and the Monitoring Officer offered small group or one to one sessions to ensure compliance with this essential learning.

The Committee was pleased to note that the training was completed by all 75 Cardiff Councillors. Feedback was generally positive, and it was noted that the workshop style sessions provided a useful opportunity for group discussion and learning from more experienced Members.

Training on the Code of Conduct has also been offered to Community Councillors, tailored to their specific requirements. Further detail on this is included under the report on the Committee's work with Community Councils below.

OBSERVATION OF COUNCIL AND COMMITTEE MEETINGS

Independent members of the Committee have continued to attend meetings of Full Council and its Committees as observers, and discussed their observations during each Standards and Ethics Committee meeting. Such observation is helpful to inform the Committee's work and understand the work of the Council; and the Wales Audit Office Corporate Assessment Follow-On Report has supported this view. Elected Members have indicated that the presence of Standards & Ethics Committee members was a helpful influence on Members' behaviour. The Committee has developed a standard template form to record Members' feedback.

The Committee has been pleased to observe a general improvement in Members' conduct at Council meetings, with meetings being noticeably more business focussed and less fractious.

MEMBER BRIEFINGS

The Committee publishes Member Briefings on its work, aiming to underline the importance of Member conduct and behaviour and the Cardiff Undertaking. This was agreed as part of the Council's response following the Wales Audit Office Corporate Assessment Follow-On Report issued in March 2017.

The third edition of the Member Briefing was issued in September 2017 to all Cardiff Councillors, including Community Councillors. Some of the information in the Briefing was aimed at newly elected Members, to familiarise them with the ethical standards framework operated in Cardiff; but was also intended as a useful refresher for more experienced Members. Topics covered included a reminder of the Cardiff Undertaking; an overview of the work of the Standards and Ethics Committee; a report on Member conduct complaints received during 2016/17; issues arising from the Member Exit Survey carried out in February 2017; and a link to the Council's Social Media Guidance. Members were invited to give feedback to the Committee or raise any issues with them, either by contacting the Chair directly or raising issues through their party group leaders or whips.

A fourth Member Briefing will be finalised after our December 2018 meeting and issued to all Members and Community Councils.

COMMUNITY COUNCILS

The Standards and Ethics Committee has the same statutory functions in relation to Community Councils and their Councillors as it has in relation to Cardiff Council and its Members. The Committee has considered the ways in which it discharges its functions, and what else it may do, within available resources, to promote and maintain high standards of conduct within Community Councils and build good working relationships with them.

The Committee has noted and approved a programme of actions, which includes: offering training on the Code of Conduct; quarterly meetings between the Community Council Clerks and the Monitoring Officer to discuss issues relating to Member conduct; provision of advice and support to Clerks in relation to local resolution processes; observation of Community Council meetings by Standards & Ethics Committee members; and ensuring that the Committee's Member Briefing is circulated to Community Councillors.

The Committee was pleased to note that a Code of Conduct training session has been provided by the Monitoring Officer and was well received; regular quarterly meetings have been set up between the Clerks and the Monitoring Officer; and arrangements have been made for Standards Committee members to attend and observe Community Council meetings.

SOCIAL MEDIA GUIDANCE

At the request of new Members on the Committee, the Committee has again reviewed its social media guidance. A number of amendments have been made to reflect changes in the social media landscape and current issues. The updated draft Guidance includes a link to the WLGA's recent guidance for Councillors on handling online abuse and bullying, which appears to be a growing concern.

The Committee also revisited the issue of Members using separate accounts to distinguish when they were speaking personally rather than in their role as Elected Member. Concerns were raised that the distinction was not always clear and that the use of two separate accounts did not help Councillors to remember that they are bound by certain Code of Conduct rules at all times (even when acting in a personal capacity). It was also suggested that some Councillors felt it was important to connect with the public personally, so that they are seen to 'be human'. On reflection, the Committee decided that the guidance should be amended to say that 'Members may wish to consider using separate personal accounts' to make clear the capacity in which they are speaking. This should make clear that the use of separate accounts is a matter for Members themselves to decide.

The updated guidance is being finalised and is due to be issued shortly.

WHISTLEBLOWING

The Committee's terms of reference include responsibility for monitoring and overseeing the Council's Whistleblowing Policy and considering any ethical issues arising from complaints made under the Policy. The Monitoring Officer keeps a record of all whistleblowing reports made, and reports annually to the Standards and Ethics Committee for this purpose.

The Committee received a report on whistleblowing cases recorded during 2017. It was noted that 3 whistleblowing reports had been recorded during the year. Members considered the issues raised and the outcomes in each case, on a confidential and exempt basis, so as not to disclose the identities of the individuals involved. The Committee was content that there were no ethical concerns arising from the cases reported.

The Committee was informed about work undertaken with Management teams to raise awareness of the Whistleblowing Policy and Procedure and the information leaflets produced for employees and managers. It was also noted that a review of the Policy was scheduled for 2018/19.

ROLE DESCRIPTIONS FOR STANDARDS & ETHICS COMMITTEE MEMBERS

The Committee has considered the generic role descriptions for a Member of the Standards Committee and the Chair of the Standards Committee, published within the Welsh Local Government Association Framework Member Role Descriptions and Person Specifications, adopted by Cardiff Council in December 2015. Committee

Members welcomed the clarification of their role and were content that the role descriptions were suitable for adoption without modification.

The newly Elected Members of the Committee were particularly keen to clarify their roles as Members of the Committee. They welcomed the Monitoring Officer's advice that they were Group Champions and should lead by example, reporting to their political groups on the work of the Committee and encouraging appropriate behaviours and adherence to the Ethical Code.

COMMITTEE VACANCIES

The term of office of Community Councillor John Hughes, the Community Council member of the Committee, came to an end in May 2017. One Independent Member of the Committee, Hollie Edwards-Davies, also stood down from her position in November 2017 to take maternity leave. The Committee has overseen the selection and appointment processes to fill both vacancies, in accordance with the statutory rules governing Standards Committee appointments.

Information about the Community Council member vacancy was circulated to the six Community Councils in Cardiff and to One Voice Wales, the organisation representing community councils in Wales; and expressions of interest were invited. The Committee set up an Appointments Panel to interview both candidates. Upon the recommendations of the Appointments Panel, Community Councillor Stuart Thomas, Chair of Pentyrch Community Council, was appointed to the Committee by full Council in October 2017.

The Independent Member vacancy was advertised in accordance with the requirements of the regulations; and the Committee established an Appointments Panel to shortlist and interview candidates. Two applications were received and interviewed by the Appointments Panel. Upon the recommendations of the Appointments Panel, Mrs Thora Lewis, was appointed to the Committee by full Council in January 2018, but sadly passed away, suddenly, in May 2018.

The Committee was subsequently informed that Hollie Edwards-Davies was willing to resume her position on the Committee. Ms Edwards-Davies was re-appointed by full Council in June 2018.

REGISTER OF MEMBERS' GIFTS AND HOSPITALITY

Under the Members' Code of Conduct, Members are required to register any gifts and hospitality received which exceeds the threshold value set by the Council of £25. The Committee has issued Guidance on Hospitality, Gifts and Other Benefits Received by Members. The Committee annually reviews the Council's statutory register to monitor compliance and discuss any issues of concern. The Members' Hospitality Registers for the period from 1st October 2016 to 30th September 2017 were considered by the Committee at its meeting in November 2017.

The Committee noted the registration of Cardiff Bus Travel Passes received by the Council's nominated Directors of Cardiff Bus, and decided to make further enquiries from the Members concerned about the value, scope and purpose of the Travel

Passes and their use. The Chair of the Committee and the Monitoring Officer held an informal meeting with the Councillors in February 2018 to discuss these matters further.

At this meeting, it was clarified that the Travel Passes were intended to enable the Directors to experience first-hand the bus services provided, and that first-hand experience was important for them to acquire an informed oversight of the company's service provision from the bus users' perspective. It was confirmed that the Passes were not intended to be used for the Directors' primary means of transport. The purpose of the Travel Passes was clarified in a policy agreed by the company and the directors.

The Committee received a full report on this matter, setting out all the relevant facts. On the basis of the further information provided, in particular, the fact that the receipt of the Passes was transparently recorded in the Members' Hospitality Register; the purpose of the Passes was to enable the Councillors to discharge their duties to Cardiff Bus; and the use of the Passes was not unlimited, the Committee decided that the receipt of the Passes was not inappropriate and was in compliance with the Council's guidance on gifts and hospitality.

No other concerns were identified in relation to the Members' Hospitality Registers.

DISPENSATIONS POLICY

The Committee has statutory power to grant dispensations to Members with a personal and prejudicial interest in a matter, to allow them to participate in a decision regarding that matter, in appropriate circumstances, which are set out in statutory regulations. The Committee has a Dispensations Policy, which sets out how dispensation applications will be considered by the Committee. As the Policy had not been reviewed for several years, it was considered appropriate to review and update the Policy and the accompanying application form.

A number of minor amendments were made to the Policy and application form, primarily intended to make them easier to understand and use. The Committee also considered timescales for determining applications, and in order to support timely decision making, the Committee resolved to set up a Dispensations Sub-Committee, on an ad hoc basis, to consider dispensation applications as and when they are received. The Committee also granted the Monitoring Officer delegated authority to determine dispensation applications, in consultation with the Chair, in cases where there is insufficient time to convene a Sub-Committee meeting.

ANNUAL MEETING WITH POLITICAL GROUP LEADERS AND WHIPS

The Committee invites Group Leaders and Whips to meet with it informally, on an annual basis, to discuss issues relating to Members' conduct and ethics. A meeting was held on 13th June 2018, and issues and observations discussed included:

- The observed improvement in Members' conduct and the quality of debate at Council meetings was welcomed.
- The reduction in the number of formal complaints was very encouraging.
- The results of the Members Survey 2017 in relation to Member conduct issues indicated some positive trends, but also identified some level of bullying and behavioural issues.
- Many of the reported incidents appeared to relate to culture and atmosphere rather than overt discrimination, but the survey provided an opportunity to get to grips with these issues and consider how to raise awareness and address issues constructively.
- A range of different avenues were needed to address issues.
- Bullying, behavioural and discrimination matters needed to be dealt with appropriately and effectively.
- Many incidents were unintentional and resolved with an apology; and some responses appeared to relate to historical issues, and may not accurately reflect current issues.
- Some incidents appeared to relate to political group meetings, so groups should consider what support arrangements etc. they have in place for Members.
- It was suggested that the All Party Council Women's Group may wish to consider the outcomes of the Member Survey and provide feedback.
- Arrangements for separate group refreshments during Council meetings had been raised as an issue, with a suggestion that communal refreshments would facilitate better cross party working relationships. This issue had been discussed at Group Whips meetings; and it was agreed this was a matter for Group Whips to agree.
- The Committee was thanked for its time and commitment; and it was agreed that Committee Members' attendance at Council and Committee meetings was welcomed.

Taking Action on Complaints

The Standards and Ethics Committee receives quarterly reports from the Monitoring Officer in respect of complaints made about Members' conduct. The Committee monitors the number of complaints and any themes or patterns emerging (but only considers specific details of individual cases if a complaint is formally referred to the Committee by the Monitoring Officer or the Ombudsman.)

During the period from 1st April 2017 to 31st March 2018 the Monitoring Officer was notified of a total of 8 complaints made against Members alleging breach of the Code of Conduct. The table below shows an analysis of the complaints on a quarterly basis.

	Q1 Apr, May, Jun 2017	Q2 Jul, Aug, Sept 2017	Q3 Oct, Nov, Dec 2017	Q4 Jan, Feb, Mar 2018	TOTAL
Total	4	1	1	2	8
Member on Member	2	0	0	0	2
Public on Member	2	1	0	1	4
Officer on Member	0	0	0	1	1
Community Councillors	0	0	1	0	1

The Committee was pleased to note that the number of complaints received during 2017/18 represents a further decrease from previous years – a total of 8 complaints, compared to 18 during 2016/17; and 59 during 2015/16.

Quarter 1

All 4 complaints were received in April 2017 during the pre-election period leading up to the local government elections. Brief details of each complaint were as follows:

- Complaint alleging that a Member showed disrespect / discrimination by tweeting a picture taken in the Council chamber. The complaint was dealt with informally by the Monitoring Officer. The Member denied the allegations and the complainant agreed that no further action should be taken.
- Complaint alleging that a Member misused their position for personal gain. The complaint was considered by the Ombudsman who decided not to investigate it.
- Complaint from a member of the public alleging that a Member's email newsletter to residents contained political comments and represented a misuse of Council resources for political purposes. With the complainant's agreement, the Monitoring Officer informally resolved the complaint by advising the Member about the complaint and asking the Member to avoid such a situation arising again.

- Complaint from a member of the public regarding the conduct of a Member in relation to a complaint about a Council service. The Ombudsman considered the complaint and decided not to investigate it as there was no evidence of a breach of the Code of Conduct.

Quarter 2

The single complaint received during Quarter 2 alleged that a Member was the subject of an ongoing criminal investigation being undertaken by the South Wales Police. The Monitoring Officer immediately sought advice from the Council's Assistant Director for Children's Services in respect of potential safeguarding concerns arising from the allegations. Enquiries were made to ensure that all appropriate safeguarding measures were in place. The Police subsequently confirmed that a thorough investigation had been undertaken, but had not found any evidence to corroborate the allegations, and therefore the case had been closed.

Quarter 3

The single complaint received during Quarter 3 was from a member of the public, who was an unsuccessful applicant for an advertised vacancy which a Community Council proposed to fill by co-option. The complaint was made against the Chair of the Community Council, alleging that he had cyber-stalked the applicant in order to encourage other Councillors not to co-opt him. (The complainant also made various other allegations of bias on the part of the Community Council as a whole.) The complaint was referred to the Ombudsman. The Ombudsman decided there was no evidence of a breach of the Code and decided not to investigate the matter.

Quarter 4

Brief details of the 2 complaints received were as follows:

- Complaint received from a member of the public related to comments made by a Councillor on social media, which the complainant considered were inappropriate. The Monitoring Officer's view was that there was no evidence of a breach of the Code of Conduct, and the complainant was informed of their right to complain to the Ombudsman if they remained dissatisfied.
- Complaint received from a member of staff relating to the tone of an email sent by a councillor which was considered to be unacceptable. The Monitoring Officer raised the concern with the Member who immediately apologised for any offence caused. The complainant agreed that no further action was necessary.

All 8 complaints received during 2017/18 have been closed with no findings of misconduct.

LOCAL RESOLUTION PROTOCOL

The Committee notes that the Local Resolution Protocol adopted by Cardiff (and updated in November 2017) continues to provide a helpful process for resolving relatively 'low-level' behavioural complaints made by Cardiff Council Members about other Members, in a timely and proportionate way.

The Committee is pleased to note that no cases have been referred to the Hearings Panel during 2017/18.

The Committee has encouraged Community Councils to adopt their own local resolution protocols, using the model developed by One Voice Wales in consultation with the Ombudsman.

Future Priorities

The Committee regularly reviews its work programme and has identified the following priority areas for consideration in 2018/19:

- **Code of Conduct, Member Training and Development** – the Committee will consider the need for any further training on the Members' Code of Conduct.
- **Observation of Council and Committee Meetings** – the Committee will continue to observe proceedings at Council and Committee meetings to give feedback on observations and inform its work priorities.
- **Member Briefings** To continue to publish biannual Member Briefings on the work of the Committee, underlining the importance of the Cardiff Undertaking and Member conduct and behaviour.
- **Member Survey 2017** – to consider any recommended actions arising from the results of the Members' Survey in relation to Member conduct issues.
- **Code of Conduct Complaints** - To receive quarterly reports on complaints made against Members of the Council alleging breaches of the Code of Conduct.
- **Gifts and Hospitality** - To review the Council's procedures for the acceptance and provision of gifts and hospitality by Officers; and continue to monitor the registers of gifts and hospitality received by Members.
- **Whistleblowing Policy** - To review the Council's Whistleblowing Policy and its implementation; and to receive information on reports made under the Policy and consider any ethical issues arising.
- **Officers' Personal Interests Policy** - To review the Council's policy and procedure for managing officers' personal interests.
- **Annual Meeting with Group Leaders and Whips** - To facilitate ongoing engagement with representatives from all political groups.

Committee Membership 2017/18

INDEPENDENT MEMBERS



**Richard Tebboth
(Chair)**

Richard Tebboth was born and brought up on the Essex edge of London – with a Welsh grandmother living nearby. He was educated at Sir George Monoux Grammar School, Walthamstow, and Christ's College, Cambridge. After professional social work training he entered the Probation Service, working as practitioner and manager in South Yorkshire, Buckinghamshire and the West Midlands. In 1997, he joined the Social Services Inspectorate for Wales, becoming Deputy Chief Inspector and Acting Chief Inspector. He transferred into the senior civil service, in the Welsh Government's Department for Public Service Improvement, until retirement in 2010. Richard lives in Llandaff, where he is Secretary of his local Residents' Association. He was appointed as an Independent Member of the Standards and Ethics Committee in September 2011; and reappointed for a second term by Full Council on 23 July 2015 for a further four years with effect from 23 September 2015. Richard has been the Committee's elected Chairperson since 21 October 2014.



**Prof. James Downe
(Vice-Chair)**

James is a Professor in Public Management and Director of Research at the Wales Centre for Public Policy at Cardiff University. He has more than fifteen years' experience of managing large-scale evaluations of public policy. His current research interests are in local government performance regimes, political accountability, public trust and the ethical behaviour of local politicians. He was a member of the UK Government's Expert Panel on local governance and currently sits on the Welsh Government's Public Service Scrutiny Reference Group. He became an Independent Member of the Standards and Ethics Committee in November 2013 and was appointed Vice-Chair on 21 October 2014.



Hollie Edwards-Davies

Hollie Edwards-Davies was brought up in Rhyl, North Wales and has lived in Riverside, Cardiff for 12 years. She studied for a LLB honours degree in Law with Legal Studies in Europe at the University of Reading, including a year in Germany at *Universität Trier*. She subsequently completed a degree in Applied Accounting by distance learning with Oxford Brookes University and continued her studies to become a member of the Association of Chartered Certified Accountants (ACCA) in 2010. Hollie served as Chair of the ACCA South Wales Members Network Panel between 2013 and 2015, and is still an active member of the network. Following a variety of roles in the private sector and some voluntary work, Hollie worked at the Welsh Government for ten years and departed in 2015 to pursue a career change. She joined the Standards and Ethics Committee in July 2014.



Thora Lewis

Thora Lewis was appointed to the Committee by Full Council on 25 January 2018. Educated at Pontypridd Girls Grammar School and University of Wales Aberystwyth and Thora graduated with an honours degree in French. She began a teaching career in 1965 which she continued until she was 64. It was in 1967 that Thora was appointed as assistant French teacher at Llanrumney Boys School, becoming Head of Modern Languages when the school amalgamated with the girls school. Thora finished her career at Llanrumney High School as Deputy Head teacher. Her career touched many lives and was well respected and remembered by teaching colleagues, pupils far and wide.

Thora was delighted to be appointed to the Committee in November 2017 and looked forward to contributing to the work of the Committee.

Sadly and unexpectedly Thora passed away in May 2018 and the Chair of Standards and Ethics Committee sent condolences to her daughter and family for their loss.



Lizz Roe

Lizz Roe has worked in the third sector/education sector for the last 20 years. She has lived and worked all over the UK and moved to Cardiff in 2012 to marry her partner and stop commuting to Birmingham. She was previously a commissioner for the Women's National Commission and a trustee for the YWCA of GB and NI. She is a Quaker and has been very active in issues to do with environmental sustainability and equality, as well as having held various roles within the Quaker community nationally and locally. She is an independent member of the Standards and Ethics Committee and began her first term of office on 28 July 2014. She brings a commitment to the Nolan principles of public life in her work on the committee as well as in her personal and professional life.



Hugh Thomas

Hugh Thomas, a retired Solicitor, pursued a Local Government career for forty years culminating in his being Chief Executive of Mid Glamorgan County Council (the largest local authority in Wales) for fifteen years. During this time he served as Clerk to the South Wales Police Authority and Honorary Secretary of the Assembly of Welsh Counties. He retired in 1995. He has since chaired a number of public bodies and national voluntary organisations including those in the health and higher education sectors. He was Vice Chairman and Chair of the Audit Committee of the Wales Centre for Health. He was also a non-Executive Director of Welsh Water and Chair of the Regulatory Board for Wales. He is one of fifteen trustees of The National Library of Wales. He is an independent member of the Standards and Ethics Committee and began his first term of office on 28 July 2014.

COMMUNITY COUNCILLOR MEMBER






**Community
Councillor Stuart
Thomas**

Community Councillor Stuart Thomas was appointed to the Standards & Ethics Committee at Full Council on 26 October 2018. Stuart has been a Member of the Pentyrch Community Council since May 1991 and has been Chair of the Community Council on numerous occasions. Stuart has a background in financial management and Banking

For a time he served as County Secretary for the Cardiff and the Vale Association of Local Councils, the local Association of NALC which has now been superseded as One Voice Wales the umbrella organisation that supports Community Council in Wales. He continues to represent his community Council on the One Voice Wales Cardiff and the Vale area meetings. He has provided particular support in the Induction and ongoing training of Community Councillors on Pentyrch Community Council.

COUNTY COUNCILLOR REPRESENTATIVES

 <p>Councillor Stephen Cunnah</p>	<p>Serving the Canton Ward</p> <p>Term of Office: 04/05/2017 –</p> <p>Serving on the following committees: Appointment Committee Audit Committee Council Glamorgan Archives Joint Committee Policy Review and Performance Scrutiny Committee Standards & Ethics Committee</p> <p>Outside Bodies: Chapter (Cardiff) Limited</p>
 <p>Councillor Joel Williams</p>	<p>Serving the Pontprennau and Old St Mellons Ward</p> <p>Term of Office: 04/05/2017 –</p> <p>Serving on the following committees: Appointment Committee - Assistant Director, Adult Services Appointment Committee - Assistant Director, Children's Services Council Council Appeals Committee Licensing Committee Licensing Sub Committee Public Protection Committee Public Protection Sub Committee Standards & Ethics Committee</p> <p>Outside Bodies: Cardiff University Court South Wales Fire & Rescue Authority</p>
 <p>Councillor Emma Sandrey</p>	<p>Serving the Pentwyn and Llanedeyrn Ward</p> <p>Term of Office: 04/05/2017 –</p> <p>Serving on the following committees: Council Democratic Services Committee Standards & Ethics Committee</p> <p>Outside Bodies: Cardiff Bus</p>

Attendance Record

The Committee meets quarterly, with additional ad hoc meetings held as required. During 2017/18, the Standards and Ethics Committee met on the following dates:

- 4 September 2017
- 22 November 2017
- 28 March 2018

COMMITTEE MEMBER	ATTENDANCE MAIN COMMITTEE		ATTENDANCE AT APPOINTMENT PANELS	
	POSSIBLE	ACTUAL	POSSIBLE	ACTUAL
Richard Tebboth (current Chair)	3	3	2	2
Dr James Downe (Vice-Chair)	3	2	0	0
Hollie Edwards-Davies	2	2	1	1
Thora Lewis	1	1	0	0
Lizz Roe	3	0	1	1
Hugh Thomas	3	3	0	0
Community Councillor Stuart Thomas	2	2	1	1
Councillor Stephen Cunnah	3	2	1	1
Councillor Emma Sandrey	3	3	0	0
Councillor Joel Williams	3	3	1	1

Helpful Contacts

Chair of Standards & Ethics Committee – Mr Richard Tebboth

Email: Richard.Tebboth@cardiff.gov.uk

Director of Governance & Legal Services and Monitoring Officer – Davina Fiore

Tel: (029) 2087 3860

Email: Davina.Fiore@cardiff.gov.uk

Contact: Committee & Members Services

Tel: (029) 2087 2020

Email: democraticservices@cardiff.gov.uk

Public Services Ombudsman for Wales – Mr Nick Bennett

Tel: 0300 790 0203

Webpage: <http://www.ombudsman-wales.org.uk/en.aspx>

Mae'r dudalen hon yn wag yn fwriadol

REPORT OF HEAD OF SHARED REGULATORY SERVICES

LICENSING: TRIENNIAL REVIEW OF STATEMENT OF GAMBLING LICENSING POLICY

Reason for Report

1. To request formal approval of the Council's Statement of Gambling Licensing Policy following a triennial review.

Background

2. The Council is the licensing authority for Cardiff for the purposes of the Gambling Act 2005.

Under section 349 of the Gambling Act 2005 each licensing authority must publish a Statement of Gambling Licensing Policy (SGLP) which sets out the principles that they propose to apply in exercising their functions under the Gambling Act 2005. Cardiff's first SGLP was published by the Authority on 7 January 2007, with the most recent version being adopted in January 2016.

3. The SGLP lasts for a maximum of three years and must therefore be reviewed on a regular basis. An Order of the Secretary of State means that licensing authorities are required to publish their next Statement by 31 January 2019.

Issues

4. The SGLP, which is determined for a three year period, outlines the licensing authority's approach to licence applications and deals with the problems and issues surrounding such applications.
5. The previous policy proved to be robust and effective in providing a framework for dealing with applications under the Gambling Act 2005. In accordance with the legislative requirements the SGLP has been reviewed and amendments proposed in consultation with responsible authorities, licence holders, stakeholders and the citizens of Cardiff. The draft new SGLP was approved by the Licensing Committee at its meeting of 6 November 2018. A copy of it is attached to this Report.

Legal Implications

6. The Gambling Act 2005 Act places a statutory requirement on a licensing authority to issue a Statement of Gambling Licensing Policy and to keep its policy under review and to make such revisions to it, at such times, as it considers appropriate.

It is a requirement of the Act that the full Council meeting should formally approve the Statement of Gambling Licensing Policy.

Financial Implications

7. This report does not result in any additional financial implications and can be achieved within existing budget provision.

RECOMMENDATIONS

The Council is recommended to

1. Approve the Statement of Gambling Licensing Policy for publication on 31st January 2019 and adopted for use on that date;
2. Authorise the Head of Shared Regulatory Services to make administrative amendments to the policy should the need arise.

Dave Holland
Head of Shared Regulatory Services

16 November 2018

Background papers:
Report to Licensing Committee 6 November 2018

City of Cardiff Council

Statement of Gambling Act Policy

2019-2021



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<p>This Statement of Licensing Principles was approved by Cardiff Council on _____2018</p>
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1. The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

This Licensing Authority is aware that, as per Section 153, in making decisions about Premises Licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- Reasonably consistent with the licensing objectives and
- in accordance with the authority’s statement of licensing policy

1.1 Introduction

This Statement covers the geographical area of Cardiff.

The Cardiff Council is the Licensing Authority under the Gambling Act 2005.

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.

The Cardiff Council consulted widely upon this statement before finalising and publishing. A list of those persons consulted is provided below. It should be noted that unsolicited comments were received from other persons but we have not listed all of these.

The Gambling Act requires that the following parties are consulted by licensing authorities:

- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of

- persons carrying on gambling businesses in the authority's area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

A full list of persons this authority consulted is detailed in Appendix C.

Our consultation took place between 9 August 2018 and 24 September 2018 and we followed the HM Government Code of Practice on Consultation (published July 2008), which is available at:

www.bis.gov.uk/files/file47158.pdf

The full list of comments made and the consideration by the Council of those comments is available by request to: Licensing Service, The Cardiff Council, City Hall, Cardiff, CF10 3ND.

The policy was approved at a meeting of the Full Council on and was published via our website on _____2018. Copies were placed in the public libraries of the area as well as being available in the Town Hall.

Should you have any comments as regards this policy statement please send them via e-mail or letter to the following contact:

Licensing Service
The Cardiff Council
City Hall
Cardiff
CF10 3ND
E-mail: licensing@cardiff.gov.uk

It should be noted that this statement of licensing principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

1.2 Profile of Cardiff

Cardiff is the capital City of Wales and is continuing to grow faster than any other capital city in Europe. In population terms, it is the largest Local Authority in Wales (350,000) but measures of population belies Cardiff's significance as a regional trading and business centre. The population swells by approximately 70,000 daily with commuters and visitors. Its popularity as a shopping and leisure destination extends way beyond Wales with many visitors not only from the rest of the UK but from overseas.



Cardiff is the seat of government and the commercial, financial and administrative centre of Wales. Cardiff boasts one of the most vibrant city centres in the UK and on a typical weekend, Cardiff's night time economy can attract over 40,000 people and sometimes more than 150,000 when the City's Principality Stadium hosts international events.

Cardiff Bay is a world class waterfront development and the Principality Stadium ranks among the world's finest sports stadia hosting major events that demonstrates Cardiff's developing role on the international stage. It's impressive range of cultural, sporting and arts facilities including the National Museum of Wales and the Museum of Welsh Life, St Davids Hall, New Theatre, Millennium Centre and new City Stadium, as well as the International Sports Village.

Such developments have led to a vibrancy and dynamism across the City which presents significant challenge to enforcement services wanting to secure the safety of their local population and visitors.

The Council area is mainly urban, with the city centre (Cathays ward) and Cardiff Bay (Butetown Ward) areas being the main commercial districts. In addition there are 26 local/district centres throughout the city. The rest of the area is predominately residential.

The County is divided into 29 electoral wards; these areas are shown in the map of the County in Appendix A.

There are currently around 70 premises in Cardiff licensed under the Gambling Act 2005.

1.3 Declaration

In producing the final statement, this Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, and any responses from those consulted on the statement.

1.4 Responsible Authorities

The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the suggestion in the Gambling Commission's Guidance to Licensing Authorities, this authority designates the Local Safeguarding Children Board for this purpose.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are detailed in Appendix B.

1.5 Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a Premises Licence if, in the opinion of the Licensing Authority which issues the licence or to which the applications is made, the person

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,*
- b) has business interests that might be affected by the authorised activities, or*
- c) represents persons who satisfy paragraph (a) or (b)"*

The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities at 8.11 to 8.18 It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups, medical practices and Local Health Board.

Interested parties can be persons who are democratically elected such as councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the

Licensing Service
Cardiff Council
City Hall
Cardiff
CF10 3ND

Tel: 029 2087 1651

Fax: 029 2087 1816

Licensing@cardiff.gov.uk

1.6 Exchange of Information

Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

Consequently, the Licensing Authority will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that current Data Protection legislation will not be contravened. The Licensing Authority will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the

Gambling Act 2005.

Should any protocols be established as regards information exchange with other bodies then they will be made available.

The authority may from time to time exercise its' powers under section 115 of the Crime and Disorder Act 1998 to exchange data and information with the police and other partners to fulfil its' statutory objective of reducing crime in the area.

The authority would wish to make its decision making process as transparent as possible and all representations made to it will be shared with all parties to an application. Freedom of information legislation will be complied with.

Please contact the Licensing Service for further information on our protocols.

1.7 Enforcement

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

The Licensing Authority's principles are that it will be guided by the Gambling Commission's Guidance to local authorities, the Regulators Code and the Council's enforcement policy. It will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

As per the Gambling Commission's Guidance to Licensing Authorities this Licensing Authority will endeavour to avoid duplication with other regulatory regimes as far as possible.

This Licensing Authority has adopted and implemented a risk-based inspection programme, based on;

- The licensing objectives
- Relevant codes of practice

- Guidance issued by the Gambling Commission, in particular at Part 36
- The principles set out in this statement of licensing policy

The main enforcement and compliance role for this Licensing Authority in terms of the Gambling Act 2005 is to ensure compliance with the Premises Licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the Licensing Authority but should be notified to the Gambling Commission.

The Licensing Authority will take account of the Gambling Commissions guidance document issued in February 2015 (or any subsequent amendments) 'Approach to Test Purchasing' when considering making test purchases at gambling premises. The council will also follow its own policies and procedures regarding the use of underage test purchasers.

This Licensing Authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

1.8 Licensing Authority functions

Licensing authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

It should be noted that licensing authorities are not be involved in licensing remote

gambling at all, which is regulated by the Gambling Commission via Operating Licences.

The Licensing Authority recognises that the licensing function is only one means of promoting delivery of the three objectives and should not therefore be seen as a means for solving all problems within the community. The Licensing Authority will therefore continue to work in partnership with neighbouring authorities, South Wales Police, the Community Safety Partnership, local businesses, local people and those involved in child protection to promote the licensing objectives as outlined. In addition, the Licensing Authority recognises its duty under Section 17 of the Crime and Disorder Act 1998, with regard to the prevention of crime and disorder.

1.9 Fundamental Rights

Under the terms of the Act any individual/company may apply for a variety of permissions and have their applications considered on their individual merits. Equally, any Interested Party or Responsible Authority has a right to make relevant representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.

Applicants and those making relevant representations in respect of applications to the Licensing Authority have a right of appeal to the Magistrates Court against the decisions of the Licensing Authority.

1.10 Integrating Strategies and Avoiding Duplication

By consulting widely prior to this Policy Statement being published, the Licensing Authority will take full account of local policies covering crime prevention, culture, transport, planning and tourism as part of an integrated strategy for the Licensing Authority, Police and other agencies. Many of these strategies may not be directly related to the promotion of the three licensing objectives, but may indirectly impact upon them.

When considering any application, the Licensing Authority will avoid duplication with other regulatory regimes so far as possible. Therefore, the Licensing Authority will not attach conditions to a licence unless they are considered necessary, reasonable and proportionate to the use of premises for gambling consistent with the licensing objectives.

1.11 Sustainable Development Community Strategy

The Local Government Act 2000 requires all local authorities to produce a community strategy within the framework of the UK Sustainable Development Strategy – “A better Quality of Life” and relevant regional strategies.

The Wellbeing and Future Generations (Wales) Act 2015 requires all Welsh local authorities to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems such as poverty, health inequalities and climate change.

Community strategies provide a focal point for the identification of local issues and aspirations on social inclusion, environmental protection, employment and economic development.

Local strategic partnerships, typically involving the police, local authorities, local health boards, and representatives from education, business and the voluntary sector organisations, are responsible for the achievement of locally set objectives.

Under the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent crime and disorder in the area. The Licensing Authority will have particular regard to the likely impact of licensing on related crime and disorder in the County, particularly when considering the location, impact, operation and management of all proposed licence/permit applications, renewals and variations of conditions.

2. Premises Licences

Consideration of applications

2.1 General Principles

Premises Licences authorise the provision of gambling facilities on the following:-

- Casino Premises;
- Bingo Premises;
- Betting Premises (including race tracks used by betting intermediaries);
- Adult Gaming Centres (AGCs);
- Family Entertainment Centres (FECs).

Except in the case of Tracks (where the occupier may not be the person offering gambling), Premises Licences will only be granted to those issued with an Operating Licence by the Gambling Commission.

Premises Licences are subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

2.2 Definition of “premises”

In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one Premises Licence applying to any place. But a single building could be subject to more than one Premises Licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete Premises Licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in the fifth edition of its Guidance to Licensing Authorities that: *“In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate Premises Licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”*

This Licensing Authority takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more Premises Licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity names on the Premises Licence.

The Guidance also gives a list of factors which the Licensing Authority should be aware of, which may include:

- Do the premises have a separate registration for business rates
- Is the premises' neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

2.3 Appropriate Licence Environment

The Guidance to Local Authorities and the Licence Conditions and Codes of Practice (LCCP) commencing May 2015, set out additional matters that the Licensing Authority should take into account when considering licence applications for Premises Licences.

The Guidance prescribes restrictions on gambling activities on premises, previously known as primary gambling activity. The Licensing Authority will consider any application based on the provisions in these codes and guidance.

Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls, the Licensing Authority will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises, and that the premises is adequately supervised at all times.

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission's relevant access provisions for each premises type are reproduced below:

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.24 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling Premises Licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting Premises Licence.

- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission’s Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

2.4 Premises “ready for gambling”

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the Licensing Authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a Premises Licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.60-7.67 of the Guidance.

2.5 Location

This Licensing Authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's Guidance to Licensing Authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder, however each application will be decided on its merits

2.6 Planning

The Gambling Commission Guidance to Licensing Authorities states:

7.60 – In determining applications the Licensing Authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:

7.67 - When dealing with a Premises Licence application for finished buildings, the Licensing Authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the Premises Licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a Premises Licence application. Equally the grant of a gambling Premises Licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

2.7 Duplication with other regulatory regimes

This Licensing Authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a

licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a Premises Licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the Premises Licence.

2.8 Licensing objectives

Premises Licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Gambling Commission's Guidance to Licensing Authorities and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime - This Licensing Authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way - This Licensing Authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. *For Local Authorities with tracks*: There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section– see page 14).

Protecting children and other vulnerable persons from being harmed or exploited by gambling - This Licensing Authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Licensing Authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

This Licensing Authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

As regards the term “vulnerable persons” it is noted that the Gambling Commission does not seek to offer a definition but states that *“it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.”* This Licensing Authority will consider this licensing objective on a case by case basis.

The Gambling Commission Guidance to Local Authorities sets out considerations that an operator must make in order to protect children and young people from accessing gambling premises.

The Licence Conditions and Codes of Practice (LCCP) issued in 2015 prescribe how operators must prevent children from using age restricted gaming or gambling activities, particularly where gaming machines are licensed.

In particular operators must ensure that;

- all staff are trained,
- that all customers are supervised when on gambling premises
- must have procedures for identifying customers who are at risk of gambling related harm.

The Licensing Authority will expect all operators to have policies and procedures in place as required by the LCCP codes on social responsibility to cover all aspects of the code, in particular staff training records and self-exclusion records

Further provisions with regard to self-exclusion and marketing are included in the social responsibility code. The Licensing Authority will take all conditions and codes into account when considering applications or performing enforcement activities.

See section 6 of this policy statement for further details and on the Licensing Authority’s requirements in relation to the LCCP.

The Licensing Authority will have regard to the Chief Medical Officer for Wales Report to support the licensing objective in order to protect children and other vulnerable persons from being harmed or exploited by gambling.

The Licensing Authority would expect applicants and licence holders to carry out the necessary checks on all relevant members of staff to ensure their suitability for employment, particularly in respect of premises where children and vulnerable people have access.

2.9 Bet-Watch

The Licensing Authority will encourage and support local operators to create and maintain an information sharing network to discuss issues of problem gamblers that are identified. This will also be an opportunity for operators to discuss issues with the licensing officers.

2.10 Conditions

Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. Specific regard will be against the local risk assessment for each premise, and evidence of specific risk when making such decisions. There are specific comments made in this regard under some of the licence types below. This Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

This Licensing Authority will also consider specific measures which may be required for buildings which are subject to multiple Premises Licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance and Codes of Practice.

This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple Premises

Licences are applicable.

This Licensing Authority is aware that tracks may be subject to one or more than one Premises Licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions which the Licensing Authority cannot attach to Premises Licences which are:

- any condition on the Premises Licence which makes it impossible to comply with an Operating Licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

2.11 Door Supervisors

The Gambling Commission advises in its Guidance to Licensing Authorities that if a Licensing Authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance, Part 33).

2.12 Adult Gaming Centres

This Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls, the Licensing Authority will expect the gambling area to be clearly defined to ensure that customers are

fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times.

This Licensing Authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

2.13 (Licensed) Family Entertainment Centres

This Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

This Licensing Authority may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

This Licensing Authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to Operating Licences covering the way in which the area containing the category C machines should be delineated. This

Licensing Authority will also make itself aware of any mandatory or default conditions on these Premises Licences, when they have been published.

2.14 Casinos

Under the provisions of Section 166 of the Gambling Act 2005 an authority may resolve not to issue casino Premises Licences. The Authority has made no such resolution. The Licensing Committee will consider any petition signed by no less than 50 persons requesting that such a resolution should be made and make a recommendation on the proposal to the full Council for consideration and determination.

Local Authorities only: Casinos and competitive bidding – Small/Large casinos - This Licensing Authority is aware that where a Licensing Authority area is enabled to grant a Premises Licence for a new style casino (i.e. the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations the Local Authority will run a ‘competition’ under Schedule 9 of the Gambling Act 2005. This Licensing Authority will run such a competition in line with any regulations / codes of practice issued under the Gambling Act 2005.

Licence considerations / conditions – This Licensing Authority will attach conditions to casino Premises Licences according to the principles set out in the Gambling Commission’s Guidance at paragraph 9, bearing in mind the mandatory conditions listed in paragraph 17 of the Guidance, and the Licence Conditions and Codes of Practice published by the Gambling Commission.

2.15 Betting Premises

Betting Machines

The Act provides that a machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Betting premises may make available machines that accept bets on live events, such as horseracing, as a substitute for placing a bet over the counter. These “betting machines” are not gaming machines: they merely automate the process, which can be conducted in person and, therefore, do not require regulation as a gaming machine.

This Licensing Authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

2.16 Bingo premises

This Licensing Authority notes that the Gambling Commission's Guidance states:

18.4 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a Premises Licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new Premises Licence, or multiple licences, for that or those excluded areas.

This authority also notes the Guidance at paragraph 18.8 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

18.7 Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

2.17 Tracks

This Licensing Authority is aware that tracks may be subject to one or more than one Premises Licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this Licensing Authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

This authority will therefore expect the Premises Licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

This Licensing Authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage

- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

2.18 Gaming machines

There are many categories of gaming machine permitted at licensed and other premises and the number of such machines that may be permitted in each type of gambling premises are set out in the Act. The Licensing Authority does not have the power to set different limits or further expand or restrict the categories of machine that are permitted. The exception to this is alcohol-licensed premises that hold gaming machine permits, where licensing authorities have discretion to specify the number of permitted gaming machines. In addition, limits are set separately in the Act for certain types of permit issued by licensing authorities. Information on gaming machine entitlement can be found on the Gambling Commission website: <http://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Appendix-A-Summary-of-machine-provisions-by-premises.aspx>

There is a minimum age of 18 for all players for all category A, B and C machines, including category B3A gaming machines offering lottery style games. However there is no minimum age for players of category D machines. The holder of any permit or premises licence must comply with the codes of practice issued by the Commission on the location of and access to gaming machines by children and young persons, and the separation from category C and B machines where those are also located on the same premises.

Where the applicant holds a pool betting Operating Licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

2.19 Betting machines

This Licensing Authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

2.20 Applications and plans

The Gambling Act (s51) and Regulations requires applicants to submit plans of the premises with their application, in order to ensure that the Licensing Authority has the necessary

information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the Licensing Authority to plan future premises inspection activity.

Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.

Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track Premises Licence holders may erect temporary structures to restrict access to premises.

In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.

This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan.

2.21 Travelling Fairs

This Licensing Authority is responsible for deciding whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This Licensing Authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

2.22 Provisional Statements

Developers may wish to apply to this authority for provisional statements before entering

into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a Premises Licence. There is no need for the applicant to hold an Operating Licence in order to apply for a provisional statement.

Section 204 of the Gambling Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a Premises Licence application. The applicant is obliged to give notice of the application in the same way as applying for a Premises Licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the Premises Licence application, the applicant does not have to hold or have applied for an Operating Licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a Premises Licence once the premises are constructed, altered or acquired. The Licensing Authority will be constrained in the matters it can consider when determining the Premises Licence application, and in terms of representations about Premises Licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

In addition, the authority may refuse the Premises Licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Licensing Authority notes that it can discuss any concerns it has with the applicant before making a decision.

3. Permits/Temporary and Occasional use Notice

3.1 Unlicensed Family Entertainment Centre Gaming Machine Permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

Only premises that are wholly or mainly used for making gaming machines available may hold an Unlicensed Family Entertainment Centre. As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport, motorway service station or similar. Typically, the machines will be in a designated enclosed area and clearly defined when making an application to the Licensing Authority.

Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the Licensing Authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The Gambling Act 2005 states that a Licensing Authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance to Licensing Authorities also states: "*In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits...., licensing authorities will want to give weight to child protection issues.*" (24.6)

Guidance also states: "*...An application for a permit may be granted only if the Licensing Authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application....Licensing authorities might wish to consider asking applications to demonstrate:*

- *a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;*
- *that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and*
- *that staff are trained to have a full understanding of the maximum stakes and prizes".* (24.7)

It should be noted that a Licensing Authority cannot attach conditions to this type of permit.

This Licensing Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This Licensing Authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

3.2 (Alcohol) Licensed premises Gaming Machine Permits - (Schedule 13 paragraph 4(1) Automatic entitlement: 2 machines

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the Licensing Authority and pay the prescribed fee.

The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

Permit: 3 or more machines

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the Licensing Authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and *“such matters as they think relevant.”*

This Licensing Authority considers that *“such matters”* will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling and will expect the applicant to satisfy

the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a Premises Licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre Premises Licence.

It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3.3 Prize Gaming Permits

A Prize Gaming Permit is a permit issued by the Authority to authorise the provision of facilities for gaming with prizes on specified premises.

In respect of the issue of Prize Gaming Permits the authority intends to restrict the grant or renewal of such permits to cafes and restaurants or hotels with restaurant facilities where seating facilities are provided for persons to take refreshment of food on the premises and the number of machines to be limited to one in each premises unless the premises is a staff canteen when two machines may be permitted.

The applicant is expected to set out the types of gaming that is intended to be offered and to demonstrate that they understand the limits to stakes and prizes set out in regulations and that the gaming is offered within the law.

The Licensing Authority may not attach conditions to this type of permit.

3.4 Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.

Members Clubs and Miner's welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine Permit will enable the premises to provide gaming

machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold club premises certificates under the Licensing Act 2003 and so cannot use the fast-track procedure. As the Gambling Commission's Guidance to Licensing Authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a Club Gaming Permit or Club Machine Permit issued to the applicant in the last ten years has been cancelled."

There are statutory conditions on Club Gaming Permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

3.5 Temporary Use Notices

Temporary Use Notices allow the use of premises for gambling where there is no Premises Licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according the Gambling Commission, would include hotels, conference centres and sporting venues.

A Temporary Use Notice may only be granted to a person or company holding a relevant Operating Licence, i.e. a non-remote casino Operating Licence.

The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

This Licensing Authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

3.6 Occasional Use Notices

The Licensing Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This Licensing Authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice. This Licensing Authority will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

3.7 Small Society Lotteries

The Gambling Act 2005 sets out a definition of a lottery, detailed below, and provides that promoting or facilitating a lottery is illegal, unless it falls into one of two categories of permitted lottery, namely:

- licensed lotteries – these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the Commission and require operating licences;
- exempt lotteries – there are four types of exempt lottery that are expressly permitted under Schedule 11 of the Act, including the small society lottery.

A lottery is any arrangement that satisfies all of the criteria contained within the statutory description of either a simple lottery or a complex lottery, in accordance with section 14 of the Act.

A 'society' is the society, or any separate branch of such a society, on whose behalf a lottery is to be promoted, and has been established as a non-commercial organisation. Section 19 of the Act defines a society as such if it is established and conducted:

- for charitable purposes, as defined in section 2 of the Charities Act 2006;
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity;
- for any other non-commercial purpose other than that of private gain.

The society must have been established for one of the permitted purposes as set out in section 19 of the Act, and that the proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries.

Local authorities are entitled to operate their own lotteries, but may only do so if licensed by the Gambling Commission. Local authorities must commit a minimum of 20% of the proceeds from such lotteries for a purpose for which they have power to incur expenditure, and must also adhere to the other relevant provisions in the Act. They may also need to hold a remote gambling operating licence, in the event that they wish to sell lottery tickets via electronic or other remote technological methods such as over the telephone, email or via the internet.

Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and must be accompanied by a registration fee and a copy of the terms and conditions and the constitution to prove that they are a non-commercial society. Paragraphs 47 and 48 of Schedule 11 of the Act set out the grounds for licensing authorities to refuse a small society lottery registration application.

This Licensing Authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- submission of incomplete or incorrect returns
- breaches of the limits for small society lotteries

Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

Proceeds must not exceed £20,000 for a single draw and aggregate proceeds from lotteries must not exceed £250,000 in any one year.

Charities and community groups should contact this Licensing Authority on **029 20871651** or **licensing@cardiff.gov.uk** to seek further advice.

4. Decision making

4.1 Administration, Exercise and Delegation of Functions

The powers and duties of the Licensing Authority under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.

It is considered that many of the functions will be largely administrative in nature with no perceived areas of contention. In the interests of efficiency and cost effectiveness these will, for the most part, be carried out by officers.

The schedule of delegation of licensing functions is attached at Appendix D. The Licensing Authority may, nevertheless, refer any matter to the Licensing Committee or Sub-Committee.

4.2 Appeals Procedure

Entitlements to appeal for parties aggrieved by decisions of the Licensing Authority are set out in Sections 206 to 209 of the 2005 Act. Appeals must be made to the Magistrates Court for the area in which the Licensing Authority, which has considered the application, is situated.

An appeal has to be commenced by giving notice of the appeal by the appellant to; Cardiff Magistrates Court within a period of 21 days, beginning with the day on which the appellant was notified by the Licensing Authority of the decision to be appealed against.

On determining an appeal, the Court may:

- Dismiss the appeal;
- Substitute the decision appealed against with any other decision that could have been made by the Licensing Authority;
- Remit the case to the Licensing Authority to dispose of the appeal in accordance with the direction of the Court.
- Make an order about costs.

4.3 Giving Reasons for Decisions

In anticipation of such appeals, the Council will give comprehensive reasons for its decisions. The Licensing Authority will address the extent to which decisions have been made with regard to any relevant codes of practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with this Policy Statement.

4.4 Implementing the Determination of the Magistrates' Court

As soon as the decision of the Magistrates' Court has been notified to all parties, the Licensing Authority will not delay its implementation and necessary action will be taken forthwith unless ordered by a higher court to suspend such action (for example, as a result of an ongoing judicial review). The Act provides for no other appeal against the determination of the Magistrates' Court.

4.5 Complaints against Licensed Premises

The Licensing Authority will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Licensing Authority may initially arrange a conciliation meeting to address and clarify the issues of concern.

This process will not override the right of any interested party to ask that the Licensing and Gambling Sub-Committee consider their valid objections, or for any licence holder to decline to participate in a conciliation meeting.

4.6 Reviews

Requests for a review can be made by Interested Parties or Responsible Authorities. However, it is for the Licensing Authority to decide whether the review is to be carried out based upon any relevant codes of practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with this Policy Statement.

The request for the review will also be subject to the consideration by the Licensing Authority as to whether it is frivolous, vexatious, or whether it will not cause this Licensing Authority to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The Licensing Authority can also initiate a review of a particular Premises Licence, or a particular class of Premises Licence on the basis of any reason, which it thinks is appropriate.

Once a valid application for a review has been received by the Licensing Authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the Licensing Authority, who will publish notice of the application within 7 days of receipt.

The Licensing Authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Authority are:-

- add, remove or amend a licence condition imposed by the Licensing Authority;
- exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- suspend the Premises Licence for a period not exceeding three months
- revoke the Premises Licence.

In determining what action, if any, should be taken following a review, the Licensing Authority must have regard to the principles set out in Section 153 of the Act, as well as any relevant representations.

In particular, the Licensing Authority may also initiate a review of a Premises Licence on the grounds that a Premises Licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Once the review has been completed, the Licensing Authority must, as soon as possible, notify its decision to:

- the licence holder;
- the applicant for review (if any);
- the Commission;
- any person who made representations;
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs.

5. Licensing Conditions and Codes of Practice (LCCP)

The Gambling Act 2005 requires the Gambling Commission to issue one or more codes of practice about the manner in which facilities for gambling are provided. The codes may be directed at the holders of operating or personal licences, or any other person involved in providing facilities for gambling. Further information can be found on the Gambling Commissions website: www.gamblingcommission.gov.uk

The Act also requires licensing authorities to take into account when exercising their functions, any relevant code of practice issued by the Commission under section 24, in this case:-

- The Commission's *Licence conditions and codes of practice* (LCCP), which apply to holders of Gambling Commission operating or personal licences;
- Other codes - these are the Commission's code of practice for equal chance gaming and its code of practice for gaming machines in clubs and premises with an alcohol licence

The LCCP contains two types of code provision:

5.1 Social responsibility code provisions

These are provisions describing arrangements which should be made by persons providing facilities for gambling for the purpose of:-

- (a) ensuring that gambling is conducted in a fair and open way;
- (b) protecting children and other vulnerable persons from being harmed or exploited by gambling; and
- (c) making assistance available to persons who are or may be affected by problems related to gambling.

Compliance with these is a condition of operator licences; therefore any breach of them by a licensed operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution.

5.2 Ordinary code provisions

These do not have the status of licence conditions in the case of licensed operators, but set out good practice; these code provisions are in the unshaded boxes in this document.

Codes of practice are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the

Commission in the exercise of its functions; any departure from code provisions by an operator may be taken into account by the Commission, for example on a licence review (but could not lead to imposition of a financial penalty).

However, the Commission has made it clear that licensed operators may adopt alternative approaches to those set out if they have actively taken account of the provision and can demonstrate that an alternative approach is reasonable in the particular circumstances; or that to take an alternative approach would be acting in a similarly effective manner.

5.3 Risk Assessments - Gambling Premises

The LCCP requires all existing licensees that provide gambling at their premises to assess the local risks to the licensing objectives and have policies, procedures and control measures to reduce those risks. Licensees must take into account any relevant matters identified in the licensing authorities (gambling) Statement of Policy when making their risk assessments.

A local risk assessment should also be undertaken or updated by a licensee, when applying for:-

- A new premises licence;
- When applying for a variation of an existing premises licence;
- To take into account any local significant changes in the local area;
- When there are significant changes within their premises that may affect the existing local risk assessment.

Operators are required to make the risk assessment available to licensing authorities when an application is submitted and a copy should be kept at the premises or otherwise on request, and this will form part of the Licensing Authority's inspection regime or investigating complaints.

Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence. The code requires all operators of; Casino's, AGC's, Bingo Premises, FEC's, Betting shops and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.

Operators are required by the SR code to make the risk assessment available to licensing authorities when an application is submitted either for new Premises Licence or variation of a Premises Licence, or otherwise on request, and this will form part of the Licensing Authority's inspection regime and may be requested when officers are investigating complaints.

The code requires the Licensing Authority to set out matters they expect the operator to

take account of in the risk assessment in its statement of policy and this Licensing Authority would recommend that the following general matters are considered by operators when making their risk assessment.

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall
- proximity to accommodation or centres catering for vulnerable people, including those with gambling/alcohol/drug addiction
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities

Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

Matters relating to children and young persons, including;

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.
- Any premises where children congregate including bus stops, café's, shops, and any other place where children are attracted,
- Areas that are prone to issues of youths participating in anti social behaviour, including such activities as graffiti/tagging, underage drinking, etc.
- Recorded incidents of attempted underage gambling

Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

This list is not exhaustive and are purely suggestions that may be considered by operators undertaking their own risk assessment.

Betting Track Premises – The Gambling Commission states within it's LCCP code that Operators are required to make a risk assessment. However, Betting Track Premises are not required to seek an Operator's Licence with the Gambling Commission and as such are not required to conduct a risk assessment. However, in the interest of the objectives of the

Gambling Act 2003, namely i) preventing gambling being a source of crime or disorder, being associated with crime or disorder or being used to support crime; ii) ensuring that gambling is conducted in a fair and open way; iii) protecting children and other vulnerable persons from being harmed or exploited by gambling, this Licensing Authority would expect a Betting Track Premises to conduct a risk assessment for their premises.

5.4 Significant changes to the premises

From time to time operators will undertake a refresh of the premises' layout and décor, which is unlikely to prompt a review of the risk assessment for that premises. However, where there is a significant change at the premises that may affect the mitigation of local risks, then an operator must review its risk assessment and if necessary update it, taking into account the change and how it may affect one or more of the licensing objectives.

It is expected that gambling operators will undertake this risk assessment process as a matter of course for any premises refit, changes to layout or internal control measures. If any changes do require a review of the risk assessments for that premises gambling operators should ensure that they have a system in place to record and action any measures identified in that review.

The gambling operator will be responsible for identifying when a significant change to the premises has occurred. In order to assist gambling operators the Licensing Authority has provided the following list of examples of what could be classified as a significant change to the premises (some of which may also require a variation to the existing premises licence).

- Any building work or premises refit where gambling facilities are relocated within the premises.
- The premises licence is transferred to a new operator who will operate the premises with its own procedures and policies which are different to those of the previous licensee.
- Any change to the operator's internal policies which as a result requires additional or changes to existing control measures; and/or staff will require retraining on those policy changes.
- The entrance or entrances to the premises are changed, for example, the door materials are changed from metal with glazing to a full glass door or doors are reallocated from egress to ingress or vice versa.
- New gambling facilities are made available on the premises which were not provided previously, for example, bet in play, handheld gaming devices for customers, Self Service Betting Terminals, or a different category of gaming machine is provided.
- The premises operator makes an application for a licence at that premises to provide an activity under a different regulatory regime, for example, to permit the sale of alcohol.

As with the examples of significant changes in local circumstances, the list above is not an

exhaustive list of significant changes to premises.

The Licensing Authority will not, as general practice, request a copy of the reviewed risk assessment if a significant change to the licensed premises has occurred, unless the change is one that will necessitate a variation application.

5.5 Variation of the premises licence

Variations to premises licences are only those required to be made under section 187 of the Act and will not include changes of circumstances such as a change of premises' name or a change of licensee's address, etc.

The Commissions LCCP social responsibility code provision 10.1.1 requires that gambling operators must undertake a review of the local risk assessment and update it if necessary when preparing an application to vary the premises licence. Operators submitting a variation application to the Licensing Authority may consider submitting a copy of the reviewed local risk assessment when submitting the application. This will then negate the need for the Licensing Authority requesting to see a copy of this risk assessment and could potentially reduce the likelihood of a representation being made to the application.

If an operator wishes to vary a converted casino premises licence from one premises to another then the gambling operator should consider producing a new risk assessment for that premises. It is advisable that a copy of that assessment is submitted to the Licensing Authority with the application form.

5.6 Regular review of risk assessment

As a matter of best practice the Licensing Authority recommends that operators establish a regular review regime in respect of their local risk assessments. This review programme can be carried out alongside other reviews on Health and Safety risk assessments for the premises. This review programme would ensure that, regardless of whether or not any of the trigger events set out above have occurred, these risk assessments are considered at regular intervals and updated if necessary.

It will be up to the gambling operator as to the frequency of these reviews but it is recommended that no more than three years should pass before these assessments are reviewed. Operators may wish to synchronise their reviews of the local risk assessments with the publication of the Council's Statement of Licensing Principles for Gambling. This would enable gambling operators to consider the Local Area Profile, which has been published in the Council's Statement of Licensing Principles for Gambling.

5.7 Local risks and control measures

There are two specific parts to the risk assessment process:

- the assessment of the local risks
- the determination of appropriate mitigation to reduce those risks

The risks that operators must identify relate to the potential impact a gambling premises and its operation may have on the licensing objectives. Gambling operator should identify and list all of the local risks within the assessment that they have identified. The level of such risks can range from being low to very high depending on the potential impact that the gambling operator has assessed it to have on the licensing objectives. The level of any given risk will have a direct impact on the type and extent of the control measures that the gambling operators deems as being necessary to mitigate such risk.

Operators will already be assessing locations when looking for new sites or when reviewing the performance of their premises. The design of premises is also assessed to ensure that they will meet the needs of the gambling operation, will provide protection for staff and customers; and will have facilities for recording crime. Operators will also have implemented policies and procedures for the operation of premises in line with statutory and other regulatory requirements placed upon them by the Commission and other agencies.

Operators will already be familiar with identifying risks in relation to health and safety and food hygiene legislation. Risk assessments are also used for security and crime purposes, for example for money laundering and as part of trade association best practice, such as the Safe Bet Alliance.

This local risk assessment process, although similar requires a much broader range of considerations when identifying local risk. The requirement of the Commissions LCCP social responsibility code provision 10.1.1 is that gambling operators consider the local area in which the premises are situated and the impact that the premises operation may have on the licensing objectives.

5.8 Local area risks

There are a number of factors relating to the local area that operators may consider which is independent of who the operator believes is their target market. It will be for the gambling operator to identify these risks. However, there may be occasions that the Commission or the Licensing Authority will provide information on what they perceive as being a local risk. This may be specified in the Statement of Licensing Policy or in a separate guidance document, both of which will be found on the Council's website.

The local area will be different depending on the premises and the size of its operation. For example a large Bingo hall may have a wider catchment area than a neighbourhood betting shop as the Bingo hall attracts customers from further afield.

5.9 Gambling operational risks

The gambling operation relates to how the premises will be or is run. This will include the operator's policies and procedures which have been put in place to meet the requirements of the business, the Act and/or specific code provisions within the LCCP.

Gambling operators should identify operational risks in the local area to the licensing objectives and then consider whether there are control measures in excess of those already in place that would mitigate the risk. For example if there is a known illegal drug use in the local area the gambling operator may consider using control measures such as maglocks on the toilet doors or change the design to the toilet to deter people from using it for illegal drug use.

It is likely that the identification of risks associated with this element of the assessment will be very similar for all premises with slight variations depending on any specific factors that relate to the premises or the local area.

The control measures that operators will put in place to mitigate any risk associated with the gambling operation will be dependent on the type of gambling activities provided, how the company operates and the size of the organisation.

5.10 Premises design risks

The design of the premises is an extremely important factor when considering local risks. For example, an Adult Gaming Centre which is located within an area which has a high number of children and young people present throughout the day may identify that the doors on either side of the premises are being used by local children as a short cut to access the adjacent street. The appropriate mitigation in this case may be that the gambling operator closes off one of the doors to prevent it being used as a short cut.

As part of the design process, the layout of the premises is a major consideration as poorly conceived design may create significant risks to one or more of the licensing objectives. Gambling operators are experienced in premises design and often these considerations are made during the planning phase. It is advisable that gambling operators ensure that there is a process in place to record these key decisions at an early stage of the planning process for the premises design so that this can be included in their risk assessment.

5.11 Interior design risks

The internal design and layout will reflect the premises operation and the type of gambling facilities that it offers. For some premises the design will be subject to certain limitations due to mandatory conditions on the gambling premises licence, such as the distance between gaming tables and other gambling facilities in casinos, and restrictions on the location of ATMs.

Operators should assess the risk presented by the internal layout of the premises and the location of gambling facilities within them. For example, if a gaming machine is placed within the direct line of sight of the cashier counter then staff will be able to monitor player behaviour and undertake interventions if there is a concern over the customers' spending habits. Staff can also monitor the use of the machines and can challenge any customers who are believed to be under the age of 18, or who damage the machines, or who appear to be attempting to launder money. By a simple assessment of the optimum location for these machines, operators can significantly reduce the risk to the licensing objectives.

5.12 Exterior design risks

The exterior of premises will be a major advertisement for the gambling operator. However, the design should be assessed based on the associated risk. Operators may identify a risk associated with the design and introduce control measures based on that perceived risk. For example, if the premises have a large amount of glass frontage in an area prone to criminal damage, operators may consider the risk of damage to the standard toughened glass to be high and introduce a control measure such as roller shutters and/or external CCTV cameras.

5.13 Control measures

Depending on the nature of the risk factors, the control measures identified to mitigate the perceived risk may be a combination of systems, design and physical measure. Control measures that relate to systems may be measures that have been put in place through policies and procedures. These can either be systems that apply to all of the operator's premises or systems that have been developed specifically for particular premises to deal with a specific local risk factor. System control measures may include staff training, security policies and procedures. They may also relate to having security personnel on entrances, implementing membership criteria and/or providing support to local vulnerable groups through financial or other means.

Design control measures are measures that are built into the design of the premises. These can include the location of gambling facilities and the design and location of cashier counters within the premises, and the exterior design of premises. For example, a control measure for the interior of the premises could involve moving a cashier counter from the rear of the premises to the front of the shop next to the main entrance. An external design control measure may involve the exterior design being tailored to address local risks, for example, more open window displays to enable staff can see out of the premises or a design to avoid attracting children to the premises.

The final control measures relate to specific physical measure that will address an identified risk factor. These physical control measures may, for example, include alarms, CCTV cameras, doors, magnetic locks, time locks on safes, spit kits, window shutters, fogging

systems, UV lights in toilets.

The control measures identified to mitigate a perceived risk may involve a combination of systems, design and physical measures. For example to address the risk factors relating to children gaining access to an over 18 restricted gambling premises, the operator may identify the following control measures:

Systems: PASS card or age verification policies, challenge 21 scheme, staff training and door staff.

Design: Exterior design which will not attract children into the premises, the entrance layout will enable staff and security to watch those entering the premises and challenge them on the grounds of age.

Physical: Magnetic door locks and ID scans.

Step 1: Undertaking a local risk assessment

The risk assessment should be carried out through a step-by-step approach. Gambling operators may first assess the local area and identify the relevant risk factors, then assess the gambling operation, and finally assess the premises design, both internal and external. Once the risk factors have been identified, the control measures to mitigate the risks should be considered. These control measures will either already be in place or will need to be implemented.

- Assessors should start by identify the local risk factors surrounding the premises. The risk factors will differ from location to location so an understanding of the specific characteristics of the local area and the people who live, work or visit that area is important. Use Community wellbeing profile and local knowledge will assist.

Step 2: Gambling operation and physical design

In assessing the risk factors associated with a gambling operation the assessor should take into account the local risks which are commonly accepted by broader stakeholders and how that gambling operation may affect that risk.

The physical design of the premises is a key consideration as this could have a significant impact on the risk to the licensing objectives. In assessing the risk factors associated with the premises design and layout reference is needed to the local area risks factors already identified to ensure the design doesn't add to that risk. The design, both internal and external should be considered and specific risk factors identified and noted.

Step 3: Control measures

Once the risk factors have been identified, the assessor should seek to identify control measures that would mitigate the identified risks. Such control measures will relate to one of the three categories of control measures mentioned above (systems, design and

physical). Some risk factors may require a combination of control measures to adequately mitigate the risk.

Step 4: Action Plan

Once the assessment has been carried out an action plan should be completed so that any identified actions are documented and a deadline for completing the required piece of work is set and agreed.

Completed assessment

The control measures must be implemented on the premises and, if applicable, staff on the premises should be trained in their use or trained on the new policy or procedure. The assessment must be retained and should be reviewed whenever a trigger occurs or as part of a regular review regime

6. Further Information

Further information about the Gambling Act 2005, this Statement of Licensing Policy or the application process can be obtained from:

Licensing Section
Cardiff Council
City Hall
Cathays Park
Cardiff
CF10 3ND
Telephone: 029 20871651
Email: licensing@cardiff.gov.uk
Website: www.cardiff.gov.uk

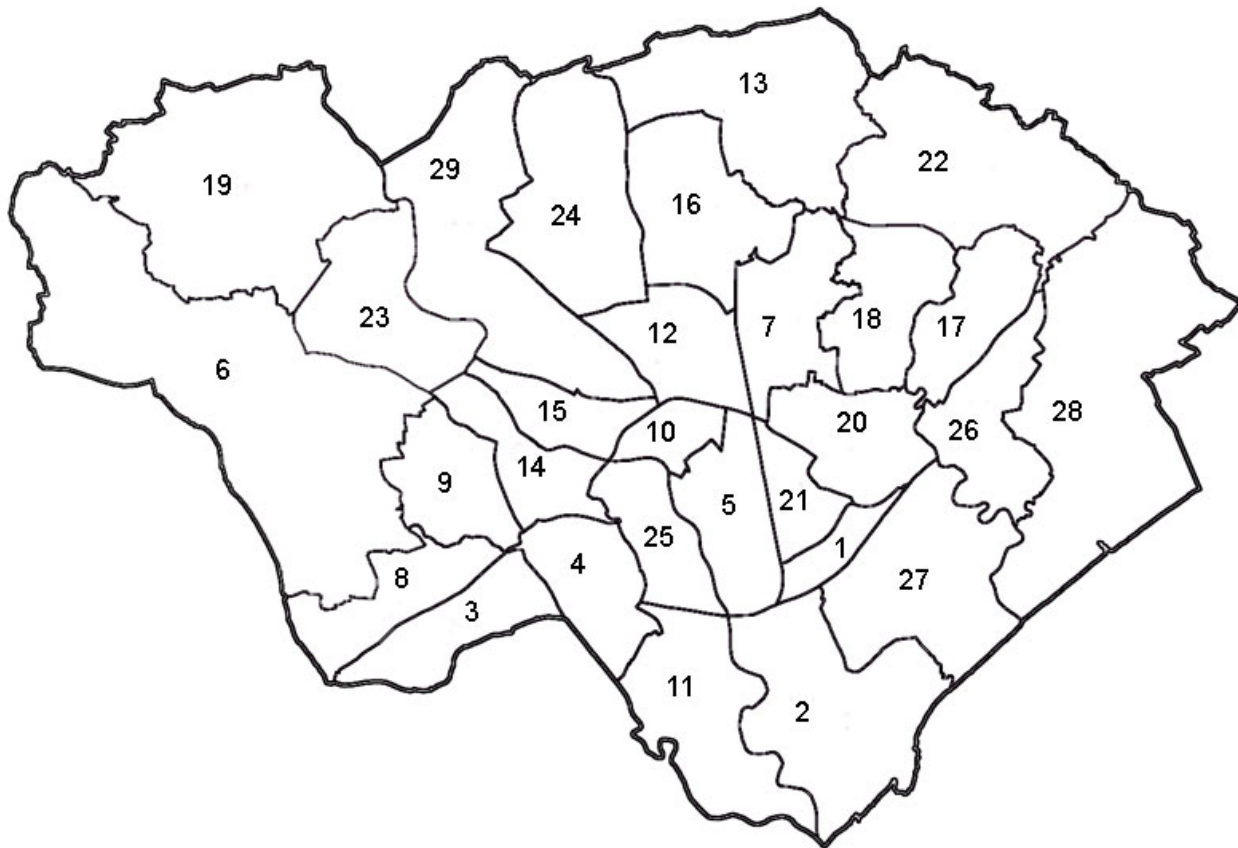
Information is also available from:

The Gambling Commission
Victoria Square House
Birmingham
B2 4BP
Telephone: 0121 230 6666
Fax: 0121 230 6720
Email: info@gamblingcommission.gov.uk
Website: www.gamblingcommission.gov.uk

The Department for Culture, Media and Sport
100 Parliament Street
London
SW1A 2BQ
Telephone: 020 7211 6200
Website: www.culture.gov.uk

7. Appendices

Appendix A: Map of Cardiff



- | | |
|-------------------------|----------------------------------|
| 1. Adamsdown | 16. Llanishen |
| 2. Butetown | 17. Llanrumney |
| 3. Caerau | 18. Pentwyn |
| 4. Canton | 19. Pentyrch |
| 5. Cathays | 20. Penylan |
| 6. Creigiau & St Fagans | 21. Plasnewydd |
| 7. Cyncoed | 22. Pontprennau & Old St Mellons |
| 8. Ely | 23. Radyr & Morganstown |
| 9. Fairwater | 24. Rhiwbina |
| 10. Gabalfa | 25. Riverside |
| 11. Grangetown | 26. Rumney |
| 12. Heath | 27. Splott |
| 13. Lisvane | 28. Trowbridge |
| 14. Llandaff | 29. Whitchurch & Tongwynlais |
| 15. Llandaff North | |

Appendix B - Responsible Authorities : Contact Details

Consultation with all Responsible Authorities is encouraged prior to the submission of the application. Where copies of applications have to be submitted to the Chief Officer of Police and/or the Responsible Authorities dependant on licence application type the following addresses should to be used:

Group Leader (Licensing) Licensing The Cardiff Council City Hall Cardiff CF10 3ND 029 20871651 licensing@cardiff.gov.uk	The Chief Officer of Police South Wales Police Licensing Department, Cardiff Bay Police Station, Eastern B.C.U James Street Cardiff CF10 5EW
The Gambling Commission Victoria Square House Victoria Square, Birmingham. B2 4BP 0121 230 6500	The Chief Fire Officer South Wales Fire and Rescue Service Forest View Business Park, Llantrisant, Pontyclun CF72 8LX 01443 232000
Operational Manager (Neighbourhood Services) Pollution Control The Cardiff Council City Hall, Cardiff. CF10 3ND 029 20871856 or 20871675 Noiseandairpollution@cardiff.gov.uk	The Operational Manager Development Management The Cardiff Council County Hall, Cardiff. CF10 4UW 029 20871135 development@cardiff.gov.uk
The Operational Manager Children's Services Child Protection Unit Trowbridge Family Centre Greenway Road Trowbridge Cardiff CF3 1QS 029 20774642	HM Revenue & Customs Excise Processing Teams Gambling Duties BX9 1GL UK Nrubetting&gaming@hmrc.gsi.gov.uk 0300 200 3700

<p>The Operational Manager (Commercial Services) (Health and Safety) Cardiff Council City Hall Cardiff. CF10 3ND 029 2087 2054 Health&SafetyEnforcement@cardiff.gov.uk (Premises where health & safety is enforced by the Cardiff Council)</p>	<p>The Operational Manager for Wales Health and Safety Executive Government Buildings Ty Glas, Llanishen Cardiff. CF14 5SH 029 20263000 (Premises where health & safety is enforced by HSE)</p>
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Appendix C - List of Organisations Consulted Directly

- The Chief Officer of Police;
- The Fire Authority;
- Representatives of the holders of various licences for premises within the County who will be affected by this Policy;
- Bodies representing businesses and residents in the Cardiff;
- Departments (including Responsible Authorities) within the Council with an interest in the licensing of gambling;
- Local Safeguarding Children Board;
- Elected Members
- Community Councils;
- Other organisations as appear to be affected by licensing matters covered by this Statement;
- H.M. Revenue and Customs.
- Local Health Board

Appendix D - Schedule of Delegation of Licensing Functions and Decisions

Matters to be dealt with	Full Council	Licensing Sub-Committee	Officers
Three year Gambling Policy	x		
Policy not to permit casinos	x		
Fee Setting – when appropriate (Fee Setting for Premises Licence be delegated to the Licensing and Regulatory Committee,		x	
Application for Premises Licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn/authorised to dispense with a hearing if all parties are in agreeance/authorised to assess if a representation is valid.
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn/authorised to dispense with a hearing if all parties are in agreeance/authorised to assess if a representation is valid.
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representation has been received from the Commission

Matters to be dealt with	Full Council	Licensing Sub-Committee	Officers
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn/authorised to dispense with a hearing if all parties are in agreeance/authorised to assess if a representation is valid.
Review of a Premises Licence		x	
Revocation of a Premises Licence for failure to pay annual licence fee			x
Application for Club Gaming/Club Machine Permits		Where objections have been made (and not withdrawn)	Where no representations received/representations have been withdrawn/authorised to dispense with a hearing if all parties are in agreeance/authorised to assess if a representation is valid.
Cancellation of Club Gaming/Club Machine Permits		x	
Applications for other permits		Where objections have been made and not withdrawn	Where no representations received/representations have been withdrawn/authorised to dispense with a hearing if all parties are in agreeance/authorised to assess if a representation is valid.

Matters to be dealt with	Full Council	Licensing Sub-Committee	Officers
Cancellation of licensed premises Gaming Machine Permits		x	Authorised to cancel a permit, with the holder having the right to a hearing at the Sub-Committee.
Consideration of temporary use notice			Consideration/authorised to dispense with a hearing if all parties are in agreeance/authorised to assess if objection is valid.
Decision to give a counter notice to a temporary use notice		x	
Small Society Lotteries		x	Registration, Refusal and revocation of a lottery registration with the applicant/holder having the right to a hearing at the Sub-Committee.

Mae'r dudalen hon yn wag yn fwriadol

CARDIFF COUNCIL CYNGOR CAERDYDD



COUNCIL: 29 NOVEMBER 2018

CABINET PROPOSAL

COUNCIL TAX UNOCCUPIED DISCOUNTS AND PREMIUMS

Reason for this report

1. For Cabinet to:
 - Note the impact that long term empty properties can have on communities.
 - Recommend to Council the removal of the 50% council tax discount that is currently granted to dwellings that are unoccupied and unfurnished.
 - Approve a public consultation on the application of discretionary powers that are available to charge council tax premiums for long term empty dwellings.

Long term empty dwellings in Cardiff

2. Many issues of community concern arise from empty properties; these include fly tipping, nuisance, vandalism, criminal activity and visual deterioration, all of which have the potential to adversely affect neighbouring properties and residents. Empty properties can be a blight on a local community and boarded up dwellings have a significant impact on the way potential investors perceive an area. In addition to the above, empty properties also represent a wasted resource in light of the housing demand within the city. There are currently 1700 properties empty for more than six months at any one time and the Housing enforcement team within the Shared Regulatory Services (SRS) actively monitor 200 of those empty properties on a prioritised basis as part of the Cardiff Housing Strategy.
3. In addition to reactive visits to complaints about empty properties, the SRS also work proactively to capture the wider scope of long term empty properties. The Council seeks to incentivise owners to act positively in bringing properties into beneficial use in a number of ways. These include signposting owners to the Houses into Homes loan scheme, providing a list of private property developers, referring to a Housing Association for lease and repair where feasible or providing proof of empty status letters for VAT reduction on renovation costs. Although some owners may be receptive to this approach, there are of course situations where owners are absent and cannot be traced or are resistant to resolving the issues. In these circumstances, the SRS is able to

exercise a number of enforcement powers. These can deal with immediate issues such as fly tipping and making premises secure to more long-term solutions such as enforced sale or compulsory purchase.

Removal of 50% discount for unoccupied and unfurnished properties

4. Currently where dwellings are unoccupied and unfurnished a 50% discount is granted from the council tax charge after any statutory period of exemption has expired (dwellings that are unoccupied and unfurnished can receive a six months exemption and dwellings that are undergoing or requiring structural repair can receive a twelve month exemption).
5. Section 75 (subsection 2) of the Local Government Finance Act 2003 gives local authorities the power to vary or discontinue the discount applied to unoccupied properties. If this discretion is used then a resolution must be passed at full Council before the beginning of the financial year to which the determination applies. Where a determination is made to discontinue a discount, a local authority must publish a notice of the determination in at least one newspaper circulating in its area within 21 days of the date of the determination.

Council tax premiums

6. The Housing (Wales) Act 2014 has amended the Local Government Finance Act 1992 by inserting section 12A which gives the Council the discretion to discontinue any discounts granted to long term empty homes and apply a premium of up to 100% on top of the standard rate of council tax.
7. The Council can make, vary or revoke a determination made under section 12A of the 1992 Act, but only before the beginning of the financial year to which the determination applies. Where a determination is made to apply a council tax premium, a local authority must publish a notice of the determination in at least one newspaper circulating in its area within 21 days of the date of the determination.
8. Council Tax legislation provides for a number of specific exemptions from the charge including a number of exemptions where a dwelling is unoccupied such as a dwelling that is undergoing structural repairs (for up to 12 months) and a dwelling that is unoccupied and substantially unfurnished (for up to 6 months).
9. A dwelling that is exempt from council tax is not liable for a premium. However, where a dwelling is no longer eligible for an exemption, but remains unoccupied, it may become liable for the premium. In the case of a dwelling that is unoccupied and substantially unfurnished, it could be liable for a premium after it has been empty for a continuous period of one year.
10. A long-term empty dwelling is defined as a dwelling which is both unoccupied and substantially unfurnished for a continuous period of at least a year.

11. The furnishing or occupation of a dwelling for one or more periods of six weeks or less during the year will not affect its status as a long-term empty dwelling. In other words, a person cannot alter a dwelling's status as a long-term empty dwelling by taking up residence or installing furniture for a short period.
12. Where a billing authority makes a determination to charge a premium on long-term empty dwellings, it may specify different percentages (up to a maximum of 100 per cent) for different dwellings based on the length of time for which they have been empty. This gives the discretion to take a stepped approach with incremental increases applying over time.

Exceptions to Council Tax Premiums charged on Long Term Empty Properties.

13. A premium cannot be charged on a dwelling that falls within an exception class. The Council Tax (Exceptions to Higher Amounts Wales) Regulations 2015 sets out the following exceptions –

Classes of Dwellings	Definition	Application
Class 1	Dwellings being marketed for sale – time-limited for one year	Long-Term Empty Homes and Second Homes
Class 2	Dwellings being marketed for let – time-limited for one year	
Class 3	Annexes forming part of, or being treated as part of, the main dwelling	
Class 4	Dwellings which would be someone's sole or main residence if they were not residing in armed forces accommodation	

Welsh Government Aims and Objectives

14. Guidance has been provided by the Welsh Government for each exception class. The guidance provided states that these discretionary powers are intended to be a tool to help local authorities to bring long term empty homes back into use to provide safe, secure and affordable homes and support local authorities in increasing the supply of affordable housing and enhancing the sustainability of local communities.
15. In considering whether or not to charge a premium, regard should be given to these aims and taking other factors into account such as the numbers and percentages of long term empty homes and second homes in the area. The distribution of these dwellings and their impact on property values, demand for affordable homes and the effects on tourism and the local economy.

Numbers and percentages of long term empty dwellings in Cardiff

16. As at 31st July 2018 there were 155,801 dwellings on the Council Tax Valuation list and currently 3468 (2.2%) are recorded as being unoccupied and substantially unfurnished. Of this figure 1755 are exempt and out of the remaining dwellings 857 (24.7% of the vacant dwellings and 0.55% of the total number of dwellings) had been unoccupied and substantially unfurnished for more than 12 months.
17. The figures above give an indication of the numbers of properties that may be affected if a decision is made to charge a premium on long term empty dwellings although it should be noted that this is subject to the exceptions detailed in paragraph 13. The number of empty dwellings is also constantly changing so the figures are variable.
18. It is very difficult to estimate how many exceptions there will be. A review of the council tax file was undertaken on 50 of the long term empty dwellings and thirteen of these dwellings were found to be for sale which constitutes 26% and if the premium is applied this figure is likely to significantly increase. Therefore, at this stage and based on the little information we have, a reasonable estimate may be to reduce the potential additional income by 50% for long term empty dwellings.

Distribution of Long term Empty Homes throughout the city

19. The table below gives details of how the 857 long term empty properties are split over the parishes (subset of wards for council tax purposes) within the city and their bands.

Admin Unit Name	Properties	A	B	C	D	E	F	G	H	I
Adamsdown	38	1	9	13	10	2	0	1	1	1
Butetown	19	0	2	2	5	6	2	2	0	0
Caerau	11	2	3	4	1	0	1	0	0	0
Canton	44	1	8	10	12	8	4	1	0	0
Castle	18	0	2	4	4	5	1	0	0	2
Cathays	45	1	15	5	6	13	4	0	0	1
Cyncoed	26	0	2	1	2	7	4	7	1	2
Ely	17	0	11	5	0	0	1	0	0	0
Fairwater	23	1	4	6	11	1	0	0	0	0
Gabalfa	24	0	1	6	4	10	3	0	0	0
Grangetown	71	1	12	17	13	21	5	0	1	1
Heath	26	0	0	2	8	7	7	2	0	0
Lisvane	11	0	0	1	0	2	3	2	1	2
Llandaff	25	0	0	0	9	11	3	1	0	1
Llandaff North	12	0	1	1	7	3	0	0	0	0
Llanedeyrn	12	0	2	5	5	0	0	0	0	0
Llanishen	19	0	0	5	5	0	2	5	1	1
Llanrumney	17	4	4	6	1	2	0	0	0	0
Old St Mellons	9	1	1	3	0	0	0	2	1	1
Pentwyn	11	0	2	6	1	1	1	0	0	0

Penttyrch	6	0	1	1	2	0	0	1	0	1
Penylan	37	1	4	2	6	7	11	3	1	2
Pontcanna	31	0	3	3	8	8	5	3	1	0
Pontprennau	6	0	0	0	3	3	0	0	0	0
Radyr	13	0	0	3	6	3	1	0	0	0
Rhiwbina	27	0	0	3	4	8	10	2	0	0
Riverside	40	0	11	17	8	3	1	0	0	0
Roath	104	6	33	20	19	15	8	2	0	1
Rumney	17	1	3	4	6	3	0	0	0	0
Splott	30	2	6	8	14	0	0	0	0	0
St Fagans	8	0	0	0	0	4	0	1	2	1
Thornhill	6	1	0	0	4	1	0	0	0	0
Tongwynlais	4	0	0	1	1	1	0	1	0	0
Tremorfa	10	0	1	8	1	0	0	0	0	0
Trowbridge	10	1	0	4	2	2	1	0	0	0
Whitchurch	30	0	1	8	4	11	3	2	1	0
	857	24	142	184	192	168	81	38	11	17

20. The spread of long term empty property across the parishes seems to be fairly even given the size of each parish. Grangetown and Roath are larger parishes hence the higher volume of long term empty dwellings whereas St Fagans, Tongwynlais, Pontprennau, Thornhill, Pentrych and Old St Mellons are smaller parishes.

Options for level of premiums

21. The maximum level of premium that can be applied to long term empty dwellings is 100% which would result in the owner of these dwellings receiving a bill for 200% of the council tax charge. If the Council decides to adopt this the earliest that the premium could apply for long term empty property would be 1st April 2019 (a consultation exercise would also need to take place before any decision is made and then a determination would need to be made by 31st March 2019).
22. The legislation also permits that different percentage premiums can be applied, for example the options of the level of the premiums that could be considered could range from 25%, 50%, 75% or 100% on top of the standard level of council tax. The Council also has the discretion to extend the time period before applying a premium therefore although the legislation allows the Council to apply a premium after twelve months it can extend this time to allow owners further time to bring a property back into use. For example, the Council could decide to charge a premium after 24 months.

Potential additional income

23. This report recommends that the 50% discount for unoccupied and unfurnished dwellings is discontinued. There is no need for a public

consultation for this decision but the discount must be revoked before any council tax premiums may be applied.

24. With regard to premiums the Welsh Government have confirmed that local authorities are able to retain any additional funds generated by implementing premiums and amendments to the calculation of the tax base will be made to facilitate this. However, authorities are encouraged to use any additional revenue generated to help meet local housing needs in line with the policy intentions of the premiums.
25. An analysis of the potential income from the disapplication of the 50% discount and the application of a premium has been undertaken. For the purposes of the estimate we have used the 857 dwellings (see 16 above) that had been unoccupied for twelve months or more and calculated a full charge for these using the 2018/19 council tax charges assuming a Band D charge. NB these figures are calculated on the basis that the properties concerned will continue to remain unoccupied for whole of the financial year
26. It would mean that approximately a further £600,000 would need to be collected due to the disapplication of the 50% unoccupied discount on these dwellings. It is also anticipated that by applying a 50% premium for long term empty dwellings this would raise approximately £600,000 less 50% for excepted dwellings (see 18 above) = £300,000. This would mean that properties that have been unoccupied and unfurnished for between six and twelve months would see an increase in the charge from 50% to 100% and properties that have been empty for longer than a year would see an increase in charge from 50% to 150%. This should be seen in the context of a policy decision to encourage an increase in dwellings being brought back into use .As stated previously a local authority has the discretion to decide on the level of premium that is charged and apply different percentage premiums for different time periods.

Consultation

27. The determination by a local authority to charge a premium under section 12a of the Local Government Finance Act 1992 must be made by full Council. Prior to doing so a local authority must give due consideration to its statutory duties to carry out equality impact assessments under the Equality Act 2010 and the Welsh Public Sector Equality Duties 2011 and to all other relevant considerations. The Welsh Government has also stated that a local authority should give consideration to engagement and consultation with key stake holders, including the local electorate, before taking a decision as to whether or not to charge a premium.
28. The consultation would be open to all stakeholders with appropriate coverage on both the website and Council buildings such as hubs, housing offices and libraries.

Additional Issues to consider before deciding to apply premiums

29. The various exemptions from the council tax premiums that have been prescribed by the Welsh Government (marketed for sale or marketed for rent) will further complicate the administration and collection of the premiums. Each claim will need to be verified and where difficulties arise more detailed checks will need to be undertaken increasing both the cost of administration and collection.
30. If a decision is made to apply the long term empty premium then additional resources will be necessary to manage the increase in workload and an additional Council tax Assistant post would be required. In addition to this provision of an additional officer resource to the SRS should also be considered. This team aim to target empty properties to bring them back into beneficial use. This would undoubtedly assist in driving forward further proactive policy work in this area and contribute to the wider aims of the Housing Strategy for Cardiff.

Reason for Recommendations

31. It is necessary for the Cabinet and Council to consider both the disapplication of the 50% discount for unoccupied and unfurnished dwellings and the discretionary powers that are available in relation to applying Council Tax premiums.

Financial Implications

32. Local authorities will be able to retain any additional funds generated by implementing the Council tax premiums although it should be noted that the Welsh Government is encouraging authorities to use any additional revenue generated to help meet local housing needs. The additional cost of administration and recovery needs to be considered when identifying the overall financial benefits of implementing a premium for long term empty dwellings. The additional staffing cost could be funded from the additional income collected.
33. The removal of the 50% discount will increase the council tax base for the Council. The removal of the discount creates an additional council tax charge of 50% to be collected. Welsh Government use the Council Tax Base for redistribution of Revenue Support Grant and any increase in tax base will result in an equivalent reduction in Revenue Support Grant.

Legal Implications

34. Legal Implications appear throughout the text of this Report.
35. If a decision is made to adopt a Council Tax premium then an Equality Impact Assessment will need to be carried out.
36. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person

exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Cabinet Decision

37. Cabinet considered this report on 15 November and resolved that:

- it be noted that long term empty properties have a negative impact on communities.
- the undertaking of a consultation exercise on the application of a council tax premium for long term empty dwellings be approved
- the results of the consultation exercise be considered at a future Cabinet meeting in order to inform a final decision to be taken at Council early in 2019.

Cabinet Proposal

Council is recommended to agree that the 50% council tax discount that is currently granted to unoccupied and unfurnished dwellings be discontinued with effect from 31st March 2019. This means that from 1st April 2019 there will be no discount awarded to these dwellings.

THE CABINET
15 November 2018

**CARDIFF COUNCIL
CYNGOR CAERDYDD**



COUNCIL: 29 NOVEMBER 2018

CABINET PROPOSAL

TREASURY MANAGEMENT MID-YEAR REPORT 2018-19

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 2018 and the position as at 30 September 2018.

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 2018. 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 2018/19 treasury Management activities including, performance reports and Treasury Management Practices.
5. The mid-year report and supporting Annexes are attached as Appendix 1 and is to be referred to Council on the 29 November 2018 after consideration by the Cabinet.

Reasons for Recommendations

6. Council policy requires the Treasury Management Mid-Year Report 2018-19 update to be submitted to Council.

Legal Implications

7. No direct legal implications arise from this report.

Financial Implications

8. 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.

Cabinet Proposal

Council is recommended to note the Treasury Management Mid Year Report 2018-19 (Appendix 1)

THE CABINET

15 November 2018

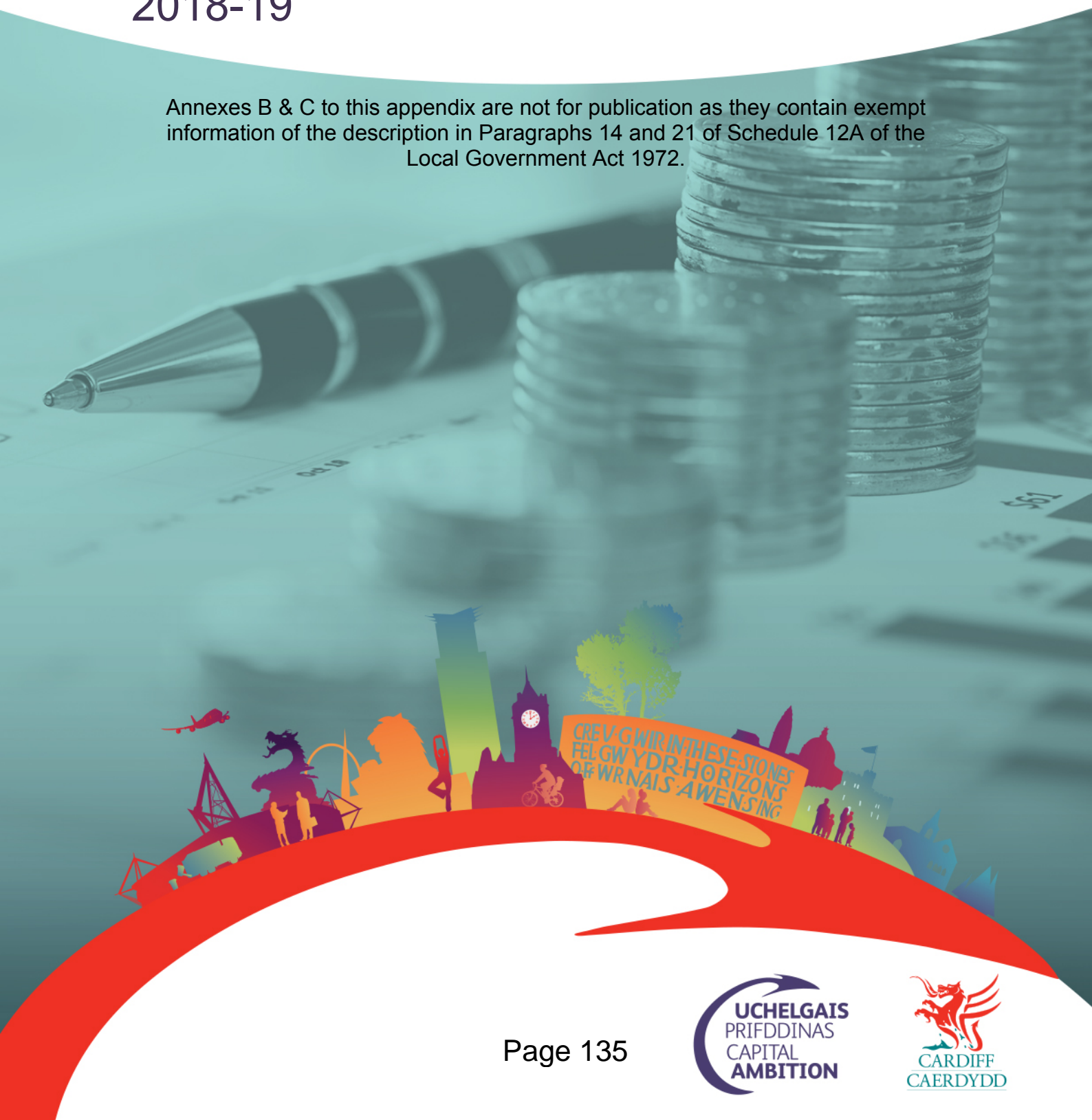
The following Appendix is attached:-

- Appendix 1: Treasury Management Mid Year Report 2018-19
- Annexe A – Treasury Management Policy Extract
 - Annexe B – Investments at 30 September 2018
 - Annexe C – Investment Charts at 30 September 2018
 - Annexe D – Maturity Analysis of borrowing as at 30 September 2018
 - Annexe E – Glossary of Treasury Management terms

Treasury Management Mid-Year Report

2018-19

Annexes B & C to this appendix 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.



Introduction

- 1.1 Treasury management activities are the management of an 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.
- 1.2 The Council carries out its treasury management activities in accordance with a Treasury Management Code of Practice for public services, updated by CIPFA in 2017. This requires the Council to set out the policies and objectives of its treasury management activities and adopt four Clauses of Treasury Management (replicated in **Annexe A**). Changes recommended by the Code will be considered as part of the Treasury Strategy for 2019/20 and the requirements are considered later in this report.
- 1.3 Council received a report in February 2018 on the Council's Treasury Management Strategy for 2018/19. During 2018/19, Audit Committee has received periodic updates on the position and performance of Treasury Management and the issues included in the report below. In addition Council received in September 2018 the Annual Report on the Outturn for Treasury Management for 2017/18.
- 1.4 In accordance with Council policy, this report provides members with a mid-year update as at 30 September 2018 and covers:-
 - the economic background to treasury activities
 - investments
 - borrowing
 - debt rescheduling
 - compliance with treasury limits and prudential indicators
 - Treasury strategy, accounting and Treasury Management Code update for remainder of year.
- 1.5 Annexe E includes a glossary which defines key terms used in this report.

Economic Background

- 2.1 Whilst UK growth in the first half of the year has been modest, this coupled with concern about the build up of inflationary pressures as a result of reduction in the value of sterling was sufficient for the Bank of England to raise the bank base rate to 0.75% in August 2018. Whilst financial markets are assuming the next increase in 2019 there are a number of local and international factors that will influence the approach and timing. These include:-

- risks to wage and price inflation in the UK, with indications that employers are finding difficulties in filling job vacancies with suitable staff
- strong economic growth, reversal of the stimulus measures of quantitative easing previously introduced and increasing interest rates in the United States of America
- international trade risks impacting on growth and levels of debt
- uncertainty around the terms and implications of the UK's exit from the European Union.

2.2 With this in mind, the table below shows the Council's treasury management advisors August forecast for bank rate and Public Works Loan Board (PWLB) borrowing rates. Until more definitive data highlighting an increase is available, the forecast continues to show an increase in the second quarter of 2019, with a further review of the forecast to be undertaken in November.

	30/09/2018	March 2019	March 2020	March 2021
Bank Rate	0.75%	0.75%	1.00%	1.50%
5yr PWLB rate	1.93%	2.10%	2.30%	2.60%
10yr PWLB rate	2.33%	2.50%	2.80%	3.10%
25yr PWLB rate	2.74%	3.00%	3.30%	3.50%
50yr PWLB rate	2.56%	2.80%	3.10%	3.30%

2.3 PWLB rates are based on gilt yields and are thus subject to volatility caused by the uncertainties highlighted above along with geopolitical events. It can be seen from the table that the cost of borrowing remains significantly in excess of the rates that are available from investments. Borrowing rates have reduced in recent years as part of a bond buying programme by the Bank of England (Quantitative Easing). However central banks also need to consider the timing and strength of reversing the quantitative easing which was undertaken to inject liquidity into economies after 2008. There are concerns that economic growth has been too reliant on this stimulus resulting in a search for returns on riskier financial assets. Accordingly, whilst there are short term influences on rates, the overall long term forecast is for PWLB rates to rise. Increases in borrowing rates will impact on the costs of new borrowing to be undertaken. There will be no impact on existing borrowing as this is at fixed rates of interest.

Investment

3.1 The management of the Council's cash flows may involve temporary lending of surplus funds to low risk counterparties or temporary borrowing pending receipt of income.

- 3.2 The Council's investment priorities remain the security and then liquidity of its Treasury investments. The Council also aims to achieve the optimum return appropriate to these priorities.
- 3.3 The Council invests with financial institutions in accordance with criteria approved in its Treasury Strategy. The categories, names, periods and size limits on this list can be extended, varied or restricted at any time by the Corporate Director Resources under delegated powers. Based primarily on Fitch credit criteria and a number of other factors which the Council takes into account, lending to these institutions is subject to time and size limits and credit worthiness continues to be carefully monitored. There have been no changes made to the list of eligible counterparties included as part of the 2018/19 Treasury Management Strategy approved by Council.
- 3.4 Following the introduction of The Markets in Financial Instruments Directive (MiFID) in January 2018, the Council has opted to be classified as a professional client rather than a retail client by financial institutions.

The Government's Funding for Lending Scheme has had the impact of reducing returns on investments. Returns are likely to remain low during 2018 and gently rise over the next few years. The approach of deferring external borrowing by using temporary cash balances has served well over the last few years. However, caution should be adopted to avoid incurring higher borrowing costs in the future when new borrowing is unavoidable.

- 3.5 At the 30 September 2018, investments stood at £65.2 million. These temporary funds fluctuate daily and arise for a number of reasons, including the timing differences between the receipt of grant and other income and the utilisation of these funds on salaries and other operating costs. It includes the level of reserves, provisions, and other balances. It is also affected by the timing of borrowing and capital expenditure transactions. **Annexe B** shows with whom these investments were held as at 30 September 2018. All investments are deemed recoverable.
- 3.6 A selection of performance indicators and benchmarking charts, is included in **Annexe C** as follows:-
- **Counterparty exposure** displays actual investment against the maximum permitted directly with an organisation. This demonstrates that we are not exceeding any exposure limits.
 - **Remaining maturity profile of investments.** This shows the duration of investments is spread and that the Council is taking advantage of slightly higher rates for longer term investment where reasonable to do so.
 - **Investments by institution.** This expresses the investments held with different institutions as a percentage of the total and shows diversification is sought where possible.

- **Geographic spread of investments** as determined by the country of origin of relevant organisations. All countries are rated AA and above as per our approved criteria and are licensed to take UK deposits. Investments are in Sterling only.
- **Investments by Financial Sector.** The majority of investments continue to be with banks.

3.7 Whilst a difficult figure to forecast due to the uncertainty of the markets, cash flows and the number of variables that impact on the figure, the forecast level of interest receivable from treasury investments for 2018/19 is £485,000. The return achieved since the start of the year is 0.68% compared to the benchmark 7 day London Interbank Bid Rate (LIBID) of 0.44% and 3 month LIBID 0.61%

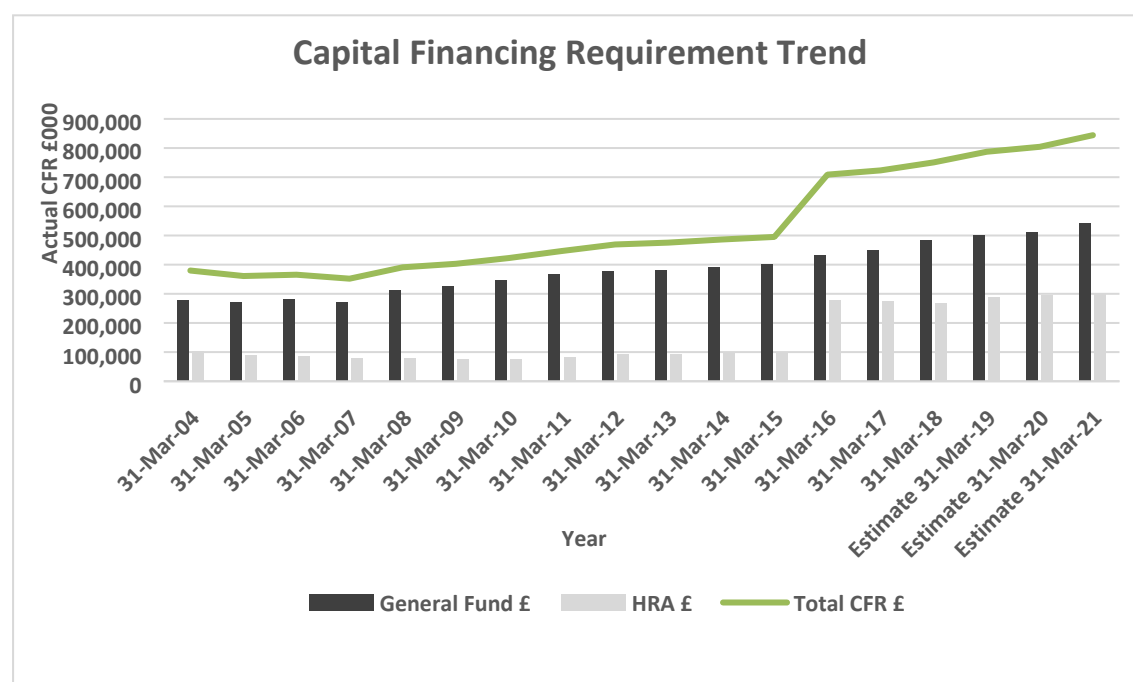
Borrowing

- 4.1 Long term borrowing is undertaken to finance the Council's Capital Programme and the main sources of borrowing currently are the PWLB and the Money Markets. The Council does not separate General Fund and Housing Revenue Account borrowing as all borrowing is the liability of the Council i.e borrowing is 'pooled'.
- 4.2 Where capital expenditure has been incurred without a resource to pay for it immediately e.g. via capital receipts, grants or other contributions, this will increase what is termed the Council's Capital Financing Requirement (CFR) or its need to undertake borrowing. The Council is required to make an annual prudent provision for the repayment of historic capital expenditure from its revenue budget and set this at a level that considers previous and future borrowing commitments as well as the period over which the benefits of capital expenditure are expected. This reduces the CFR. Calculation of the CFR is summarised in the following table and results in the need to borrow money.

	<i>Opening Capital Financing Requirement (CFR)</i>
+	Capital expenditure incurred in year
-	Grants, contributions, reserves and receipts used for capital expenditure
-	Prudent Minimum Revenue Provision & Voluntary Repayment
=	<i>Closing Capital Financing Requirement (CFR)</i>

- 4.3 The CFR forecast is subject to the timing of capital expenditure, capital receipts and new schemes that may be considered for approval in future years. It can be seen that the Council's underlying need to borrow is increasing and will need to be repaid from future revenue budgets either from savings, revenue income or Council Tax and Housing Rents.

- 4.4 The historic trend in the CFR is shown with the increase in 2015/16 reflecting the Housing Revenue Account subsidy buyout as reported previously.



- 4.5 At 30 September 2018, the Council had £689.6 million of external borrowing predominantly made up of fixed interest rate borrowing from the PWLB payable on maturity.

31-Mar-18			30-Sep-18	
£m	Rate (%)		£m	Rate (%)
631.8		Public Works Loan Board	628.5	
51.0		Market (Lender Option Borrower Option)	51.0	
4.6		Welsh Government	4.6	
5.9		Other	5.5	
693.3	4.64	Total External Debt	689.6	4.63

New borrowing undertaken during the year to date

- 4.6 Interest free loans of £0.11 million from Salix have been received for project specific energy schemes.

Maturing Loans in year to date

- 4.7 **Annexe D** shows the maturity profile of the Council's borrowing as at 30 September 2018. Loans of £3.7 million have been repaid in the first half of this year, a further £0.81 million is due to be repaid by 31 March 2019.

Unless the Council's Lender Option Borrower Option loans (LOBO's) are required to be repaid early, very little debt matures within the next 10 years.

- 4.8 (LOBO) products are loans to the Council where the lender can request a change in the rate of interest payable by the Council on pre-determined dates. The Council at this point has the option to repay the loan.
- 4.9 The Council has 6 such loans totalling £51 million. Apart from the option to increase rates, these loans are comparable to PWLB and have no other complications such as variation in interest rates or complex terms.
- 4.10 Interest rates on these loans range between 3.81% and 4.35% which are not unreasonable and are below the Council's average rate of interest payable. Details of the loans are shown in the table below.

£m	Potential Repayment Date	Option Frequency	Full Term Maturity
6	21/11/2018	6 months	21/11/2041
6	21/11/2018	6 months	21/11/2041
6	21/11/2018	6 months	23/05/2067
6	01/03/2019	6 months	23/05/2067
22	23/11/2020	5 years	23/11/2065
5	16/01/2023	5 years	17/01/2078

- 4.11 LOBO's to the value of £24 million are subject to the lender potentially requesting a change in the rate of interest payable every six months, which could trigger early repayment. This is deemed unlikely and any risk is a manageable refinancing risk as LOBOs in total, form a relatively low proportion of the Council's overall borrowing at 7.4%.

Borrowing Strategy

- 4.12 The borrowing strategy outlined in the February 2018 budget report indicated that:-

Whilst investment rates remain lower than long term borrowing rates internal borrowing will be used to minimise short-term costs where possible

In order to mitigate against the risk of borrowing rates rising faster than currently anticipated, external borrowing (short medium and long term) for an element of the Council's borrowing requirement will be taken as has been done in previous years. This will aim to keep internal borrowing to approximately 10% or less of the forecast Capital Financing Requirement for 2018/19.

Any external borrowing will consider the balance between fixed rates and variable rates to meet the long term borrowing policy aims identified in this report previously. Fixed rates would be taken if the borrowing need is high and rates are likely to increase, and conversely variable rates, if any borrowing need is temporary and rates are likely to fall.

- 4.13 As shown in the interest rate forecasts set out in paragraph 2.2, long term borrowing rates are higher than investment rates which means that the cost of undertaking new borrowing would have a negative impact on the revenue budget. External borrowing may be deferred in order to minimise short term costs by using temporary cash balances to pay for capital expenditure rather than placing in an investment. This is termed 'internal borrowing'. However deferring borrowing is only a short term measure and could expose the Council to higher borrowing rates and costs in the future. The Council has taken an approach of undertaking external borrowing for an element of any borrowing requirement to mitigate any such risk.
- 4.14 If no further PWLB or Market borrowing is undertaken, the value of external loans at 31 March 2019 will be £689 million. At the same point, the Council's need to borrow for capital expenditure purposes, its Capital Financing Requirement (CFR), is currently forecast to be circa £785 million (General Fund £500 million and HRA £285 million). Without any further borrowing this financial year internal borrowing would be £96 million. In order to ensure this is manageable, it is currently anticipated that borrowing of circa £20 million will be undertaken during the second half of 2018/19.
- 4.15 The estimated total interest payable on borrowing for 2018/19 is £32.2 million which includes interest payable by the Housing Revenue Account.

Debt Rescheduling

- 5.1 No debt rescheduling or early repayment of debt has been undertaken to date in 2018/19. The main obstacle remains the level of premium (penalty) that would be chargeable on early repayment by the PWLB. Of the existing PWLB loans of £628 million, £419 million are eligible for early repayment. However this would incur a premium of £311 million as at 30 September 2018. This premium is payable primarily because:-
- Interest rates on loans of equivalent maturities compared to those held are currently lower
 - A penalty rate or lower early repayment rate was introduced by HM Treasury in November 2007, which increased the cost of premiums and reduced the flexibility of Local Authorities to make savings. This remains an obstacle in the ability of local authorities to manage debt more effectively.

- 5.2 Whilst the cost of Premiums can be spread over future years, options for restructuring that have been considered result in an adverse Net Present Value (NPV). Whilst there may have been short terms savings, these were outweighed by potentially longer term costs and not deemed cost effective.

Compliance with treasury limits and prudential indicators

- 6.1 During the financial year to date, the Council has operated within the treasury limits and prudential indicators set out in the annual Treasury Management Strategy in February 2018. The treasury and capital prudential indicators will be updated as part of the 2019/20 capital and treasury strategies in the Budget Report to Council in February 2019.
- 6.2 Following Housing Finance Reform the Council complies with an indebtedness cap in the Housing Revenue Account of £316.5 million. This and the affordability of additional investment will need to be monitored closely as part of the Treasury Strategy and HRA Business Planning process. Following the recent announcement about abolition of the Cap in England, the Welsh Government are waiting further details from HM Treasury to understand how this affects Local Housing Authorities in Wales and the timescales.

Treasury strategy, accounting and Treasury Management Code update for the remainder of 2018/19

- 7.1 The Treasury Strategy approved in February 2018 remains valid. The use of temporary cash balances instead of borrowing to pay for capital expenditure continues to result in short term savings. However, given uncertainty in interest rates, the Council will take an element of its external borrowing requirement over the second half of the year.
- 7.2 CIPFA have made changes to the Treasury Management Code in 2017. The main change relates to clarifying that the definition of 'Investments' includes both:
- Treasury Management investments (as historically included in this Strategy, as well as
 - Investments made for policy reasons and managed outside of normal treasury management activity.
- 7.3 The changes are primarily in response to increasing commercialisation activities undertaken by a number of Local authorities. Examples of investments made for policy reasons and managed outside of normal treasury management activity include:-
- 'service investments' held in the course of provision and for the purposes of operational services

- ‘commercial investments’ which are taken mainly for financial reasons. These may be shares and loans in business structures e.g. subsidiaries; investments explicitly taken with the aim of making a financial surplus for the Council; non financial assets such as investment properties held primarily for financial benefit.
- 7.4 The Code requires that these investments should be proportional to the level of resources available to the organisation and the organisation should ensure that robust procedures for the consideration of risk and return are applied to these decisions. The Code requires that all investments have an appropriate investment management and risk management framework. This includes making it explicit in any decision making:-
- the powers under which investment is made
 - the governance process including arrangements in place to ensure appropriate due diligence to support decision making
 - the extent to which capital invested is placed at risk
 - the impact of potential losses on financial sustainability
 - the methodology and criteria for assessing performance and monitoring process
 - how knowledge and skills in managing such investments is arranged and that these are monitored, reported and highlighted explicitly in the decision making process and due diligence.
- 7.5 It is also prudent that treasury management is carried out in accordance with good professional practice. These changes in the Code will be implemented as part of development of the Treasury Management Strategy, Investment Property Strategy and Treasury Management Practices for 2019/20. The Council will be requested to adopt the revised CIPFA Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes 2017.
- 7.6 In parallel with the above changes, The Council will need to consider the impact of revised accounting standards, introduced primarily to address complex financial instruments and their valuation and presentation in financial accounts of organisation. The investments currently held by the Council are not deemed complex. Accordingly the changes are not expected to have a material impact on the Council’s Statement of Accounts or financial position for 2018/19.

Annexes

Annexe A – Treasury Management Policy and Four Clauses of Treasury Management

Annexe B – Investments at 30 September 2018

Annexe C – Investment Charts at 30 September 2018

Annexe D – Maturity Analysis of Borrowing as at 30 September 2018

Annexe E – Glossary of Treasury Management terms

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.

Mae'r dudalen hon yn wag yn fwriadol

Yn rhinwedd paragraff (au) 14, 21 Rhan (nau) 4 a 5 o Atodlen 12A
o Ddeddf Llywodraeth Leol 1972.

Mynediad Cyfyngedig i'r Ddogfen

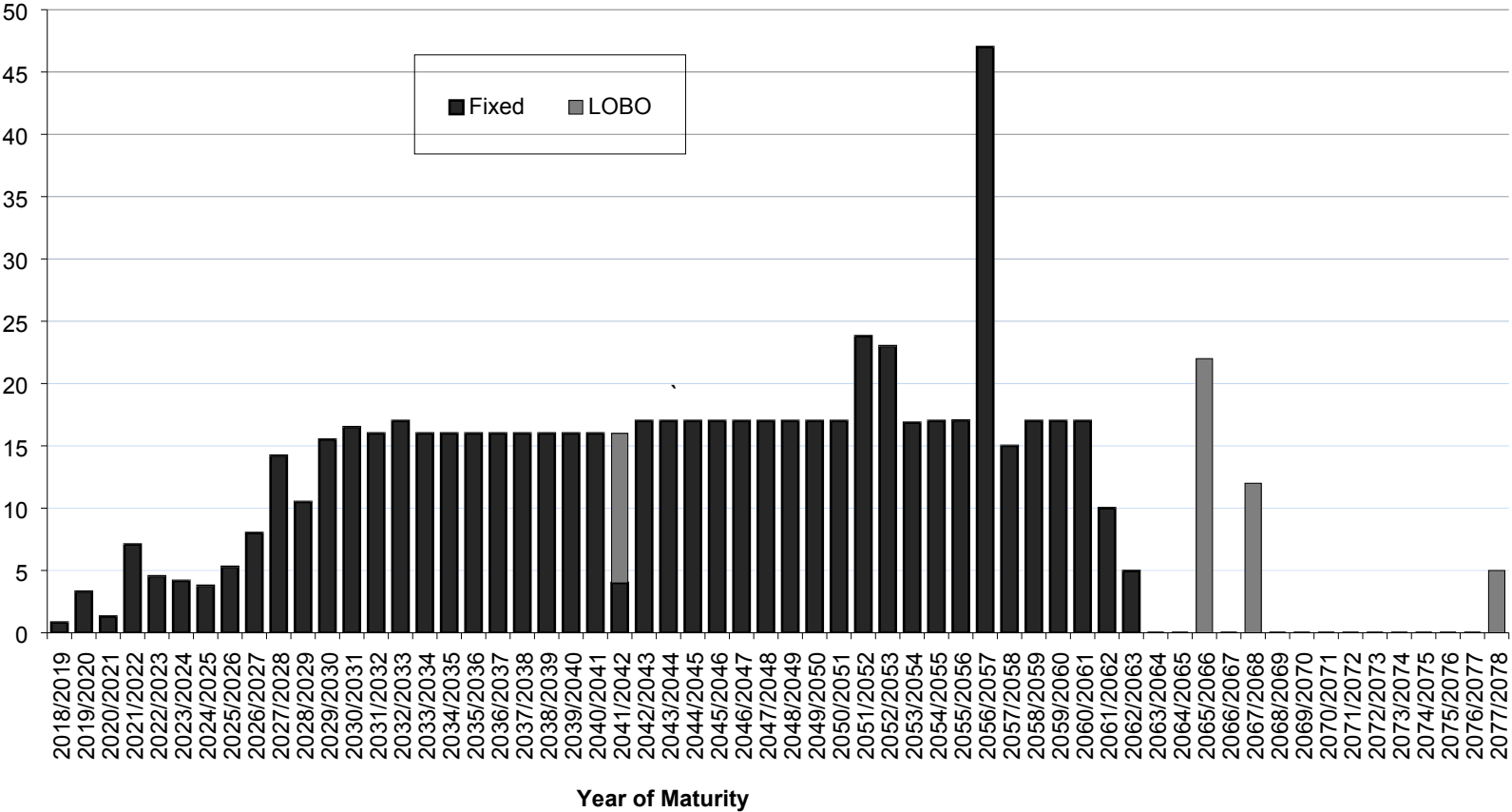
Mae'r dudalen hon yn wag yn fwriadol

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o Ddeddf Llywodraeth Leol 1972.

Mynediad Cyfyngedig i'r Ddogfen

Mae'r dudalen hon yn wag yn fwriadol

Maturity Profile of Debt at 30 September 2018



Mae'r dudalen hon yn wag yn fwiadol

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'.

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 people in public finance. As a specialised public services body, they provide information, guidance, and determine accounting standards and reporting standards to be followed by Local Government.

Counterparty

One of the parties involved in a financial transaction.

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 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, 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.

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.

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.

Minimum Revenue Provision

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 in accordance with guidance issued by WG. This has the effect of reducing the Capital Financing Requirement (CFR).

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

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.

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.

Specified Investments

A term defined in WG investment regulations, referring to any investments for less than one year, in sterling, and where the principal sum to be repaid at maturity is the same as the principal sum invested. An investment not meeting the above criteria would be termed a Non-specified investment

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.

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 periodically in line with market rates.

Yield

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

Mae'r dudalen hon yn wag yn fwriadol

**CYNGOR CAERDYDD
CARDIFF COUNCIL****COUNCIL:****29 NOVEMBER 2018**

LEADER & CABINET STATEMENTS

1. Leader Statement – Councillor Huw Thomas
2. Cabinet Member, Finance Modernisation & Performance -
Councillor Weaver
3. Cabinet Member, Housing & Communities - Councillor
Thorne
4. Cabinet Member, Clean Streets, Recycling & Environment
– Councillor Michael
5. Cabinet Member, Children & Families - Councillor Hinchey
6. Cabinet Member, Social Care, Health & Well-being –
Councillor Elsmore
7. Cabinet Member, Strategic Planning & Transport –
Councillor Wild
8. Cabinet Member, Investment & Development – Councillor
Goodway
9. Cabinet Member, Culture & Leisure – Councillor Bradbury
10. Deputy Leader, Education, Employment & Skills
Statement - Councillor Merry

Mae'r dudalen hon yn wag yn fwriadol

COUNCIL: 29 NOVEMBER 2018

STATEMENT OF THE LEADER

Cardiff Creative Sector

The Council was informed of Channel 4's decision on 31st October 2018 that, despite being amongst the six cities shortlisted for two new Channel 4 Creative Hubs, the decision was made to award them to Glasgow and Bristol. The Channel 4 HQ would be located in Leeds. Whilst disappointing, the feedback received from Channel 4 on Cardiff's bid was highly complimentary, which was described as 'superb'. Bristol's accessibility to creative clusters from South Wales to the West Midlands worked in their favour, whilst Glasgow benefited from the sheer scale of its established broadcast and production sector. I extend my congratulations to the successful cities and fellow Core Cities members.

Channel 4 has made it clear, however, that the establishment of a Bristol Creative Hub is a means of engaging more with businesses in Cardiff as part of a broadening commissioning strategy. They are also keen to support the growth of the production sector in Cardiff. To that end, we will build on the excellent work we have undertaken with the sector over recent months to firmly establish our city as a location for creative and digital businesses. I have been hugely impressed by the collaborative nature of the sector in Wales and I would like to thank our partners in the broadcast and production sector for the time that they put into our bid. Our work on the Channel 4 bid cemented a relationship between Cardiff partners that will be invaluable in driving forward further growth and success within the sector, creating more and better jobs for the people of Cardiff.

Fair Funding for Local Authorities

Members will be aware that the Council is currently preparing to set its budget for 2019/20. Despite initially anticipating a funding increase of around 0.4% (or £1.6m) from the Welsh Government, a combination of rapidly rising demands on services and inflationary cost pressures mean that the Council is facing a budget gap of £35.2m next year and almost £93m over the next three years. Closing this funding gap presents a significant challenge.

As a result of austerity, we have delivered nearly a £1¼ billion in cumulative savings since 2010 and lost over a fifth of all 'non-school' staff. During the same period, local authorities across Wales have had their funding reduced by £1bn by the Welsh Government. If schools funding is excluded, as is the case in England, then core funding to Welsh Local Authorities has fallen by 35%. No other Welsh public service

– including the Welsh Government, the NHS, the Police or any others – have experienced the same level of cuts.

As local authorities, we are responsible for delivering some of the country's most valued services. Our ability to deliver these highly valued services has been dramatically reduced meaning that our ability to prevent demand increasing and problems escalating to crisis intervention point has been greatly diminished. I call on all Councillors to make the case for Local Government and the services it delivers.

Meeting with the Lord Mayor of London

On 22nd November 2018, I met with the Lord Mayor of the City of London. As Lord Mayor, Alderman Peter Estlin acts as a spokesperson for the City, leading overseas business delegations to key international markets on behalf of the UK's financial and professional services industry. It was an important opportunity to set out Cardiff's inward investment offer, discuss new business opportunities and consider how we could work together to promote the UK as a top global destination for foreign investment. It allowed the Council, along with a number of companies, government officials and industry experts across Wales, to set out the strength of the Financial and Professional Services in Wales.

The City of London is a national economic asset for the UK, as are the UK Core City Regions. Collectively, UK Core City Regions deliver 26% of the UK's economic output and 20% of its trade and exports. With increased international competition, our importance to the UK economy has to be reassessed in this global context to ensure that Cardiff, and all other UK cities, can fully respond to any emerging opportunities.

Outward Looking Capital: Eurocities and Core Cities

On 30th November 2018, I will be attending the Eurocities AGM in Edinburgh. The network brings together the local governments of over 140 of Europe's largest cities and over 45 partner cities that between them govern 130 million citizens across 39 countries. It is an important forum for influencing EU institutions to respond to common issues that affect the day-to-day lives of Europeans, particularly those living in urban areas. With the nature of the UK's future relationship with Europe uncertain due to Brexit, it is important that Cardiff retains strong links with other European cities to pursue areas of common interest, not least in terms of promoting trade, security, culture, education and cohesion.

A Core Cities Cabinet meeting will also be held during the Eurocities conference in Edinburgh, which will seek to maintain our focus on enhancing the role of cities as drivers of growth and opportunity, as well as helping to shape constructive relationships with other European cities going forward.

Cardiff Public Services Board

I chaired a meeting of Cardiff's Public Services Board (PSB) on 20th November 2018, World Children's Day, which approved Cardiff's Child Friendly Strategy. It was timely as a recent UN report concluded that levels of child poverty were "not just a disgrace, but a social calamity and an economic disaster", and warned of the significant detrimental impact that austerity measures have had in the UK. The Child Friendly Cardiff Strategy 2018 gives children a voice and identifies the actions we will take forward to help ensure that children in Cardiff are healthy, happy and have every chance of achieving their potential. I commend the work of the Cabinet Member for Education, Employment & Skills for leading on this important agenda.

Maintaining the focus on social justice, each member of the PSB also committed to reviewing its services to vulnerable rough sleepers and hostel residents to ensure that Cardiff delivers effective public services that are more than the sum of its parts.

Global Parliament of Mayors Annual Summit

I was pleased to attend the Global Parliament of Mayors Annual Summit, which was held in Bristol between 21st and 23rd October 2018. Over 80 Mayors from around the world attended the summit on the theme of '*Empowering Cities as Drivers of Change*', which aimed to equip cities with the data, knowledge, resources and tools necessary to combat critical issues. Organisations such as the Organisation for Economic Co-operation and Development (OECD) and the British Council delivered a programme of keynote speakers with industry experts to help inform the debate between mayors. I also met with Core Cities Leaders as part of the event.

Councillor Huw Thomas
Leader of the Council
23 November 2018

Mae'r dudalen hon yn wag yn fwriadol

FINANCE, MODERNISATION & PERFORMANCE STATEMENT

Consultation on 2019/20 Budget Proposals

The consultation on the budget proposals for 2019/20 went live on 16th November 2018 and will run for six weeks until 2nd January 2019. Residents can take part in the consultation via the [online survey](#) on the Council's website. Hard copies of the consultation document will also be available at hubs, libraries and council buildings.

Living Wage Week

I was pleased to attend a number of events marking Living Wage Week, which ran from 5th to 10th November 2018. The new real Living Wage rate was also announced as £9 an hour outside London.

Cardiff Council has been an accredited Living Wage employer since November 2015. Since then, more than 2,200 full and part-time Council staff have benefited from a pay rise, mainly women working as breakfast club supervisors, cleaners, domestics, kitchen assistants and midday supervisors. Last year, the Council was named the Living Wage for Wales Champion for 2017-18 by the Living Wage Foundation in recognition of its 'outstanding contribution to the development of the Living Wage in Wales, above and beyond the requirements of accreditation.'

As part of Living Wage Week, I was pleased to attend a Living Wage foundation week launch with the First Minister at a business in the city centre, as well as meetings of the Living Wage for Wales Leadership Group and the 'Cardiff as a Living Wage City' Steering Group. Flags promoting the Living Wage were also flown from Cardiff Castle to mark Living Wage Week.

Website

Our citizens continue to connect with us digitally as demonstrated by the following web usage figures from October 2018:

- 203,350 people visited the Council's website, with nearly 60% of visitors accessing the site on a mobile device.
- Nearly 45,000 waste collection look ups were made online (mobile app and website) with the highest volume of looks ups in the Cathays and Plasnewydd wards.
- 80% of requests for more recycling bags and caddies were made online.
- 5,369 visits were made to the Council tax portal, which were up 35% on September 2018.

- Customer habits are changing with just over 50% of all fly-tipping reports being made via the website or the mobile app.
- The most popular web content included the Public Space Protection Order (PSPO) consultation, Welsh Government childcare offer, glass recycling collection pilot and secondary school admissions.
- The new Cardiff Commitment website was also launched last month: <https://cardiffcommitment.co.uk>

Wales Interpretation and Translation Service (WITS)

In October 2018, WITS was presented with 3,656 calls and achieved a 98.3% answer rate, which is a 5.3% increase (647 calls) compared to September 2018. Of the 3,656 calls, 2,938 resulted in an interpretation or translation booking, which is a 17.2% increase in bookings compared to September 2018. WITS received 5,944 emails in October 2018, which was an increase of 14.8% compared to September 2018. WITS also allocated 97.77% of assignments in October 2018.

WITS' largest partner, Cardiff and Vale University Health Board (UHB), has successfully trialled video interpretation with the support of WITS. The trial was conducted in five areas of the UHB and, due to its success, it has been introduced in a further four areas with scope to increase further. WITS continues to support and monitor its usage and works closely with the UHB. Cwm Taff UHB has also shown interest in using video interpretation and demonstrations are planned in the near future.

Health and Safety Support Service – Schools

The Health & Safety Schools Team commenced support at the beginning of September 2018. The team is made up of 11 officers supporting approximately 12 schools each. The first term of delivery has been successful with good feedback from Headteachers and Governors who have welcomed the initiative to improve health and safety standards in schools.

Asbestos Management

Responsibility for asbestos surveying has moved to the Health & Safety Team and three Asbestos Officers are currently being recruited to undertake all asbestos surveying requirements of council buildings. Interviews will take place this month and the team will start work in the New Year. The officers will respond to emergencies and support with specifications and monitoring of asbestos remediation projects. This vital in-house expertise will help to improve asbestos management across council premises and reduce the very high costs relating to asbestos and the reliance on external contractors. The Council will also develop in-house training courses on 'asbestos awareness' and 'work on non-licensed non-notifiable asbestos', which are currently provided by Caerphilly Council.

Councillor Chris Weaver

Cabinet Member for Finance, Modernisation & Performance

23 November 2018

HOUSING & COMMUNITIES STATEMENT

Butetown Jobs Fair

Last month, the Into Work Service hosted the Butetown Pavilion Jobs Fair in partnership with Cardiff Youth Service, which was attended by over 80 young people from Butetown and the surrounding areas. Fifteen employers held stands at the event offering a wide variety of employment opportunities across a range of sectors, which included the Army, Finsbury Food Group, Network Rail, and Cadwyn Housing Association. The event was also attended by partner organisations including Council Apprenticeships, Into Work Advice Services, Prince's Trust and Cardiff City Foundation. The event received really positive feedback, with young people finding the event very helpful and interesting, and partners pleased with the level of organisation at the event. So far, there have been 10 confirmed employment outcomes as a result of the event.

Central Library Hub Veterans Event

On 1st November 2018, the Council's Veterans Advice team, which is funded through the Armed Forces Community Covenant, hosted an event in partnership with the Royal British Legion. The team has been supporting veterans since August 2017 at the Central Library Hub. The initial project was so well received that it was extended for a further two years and an additional two advisors were recruited to expand the services to outreach locations. To date, the team has supported 173 clients with their enquiries, which include housing, debt, employment and benefits, with over £200,000 identified in previously unclaimed benefits.

The event was arranged to give thanks for the sacrifice of all those who served in World War 1 and to celebrate the 100 years that have elapsed since the ending of the First World War. The event brought together in partnership Armed Forces charities and different services from across the Council as part of 21 stalls to support veterans of more recent conflicts and their families. The event was a success allowing the Armed Forces community to access help they needed. Stallholders spoke to veterans and their families and organisations were also able to network with one another. The Veterans Advice team also sold poppies to staff and customers and held a raffle, which helped to raise money for the Royal British Legion.

The Veterans Advice team coordinated the event successfully, and it was great to see how many veterans attended and to see so many organisations and services working together with one common aim – to help and support those veterans and their families so they know that they are not alone back on 'civvy street'.

Street Football Award

The football team at Ty Tresillian has been running for two years and has a really positive impact on the residents, as well as working to creating a sense of community within the hostel, reducing feelings of isolation and providing the opportunity to build relationships. At the end of the season, the Ty Tresillian Tigers were awarded the Fair Play Award, which is a special recognition award for determination, dedication, sportsmanship and all round attitude of the team. The award was presented by the Chairman of Street Football Wales. I am very pleased to see the amazing recognition for the team. I am also pleased to announce that we have recently heard that the Street Football World Cup will be held in Cardiff next year. Officers will be working to see how the Council can be involved in this event.

Multi-Agency Team for Homelessness and Rough Sleepers

I am pleased to announce that the Welsh Government has provided additional funding to pilot a multi-agency approach to homelessness as part of our Rough Sleepers Strategy 2017-2020. The approach will bring together and enhance existing services by providing a more intensive level of support for those who need it on a 'right help, right time' basis. The new service aims to support individuals with complex needs, providing a clear pathway into services, helping build resilience and avoiding the need for longer term support. The approach includes collaborative working with Mental Health Services, Substance Misuse Services, Third Sector, Social Services, Police and Probation. The service aims to reduce the levels of homeless service users repeatedly experiencing the revolving door of eviction, abandonment and placement breakdown.

Private Sector High Rise Cladding

I would like to advise Members about the status of the high rise buildings in the city. Members may have seen some of the recent coverage in the media concerning Prospect Place in Cardiff Bay. Earlier this year, our officers began to work with Welsh Government officials and the South Wales Fire & Rescue Service to determine the number of private sector high rise buildings in the city. That work identified 12 buildings that had an external facade consisting of Aluminium Composite Material (ACM) cladding similar to that used at Grenfell Tower. I am now pleased to report that, through the work of our officers and partner agencies, the developers associated with those buildings have agreed to remove the cladding and replace it with a safer material. That work has begun on some of the buildings and work on one other will commence next year. In the meantime, officers have agreed additional fire protection measures with the owners of the buildings. I can also advise Members that the Welsh Government Minister for Housing and Regeneration has commissioned an expert panel to look at building safety in a much wider context and the Council is represented on that group. I envisage that the Minister will make an announcement on building safety in Wales early next year.

Councillor Lynda Thorne
Cabinet Member for Housing & Communities
23 November 2018

COUNCIL: 29 NOVEMBER 2018

CLEAN STREETS, RECYCLING & ENVIRONMENT STATEMENT

RSPCA Cymru Community Animal Welfare Footprints (CAWF) Awards

I was pleased to attend the RSPCA Cymru CAWF Award Ceremony, which took place on 5th November 2018 at the Pierhead Building in Cardiff Bay. In 2018, more gold awards were given out than ever before, with Cardiff Dogs Home receiving a Gold Award in the Stray Dogs category as I confirmed previously in my statement to Council in September 2018. In addition, RSPCA Cymru presented an 'Outstanding Achievement Award' to Cardiff Dogs Home after being nominated by RSPCA Cymru staff.

When the CAWF awards were launched in 2008, Cardiff Dogs Home was the first winner of the 'Innovator in Animal Welfare' Award, which recognises exceptional achievement in adopting an innovatory approach to improving animal welfare. This was awarded for its collaborative work with other organisations in providing free microchipping for more than 800 dogs and over 468 neutering operations. Cardiff Dogs Home went on to win a second Innovator Award in 2013 for the development of a sensory garden for its stray dog kennels.

I am pleased to advise Councillors that Shared Regulatory Services' commitment to promoting and enhancing animal welfare has also been recognised, not only through its work with Cardiff Dogs Home in winning a Gold Award in the Stray Dogs category, but also through winning a Silver Award for Animal Activity Licensing. These awards reflect the work undertaken across Bridgend, Cardiff and the Vale of Glamorgan to improve existing processes, to reduce expenditure and, above all, to provide better ways of protecting the welfare of animals.

Bereavement Services

Councillors are invited to attend the annual Christmas Memorial Service, which will take place at Thornhill Crematorium chapel on Sunday 9th December 2018 at 2:00pm.

Bereavement Services continues to be one of the Council's outstanding performers in terms of service delivery at both a national and local level. In recent months, Bereavement Services have been nominated for and received a number of awards. Cathays and Thornhill Cemeteries both retained their Green Flag status, whilst Cathays also gained the Heritage Green Flag Award in recognition of its significant value to Cardiff's historical landscape. Thornhill Cemetery was also awarded a silver award as part of the re-launched Cemetery of the Year Awards.

In addition, Cathays Cemetery was commended by the HM Prison and Probation Service Wildlife Awards for the partnership work between Bereavement Services and the Wales Community Rehabilitation Company, Working Links. The award recognised the outstanding work in habitat creation and encouraging diverse flora and fauna within the site for the benefit of local communities.

More recently, Bereavement Services were, once again, finalists in the Association of Public Service Excellence (APSE) Annual Service Awards 2018 in the Best Service Team – Cemetery and Crematorium category.

Glass Recycling Pilot

The glass recycling pilot is continuing to progress really well, with positive feedback from residents. The scheme is performing as profiled and I am pleased that we are getting good market prices for the recycled clean glass bottles and jars, which are higher than expected.

Food Strategy Workshop

A stakeholder workshop to develop the Council's Food Strategy was held on 15th November 2018. This was facilitated by Jacobs utilising Welsh Government Smart Living funding, with over 30 internal and external stakeholders attending representing the public, private and third sectors across Cardiff. Topics included healthy food for all, food driving growth, optimising local growing and enabling a smart approach to food systems. The debate and ideas put forward at the workshop will help us to shape our Food Strategy, which will be drafted over the winter.

Central Transport Services (CTS) Workshops

Recently, CTS has started to insource more vehicle related work in order to save the Council money that would otherwise be going out to third party contractors. The aim is to increase the volume of work carried out in the CTS workshop facility by taking back outsourced repairs and servicing. CTS will also be looking to generate income by carrying out work for local businesses.

The first stage has been to alter the tender for the new refuse vehicles so that it does not include maintenance so the savings can be considerable. CTS has already taken back in-house RCV repairs and damage work and has recently made an agreement to complete maintenance for some new sweeper vehicles.

CTS now has a thriving fabrication workshop that is busy doing all kinds of varied work, including school railings, platform steps and even the fitting of oak mounts for three cannons at Cardiff Castle.

Councillor Michael Michael
Cabinet Member for Clean Streets, Recycling & Environment
23 November 2018

COUNCIL: 29 NOVEMBER 2018

CHILDREN & FAMILIES STATEMENT

Bright Sparks Award Ceremony

The 12th annual Bright Sparks Award Ceremony took place on 26th October 2018 at County Hall. The event was attended by 300 looked after children and care leavers, parents and carers, staff and members of the Corporate Parenting Advisory Committee, as well as the Leader of the Council. The event celebrated the many achievements of those children in areas such as education, sport, creative writing, bravery and volunteering. It also acknowledged the commitment of foster carers and supported lodgings providers to our children and young people. Guests were treated to performances from young people, as well as a fashion show from some of our Bright Start Trainees.

Hywel Dda Primary School and St Teilo's Church in Wales High School both received awards for their outstanding support of looked after children. The Corporate Parenting Advisory Committee also gave awards to three young people, who as members of the Bright Sparks Club, have shown dedication to improving outcomes for young people by participating in consultations and developmental events, including work on the Child Friendly City initiative.

National Safeguarding Week – Safeguarding Awards

A Safeguarding Awards Ceremony was held on Friday 16th November 2018 at Cardiff Central Police Station, which was a fitting finale to the end of National Safeguarding Week (12th-16th November 2018). The awards recognised both professionals and members of the public who have made a great contribution to safeguarding children and vulnerable adults in Cardiff and the Vale of Glamorgan. The ceremony was officially opened by Assistant Chief Constable Jon Drake and I was delighted to present the awards alongside my Cabinet colleague, Councillor Elsmore, and Chief Superintendent Steve Jones.

The awards were also an opportunity to recognise individuals' efforts and acknowledge that their hard work is valued by the Regional Safeguarding Board. Award winners from Cardiff Council were Margarita Mesa-Gutierrez (Children's Services), Nicola Jones (Regional Safeguarding Board) and Carl Davies (Prevent).

Staff Engagement – Back to the Front Line

I was pleased to be involved recently in the second round of staff engagement sessions. *Back to the Front Line* sessions are now underway, allowing myself and senior managers the opportunity to talk to staff about key projects taking place across the Children & Families Portfolio. The sessions are aimed at hearing directly from front line staff about the work they are engaged in, whilst providing them with an opportunity to raise any concerns they may have and for them to provide feedback about any challenges they are facing, including any questions and queries they may have.

Welsh Government Childcare Offer

The Welsh Government's Childcare Offer for Wales went live in Cardiff on 8th October 2018 in the 10 wards selected for the initial roll-out – Adamsdown, Butetown, Caerau, Cathays, Ely, Grangetown, Llanrumney, Plasnewydd, Riverside and Splott. The Cardiff Childcare Offer provides 30 hours a week of government-funded early education and childcare for eligible working parents of 3 to 4 year olds, for up to 48 weeks of the year.

Since going live last month, 147 parent applications have been received. Of these, 144 have been assessed and a total of 116 applications have been approved. The Childcare Offer team is also in contact with 26 families, seeking further evidence to support the assessment of their application. Only 2 applications have been rejected due to them not meeting all the criteria. Promotion to parents has focused on the initial 10 wards in the city, with information e-mailed to all primary schools and relevant local Members.

Engagement events for childcare providers that were held in September 2018 attracted around 100 childcare settings. To date, there are 92 childcare providers registered to provide Childcare Offer places. Following a recruitment drive over the last fortnight, a further 17 providers are in the process of registration in readiness for all of Cardiff going live in January 2019. New registration forms are also being received on a daily basis.

The Childcare Offer team has developed a promotion strategy, which utilises the Council's website, Facebook, Twitter and other social media, alongside the distribution of posters and leaflets to schools, Hubs, leisure centres and libraries to ensure that parents are aware of the Offer. The childcare providers themselves also have a key role in promoting the Offer to parents using their childcare settings.

Corporate Parenting Training

Some Members have already completed the Corporate Parenting workshop. Democratic Services are arranging further dates for Corporate Parenting workshop sessions for Members in the New Year. I would remind all Members that this session is essential.

Councillor Graham Hinchey
Cabinet Member for Children & Families
23 November 2018

COUNCIL: 29 NOVEMBER 2018

SOCIAL CARE, HEALTH & WELL-BEING STATEMENT

A Healthier Wales

I am pleased that Cardiff and Vale Regional Partnership Board was successful in its submission for ambitious transformation funding for delivery of 'A Healthier Wales'. The proposals will deliver £7 million of investment across Cardiff and the Vale of Glamorgan over the next two years. The projects will further support our prevention agenda, as well as building resilient communities. Importantly, the transformation funds apply to projects across the life course to support delivery of seamless locality based services which keep people independent and connected as long as possible.

Care Awards 2018

Last week, our Regional Workforce Partnership held its second annual awards evening at the Atrium in Dumballs Road. The event was held at and sponsored by Cardiff and Vale College, and organised to acknowledge the excellent care and support in the community, and also to recognise care workers achieving their QCF qualifications. This year's event was well supported, as illustrated by the opening keynote from Huw Irranca-Davies AM, Minister for Children, Older People and Social Care. This was followed by Sue Evans, CEO Social Care Wales, who spoke passionately about the role of care workers and the need for deserved recognition, fostered by her early experiences as an unpaid carer. Compered by BBC News presenter, Sian Lloyd, the evening reflected how valued the care sector is and, given the positive comments from all involved, this is clearly an event that will continue to grow annually as we work together to raise the profile of, and increase the professional recognition of, both care workers and social care.

Get Me Home

I am pleased to highlight the progress made in relation to one of our transformation projects, the Get Me Home pilot. This brings the concept of Independent Living Services' First Point of Contact into the hospital environment. Working hand in hand with the University Health Board, the objective will be to achieve optimum discharge times. Our officers will be the first point of contact for council and community services and will be based at University Hospital Wales (UHW). Six officers have been recruited for the project and are nearing the end of a comprehensive 6-week training programme, which has included shadowing and understanding hospital services and procedures.

On 26th November, the Get Me Home officers will begin a week-long induction at UHW, with 'go live' on the wards on 3rd December. Several sessions planned in the induction week allow officers to meet both their new health and council colleagues. They will be co-located with the hospital's Social Work team, Accommodation Solutions and Discharge Support officers. The induction week will allow them to meet ward staff, build relationships and attend hospital 'infection control' training. The Get Me Home officers will be easily identifiable on the wards by their uniforms featuring the logos of both the Council and the Integrated Health & Social Care Partnership.

Grand Avenue Older People's Day Centre

Grand Avenue Day Centre opened on 29th October and I am so pleased that the positive impact of the new environment was immediate. The scheme was designed with the needs of those living with dementia at its heart, and everyone responded well to the calm and familiar surroundings, becoming more engaged in activities as a result. The working relationships between our now co-located social care workers and health staff is already developing positively. The team recently had an opportunity to meet with local ward members and Cabinet members, and I would encourage all members to arrange a visit, as it is wonderful to see the care and dignity with which the staff are caring for individuals living with advanced dementia.

Dementia Friendly City

I was delighted to open a really inspirational event earlier this month. Held by Cardiff Council, in partnership with Alzheimer's Society Cymru, the event took stock of the progress made to date in the development of dementia supportive environments across the city. It also identified achievable steps and deliverables in our ambition to become a Dementia Friendly City. I'm really pleased to say that, currently, the number of Dementia Friends across Cardiff and the Vale has reached 22,000. We are working with several Cardiff businesses who have pledged to become Dementia Friendly, and make changes to help improve the lives of those affected by Dementia living within Cardiff. In recent months, Reading Well Dementia, a clinically selected book collection to support carers, families and those living with Dementia has been made available at all of our Hubs & Libraries and is already making an impact.

Action on Hearing Loss Cymru 'Live Well with Hearing Loss' Report Launch

Over the last few years Adult Services have worked in partnership with the third sector to support improved access to services for adults with sensory loss. I was delighted to attend Action on Hearing Loss Cymru Report Launch: Live Well with Hearing Loss. Around 575,500 people in Wales are deaf or have hearing loss – as many as the populations of Cardiff and Swansea combined. Action on Hearing Loss Cymru works in communities across Wales to support people who are deaf, have hearing loss or tinnitus. It also campaigns for equal access to employment, health, entertainment and other services. As well as providing information and support, Action on Hearing Loss Cymru can help with specialist equipment, online training skills and hearing aid repairs. Adult Services are currently working in partnership with Children's Services, the Education Directorate and third sector sensory impairment organisations (including Action on Hearing Loss Cymru) to develop clear and

consistent pathways, to help adults in accessing and receiving a sensory loss service.

White Ribbon Campaign

On Sunday 25th November, we will celebrate the United Nations International Day to Eliminate Violence against Women and Girls, which is also White Ribbon Day.

Last week, on 20th November, the Council's White Ribbon Ambassador, Councillor Caro Wild, and I launched our regional White Ribbon Campaign Calendar of Events, starting with the planting of our White Ribbon flowerbed at Cardiff Castle, supported by the Council's Parks and Gardens team. This annual planting has gained UK and international recognition, with many cities now replicating Cardiff's novel approach to marking White Ribbon Day. This year, a bilingual information plaque has been placed next to the flowerbed that provides information about the Campaign itself and, importantly, signposts the public to the national 'Live Fear Free' bilingual 24-hour helpline, which is available to anyone affected by violence against women, domestic abuse and/or sexual violence.

On the same day, I was also pleased to attend the annual White Ribbon 'Not in My Name' event at the Senedd organised by the National Federation of Women's Institutes-Wales and sponsored by Joyce Watson AM. This event focused specifically on sexual violence and highlighted the unacceptable statistics which show that 1 in 5 women and 1 in 6 men will be victims of sexual violence.

I would urge all members to find out more about the Campaign, wear a White Ribbon to show their support and to pledge never to commit, condone or remain silent about violence against women and girls. Members can also follow the Campaign on social media: #whiteribboncardiffvale.

Stuttgart Delegation

I had the pleasure of hosting a delegation of Councillors and Officers from our twinned city, Stuttgart on a learning visit to Cardiff during the week of 29th October. The delegation were particularly keen to learn about children's services in Cardiff, but also took the opportunity to visit Willcox House and our Independent Living Services. Their interests were in how we were developing preventative approaches, strength based practice through signs of safety, and services at the edge of care. They were overwhelmingly enthusiastic about the professionalism of our officers, our honesty about what worked well, and the further improvements we need to make. Importantly, they received the warmest welcome from our city.

Councillor Susan Elsmore
Cabinet Member for Social Care, Health & Well-being
23 November 2018

Mae'r dudalen hon yn wag yn fwriadol

COUNCIL: 29 NOVEMBER 2018

STRATEGIC PLANNING & TRANSPORT STATEMENT

NextBikes

The number of rentals in October 2018 was 50,216 and the number of rentals since the scheme was launched to date is 149,359. The next phase of stations has been agreed, including a focus on connecting communities in the east of the city to the network.

Air Quality

On 15th November 2018, the Cabinet considered the Initial Plan report, which was submitted to Welsh Government as part of our feasibility study to deliver Nitrogen Dioxide compliance in the city, in compliance with the legal direction received earlier this year from the Welsh Government. The study was undertaken by industry experts, Ricardo AEA, and follows similar studies that have been undertaken in other major British cities. It shows that only Castle Street in the city centre is likely to fail legal compliance beyond 2021 if nothing is done to reduce traffic derived pollution.

The next phase of the study is currently underway as we assess, in detail, measures to improve air quality in the shortest possible time. The measures will not only focus on the non-compliance area of Castle Street, but will also look to deliver wider improvements to air quality across the city, including the existing Air Quality Management Areas (AQMAs).

Whilst our immediate focus is to comply with the legal direction and deliver compliance in the shortest possible time, our longer term Clean Air Strategy for Cardiff will be to reduce air pollution levels to as low as reasonably practicable in order to protect the health of the citizens of our city.

Residential Landlords Forum

I was pleased to speak recently to the Residential Landlords Forum to outline the thinking behind our two recently proposed Supplementary Planning Guidance documents (SPG's) relating to Flat Conversions and Student Accommodation. It was good to hear first-hand concerns from the sector and also their ideas for improvement. I would like to thank the Forum for the positive way they engage with the Council for the benefit of their members and, ultimately, many residents in Cardiff.

Institute of Civil Engineers (ICE)

I was pleased to speak at the recent ICE Wales/Cymru Chair's annual speech. It was impressive to hear how the sector has its eye clearly on a sustainable future for Wales. If we are going to grow sustainably as a city, we need solutions and high quality work to come through at all stages of the development process.

Road Resurfacing Programme

Following completion of the engineering assessment and analysis process, the programmes for those roads that will receive resurfacing and specialist treatments have been finalised. These will address roads with condition and deterioration issues, but will also align with other programmes of work and initiatives to ensure that maximum benefit is achieved. The works are scheduled to start during February 2019 and will continue for the remainder of the 2018/19 financial year. Letters detailing the selected roads, treatment type and outline costs will be sent to Members within the next two weeks.

Taxi Spaces

I was pleased to work with the Chair of Licensing and Public Protection Committees, Councillor Mackie, to allocate a number of additional taxi spaces in the City Centre which should help both taxi drivers and their customers. Fortnightly meetings have also been set up with the trade and good progress is being made in working more closely together.

Sustrans Cymru Blog

I have written a piece on how I feel the Metro can integrate active travel from the beginning. This can be found on the Sustrans Cymru website:

<https://www.sustrans.org.uk/news/sustrans-budget-focus-investing-active-travel-part-2-active-metro-councillor-caro-wild>

Councillor Caro Wild
Cabinet Member for Strategic Planning & Transport
23 November 2018

COUNCIL: 29 NOVEMBER 2018

INVESTMENT & DEVELOPMENT STATEMENT

Cardiff Bay Train Station

Members may have seen that work is now underway to renovate Cardiff Bay Train Station, where the Council has supported the developer through accessing Welsh Government's Town Centre Loan Fund to progress the development. The renovation of the building, which has lain derelict for some time, will mark the start of a new focus on kick-starting the new phase of the Bay's development.

Creating and Safeguarding Jobs

We are also continuing to support businesses in the city to create and safeguard jobs. This has included working with BCB, a local military equipment manufacturer, to renovate another derelict local building to support their business, which has led to 20 new jobs and 50 jobs being safeguarded in the city. The continued expansion of Admiral has also led to a number of new jobs being created – however, we are also seeing a squeeze on the availability of quality office space in the city which only raises the need for us to continue our city centre's development programme if we are to support further jobs growth in the city.

Creative Economy

Members have also heard the disappointing news regarding Channel 4. However, this has not stalled the development of our city's burgeoning creative cluster, with cutting edge companies such as Whisper Films, Splice and Sugar Films choosing to invest in Cardiff and who have received advice and support from the Council in locating in our city.

**Councillor Russell Goodway
Cabinet Member for Investment & Development
23 November 2018**

Mae'r dudalen hon yn wag yn fwriadol

COUNCIL: 29 NOVEMBER 2018

CULTURE & LEISURE STATEMENT

Christmas Events

I am sure that Members will wish to join me in thanking all those involved in delivering the annual Step Into Christmas event on Thursday 15th November 2018. Despite the winter drizzle, the event was well attended with a plethora of Christmas treats on hand for all to enjoy. Footfall numbers were up 13% on the 2017 event at just short of 136,000.

Winter Wonderland also launched on the same evening with a larger site, a new double storey ski-lodge and a breathtaking new fairground ride, which provides stunning views of our capital city followed by a heart stopping drop to earth. I want to thank Sayers Amusements and their partners for their continued commitment and investment in this ever popular Christmas attraction.

Pantomime and ballet ticket sales also continue to perform well at the New Theatre and St David's Hall respectively and I would encourage Members not to miss out on these annual festive treats.

National Tree Week

On Tuesday 27th November 2018, I will be marking the commencement of National Tree Week through the planting of new and replacement trees at Thompsons Park in the Canton ward. National Tree Week is an initiative by The Tree Council, a charitable organisation which works with landowners and communities to promote the importance of and value of trees. The Council has worked with partners, including the Cardiff Civic Society, Dŵr Cymru Welsh Water, Welsh Government and private sponsors, to develop a planting programme throughout our parks and streets that will see in the region of 250 plantings for the 2018/19 season. This programme underlines the Council's commitment to ensuring that the vitality of our tree stock is maintained.

**Councillor Peter Bradbury
Cabinet Member for Culture & Leisure
23 November 2018**

Mae'r dudalen hon yn wag yn fwriadol

COUNCIL: 29 NOVEMBER 2018

EDUCATION, EMPLOYMENT & SKILLS STATEMENT

Child Friendly Cardiff Strategy Launch

I was delighted to attend and speak at the launch of the Child Friendly Cardiff Strategy by the Cardiff Public Services Board on 20th November 2018 at City Hall. The launch event coincided with World Children's Day and was organised by members for the Child Friendly City programme's Children and Young People's Advisory Board. Almost 100 attendees joined the young people and Cardiff Public Services Board members at the event to mark the launch of the strategy, including Anna Kettley, UNICEF UK's Director of Programmes, who also spoke at the event.

Cardiff, alongside four other cities and communities in the UK, has been working with UNICEF UK to gain international recognition as a UNICEF Child Friendly City. The launch of the new strategy marks a significant step towards Cardiff achieving international recognition as one of the UK's first UNICEF Child Friendly Cities. It places the rights and voices of children and young people at the heart of Cardiff's policies, strategies and services; involving them in decision making and addressing the barriers which limit their life chances.

Our commitment to becoming a UNICEF Child Friendly City must be shaped by children and young people in Cardiff. Since the very beginning of our journey, they have worked with us so that we can find out where they think our priorities should lie. Based on what they have told us, we will be prioritising the three areas of education; family and belonging; and health as part of the new strategy.

New Curriculum for Wales

On 23rd October 2018, the Education Development Board hosted an Education Convention at Sophia Gardens Cricket Ground, which was attended by over 300 people. The event, which included a plenary session and series of workshops, brought together education professionals and young people from across the city to capture perspectives on shaping a new curriculum for Wales, and to crystalize ideas and thinking for the future. The event also included a marketplace of 50 employers, schools and partners, exhibiting opportunities and best practice. We are facing a once in a generation opportunity to develop a new curriculum for Wales and it was good to see the commitment of stakeholders, including employers, children and young people, communities and parents, to this important work.

Cardiff Governors Association

The Cardiff Governors Association held another successful annual training conference on 17th November 2018 at City Hall. The conference focused on the new curriculum for Wales and over 50 schools were represented by governors from across the city.

Ty Golding, Head of Curriculum Design & Development, from Welsh Government spoke at the conference and provided an update on the work being undertaken across Wales, including the cascading of learning from pioneer to non-pioneer schools. The Council's Assistant Director of Education & Lifelong Learning, Jackie Turner, gave a presentation on the role for governors in the new curriculum. I also provided an update on some key Council priorities, including the launch of the Child Friendly Cardiff Strategy.

Foodservice Catey Awards 2018

Cardiff's multi-award winning School Holiday Enrichment Programme (SHEP), called Food and Fun, has picked up its ninth award at the renowned 2018 Foodservice 'Catey' Awards. The programme received the Corporate and Social Responsibility Award, with judges commenting that Food and Fun 'demonstrated a holistic approach to community and enhanced social value' and 'is particularly impressive due to its ambition for a national impact and setting out a blueprint for others'.

Food and Fun is a joint partnership project between Cardiff Council, Food Cardiff, Sport Cardiff, Public Health Wales and Cardiff & Vale University Health Board. It provides an element of education, sporting activity and quality, healthy meals, delivered in a safe, nurturing and fun environment during school holidays.

Thornhill Primary School – Armistice Cantata

Thornhill Primary School has won a Welsh Schools Heritage Award and a National Lottery Education Award 2018 for their Armistice Cantata, a musical play based on popular tunes from the First World War, which has been performed on multiple occasions, including at the recent Welsh Festival of Remembrance and the Royal Welsh College of Music and Drama. Earlier this month, the school also won the Heritage Angel Award 2018 for 'Best Contribution to a Heritage Project by Young People'.

Allensbank Primary School

Allensbank Primary School has recently achieved the prestigious Schools of Sanctuary Award and is the first primary school in Cardiff to do so. The school will be officially awarded with Schools of Sanctuary status on Friday 23rd November 2018 and I understand that a number of other Cardiff schools are also interested in achieving this award.

A School of Sanctuary is a school that helps its students, staff and wider community understand what it means to be seeking sanctuary and to extend a welcome to

everyone as equal, valued members of the school community. The Sanctuary Awards programme forms part of the City of Sanctuary Network.

International School Linking

The Council has recently hosted 60 visitors from 8 European countries (Spain, Poland, France, Norway, Finland, Turkey, Romania and Portugal) who have participated in the following three projects:

- Teacher training on family engagement – Spanish teachers have visited and received training from Grangetown Primary School, Ty Gwyn Special School, Ely and Caerau Children's Centre, Flying Start and one of our Inclusion team officers.
- Project management and teacher training for 'On Your Bike', a 3-year project supporting Cardiff's Cycling Strategy – in addition to project management training, participants have also received training on our strategy from transport and road safety officers; visited Whitchurch Primary School and Radnor Primary School which are involved in the project, and some have even used Next bikes!
- Project management and teacher training for 'My Place, Your Place, Our Place', a 3-year project looking at cultural heritage – in addition to project management training, participants have received training from the Welsh Centre of International Affairs and visited Trowbridge Primary School and Birchgrove Primary School.

A fourth group of visitors have taken part in a European Local Authority Network (ELAN), which was set up specifically to support direct collaboration with local authority education departments across Europe.

National Safeguarding Week – Young People's Conference

On Wednesday 14th November 2018, a Young People's Conference was held at St Teilo's Church in Wales High School as part of National Safeguarding Week, which was attended by pupils from 10 secondary schools in Cardiff. The conference was opened by the former Children's Commissioner for Wales, Keith Towler, who is now the Vice Chair of the National Independent Safeguarding Board. Key speakers at the event were reformed gang members from St Giles in London who spoke to the pupils about the dangers of gang culture, knife crime and County Lines. Nine interactive workshops were held in line with the national theme of exploitation and covered subjects such as drugs & alcohol; suicide & prevention; safe sharing; children's rights; homelessness; Child Sexual Exploitation (CSE) and healthy relationships. CSE ambassadors also delivered a presentation to the pupils, outlining their role and raising awareness about the dangers of CSE.

Councillor Sarah Merry
Cabinet Member for Education, Employment & Skills
23 November 2018

Mae'r dudalen hon yn wag yn fwriadol

COUNCIL:

29 NOVEMBER 2018

REPORT OF THE CHIEF EXECUTIVE

CARDIFF BUS – APPOINTMENT OF INDEPENDENT NON-EXECUTIVE DIRECTORS

Reason for this Report

1. To consider changes to the Council's appointed representatives to Cardiff Bus, including the appointment of two Independent Non-Executive Directors.

Background

2. Cardiff City Transport Services Limited (otherwise known as 'Cardiff Bus') is a private company limited by shares and is wholly owned by the Council. Cardiff Bus was constituted as a Public Transport company within the meaning of Section 72 of the Transport Act 1985 and the main purpose of the company is to carry out the business of a public transport company.
3. The appointment of Directors to the Board of Cardiff Bus is governed by (i) the Company's Articles of Association ('the Articles') and (ii) legislation. Of particular relevance to Cardiff Bus is the Transport Act 1985 ('The 1985 Act') and regulations made thereunder.
4. The Board of Cardiff Bus currently comprises eleven Directors and there is also a Company Secretary.
5. Four of the Directors are full-time employees of Cardiff Bus, three of whom hold responsibilities for the management of Cardiff Bus and are classified as Executive Directors. The fourth employee is appointed to the Board as a representative of Cardiff Bus employees.
6. The Council currently nominates seven Councillors as Non-Executive Directors, which is the maximum number of persons (who are not full-time employees of the company) that may be appointed as Directors (see legal implications below). There is no requirement for the appointment of Councillors to be allocated to political groups on the basis of political balance.

Issues

7. It is proposed that the number of Councillors appointed as Non-Executive Directors be reduced from seven to five in order to provide for the appointment of two Independent Non-Executive Directors who are neither elected members of the Council nor employees of the Council or the Company.
8. In accordance with good practice in terms of corporate governance, the proposed appointment of two Independent Non-Executive Directors would supplement the expertise of Board members, providing constructive challenge and holding management to account.
9. The Company's existing Articles allow for the appointment of one Independent Non-Executive Director who is neither an elected member nor employee of Cardiff Bus. As a result, the Company's Articles will require amendment to allow for the appointment by the Council of no more than two Independent Non-Executive Directors. This provision would not fetter the ability of any future Council to appoint seven Councillors as Non-Executive Directors should it wish to do so.
10. It is therefore proposed that the Council, as the Shareholder, will write formally to the Company, subject to agreement by Council, to notify it of the proposed amendments to the Articles, which can then also be considered formally by the Company in accordance with the Company's decision making process. As the sole shareholder, the Council is able to require such amendment to be made to the Articles.
11. The Council is seeking to appoint two Independent Non-Executive Directors on an interim basis only for a 12-month period from the date of appointment, which is expected to be made in January 2019. It is proposed that authority be delegated to the Corporate Director Resources, in consultation with the Cabinet Member for Finance, Modernisation & Performance, to procure appropriately qualified individuals to serve as the interim independent Non-Executive Directors in accordance with the Council's procurement framework.
12. It is proposed that each of the two Independent Non-Executive Directors should be appointed respectively on the basis of their professional skills and experience in areas such as financial & general management; corporate governance; and transport policy and/or management.
13. The Council expects that the independent Non-Executive Director positions would be remunerated, but this is a matter for consideration by the Company in accordance with the Articles.
14. Prior to the end of the interim 12-month period, it is proposed that the Council will undertake a public appointment process for the two Independent Non-Executive Director positions by way of public advert, shortlisting and interview. To this end, it is recommended that authority be delegated to the Director of Governance & Legal Services and Monitoring Officer to carry out the appointment process in 2019/20; including the establishment of a politically balanced Member

Appointment Panel; overseeing a shortlisting process, where applicants would be assessed against criteria set out in a person specification for the position, and supporting interviews of the shortlisted applicants. The outcome of the public appointment process would be reported to a future meeting of Council for approval.

15. It is important that the Council as the sole shareholder identifies an officer with responsibility for carrying out the Council's role as Shareholder. This role is currently undertaken by the Corporate Director Resources (and Section 151 officer) and it is recommended that this arrangement should continue.

Financial Implications

16. The costs involved in procuring and securing two Independent Non-Executive Directors will need to be found from within the existing budgetary resources allocated to the Council. All remuneration and expenses payable to the Non-Executive Directors once they are in post will be the financial responsibility of Cardiff Bus.

Legal Implications

17. Pursuant to the Articles of Association of Cardiff City Transport Services Limited (Cardiff Bus), the Council may determine the maximum and minimum number of directors to be appointed, subject to the provisions of the Transport 1985 Act.
18. The Transport Act 1985 (section 73) and The Public Transport Companies (Permitted Maximum and Required Minimum Numbers of Directors) Order 1985 No 1901, prescribes:
 - (i) seven as the permitted maximum number of persons '*who are not full-time employees*' of a public transport company who may be directors of such a company; and
 - (ii) three as the required minimum number of directors of the company '*who are full-time employees of the company holding positions of responsibility for the management of the company's business or any part of it*'.
19. Whilst it is noted that the application of Order No 1985 No 1901 has been revoked in respect of England {see the Control of Fuel and Electricity, Local Government and Transport (Revocations and Savings) Order 2013/ 2986 schedule 3}, the Order still applies in Wales.
20. Under the Articles, which uses slightly different language to the legislation, directors are classified as either as Executive or Non-Executive directors. In short:
 - (i) an Executive Director is defined as a director who is a full-time employee of the Company holding a position of responsibility for the management of the Company's business or any part of it; and

- (ii) a Non-Executive Director is defined as a director who is not a full-time employee of the Company holding a position of responsibility for the management of the Company's business or any part of it.

Currently, the Council may appoint one person to be a Non-Executive Director who is neither an elected member nor employee of Cardiff Bus provided that such person has experience of the management of a Company's finances.

- 21. The appointment of any individual to serve on an outside body is a Local Choice function under the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007. The Council has determined that responsibility for this function (save for specified exceptions) shall rest with Full Council.
- 22. The appointment should be based on merit and objective criteria and, within this context, should promote diversity of gender, social and ethnic backgrounds, cognitive and personal strengths

RECOMMENDATIONS

The Council is recommended to:

- (1) approve the reduction, from seven to five, in the number of Non-Executive Director positions allocated for the appointment of Councillors to the Board of Cardiff City Transport Services Limited,
- (2) receive nominations and confirm the appointment of five Councillors to serve as Non-Executive Directors of Cardiff City Transport Services Limited.
- (3) subject to the proposed amendments to the Company's Articles, approve the allocation of two Non-Executive Director positions for the appointment of independent persons to the Board of Cardiff City Transport Services Limited (i.e. who are neither elected members of the Council nor employees of the Council or the Company).
- (4) subject to the proposed amendments to the Company's Articles, approve the appointment of two independent Non-Executive Directors (to be selected as set out in recommendation 5) on an interim basis for a 12-month period.
- (5) subject to the proposed amendments to the Company's Articles, delegate authority to the Corporate Director Resources, in consultation with the Cabinet Member for Finance, Modernisation & Performance, to procure two appropriately qualified individuals to serve as the interim independent Non-Executive Directors.

- (6) subject to the proposed amendments to the Company's Articles, agree to delegate authority to the Director of Governance & Legal and Monitoring Officer to undertake a public appointment process in 2019/20 for the two Independent Non-Executive Director positions and oversee the shortlisting and interview process for the appointments based on the establishment of a politically balanced Member Appointment Panel.
- (7) note that the Corporate Director Resources continues to carry out the Council's role as Shareholder of Cardiff City Transport Services Limited.

PAUL ORDERS
Chief Executive
23 November 2018

The following background papers have been taken into account:

- Cardiff City Transport Services Limited Memorandum and Articles of Association
- UK Code on Corporate Governance (July 2018)

Mae'r dudalen hon yn wag yn fwriadol

CITY & COUNTY OF CARDIFF DINAS A SIR CAERDYDD



COUNCIL:

29 November 2018

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 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 met on 19 November 2018 to consider new applications to current and future vacancies up 31 March 2019. The recommendations of the panel are contained in Appendix 1 to this report.

Reasons for Recommendations

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

Legal Implications

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

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

Financial Implications

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

Recommendation

9. That Council consider the recommendations of the Local Authority Governor Panel of 19 November 2018 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

22 November 2018

The following Appendix is attached:

Appendix 1	List of Local Authority school governor vacancies and recommendations for appointment by the Local Authority Governor Panel for the period 01 December 2018 to 31 March 2019.
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The following Background Documents have been taken into account: N/A

**LA Governor Vacancies - Recommendations from LA Governor Panel
01 December 2018 to 31 March 2019**

Appendix 1

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

Existing LA Governor Vacancies

School	Ward	Start of Vacancy	Applications received
Allensbank Primary School	Gabalfa	12/07/2018	Antony Powell
Creigiau Primary School	Creigiau & St Fagans	17/09/2018	
Eastern High	Trowbridge	24/10/2018	Ruth Morgan
Glan-Yr-Afon Primary School	Llanrumney	28/03/2018	Jean Fudge
Grangetown Nursery School	Grangetown	02/09/2016	
Llanishen High School	Llanishen	27/09/2018	Cllr John Lancaster
Marlborough Primary School	Penylan	01/09/2018	
Meadowlane Primary School x 2 vacancies	Trowbridge	31/01/2018 21/07/2018	
Ninian Park Primary School	Grangetown	06/03/2018	Joseph Edwards
Pen-Y-Bryn Primary School	Llanrumney	29/09/2017	
Pontprennau Primary School x 2 vacancies	Pontprennau & Old St Mellons	31/08/2018 21/09/2018	John Morley Suzannah Edmondson
Radyr Comprehensive School	Radyr & Morganstown	02/10/2018	
Roath Park Primary School	Plasnewdd	03/10/2018	Bethan Proctor
Springwood Primary School	Pentwyn	13/02/2018	Siân Sarwar
St Cuthbert's R.C Primary School	Butetown	08/03/2018	
St Mary's Catholic Primary School	Riverside	01/10/2018	
Trelai Primary School	Caerau	11/09/2018	
Tremorfa Nursery School	Splott	06/02/2018	

School	Ward	Start of Vacancy	Applications received
Willowbrook Primary School x 2 vacancies	Trowbridge	31/01/2018 20/02/2018	
Windsor Clive Primary School x 2 vacancies	Ely	10/01/2018 10/03/2018	
Ysgol Gyfun Gymraeg Bro Eder	Penylan	22/01/2018	Cadan ap Tomos
Ysgol Gyfun Gymraeg Glantaf	Llandaff North	30/06/2018	
Ysgol Gymraeg Bro Eirwg x 2 vacancies	Llanrumney	20/11/2017 23/04/2018	
Ysgol Gymraeg Melin Gruffydd x 3 vacancies	Whitchurch & Tongwynlais	18/02/2017 19/05/2017 27/11/2017	
Ysgol Gymraeg Nant Caerau	Caerau	27/06/2018	
Ysgol Gynradd Gwaelod Y Garth	Pentyrch	02/05/2018	
Ysgol Pen Y Pil	Trowbridge	01/04/2018	

Future LA Governor Vacancies

School	Ward	Start of Vacancy	Re-appointment Requested	New Application Received
Federation of Greenway Primary School & Trowbridge Primary School X 4 vacancies	Rumney & Trowbridge	08/01/18 08/01/18 08/01/18 08/01/18		Sean Colsey Emily Daly Korin Jones Emma Tobutt
Bryn Deri Primary School	Radyr & Morganstown	01/01/19		Angharad Thomas - Richards
Christ The King R.C Primary School	Llanishen	30/01/19	Sara Beal	
Gabalfa Primary School	Llandaff North	27/03/19	Cllr Dilwar Ali	
Grangetown Nursery School	Grangetown	27/03/19	Wendy Thomas	
Grangetown Primary School	Grangetown	30/01/19	Jeff Hobden	

School	Ward	Start of Vacancy	Re-appointment Requested	New Application Received
Herbert Thompson Primary School	Ely	25/03/19	Barbara Cooke	
Kitchener Primary School	Riverside	26/02/19		Gwilym Owen
Lakeside Primary School	Cyncoed	26/02/19		
Moorland Primary School x 2 Vacancies	Splott	19/11/18 30/01/19		
Pen-Y-Bryn Primary School	Llanrumney	27/03/19	Claire Deguara	
St Bernadette's R.C Primary School	Pentwyn	30/01/19		
St Peter's R.C Primary School	Plasnewydd	26/02/19	Julia Houlston Clarke	
The Bishop Of Llandaff C.W High School	Llandaff	28/01/19	Susan Golding	
Ysgol Gynradd Gwaelod Y Garth	Pentyrch	25/01/19	Sara Brown	
Ysgol Gyfun Gymraeg Glantaf	Llandaff North	15/12/18	Hefin Jones	
Ysgol Gyfun Gymraeg Plasmawr	Fairwater	30/01/19		
Ysgol Pen Y Pil	Trowbridge	26/03/19	Sian Poole	

Mae'r dudalen hon yn wag yn fwiadol

CYNGOR CAERDYDD CARDIFF COUNCIL



COUNCIL:

29 NOVEMBER 2018

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 24 May 2018 and Ordinary meeting on 21 June 2018 received nominations and agreed appointments of Members to serve on bodies which are required on an annual basis and other vacancies.

Issues

4. The Council is asked to receive nominations to the vacancies that exist on the bodies set out in **Appendix A**.
5. The Party Group Whips have been advised of the vacancies and nominations received will be detailed on the Amendment Sheet to be circulated at the Council meeting.
6. The appointments are for the duration of the administration unless stated otherwise.

Legal Implications

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

Financial Implications

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

RECOMMENDATION

The Council is requested to receive nominations and approve appointments to outside bodies as listed in Appendix A and as set out on the amendment sheet.

DAVINA FIORE

Director of Governance & Legal Services and Monitoring Officer

22 November 2018

Appendix A – List of Outside Bodies for Council Nominations

Background Papers

Register of Appointments to Outside Bodies

Organisation	Aims of the Organisation	Number of Representatives	Notes
Cardiff & Vale of Glamorgan Community Health Council	<p>The Cardiff & Vale of Glamorgan Community Health Council (CHC) represents the interests of the patients and public of Cardiff and the Vale of Glamorgan in relation to local health services.</p> <p>The 4 statutory duties/functions of the CHC are to:</p> <ol style="list-style-type: none"> 1. Scrutinise the operation of health services in Cardiff & Vale of Glamorgan, to make recommendations for the improvement of that service, and to advise the Cardiff & Vale University Health Board (UHB) upon such matters relating to the operation of the health service. 2. To be consulted by the UHB in respect of health services for which it is responsible. 3. To enter and inspect NHS premises. 4. To provide an independent advocacy service on behalf of the Welsh Ministers for those aged 18 and over. 	3 - representatives	<p>1 vacancy</p> <p><i>(Can be either an Elected Member or an external appointment by the Council).</i></p>
Grassroots(Cardiff) Ltd	<p>Grassroots (Cardiff) Ltd is a registered charity, which aims to meet the needs of young people 16-25 years old by offering</p> <ul style="list-style-type: none"> • Information, advice and support, endeavoring to instill optimism, promote self-awareness and self-worth in young people who often see themselves in a negative light. • Youth activities, training and workshops in a relaxed and friendly atmosphere in Music, Performance, Video & Digital Arts. Young people can gain qualifications or progress to more advanced facilities. • Support and enable young people to take control of their lives and celebrate their achievements. 	1 - representative	<p>1 vacancy</p> <p><i>(to replace Cllr Iona Gordon)</i></p>

Organisation	Aims of the Organisation	Number of Representatives	Notes
Standing Advisory Council for Religious Education (SACRE)	SACRE is a statutory body which meets once a school term to advise the Council on matters concerned with collective worship and the provision of religious education	7 – Members (relevant Cabinet Member)	1 vacancy