

CARDIFF COUNCIL

REGISTER OF CABINET DECISIONS: 21

Decision No.	Minute No.	Decision	Reason	Consultation Undertaken	Dates			Responsibility for implementation after date shown
					Decision Made	Publication	Deadline for call-in	
	Min No 39	<p>Minutes of the Cabinet meeting held on 10 October 2019</p> <p>Approved</p>						
CAB/19-20/24	Min No 40	<p>Right Home, Right Support - A Commissioning Strategy For Accommodation And Support For Children Looked After</p> <p>RESOLVED: that</p> <ol style="list-style-type: none"> the Right Home Right Support Accommodation and Support Commissioning Strategy for Children Looked After (“the Commissioning Strategy”) be approved, and the Market Position Statement be noted and; authority be delegated to the Director of Social Services in consultation with the Cabinet Member 	<p>As a result of increasing pressures on Cardiff Council’s ability to effectively fulfil Corporate parenting responsibilities to provide accommodation and support to children who have entered the care system, it is necessary to develop a strategic approach to commissioning services for Children Looked After.</p> <p>This approach provides data and information on the needs of the</p>	<p>On the 12 November 2019 the draft Commissioning Strategy (Appendix 1) , and Market Position Statement (Appendix 2) was considered by the Children and Young Person Scrutiny Committee.</p>	21 Nov 2019	22 Nov 2019	3 December 2019	Claire Marchant – Director of Social Services

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		for Children and Families, the s151 Officer and the Director of Governance and Legal services to progress all Business Cases and undertake all required steps in order to implement the Commissioning Strategy.	<p>Children Looked After population and identifies the range of accommodation and support required to meet their needs.</p> <p>It also provides a clear strategic vision based on evidence of need and analysis of the priorities for development over the next 3 years it therefore supports the delivery of the Council's Strategy for Children's Services approved in July 2019.</p>					
CAB/19-20/25	Min No 41	<p>Food Strategy</p> <p>RESOLVED: that the Council's strategy and proposed actions for sustainable food in the city be approved.</p>	To approve actions to set a stronger focus for the Councils responsibilities and influence around food, to help improve the health		21 Nov 2019	22 Nov 2019	3 December 2019	Andrew Gregory Director of Planning, Transport & Environment

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			and well-being of our residents, and tackle our Climate Emergency.					
	Min No 42	<p>Treasury Management Mid-Year report <i>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.</i></p> <p>RESOLVED: that Council be recommended to note the Treasury Management Mid-Year Report 2019-20 (Appendix 1)</p>	Council policy requires the Treasury Management Mid-Year Report 2019-20 update to be submitted to Council.		This item is due to be considered by Council and is therefore not subject to call-in			
CAB/19-20/26	Min No 43	<p>Month 6 Monitoring</p> <p><i>Appendix 4 to this report is not for publication as it contains exempt information of the description in</i></p>	To consider the report and the actions therein that form part of the financial monitoring process for 2019/20.		21 Nov 2019	22 Nov 2019	3 December 2019	Chris Lee, Corporate Director Resources

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		<p><i>Paragraphs 14 and 21 of Schedule 12A of the Local Government Act 1972.</i></p> <p>RESOLVED: that</p> <ol style="list-style-type: none"> 1. the potential financial outturn based on the projected position at Month 6 of the financial year be noted 2. the requirement for all directorates currently reporting overspends as identified in this report to put in place action plans to reduce their projected overspends be reinforced 3. the Council's costs of completing the procurement of a preferred developer/operator consortium as well as preparing a full business case for the Indoor Arena to be presented to 						

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		Cabinet for approval in March 2020 be met as set out in confidential Appendix 4						
	Min No 44	<p>Quarter 2 Performance</p> <p>RESOLVED: that the current position regarding performance, the delivery of key commitments and priorities as at Quarter 1, and the action being taken to ensure the effective delivery of Capital Ambition be noted.</p>	To provide Cabinet with an update on the delivery of Capital Ambition as set out in the Corporate Plan, ensure transparency, promote a performance management culture and help identify, where appropriate, improvement actions.		This item is for noting and is therefore not subject to call-in			
CAB/19-20/27	Min No 45	The Renting Homes (Fees etc.) (Wales) Act 2019; implementation arrangements for Cardiff Council and Rent Smart Wales	This report seeks to ensure that appropriate authorisations and delegations are in place for enforcing the provisions of the		21 Nov 2019	22 Nov 2019	3 December 2019	Chris Lee, Corporate Director Resources

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		<p>RESOLVED: that</p> <ol style="list-style-type: none"> 1. the Head of the Shared Regulatory Service be given delegated authority for enforcing the provisions of the Renting Homes (Fees etc.) (Wales) Act 2019 and that the Council's constitution and the Joint Working Agreement be updated accordingly. 2. the Corporate Director Resources be given delegated authority for enforcing the provisions of the Renting Homes (Fees etc.) (Wales) Act 2019 on behalf of Cardiff Council and that the Council's constitution be updated accordingly. 3. Cardiff Council, as the Single Licensing Authority for Wales for the purposes of the Housing 	<p>Renting of Homes (Fees etc.) (Wales) Act 2019 for Cardiff Council and Rent Smart Wales.</p> <p>Sections 17(2) and (3) of the Renting Homes (Fees etc.) (Wales) Act 2019 enable Rent Smart Wales to take the above mentioned enforcement actions but it is necessary for Cardiff Council to delegate responsibility to Rent Smart Wales (Cardiff City Council) to do so on behalf of Cardiff Council and to accept the authorisation from the 21 other local authorities.</p> <p>Enforcement action should be taken in</p>					

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		(Wales) Act 2014 accepts authorisation to exercise any function of the other 21 local authorities for the purposes of the Renting Homes (Fees etc.) (Wales) Act 2019, including (but without limitation) taking enforcement activity and bringing criminal proceedings pursuant to section 19 of that Act.	accordance with the relevant enforcement policies to ensure consistency, proportionality and fairness. There will be a need to make consequential amendments to the Enforcement Polices to reflect this additional responsibility.					
CAB/19-20/28	Min No 46	<p>Risk Based Verification Policy For Housing Benefit And Council Tax Reduction</p> <p><i>Appendices A-C of the report are not for publication as they contain exempt information of the description in paragraphs 14, 18 and 21 of Schedule 12 A of the Local Government Act 1972.</i></p> <p>RESOLVED: that</p>	The Risk Based Verification pilot has demonstrated that evidence requirements for most new claims and change of circumstances can be reduced without any negative impact. This approach reduces the burden of proof for most customers and	The policy was presented to the Community & Adult Services Scrutiny Committee on the 6 th of November.	21 Nov 2019	22 Nov 2019	3 December 2019	Sarah McGill Corporate Director People & Communities

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		<ol style="list-style-type: none"> 1. the policy for Risk Based Verification as attached at Appendix A to the report be approved. 2. the policy take effect from 1st January 2020. 3. Authority be delegated to the Assistant Director of Housing and Communities in consultation with the Cabinet Member for Housing and Communities to review the policy annually and to make changes as necessary. 	<p>ensures that customers receive the help they need at the earliest opportunity.</p> <p>The pilot has also shown that more fraud and error can be detected by the increased verification activity carried out on those claims deemed to be at a higher risk.</p> <p>It is anticipated that the change to a risk based approach to verification will assist the service to make agreed savings in administration costs.</p>					
CAB/19-20/29	Min No 47	Adult Social Services - Cardiff Older Peoples Home Care Fee Setting 2019/20 - 2022/23	The reason for the recommendations is that the current funding situation for		21 Nov 2019	22 Nov 2019	3 December 2019	Claire Marchant – Director of Social

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		<p><i>Appendix C (Legal advice) is exempt from publication pursuant to Paragraph 12.1 of Part 4 of Schedule 12A to the Local Government Act 1972</i></p> <p>Prior to taking the decision below, Cabinet took account of the following factors:</p> <ul style="list-style-type: none"> the available resources that the council has demand and priorities for care home services providers legitimate and future costs more cost effective operating models expected and commissioned services The investment needed here for providers to meet requirements of both commissioners and regulators (Care Inspectorate Wales) the acknowledgement that services must operate 	<p>care homes for older people creates an inequitable market for provision and an 'uneven playing field' in the care home sector. There is concern that this inequity, where some providers receive lower rates than others for providing similar types of care, may lead to financial instability for some providers, and not represent cost effective use of public money in respecting other providers.</p> <p>The high average rates that the Council is unsustainable and far exceeds the annual increase in</p>					Services

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		<p>safely and effectively to promote the welfare of individuals in their care</p> <p>RESOLVED: that</p> <p>1) the judgement on the standard cost of care homes for older people as set out in this report be agreed and that all new care home services for older people will be commissioned at a standard published fee from 1st January 2020 at the rate set out below:</p> <p><u>Category</u> <u>Costs per week</u></p> <ul style="list-style-type: none"> • Older Residential People £708.60 • Dementia Residential £761.19 • Older People Nursing £702.04 • Dementia Nursing £755.79 	<p>the Council's budget.</p> <p>The Cost of Care Exercise provides the Council with a standard cost of care that it had not previously understood and provides a platform for the Council to address the current inequity for providers whilst providing a more financially sustainable approach for the Local Authority.</p>					

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		<p>2) the fee uplifts for 2019-20 backdated to 8th April 2019, as set out below:</p> <ul style="list-style-type: none"> • £40 per week increase for all care home placements below the standard cost of care set out in Recommendation One and • £10 per week increase to all care home placements within £100 of the standard cost • No uplift for those care home packages that are in excess of £100 above the standard cost. <p>3) Subject to available resources, a phased approach to uplifting care packages that fall below the standard price set out in Recommendation One over the next 3 years</p>						

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		<p>(April 2020 until March 2023) be agreed. The incremental rise will need to appropriately take into account standard costs impact from increases in the National Living Wage that will exceed CPI rates, as well as the resources available to the Council.</p> <p>4) authority be delegated for the decision-making for fee uplifts from 2020 onwards to the Director of Social Services, in consultation with the Cabinet Member for Social Care, Health and Well-being, the Council's Section 151 Officer and the Director of Legal and Governance, using the approach set out in Recommendations Two and Three and subject to the availability of the required resources.</p>						

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		<p>5) authority be delegated for all decision making, related to the new approach to securing care home placements for older people, including the methodology for determining quality, to be implemented from 1 April 2020, to the Director of Social Services in consultation with the Cabinet Member for Social Care, Health and Well-being, the Council's Section 151 Officer and the Director of Legal and Governance.</p> <p>6) it be noted that Cabinet will be asked to consider a new Social Services Charging Policy that will be presented in January 2020.</p>						
	Min No 48	Cardiff Local Development Plan Full Review	The Planning and Compulsory Purchase Act 2004		This item is due to be considered by Council and is therefore not subject to call-in			

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		<p>RESOLVED: that Council be recommended to approve the draft Review Report and draft Delivery Agreement for the purposes of consultation and agreed that a further report is taken to Council in Spring 2020 with the findings of the consultation processes and recommendation(s) on the proposed way forward.</p>	<p>and regulation 41 of the Town and Country Planning (Local Development Plan) (Wales) Regulation 2005 requires that a Local Planning Authority must commence a full review of its LDP every 4 years from the date of its initial adoption and that such a review must be preceded by a Review Report. The LDP Manual (2015) also advises that the review process should involve engagement with key stakeholders to assist in clarifying the issues to be considered in the review process.</p>					

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CAB/19-20/30	Min No 49	<p>Local Air Quality Management - Cardiff Council Air Quality Annual Progress Report 2019</p> <p>RESOLVED: that</p> <ol style="list-style-type: none"> the monitored results gathered in 2018 be noted and accepted the 2019 Annual Progress Report (as attached as Appendix 1) be approved for submission to Welsh Government for approval. 	To enable Cardiff Council to submit the Annual Progress Report on Local Air Quality Management to Welsh Government.		21 Nov 2019	22 Nov 2019	3 December 2019	Andrew Gregory, Director of Planning, Transport & Environment
CAB/19-20/31	Min No 50	<p>Cabinet response to the 'Improving Cardiff's Air Quality report published by the Environmental Scrutiny Committee</p> <p>RESOLVED: that the response to Improving Cardiff's Air Quality 'report published by the Environmental Scrutiny</p>	To enable Cabinet to respond to the 'Improving Cardiff's Air Quality report published by the Environmental Scrutiny Committee (ESC) which was received by Cabinet on the 20 th September 2018.		21 Nov 2019	22 Nov 2019	3 December 2019	Andrew Gregory, Director of Planning, Transport & Environment

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		Committee be approved						
CAB/19-20/32	Min No 51	<p>Rights of Way Improvement Plan</p> <p>RESOLVED: that the Rights of Way Improvement Plan (ROWIP) 2020-30 be approved for publication and as the service delivery template to manage and improve Cardiff's Public Right of Way network over the next 10 years.</p>	<p>To provide Cabinet with the understanding of how and why the ROWIP 2020-30 has been produced and describe how it will shape delivery of the PROW service over the next 10 years.</p> <p>In line with a statutory duty under the CROW Act 2000 section 60 (3)-(4) a New Assessment (see section 5 & 12 above) was undertaken with the outcome being the production of a new ROWIP (see point 1 & 2 above).</p>	<p>The ROWIP Officer has attended regular Local Access Forum (LAF) meetings, informing them of progress regarding the ROWIP process. The LAF is a statutory advisory body created under the CROW Act 2000 (s 94-95). This is a group of appointed volunteers with a variety of interests in the PROW network, usually meeting quarterly. A ROWIP Sub-Group (with several members</p>	21 Nov 2019	22 Nov 2019	3 December 2019	Andrew Gregory, Director of Planning, Transport & Environment

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				of the LAF and neighbouring LAs) has been involved regularly. Various stakeholder groups and organisations were engaged during the ROWIP process as consultees, including current Councillors at key stages of the process				
Prepared by Cabinet office:					22 November 2019			
Submitted to Chief Executive for Signature					22 November 2019			

Approved for Publication: *Paul Orders*
Chief Executive

Date: 22 November 2019