

CARDIFF COUNCIL

REGISTER OF CABINET DECISIONS: 15 OCTOBER 2020

Decision No.	Minute No.	Decision	Reason	Consultation Undertaken	Dates			Responsibility for implementation after date shown
					Decision Made	Publication	Deadline for call-in	
	Min No 126	<p>Minutes of the Cabinet Meetings held on 16 July 2020 and 17 September 2020</p> <p>Approved</p>						
CAB/19-20/90	Min No 127	<p>One Planet Cardiff - A response to the Climate Emergency</p> <p>RESOLVED: that</p> <ol style="list-style-type: none"> the objectives set out in the One Planet Cardiff Strategy for Cardiff to become a carbon neutral city by 2030 be approved; a period of public consultation on the strategy be authorised and the One Planet Cardiff Strategy and Action Plan be brought back to Cabinet in due course for approval and implementation. 	To approve the One Planet Cardiff Strategy as a formal response to the Climate Emergency Declaration	A consultation programme, addressing the public, local businesses and organisations, and crucially, the city's youth and future generations has been developed and will go live in October 2020.	15 October 2020	16 October 2020	27 October 2020	Andrew Gregory, Director of Planning, Transport & Environment

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		3. the Chief Executive be authorised, in consultation with the Leader and Cabinet Member (Clean Streets, Recycling and Environment) to consider and report back to Cabinet and/or full Council (as applicable) with any specific proposals or recommendations to embed fully the One Planet approach across council services, governance and procurement processes.						
CAB/19-20/91	Min No 128	<p>Housing Retrofit - Local Authority Flexible for ECO</p> <p>RESOLVED: that</p> <p>1. the Cardiff Council Flexible Eligibility for ECO Statement of Intent be approved, and</p> <p>2. authority be delegated to the Director for Planning,</p>	To enable private sector fuel poor households and those on low incomes and vulnerable to the effects of a cold home to benefit from LA Flex funding.		15 October 2020	16 October 2020	27 October 2020	Andrew Gregory, Director of Planning, Transport & Environment

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		Transport & Environment to a) make arrangements for discharging the functions under the Statement of Intent and authorising officers to sign Declarations and b) in consultation with the Cabinet Member for Clean Streets, Recycling and Environment, make changes to the Statement of Intent as necessary and to carry out the process for implementing such changes.						
CAB/19-20/92	Min No 129	Senior Management Arrangements – Update RESOLVED: that 1. having considered the summary of responses received as part of the consultation process, the	To formally recognise that the proposed new senior management structure has been reviewed following representations made during the consultation period.	Consultation on the proposal was undertaken with employees, Trade Unions, Policy Review & Performance Scrutiny Committee and	15 October 2020	16 October 2020	27 October 2020	Paul Orders, Chief Executive

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		<p>new Tier 1 and Tier 2 Senior Management Team structure as set out in Appendix 2 to the reoprt be approved</p> <p>2. the proposed creation and advertisement of the new posts of Director, Adults, Housing and Communities and Director, Children's Services be referred to Full Council for approval on 22 October 2020; and</p> <p>3. subject to approval for recommendation 2 above by Council, authority be delegated to the Head of Paid Service, in consultation with the Cabinet Member for Finance, Modernisation and Performance, to implement the new Tier 1 and Tier 2 Senior Management Team structure and to allocate</p>	<p>This has resulted in the Chief Executive being able to bring forward final recommendations to the Cabinet on the proposed model, following which a report seeking approval of the proposed creation of the new posts of Director, Adults, Housing and Communities and Director, Children's Services and the external advertisement of the posts will be considered by Full Council on 22 October 2020.</p>	<p>the Council's Social Services Peer Advisor.</p>				

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		managerial resources during the transitional process, as appropriate, in accordance with the principles set out in the report.						
	Min No 130	<p>Securing the Future Sustainability and Viability of Cardiff City Transport Services Limited</p> <p><i>Annexe A and Appendices 1 to 8 to this report are not for publication as they contain exempt information of the description contained in paragraphs 14 (Information relating to the financial or business affairs of any particular person {including the authority holding that information}) and 21 (public interest) of Schedule 12A of the Local Government Act 1972. In all the circumstances of this case it is viewed that the</i></p>	The interventions proposed in this report achieve the key principles of protecting the current and future entitlement of members and of the Cardiff Bus Pension Scheme as well as resolving immediate risks to the viability of the company. The proposal staves off an immediate risk to financial viability arising from the potential risk of winding up of the pension scheme and the Pension Regulator intervention, by	The Policy Review and Performance Scrutiny Committee considered this item and their letter was circulated at the Cabinet meeting	<i>This item is due to be considered by Council and is, therefore, not subject to call-in</i>			

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		<p><i>public interest in maintaining the exemption outweighs the public interest in disclosing the information, as without keeping certain of the information relating to the financial and business affairs exempt, such information may not have been provided to the authority in order to consider matters and or its disclosure could prejudice a party.</i></p> <p><i>Appendix 6 to this report is not for publication as it contains exempt information of the description contained in paragraph 16 (Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) of Schedule 12A of the Local Government Act 1972.</i></p>	<p>allowing the completion of the 31 March 2018 valuation.</p> <p>Financial risk to the Council is mitigated by a back to back agreement with the company to meet all ongoing costs in respect to the pension fund. This includes any future deficit contributions payable to the scheme, administration costs of and any pension levy payable. However, it should be noted that in the event of any future liquidating event of the company, pension liabilities would fall to the Council.</p>					

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		<p>RESOLVED: that Council be recommended to:</p> <p>1. Subject to Cardiff Council and Cardiff City Transport Services Limited concluding the agreements referred to in Recommendation 2:</p> <p>1.1 Agree that Cardiff Council becomes the Statutory and Principal Employer of the Cardiff City Transport Services Limited Pension Scheme.</p> <p>1.2 delegate to the Corporate Director Resources, in consultation with the Cabinet Member (Finance, Modernisation and Performance) authority to enter</p>	<p>The proposal provides a solid base for the company and its stakeholders to take some really difficult but required actions to build a more sustainable financial and operational future and make significant improvements to the vital services people rely on.</p>					

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		<p>into legal agreements with Trustees and Cardiff City Transport Services Limited to become the Statutory and Principal Employer and deal with all ancillary matters relating thereto.</p> <p>1.3 agree that Cardiff Council enter into a 'Flexible Apportionment Arrangement' with the Trustees of the Cardiff City Transport Services Limited Pension Scheme meaning that all future liabilities in respect to pension obligations will fall to Cardiff Council.</p> <p>2. In order to facilitate</p>						

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		<p>entering into a Flexible Apportionment Arrangement, delegate the Corporate Director Resources and Monitoring Officer, in consultation with the Cabinet Member (Finance, Modernisation and Performance) authority to enter into a back-to-back legal agreement with Cardiff City Transport Services Limited to ensure any sums payable by the Council in respect of:</p> <ul style="list-style-type: none"> a. contributions in to the scheme as part of any deficit recovery b. allowance for scheme expenses c. Pension Protection Fund levy and d. any other costs and expenses incurred by the Council in respect to its obligations as Statutory and Principal employer 						

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		<p>are recovered from the Cardiff City Transport Services Limited.</p> <p>3. Delegate to the Corporate Director Resources, in consultation with the Cabinet Member (Finance, Modernisation and Performance) authority to carry out on behalf of Cardiff Council the responsibilities of the Statutory and Principal Employer of the Cardiff City Transport Services Limited Pension scheme.</p> <p>4. a) Subject to completion of the actions set out in recommendations 1 & 2, delegate to the Corporate Director Resources, in consultation with the Cabinet Member</p>						

CARDIFF COUNCIL

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		<p>(Finance, Modernisation and Performance) authority to release up to £7.0 million included in the 2020/21 capital programme with this payment being subject to Cardiff City Transport Services Limited agreeing to carry out the interventions to support viability and strengthen the balance sheet.</p> <p>b) note that any release of funds allocated in future years will be subject to review and included as part of future budget proposals.</p> <p>5. Delegate to the Corporate Director Resources, as Cardiff Council's shareholder representative, authority to approve any request</p>						

CARDIFF COUNCIL

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		<p>by Cardiff City Transport Services Limited to issue additional equity as appropriate.</p> <p>6. Agree that Cardiff Council acquire additional equity issued in Cardiff City Transport Services Limited as part of the implementation of any financial support package approved by the Council.</p> <p>7. Delegate to the Corporate Director Resources, in consultation with the Cabinet Member (Finance, Modernisation and Performance) authority to identify and make necessary improvements to the governance process in respect to Cardiff City Transport Services Limited as outlined in</p>						

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		<p>this report and report back to a future Council meeting on the changes made.</p> <p>8. Delegate to the Corporate Director Resources, authority to explore alternative means of providing financial support to Cardiff City Transport Services Limited that would reduce the requirement for Cardiff Council's allocation included in the indicative Capital Programme and authorise the Corporate Director Resources to conclude any such agreements on behalf of Cardiff Council.</p>						
CAB/19-20/93	Min No 131	<p>Rent Smart Wales Progress and Preparation for Renewal Activities</p> <p>RESOLVED: that</p>	To provide visibility to the work being undertaken by RSW to prepare for renewal activity		15 Oct 2020	16 October 2020	27 October 2020	Chris Lee, Corporate Director Resources

CARDIFF COUNCIL

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		<p>1. the progress made by Rent Smart Wales in delivery of the Housing (Wales) Act 2014 be noted and</p> <p>2. the refinements required to policies and processes specifically relating to registration, licence, compliance and renewal activities be endorsed</p> <p>3. the 'Agent Audit' grading structure set out be approved and authority be delegated to the Corporate Director Resources to revise the grading structure in light of operational experience.</p>	<p>which will commence on 23rd November 2020 and the work being undertaken by the Service to secure improvements in the PRS across Wales, specifically agent audit.</p> <p>To secure Cabinet endorsement for the approach being taken.</p>					
Prepared by Cabinet office:					16 October 2020			
Submitted to Chief Executive for Signature					16 October 2020			

Approved for Publication: *Paul Orders*
Chief Executive

Date: 16 October 2020