

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

The County Council of the City & County of Cardiff met at County Hall, Cardiff on 22 October 2020 to transact the business set out in the Council summons dated Friday, 16 October 2020.

Present: County Councillor (Lord Mayor)

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

### 77 : APOLOGIES FOR ABSENCE

Apologies were received from Councillor Linda Morgan.

### 78 : DECLARATIONS OF INTEREST

Declarations of Interest in accordance with the Members Code of Conduct were received as follows:

COUNCILLOR	ITEM	NATURE OF INTEREST
Cllr Naughton	Item 9	Prejudicial Interest - Family Member is in receipt of a pension from Cardiff Bus.
Cllr Lay	Item 9	Personal Interest - Chair of Cardiff Bus
Cllr Gavin Hill-John	Item 9	Personal Interest - Vice Chair of Cardiff Bus
Cllr Sandrey	Item 9	Prejudicial Interest - Board Member of Cardiff Bus
Cllr Lister	Item 10	Personal Interest - Family Member in receipt of social housing

Cllr Williams	Item 10	Personal Interest - Owner of property in Westgate Street; Director of Cartref Care Homes and Diverse Cymru; Family Members employed by the Council
Cllr Owen Jones	Item 9	Personal Interest - Board Member of Cardiff Bus

79 : MINUTES

The minutes of the meeting held on 24 September 2020 were approved and signed as a correct record.

80 : PETITIONS

Councillor Lisa Ford submitted a petition of over 51 signatures calling on the Council to introduce calming measures in affected areas in Fairwater and Pentreban. The petition will be noted and forwarded to the Cabinet Member for a written response.

81 : PUBLIC QUESTIONS

No public questions were received.

82 : LORD MAYOR'S ANNOUNCEMENTS

The Lord Mayor recognised in the Queen's Birthday Honours list; Cardiff citizens who had received. 5 BEMs, 5 MBEs and 3 OBEs.

The Lord Mayor referred to the recently launch of a targeted, city-wide digital media campaign to promote the extension of the Senedd franchise to 16 and 17-year-olds and eligible foreign citizens living in Wales and to raise awareness of the need to register to vote.

The changes also allow young people from the age of 14 to register to vote. Over coming months, the campaign will seek to engage with schools and community groups to ensure the newly enfranchised audience is aware of the changes. Members were asked to promote the changes in their own community, as well as the general message of registering to the wider electorate.

83 : COMPLIANCE REPORTS 2020/2021

The Cabinet Member for Finance, Modernisation and Performance, Councillor Weaver proposed the various reports.

The Statement of Accounts for 2019/20 were presented in order to meet the requirement of the Accounts and Audit (Wales) Regulations 2014 (as amended). The International Standard on Auditing (ISA) required the Appointed Auditor to report  
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those charged with governance, on the key matters arising from the audit examination of the Statement of Accounts for the year ending 31 March 2020. In accordance with the Council's Treasury Management Policy Statement, the Annual Treasury Management Report for 2019/20 was presented based on the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice.

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

The Lord Mayor invited debate on the report.

The Cabinet Member for Finance, Modernisation and Performance, Councillor Weaver responded to matters raised in the debate.

The report was CARRIED:

RESOLVED:

The Council AGREED to:

1. Approve the audited Statement of Accounts 2019/20 – County Council of the City and County of Cardiff as well as Cardiff Harbour Authority (Appendix 1).
2. Approve the audited Statement of Accounts 2019/20 – Cardiff and Vale of Glamorgan Pension Fund (Appendix 2).
3. Approve the Annual Governance Statement 2019/20 (Appendix 3)
4. Note the Audit of Accounts Reports (ISA 260) from Audit Wales on the Statement of Accounts of County Council of the City and County of Cardiff, Cardiff Harbour Authority and Cardiff and Vale of Glamorgan Pension Fund, for the year ending 31 March 2020 (Appendices 5, 6, and 7).
5. Note the Cardiff Port Health Authority Annual Return 2019/20 (Appendix 8)
6. Note the final Letters of Representation for the County Council of the City and County of Cardiff, Cardiff Harbour Authority and Cardiff and Vale of Glamorgan Pension Fund.
7. Note that the following documents will be signed following the conclusion of the meeting:
  - Statement of Accounts for County Council of the City and County of Cardiff – Lord Mayor and Corporate Director Resources
  - Statement of Accounts for Cardiff and Vale of Glamorgan Pension Fund – Lord Mayor and Corporate Director Resources
  - Statement of Accounts for Cardiff Harbour Authority – Corporate Director Resources
  - Annual Return of Cardiff Port Health Authority – Lord Mayor and Corporate Director Resources

- Annual Governance Statement – Leader of the Council and Chief Executive
- Audit Certificate for the County Council of the City and County of Cardiff, Cardiff and Vale of Glamorgan Pension Fund and Cardiff Harbour Authority – Appointed Auditor, Audit Wales. To be signed at a later date
- Letter of Representation for the County Council of the City and County of Cardiff - Lord Mayor and Corporate Director Resources
- Letter of Representation for Cardiff and Vale of Glamorgan Pension Fund – Lord Mayor and Corporate Director Resources
- Letter of Representation for Cardiff Harbour Authority – Lord Mayor and Corporate Director Resources.

8. Note the Treasury Management Annual Report for 2019/20 (Appendix 9).

#### 84 : LICENSING REVIEW OF STATEMENT OF LICENSING POLICY

The Chairperson of the Licensing Committee, Councillor Mackie proposed the report.

Council was asked to formally authorise the publication of, and use of the Council's Statement of Licensing Policy (SLP) and Cumulative Impact Assessment (CIA) which had been reviewed and updated in accordance with the statutory requirements of the Licensing Act 2003, following the commencement of the Policing and Crime Act 2017.

The Cabinet Member for Clean Streets, Recycling and Environment and Chairperson of Regulatory Services, Councillor Michael Michael seconded the report.

The Lord Mayor invited debate on the report.

The Chairperson of the Licensing Committee, Councillor Mackie responded to matters raised during the debate.

The report was carried:

RESOLVED:

The Council AGREED:

- 1) To approve the decision taken by the Licensing Committee at its meeting of 10 September 2020 to adopt and publish the Statement of Licensing Policy and Cumulative Impact Assessment for use with effect from 1 December 2020.
- 2) Authorised the Head of Shared Regulatory Services to make administrative amendments to the documents should the need arise.

85 : CARDIFF CITY TRANSPORT SERVICES LIMITED (TRADING AS CARDIFF BUS)

The Cabinet Member for Finance, Modernisation and Performance, Councillor Weaver proposed the report.

This report set out the Council's proposal, as shareholder, to invest in the future of Cardiff City Transport Services Limited (trading as Cardiff Bus) and to secure the continuity of bus service provision in the city. It highlighted a range of measures to address the difficulties faced by Cardiff Bus and the Trustees of its pension scheme to agree, in accordance with Pension Legislation, the Triennial valuation of the pension scheme at 31 March 2018

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

The Lord Mayor initially invited public debate on the report. Thereafter it was RESOLVED to exclude the public pursuant to Section 100A (4) of the Local Government Act 1972 as appendices 1 – 8 and 10 of the report contain exempt information of the description contained in paragraphs 6, 14 and 21 of Parts 4 & 5 of Schedule 12A of the Local Government Act 1972.

The Cabinet Member for Finance, Modernisation and Performance, Councillor Weaver responded to matters raised in the debate.

The report was carried:

RESOLVED:

The Council AGREED to:

1. Subject to Cardiff Council and Cardiff City Transport Services Limited concluding the agreements referred to in Recommendation 2:
    - 1.1 Agree that Cardiff Council becomes the Statutory and Principal Employer of the Cardiff City Transport Services Limited Pension Scheme.
    - 1.2 delegate to the Corporate Director Resources, in consultation with the Cabinet Member (Finance, Modernisation and Performance) authority to enter 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.
    - 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.
  2. In order to facilitate entering into a Flexible Apportionment Arrangement, delegate the Corporate Director Resources and Monitoring Officer, in consultation with the Cabinet Member (Finance, Modernisation and
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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:

- 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 are recovered from the Cardiff City Transport Services Limited.
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.
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 (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.
  - b) note that any release of funds allocated in future years will be subject to review and included as part of future budget proposals.
5. Delegate to the Corporate Director Resources, as Cardiff Council's shareholder representative, authority to approve any request by Cardiff City Transport Services Limited to issue additional equity as appropriate.
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.
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 this report and report back to a future Council meeting on the changes made.
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.

## 86 : CABINET MEMBER STATEMENTS

Council received Cabinet Member Statements.

The Leader of the Council, Councillor Huw Thomas provided Council with an update on the current situation in Cardiff relating to COVID-19.

### Leader Statement

The Leader responded to questions in relation to:

- Welsh Government Firebreak
- The “R” number in Cardiff
- Corporate Plans
- Western Gateway

### Cabinet Member, Strategic Planning & Transport

The Cabinet Member responded to questions in relation to:

- School Street Scene initiative, 20mph zones outside schools;
- Current position with Castle Street
- Active Travel Cycleways
- Air Quality

### Cabinet Member, Culture & Leisure

The Cabinet Member responded to questions in relation to:

- Thanks to staff at Channel View Leisure Centre

### Cabinet Member, Finance Modernisation & Performance

- No questions received.

### Cabinet Member, Housing & Communities

The Cabinet Member responded to questions in relation to:

- Welsh Government Guidance on Homelessness
- Housing construction methods when dealing with a Climate Emergency
- Housing development programme in Llandaff North

### Cabinet Member, Clean Streets, Recycling & Environment

The Cabinet Member responded to questions in relation to:

- 1 Planet Strategy, charging points for electric vehicles
- Winter Garden waste, use of Household Recycling Centres
- Leaf fall in Pontcanna
- Provision of veterinary service at Cardiff Dogs Home

### Cabinet Member, Children & Families

The Cabinet Member responded to questions in relation to:

- Cardiff Parenting Services

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

The Cabinet Member responded to questions in relation to:

- First Point of Contact.
- Social Isolation, what steps were taken to meet additional pressures.

[Deputy Leader, Education, Employment & Skills](#)

The Cabinet Member responded to questions in relation to:

- COVID-19 cases in schools
- Data in relation to attendance figures at schools
- Welsh Government proposals for Free School Meals

[Cabinet Member, Investment & Development](#)

The Cabinet Member responded to questions in relation to:

- How the Council was supporting the Hospitality Sector during the pandemic
- The merits of building an Arena in Cardiff Bay

87 : NOTICE OF MOTION

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

The motion was deferred to this meeting of the Council to enable written legal and financial advice to be provided to Members before the motion was debated.

The legal and financial advice was attached at Agenda Item 11.

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

“The Covid-19 pandemic has shown how reliant we are on each other to get ahead, and what we can achieve when we work together. It has shown that we are all stronger when our public services are strongest.

It has also demonstrated the importance of recognising that there is no going back to the way things were. We are entering a critical moment; we have one chance to deliver meaningful change for the greatest number of people in our city and on our shared ambition for Cardiff.

However, we must do this with the residents of Cardiff, and not to them. All too often, in the rush to get things done since March, things aren't being done right, and residents as well as ward members are being informed rather than consulted about changes.

Whether we agree with the aims and objectives of proposed changes or not, it cannot be right that change is implemented in such a top-down manner, which risks stoking the potential for backlash from those who feel ignored and resentful, ultimately setting the city backwards on public engagement and progressive solutions to the city's pre-Covid 19 problems.

Citizens Assemblies are a body of citizens brought together to deliberate on issues of importance, they employ a cross section of the public to study options and propose answers through rational and reasonable discussion and through inquiry of experts,

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and they aim to reinstall trust in the political process by taking direct ownership of decision making.

Citizens Assemblies are representative and inclusive, allow for increased cognitive diversity, breach the border of direct democracy and allow for deliberation”

This Council calls for:

“The creation of a Citizens Assembly to deliberate and provide real time feedback on the Cardiff Restart, Recover and Renew strategy in order that the proposed changes that will affect people in and around Cardiff are taken by a more representative and diverse cross section of the public, in the hope that we can reinstall trust in our political process through shared ownership of decision making, and take as many residents with us as possible as we move out of lock down, while still living under the constraints of a worldwide pandemic”

The motion was seconded by Councillor Rhys Taylor

The Lord Mayor invited debate.

The Lord Mayor invited Councillor Sandrey to respond to items raised during the debate.

The Lord Mayor moved to the vote on the Motion.

The Motion was LOST

88 : URGENT BUSINESS

No urgent business was received.

89 : SCRUTINY COMMITTEE'S ANNUAL REPORTS

The Scrutiny Committees' Annual Reports were noted.

90 : AUDIT COMMITTEE ANNUAL REPORT 2019/2020

The Audit Committee Annual Report was noted.

91 : SENIOR MANAGEMENT ARRANGEMENTS

Council was asked to approve the creation and public advertisement of the two new posts of Director, Adults, Housing and Communities and Director, Children's Services, on the basis of terms and conditions at a Director level, which form part of the new senior management structure that was agreed by the Cabinet on 15 October 2020.

RESOLVED:

Council AGREED to:

1. approve the creation and public advertisement of the new post of Director, Adults, Housing and Communities on the basis of the terms & conditions of a Director level post;
2. approve the creation and public advertisement of the new post of Director, Children's Services on the basis of the terms & conditions of a Director level post; and
3. note that responsibility for the appointment of a suitable candidate to the new posts identified above is delegated to the Appointments Committee.

92 : OFFICER DECISION - SMT

Noted

93 : COMMITTEE MEMBERSHIP

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

RESOLVED:

Council AGREED to:

Appoint to the vacancies on Committee's in accordance with the approved allocation of seats and Party Group Wishes, as set out on the Amendment Sheet.

94 : APPOINTMENT OF LOCAL AUTHORITY GOVERNORS

To appoint Local Authority School Governors to fill vacancies.

RESOLVED:

Council AGREED to:

That, in accordance with the recommendations of the Local Authority Governor Panel, the Council approves the new appointments of Local Authority governors to the school governing bodies as set out in the Council Amendment Sheet, each for a term of 4 years from the date of the appointment.

95 : WRITTEN QUESTIONS

In accordance with Council Procedure Rule 17 (f) [Written Questions](#) received for consideration and the response will be included as a record in the minutes of the meeting.