

CABINET: THURSDAY, 18 MARCH 2021 at 9.30 AM

A Cabinet Meeting will be held remotely on Thursday 18 March 2021 at 9.30 am

A G E N D A

- 1 Minutes of the Cabinet meeting held on 24 February 2021 (*Pages 3 - 12*)

Scrutiny Matters

- 2 To receive the report of the Community & Adult Service Scrutiny Committee entitled 'Closer to Home Project: Out of County Placements for Adults with a Learning Disability' (*Pages 13 - 122*)

Children & Families and Education, Employment & Skills

- 3 Corporate Parenting Strategy (*Pages 123 - 160*)

Clean Streets, Recycling & Environment

- 4 Replacement of the Recycling and Refuse Collection Fleet (*Pages 161 - 168*)
- 5 Contract and lease for green electricity generation from landfill gas and landfill gas management at Lamby Way (*Pages 169 - 184*)

Culture & Leisure

- 6 Review of Leisure Contract with Greenwich Leisure Ltd (GLL) (*Pages 185 - 328*)

Education, Employment & Skills

- 7 School Admission Arrangements 2022/23 (*Pages 329 - 388*)

Finance, Modernisation & Performance

- 8 Authorisation and Protocol Requirements for Review of Work Activities (*Pages 389 - 408*)
- 9 Annual Complaints report (*Pages 409 - 440*)
- 10 Pay Policy (*Pages 441 - 468*)

Housing & Communities

- 11 Housing Revenue Account Business Plan (*Pages 469 - 572*)
- 12 Acquisition Of New Build Housing Through A Package Deal Arrangement On Land At Wyndham Crescent, Cardiff (*Pages 573 - 598*)

Investment & Development

- 13 Velodrome & International Sports Village Development Strategy (*Pages 599 - 662*)

Strategic Planning & Transport

- 14 Cardiff Replacement Local Development Plan Review Report and Delivery Agreement (*Pages 663 - 768*)

PAUL ORDERS

Chief Executive

12 March 2021

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

**CARDIFF COUNCIL
CYNGOR CAERDYDD**



MINUTES

CABINET MEETING: 25 FEBRUARY 2021

Cabinet Members Present: Councillor Huw Thomas (Leader)
Councillor Peter Bradbury
Councillor Susan Elsmore
Councillor Russell Goodway
Councillor Graham Hinchey
Councillor Sarah Merry
Councillor Michael Michael
Councillor Lynda Thorne
Councillor Chris Weaver
Councillor Caro Wild

Observers: Councillor Keith Parry
Councillor Adrian Robson
Councillor Rhys Taylor (min 21-28)
Councillor Emma Sandrey (min 29-30)

Also:

Officers: Paul Orders, Chief Executive
Christine Lee, Section 151 Officer
Sarah McGill, Corporate Director
Davina Fiore, Monitoring Officer
Joanne Watkins, Cabinet Office

21 MINUTES OF THE CABINET MEETING HELD ON 21 JANUARY 2021

RESOLVED: that the minutes of the Cabinet meeting held on 21 January 2021 be approved

22 CORPORATE PLAN 2021-2024

The Cabinet considered the Corporate Plan for 2021-24, noting that it had been developed at a time of unprecedented challenge and uncertainty due to the COVID-19 pandemic and that the pandemic would continue to present challenges for services for the coming year. This was reflected in a new well-being objective on 'Managing the Pandemic' and throughout the plan with the overriding aim of the plan to lead the recovery in the city's economy and public services.

RESOLVED: that

1. the Corporate Plan 2021-24 be approved for consideration by Council on 4 March 2021;
2. authority be delegated to the Chief Executive, in consultation with the Leader of the Council, to make any consequential amendments to the Corporate Plan 2021-24 (Appendix A) following consideration by the Council's Performance Panel on 18 February 2021 and the Council's scrutiny committees during the week commencing 22 February 2021, prior to consideration by Council on 4 March.
3. Council be recommended to delegate authority to the Chief Executive, in consultation with the Leader of the Council, to make any consequential amendments to the Corporate Plan 2021-24 (Appendix A) following consideration by the Council on 4 March 2021 and prior to publication by 1 April 2021.

23 **THE COUNCIL'S PANDEMIC RESPONSE: IMMEDIATE ISSUES AND ACTIONS**

A report addressing some of the immediate issues raised by the COVID 19 pandemic was received. The report signalled that a longer term programme of 'city renewal' would be forthcoming but resources need to be allocated within the immediate term to support the vaccination programme and the Test, Trace, Protect programme. Approval was also sought for the Council's involvement in the Kick-Start scheme to help business and young people impacted by the pandemic.

RESOLVED: that the Chief Executive in consultation with the Leader, the Cabinet Member with responsibility for Finance, Modernisation and Performance, and the Section 151 Officer be authorised to:

- Allocate resources, within the budgetary framework, to support the Council's continued response to the pandemic and economic crisis, including the provision of staff and buildings to support the ongoing vaccination programme;
- Formalise arrangements with the Welsh Government for the National Surge TTP service to be hosted by Cardiff Council;
- Approve the Council's involvement in the UK Government Kick-Start scheme.

24 **WELSH LANGUAGE SKILLS STRATEGY.**

The Cabinet received the Welsh Language Skills strategy which would replace the version agreed in 2014. The strategy was intended to support the implementation of the Welsh Language Standards and would help co-ordinate the Council's training and recruitment activities to ensure that the people of

Cardiff have equal access to services whether they choose to deal with the Council in English or in Welsh.

RESOLVED: that the Welsh Language Skills Strategy be approved

25 **21ST CENTURY SCHOOLS BAND B: REPLACEMENT WILLOWS HIGH SCHOOL**

Appendices 6, 7, 8 & 9 to this report are not for publication as they contain exempt information of the description contained in paragraph 14 of Part 4 and paragraph 21 of Part 5 of Schedule 12A to the Local Government Act 1972.

A report seeking approval to acquire freehold interests in land at Lewis Road Splott to enable the delivery of a replacement Willows High school was received. The rebuild and relocation of Willows High School to Lewis Road would provide considerably improved facilities and exciting opportunities to build links with local businesses and sports facilities. Once the question of land was completed a non-statutory public consultation on the relocation of Willows High School would commence.

RESOLVED: that

1. the freehold interests for the land at Lewis Road, Splott be acquired in line with Heads of Terms and an independent valuation, subject to Ministerial approval of the Welsh Government Business Justification Case.
2. Authority be delegated to the Director of Economic Development (in consultation with Director of Education) for all matters relating to the acquisition of land.
3. It be noted that officers will bring forward a report advising Cabinet of responses received following a public engagement exercise.

26 **BUDGET MONITORING - MONTH 9 REPORT 2020-21**

Cabinet received a report outlining the details of the financial monitoring position for the authority as projected at the end of December 2020, compared with the budget approved by Council on 27th February 2020. The report also included the financial impact arising from the ongoing response to the COVID-19 crisis and reflected some recent changes to the Council's management structure.

RESOLVED: that

1. the COVID-19 financial impact at Month 9 and the ongoing response to the emerging financial position be noted
2. the projected revenue financial outturn based on the projected position at Month 9 of the financial year be noted

3. the capital spend and projected position at Month 9 of the financial year be noted
4. the requirement for all directorates currently reporting overspends, as identified in this report, to deliver against action plans to reduce their projected overspends be noted

27 **BUDGET 2021/22**

Appendix 3 (c) and Appendix 13 are exempt from publication because they contain information of the kind described in paragraphs 14 and 21 of parts 4 and 5 of Schedule 12A to the Local Government Act 1972.

The Cabinet considered the Budget report for 2021/22. The Budget had been developed to be consistent with the Council's priorities as set out in Capital Ambition and the Corporate Plan. The report outlined the impact, risks and relevant mitigating measures for the Council's financial position in relation to the ongoing COVID 19 pandemic and the BREXIT arrangements. It outlined the administration proposals for revenue savings and expenditure and the Capital programme for 2021/22. It was reported that key stakeholder and public consultation had been undertaken on the proposals contained within the report.

RESOLVED: that

- A) having taken account of the comments of the Section 151 Officer in respect of the robustness of the budget and the adequacy of the reserves as required under Section 25 of the Local Government Act 2003, and having considered the responses to the Budget Consultation agree that
 1. the changes to fees and charges as set out in Appendix 3 (a) and 3 (c) to this report be approved
 2. authority be delegated to the appropriate Director in consultation with the appropriate Cabinet Member, the Section 151 Officer and the Cabinet Member for Finance, Modernisation & Performance, to amend or introduce new fees and charges during the year, subject if necessary (having regard to the proposed change), to an Equality Impact Assessment and public consultation being undertaken and the results thereof being duly considered before the delegated authority is exercised.
 3. the rents of all Housing Revenue Account dwellings (including hostels and garages) be increased by 1.5% having taking into account WG guidance.
 4. all service charges and the management fee for leaseholders as set out in Appendix 3 (b) be approved
 5. all Housing Revenue Account rent increases take effect from 5 April 2021.

6. the financial challenges facing the Council as set out in the Medium Term Financial Plan be recognised and the opportunities for savings over the medium term be noted

7. in the event that final settlement differs from Provisional Settlement (as set out in paragraph 30 of the report), there will be a proportionate adjustment to or from earmarked reserves, and that the Section 151 Officer be authorised to prepare an addendum to the 2021/22 Budget to reflect the requisite changes.

B) having taken account of the comments of the Section 151 Officer in respect of the robustness of the budget and the adequacy of the reserves as required under Section 25 of the Local Government Act 2003, and having considered the responses to the Budget Consultation Council be recommended to

1.0 Approve the Revenue, Capital and Housing Revenue Account budgets including all proposals and increasing the Council Tax by 3.5% as set out in this report and that the Council resolve the following terms.

2.0 Note that at its meeting on 17 December 2020 Cabinet calculated the following amounts for the year 2021/22 in accordance with the regulations made under Section 33(5) of the Local Government Finance Act 1992:-

a) 147,794 being the amount calculated in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) (Wales) Regulations 1995, as amended, as its Council Tax base for the year.

b) Lisvane	2,513
Pentyrch	3,369
Radyr	3,847
St. Fagans	1,746
Old St. Mellons	2,192
Tongwynlais	822

being the amounts calculated in accordance with Regulation 6 of the Regulations as the amounts of its Council Tax base for the year for dwellings in those parts of its area to which special items relate.

2.1 Agree that the following amounts be now calculated by the County Council of the City and County of Cardiff for the year 2021/22 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-

a) Aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (d) (including Community Council precepts totalling £457,978). £1,112,538,978

b) Aggregate of the amounts which the Council estimates for items set out in Section 32(3)(a) and (c).

£430,979,000

c) Amount by which the aggregate at 2.1(a) above exceeds the aggregate at 2.1(b) above calculated in accordance with Section 32(4) as the budget requirement for the year. £681,559,978

d) Aggregate of the sums which the Council estimates will be payable for the year into its Council Fund in respect of Revenue Support Grant, its council tax reduction scheme, redistributed Non-Domestic Rates. £487,912,796

e) The amount at 2.1(c) above less the amount at 2.1(d) (net of the amount for discretionary relief of £400,000), all divided by the amount at 2.0(a) above, calculated in accordance with Section 33(1) as the basic amount of Council Tax for the year. £1,312.96

f) Aggregate amount of all special items referred to in Section 34(1). £457,978

g) Amount at 2.1(e) above less the result given by dividing the amount at 2.1(f) above by the amount at 2.0(a) above, in accordance with Section 34(2) of the Act, as the basic amount of Council Tax for the year for dwellings in those parts of the area to which no special items relate. £1,309.86

h) The amounts given by adding to the amount at 2.1(g) above the amounts of special items relating to dwellings in those parts of the Council's area mentioned below, divided in each case by the amount at 2.0(b) above, calculated in accordance with Section 34(3) as the basic amounts of Council Tax for the year for dwellings in those parts of the area to which special items relate.

	£
Lisvane	1,330.15
Pentyrch	1,361.80
Radyr	1,342.73
St. Fagans	1,329.18
Old St. Mellons	1,332.12
Tongwynlais	1,337.84

i) The amounts given by multiplying the amounts at 2.1(g) and 2.1(h) above by the number which in the proportion set out in the Council Tax (Valuation Bands) (Wales) Order 2003 is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D calculated in accordance with Section 36(1) of the Act as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

	A	B	C	D	E	F	G	H	I
	£	£	£	£	£	£	£	£	£
Area									
Lisvane	886.77	1,034.56	1,182.36	1,330.15	1,625.74	1,921.33	2,216.92	2,660.30	3,103.68
Pentyrch	907.87	1,059.18	1,210.49	1,361.80	1,664.42	1,967.04	2,269.67	2,723.60	3,177.53
Radyr	895.15	1,044.35	1,193.54	1,342.73	1,641.11	1,939.50	2,237.88	2,685.46	3,133.04
St. Fagans	886.12	1,033.81	1,181.49	1,329.18	1,624.55	1,919.93	2,215.30	2,658.36	3,101.42
Old St. Mellons	888.08	1,036.09	1,184.11	1,332.12	1,628.15	1,924.17	2,220.20	2,664.24	3,108.28
Tongwynlais	891.89	1,040.54	1,189.19	1,337.84	1,635.14	1,932.44	2,229.73	2,675.68	3,121.63
All other parts of the Council's Area	873.24	1,018.78	1,164.32	1,309.86	1,600.94	1,892.02	2,183.10	2,619.72	3,056.34

2.2 Note that for the year 2021/22, the Police and Crime Commissioner for South Wales has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwelling shown below:-

VALUATION BANDS

A	B	C	D	E	F	G	H	I
£	£	£	£	£	£	£	£	£
191.81	223.78	255.75	287.72	351.66	415.60	479.53	575.44	671.35

2.3 Having calculated the aggregate in each case of the amounts at 2.1(i) and 2.2 above, the County Council of the City and County of Cardiff in accordance with Section 30(2) of the Local Government Finance Act 1992 hereby sets the following amounts as the amounts of Council Tax for the year 2021/22 for each of the categories of dwellings shown below:-

Part of Council's Area VALUATION BANDS

	A	B	C	D	E	F	G	H	I
	£	£	£	£	£	£	£	£	£
Area									
Lisvane	1,078.58	1,258.34	1,438.11	1,617.87	1,977.40	2,336.93	2,696.45	3,235.74	3,775.03
Pentyrch	1,099.68	1,282.96	1,466.24	1,649.52	2,016.08	2,382.64	2,749.20	3,299.04	3,848.88
Radyr	1,086.96	1,268.13	1,449.29	1,630.45	1,992.77	2,355.10	2,717.41	3,260.90	3,804.39
St. Fagans	1,077.9	1,257.5	1,437.2	1,616.9	1,976.2	2,335.5	2,694.8	3,233.8	3,772.7

	3	9	4	0	1	3	3	0	7
Old St. Mellons	1,079.8	1,259.8	1,439.8	1,619.8	1,979.8	2,339.7	2,699.7	3,239.6	3,779.6
	9	7	6	4	1	7	3	8	3
Tongwynlais	1,083.7	1,264.3	1,444.9	1,625.5	1,986.8	2,348.0	2,709.2	3,251.1	3,792.9
	0	2	4	6	0	4	6	2	8
All other parts of the Council's Area	1,065.0	1,242.5	1,420.0	1,597.5	1,952.6	2,307.6	2,662.6	3,195.1	3,727.6
	5	6	7	8	0	2	3	6	9

2.4 Authorise the Corporate Director Resources to make payments under Section 38 of the Local Government (Wales) Act 1994 from the Council Fund by equal instalments on the last working day of each month from April 2021 to March 2022 in respect of the precept levied by the Police and Crime Commissioner for South Wales in the sum of £42,523,290.

2.5 Agree that the Common Seal be affixed to the said Council Tax.

2.6 Agree that the Common Seal be affixed to precepts for Port Health Expenses for the period 1 April 2021 to 31 March 2022 namely

	£
County Council of the City and County of Cardiff	113,768
Vale of Glamorgan County Borough Council	12,832

2.7 Agree that notices of the making of the said Council Taxes signed by the Chief Executive be given by advertisement in the local press under Section 38(2) of the Local Government Finance Act 1992.

3.0 In accordance with the Local Government Act 2003, the Local Authority (Capital Finance and Accounting) (Wales) Regulations 2003 and subsequent amendments and the CIPFA Prudential Code and Treasury Management Codes of Practice:

- (a) Approve the Capital Strategy 2021/22.
- (b) Approve the Treasury Management Strategy 2021/22 and authorise the Section 151 Officer to raise such funds as may be required to finance capital expenditure by temporary or long-term borrowing.
- (c) Approve the Prudential Indicators for 2021/22 – 2025/26 including the affordable borrowing limit.
- (d) Delegate to the Section 151 Officer the ability to effect movement between the limits for borrowing and long-term liabilities, within the limit for any year, and to bring forward or delay schemes in the Capital Programme.
- (e) Approve the Minimum Revenue Provision Policy for 2021/22

4.0 Subject to Council approving the Capital budget and further to the decision of Council in October 2020, headed "Securing the Future Sustainability and Viability of Cardiff City Transport Services limited", authorise the issue and acquisition of additional equity in Cardiff City Transport Services Limited to allow the release of £6.6 million included in the 2021/22 capital programme with this payment being subject to Cardiff City Transport Services Limited agreeing to use the same solely to carry out interventions to support viability and strengthen the balance sheet through fleet acquisition.

5.0 To approve the Budgetary Framework outlined in this report.

6.0 To maintain the current Council Tax Reduction Scheme as set out in this report.

28 **COMMISSIONING OF THE REPLACEMENT BUILDING MAINTENANCE FRAMEWORK AND DISABLED ADAPTATIONS FRAMEWORK**

A report outlining a commissioning strategy and procurement models and arrangements for Building Maintenance and Disabled adaptations in relation to domestic properties was received.

RESOLVED: that

1. the commissioning strategy and proposed procurement models and arrangements for Domestic Housing Repairs & Maintenance and Disabled Adaptations be approved
2. authority be delegated to the Director, Adults, Housing and Communities, in consultation with the Cabinet Member for Housing and Communities and the Corporate Director, Resources and County Solicitor, to deal with all aspects of the procurement relating to Building Maintenance and Disabled Adaptations, including further development and setting of the contract evaluation criteria and the award of contracts.

29 **HOMELESSNESS - UPDATE ON PROGRESS AND FURTHER PROPOSALS FOR MEETING THE NEEDS OF SINGLE HOMELESS PEOPLE**

Appendices 1, 2, 3 & 4 are not for publication as they contain exempt information of the description contained in paragraphs 14 and 21) of Schedule 12A of the Local Government Act 1972

The Cabinet received a report outlining the progress on delivering the future model for homelessness services and containing proposals to purchase the YHA hotel to ensure continuity of accommodation and support for single homeless people. Cabinet were advised that Cardiff had been successful in achieving Welsh Government grant funding for homelessness schemes and that the assessment centre was progressing and was expected to be complete by the end of February 2021.

It was reported that the homeless hostel developed within the YHA hotel during the COVID 19 pandemic had proved successful and it was proposed that the Council should purchase the building for ongoing use as a hostel.

RESOLVED: that

1. the update on the progress with delivering the new homeless accommodation and support services be noted
2. the purchase of the YHA hotel for use as homeless accommodation be agreed
3. responsibility be delegated to the Director Adults, Housing and Communities to take forward all aspects of the purchase of the YHA building.

30 **WELSH GOVERNMENT CONSULTATION ON 'LLWYBR NEWYDD - A NEW WALES TRANSPORT STRATEGY'**

The Cabinet considered the response to the Welsh Government consultation on 'Llwybr Newydd – A New Wales Transport Strategy'. The response had been developed within the context of the Council's transport vision as set out in the Transport White paper and the goals of One Planet Cardiff.

RESOLVED: that the response by Cardiff Council to the Welsh Government consultation on 'Llwybr Newydd – A New Wales Transport Strategy' be approved



**An Inquiry Report of the:
Community & Adult Services Scrutiny Committee**

**‘Closer to Home’ Project: Out of
County Placements for Adults
with a Learning Disability**

Feb 2021



Cardiff Council

CONTENTS

CONTENTS	2
CHAIR’S FOREWORD.....	4
CONTEXT.....	7
DEFINITIONS.....	11
KEY FINDINGS.....	14
Context	14
Strategies and Legislation.....	16
Funding.....	19
Finance	20
The Transitioning Pathway.....	21
Benefits of Out of County Placements	22
Transitioning from an of out of county provision.....	24
Lifelong Learning.....	27
Perception of Local Provisions	28
The Capturing of Data.....	28
Monitoring & Review	30
Gaps in Local Provision	30
RECOMMENDATIONS	32
Context	32
Communication.....	33
Strategies and Legislation.....	34
Finance	35
The Transitioning Pathway.....	36
Transitioning from an of out of county provision.....	37
The Capturing of Data.....	39
Gaps in Local Provision	39
Monitoring & Review	40
EVIDENCE	41
POLICY CONTEXT.....	43
THE CURRENT POSITION IN CARDIFF COUNCIL	62
INQUIRY METHODOLOGY	99
LEGAL IMPLICATIONS.....	103
FINANCIAL IMPLICATIONS.....	103
COMMITTEE MEMBERSHIP.....	104

TERMS OF REFERENCE OF THE COMMUNITY & ADULT SERVICES SCRUTINY
COMMITTEE..... 105
BIBLIOGRAPHY 106

APPENDIX 1: PRIMARY RESEARCH.....[Parents Information & Support Needs](#)

CHAIR'S FOREWORD

At a meeting of the Community & Adult Services Scrutiny Committee held on the 7th November 2018, Members agreed to undertake an Inquiry on the decision-making process for supported living arrangements for adults with a learning disability; which focused on the current pathways in place for transitioning identified individuals back into county. The work presented within this Inquiry highlights that the demographic pressures, fiscal constraints and upcoming changes in legislation, present an even greater need to ensure there is continued collaborative working, both within Council departments and all involved stakeholders. Further to this, it also highlights the need to ensure information is relayed in a clear, proactive manner and that formal, specific pathways for those identified as returning to the locality are progressed in order to provide guidance and avoid disputes.

In a bid to ensure this inquiry produced robust, in-depth evidence the inquiry was supplemented by desktop research along with engagement with a vast range of service users and providers either in person or through the inquiry's 'Call for Evidence'. In addition, task group members also commissioned independent research to identify the information and support requirements of the service users and families of those who are due to, or have undergone, transition from an out of county provider. The primary research was supported by the service area who, along with providing relevant contextual information, and with consent from the individuals, also provided scrutiny research with the names and contact details of those who wanted to be involved in the research process. The respondents included advocate organisations and parents of those currently in out of county settings, those whose children were currently transitioning and those whose children had completed transition. The research relied on qualitative methodologies through the use of both interviews and focus groups. It is important to note that in line with the inquiry's terms of reference and one of the key principles of scrutiny; this inquiry has placed the voices of the key stakeholders who engaged in this work at the heart of its recommendations. However, it remains mindful to the legislation, policies and challenges in which services must operate.

From the evidence presented in this report it is clear that work within this field is continually progressing and is led by a clear drive within the service area to ensure Cardiff provides an excellent service for adults with a learning disability. It is hoped that this report will support the service area in overcoming both current and future challenges; supplementing the service area's drive for continuous improvement. Finally, it is important to note that this Inquiry was originally intended to be formally submitted to the Council's Cabinet during April 2020, however, the subsequent onset of the Covid-19 pandemic and related UK-wide lockdown meant that formal submission of this report was delayed.



Councillor Shaun Jenkins
Chairman, Community & Adult Services Scrutiny Committee

Throughout this Inquiry it became clear that supporting individuals with a learning disability, in a way which allows them to continuously thrive and develop, was a shared objective by all stakeholders who engaged with this Inquiry. It was strikingly evident that all stakeholders are continually seeking to ensure that any individual with a learning disability will fundamentally achieve long-term, sustainable, outcomes that enable them to become active participants in, and contributors to, society. In line with this objective, and the principals of the Joint Commissioning Strategy for Adults with Learning Disabilities 2019-2024 and upcoming Additional Learning Needs and Education Tribunal (Wales) legislation, this Inquiry also seeks to place individuals with a learning disabilities and their carers at the heart of its work.

Members of this Inquiry have worked hard to present a number of recommendations for the council's Cabinet to consider which include, but are not limited to: measures to help ensure clear transparent communication at every stage of the process; procedures to help identify gaps in service provision; processes which help monitor

the quality of skills and knowledge of an individual post transition, assurance methods that ensure the avoidance of regression in skills and that quality of life is maximised. All recommendations proposed in this Inquiry have been based on the evidence received and valued perspectives of the professionals, carers and advocates who engaged in this Inquiry. They are being presented to Cabinet in a bid to supplement the service area's ethos of meeting individual needs through personalised care and support.

The Inquiry benefited from the active involvement of a number of Members from this Committee (both past and present), and the helpful contribution and significant insight from of a range of individuals, including the Cabinet Member for Social Care, Health and Well-being, the former Director of Social Services, senior officers and frontline social workers within Adult Services, local and out of county providers, parents and advocates. I wish to pass on my sincere thanks to all stakeholders for their hospitality, openness and highly valued input. My thanks also to those organisations who took the time to respond to the Call for Evidence issued as part of this Inquiry. I also wish to pass on my thanks to Members involved in this inquiry for their continued time and dedication towards this Inquiry's work. Finally, I wish to thank the Scrutiny Officers involved in this Inquiry for their dedicated hard work and for helping to produce what I consider to be an excellent Report.



Councillor Mary McGarry
Task Group Chair, Community & Adult Services Scrutiny Committee

CONTEXT

1. At a meeting of the Community & Adult Services Scrutiny Committee on the 7th November 2018, Members agreed to undertake an Inquiry on the decision-making process for supported living arrangements for adults with a learning disability. Focusing on the current pathways in place for transitioning identified individuals back into county. It was agreed that the Inquiry was to be chaired by Councillor Mary McGarry.
2. For many years, numerous Government and professional reports reporting on the care agenda have highlighted that people with learning disabilities and challenging behaviours are vulnerable to abuse, and are more likely to be placed in private residential and/or hospital settings which often generates concerns around quality and safeguarding.
3. The Ely hospital closure programme, (*subsequent to the All Wales Strategy 1983*), successfully resettled its residents (*adults with learning disabilities*) into community domiciliary settings in Cardiff. Whilst achieving the immediate objective of resettling people in the community, the programme has been seen as an end in itself as little planning had taken place in respect to how the growing accommodation needs of these individuals would be addressed or how the emerging increase in complexity of need could be met within a community setting.
4. Following the resettlement programme in Cardiff, the development of supported living reduced. This led to a growth in out of area placements due to increasing need, emergency placements and lack of local schemes to meet individual needs deemed too complex for local supported living.
5. The abuse of individuals with a learning disability in Winterbourne View private hospital in 2012 again raised the profile of this vulnerable client group, highlighting out of county placements amongst other issues of overall safeguarding. It brought to the forefront the need to have data on where people with a learning disability reside,

how monitoring of out of county placements happens and whether non-professionals such as family members should be part of the inspection frameworks. Concerns were further raised in 2019 following the BBC Panorama programme set in Whorlton Hall, a specialist hospital for adults with a learning disability.

6. Following the Winterbourne View scandal, the UK Government pledged to move all people with learning disabilities and/or autism, inappropriately placed in institutions, into community care; yet in order to achieve this vision, a large expansion in community provision would be required¹.
7. At the time of writing this report, there are 7081 people who have a learning disability living in Cardiff. 62% of whom live at home with their parents, 323 live in local supported living accommodation and 84 live in out of county provision (*this figure includes those residing in out of county specialist further education*).
8. Many of these individuals, residing both in and out of county, will have multiple conditions. For instance around 25-40% will experience mental health issues, 10-15% will have challenging behaviour and so on.

Population estimates for Cardiff show that the numbers of individuals with a learning disability in Cardiff will continue to grow. With people living longer and therefore requiring support for longer, this will place a significant pressure and demand on Cardiff's local services.

KF1

9. It should be noted that the figures in the following table, are indicative of a trend of increase in Cardiff's learning disability population, but do not show the numbers of adults who would be eligible for a service. Nevertheless, this population and trend data can be used to anticipate that the number of service users eligible for learning disability services is increasing and this trend is set to continue.

¹ Winterbourne View – Time for Change, Transforming the Commissioning of Services for People with Learning Disabilities and/or Autism, pg. 6 (2014)

10. Research shows this is partly due to the learning disability population having an increased life expectancy, the increased number of young people moving through Children’s Services to Adult Services and the overall population increase as over the next 20 years Cardiff is set to see a larger growth in population than the other 21 Local Authorities in Wales put together².

Data for: Cardiff					
People aged 18 and over predicted to have a learning disability, by age, projected to 2035					
	2017	2020	2025	2030	2035
Total population aged 18 and over predicted to have a learning disability	7,081	7,299	7,684	8,157	8,657

Table produced on 28/11/19 11:07 from www.daffodilcymru.org.uk

11. Further demand for services arises from the increased complexity of need of some individuals, and the propensity for adults with learning disabilities to develop dementia.

Data shows that Cardiff Council has a greater number of children and young adults with complex learning disabilities compared to any other Welsh local authority. This is primarily due to its city status and availability of local services such as the Children’s Hospital for Wales. Such factors will inevitably result in additional pressures on required accommodation provision; increasing the need for specialist provision for cases with complex health and social needs and/or behaviours, which require a high level of multi-agency support.

KF2

It is recognised by the service area that additional accommodation for individuals’ with the most complex needs is required locally.

KF3

² <https://www.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202019-22%20FINAL%20ENG.pdf> Accessed 26 March, 2020

12. During the inquiry the service area confirmed that in order for those currently placed in residential settings out of county who wish to return 'closer to home', and in order to offer individuals improved local options, a robust infrastructure is paramount.

The Wales Audit Office publication, *Strategic Commissioning of Accommodation Services for Adults with a Learning Disability*, published in 2018, states that local authorities require better quality financial, population and demographic projections to gauge future demand and ensure they make the most informed decisions. It is for this reason why the service area have confirmed the creation of a Business Analyst post.

KF4

Following the Children Act 1989, there was a move to create a specialist specific team for children with disabilities. However, in a bid to ensure cross cutting shared concepts, the service area is set to return to its original model and become an 'All Age Learning Disability Service' whereby staff across all areas of Learning Disabilities (*Children and Adults*) will merge. It is anticipated this should encourage better collaboration within the transitioning process, whilst stimulating the service area's culture for continuous improvement whilst remaining open and responsive.

KF5

DEFINITIONS

What is a Learning Disability?

- D1. Within its fact sheet entitled “What is a Learning Disability?” the British Institute of Learning Disabilities states that an individual with a learning disability is said to have ‘*significant impairment of adaptive/social functioning*’. This means that the individual will have difficulties understanding, learning and remembering new things, and in generalising any learning to new situations. Because of these difficulties with learning, the person may have difficulties with a number of social tasks, for example communication, self-care and awareness of health and safety. A final dimension to the definition is that these impairments are present from childhood, not acquired as a result of an accident or following the onset of adult illness.³

What is Residential Care?

- D2. Residential care is a model of care provided within a shared residential setting, where support staff are present 24 hours a day, seven days a week (*to note this staff frequency is also equivalent in Supported Living models*). Residential care encompasses accommodation and care into one package meaning the individual in receipt of the package has a significantly reduced access to state benefits.

What is Supported Living?

- D3. Supported living is an alternative to residential care, and is a model of providing accommodation and support to people across the spectrum who may require substantial, regular or low-level support. It is argued that supported living provides more security, rights, choice and control to the individual than that provided in residential care. Unlike residential care, when an individual resides in supported living they receive their own tenancy. The individual will rent their accommodation from a housing provider (*generally a housing association*), and as a tenant receive legal rights.

³ British Institute of Learning Disabilities, ‘Factsheet – What is a learning disability?’ (file:///C:/Users/s757803/AppData/Local/Microsoft/Windows/INetCache/IE/2UVM0DNX/Learning_Disabilities_11.pdf) Accessed 15 Oct 2019.

- D4. The basic principles of supported living are:
- Individuals have their own home (*rented or owned*) with the care and support they need being provided separate from their tenancy;
 - Individuals receive personalised support, aiming to make them as independent as possible;
 - Unlike residential care, the separation of housing and care and support means that individuals are able to claim housing benefits in order to pay for housing costs.
- D5. Supported living is not a prescriptive model of care and can look very different for different people. For one person it may be a few hours' support a week to live alone in a rented flat, for another it may be round the clock support to live in a home they own, and for others it may be a shared house with onsite support.
- D6. Supported living can support someone at any point in their development. The level of need the individual requires will determine the model or level of support they receive - e.g. whether they require targeted or 24-hour support. Supported Living commissions, low, moderate, medium, high and enhanced levels of support - how it's delivered is tailored to the individual.
- D7. However, it must be recognised that this is on the proviso that the quality of care and support provided to the individual is efficiently meeting and developing their needs.

What is Specialist Further Education Provision?

- D9. The Welsh Government guidance document, '*Securing provision for young people with learning difficulties at specialist further education establishments*', sets out the policy and process by which the Welsh Government will make decisions about funding placements for young people aged 16–25 with learning difficulties who require access to specialist provision. It states that in regards to post-16 education, all young people who have a learning difficulty should be provided '*equitable access to further education (FE) at a mainstream FE establishment, through the delivery of inclusive options available locally to meet their needs*⁴'.

⁴ <https://gov.wales/sites/default/files/publications/2018-04/securing-provision-for-young-people-with-learning-difficulties-at-specialist-further-education-establishments.pdf> Accessed 10 Jan 2020

D10. The document notes that ‘*nearly all*’ mainstream FE provision within Wales also provide discrete specialist provision which can help young people develop independent living skills, to prepare for work or to move on to mainstream learning opportunities, such as vocational programmes which help prepare an individual for work in their chosen field. However it is recognised within the document that sometimes a young person’s holistic needs are too complex and may require more specialist FE provision. If opportunities for suitable provision are not available locally, under the current assessment process, (*undertaken by Careers Wales on behalf of the Welsh Government*) specialist further education provisions (*which are currently only located out of county*) will then be considered.

D11. Currently in Cardiff the local offer of further education for those with learning disabilities is provided through the mainstream further education sector, as a day learner, with additional support provided as necessary. What is not currently available locally within the further education option is the holistic provision of onsite accommodation which stimulates the independence factor of living away from home.

D12. Specialist further education provides education for young adults with a range of complex educational needs and, as evidenced during this inquiry, can come in a range of models. Along with providing educational courses and physical and emotional support for individuals with complex needs, on site residential provision is also provided under the framework.

What is transitioning?

D13. People undergo transition at many times in their life; it is for this reason why the term ‘transitioning’ can relate to a range of circumstances. For instance, for those known to services, an initial transition will be from Children to Adult services, then depending on assessment of need, an individual could then undergo a transition to an out of county provision and potentially back into their local county. For the purpose of this report, the term transitioning (*and its alternatives*) will be used when referring to an individual’s movement from children services to adults, to an out of county provision and potentially back to local accommodation. The context in which it is referred to will be clearly laid out.

KEY FINDINGS

Throughout the course of this Inquiry it became apparent to the task group that there is no 'one size fits all' care model for adults with learning disabilities whose needs must be met in a variety of ways. As a result, the task group felt an individual approach to service provision is essential, with support and accommodation being specifically tailored to meet the needs of each individual. This vision was shared across the board, amongst all stakeholders who engaged in this work and it was clear that this ethos is at the forefront of the service area's daily operations. It also became apparent to task group Members that central to shaping this form of provision is the need for effective engagement between service users, relevant family members, advocacy groups, policy makers and professional care providers.

The Inquiry team wishes to commend the work of Adult Services management and staff who have developed and implemented many changes over the recent past which has in many ways started to address some of the issues presented in this report.

The below Key Findings have arrived after twelve meetings which included four full day visits to both local and out of country service providers with a variety of expert witnesses. The Inquiry was also informed by extensive desk based and primary research and an array of background documents. Following a review of the evidence, Members identified the following Key Findings:

Context

Population estimates for Cardiff show that the numbers of individuals with a learning disability in Cardiff will continue to grow. With people living longer and therefore requiring support for longer, this will place a significant pressure and demand on Cardiff's local services.

KF1

Data shows that Cardiff Council has a greater number of children and young adults with complex learning disabilities compared to any other Welsh local authority. This is primarily due to its city status and availability of local services such as the Children's Hospital for Wales. Such factors will inevitably result in additional pressures on required accommodation provision; increasing the need for specialist provision for cases with complex health and social needs and/or behaviours, which require a high level of multi-agency support.

KF2

It is recognised by the service area that additional accommodation for individuals' with the most complex needs is required locally.

KF3

The Wales Audit Office publication, *Strategic Commissioning of Accommodation Services for Adults with a Learning Disability*, published in 2018, states that local authorities require better quality financial, population and demographic projections to gauge future demand to ensure they make the most informed decisions. It is for this reason, the service area have confirmed the creation of a Business Analyst post.

KF4

Following the Children Act 1989, there was a move to create a specialist specific team for children with disabilities. However, in a bid to ensure cross cutting shared concepts, the service area is set to return to its original model and become an 'All Age Learning Disability Service' whereby staff across all areas of Learning Disabilities (*Children and Adults*) will merge. It is anticipated this should encourage better collaboration within the transitioning process, whilst stimulating the service area's culture for continuous improvement whilst remaining open and responsive.

KF5

Strategies and Legislation

The Joint Commissioning Strategy for Adults with a Learning Disability (2019-2024) sets out how Cardiff and Vale of Glamorgan Councils and Cardiff and Vale University Health Board will work together to respond to the needs and aspirations of the adult learning disability population within the context of national legislation and guidance, wider local plans and available resources. At a local level, the strategy will inform what services each of the three organisations will individually or jointly commission to meet personal outcomes, encourage participation and promote independence over the next five years.

KF6

Key priorities of the Cardiff and Vale Joint Commissioning Strategy relevant to this inquiry are:

- Information; accessible and easy to understand;
- Choice and control – listening to the person and carer’s views;
- Right care at the right time – early crisis and respite support;
- Day opportunities – volunteering and work experience;
- Transitioning should be joined up and planned well.

KF7

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (*hereafter referred to as ‘The ALN Act’*) makes provision for a new statutory framework for supporting children and young people with additional learning needs. It replaces the existing legislation surrounding special educational needs (SEN) and the current assessment of children and young people with learning disabilities in post-16 education and training. The Act instead places the responsibility of learners with additional learning needs from the age of 0-25 with local authorities.

KF8

During the course of the inquiry, Members received a briefing from the Additional Learning Needs Transformation Lead for Central South Consortium and Cardiff Council's Senior Achievement Leader Inclusion and were advised that confusion can arise from the interpretation that the ALN Act provides a right for a child with additional learning needs to stay in education up until the age of 25. It was confirmed that the principles of the ALN Act stem around parity and are laid out to ensure that a child with Additional Learning Needs has equal rights in accessing further education courses as a child without Additional Needs, and can therefore access and receive a training course up until the age of 25.

KF9

Due to the consensus set by Welsh Government policy publications and guidance, the further education option for those with additional learning needs is seen by governing bodies to be one which offers the 'college experience' equating to two years of education, not the 'university experience' which would be three years of education.

KF10

A key element of the ALN Act is its endeavour to increase participation of the individual with learning disabilities, stating that it is imperative individuals see the planning process as something which is done with them as opposed to for them. As such, they and their families should actively be encouraged to participate in the planning process for their educational opportunities through the provision of clear, impartial advice, information and advocacy.

KF11

Primary research conducted for this inquiry has shown that the parents of people with a learning disability involved in this inquiry currently have limited or no knowledge of the ALN Act and the changes it will bring.

KF12

The ALN Act places greater emphasis on disagreement avoidance and dispute resolution. Due to schools maintaining Individual Development Plan's (IDP), the ALN Act will introduce different appeal procedures. Should a young person or parent (*or any other stakeholder*) wish to challenge an individual's IDP or the learning provision they have been provided with, there will be clear routes for them to do so and local authorities must provide access to independent advocacy services for this route.

KF13

Under the ALN Act, the assessment process for determining further education will focus on educational need; looking at the realistic prospect of an individual completing a course and achieving educational goals.

KF14

The challenge under the ALN Act will likely be around capacity and demand, and although responsibility for further education provision will begin at school, the ALN Act places emphasis on relevant bodies, such as adult services becoming involved to ensure every child and young person with a learning disability known to services is aware of all of the options available to them.

KF15

During the course of the inquiry, Members heard first-hand the concerns from some of the specialist further education providers on what the proposed arrangements under the ALN Act may bring. The concerns raised to Members included:

- There is a lack of recognition in the Draft ALN Code of specialist provision as part of the post-16 further education offer;
- A possible lack of provision for independent advice and guidance for parents and young people with both complex and low incidence additional learning needs;
- Possible risk of young people with complex needs being denied Additional Learning Provision by the nature of their ALN.

Further concerns raised were that local authorities:

- Could be compromised by their role as assessors, commissioners and funders;
- May only provide access to information about local post-16 options other than specialist further education provisions (*which are all currently out of county*);

- May end an IDP rather than consider a placement at a specialist further education provision.

KF16

The 'Multi-Agency Protocol for Children and Young People with Additional Learning Needs' (*currently in draft form*) is being developed in line with the implementation of the Additional Learning Needs and Education Tribunal (Wales) Act (2018), the principles of the Social Services and Well-Being Act (2014) and the application of the Mental Capacity Act (2005) amongst other key legislation and guidance. The protocol has been coproduced with stakeholders from Education, Health Services, Social Services, schools, further education institutions and the third sector through attendance at meetings, workshops and engagement events throughout 2018-19. The protocol also links into to the Joint Commissioning Strategy for Adults with Learning Disabilities (2019-2024) as a work stream from the strategy will develop an action plan specific for those with learning disabilities within the transition period.

KF17

Funding (under current arrangements for specialist further education provision)

Currently, there are around 300 specialist post-16 placements funded across Wales by the Welsh Government at any one time. The average combined cost for these placements is currently around £21m per annum – with around 50% of cost coming from the Welsh Government, 42% social care (local authorities) and around 5% health funding.

KF18

The proposal under the ALN Act is for funding for all placements to come from local authorities; however the Welsh Government is yet to work out how this will be done in practice. At the time of writing this report, there is no known formula for how funding will be determined and for this reason there are significant concerns within this authority with regard to discrepancies between welsh local authorities. For instance there is concern that those authorities which display higher trends could be seen as having equal costs to local authorities with much lower trends and expenditure.**KF19**

It was agreed by the majority of stakeholders who engaged in this inquiry that in order to effect positive change, the decision on the duration of an individual's placement in further education should consider the individual's specific characteristics including their scope and abilities (rate of learning) for developing the skills that they hope to achieve. It is widely suggested by both providers and parents that governing bodies must sufficiently recognise that individuals with a learning disability will take time to settle into a course and that the first year of a course tends to act as an induction period, the second year is developing new skills and the third year provides opportunity for such skills to be consolidated.

KF20

The reduction in Welsh Government funding for further education provision from three years to two, has also had a knock-on effect for local authorities', as more 'move on' accommodation is now needing to be sourced.

KF21

During the inquiry Members heard from providers that frustration for both themselves and parents tends to arise where there is uncertainty or questions surrounding funding. Primary research commissioned by this inquiry found a strong desire amongst parents to better understand the funding process.

KF22

Finance

During this inquiry, an independent consultancy confirmed that Cardiff is a comparatively low spending authority in Wales on support for adults with learning disabilities whilst still maintaining good levels of satisfaction with support. This finding suggests scope to increase the quality of local provision for those with complex needs and to consider increasing access to out of county provisions when required.

KF23

Findings from an independent consultancy confirmed that currently there is a disconnect between local authority and health colleagues. It was reiterated that

better communication with health colleagues would ensure more efficient working and possibly greater levels of funding. Which in turn will provide more effective services.

KF24

Members were advised that due to the current climate of austerity and cuts there are requirements for officers to remain within certain budgets. Members were further advised that the level of justifying and producing sufficient evidence in support of a more expensive placement is due to the budgetary position along with Key Performance Indicator requirements.

KF25

The Transitioning Pathway

There are currently four Transition Social Workers who facilitate an individual's movement from Children to Adult Services within the authority.

KF26

Primary research conducted with parents during this inquiry found that most parents have limited knowledge and understanding of the assessment process for accessing specialist further education provision including eligibility requirements, duration of funding and the roles of various stakeholders involved in the process.

KF27

The current transition planning process following secondary education is set out in the Special Educational Needs Code of Practice for Wales (Welsh Government, 2004) and begins in Year 9 SEN annual review. During the inquiry Members heard that an individual with learning disabilities will typically transition from school to further education around the age of 19 and may transition again 2 – 3 years later. During the inquiry it was confirmed to Members that during this time an individual may remain with the same adult social worker or may be reallocated to another social worker depending on capacity.

KF28

During this inquiry, both parents and out of county providers highlighted the need for consistency in the representation of social workers during the review process of further education placements.

KF29

The primary research conducted by this inquiry highlights that under current arrangements, the majority of parents interviewed would request better understanding and guidance of the transition process involved in moving their child from specialist further education to the appropriate care and support arrangements in Cardiff. In particular, parents highlighted the need to improve engagement between themselves and the service area along with greater recognition that their input significantly assists the objective of meeting a child's 'best interest.'

KF30

Benefits of Out of County Placements

During the inquiry the following benefits of out of county placements (*both within further education colleges and residential settings*), proposed by out of county providers included:

- Better social mobility;
- Wider relationships;
- Increased-self-understanding;
- Improved self-advocacy and self-reliance;
- Reduction of stress on families;
- Improved mental health outcomes;
- Families able to enter employment / increased employment opportunities;
- Improved health, well-being and quality of life and;
- Reduced elective and non-elective hospital admission.

KF31

Specialist further education institutions visited during the inquiry had the benefit of many on-site facilities and services, including but not limited to:

- Speech and language;
- Counselling;
- Occupational therapy assessment.

KF32

The benefits and outcomes were strongly acknowledged amongst the parents (*of those with children in out of county specialist further education provision*) who engaged with this inquiry who in the majority noted their content with the;

- Individualised support programmes;
- Availability of specialist staff;
- Remarkable development in their child's skills, knowledge and independence.

KF33

The importance of environmental factors and their significant benefit on an individual's (*with certain needs*) physical and emotional well-being was widely recognised by all stakeholders who engaged in this inquiry.

KF34

Although for some young people with disabilities, a specialist further education college may not suit, the perspective presented to Members by specialist further education providers during this inquiry is that the opportunity offered by a specialist setting, for an individual to learn and live amongst peers with similar needs and life experiences can be a very effective way to help them achieve long-term sustainable outcomes that enable them to become active participants in, and contributors to society along with aiding their progression into adulthood.

KF35

The majority of parents who engaged in this inquiry believe that within a specialist further education provision there is a much stronger opportunity for their child to grow in maturity, develop independence and gain additional skills away from the home environment and that recognition of such skills and opportunity by professionals is paramount.

KF36

Transitioning from an of out of county provision

During this inquiry, Members were unable to obtain published information which confirmed and clearly laid out the transitioning pathway for adults with a learning disability who may undergo transitioning from an out of county provision. It became apparent that the service area lacked a published framework and guidelines on how identified individuals are brought back from out of county in a structured, personalised way. While a wealth of information was provided to the task group, there was no evidence that this had yet been consolidated into one robust 'pathway' used as a blueprint for returning identified adults into their local county.

KF37

If an individual transitions from an out of county residential provision there is a high multi-disciplinary team (MDT) involvement, including health colleagues, specialist behaviour team and so on. Further to this, a wealth of risk assessments along with a full assessment and analysis of care package is also undertaken. This is conducted in full consultation with the family and individual (as appropriate). It is to note that although full and thorough risk assessments and analysis of care package is provided for all individuals, MDT involvement does not commonly occur for those transitioning out of residential college.

KF38

The key drivers in determining an individual's provision were confirmed to Members as:

- The individual's wishes
- Families wishes
- Persons needs
- Budgetary position.

Each driver was confirmed as equal in weighting.

KF39

Based on the views of the parents who engaged in this inquiry, the guidance and scheduling involved in transitioning individuals out of specialist further education provision appeared to be considerably inconsistent.

KF40

Members heard from Council officers that for those placed in a specialist further education provision, the year before their course is due to end a reassessment phase will begin; this inquiry's research found that the transition period tended to be initiated (*with the parents*) around 6 months prior to course end. Parents perceived this as too late in the process with parent suggestions that discussion regarding transitioning for those currently placed in out of county further education provision should start at the end of first year (*for two year funding*) or at the end of second year (*for three year funding*).

KF41

During the inquiry it was confirmed to task group Members that a wealth of work goes into identifying properties for an individual – noting that compatibility with current residents, the environment, the needs of the individual and that staff members have the right skills is central to the decision making process. Members found that the significance of these factors was recognised amongst all stakeholders involved in this inquiry.

KF42

Although it was reiterated to Members that all provisions are equally acknowledged, valued and utilised, Members hold concerns that under current practice it appears that provisions perceived as ‘intentional communities’ and their benefit as a provision is not widely recognised. Members wish to reiterate the importance of seeing the value in every provision as stated in the Welsh Government’s *Prosperity for All* document.

KF43

Through engagement with both parents and providers, this inquiry found that during the transition process following further education provision, incompatible options are suggested and it appears that a process is followed even when known and advised by stakeholders that the suggested placements won’t work.

KF44

During their review of 20 cases’ written records, the independent consultants found that information kept in an individual’s case file lacked definition on how the decision-making process within a transition (either from a residential college or from the family home) was undertaken. To elaborate, it lacked detail on the contributing factors and how evidence was weighed. The review also showed that outcomes captured within the data appeared to be too generalised making it difficult to hold providers to account and effectively monitor an individual’s progress when a transition has occurred.

KF45

An out of county provider who engaged in the inquiry, provided the group with an example of one resident who transitioned home after extended funding had not been agreed. The provider was then contacted by social services three weeks later inquiring if provision for this individual was still available as it had been determined that there were no suitable provisions available locally.

KF46

During a transition process, a Support Planner works with individuals to listen to their aspirations & needs with regards to meaningful occupations. The Support Planner has expertise in knowing what opportunities are available locally and becomes

involved with an individual following a referral from a social worker should an individual wish to do activities in the community, instead of college, or after college, or while also attending college. Support Planners are involved with over 80 providers and services in Cardiff with a wide range of volunteering, social, sport, arts, health and adult education (life-long learning) opportunities. Since introducing Support Planners, the service area confirmed they have been able to offer a much wider range of occupation options, increasing an individual's skills, confidence and social networks.

KF47

Primary research conducted with parents during this inquiry found variability in their understanding of the overall transitioning process. It became evident they require clarity on the roles of stakeholders involved in the process, including their own role, along with an indicative timeline and greater detail of the specific stages involved.

KF48

During the inquiry Members were informed by officers that when required, future placement options are continuously discussed with the individual and the family. Findings by the consultants further confirmed that, in the twenty cases they reviewed, good evidence was displayed demonstrating that young people and their parents/carers are actively involved in the process. However, primary research commissioned by this inquiry found that, out of six parents involved in the research whose children had gone through the transitioning process, two confirmed a positive experience. The other parents cited improvements could be made in engaging with them.

KF49

Lifelong Learning

The importance of a lifelong learning framework which allows for exceptional development of an individual, encouraging growth in confidence, developing an individual's independence and having an all-round positive impact on an individual's life was shared by all stakeholders who engaged in this inquiry.

KF50

Perception of Local Provisions

Although all local providers who engaged in this inquiry reiterated that the retention and development of an individual's skill set are at the forefront of their organisation, this inquiry's primary research found that out of the parents whose child had transitioned, most were unsure whether their child has sufficient opportunities in their current provision to undertake the activities and tasks that would help to maintain the knowledge and skills that they acquired during their college placement.

KF51

Croen et al (2015) identified that people with autism are at increased risk of physical health issues including diabetes, gastrointestinal disorders, high cholesterol, hypertension and obesity. Relationships with food can also be complex due to sensory needs, obsessive behaviour, anxiety or isolation. Such concerns were reiterated by some of the parents involved in this inquiry, who voiced their concerns that they were unsure if their child, who now resided in local provision, is encouraged to undertake sufficient physical activity and make healthy food choices.

KF52

The findings of the primary research, commissioned by this inquiry show that parents of those currently residing in local provisions are unsure whether activities for their child are carried out as planned.

KF53

The Capturing of Data

During the inquiry Members were informed that typically, incorrect assessments occur due to the variance of environments where an assessment is undertaken.

KF54

Conwy Council's 'Progression Project' is designed to assist the assessment process through the development of a more informed understanding of accommodation and support needs. The Project consists of a refurbished bungalow which provides individuals with a 'come and try it' service for independent living. With individuals residing for the day, overnight or staying for a few days in order to ensure their needs are best determined.

KF55

As a result of the Call for Evidence Members initiated with both local and out of county providers, it was confirmed that when an individual's placement is confirmed they, as the provider, will receive a Care Plan and/or a Unified Assessment which outlines the individual's abilities, capacity and needs, providing a brief overview of an individual's communication abilities, mobility, physical and emotional needs, special equipment, adaptations, educational need, medical information and so on. It was also confirmed that if the individual is a college leaver, they (*as a local provider*) would also receive a written assessment from the educational facility and/or a psychology report. However, one local provider noted that they tend to only receive such introductory information on an individual post entry.

KF56

In order to ensure the process of sharing information between providers is both efficient and effective, Cardiff Council's Learning Disability team are currently working with one out of county provider on developing an all-encompassing document to assist in this process.

KF57

When meeting frontline staff, Members queried what data is kept on those who have transitioned from an out of county provision and if the impact on an individual who has transitioned is specifically measured in order to ensure progress is sustained. Members were advised that following a transition, social workers will undertake an 8 week review which is then repeated at 6 and 12 months; to note, additional reviews will also be conducted if required. Such work is called 'person centred planning reviews' or 'pathway plans'.

KF58

Monitoring & Review

This inquiry's Call for Evidence confirmed that local providers (*in line with the Care Plan developed by social workers*) will develop a Personal Plan with the individual, which includes lifelong learning and skill development opportunities. This Personal Plan is reviewed at least 3 monthly by provider staff. However, a majority of the parents who engaged with this inquiry whose child resided in local provisions were unaware of such reviews.

KF59

Dr Edwin Jones' report on Western Bay's Closer to Home project places significant emphasis on the success of the Positive Behaviour Support model and the use of a core multi-disciplinary team within the transition process. In addition, the report also highlights the importance of data, which is captured both pre and post move, being utilised in order to best understand and monitor the impact on an individual who has moved in order to ensure full quality of life is achieved.

KF60

In line with the Wales Audit Office Report recommendation (*Strategic Commissioning of Accommodation Services for Adults with a Learning Disability, 2018, R6*), there appears to be a lack of formal, systematic monitoring and evaluation process on individuals who have transitioned which is managed by the authority .

KF61

Gaps in Local Provision

As stated in the National Commissioning Board's guidance document (*Commissioning Accommodation and Support for a Good Life for People with a Learning Disability, 2019*), provision of the right kind of housing can either help or hinder an individual's social integration. It can also be fundamental in achieving a number of the outcomes set out in the Social Services and Well-being (Wales) Act 2014. It is therefore essential that when a decision is made concerning accommodation provision, the full spectrum in meeting that individual's needs is considered.

KF62

Primary research conducted for this inquiry highlighted parents' expectations on the need to expand the availability of locally based care and support provision in the Welsh language.

KF63

The Mansell Report (*Services for People with Learning Disabilities and Challenging Behaviour or Mental Health Needs, 2007*), described as 'definitive UK guidance on the development of services for people with challenging behaviour', recommends that local services, including educational, training and day services are developed and expanded for people with a learning disability. The report also recommends that specialist services be developed locally which can support good, mainstream practice and improve the quality of life for those served.

KF64

During the course of the inquiry it was confirmed to Members that the service area are currently planning to develop an accommodation strategy to assist with long term planning on local provisions and are also working toward developing clear transitional pathways to ensure individuals and their families acquire full understanding of the options available in line with their need.

KF65

RECOMMENDATIONS

Members of the inquiry group were tasked to consider the current arrangements in place for those individuals who undergo transitioning from an out of county placement back into the locality, determining the effectiveness of the current approach and possible areas for improvement.

Following a review of the evidence received during this Inquiry, and the Key Findings detailed above, Members have agreed the following recommendations for Cabinet consideration:

Context

R1 Due to the Additional Learning Needs and Educational Tribunal (Wales) Act introducing clear direction for the Individual Development Plans of the most severe and complex cases becoming the direct responsibility of local authorities, Social Services should look to produce guidance which will provide all involved professionals with clear definition and distinction between complex and lower level needs and the necessary requirements to best support and develop such needs. This work could be developed by the newly formulated Business Analyst post who, within their role, should also look to take into account the projected demand of adults with a learning disability across the locality. Within their responsibilities it must be a priority of the Business Analyst to ensure and verify that all options offered to an individual with complex needs, in particular local options, are fully effective in providing said individual with an environment and opportunities that will encourage, develop and maintain their skills. The remit of the Business Analyst post should also include monitoring the service areas transition to an 'An All Age Learning Disability Service', providing the appropriate individual with their continued findings in order to ensure consistent monitoring. **(KF1, 2, 3, 4, 5, 23, 25, 31, 32, 33, 34, 35, 36, 39, 43, 50, 62, 63, 64)**

R2 The Business Analyst should also undertake a review of local lifelong learning provisions to ensure there is adequate local capacity to meet known demographical pressures. **(KF1, 2, 4, 50, 63)**

- R3** Look to establish a formal communication strategy surrounding the transitional process which confirms communication goals, target audience and communication plan and channels. Such a strategy will help identify the key stakeholders and key information to be communicated within a transition process, along with identifying how and when information should be communicated. This should ensure earlier communication and aid disagreement avoidance and dispute resolution. **(KF6, 7, 12, 13, 15, 22, 24, 27, 30, 37, 38, 40, 41, 48, 49, 52, 54, 59, 65)**
- R4** As part of the communication strategy, formally engage with service user representative groups on a set, regular basis to help shape, improve planning and inform decision making. Such engagement could also be encouraged and better stimulated more informally through the use of social media **(KF1, 2, 3, 4, 6, 7, 13, 17)**
- R5** Additional work is required in ensuring that a young person with learning disabilities and their carers feel more actively involved in the care planning process. Officers must ensure that care plans, including provider reviews are continuously written in accessible, appropriate language in order to improve understanding. Individuals and their parents/other relatives with responsibility for them, should always be invited to attend Reviews and contribute to Care Plans (with strict adherence to data protection, the individual's capacity and regulations set out in the Social Services and Well-being (Wales) Act). Clear protocols and guidance should be drawn up regarding the resolution of disagreements concerning Care Plans and Review outcomes. All disagreements should be resolved in a timely manner.
(KF6, 7, 11, 49, 58)
- R6** Develop and/or support an informal parents' network specific to those parents who have a child currently placed out of county (*including further education provision*) and those who have transitioned back. This network would play a vital role in the dissemination of information. Provide parents with emotional support from peers and also provide a formal avenue for the service area to gain feedback on issues relating to services and accommodation. In order to stimulate relations and ensure effectiveness, the Cabinet Member, Director of Adults, Housing and Communities; and local providers

should look to engage with the network directly **(KF3, 4, 6, 7, 8, 9, 12, 22, 27, 42, 47, 48, 49, 50, 52, 53, 65)**

R7 Through the parents' network, facilitate a conference once a year for parents of those who are due to transition or have transitioned from out of county provision. This conference would again aid in the dissemination of information and could also be utilised as an arena to provide parents with workshops such as crisis management, dealing with complex behaviour and so on. The Cabinet Member, Director of Adults, Housing and Communities and local providers should again look to engage in the conference, providing the parents with information on local provisions such as staff competencies, information and case studies on where alternative living provisions have improved and developed a young person's skills and outcomes. Such valuable assurance will significantly assist an individual and their support network both in preparation for and during a transitioning period. **(KF6, 7, 8, 12, 13, 17, 22, 27, 30, 47, 48, 49, 50, 51, 52, 53, 65)**

Strategies and Legislation

R8 Due to the proposal under the Additional Learning Needs and Educational Tribunal (Wales) Act for the responsibility of determining education provision (*including funding*) to come from local authorities, the Social Services directorate should look to review the working arrangements between themselves and the Education directorate to ensure robust collaboration workings are in place. **(KF8, 11, 15, 16, 20)**

R9 Ahead of the fundamental change in responsibility detailed in **R8**, and the current concerns surrounding how such funding will be subsidised by the Welsh Government, the local authority should continue to lobby the Welsh Government for an adequate funding formula citing the known demographical pressures. **(KF1, 2, 18, 19)**

R10 In line with the upcoming Additional Learning Needs and Educational Tribunal (Wales) Act and the Welsh Government's Prosperity for All Strategy, all involved professionals must ensure all provisions are discussed during the initial assessment

process with both the young person and relevant guardian for their transition into adulthood. Although it is recognised that Welsh Government regulations state local options must be considered first in the assessment process, it is paramount that the benefits of all provisions, including intentional communities must be recognised and therefore shared with individuals during the process in order to avoid ideological bias. This will also ensure that in line with the concerns of providers captured within this inquiry, the offer of specialist further education is not diminished and will ensure that the benefits of all provisions are recognised whilst mitigating the risk of the Council potentially being perceived as compromised in its role as assessor, commissioner and funder. **(K6, 7, 8, 11, 13, 16, 17, 31, 32, 33, 34, 35, 36, 43, 49, 50)**

R11 Under the upcoming arrangements of the Additional Learning Needs and Educational Tribunal (Wales) Act, officers, when relevant, should give due consideration to the possibility of an individual's educational college course being extended to three years if determined that the individual has not met their educational outcome and would benefit from an additional year.**(KF20, 23, 25, 35, 44)**

R12 There must be clear recognition that those who attend a specialist further education provision, in addition to receiving educational outcomes can also acquire additional skills such as social skills and increased autonomy; this must be more greatly portrayed by local authority staff. Such recognition could be reaffirmed within the possible handbook (R14). **(KF31, 32, 33, 34, 35, 36, 43, 50)**

Finance

R13 As part of the Joint Commissioning Strategy for Adults with a Learning Disability (2019-2024) look to ensure, and/or support, the establishment of a clear formal framework arrangement between the local authority and health board. Such a framework will provide clear roles and responsibilities for the bodies and potentially assist in the establishment of pooled budgets, avoidance of lengthy disputes and further strengthen collaborative working.
(KF6, 7, 24)

R14 Look to develop a handbook which covers the full spectrum of a transition process which can then be utilised as a tool for disseminating information to those with learning disabilities and their family, setting clear guidelines and expectations and dispelling any confusion. It is essential that the handbook provides an individual with the full scope of the 'next steps' following secondary education and all available options. The handbook should also look to provide clarity on the assessment process for further education provision, including contributing factors, how decisions are made, the evidence which will be required during an assessment, a summary of the funding process, the timeline for which decisions are made and the appeal process which includes clear signposting to relevant regulators. The handbook should also provide a summary of relevant legislation and how it may directly impact on an individual along with information about benefits and entitlements the individual may be eligible for. The Handbook should also look to ensure clarity on average length of placement for an individual undertaking a further education course and also provide generic reasoning for potential discrepancies in course lengths. This handbook must be provided to each individual transitioning from children to adult services and must also be available in schools and any other relevant avenues deemed appropriate. Local providers should also consider contributing to the handbook to ensure their services are fully reflected. The Handbook should also be available electronically on Cardiff Council website and should also be available in alternative languages on request. **(KF5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 40, 41, 42, 43, 47, 48, 49, 50, 51, 52, 53, 59, 60, 65)**

R15 There must be a specific, separate pathway and subsequent published guidance for further education leavers. The service area must ensure that the pathway addresses the full range of an individual's requirements, including but not limited to, accommodation provision, employment, life-long learning provision, long term health, friendships and relationships (*remaining mindful to both current and future needs*). **(KF6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 27, 28, 30, 37, 38, 40, 41, 42, 43, 47, 48, 49, 50, 51, 52, 53)**

R16 A rigid schedule for the decision making process for transition between provisions should be formed which includes a set timetable of when all stakeholders must be informed of a decision outcome. Within all published guidance, and verbal discussions, all local authority officers must ensure clarity is provided to individuals and involved family members on the duration of placement length. If a placement is provided temporarily or it is known it will cease (*e.g. educational course*) clear guidelines on when a transitioning phase will begin must be provided to the individual and any relevant family members prior to a placement commencing. In order to ensure no undue stress for the individual with learning disabilities, subsequent provision must be confirmed prior to a placement ending. If provision is unable to be confirmed prior to a placement ending, where current providers are able to extend their provision for an agreed period of time, due consideration should be given to facilitating such possibilities whilst permanent provision is sourced. This possibility should be considered early in the transition process. Greater structure around the decision making process will facilitate more enhanced communication between all involved stakeholders, avoiding potential disputes and ensuring more effective outcomes for all involved **(KF9, 10, 11, 13, 14, 23, 25, 37, 38, 40, 41, 44, 48, 49, 50)**

Transitioning from an of out of county provision

R17 Being mindful to known demographic pressures, undertake a review in order to consider if four transition social workers who cover the full transition spectrum from Children to Adult services is enough to adequately provide individuals, who may also undergo a transition in accommodation provision, with the required consistency to ensure their needs are best met, minimising any potential disruption and distress, and maximising a smooth transition. **(KF1, 2, 5, 26, 28, 29, 40, 41, 49)**

R18 Agreement amongst all stakeholders within a transition process must be a fundamental priority. This could be achieved by providing continued assurance that compatibility factors such as age group, sex, type of learning disability, complexity of support needs, personality etc. is considered throughout the transition process. Evidence gathered during this consideration should be

shared with both the individual and relevant family member (*where appropriate and in line with the adherence set out in R5*). **(KF38, 42, 45, 49)**

R19 Look to develop an assessment centre which allows for onsite assessment which will subsequently ensure no individual is transitioned from any out of county # placement, including further education provision, without appropriate accommodation being sourced and confirmed. Such a facility will help to avoid potential regression in skills and/or place unnecessary strain and disruption on both the young person and any involved family members and act as a tool for contingency planning. **(KF25, 44, 46, 54, 55)**

R20 It is felt by Members that the move to support young people with learning disabilities to progress into adult life within their home area, further emphasises the importance of early planning and need for greater multi-disciplinary team working around the young person which is vital if the individual wishes to progress into more independent living. Therefore, where possible (and required) multi-disciplinary approach must be applied to those leaving further education provision. **(KF35, 39, 60)**

R21 Look to gather feedback surrounding transition between provisions in a more strategic way by implementing a structured feedback process with all relevant stakeholders including the young person and family members who have undergone a transition from an out of county provision. The framework should look to determine service user satisfaction, performance monitoring and identify possible areas for improvement within the process. **(KF58, 60, 61)**

R22 Work with local providers to ensure all documentary evidence such as risk assessments, house reports, and an individual's activity timetable and food intake is shared with parents (where appropriate) in a more structured manner. Such a process would help encourage and stimulate parents' confidence that their child and their needs are being met and developed and provide parents with assurance that each aspect of their son or daughter's life such as diet choice is being overseen. **(KF51, 52, 53, 59, 60)**

R23 Take an active role in encouraging providers to further develop their Positive Behavioural Support (PBS) approach through organisational strategies which focus on developing staff skills and enable PBS to become more widely embedded in routine practice. Encourage and facilitate providers to more greatly distribute this information to all relevant stakeholders. **(KF51, 52, 53, 60)**

R24 Encourage shared learning across providers. Such shared learning will not only provide an opportunity for individuals' with learning disabilities to meet other peers, but also provide a valuable assurance of the quality of care on offer within local providers. **(KF51, 52, 53)**

The Capturing of Data

R25 During the transition process, ensure the sharing of information between providers is facilitated as soon as new provision is confirmed and ensure this is continued as an ongoing process in preparation for the transition. Provide an active role in certifying that all relevant documents and information obtained on the individual during an out of county provision is transferred to the new provider prior to a placement commencing. Consider including this process of conveying information between providers within the Cardiff & Vale Multi-Agency Protocol for Children and Young People with Additional Learning Needs' (*currently in draft form*). The information which is transferred between providers, should be available (*where appropriate*) on request. **(KF17, 46, 56, 57, 60)**

Gaps in Local Provision

R26 If not already in practice, encourage local providers to consider enlisting parents onto their Board of Trustees. Such engagement and collaboration would stimulate and encourage better relations and understanding between parents and local providers. **(KF51, 52, 53)**

R27 As stated in the National Commissioning Board's guidance document, *Commissioning Accommodation and Support for a Good Life for People with a Learning Disability*, the service area requires clear focus when developing the provider market, ensuring

that all provision developed adds social value and improves an individual's wellbeing. In line with the growing demographic pressures, the service area should look to locally develop a specialist provision specifically catering for those with complex needs.

(KF1, 2, 3, 4, 23, 25, 33, 34, 36, 50, 62, 64, 65)

R28 When developing local options, formal evaluation should be drawn upon to ensure that the cost-benefit of different models are accurately assessed. The service area should consider commissioning an independent cost-benefit analysis and impact assessment on the immediate and longer term benefits of all out of county placements, which is to include health benefits and sustainability of the skills individuals may acquire when placed out of county, with a particular focus on those diagnosed with high, complex needs. Such work should also include benchmarking costs against other local authorities in order to determine the possibility of providing individuals with greater opportunities for alternative provision, including out of county placements where appropriate. Such formal evaluation will also greatly assist the development of local models. **(KF3, 23, 25, 31, 33, 34, 35, 36, 50, 62, 64, 65)**

R29 Within the work of the Accommodation Strategy which is currently being developed to identify, develop and improve local options, the service area should look to include buildings not currently in use, particularly those located in the suburbs of Cardiff with more grounds. **(KF3, 34, 62, 64, 65)**

Monitoring & Review

R30 A robust review process of an individual's health, well-being and skill set must exist for all individuals who have transitioned from an out of county provision. This process should include specific assessment measures, which are captured both pre and post move in order to determine any potential 'impact' of a transition. Such monitoring will more greatly ensure that an individual's quality of life and skill set are both maintained and developed within provisions. This plan for specific assessment measures should be developed in line with the providers and subsequently shared with all concerned parties including the individual and their family (*where appropriate*). **(KF45, 50, 57, 60, 61)**

Introduction

13. The task group reviewed a draft scope for the Inquiry at its first meeting and agreed for the terms of reference to be:

- To review current pathways (with a particular focus on the decision-making process) in relation to supported living arrangements for adults with a learning disability;
- To review residential College placements and how decisions are made in terms of continuation;
- To identify best practice in relation to transitioning individuals from an out-of-county placement back into Cardiff;
- To engage with service users and their families in relation to the above whilst also understanding their level of involvement– placing them at the centre of any recommendations going forward;
- To identify current funding arrangements, consider whether this is being used effectively and make recommendations accordingly;
- To identify and recommend a range of options and provision (based on best practice) that could be developed and implemented in Cardiff.

Members of the task group were:

- Councillor Mary McGarry (*Chair*);
- Councillor Ali Ahmed;
- Councillor Susan Goddard⁵;
- Councillor Sue Lent;
- Councillor Bablin Molik⁶.

⁵ Cllr Goddard was a Committee Member until September 2019

⁶ Cllr Molik was a Committee Member until June 2019

14. Members agreed to hold a number of meetings and to receive the following information:

- Overview and background – to set the context for the Inquiry and gain an understanding of the current projects, plans, proposals and assessment process around out of county placement for adults with a learning disability.
- Members also received evidence from the Cabinet Member for Social Care, Health and Well-being, senior officers within the Social Services directorate and external witnesses from both out of county and local providers during their visits including: Bridgend College, Coleg Elidyr, Glasallt Fawr, Values in Care, Vision 21, Dimensions Cymru, Innovate Trust and Mirus.
- In order to ensure the inquiry received far reaching evidence, a Call for Evidence was also requested to both local and out of county providers in order to further understand both the Council and provider's role within a transition process.
- During the course of this Inquiry, the task group also commissioned primary research with both parents and advocates in order to establish the information and support requirements of service users and their families within a transition process. The research relied on qualitative research methodologies such as one to one interviews and focus groups. In total 12 young adults with disabilities were represented within the work. Parents of a further two individuals who had transitioned from out of county residential settings were invited to participate however for different reasons the scheduled interviews could not be undertaken.
- Members also reviewed a number of background documents which had been identified as relevant to the work of this Inquiry.

POLICY CONTEXT FOR OUT OF COUNTY PLACEMENTS FOR ADULTS WITH A LEARNING DISABILITY

Legislative Framework

15. There are several pieces of legislation that have contributed to shape out of county provisions for adults with a learning disability in Wales. Chronologically they are as follows:

- **All Wales Strategy 1983** – this was designed to deliver a range of community services for individuals with a range of disabilities. Prior to the 1980's, there was no supported living accommodation for people with a learning disability in Wales – instead they resided in Hospitals or in their own homes. The vision of community based support for adults with a learning disability was the key driver of this policy and the subsequent hospital resettlement programme. Locally in Cardiff, Ely Hospital closed in 1999.
- **Welsh Mental Handicap Strategy 1994 (Guidance)** - recognised that individuals with learning disabilities should have the same freedom as anyone else to choose where they live and whom they live with.
- **Learning and Skills Act 2000** – holds the Welsh Government as responsible for securing the provision of a range of facilities for education and training for young people aged 16-25 (*with or without Learning Disabilities*). This includes the provision of further education institutions such as specialist post-16 education.
- **Social Services & Well-being (Wales) Act 2014** – focuses on improving outcomes for individuals by encouraging independence and keeping people out of long term or institutional care. The local authority has a duty to assess an adult if it appears that they have needs for care and support, and if they are ordinarily resident in the authority's area (s19). The duty to provide accommodation if required is laid out in s34-35 of the Act.
- **Well Being of Future Generations Act 2015** – requires the local authority to make “reasonable adjustments” in how services are provided in order to reduce preventable inequalities in health for people with a learning disability

- **Regulation and Inspection of Social Care (Wales) Act 2016** – provides the statutory framework for the regulation and inspection of social care in Wales. Regulations within the Act states that within seven days of an individual being placed, the service provider must assess how the individual's care and support needs can be best met, achieve their outcomes, ascertain the individual's views and assess any risks.
- **Additional Learning Needs and Educational Tribunal (Wales) Act 2018** – under the Act, local authorities will become responsible for learners with Additional Learning Needs from the age 0-25, ensuring they can access suitable education and/or training, including compulsory education and specialist post-16 education or training where necessary.

Although not legislation, the Joint Commissioning Strategy for Adults with a Learning Disability (2019-2024) sets out how Cardiff and Vale of Glamorgan Council's and Cardiff and Vale University Health Board will work together to respond to the needs and aspirations of the adult learning disability population within the context of national legislation and guidance, wider local plans and available resources. At a local level, the strategy will inform what services each of the three organisations will individually or jointly commission to meet personal outcomes, encourage participation and promote independence over the next five years.

KF6

Key priorities of the Cardiff and Vale Joint Commissioning Strategy relevant to this inquiry are:

- Information; accessible and easy to understand;
- Choice and control – listening to the person and carer's views;
- Right care at the right time – early crisis and respite support;
- Day opportunities – volunteering and work experience;
- Transitioning should be joined up and planned well.

KF7

Special Educational Needs (SEN)

16. Special Education Needs legislation is set out in Part IV of the Education Act 1996. Legislation relating to post-16 learners in further education with learning disabilities is included in the Learning and Skills Act 2000.
17. The Welsh Government currently have a general duty under sections 31 and 32 of the Learning and Skills Act to secure 'proper provision' for the education and training of learners aged between 16 and 19, and 'reasonable facilities' for those over the age of 19. This Act also requires Welsh Government to secure the provision of boarding accommodation for children and young people with learning disabilities if they cannot otherwise secure provision of facilities for education and training which are sufficient in quantity and adequate in quality for those aged 19 to 25.
18. Section 140 of the Learning and Skills Act 2000 places a duty on Welsh Ministers to make arrangements for the assessment of young people who have SEN, where they are likely to leave school at the end of the last year of compulsory schooling, to receive post-16 education, training or higher education. It also gives Welsh Ministers a power to do so in relation to those up to the age of 25 who do not have a statement of SEN but who appear to have a learning difficulty.
19. This legislative framework is based on a model introduced more than 30 years ago and is deemed as no longer fit for purpose.
20. A series of enquiries and reviews of SEN provision in Wales by Estyn, the Wales Audit Office and the National Assembly's former Education, Lifelong Learning and Skills Committee have highlighted that the current system is complex, bewildering and adversarial. The evidence points to an assessment process that is inefficient, bureaucratic and costly, as well as being insufficiently child-centred and user-friendly.

21. Key weaknesses which have been identified within the current SEN system are:

- The existing SEN Code of Practice is not always applied rigorously or is interpreted differently by different local authorities;
- Trust between parents and local authorities or schools, is often undermined and this leads to dispute;
- It is difficult to adopt a flexible approach to the delivery of special educational provision⁷.

The primary research conducted by this inquiry highlights that under current arrangements, the majority of parents interviewed would request better understanding and guidance of the transition process involved in moving their child from specialist further education to the appropriate care and support arrangements in Cardiff. In particular, parents highlighted the need to improve engagement between themselves and the service area along with greater recognition that their input significantly assists the objective of meeting a child's 'best interest.'

KF30

22. During the inquiry Members heard that within current systems, there is a vast variation in schools with regard to the practice of ALN, as currently there is no statutory expectation for schools to have a SENCo (*Special Education Needs Coordinator*), which at present, is just seen as good practice. The Additional Learning Needs and Education Tribunal (Wales) Act 2018 looks to unify practice by implementing a requirement that all mainstream schools have a designated Additional Learning Needs Coordinator.

23. During the course of the inquiry it was also confirmed to Members that prior to 2013, there was no disability register for children which also led to difficulties in assessment.

⁷ <http://www.assembly.wales/research%20documents/18-023/18-23-web-english.pdf>. Accessed 5 September 2019.

Additional Learning Needs and Educational Tribunal (Wales) Act 2018

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (*hereafter referred to as 'The ALN Act'*) makes provision for a new statutory framework for supporting children and young people with additional learning needs. It replaces the existing legislation detailed above surrounding special educational needs (SEN) and the current assessment of children and young people with learning disabilities in post-16 education and training. The Act instead places the responsibility of learners with additional learning needs from the age of 0-25 with local authorities.

KF6

During the course of the inquiry, Members received a briefing from the Additional Learning Needs Transformation Lead for Central South Consortium and Cardiff Council's Senior Achievement Leader Inclusion and were advised that confusion can arise from the interpretation that this Act provides a right for a child with additional learning needs to stay in education up until the age of 25. It was confirmed that the principles of this Act stem around parity and are laid out to ensure that a child with Additional Learning Needs has equal rights in accessing further education courses as a child without Additional Needs, and can therefore access and receive training up until the age of 25.

KF9

Due to the consensus set by Welsh Government policy publications and guidance, the further education option for those with additional learning needs is seen by governing bodies to be one which offers the 'college experience' equating to two years of education, not the 'university experience' which would be three years of education.

KF10

23. It is proposed that the ALN Act will provide a complete overhaul and create:

- A unified legislative framework to support all children of compulsory school age or below with ALN, and young people with ALN in school or further education (FE);

- An integrated, collaborative process of assessment, planning and monitoring which facilitates early, timely and effective interventions;
- Improved collaboration between local authorities and health boards; and
- A fair and transparent system for providing information and advice, and for resolving concerns and appeals.

Primary research conducted for this inquiry has shown that the parents of people with a learning disability involved in this inquiry currently have limited or no knowledge of the ALN Act and the changes it will bring.

KF12

A key element of the ALN Act is its endeavour to increase participation of the individual with learning disabilities, stating that it is imperative individuals see the planning process as something which is done with them as opposed to for them. As such, they and their families should actively be encouraged to participate in the planning process for their educational opportunities through the provision of clear, impartial advice, information and advocacy.

KF11

24. The Act continues the existence of the Special Educational Needs Tribunal for Wales, which provides individuals and their parents with the ability to appeal against decisions made by the local authority in relation to their or their child's ALN; it makes no changes to how the Tribunal will hear appeals but instead renames it the Education Tribunal for Wales.
25. During consultation and pre-legislative scrutiny of the Bill, Assembly Members criticised the Tribunal as having 'lack of teeth' in relation to directing health bodies. In response to these concerns, the Welsh Government inserted, through amendment, a power for the Tribunal to require health bodies to give evidence regarding a case of ALN and for the Tribunal to issue non-binding recommendations to an NHS body

(section 76). The NHS body must then report back to the Tribunal stating the action it has taken in response to the recommendation or why it will not be taking any action⁸.

Timeline of Additional Learning Needs and Educational Tribunal (Wales) Act 2018

26. The Additional Learning Needs and Education Tribunal (Wales) Bill was passed by the National Assembly for Wales on 12 December 2017, the legislation then received Royal Assent on 24 January 2018 and became the Additional Learning Needs and Education Tribunal (Wales) Act 2018.

27. Following consultation with stakeholders, the Welsh Government decided to adopt a phased approach to implementation. On 3 September 2020, the Welsh Government Minister for Education, Kirsty Williams, issued a Written Statement providing an update on the position in relation to Additional Learning Needs (ALN) reform in Wales. The statement acknowledged that 2020 has been an extremely difficult time due to the pressures and disruptions caused by the Covid-19 pandemic. However, the implementation of the ALN Act remains a government priority, and there will be no further extension to the timescales for implementation;

- Implementation will begin in September 2021, for completion by August 2024.
- The final ALN Code and operational guidelines will be laid before the Senedd in February 2021.
- The timeline for commencement of the three statutory posts is by January 2021. The three posts are
 - o ALN Coordinator, or ALNCO (a school post);
 - o Designated Education Clinical Lead Officers, or DECLO (a health post); and
 - o Early Years ALN Lead Officers, or EY ALNLO (a local authority post)
- To support the implementation of the Act from September 2021, information will be provided by Welsh Government around the implementation and transitional arrangements.

⁸ <http://www.assembly.wales/research%20documents/18-023/18-23-web-english.pdf> Accessed 5 September 2019.

Draft ALN Code

28. The Act requires the Welsh Government to produce an ALN Code⁹ which will provide most of the detail for the way assessments and decisions about provision will be carried out; with the Act setting the overall framework.

29. The ALN Code will impose mandatory requirements on local authorities in respect of:

- Information and advice services;
- Independent advocacy services;
- Preparation, content, form, review and revisions for Individual Development Plans (IDPs - *further detail later in the report*)

30. Initial consultation on the Code ended in March 2019 and received over 800 responses. It is believed that due to the high level of discussion and input within the consultation, along with the significant implications for local authorities and health boards, the Welsh Government agreed to change its timetable for implementation (*to that of point 27*).

31. Originally, the implementation period for the ALN Act was to begin in September 2020 and end August 2023. However, on 17 Sep 2019, the Cabinet Secretary for Education announced a revised implementation approach as follows:

- Three-year implementation period, to start in September 2021 as opposed to September 2020;
- mandatory phased approach - learners with existing Statements will transfer to the new system within two years, and all other learners with non-statutory plans within three years;
- old system entirely phased out by Summer 2024; and,
- mandatory new roles expected to be operational by January 2021.

32. It is to be noted that at the time of writing this report, the Welsh Government had not yet confirmed the date from which responsibility for specialist further education provision placements will transfer to local authorities.

⁹<http://www.senedd.assembly.wales/documents/s59527/Draft%20Additional%20Learning%20Needs%20Code%20February%202017.pdf>. Accessed 6 Sep 2019.

Early Years Additional Learning Needs Officers

33. The ALN Act will also bring the introduction of local authority Early Years Additional Learning Needs Officers (*one post for Cardiff*). The purpose of this role will be in contributing to improve early identification in relation to ALN along with ensuring better planning for future provision.
34. It will be the local authority's responsibility to designate an Early Years Additional Learning Needs Lead Officer to co-ordinate the strategic delivery of early year's functions. The Draft Code sets out guidance on the role, experience and expertise that is required. Early Years Additional Learning Needs Lead Officers are also expected to assist local authorities in the delivery of Additional Learning Need functions -such as provision.
35. Under the ALN Act, local authorities will also have a duty to take all reasonable steps toward securing provision in Welsh where required, and when reviewing Individual Development Plans (*detailed below*) consider the sufficiency of Welsh language within additional learning provision.

Primary research conducted for this inquiry highlighted parents' expectations on the need to expand the availability of locally based care and support provision in the Welsh language.

KF63

Individual Development Plan

36. As mentioned earlier in the report, the ALN Act provides a new, unified system for people with ALN; Section 11 of the Act sets out a duty on governing bodies of both schools and Further Education Institutions (*FEI*) to decide whether students have ALN 'where it is brought to their attention or otherwise appears to them' that they may have ALN¹⁰.
37. Where a governing body of a school or FEI decides that a student does have ALN, Section 12 of the Act requires them to prepare and maintain an Individual

¹⁰ <http://www.legislation.gov.uk/anaw/2018/2/section/11/enacted> Accessed 10 Sep 2019.

Development Plan (IDP) for them (bringing an end to the current distinction between school led interventions and local authority issued statements and integrating the current separate legislative arrangements that exist for pupils in schools and post-16 students in colleges). Meaning that all learners with ALN will have the same type of statutory plan irrespective of their age or whether they are in a school, a school sixth form or a FEI.

38. The Welsh Government state this will place learners in further education who currently have separate Learning and Skills Plans (LSPs) on a more equal footing with their school-based counterparts and improve transitioning between school and post-16 education¹¹.
39. In a further bid to improve transitioning, the Act also introduces the transfer of responsibility for access to specialist post-16 provision from the Welsh Government to local authorities. The Welsh Government believes this will encourage local authorities and post-16 providers to work together to plan and make provision, as well as incentivising local authorities to plan for the individual beyond the age of 16 in a way they do not necessarily have to at present¹².
40. The introduction of IDP's were originally scheduled to commence in 2020 within a three year roll out; however due to the pre-determined delays mentioned earlier in this report, implementation is expected to begin in September 2021.

Referrals

41. Under the Act, it will be the responsibility of the school to decide if their student has Additional Learning Needs (ALN). If a child is then deemed as having ALN, the school must provide additional learning provision for that child and formulate the IDP. Local authorities will only prepare and maintain an IDP where the young person's needs are more complex.

¹¹<http://www.senedd.assembly.wales/documents/s59527/Draft%20Additional%20Learning%20Needs%20Code%20February%202017.pdf>. Accessed 6 Sep 2019.

¹²<http://www.senedd.assembly.wales/documents/s59527/Draft%20Additional%20Learning%20Needs%20Code%20February%202017.pdf>. Accessed 6 Sep 2019.

42. As such, the ALN Act introduces a distinction with the most severe and complex cases IDP's becoming the direct responsibility of the local authorities, whilst the others remain the responsibility of schools or FEI's.
43. Along with an IDP being transferred to local authorities due to complex needs, schools can also refer cases to a local authority where the pupil has ALN:
- that may call for additional learning provision (ALP) which would not be reasonable for the school to secure,
 - the extent or nature of ALN which the school cannot adequately determine, or for which the school cannot adequately determine ALP
44. Before directing a school to maintain an IDP, the local authority needs to determine, with due regard to the guidance set out in Code, whether it is reasonable for a school to secure the ALP called for by the child or young person's needs.

Disputes to IDP's

The ALN Act places greater emphasis on disagreement avoidance and dispute resolution. Due to schools maintaining IDP's, the ALN Act will introduce different appeal procedures. Should a young person or parent (*or any other stakeholder*) wish to challenge an individual's IDP or the learning provision they have been provided with, there will be clear routes for them to do so and local authorities must provide access to independent advocacy services for this route.

KF13

45. Within a grievance process, schools can only take the dispute so far (for instance by holding a meeting with the parent to discuss and 'work through' their concerns). If no resolution is found, the school can then go to the local authority to ask for assistance in resolving the matter. It must be noted, that it is the local authorities' recourse to decide if they agree to get involved with disputes put forward to them by the school. As such, it is essential that local authorities provide schools with concrete arrangements for avoiding and resolving disagreements, ensuring any grievances are resolved at the earliest, local level.

46. It is also essential that the local authority puts in place clear guidance for schools on when they should incorporate local authorities in an appeal process.

47. If the local authority agrees with the school on the IDP, the parents would then be advised. However, if the parent is still in disagreement, they will have the right, and be provided with the option, in going to tribunal.

Post 16 Arrangements under the Act

48. As already mentioned, the ALN Act requires local authorities to become responsible for securing places for further education including within specialist further education institutions.

Under the ALN Act, the assessment process for determining further education will focus on educational need; looking at the realistic prospect of an individual completing a course and achieving educational goals.

KF14

49. To elaborate, regulation on post 16 specialist education placements will need to consider the following:

- Does the young person have reasonable need for education or training and if so, what are they?
- Is there a realistic prospect of the young person achieving a desired objective within a reasonable period of time by undertaking a course of education or training?
- Does the young person require additional time to complete post-16 education or training in comparison to the majority of others of the same age who do not have ALN?
- Has there been a previous period of post-16 education or training?
- What courses may be available which would be expected to equip the young person to meet the desired objective within a reasonable period?

50. During the inquiry it was confirmed to Members that under the new assessment process brought in by the Act, consideration will also be given to location and that the offerings of local provisions will be considered first in line with Welsh Government policy. However, as is with current arrangements, if needs cannot be met locally, out of county provisions will be considered.
51. In its document, *Securing Provision for Young People with Learning Difficulties at Specialist Further Education Establishments* (April, 2017) the Welsh Government states that, '*In regards to post-16 education, that all young people who have a learning difficulty should be provided equitable access to further education at a mainstream FE establishment, through the delivery of inclusive options available locally to meet their needs. It is therefore the Welsh Government's expectation that mainstream FE establishments will normally meet the education and training needs of the majority of young people who have a learning difficulty*¹³.'
52. Further education institutions (FEI) will normally be responsible for preparing and maintaining IDPs for their enrolled students, but as with schools, FEIs may also refer more severe and complex cases to local authorities to decide. Where a referral is made, a local authority will be required to prepare and maintain an IDP. However there is no power for the local authority to direct a FEI to maintain an IDP (*this is due to FEI's being independent bodies*).
53. Although, a local authority may request that a FEI takes over responsibility for an IDP, if the FEI does not agree, the local authority may refer the matter to Welsh Ministers for determination. The draft ALN Code describes some of the proposed regulatory detail around such referral including the timescales within which referrals to the Welsh Ministers can be made. However, due to the uncertainty in how this will be managed between the local authority and further education institutions specific regulation from the Welsh Government on determining decision making for post 16 is anticipated.

¹³ <https://dera.ioe.ac.uk/28271/1/170124-securing-provision-for-learners-with-learning-difficulties-en.pdf>
Accessed 27 Jan, 2020.

Impact on LA's

54. The local authority must ensure there are effective, efficient systems and process in place for the changes the ALN Act will bring.
55. The unification presented by the ALN Act stipulates great changes for schools as they will now be expected to become strategic leaders. As such, due to the current differing practice there is a need to influence and change the quality of learning for pupils with ALN – with the need to reinforce basic principles on what every school must do. During the inquiry it was confirmed to task group Members that preparation within this respect has begun and that both school and social services staff are beginning to receive training on this Act and its implications.

The challenge under the ALN Act will likely be around capacity and demand, and although responsibility for further education provision will begin at school, the ALN Act places emphasis on relevant bodies, such as adult services becoming involved to ensure every child and young person with a learning disability known to services is aware of all of the options available to them.

KF15

56. During evidence gathering sessions for this inquiry, Members received the concern from one out of county provider that within the upcoming ALN Act there is a lack of recognition towards specialist provision as part of the post-16 education offer which could result in local authorities acquiring and distributing information about post-16 options which do not include specialist provision.

Funding (under current arrangements)

57. Under current arrangements, funding of post-16 specialist placements is currently provided by Welsh Government. All year 11 plus pupils with 'statements', who are expected to leave school at the end of the current school year and wish to continue their educational provision will receive assessment by Careers Wales under section 140 of the Learning and Skills Act.

58. Where the outcome of an assessment proposes placement for a learner at a specialist further education institution, an application for funding on the learner's behalf is made to the Welsh Government.

59. The Welsh Government considers applications in the light of its published guidance, 'Securing provision for Young People with Learning Difficulties at Specialist Further Education Establishments' (April 2017). When appropriate, Welsh Government will look to health or social services to enter into an arrangement to joint fund specialist placements.

60. Within the current system there is no direct responsibility of the local authority in determining further education provision however as detailed within this report, this will change under the ALN Act.

The proposal under the ALN Act is for funding for all placements to come from local authorities; however the Welsh Government is yet to work out how this will be done in practice. At the time of writing this report, there is no known formula for how funding will be determined and for this reason there are significant concerns within this authority with regard to discrepancies between Welsh local authorities. For instance there is concern that those authorities which display higher trends could be seen as having equal costs to local authorities with much lower trends and expenditure.

KF19

61. Due to the high numbers of those with ALN residing in Cardiff (*and the high numbers likely to move in due to city facilities*) there is major concern with the parity of the formula. It was confirmed to inquiry Members that although the exact funding formula is not yet known what is known is that an average cost will be determined when the Welsh Government are considering the formula which could mean no additional funding and /or increments. It was confirmed to Members that Cardiff is in consultation with the Welsh Government regarding the formula and officers are ensuring that concerns are being widely communicated.

62. In terms of timing, Members were advised that the formula will likely be in place by April 2021.

Children and Families Act 2014

63. It is to be noted that similar reform to that of the ALN Act has already been implemented in England. The Children and Families Act 2014, obtained royal assent and became law (in England) on 13 March 2014. It is seen as a wide-ranging Act designed to fully reform services for vulnerable children by providing them with greater protection, paying special attention to those with additional needs.

64. Part 3 of the Act deals with laws and provisions relating to children who have special educational needs or disabilities. In line with the reasoning's for the requirement of the ALN Act in Wales; it was also determined that the existing system in England did not perform well enough for these particularly vulnerable groups of people, and that a new approach was required.

65. Provisions put in place by the Children and Families Act included the following:

- A new Education, Health and Care (EHC) Plan (*English equivalent to IDP*) based on a single assessment process to replace special education statements. EHC plans are documents that support children, young people and their families from birth to 25.
- The commissioning and planning of services for children, young people and families is now run jointly by health services and local authorities as a result of the Act.
- Local services available to children and families must be made available in a clear, easy to read manner.
- Local authorities must involve families and children in discussions and decisions relating to their care and education; and provide impartial advice, support and mediation services.

Lessons Learnt from the Children and Families Act 2014

66. Due to the requirement of both social care and medical professionals being involved in the assessment of children with special educational needs, it became apparent that there were not enough medical professionals and social workers to meet requirements.

67. The Children and Families Act also placed requirements on local authorities to carry out a complete Education, Health and Care (EHC) needs assessment when transitioning from a Statement of SEN. It was expected and known, that the cost of transitioning all

Statements to EHCs would come at considerable cost to local authorities. An estimate of the national cost is around £1.2 billion – however little planning by the Department of Education appeared to have taken place in preparation for such costings, nor was additional funding provided.

68. Discrepancies in local authorities' in issuing an EHC assessment has also become apparent – with some authorities seen to be only transferring an individual's statement of SEN into a new document with a different layout¹⁴ - as such failing to adhere to any of the assessment process requirements.
69. During an evidence gathering session of this inquiry, Members were also advised that under this Act, only one year of funding towards further education provision is provided by English government to local authorities.

Proposed Arrangements under ALN Act (2018)

During the course of the inquiry, Members heard first-hand the concerns from some of the specialist further education providers on what the proposed arrangements under the ALN Act may bring. The concerns raised to Members included:

- There is a lack of recognition in the Draft ALN Code of specialist provision as part of the Post-16 further education offer;
- Possible lack of provision for independent advice and guidance for parents and young people with both complex and low incidence additional learning needs;
- Possible risk of young people with complex needs being denied Additional Learning Provision by the nature of their ALN.

Further concerns raised were that local authorities:

- Could be compromised by their role as assessors, commissioners and funders;
- May only provide access to information about local post-16 options other than specialist further education provisions (*which are all currently out of county*);
- May end an IDP rather than consider a placement at a specialist further education provision.

KF16

¹⁴ <https://www.senexpertsolicitors.co.uk/site/news/the-children-and-families-act-2014-one-year-on> Accessed Nov 2019.

Increased Collaboration between Local Authorities and Health Boards for Educational Provision

70. The Additional Learning Needs and Educational Tribunal (Wales) Act seeks to improve collaboration between local authorities and health boards, by ensuring that local authorities and health bodies work together in the best interests of the learner.

71. Section 61 of the Act imposes a duty on health boards to appoint a 'Designated Education Clinical Lead Officer' who will serve as a primary point of contact for local authorities. It is anticipated that this officer will not only prompt and facilitate effective collaborative working between the health boards and local authorities, but also ensure appropriate health board input into an individual's IDP.

72. To note, the Wales Audit Office publication, *Strategic Commissioning of Accommodation Services for Adults with a Learning Disability* states that '*despite progress in many areas, local authorities and their partners must do more to integrate services and resolve a number of complex challenges if they are to achieve the ambition of sustainable accommodation-based services.*'

73. Findings from an independent consultancy review which occurred during the course of this inquiry stated that due to current difficulties, Cardiff should look to improve its multi-disciplinary team working. During the inquiry this challenge was also confirmed by staff members who noted that possible solutions, such as possible co-location of working environments between local authority and health board colleagues are being looked into.

Multi-Agency Protocol for Children and Young People with Additional Learning Needs: Cardiff and the Vale of Glamorgan

74. During the course of this inquiry, Members were informed of the development of a regional multi-agency Transition Protocol which is being developed as a result of the Additional Learning Needs and Education Tribunal (Wales) Act (2018) which will look to provide and reinforce joint working, and align process across various partners.

The 'Multi-Agency Protocol for Children and Young People with Additional Learning Needs' (*currently in draft form*) is being developed in line with the implementation of the Additional Learning Needs and Education Tribunal (Wales) Act (2018), the principles of the Social Services and Well-Being Act (2014) and the application of the Mental Capacity Act (2005) amongst other key legislation and guidance. The protocol has been coproduced with stakeholders from Education, Health Services, Social Services, schools, further education institutions and the third sector through attendance at meetings, workshops and engagement events throughout 2018-19. The protocol also links into to the Joint Commissioning Strategy for Adults with Learning Disabilities (2019-2024) as a work stream from the strategy will develop an action plan specific for those with learning disabilities within the transition period.

KF1

75. This multi-agency development of the draft protocol looks to strengthen transition services into adult life or further education, and should help ensure consistency and standardised practice across not just the region but inter-departments of Cardiff council. At present, there is a Transition Steering Group of operational managers to oversee the final phase of protocol development and set out expectations across the service area. The expected launch date for this protocol is to be confirmed.

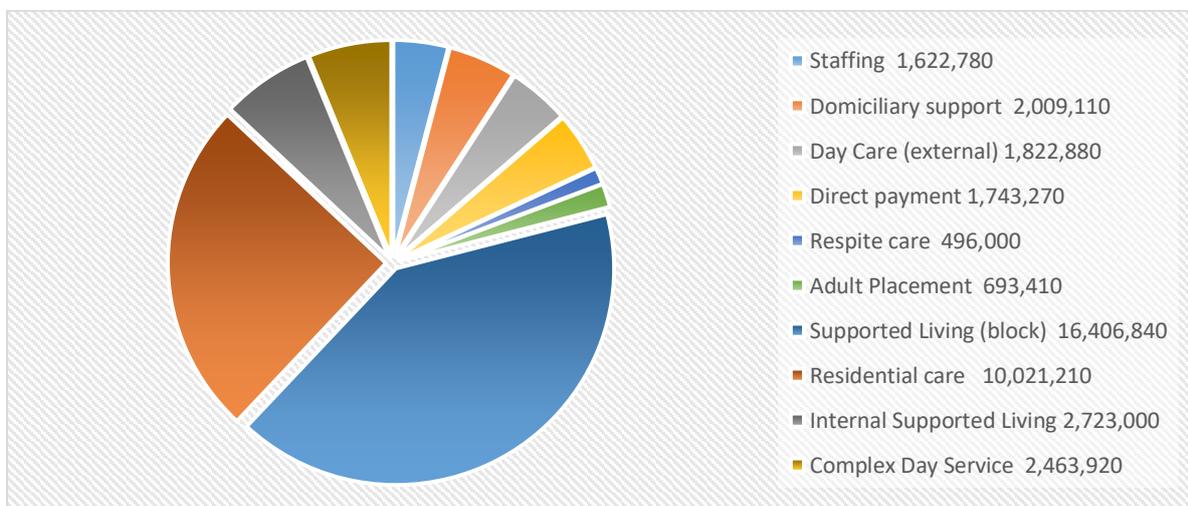
THE CURRENT POSITION IN CARDIFF COUNCIL

Finance

76. As illustrated in the National Commissioning Board's guidance document, *Commissioning Accommodation and Support for a Good Life for People with a Learning Disability* (March, 2019) the financial context for health boards and local authorities over the past ten years have proved very challenging; with sustained pressures on budgets along with increasing demand for services. Such settings have consequently impacted upon people with a learning disability and poses a significant risk to the sustainability of services.

77. During the course of this inquiry it became apparent that there is a shared, collective vision on the significance of funding and need to achieve required savings across the service area.

78. At the time of writing this report, Cardiff Council's budget for adults with a learning disability is £38,970,590pa. Due to the cost pressures mentioned above, a key priority for the service area is to ensure they are using resources wisely to certify maximum quality and effectiveness in meeting people's outcomes. The chart below outlines the service area's key expenditures.



During this inquiry, an independent consultancy confirmed that Cardiff is a comparatively low spending authority in Wales on support for adults with learning disabilities whilst still maintaining good levels of satisfaction with support. This finding suggests scope to increase the quality of local provision for those with complex needs and to consider increasing access to out of county provisions when required.

KF23

Cost of Supported Living

79. As detailed in the above chart, contracts for supported living services for adults with learning disabilities represent a significant proportion of expenditure within Social Services. The overall cost of this service, prior to the recent retendering process, came to £18.2m (domiciliary care element £16.3m, housing related support element £1.9m). Within this figure, support packages range from £9,256.00 per year (less than 20 hours targeted support per week) to £79,746.16 per year (over 112 hours support per week) however, it is to note that costs do differ between support providers.

Cost of Residential Care

80. The average the council fund for residential care for people with learning disabilities is £76,048.96 per year. This figure reflects the fact that many of the Council's residential placements tend to be joint funded with the Health Board as the average price of a residential placement for people with challenging behaviour is £133,217.24 per year. However, it is to note that residential costs have increased significantly as during the last year, residential placements for people with challenging behaviour have been costing on average over £156,000.00 per year.

81. Within residential placements, the council funds the individual's care and accommodation costs (including food, household costs and some activities). The benefits the individuals are entitled to, are reduced as care is provided. On average, an individual within residential care has benefits of approximately £29.50 a week to fund necessities. Additionally, they also retain eligibility for any mobility benefits. In Supported Living, individuals are given tenancies and have control over their own benefits and are entitled to claim for housing benefit to cover rent.

Cost of residential colleges

82. Under current arrangements, the council generally only funds the social care element of residential college courses as typically, along with funding educational costs, the Welsh Government will also fund boarding costs (*unless the person was previously identified as requiring accommodation*).
83. Previously the Welsh Government tended to initially agree course funding for a period of three years, however as of 2019 this has reduced to a period of 2 years with exception sometimes being passed for three years funding if the Welsh Government assess that the individual's identified educational outcomes have not been met during the second year.
84. During this inquiry it became apparent that such discrepancies in placement duration, and the lack of reasoning for such discrepancies stimulates confusion, uncertainty and angst amongst the parents who engaged with this inquiry, with the consistent concern being that such discrepancy could potentially jeopardise their child's learning and development.

It was agreed by the majority of stakeholders who engaged in this inquiry that in order to effect positive change, the decision on the duration of an individual's placement in further education should consider the individual's specific characteristics including their scope and abilities (rate of learning) for developing the skills that they hope to achieve. It is widely suggested by both providers and parents that governing bodies must sufficiently recognise that individuals with a learning disability will take time to settle into a course and that the first year of a course tends to act as an induction period, the second year is developing new skills and the third year provides opportunity for such skills to be consolidated.

KF20

The reduction in Welsh Government funding for further education provision from three years to two, has also had a knock-on effect for local authorities', as more 'move on' accommodation is now needing to be sourced.

KF21

85. Under current arrangements, the local authority does not hold a statutory duty to fund education costs. For instance if an individual requests another year at college to continue receiving educational provision, the council is not able to fund the education element. The council is however able to fund residential placements within a college site if the individual's needs cannot be met locally.

86. Between 2018-2019 residential college funding from social services ranged from £46,000 to £178,000 for a 38-week education year, depending on the college and the student's level of need.

Currently, there are around 300 specialist post-16 placements funded across Wales by the Welsh Government at any one time. The average combined cost for these placements is currently around £21m per annum – with around 50% of cost coming from the Welsh Government, 42% social care (local authorities) and around 5% health funding.

KF18

87. These figures, along with the upcoming shift in responsibility for determining an individual's further education provision (from the Welsh Government to the local authority), and the uncertainty surrounding the funding formula to facilitate this change, presents a significantly concerning reality.

Requests to fund an extension to an agreed programme of study

88. Policy laid out in Welsh Government's, '*Securing provision for young people with learning difficulties at specialist further education establishments*' states that request to extend a young person's educational placement beyond the programme's original agreed end date will only be agreed in exceptional circumstances. The policy specifics that the Welsh Government will need to be satisfied that the circumstances giving rise to the need for the extension were unavoidable and that the extension is objectively necessary to ensure that the young person's identified educational and training needs are met.

Funding will not usually be provided for more than one extension to the same agreed programme of study¹⁵.

89. Further to this, the policy states that the Welsh Government will not consider any extension requests seeking to offer additional time at a specialist FE establishment for the reason of transition planning. The document also outlines responsibility for further education provisions to submit requests for extension to the Welsh Government. In the best interests of the young person, extension requests must be submitted in the individual's final academic year as soon as the need for an extension is known, but no later than 30 April. Where the request is submitted after this date, the Welsh Government cannot guarantee to make a decision before the end of that academic year¹⁶.

Health Funding

90. During their meeting with frontline staff, Members were informed that when determining eligibility for health funding a Decision Support Tool will be utilised by the social worker to determine if any health needs are present in order to assess if an individual may qualify for health funding within their package. There is also a continuing Health Care Court of Protection which ensures the right funding is in place.

Findings from an independent consultancy confirmed that currently there is a disconnect between local authority and health colleagues. It was reiterated that better communication with health colleagues would ensure more efficient working and possibly greater levels of funding. Which in turn will provide more effective services.

KF24

Communication on Funding

During the inquiry Members heard from providers that frustration for both themselves and parents tends to arise where there is uncertainty or questions surrounding funding. Primary research commissioned by this inquiry found a strong desire amongst parents to better understand the funding process. **KF22**

¹⁵ <https://gov.wales/sites/default/files/publications/2018-04/securing-provision-for-young-people-with-learning-difficulties-at-specialist-further-education-establishments.pdf> [Accessed 30 Jan 2020, pg20]

¹⁶ <https://gov.wales/sites/default/files/publications/2018-04/securing-provision-for-young-people-with-learning-difficulties-at-specialist-further-education-establishments.pdf> [Accessed 30 Jan 2020, pg20]

The Transitioning Pathway

91. Currently in Cardiff, individuals are placed in out of county accommodation when local provision is not available to meet their needs. This also occurs for individuals who require specialist further education provision. Occasionally the service area may also have a request to place someone out of county due to the family moving away.

92. It is important to note that many people accessing out of county residential provisions have complex needs. Below is a table detailing the number of individuals (*aged 18-30*) placed within out of county accommodation during the years 2013-2019.

	Supported living	Colleges (Res)	Residential	Adult Placement Scheme
2013	4	13	25	4
2014	7	20	24	10
2015	7	24	27	11
2016	0	20	27	12
2017	0	21	29	11
2018	1	17	25	11
2019	1	14	25	12

93. During the course of the inquiry, the task group had the opportunity to meet with frontline social workers to discuss the current parameters for decision making and the processes currently in place which help determine appropriate pathways for individuals who require transition between provisions.

94. The task group found Cardiff Council social services work-force to be highly professional and were assured by their recognition that every individual is different, and that such uniqueness will undoubtedly always result in different needs. During a meeting with frontline staff it was reiterated to Members that although cost is a factor within the decision-making process, the most important factor is meeting and developing an individual's outcomes.

95. Currently, Cardiff's Learning Disability team is divided into two areas; Cardiff East and Cardiff West, with each area holding team managers, social workers (two of which are transition social workers addressing an individual's transition from children to adults' services), social worker assistants and support planners.

Children to Adult Services Pathway

96. During the meeting Members were advised that if an individual is known to Children Services, around the age of the individual turning 15/16 the Children's Transition Social Worker (TSW) will complete a transition report and forward it to the Adults Services TSW. The transition report is conducted at home with the young person and parent/guardian. This meeting is used to inform the individual of the transition process, the expected next steps (which is when the full assessment of needs will be undertaken), and to obtain the individual's plans/goals/outcomes. The Adult TSW then meets with the family, child, school, Children's TSW to complete a Wellbeing Assessment and Care & Support Plan.

97. Provided the individual meets the eligibility criteria as per the Care and Support (Eligibility, Wales) Regulations 2015, the young person will transfer over to Adult Services at the age of 18.

98. During the course of this inquiry an external consultancy undertook a review of twenty cases and found that generally cases were transferred from Children Services to Adult Services in a timely manner. However seven of the twenty cases reviewed found that assessments were not completed until late in the process.

Determining Accommodation Provision

99. If an individual is identified as requiring accommodation, (under the Social Services Well-being (Wales) Act 2014), this will lead to an accommodation referral which will specify what kind of accommodation they may need.

100. During this time the Supported Accommodation team will offer to meet with families to discuss supported accommodation options in more detail and answer any questions – leaflets and DVDs are also available to help individuals understand the accommodation options available to them. The team also offer to take families and individuals to see

some of the supported living schemes, working with the individual and their family to identify the right option.

101. At the age of 18, a Financial Assessment is undertaken as, depending on circumstances, there is a possibility that an individual can contribute to their care. To note, it is the Council's finance department who undertake these assessments on the individual's financial position via Financial Visiting Officers – the finance team are also informed if an individual receives health funding.

102. If it is not possible to meet the individual's needs locally, it is likely the individual will have multi-disciplinary input with involved social and health care professionals¹⁷ working with the person and their family to identify what provision they require. A complex needs accommodation referral will then be completed which has more in-depth information; this is used to identify what kind of placement is required.

The Current Pathway into Further Education

The current transition planning process following secondary education is set out in the Special Educational Needs Code of Practice for Wales (Welsh Government, 2004) and begins in Year 9 SEN annual review. During the inquiry Members heard that an individual with learning disabilities will typically transition from school to further education around the age of 19 and may transition again 2 – 3 years later. During the inquiry it was confirmed to Members that during this time an individual may remain with the same adult social worker or may be reallocated to another social worker depending on capacity.

KF28

103. As detailed earlier in the report, under the Learning and Skills Act 2000, the Welsh Government are currently responsible for securing the provision of further education and will carry out an assessment (through Careers Wales) of educational needs with the person, their family, the school and Cardiff and the Vale College (under s40 of the Act). Policy specifies that a placement at a local college must be considered and only if this is not suitable, alternative placements will be identified.

¹⁷ This could include social work, community nursing, psychology, psychiatry, occupational therapy, speech and language therapy, physiotherapy and other services who know the person such as education, day service and domiciliary agencies.

104. In order to secure a placement at a specialist further education provision (*which are currently all placed out of the authority*) – the local colleges must first express that they cannot meet an individual's 'reasonable' education and training needs. It is then for Careers Wales to start an application process (S140) whereby the Welsh Government administers applications and monitors progress.

105. During the assessment process a 'school review' is held between the child's current school, Careers Wales, family, social worker and the individual (*if able*) and is usually conducted when the individual is around the age of 14 (*year 9*). Due to the social care element within the S140 application, social services will also provide their assessment to Careers Wales and in turn Carers Wales will provide a copy of their assessment to social services.

106. When the Welsh Government agrees the college placement, they advise the local authority and request funding for the social care elements of the placement such as support for personal care, daily living needs etc. For those pupils, where there are healthcare costs (*such as equipment / therapy*) Cardiff and the Vale Health Board are responsible.

107. Although most out of county residential students with significant disabilities have an element of local authority funding, there are some students with no social care needs who only receive education funding (through the Welsh Government). Thus, under current arrangements, the vast majority of funding comes from the Welsh Government.

Primary research conducted with parents during this inquiry found that most parents have limited knowledge and understanding of the assessment process for accessing specialist further education provision including eligibility requirements, duration of funding and the roles of various stakeholders involved in the process.

KF27

During this inquiry, both parents and out of county providers highlighted the need for consistency in the representation of social workers during the review process of further education placement.

KF29

108. The specialist further education providers who engaged in this inquiry confirmed to Members that course enrolment is matched to both the individual and the students already engaged on the course. This is to ensure the dynamics are right and that no one's learning experience is jeopardised. 'Taster days' are also offered to each potential new student in a bid to ease transition and reduce anxiety. The individual's parent/carer and support worker/social worker are also involved with the 'taster day'.

Benefits of Out of County Placements

109. In the out of county provisions visited by the task group, many of the learners (and/or) residents came from local authorities across England and Wales. The range of disabilities encountered was very broad and often complex. Most have moderate to severe learning difficulties accompanied by another disability and may also exhibit emotional and behavioural difficulties or challenging behaviour.

During the inquiry the following benefits of out of county placements (*both within further education colleges and residential settings*), proposed by out of county providers included:

- Better social mobility;
- Wider relationships;
- Increased-self-understanding;
- Improved self-advocacy and self-reliance;
- Reduction of stress on families;
- Improved mental health outcomes;
- Families able to enter employment / increased employment opportunities;
- Improved health, well-being and quality of life and;
- Reduced elective and non-elective hospital admission.

KF31

Specialist further education institutions visited during the inquiry had the benefit of many on-site facilities and services, including but not limited to:

- Speech and language;
- Counselling;
- Occupational therapy assessment.

KF32

The benefits and outcomes were strongly acknowledged amongst the parents (*of those with children in out of county specialist further education provision*) who engaged with this inquiry who in the majority noted their content with the;

- Individualised support programmes;
- Availability of specialist staff;
- Remarkable development in their child's skills, knowledge and independence.

KF33

110. During the course of the inquiry it became evident to Members that there appears to be a clash in ideologies, between the professional perspective of governing bodies and that of the parents on the benefits of alternative provisions and it is strongly felt amongst Members that this discrepancy must be resolved.

The importance of environmental factors and their significant benefit on individual's (with certain needs) physical and emotional well-being was widely recognised by all stakeholders who engaged in this inquiry.

KF34

111. To further elaborate on the environmental benefits of the out of county providers visited by the task group, Members were informed that residents within certain sites were also provided with the opportunity of working on an on-site working farm, and/or tending to animals along with access to on-site allotments.

112. It was felt by Members that due to the environmental settings of out of county provisions, along with onsite access to facilities, the majority of out of county provisions offer an environment where an individual's skill set is continually developed.

113. In terms of the location of out of county provision, many sites visited were set within rural, spacious settings. During the inquiry it was also reiterated to Members by the out of county providers that although more rural in nature, sites do have easy access to their local community and that the providers strive to help residents build and maintain strong relationships by establishing strong links with the local community. To note, during the course of the inquiry Members were also informed of the benefit of more urban settings which can help an individual develop further strategies for managing daily life within more busy, urbanised settings.

114. During evidence gathering sessions for this inquiry Members witnessed residents in out of county provisions having access to onsite, arts and crafts, weaving and cookery classes (amongst others). Members were further informed that Residents are also encouraged to undertake work experience in the local community.

Although for some young people with disabilities, a specialist further education college may not suit, the perspective presented to Members by specialist further education providers during this inquiry is that the opportunity offered by a specialist setting, for an individual to learn and live amongst peers with similar needs and life experiences can be a very effective way to help them achieve long-term sustainable outcomes that enable them to become active participants in, and contributors to society along with aiding their progression into adulthood.

KF35

115. Both out of county and local provisions visited during this inquiry placed emphasis on the importance of self-advocacy skills (such as social, communication and listening skills) which promote health and well-being through the encouragement of hobbies, healthy eating, and household skills such as cooking and laundry.

116. During the inquiry Members were informed of the HACT Social Value Bank¹⁸, which is a tool used to provide a social impact measurement. During the course of the inquiry Members were provided with information from two out of county providers which states that within specialist provisions every £1 spent sees a social return of £1.38. It is to note, that further information is required on whether this measurement is verified and for what institutions.

117. All provisions visited during the course of this inquiry recognised and placed emphasis on the importance of effective staff who receive continuous, high quality training (*as set out in the Regulation and Inspection of Social Care (Wales) Act 2016*) along with the importance of a low staff turnover.

118. Although recognised in all provisions, Members noted that the specialist further education provisions visited during the inquiry hold the benefit of offering an on-site multi-disciplinary team, including a speech and language therapist and a clinical psychologist (amongst others).

The majority of parents who engaged in this inquiry believe that within a specialist further education provision there is a much stronger opportunity for their child to grow in maturity, develop independence and gain additional skills away from the home environment and that recognition of such skills and opportunity by professionals is paramount.

KF36

119. During their engagement with local authority officers, Members felt that such positive recognition of the benefits of provisions such as specialist further education was not as commonly replicated.

¹⁸ <https://www.hact.org.uk/social-value-bank> accessed: 20 Jan 2020

The Current Pathway for an Individual Returning from an Out of County Placement

During this inquiry, Members were unable to obtain published information which confirmed and clearly laid out the transitioning pathway for adults with a learning disability who may undergo transitioning from an out of county provision. It became apparent that the service area lacked a published framework and guidelines on how identified individuals are brought back from out of county in a structured, personalised way. While a wealth of information was provided to the task group, there was no evidence that this had yet been consolidated into one robust 'pathway' used as a blueprint for returning identified adults into their local county.

KF37

120. While officers were able to provide information when requested and articulate how the transition is accomplished, this had not yet been set out and evidenced into a formal framework. Members were concerned that a structured strategy for those adults with a learning disability, identified as wishing to, or those benefiting from a return to their local county along with college leavers in out of county placements had not yet been completed.

121. At the time of writing this report, there are currently around 150 individuals on the Council's 'move on' list which include those placed out of county identified as wanting to return to the authority, residential college leavers, those currently living at home and so on. Although those labelled as 'high priority' within this number are very small, it is recognised by the service area that this figure does indicate the need to ensure the right properties are being developed locally.

122. In line with the recommendation found in Welsh Government's *Improving Lives Programme* (2018), and *Joint Commissioning Strategy for Adults with a Learning Disability 2019-2024* which endorses an increase in local accommodation options for adults with a learning disability through collaborative working between local authorities, housing, health board and the third sector, Cardiff and the Vale of Glamorgan Council have developed a 'Closer to Home' project which is an informal collaboration between Health, local authority social services and the third sector to

explore ways in which the professional bodies could better collaborate to deliver better accommodation and support services to those with learning disabilities.

123. The project places emphasis on co-production, integrated working, collaboration with the third sector, prevention, evidence-based practice, person-centeredness, quality of life and wellbeing.

124. It is recognised by the service area that placing even a relatively small number of people out of area places major financial strain on statutory bodies which in turn can prevent investment in local service infrastructure and expertise. It is also contended that higher cost and better care are not always correlated and that out of county placements can also place local commissioners in the position where they recognise the need to develop appropriate local services but are unable to do because of lack of available resources to invest. As such, there is a growing consensus, across the UK that the solution lies in the proactive commissioning of local infrastructure of services.

125. It is important to note that individuals who are identified for this project are those who have expressed a wish to return to the authority, where there are concerns surrounding the placement, or where local supported living provision has been identified as meeting their need. During the meeting with frontline staff Members were informed that if an individual has capacity and does not wish to be moved from their out of county residential placement they will not be moved; movement only occurs for those identified as wanting to move or not classed as residential.

126. Currently, the majority of people who have returned from out of county residential care have been individuals stepping down from a history of hospital care.

127. During the course of this inquiry, an independent consultant was commissioned by the service area to undertake a review on the quality and cost effectiveness of current practice. The review included the following key considerations:

- Current service;
- The incorporation of choice and control within the current decision making process;
- Closer to Home Regional Services;
- An opportunity assessment on learning disability provision;
- Quality assurance on the initial transition into Adult Services and;
- To include, and make reference to national academic research on service models for provision.

128. Toward the end of the inquiry Members were presented with the findings from the external consultancy which found that there is a coherent vision across the service area to ensure individuals have equal access to support, which in turn ensures independence and control, and that an individual's outcome and quality of life is at the centre of the authority's decision making. It was also confirmed that there is a strong culture for improvement and self-drive across the service area in order to continue on its 'journey for improvement' and in order to ensure it operates within an open and responsive culture.

If an individual transitions from an out of county residential provision there is a high multi-disciplinary team (MDT) involvement, including health colleagues, specialist behaviour team and so on. Further to this, a wealth of risk assessments along with a full assessment and analysis of care package is also undertaken. This is conducted in full consultation with the family and individual (as appropriate). It is to note that although full and thorough risk assessments and analysis of care package is provided for all individuals, MDT involvement does not commonly occur for those transitioning out of residential college.

KF38

129. Members were also pleased that the sensitivity of such movement is also recognised by staff as it was confirmed to Members that an individual's wants and rights are always at the forefront when decisions are made. However, Members were concerned to hear from frontline staff that due to the lengthy nature of the transition process, on occasion it can be perceived as taking too much time and being too resource intensive.

130. If a local opportunity is deemed the most appropriate option, or can be developed for an individual currently residing in out of county residential accommodation, staff will approach the person and family to consider whether a move back to Cardiff would be beneficial.

The key drivers in determining an individual's provision were confirmed to Members as:

- The individual's wishes
- Families wishes
- Persons needs
- Budgetary position.

Each driver was confirmed as equal in weighting.

KF39

131. Local authority staff who engaged in this inquiry confirmed they always support 'choice' so long as it is in line with the service user's best interest. Members heard that essentially the final decision for the package of care is down to managers. However key stakeholders such as family members, providers, educational facilities are key toward the information gathering which lays the foundation for such decisions.

Members were advised that due to the current climate of austerity and cuts there are requirements for officers to remain within certain budgets. Members were further advised that the level of justifying and producing sufficient evidence in support of a more expensive placement is due to the budgetary position along with Key Performance Indicator requirements.

KF25

132. During the meeting with frontline staff, Members were informed that if an individual is placed out of county, it does place difficulties on the social worker to effectively monitor an individual in their placement due to distance and time required for travel—presenting the argument that it could be deemed that those out of county could be perceived as more vulnerable.

During their review of 20 cases' written records, the independent consultants found that information kept in an individual's case file lacked definition on how the decision-making process within a transition (either from a residential college or from the family home) was undertaken. To elaborate, it lacked detail on the contributing factors and how evidence was weighed. The review also showed that outcomes captured within the data appeared to be too generalised making it difficult to hold providers to account and effectively monitor an individual's progress when a transition has occurred.

KF45

133. However, the independent consultants found there to be strong, coherent positive visions within the service area with regards to transition, with a significant amount of good practice displayed.

Schedule of Transitioning Process

134. The importance of early planning when an individual transitions was both recognised and emphasised by all stakeholders involved in the process. There appeared to be a shared view amongst all stakeholders within this inquiry that early, detailed planning for those due to transition will ensure an individual's needs are best met, minimising disruption and distress and maximising smooth transition.

Based on the views of the parents who engaged in this inquiry, the guidance and scheduling involved in transitioning individuals out of specialist further education provision appeared to be considerably inconsistent.

KF40

Members heard from Council officers that for those placed in a specialist further education provision, the year before their course is due to end a reassessment phase will begin; this inquiry's research found that the transition period tended to be initiated (*with the parents*) around 6 months prior to course end. Parents perceived this as too late in the process with parent suggestions that discussion regarding transitioning for those currently placed in out of county further education provision should start at the end of first year (*for two year funding*) or at the end of second year (*for three year funding*).

KF41

Disputes

135. During the inquiry both local authority staff, providers and the consultants drew Members' attention to difficulties which can arise when there are discrepancies between an individual and a parent's 'wants'.
136. It was further mentioned how in some cases, parents 'wants' could dominate and therefore override the wants of the young person; in turn reducing an individual's opportunity. An out of county providers engaged in this inquiry informed Members that challenges can also arise if parents have unrealistic expectations in terms of their relative's requirements.
137. It was confirmed by local authority staff that disputes are always aimed to be avoided, however if they do occur, they are always looked to be addressed early.

Transitioning from a Residential College

138. If a further year at a residential college is requested, and Welsh Government funding has been denied, the service area will assess an individual's outcomes through a wellbeing assessment and consider the options of a residential placement along with local options with a mindful approach to current resources.
139. During the meeting with frontline staff, it was confirmed to Members that decisions made always have to be evidence based and taken on a need not want basis. As such, when making decision over a possible continuation of placement (*at a residential college*) a level of evidence would be required in order to determine if

continuation at the placement is required and why it would be deemed as being in the best interest of the individual.

Support Planners

140. During the year before a transition is due, Support Planners come in to the process specifically addressing what the service user wants – drawing up possible activities and timetables to suit the individual.

During a transition process, a Support Planner works with individuals to listen to their aspirations & needs with regards to meaningful occupations. The Support Planner has expertise in knowing what opportunities are available locally and becomes involved with an individual following a referral from a social worker should an individual wish to do activities in the community, instead of college, or after college, or while also attending college. Support Planners are involved with over 80 providers and services in Cardiff with a wide range of volunteering, social, sport, arts, health and adult education (life-long learning) opportunities. Since introducing Support Planners, the service area confirmed they have been able to offer a much wider range of occupation options, increasing an individual's skills, confidence and social networks.

KF47

Determining Provisions

During the inquiry it was confirmed to task group Members that a wealth of work goes into identifying properties for an individual – noting that compatibility with current residents, the environment, the needs of the individual and that staff members have the right skills is central to the decision making process. Members found that the significant of these factors was recognised amongst all stakeholders involved in this inquiry.

KF42

141. As supported living is seen as the main model of care which can accommodate the broadest range of needs, supported living routes are the ones explored first in an assessment. It is significant to note that each individual will receive individual care when formulating their care package, for instance some individuals may request a

more holistic approach whilst others may not consider themselves as having a disability and will not want (*or necessarily need*) high level provision.

Although it was reiterated to Members that all provisions are equally acknowledged, valued and utilised, Members hold concerns that under current practice it appears that provisions perceived as 'intentional communities' and their benefit as a provision is not widely recognised. Members wish to reiterate the importance of seeing the value in every provision as stated in the Welsh Government's *Prosperity for All* document.

KF43

142. Once accommodation has been identified, an individual will have the opportunity to visit the property, meet other residents and those that will be supporting them. Once provision is agreed, together, with the individual and involved family members the service area will implement a detailed plan for the move including 'tea visits' and overnight stays before the final moving date. In order to ensure there is compatibility, the service area look to have this 'transition' period complete within three months however in some instances, this can take longer. The average duration of a transition period significantly highlights the sensitive approach taken by the service area and reaffirms that compatibility is at the forefront of an individual's transition.

Through engagement with both parents and providers, this inquiry found that during the transition process following further education provision, incompatible options are suggested and it appears that a process is followed even when known and advised by stakeholders that the suggested placements won't work.

KF44

An out of county provider who engaged in the inquiry, provided the group with an example of one resident who transitioned home after extended funding had not been agreed and the provider was then contacted by social services three weeks later inquiring if provision for this individual was still available as it had been determined that there were no suitable provisions available locally.

KF46

Primary research conducted with parents during this inquiry found variability in their understanding of the overall transitioning process. It became evident they require clarity on the roles of stakeholders involved in the process, including their own role, along with an indicative timeline and greater detail of the specific stages involved.

KF48

Engagement with parents during the transitioning process

143. Improved access to information is a key priority in the Cardiff & Vale Joint Commissioning Strategy and a stakeholder project group is being set up under the Learning Disability Stakeholder Group to develop an implementation plan regarding this.

During the inquiry Members were informed by officers that when required, future placement options are continuously discussed with the individual and the family. Findings by the consultants further confirmed that, in the twenty cases they reviewed, good evidence was displayed demonstrating that young people and their parents/carers are actively involved in the process. However, primary research commissioned by this inquiry found that, out of six parents involved in the research whose children had gone through the transitioning process, two confirmed a positive experience. The other parents cited improvements could be made in engaging with them.

KF49

144. Such information suggests that although engagement is happening, there are questions surrounding its effectiveness.

Incorrect Assessments

145. During the Call for Evidence undertaken by the inquiry, both local and out of county providers alerted Members to the potential ramifications of incorrect assessments which fail to capture relevant or accurate data, which could possibly result in negative consequences for the individuals and family members during a transition process. Members' raised this issue with frontline staff who confirmed the importance of the final transition meeting (*which includes all professional bodies and family members*

along with the individual) along with the significant need to ensure that there is a correct balance between all of the pertinent factors when determining placements. During the inquiry Members were informed that typically, incorrect assessments occur due to the variance of environments where an assessment is undertaken.

KF54

146. The ramifications of incorrect assessments were recognised by the service area who confirmed to Members that in order to address these issues they are currently working with providers to initiate earlier provider assessments. It is hoped that such assessment would be carried out several months before the individual was due to finish college in order to help understand the individual's needs better and match them with upcoming vacancies earlier in the process. Members were advised this approach has been discussed with all providers with a view to formalising this arrangement in the near future.

147. During their attendance at a Learning Disability Wales conference, Members became aware of Conwy Council's work in partnership with a third sector organisation to deliver a 'Planning for the Future Service' which is designed to support individuals with learning disabilities and their parents/carers to plan for and help during their transition period into more independent living.

Conwy Council's 'Progression Project' is designed to assist the assessment process through the development of a more informed understanding of accommodation and support needs. The Project consists of a refurbished bungalow which provides individuals with a 'come and try it' service for independent living. With individuals residing for the day, overnight or staying for a few days in order to ensure their needs are best determined.

KF55

148. During an individual's stay at the bungalow, assessment is undertaken of their daily living skills and support needs led by an Occupational Therapist. It is felt that spending time at the bungalow not only provides an individual with the opportunity to see if they are ready to move on from their current living arrangements but also helps to:

- Understand what the person needs to do to become ready to move on;
- Develop a thorough understanding of the person's outcomes and;
- Consider how the person's outcomes can be best supported before a longer term service is commissioned.

149. When visiting a specialist further education institution who engaged in the inquiry, Members learnt about their onsite 'independent training flat' which the provider draws on in preparation for an individual transitioning.

150. It was highlighted by the provider, that such facilities are a firm avenue for potentially avoiding 'incorrect assessments'. It was felt by Members that such resources would help better gauge correctly how an individual's needs can be both met and developed. It was also discussed that such facilities could be accessed if any delays should occur in sourcing longer term provision. Ensuring an individual's skills are maintained during a potential interim period, resulting in better transition planning and ensuring smooth transitions.

As a result of the Call for Evidence Members initiated with both local and out of county providers, it was confirmed that when an individual's placement is confirmed they, as the provider, will receive a Care Plan and/or a Unified Assessment which outlines the individual's abilities, capacity and needs, providing a brief overview of an individual's communication abilities, mobility, physical and emotional needs, special equipment, adaptations, educational need, medical information and so on. It was also confirmed that if the individual is a college leaver, they (*as a local provider*) would also receive a written assessment from the educational facility and/or a psychology report. However, one local provider noted that they tend to only receive such introductory information on an individual post entry.

KF56

In order to ensure the process of sharing information between providers is both efficient and effective, Cardiff Council's Learning Disability team are currently working with one out of county provider on developing an all-encompassing document to assist in this process. **KF57**

Supported Living Placement Following Out of County Provision

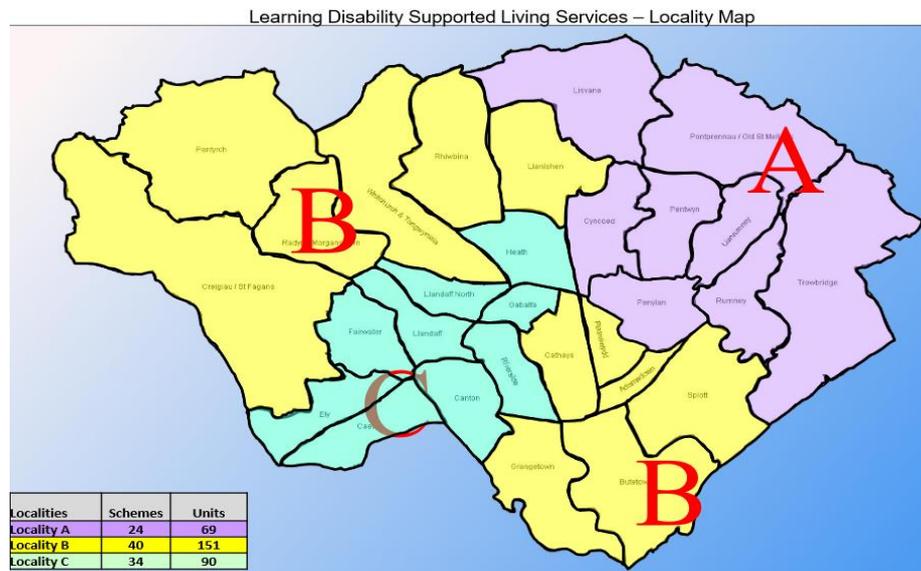
151. Supported living models currently available in Cardiff include:

- Living in a rented or owned property and getting an individual support package;
- Shared Housing - sharing with other adults with a learning disability in a rented property (*usually a Registered Social Landlord*) with each person receiving an individual support package;
- Extra Care or Sheltered Housing;
- Adult Placement / Shared Lives - lodging in someone else's home and receiving an individual support package;
- Living in an extension to a family home and receiving an individual support package;
- Core and Cluster accommodation and support - living in a network of houses or flats with others whilst in receipt of an individual support package.

152. Within Cardiff support is delivered by commissioning with external organisations in the main, with internal support offering a service to 27 individuals. During the course of the inquiry Members were informed that the Council has recently completed a supplier and gap analysis which has identified the need to develop more supported living services locally.

153. During 2019, Cardiff Council undertook a competitive retendering of its supported living providers, with Supported Living Service being divided into geographical localities across the city and independent providers bidding to provide and manage the schemes within each locality.

The geographical locality used within the retendering process was as follows:



154. It is to note, that the evaluation process for the retendering was 60:40 (*with 60 being on quality of care 40 on cost*). This approach was implemented in order to ensure all providers selected presented robust, high quality support. After thorough assessment, 8 year contracts were awarded to the following providers:

- Innovate Trust
- Dimensions Cymru
- Mirus Wales

Local Provision for Lifelong Learning

155. It was confirmed to Members that the provision for lifelong learning is initially assessed within an individual's Care Plan and then developed in the individual's Personal Plan. Within the assessment, it may be identified that an individual would benefit from, or may request, formalised learning where they attend providers such as Vision 21, Community Adult Education and Innovate Training Work Opportunity, whereby formal accreditation is offered.

156. During this inquiry Members had the opportunity to visit some of the lifelong learning opportunities available within Cardiff. One of the providers visited, provides realistic, work-based training opportunities for people with learning disabilities across 17 training enterprises located across South Wales. An example of some of the training delivered by this provider included:

- Horticulture experiences,
- Retail,
- Catering,
- Woodwork,
- Ceramics,
- ICT
- Small Animal Care,
- Pottery

157. Local vocational provision available in Cardiff is available to individuals with a range of abilities from high need to low need. Support levels vary according to the individual's needs and the type of project. Members were informed that a lot of trainees tend to be on a staffing ratio of around 1:5, although there are trainees with 1:1 ratio support, it was confirmed to Members those with the higher level of need tend to bring in their own support staff.

158. In line with the Cardiff & Vale's Joint Commissioning Strategy priority (*Work, Volunteering & Day Opportunities*), local provisions also offer individuals work experience.

The importance of a lifelong learning framework which allows for exceptional development of an individual, encouraging growth in confidence, developing an individual's independence and having an all-round positive impact on an individual's life was shared by all stakeholders who engaged in this inquiry.

KF50

Although all local providers who engaged in this inquiry reiterated that the retention and development of an individual's skill set are at the forefront of their organisation, this inquiry's primary research found that out of the parents whose child had transitioned, most were unsure whether their child has sufficient opportunities in their current provision to undertake the activities and tasks that would help to maintain the knowledge and skills that they acquired during their college placement.

KF51

Croen et al (2015) identified that people with autism are at increased risk of physical health issues including diabetes, gastrointestinal disorders, high cholesterol, hypertension and obesity. Relationships with food can also be complex due to sensory needs, obsessive behaviour, anxiety or isolation. Such concerns were reiterated by some of the parents involved in this inquiry, who voiced their concerns that they were unsure if their child, who now resided in local provision, is encouraged to undertake sufficient physical activity and make healthy food choices.

KF52

The findings of the primary research, commissioned by this inquiry show that parents of those currently residing in local provisions are unsure whether activities for their child are carried out as planned.

KF53

159. The concerns captured by parents within this inquiry's primary research are recognised by the service area who informed Members that greater communication and more publications for those who have transitioned is required in order to strengthen the parents knowledge and dispel any possible concerns.
160. During the course of the inquiry Members were informed of a mobile 'app' developed by one local provider which provides family with a safe environment to communication with each other – share pictures, stories etc. See written reports on their child and be provided with 'live' class information, for instance if a class their child was due to attend was postponed / cancelled – providing involved family members with accessible monitoring information. Members were informed that families have responded well to the app and due to the successful feedback the

provider are hoping to be Cardiff wide and are therefore looking at possibly expanding the app out to all support users. However to ensure regulations are met, particularly with regarding to personal data which could be stored on the app the provider noted that Care Inspector Wales will need to be involved.

161. It is felt that such proposed development could also be utilised to address the issues captured within the primary research surrounding parents perception on staff competencies and the effective delivery of care and support plan by local providers.

Positive Behaviour Support

162. During the course of the inquiry, Members received a wealth of information surrounding the nationally recognised Positive Behaviour Support (PBS) model *(which was both recognised and in practice in the majority of out of county and local provisions visited during this inquiry)*.

163. Members were informed that PBS is an evidence-based, values-led, person-centred, proactive model which focuses on improving an individual's quality of life and preventing challenging behaviour.

164. PBS looks to promote an individual's physical and emotional well-being, addresses physical and mental health issues, emphasises personal and skill development, promotes human rights, dignity and respect and aims to enhance an individual's living accommodation whilst striving to reduce challenging behaviour for individuals with a learning disability.

165. PBS is widely recommended across the UK (and internationally) as best practice in supporting individuals with challenging behaviour. Within the model of PBS, emphasis is placed on understanding the factors which influence behaviour whilst developing strategies which seek to improve quality of life and minimize (or eliminate) challenging behaviour.

166. During the course of the inquiry, Members were also informed by a local provider of the (national) STOMP project which looks to stop the over medication of psychotropic medicines for individual's with a learning disability. Members were informed by the

local provider that, where appropriate, they will undertake this project looking at an individual's needs, understanding why the medication may have been prescribed (and when), verifying how the medication is reviewed and undertake relevant analysis to see if there are other methods (*such as PBS, active support or certain communication strategies*) which could be drawn on to determine if a reduction plan could possibly be put in place to support an individual more effectively.

167. Members were further informed of one service user supported by the local provider who went through the STOMP project who 'had an exceptional turnaround with an unrecognisable amount of new energy'.

Monitoring & Evaluation Arrangements

Supported Living & Residential Placements (CIW regulated)

168. Whether an individual resides in a supported living model of care, or residential, their placement is closely monitored by their social worker and any involved family. The individual will also receive a wellbeing review at least annually, or more often if required. The service provider will also hold an annual placement review with the individual which the social worker and family are invited to – although again this may occur more often if required. For example, some providers will have 6 weekly multi-disciplinary meetings if required for those with more complex needs. Social Workers tend to visit those people who are experiencing difficulty or crisis regularly to monitor and review their wellbeing and support. Family's may also visit regularly and are encouraged to feedback any concerns or observations.

Residential colleges (Estyn regulated)

169. Colleges tend to hold bi annual or annual reviews of the person's education and social progress with the individual, their family, college staff, Careers Wales and the social worker. It is during such reviews that Careers Wales will assess the educational progress in order for the Welsh Government to decide if the person has met their educational outcomes or whether to extend funding. Social Work wellbeing assessment reviews are also held as required (*at least annually*). In some instances, the individual may have a different care and support package during college holidays

so the social worker will therefore monitor their progress both at college and in the local services.

Dr Edwin Jones' report on Western Bay's Closer to Home project places significant emphasis on the success of the Positive Behaviour Support model and the use of a core multi-disciplinary team within the transition process. In addition, the report also highlights the importance of data, which is captured both pre and post move, being utilised in order to best understand and monitor the impact on an individual who has moved in order to ensure full quality of life is achieved.

KF60

When meeting frontline staff, Members queried what data is kept on those who have transitioned from an out of county provision and if the impact on an individual who has transitioned is specifically measured in order to ensure progress is sustained.

Members were advised that following a transition, social workers will undertake an 8 week review which is then repeated at 6 and 12 months; to note, additional reviews will also be conducted if required. Such work is called 'person centred planning reviews' or 'pathway plans'.

KF58

170. Members believe that a clear, defined focus on an individual's outcomes following a transition in provision is paramount toward providing, developing and maintaining effective services. Although it was confirmed to Members during this inquiry that the outcomes of a person who has transitioned is a crucial part of the current process and actively tracked in line with the requirements set out by the Social Services Wellbeing Wales Act, it was unclear what specific measures were used to effectively capture the data.

171. During the meeting with frontline staff Members were advised that there is an element of quantitative scoring mechanism within the assessment process, however the effectiveness of the data it provides could easily be questioned which is why a narrative /qualitative approach is drawn upon more.

In line with the Wales Audit Office Report recommendation (*Strategic Commissioning of Accommodation Services for Adults with a Learning Disability, 2018, R6*), there appears to be a lack of formal, systematic monitoring and evaluation process on individuals who have transitioned which is managed by the authority .

KF61

Providers Assessments

172. In line with Regulation and Inspection of Social Care (Wales) Act 2016, Supported Living providers develop an outcome-based service delivery plan with the person which includes preferred daily routines, occupation, skill building and social opportunities. This is monitored by involved families, professionals and the supported living team.

173. The Call for Evidence undertaken by the inquiry confirmed that a structured needs assessment is in place by both local and out of county providers. However, it was unclear how information captured by local providers is shared with parents. It was also unclear what Cardiff Council's role was in facilitating the movement of such data.

This inquiry's Call for Evidence confirmed that local providers (*in line with the Care Plan developed by social workers*) will develop a Personal Plan with the individual, which includes lifelong learning and skill development opportunities. This Personal Plan is reviewed at least 3 monthly by provider staff. However, a majority of the parents who engaged with this inquiry whose child resided in local provisions, were unaware of such reviews. **KF59**

Cardiff Council's Role in Monitoring Provider Services

174. It was confirmed to Members that Cardiff Council has a good relationship with providers and undertakes monitoring of providers in a variety of ways. Some of the examples provided to Members of such monitoring included through feedback from social workers and other health professionals and writing to families for their feedback.

175. Of the 20 cases reviewed by the external consultants, 10 cases confirmed that the provider was reviewed and monitored, 2 cases partially confirmed monitoring, 1 case was unclear and 7 were not applicable (*for instance the individual's placement had only just begun*).

176. Primary research conducted for this inquiry highlighted how parents would like to have a better understanding on how Cardiff Council monitors the effectiveness and quality of services provided by commissioned care providers. With some parents holding the perception that the Council is not fully aware of the issues parents have on the effectiveness and quality of services provided. Parents would like to understand how they can support Cardiff Council in monitoring the delivery of care and contribute to validating the effectiveness of the commissioned care and support services.

Current Provisions Available in Cardiff

177. The Council has developed 97 schemes across the city that offer supported accommodation for up to 342 people. The schemes vary greatly as the service is aimed at meeting a wide range of need. To date, the current schemes available in Cardiff can be broken down as follows;

1 person schemes	9
2 person schemes	27
3 person schemes	34
4 person schemes	17
5 persons schemes	4
6 person schemes	1
Core & Cluster schemes	5

Total : 97

178. Community Residential Care provision is utilised when an individual is identified as requiring nursing needs. During the inquiry it was confirmed to Members that Cardiff is limited in this area and further provision is required.

Core & Cluster

179. Core & Cluster schemes provide a group of houses or flats with individual tenancy. Within the schemes, individuals are able to access specifically determined direct support within the comfort of their own property. However staff are based at the scheme twenty four hours a day, providing tenants with the safety and confidence along with ensuring early intervention should any unforeseen issues arise.

180. During this inquiry, Members heard from a local provider that Core & Cluster schemes allow for individuals to reach their maximum independence, providing them with space to grow and develop in ways they might not in other provisions. Members were further provided with an example of one individual who previously resided in a shared house supported living scheme who has thrived since moving to a Core & Cluster.

181. Members concurred that the Core & Cluster flats visited during this inquiry were of a very high standard, and were informed that all were developed with full Occupational Therapist specification. In terms of costings, it was confirmed to Members that support packages within Core & Cluster properties are around the same price as a shared house supported living support package.

182. However during the visit, it was recognised that, as with all provisions, this scheme would not work for all, and alternative schemes such as shared housing with more social interaction may work better for some individuals.

Developing Local Accommodation

183. The vision for ensuring local authorities develop appropriate local accommodation for people with learning disabilities is laid out within recent Welsh Government guidance; *Learning Disability Improving Lives Programme* (June, 2018) and the *Commissioning Accommodation and Support for a Good Life for People with a Learning Disability* (March, 2019).

184. Local accommodation is also a commissioning principle for Cardiff and the Vale Regional Partnership Board and ensuring good local provision and supporting people to live close to their families and friends (if appropriate), is also one of the 8 priorities in the Cardiff and Vale Joint Commissioning Strategy.

Gaps in local provision

185. The Wales Audit Office, Strategic Commissioning of Accommodation Service for Adults with a Learning Disabilities recently found that although local authorities are generally meeting accommodation needs of adults with a learning disability, the existing commissioning arrangements are unlikely to be fit for the future.

186. At the time of writing this report, there are currently 38 individuals placed in out of county specialist further education. During the inquiry Members were informed that officers are currently in the initial scoping phase, mapping out needs in order to understand what is required to meet more of these needs locally and that both strategic and operational discussions are currently ongoing along with a pilot project.

187. Members were further advised that Cardiff Council's Supported Living team are continuously looking at what local provisions need to be developed to better suit people's need. Their most recent work found that Cardiff requires a 'complex needs' core cluster and additional adapted bungalows.

The Future

188. The number of people with a learning disability is increasing. People with a learning disability are living longer and there is a known expectation surrounding an increase in the number of adults with profound and multiple needs transitioning from children's into adult services over forthcoming years.

189. In general, individuals placed out of county due to a lack of suitable local provision, tend to have more complex needs including challenging behaviour. The common consensus shared amongst all stakeholders who engaged in this inquiry is that careful consideration is required for all future accommodation and support models to ensure the specific needs of these individuals are met.

As stated in the National Commissioning Board's guidance document (*Commissioning Accommodation and Support for a Good Life for People with a Learning Disability, 2019*), provision of the right kind of housing can either help or hinder an individual's social integration. It can also be fundamental in achieving a number of the outcomes set out in the Social Services and Well-being (Wales) Act 2014. It is therefore essential that when a decision is made concerning accommodation provision, the full spectrum in meeting that individual's needs is considered.

KF62

190. It is essential that local authority housing strategy teams identify the accommodation needs that are emerging over the next three to five years to inform decisions which commission the right provision. Members were pleased to be reassured by officers throughout the inquiry that work has begun in this respect and the service area are looking to develop an 'Accommodation Strategy' to assist in identifying, developing and improving local options to ensure individuals are offered with a wider range of choice.

The Mansell Report (*Services for People with Learning Disabilities and Challenging Behaviour or Mental Health Needs, 2007*), described as 'definitive UK guidance on the development of services for people with challenging behaviour', recommends that local services, including educational, training and day services are developed and expanded for people with a learning disability. The report also recommends that specialist services be developed locally which can support good, mainstream practice and improve the quality of life for those served.

KF64

During the course of the inquiry it was confirmed to Members that the service area are currently planning to develop an accommodation strategy to assist with long term planning on local provisions and are also working toward developing clear transitional pathways to ensure individuals and their families acquire full understanding of the options available in line with their need.

KF65

INQUIRY METHODOLOGY

The Community and Adult Services Scrutiny Committee task group was tasked by the full committee with delivering a report for its consideration. This report uses the evidence gathered by the task group to make key findings and recommendations to the Cabinet of the Council in respect of the current arrangements in place for transitioning identified individuals with learning disabilities who reside out of county. To achieve this, the Principal Scrutiny Support Officer has worked closely with the Council's Social Services teams to identify appropriate witnesses and taken a steer from all members of the task group.

The task group received evidence from the following witnesses:

Date of Meeting	Witnesses
Meeting 1 – 7 Feb 2019	<p>Cllr Susan Elsmore (Cabinet Member for Social Care, Health & Well-being)</p> <p>Claire Marchant (Cardiff Council's Former Director of Social Services)</p> <p>Louise Barry (Assistant Director, Adult Services)</p> <p>Emma Mulinder (Operational Manager - Learning Disabilities)</p> <p>Denise Moriarty (Strategic Lead Planning Officer, Social Services)</p>
Meeting 2 – 5 March 2019	<p>Members of the task group were invited to attend the launch of, <i>Improving Lives Improving Practice Guidance: Commissioning Accommodation and Support for a Good Life for People with a Learning Disability.</i></p>

<p>Meeting 3 – 16 July 2019</p> <p>Briefing Report and site visit to Values in Care</p>	<p>Emma Mulinder (Operational Manager - Learning Disabilities)</p> <p>Emma Jo McDonald (Supported Living)</p> <p>Senior Management Team of Values in Care.</p>
<p>Meeting 4 – 17 July 2019</p> <p>Site visit to Glasallt Fawr & Coleg Elidyr</p>	<p>Emma Mulinder (Operational Manager - Learning Disabilities)</p> <p>Denise Moriarty (Strategic Lead Planning Officer, Social Services)</p> <p>Senior Management Team of Glasallt Fawr</p> <p>Senior Management Team of Coleg Elidyr</p>
<p>Meeting 5 – 19 Sep 2019</p> <p>Site Visit to Vision 21 and Bridgend College</p>	<p>Denise Moriarty (Strategic Lead Planning Officer, Social Services)</p> <p>Emma Jo McDonald (Supported Living)</p> <p>Senior Management Team of Vision 21</p> <p>Senior Management Team of Bridgend College</p>
<p>Meeting 6 – 30 Sep 2019</p> <p>Meeting with frontline staff</p>	<p>Meeting with frontline staff, including three social workers (two of which were transition social workers) and a social worker assistant.</p>
<p>Meeting 7 – 1 Oct 2019</p> <p>Briefing with Education officers on the upcoming Additional Learning Needs and Education Tribunal (Wales) Act 2018.</p>	<p>Jennie Hughes (Senior Achievement Leader Inclusion)</p> <p>Elizabeth Jones (Additional Learning Needs Transformation Lead Central South Consortium)</p>
<p>Meeting 8 – 3 Oct 2019</p> <p>Site Visit to Local Providers</p>	<p>Emma Mulinder (Operational Manager - Learning Disabilities)</p> <p>Emma Jo McDonald (Supported Living)</p>

	<p>Denise Moriarty (Strategic Lead Planning Officer, Social Services)</p> <p>Senior Management Team of Dimensions Cymru,</p> <p>Senior Management Team of Innovate Trust</p> <p>Senior Management Team of Mirus.</p>
<p>Meeting 9 – 18 Dec 2019</p> <p>To receive the findings of the Primary Research</p>	<p>Therese Gladys Hingco (Principal Research Officer)</p>
<p>Meeting 10 – 6 January 2020</p> <p>To receive the findings from independent consultants - Alder Advice</p>	<p>Cllr Susan Elsmore (Cabinet Member for Social Care, Health & Well-being)</p> <p>Claire Marchant (Director of Social Services)</p> <p>Louise Barry (Assistant Director, Adult Services)</p> <p>Emma Mulinder (Operational Manager - Learning Disabilities)</p> <p>Denise Moriarty (Strategic Lead Planning Officer, Social Services)</p> <p>Rob Griffiths (Alder Advice)</p> <p>Paula Close (ICF Outcome Delivery Officer)</p>

Written evidence was also received from both local and out of county providers during the inquiry's Call for Evidence. The Call for Evidence sought to obtain information on the whole transition process including initial assessment, review of placement, the providers' involvement in any transition and the monitoring arrangements in place from any individuals who may have transitioned.

Inquiry Members also commissioned independent research into this area, tasking Scrutiny's Research Officer to address, through consultation with parents and

advocates, the current pathway in place for transitioning identified individuals in order to identify possible areas for improvement.

Although the scope of the research was to engage with parents of those who had transitioned from both out of county residential placements and out of county specialists further education placements, the parents of those who had resided in out of county residential placements were unfortunately unable to engage with the inquiry. As such, the primary research conducted, liaised with parents who had children placed in out of county educational provision; pre or post transition.

The key findings and recommendations are the unanimous view of the task group. Details of all evidence considered by the task group and used in the preparation of this report are contained within a record of evidence that is available for inspection upon request

LEGAL IMPLICATIONS

The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. Any report with recommendations for decision that goes to Executive/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf 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 of behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (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.

FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report. However, financial implications may arise if and when the matters under review are implemented with or without any modifications

COMMUNITY & ADULT SERVICES SCRUTINY
COMMITTEE MEMBERSHIP



Councillor Ali Ahmed



Councillor Shaun Jenkins
(Chairman)



Councillor Joe Carter



Councillor Andrea Gibson



Councillor Norma Mackie



Councillor Ashley Lister



Councillor Philippa Hill-John



Councillor Sue Lent



Councillor Mary McGarry

TERMS OF REFERENCE OF THE COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE

To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of community and adult services, including:

- Public and Private Housing
- Disabled Facilities Grants
- Community Safety
- Neighbourhood Renewal and Communities First
- Advice & Benefit
- Consumer Protection
- Older Persons Strategy
- Adult Social Care
- Community Care Services
- Mental Health & Physical Impairment
- Commissioning Strategy
- Health Partnership

To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government-sponsored public bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.

To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.

To be the Council's Crime and Disorder Committee as required by the Police and Justice Act 2006 and any re-enactment or modification thereof; and as full delegate of the Council to exercise all the powers and functions permitted under that Act.

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Scrutiny Research

Click on link to access report:

Parents Information and Support Needs

**Research report for the
Community & Adult Services Scrutiny Committee**

April 2020



Cardiff Council Scrutiny Services,
Room 263, County Hall, Atlantic Wharf, Cardiff CF10 4UW Tel: 029 20872953.
Email: scrutinyviewpoints@cardiff.gov.uk © 2020 Cardiff Council

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**CHILDREN SERVICES CORPORATE PARENTING STRATEGY
2021-2024**

**CABINET MEMBER FOR CHILDREN AND FAMILIES
(COUNCILLOR GRAHAM HINCHEY)**

**CABINET MEMBER FOR EDUCATION, EMPLOYMENT AND
SKILLS (COUNCILLOR SARAH MERRY)**

AGENDA ITEM: 3

Reason for this Report

1. This report seeks approval for the Council's Corporate Parenting Strategy. It has been developed in consultation with our current Looked After Children, Care Leavers across the city and partners. This three year Corporate Parenting Strategy outlines Cardiff Council's commitments, challenges and the key steps we need to take to ensure that our children have the best possible outcomes in life.

Background

2. The Corporate Parenting Strategy 2021-2024 replaces the previous Corporate Parenting Strategy 2016-2019 and incorporates throughout the document a greater focus on the voice of Children Looked After and Care Leavers.
3. When a child or young person enters the care of the Council, the role of being a parent is taken on by the local authority. This is known as Corporate Parenting. The term describes how Cardiff Council collectively fulfils parenting responsibilities, by seeking positive outcomes for Looked After Children and young adults who are care leavers in the same way any good parent would do for their own children. From early years into adulthood we seek to ensure that all our children, young people and young adults are safe, happy and have every opportunity to thrive.
4. Section 78 of the Social Services and Well-being (Wales) Act 2014 imposes a duty upon a local authority to safeguard and promote the well-being of each child it looks after. Under sections 104 – 118, a local authority has similar duties to promote the well-being of Care Leavers.
5. The role of a corporate parent is to seek for children in public care the outcomes every good parent would want for their own children. Local

authorities in Wales have a legal and moral duty to provide such support to the children it looks after. Elected Members have a responsibility to ensure that children looked after by a local authority are able to thrive, are nurtured, supported, educated and prepared for adult life in the way any parent would want for their own children.

6. The range of legislation, regulations and social policy that has been taken into account when developing this strategy, includes, but is not limited to:
 - The Social Services and Wellbeing (Wales) Act 2014
 - The Care Planning, Placement and Case Review (Wales) Regulations 2015
 - The Well-being of Future Generations (Wales) Act 2015
 - The Regional partnership Emotional and Mental Health strategy
 - The National Review of Care for Children in Wales 2019, CIW
 - Delivering Excellence in Children's Services and the Youth Justice Development Strategy: All our futures 2020-22.

Issues

7. Children who suffer Adverse Childhood Experiences and then come in to the care of the local authority as a result are more likely to suffer a range of health problems and have a greater need for support. A national study in Wales found that children who had 4 or more ACES were:
 - 3.7 times more likely to currently be receiving treatment for mental illness
 - 9.5 times more likely to have ever felt suicidal or self-harmed
 - 16 times more likely to have used crack cocaine or heroin
 - 20 times more likely to have been incarcerated in their life
8. We are seeing an overall trend of increasing demand for Children's Services, notable since shortly after the first lockdown in March 2020. This increase in demand is expected to continue, particularly as children are now starting to return to school.
9. The number of Children Looked After has steadily increased, from 644 in March 2016 to 972 in December 2019. In early 2020 the work to implement the Children's Services strategy was beginning to turn the curve and the trend for the number of children looked after was reducing. By the end of April 2020 the number of Children Looked After was 937. However, after this decrease early into the first national lockdown, a subsequent increase in new admissions led to children looked after numbers increasing to 990 at the end of October 2020. The number of children looked after has been relatively stable since this time, but is being closely monitored against the increasing demand across Children's Services.
10. One of the key priorities in delivering the Children's Services Strategy is to shift the balance of care, to ensure that children are in the right place, at the right time, staying as close to home as possible. Delivering on this crucial commitment will entail implementing a Reunification Framework so children can return to live with family where it is safe for them to do so, as

well as working with providers to offer a sufficient supply of the types of placements needed to meet demand. Other work streams aimed at shifting the balance of care include the discharge of Care Orders for children placed with their parents where safe and appropriate to do so, increasing the proportion of children who are subject of Special Guardianship Orders or placed with kinship carers, and preparing young people for independence by increasing provision in the Young Person's Gateway.

Addressing these challenges

11. The Corporate Parenting Strategy is a three year multi agency that sets out what we all need to do as corporate parents to support our Looked After Children and Care Leavers to enable them to thrive and improve outcomes. The Corporate Parenting strategy outlines five key priorities based on the views and experiences of Looked After Children in Cardiff.

The five priorities identified by our young people were:

- **Priority 1:** Improving emotional well-being and physical health
 - **Priority 2:** Better connections, improved relationships
 - **Priority 3:** A comfortable safe stable home whilst in care and after
 - **Priority 4:** Educational achievement, employment and training
 - **Priority 5:** Celebrating our children and young people
12. The strategy makes specific reference to Childrens Rights including UNICEF UKs Child Friendly Cities and Communities initiative. Specific reference is also made to safeguarding and inclusion.
 13. Cardiff's Corporate Plan sets out a number of key ambitions for the city. The Corporate Parenting Strategy 2021-2024 takes forward key elements of the first Well-being Objective outlined in the Corporate Plan. Ensuring that Cardiff is a great place to grow up.
 14. National and local data is provided showing a range of indicators for Looked After Children data specifically relating to education, housing and care leavers. This data will help with decision making and service development planning for the future.
 15. An action plan is being developed outlining the responsibilities of partners and key outcomes linked to the strategy. The action plan will take forward the priorities outlined in the strategy and inform the work programme for the Corporate Parenting Advisory Committee for the forthcoming year.

Participation of young people

16. Engagement took place between March and September 2020 in physical and virtual focus groups to actively involve Looked After Children from the outset in the development of our Corporate Parenting Strategy. These sessions took place through a range of creative means with children, young people and Care Leavers engaged from ages 5 to 27. Participants were from a range of looked after settings and backgrounds, including children with disabilities.

17. Sessions were held through a mixture of interactive group workshops using a variety of methods ensuring identities of the young people involved were protected. Separate engagement sessions were held according to the age of the Looked After Child in order to ensure the sessions were age appropriate and worthwhile with over 20 young people taking part.
18. Looked After Children in Cardiff took part in a number of age appropriate surveys via the Bright Spots Survey in 2018. This survey was a partnership between Bristol University, the Childrens Commissioner for Wales and Cardiff Council. The views of 255 young people were gained using surveys through a number of key themes including relationships, resilience, recovery and wellbeing. The surveys were organised into three categories depending on age; 4- 7 year olds, 8- 11 year olds and 11-18 year olds. This was to help young people to get the most out of the exercise, and where appropriate a trusted adult was able to support.
19. Feedback from these surveys helped influence our Corporate Parenting Strategy and together with findings from a number of engagement sessions with young people ensured that the document placed Looked After Children's views at the centre. The draft priorities in the Corporate Parenting Strategy were all developed from the views and feedback received from these consultations.

COVID 19 restrictions

20. In line with COVID 19 restrictions a series of online sessions also took place with children, young people and stakeholders. The sessions obtained the views of what was working well, what could be better and what the aspirations were for Looked After Children and Care Leavers in the future. This feedback was fed directly into the strategy ensuring that the priorities outlined for the future were based on what Looked After children in Cardiff said.

Consultation with partners

21. Due to a change in operating model as a result of the global pandemic the original timescales and engagement plan was adapted in order for staff and resources to be repurposed to meet the new challenges faced by the Directorate.
22. The Corporate Parenting Strategy was developed based on the views of children and young people, stakeholders and members of the Corporate Parenting Advisory Committee. The range of activities were undertaken throughout the year in order to obtain this feedback are summarised below.
23. Due to COVID-19 restrictions the participation of children and young people was adapted in order to continue to provide young people opportunities to feedback to the strategy in a safe way. Activities have been grouped into relevant months below.
 - (a) In **January 2020** a consultation workshop was held with Children Looked After and Care Leavers to gain their views on what works

well, what wasn't working well and their aspirations for the future. At the workshop a range of creative methods were used to ensure that the sessions were fun and engaging for those attending and to help young people to express themselves in a range of different ways. Members of the Corporate Parenting Advisory Committee took part in formal and informal sessions in order to have a say in the development process.

- (b) In **February 2020** a session was held with foster and kinship carers to establish their views which contributed to the development of the Strategy. A second consultation workshop took place with children and young people in order to gather information on what was working well in their lives, what wasn't working well and what they would need to help them achieve their aspirations

In **February 2020** an engagement session event took place with over thirty five key stakeholders from internal and external agencies. The event provided an opportunity to share knowledge, insight and expertise from a range of professionals that helped to shape the Strategy.

- (c) In **September 2020** two further online digital interactive sessions took place with children and young people to build on the information gathered in the workshop in February. The sessions were divided into younger and older age groups in order to ensure participation was age appropriate.

In **September 2020** a virtual stakeholder session was held with representatives from a variety of internal and external agencies. A wide range of representatives attended the workshop to provide their insight and expertise into the challenges faced by Children Looked After and Care Leavers in Cardiff. Officers from Education, NHS, Police, Youth Justice Services, Housing, Communities, Child Friendly City Team, Legal Services, and Children Services, all contributed to the document providing their knowledge and experience. Prior to this, there was extensive communication with individual agencies.

- 24. Following the workshop regular updates were provided to stakeholders to inform them on the development of the strategy and to confirm changes made based on their feedback. For those who were unable to attend the workshop feedback was obtained electronically and changes made based on their views and knowledge.

Scrutiny Consideration

- 25. The Children and Young People's Scrutiny Committee is due to consider the strategy on 15th March 2021, and feedback from this committee will be circulated at cabinet.

Corporate Parenting Advisory Committee Consultation

26. The Cardiff Corporate Parenting Advisory Committee brings together strategic partners to work with and for the Councillors elected by the citizens of Cardiff to improve outcomes for Children Looked After and Care Leavers.
27. In **January 2020** members of the Corporate Parenting Advisory Committee were provided with a presentation setting out the vision of the co-produced strategy and an outline of how young people, the committee and stakeholders would be involved going forward. Members and Children's Services' Officers also came together in **January 2020** in an informal session to support the development of the Strategy.
28. In **October 2020**, virtual one to one sessions were offered to all members of the Corporate Parenting Advisory Committee to provide any individual feedback they may have had on the document. An informal group session then took place in October to bring members and Children's Services' Officers together to discuss finalising the strategy. Any changes made through these processes have been provided to the committee via regular electronic updates.
29. The Corporate Parenting Advisory Committee considered the draft Strategy at its meeting on 9th March 2021 and recommended the draft Strategy should be submitted to Cabinet for approval.

Reason for Recommendations

30. The proposed Corporate Parenting Strategy will act as the key policy platform outlining how the Council will discharge its corporate parenting responsibilities and prioritise delivery of services for Looked After Children and Care Leavers. The aim is to improve outcomes, develop services in response to changing need and strengthen participation of children and young people in Corporate Parenting

Financial Implications

31. There are no new financial implications arising from this report. The aims and objectives set out within the strategy will be funded via a combination of base budget Council funding and external funding, where relevant. Should there be any new expenditure commitments arising, these will need to be met from within existing resources or new external grant funding.

Legal Implications

32. This report recommends the approval of the Corporate Parenting Strategy 2021-24, which has been developed by the Corporate Parenting Advisory Committee (CPAC) under its remit 'To develop, monitor and review a corporate parenting strategy, and ensure its effective implementation through work plans and corporate parenting training programmes', (paragraph (h) of CPAC's terms of reference). The approval of all non-

policy framework strategies is reserved to Cabinet under Section 2 of the Scheme of Delegations (paragraph 4).

33. In considering this matter, the Council must have regard to its public sector equality duties under the Equality Act 2010 (including specific Welsh public sector duties). This means the Council must give due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The protected characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief. An Equalities Impact Assessment aims to identify the equalities implications of the proposed strategy and due regard should be given to the outcomes of the Equalities Impact Assessment (Appendix B to the report).
34. When making any policy or strategy decisions, the Council must also be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards and consider the impact of its proposals upon the Welsh language.
35. The Well-being of Future Generations (Wales) Act 2015 requires the Council to consider how its decisions will contribute towards meeting its well-being objectives (set out in the Corporate Plan). Members must also be satisfied that the Council's decisions comply with the sustainable development principle, which requires that the needs of the present are met without compromising the ability of future generations to meet their own needs.
36. Other relevant legal implications are set out in the body of the report.

HR Implications

37. There are no direct HR implications for this report or strategy. However, if the report is agreed, all employees will be made aware of the strategy and how their service can support the Council's role as Corporate Parents.

Property Implications

38. There are no property implications in respect of this report. The Strategic Estates Department will assist where necessary in delivery of the Children Services Corporate Parenting Strategy and where there are property transactions required to deliver any proposals, they should be done so in accordance with the Council's Asset Management process and in consultation with Strategic Estates and relevant service areas.

RECOMMENDATIONS

Cabinet is recommended to approve the Corporate Parenting Strategy 2021-2024 (attached as Appendix A)

SENIOR RESPONSIBLE OFFICER	Deborah Driffield Director of Children Services
	12 March 2021

The following appendices are attached:

- Appendix A - draft Corporate Parenting Strategy 2021-24
- Appendix B - Equalities Impact Assessment (to follow)

The following background papers have been taken into account

Corporate Parenting Advisory Committee report, 'Corporate Parenting Strategy 2021-24', 9th March 2021

Cardiff's Multi Agency Corporate Parenting Strategy 2021-2024



Contents

Foreword	3
Corporate Parenting	4
- Leadership & Influence	4
- Values and Principles	4
Child Friendly Cardiff	5
- Children's Rights	5
Inclusion & safeguarding	6
This Strategy	8
Legislative and strategic context	8
National and Local Context	9
Cardiff's Performance	10
Messages from young people	11
Our pledge to you	14
Priorities	16
Making it happen: the Big Ask	26
Pulling it all together	
– the role of the Committee	30



Foreword

Our looked after children are some of the most vulnerable in society. It is crucial we as Corporate Parents work collaboratively with a range of partners to ensure that our children looked after and care leavers are supported in order for them to be safe, happy and thrive.

Through consultation with our children looked after and care leavers across the city this three year Corporate Parenting Strategy outlines our commitments, challenges and the key steps we shall take to ensure that our children have the best possible outcomes in life. Public services, the voluntary sector and the wider community all have their part to play. By working together we can support our children and those leaving care to take advantage of the range of opportunities our great city can offer to help them to reach their full potential.



Councillor Sarah Merry

Deputy Leader of the Council.

Chair of the Corporate Parenting Advisory Committee.

Cabinet Member for Education, Employment and Skills.



Councillor Graham Hinchey

Cabinet Member for Children & Families

Corporate Parenting

When a child or young person enters the care of the Council, the role of being a parent is taken on by the local authority. This is known as Corporate Parenting. The term describes how Cardiff Council collectively fulfil their parenting responsibilities, by seeking positive outcomes for children looked after and young adults who are care leavers in the same way we do for our own children. From early years into adulthood all our children, young people and young adults should be kept safe, are happy and have every opportunity to thrive.

Leadership & influence

Effective Corporate Parenting requires not only strong collective ownership and leadership, but influence at the most senior level. The Cardiff Corporate Parenting Advisory Committee brings together strategic partners to work with the Councillors elected by the citizens of Cardiff to improve outcomes for children looked after and care leavers.

Values and Principles

The Committee are determined the right results can only be achieved by listening to children and young people to find out what matters to them, and by all professionals working together.

These Values and Principles underpin the strategy and the work of the Committee:

Values and Principles of the Corporate Parenting Advisory Committee

The Corporate Parenting Advisory Committee shall actively work to promote the life chances of looked after children in the care of Cardiff Council and those young people who are care leavers. This shall be achieved through the Committees work programme and key performance indicators.

The voice of Children Looked After shall drive the Committee agenda and priorities.

The Committee shall ensure their agenda focuses on what Children Looked After identify as relevant for their growth and development.

The Committee shall monitor services that shall be delivered across all statutory and voluntary sector organisations.

Social Services, Health, and Education, the statutory agencies, shall influence and share responsibility by listening to Children Looked After to deliver relevant and dynamic services.

Throughout this document we shall refer to children and young people who are looked after or leaving care as “our children and young people”. This is fundamental to our vision.

Cardiff - a Child Friendly City

As a capital city, Cardiff aspires to be a 'child friendly city' and a great place to grow up. A city which has children and young people at its heart, where the rights of children and young people are respected and where all have an equal opportunity in life.

Cardiff is the first city in Wales to participate in UNICEF UK's Child Friendly Cities and Communities initiative. Since 2017 UNICEF have provided leadership and support to the Council, building upon the United Nations Convention on the Rights of the Child as its foundation.

[Cardiff's Child Friendly City strategy 2018](#) outlines 5 keys goals that need to be reached in order for Cardiff to be a great place to grow up in. These goals connect to the priorities set out in this Strategy. These include to be listened to, to grow up in a safe and supportive home, to have a good education and to have positive physical and emotional health.



Children's Rights and Corporate Parenting

The United Nations Convention on the Rights of the Child sets out the rights that must be realised for children and young people to reach their full potential.

The Corporate Parenting Advisory Committee recognise the Convention as a vision for every child and young person in their care. They recognise that each looked after child and care leaver is an individual and a member of a family and community, with rights and responsibilities appropriate to their age. Our children and young people have the same human rights as adults but also specific rights that recognise their status as children who are dependent on adults to keep them safe.

We have set out in this strategy how the Committee and its partners as corporate parents recognise the fundamental dignity of all children and young people in our care and the urgency of ensuring their well-being and developmental milestones are supported. We wish to make clear the principle that a good quality of life is the right of every child and young person who is looked after, rather than a privilege enjoyed by a few.

Achieving this aspiration shall require partnership and coproduction to create a city where the voices, needs, priorities and rights of our children and young people are at the heart of public policies, programmes and decisions. This shall be facilitated through the role of the Committee. Fundamental to that task shall be to acknowledge and respond to the following:

- Children and young people are individuals.
- Children start life as totally dependent beings.
- The actions, or inactions, of the Local Authority and partner organisations impact children for whom they are corporate parents more strongly than any other group in society.
- Children and young people's views should be heard and considered in the processes that affect them.
- Many changes in society are having a disproportionate, and often negative, impact on children and young people.
- The healthy development of children and young people is crucial to the future well-being of our society.

Inclusion and Safeguarding at the heart of every priority

Safeguarding and inclusion are fundamental to Corporate Parenting. They are at the heart of our pledge to our children and young people and central to every priority in our strategy.

Safeguarding

Our children and young people are some of the most vulnerable in society. It is the collective responsibility and legal duty of all public services to work together.

Local authorities must safeguard and promote the well-being of the child it looks after (S.78 of the Social Services and Well-being (Wales) Act 2014) and this promotion of well-being should continue through a young person's development, which includes transition to adult hood.

In some families this need will be identified pre-birth, for others during childhood, or as a young person transitions into adulthood. We know that abuse and harm can be caused from within or outside their family and from a range of contexts.

We know that as our children and young people develop, grow and mature their behaviour and needs will also change.

The transition from young person to adulthood can be an unsettling and confusing time. It is important that agencies are able to adapt approaches in order to prepare young people in becoming adults. This shall be further developed in the forthcoming Adolescent Strategy which is currently in development.

We know that as young people grow up to adulthood they mature and their behaviour will change. Feedback from young people was that they should be allowed to make mistakes and that these mistakes should not follow them into the future.



Youth Justice Service

Of those young people who are in contact with Cardiff Youth Justice Service 49% of them are known to Children Services and 14% are Looked After. Therefore it is important that we work closely with our Youth Justice Service in order to support our most vulnerable young people who are children on the cusp of or within the youth justice system.

The Youth Justice Services development strategy 2020 – 2022 sets out a number of ways to achieve these outcomes for some of our most vulnerable young people and share common themes with this Strategy. Examples being placing young people's voice at the centre of what we do, working closely with a range of partners and building the resilience of a young person.

Inclusion

All of our children have their own identity and factors that make them unique individuals. Some of our children and young people are more vulnerable than others and require additional support to be safe and thrive. Children and young people with additional needs, including those who are disabled, unaccompanied asylum seekers, those from minority ethnic backgrounds, or have other protected characteristics may require additional consideration. There is evidence that they are more likely to become looked after, remain in care for longer and have a higher risk of being placed inappropriately in comparison to other children.

Opportunities, services and care planning must be inclusive and person centred. The aims and aspirations we hold for these individuals must, as for all other children, be tailored through individual care plans to support all of our children to reach their full potential.

We know that some individuals and groups will need specialist services. For this reason, during 2021 we shall launch our strategy for disabled children.



This Strategy

This Strategy sets Cardiff's approach to Corporate Parenting (2021-2024). This Strategy's development has been an inclusive process led by elected members, involving children, young people and professionals supported by an action plan.

The co-production process

- Over 20 of Cardiff's care experienced young people, living in a range of care settings, aged 5 - 27 and including children with additional needs, through real life and virtual workshops.
- 255 (44%) of Cardiff's children looked after participated in the 2018 Your Life, Your Care survey. The survey was conducted in partnership with Coram Voice and Bristol University, funded by the Hadley Trust/Children's Commissioner for Wales. Findings are referenced against each priority.
- 70 professionals from across agencies and sectors contributed.
- Over 20 carers and kinship carers we consulted in a feedback session

The work outlined in the strategy shall be overseen by the Corporate Parenting Advisory Committee advised by an integrated reference group of young people and a network of multi-agency professionals. The strategy shall evolve over time to meet changing need.

The Committee shall report its findings to full Council and the Regional Partnership Board with regular dialogue between relevant scrutiny committees. This shall ensure the highest level of democratic and multi-agency oversight.

How it fits with the wider legislative and strategic context

The key drivers are (this is not exhaustive):

- The Social Services and Wellbeing (Wales) act 2014
- The Care Planning, Placement and Case Review (Wales) Regulations 2015
- Cardiff Local Wellbeing Plan
- The Regional partnership Emotional and Mental Health strategy
- The National Review of Care for Children in Wales 2019, CIW
- Delivering Excellence in Children's Services and the Youth Justice Development Strategy: All our futures 2020-22.



National Context

In Wales **6,846** children were looked after on 31 March 2019

109 per 10,000 population aged under 18

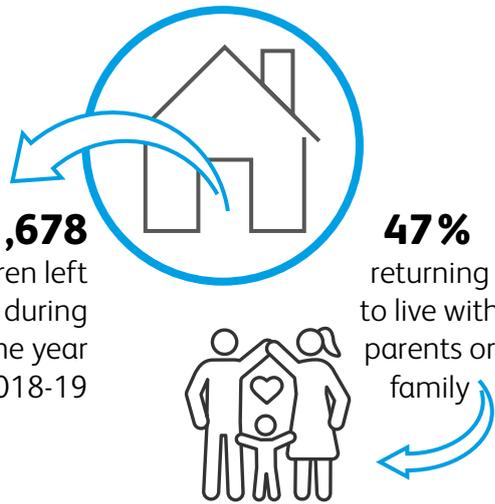
An increase of 439 (7%) on the previous year



2,125 children started to be looked after in 2018-19

1,678 children left care during the year 2018-19

47% returning to live with parents or family



309 children were adopted from care in 2018-19

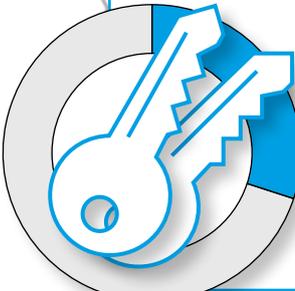
An increase of 3 (1%) on the previous year



Around **700** young people aged over 16 leave care each year. 1/3 of those being over 18

27% of care leavers moved into independent living arrangements during 2018-19

12% of care leavers experienced homelessness in 2018-19



49% of children looked after have a mental health difficulty



54% who left care in 2018/19 were in education, employment or training 1 year after

18% of children looked after have special educational needs

67% of children looked after achieved the core subject indicator at key stage 2 in 2017/18

18% of children looked after achieved the core subject indicator at key stage 4 in 2017/18



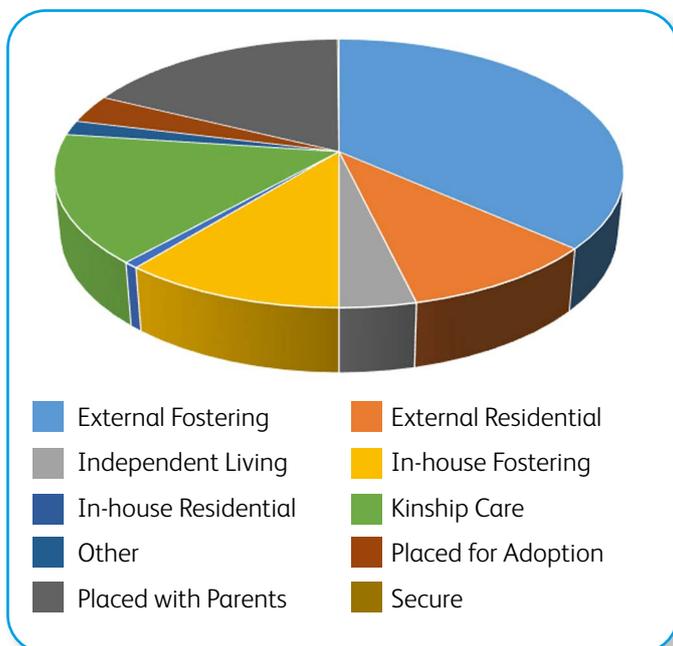
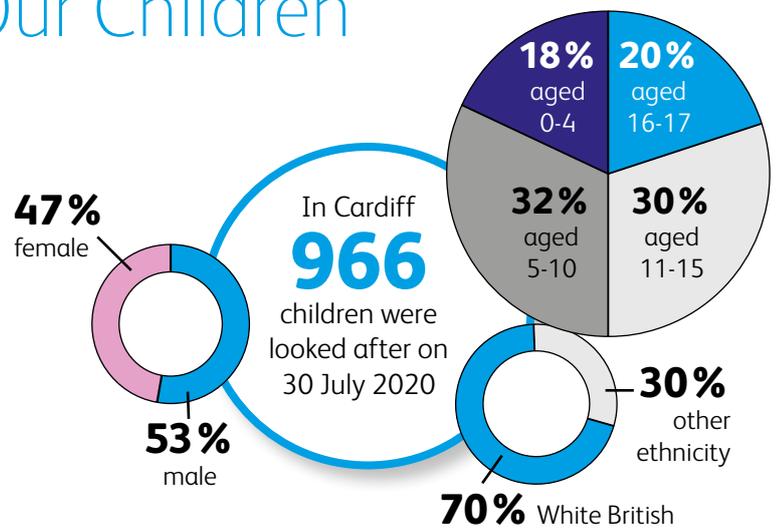
The Local Context – Our Children



51 Children on Residence Orders and supported by Local Authority

271 children on Special Guardianship Orders

3.8% of children were adopted from care in 2019-20



1046 children (52%) remained at home

255 children started to be looked after in 2019-20

8% had 3 or more placement moves



203 children left care during the year 2019-20

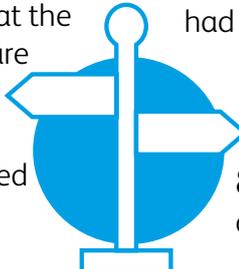
7% returned home

94% of care leavers were in suitable accommodation at the time of leaving care

21% of care leavers experienced homelessness in 2019-20

93% of those who left care had a personal adviser in 2019/20

87% had a pathway plan



54.1% who left care in 2018/19 were in education, employment or training 1 year after

62% of children looked after at Key stage 4 have special educational needs

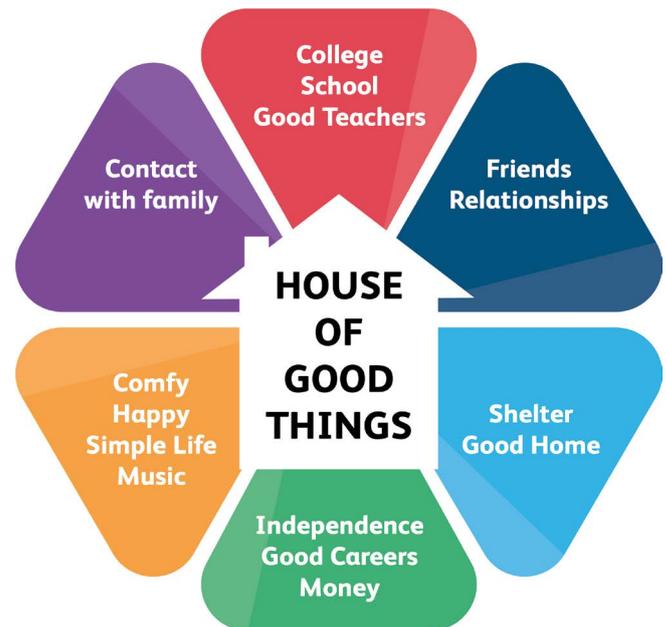


76% of school aged children looked after have a Personal Education Plan

Primary school aged children looked after had **94.76%** attendance in Cardiff schools

Messages from our Children and Young People

The following messages are from consultation with over 20 children and young people aged between 5 and 27 from a range of backgrounds. Cardiff is a Signs of Safety local authority. The consultation was structured in line with this model with the house of good things, the house of worries and the house of hopes and dreams.



Good things

Our Children and young people told us they enjoy the normal simple things in life that most children and young people want.

Two significant themes emerged:

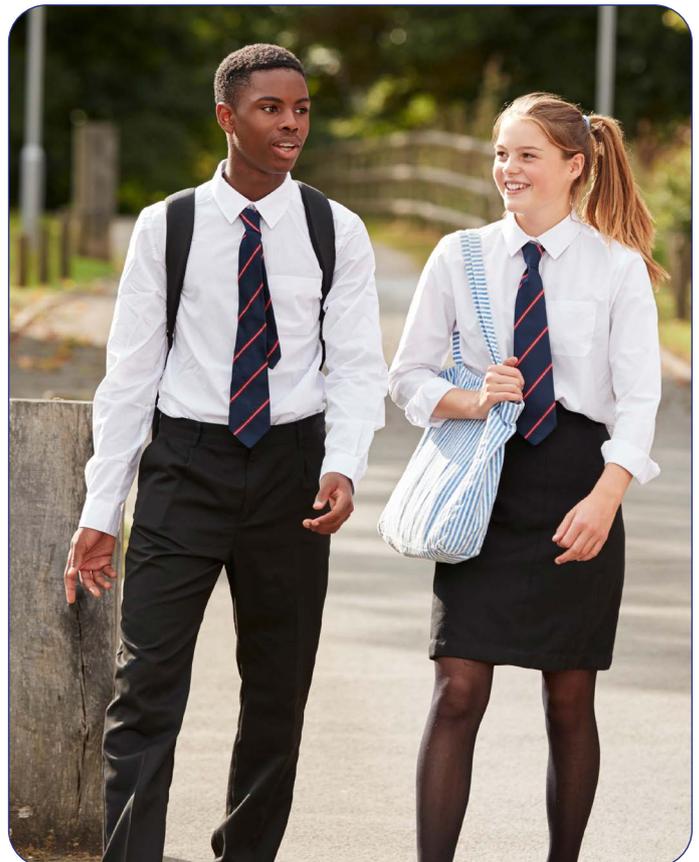
- **Relationships**

Having a secure, safe and trusting relationship with professionals is essential to know how they fit into and operate within 'the system'.

A strong relationship with another (a professional adult or partner) is essential for them to know who they are and have a sense of identity and worth.

- **Education**

They see school and college as a positive. That it provides options for further hope and a career. But more importantly it is a place where they can just be a 'normal teenager', talking about and doing teenage stuff, getting up to everyday mischief. Whether school is a good or bad teenage experience, it is the same as their peers.



Worries

Our Children and young people told us they feel the same pressures as most young adults.

- World affairs and politics leaves them feeling helplessness.
- They fear not being heard.
- They feel stressed.
- They worry about being bullied, friendships, not having friends and being lonely.
- They worry about College, lack of qualifications, not having transport and not getting a job.

But these worries are amplified by particular issues associated with their life experiences and being youngsters in care or leaving care:

- Their stress involves additional anxiety, anger, violence, worries about addiction or fear of dying.
- They worry about being able to care for themselves. About not having enough money and a home / about paying the rent.
- They feel isolated and stigmatised by being in care and worry about their parents.
- They worry about not being understood by other people such as their social worker and a lack of understanding and awareness about foster care in society.



Two significant themes emerged:

- **Emotional Health and Wellbeing**

Stress was a big issue in the conversations. They told us it is a multi-layered experience. That stress is heightened by experiences outside the normal day to day arena. That their ability to unload, unpack and process these issues is hampered by not having parental support.

This is why it is so important to have at least one strong steady dependable relationship.

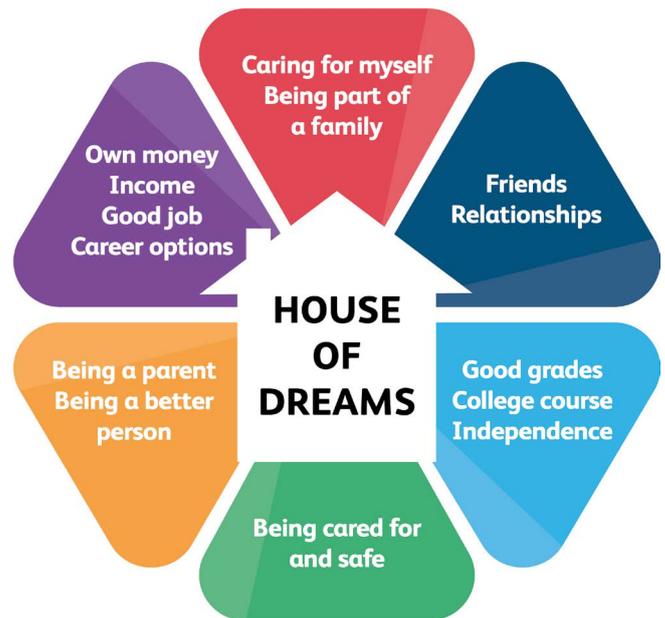
- **Stigma**

This formed the basis of bullying. They feel they are perceived as victims and therefore prone to be easy targets of victimisation. They told us, they have been bullied because they are perceived to have 'bad' parents who did not care about them, were not loved and are therefore unlovable. This caused feelings of isolation and loneliness.

Dreams

Our Children and young people told us they want security and control to build a stable future:

- To feel safe and be cared for.
- To build strong relationships with others. To find, be closer, or go home to family. To have their own family. To be a parent and to be a good parent. To be and have good friends and to feel connected.
- To achieve good grades to get on a college course, so that they can get a good job / dream career, earn money and have the income to own a home, have a car and be independent.



Three solid desires for their futures emerged:

- **They want to own a home**

This was a big issue. They told us they want to have a place that is theirs. They want somewhere they can make their own decisions about how it looks. A place that is their sanctuary and comfortable.

- **They want family and identity**

They told us they want family. By being reunited with their own family, by changing their name back, or wanting to start their own biological family, to be parents themselves.

- **They want their own career**

They told us they want to gain independence by earning a decent income from a decent job / career. This is their ticket to getting their own place and earning good money to have the things they never had. This is why they are particularly anxious about College and not doing well.

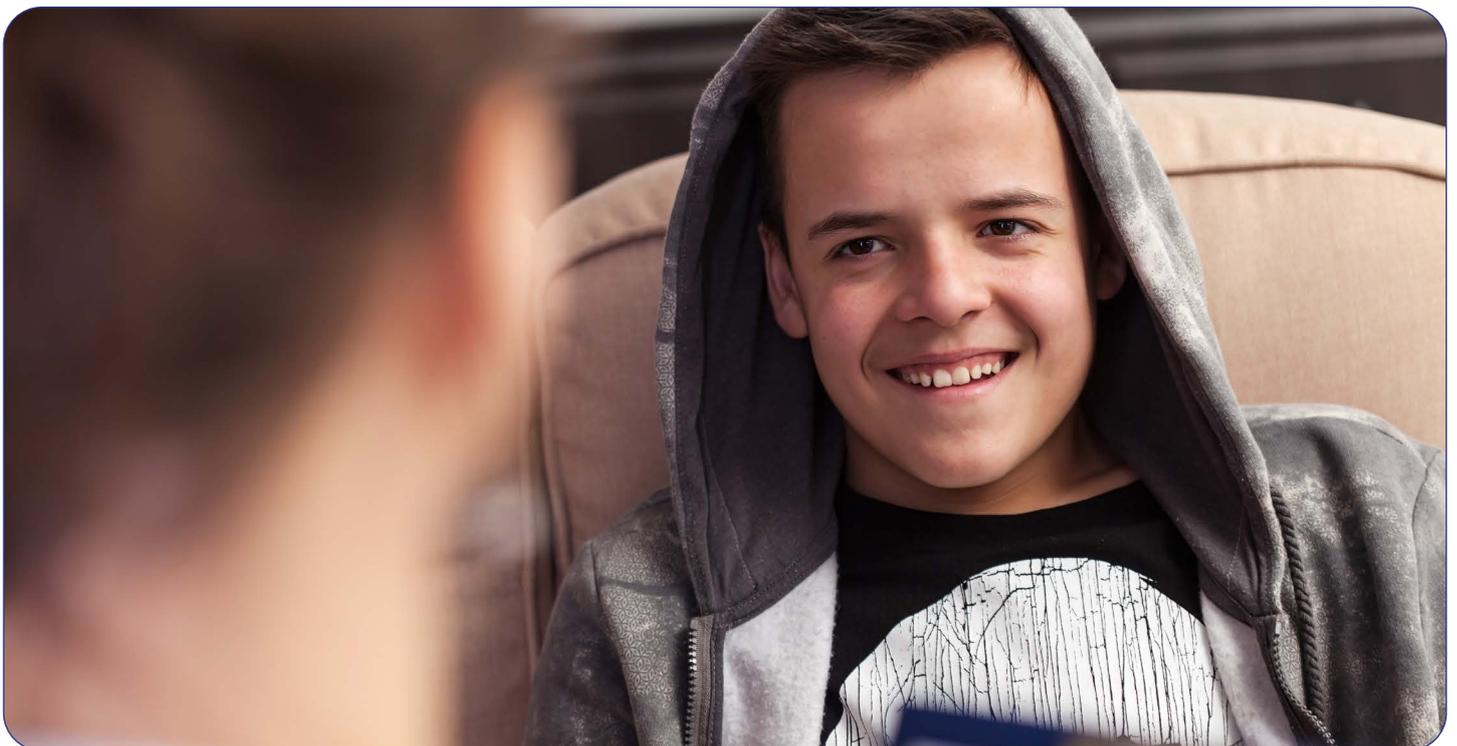


Our Pledge to you

We shall

- Provide a safe, stable and comfortable home as a child and support you when you leave care.
- Ensure there are people who support and care for you.
- Help you have good relationships with the people who are important to you.
- Help you stay healthy and have good emotional wellbeing.
- Provide activities and interests you enjoy.
- Provide a first class education and the right training.
- Help you to feel ready for the future.
- Help you find fulfilment, purpose and ambition.
- Actively ask and listen to you particularly when decisions are made.
- Improve the things we aren't doing well.
- Celebrate your achievements and treat you with the dignity and respect you deserve.

To successfully deliver our pledge, we shall centre our activity on the following five Priorities, developed from the messages our children and young people told us.



Priority 1: Improving emotional wellbeing and physical health

This is important because...

Our children and young people have the same core health needs as all children, but their backgrounds and experiences mean they may be particularly vulnerable to poorer health outcomes. This is because children who enter our care may have unaddressed or current health issues which have arisen through poverty, neglect or abuse.

We also know children and young people who have experienced disrupted childhoods, trauma and inconsistent relationships with their parents and families are more likely to struggle with their emotional wellbeing. Young people can experience Adverse Childhood Experiences (ACEs), these are stressful events occurring in childhood such as being a victim of neglect and child abuse, growing up in a household with adults experiencing substance misuse, mental health conditions or domestic violence.

The transitional period when care leavers experience during and after they leave care can present particular challenges to their emotional well-being.

Key facts

The Your Life, Your Care (2018) survey of our children and young people in Cardiff identified:

45% of children in foster care to **75%** of those in residential have mental health difficulties.

61% of 8-11yr olds and **71%** of 11-18yr olds worried about their feelings or behaviour. **18%** of 11-18yr olds thought they were not getting support with these worries.

17 (13%) of 11-18yr olds were identified as having low well-being. They were more likely to be girls and have poor relationships with their social worker and carers.

95% of 8-11yr olds had the chance to explore the outdoors. Not having contact with nature was associated with low well-being.



What our children and young people said

"It's really fun and we get to go down the caravan" (4-7yrs)

"I felt in my previous foster placement I could have received better emotional support as I needed to attend court as a victim" (11-18yrs)

"I would like to have a pet because I believe this would improve my mental wellbeing, preferably a dog" (11-18yrs)

"I like having my voice heard. I feel the social worker needs to listen to me more and remember that it's my life and not Dad's" (8-11yrs)



Our current activity

The health of our children is overseen by a Medical Lead and Designated Nurse for Children Looked After. They ensure our children have an assessment of their health needs and individual action plan.

All our children must be registered with a dentist and GP by their carers and be supported to have their health needs met. Our children have access to Paediatricians if required to ensure physical health needs are met.

In relation to emotional well-being, there are a range of therapeutic Psychology and Mental Health services provided by the University Health Board including;

- Enfys (formerly the Developmental Trauma Service)
- Children's Intensive Support Service for disabled children
- Child and Adolescent Mental Health Services
- Therapeutic support via the multi-agency Brighter Futures Panel
- The Resilience Project which works primarily through educational settings

- Primary Mental Health Specialists who are part of the Cardiff Family Advice and Support Service.

The Education Directorate and schools are currently adopting a THRIVE approach. This is a dynamic, developmental and trauma-sensitive approach underpinned by child development and attachment theory. Each school has a designated member of staff for a children looked after to share and talk about any worries and concerns they may have. Many of our schools also have designated safe spaces for our young people to share any worries in private and to actively support their wellbeing.

Advocacy, befriending, consultations and specific support groups such as Bright Sparks and the Young Person's Advisory Group provide structured opportunities for our young people to express and share their feelings and views. This is important to support our children and young people's emotional well-being.

How we shall achieve our aims

This strategy is underpinned by a detailed action plan connected to each priority.

Key actions are:

- Emotional Mental Health and Well-being is a key delivery priority of the Starting Well Partnership via the Regional Partnership Board. This includes multi-agency activity to strengthen joined up therapeutically led social and education services.
- Understand, through enhancing data systems in our children, young people and care leavers achieving their health and well-being outcomes. This will identify any gaps and improve outcomes.
- To improve how we listen to our children, young people and care leavers across our services to improve service improvement, design and delivery
- Ensure improvement in the timeliness and sharing of health assessments which is a statutory duty for all our children and young people.
- Ensure emotional well-being and therapeutic services meet need and demand
- Improving wellbeing through strengthening the offer for outdoor play, sport, leisure and cultural activities by working with senior leaders in the Council, partners and the private sector.
- Ensuring children placed out of area or who move between placements have portability of services and as minimal a disruption as possible through the multi-agency Brighter Futures Panel
- Ensure that life story work is completed with our children and young people
- Develop ways to increase the resilience of our children, young people and care leavers

Priority 2: Better connections, improved relationships

This is important because...

We know a trusted adult has been shown to be the main factor in helping children recover from traumatic events. We also know our children and young people want better connections and improved relationships in their lives.

Spending time with people important to our children and young people is a basic right and need. Sometimes staying in touch with certain people is not in a child's best interests. This can be harder to achieve for our children and young people who experience placement moves, for those placed outside of Cardiff, or as young people transition into independent living in adulthood.

We also know children and young people who have experienced disrupted childhoods, trauma and inconsistent or broken relationships may find it hard to form attachments with new people around them.

What our children and young people said

"We love seeing Mum and baby sister and we want more" (11-18yrs)

"I want to see my mum less"

"Social workers shouldn't abandon the young person and move around jobs. Don't like having to meet new people/workers all the time"

"I'd like to say to other kids in care – don't be scared. You'll be ok. If you have troubles you'll always have someone by your side. You'll get to see your family one day. Don't give up hope" (11-18yrs)

Key facts

100% of the 4-7yr olds, **95%** of the 8-11yr olds, and **90%** of the 11-18yr olds thought their carers noticed how they were feeling.

The level of trust in social workers was high amongst the younger children but decreased in the older age groups. **22%** of 8-11yr olds did not know they could speak to their social worker on their own.

The Your Life, Your Care survey of our children and young people identified:

19% of 8-11yr olds and **24%** of 11-18yr olds had no face to face contact with either parent. Most children and young people wanted more contact with family members and people who are important to them. Some children wanted less contact.

98% of children aged 8-11yrs had a trusted adult, but **1 in 10** 11-18yr olds did not. Not having a trusted adult was associated with low well-being.

98% of children (4-7yrs); **87%** of aged 8-11yrs; and **93%** of young people (11-18yrs) trusted their carers. **61%** of young people talked regularly with their carers about things that mattered to them. That is a similar proportion to the **65%** of young people in the general population who talk to their parents.

Our current activity

We seek to keep our children and young people living with family or friends wherever possible. We strive to keep siblings together unless not in their best interests pending a thorough assessment. Practitioners acknowledge connections are broad. A sense of belonging is derived not only from family, but also from community and sense of place formed through social, leisure and cultural opportunities.

Children's Services work with children and families in a strengths based way, using a Signs of Safety framework. This approach involves Family Network meetings to identify family and friends to look after children before foster or residential care is considered.

Cardiff is implementing the Reunification Framework to support permanency planning for children and build on kinship care.

We make sure, where safe, our children and young people regularly keep in touch and have contact with the people who are important to them.

Relationships are supported by advocacy, befriending, positive role models and networking opportunities. We recognise children have the right to live in Cardiff or as close to home as possible, unless there are safeguarding reasons why this cannot be promoted. We are working to develop greater numbers of local placements (Priority 3).

Where children and young people have developmental trauma or therapeutic needs, Enfys and the Children's Intensive Support Service for disabled children support and strengthen relationships with key people (Priority 1).

How we shall achieve our aims

This strategy is underpinned by a detailed action plan connected to each priority.

Key actions are:

- Helping our children, young people and care leavers to develop support networks including whilst in care, leaving care and into independence
- Supporting more children and young people to remain at home and enhancing the support available.
- Supporting more family members to become kinship carers or special guardians and enhancing the support available in a connected person first approach
- Introduce the Reunification Framework to support our children and young people who are already looked after to live safely with a family member
- Continue to improve recruitment and retention in Children's Services to enable relationship based practice
- Listen to our children, young people and care leavers to understand what they want to stay connected to the people and places important to them
- Adopt different ways of maintaining family time and contact with important people though virtual means, that for some, works better.
- Connecting care leavers to the Early Help Services if needed, to access early parenting advice and support as they become parents themselves. This will support a positive blueprint of parenting and prevent the potential inter-generational issues

Priority 3:

A comfortable, safe and stable home whilst in care and after

This is important because...

All our children and young people need and deserve a safe, comfortable, stable home. Home can be with parents, with a kinship carer, special guardian, foster carer, at a children's home, residential school, in supported accommodation or independently with floating support. But sometimes also includes secure accommodation or remand. This includes stable accommodation as an adult, including opportunities for home ownership.

No matter where a child lives, they must be supported to have positive outcomes and reach their full potential. Each setting must be chosen and matched to meet our children and care leavers' individual needs.

For most we hope this will be a positive, safe and comfortable experience, where new connections are formed with nurturing carers. But we understand that not every placement will go as expected, and our children and young people must have a positive and well planned alternative if things don't work out.

Key facts

The Your Life, Your Care survey of our children and young people identified:

87% of our children and young people reported that they felt safe 'all or most of the time' in their placements compared to only **75%** of children (8-13yrs) in the general population. **84%** of 11-18yrs old felt safe where they lived.

61% of young people 11-18yrs felt settled where they live. 7 children and young people reported they 'never' felt settled.

The vast majority of children and young people liked their bedrooms.

84% of 11-18yr olds wrote that they were taught independence skills 'All or most of the time' or 'Sometimes'. **16%** thought this was 'hardly ever' or 'never' true.



What our children and young people said

"Being in care made my life better by having a safe house and a bedroom" (8-11yrs)

"I love being in care because the people I live with are very nice and love me very much" (8-11yrs)

"Things could be fairer. Sometimes we can't make choices on our own and we have to have meetings before we can do things like go on holiday" (8-11yrs)



Our current activity

Children's Services is currently seeking to shift the balance of care (priority 2) so that more of our children and young people are placed with family or people they know.

We are working with partners to improve the volume and range of placements within Cardiff, to reduce the number of placements outside the County. This shall be achieved through implementation of the Children's Services placements Commissioning Strategy: The Right Home and the Right Support for our Children Looked After 2019-2022.

Where in-county placements are not possible, all requests for out of county placements must be made through the multi-agency Brighter Futures Panel which seeks to ensure all care, education and health needs are met.

Pathway Planning addresses the changing needs of our children and young people to plan changes in where they live and transition out of care or into supported adulthood and ultimately independence.

The Young Persons Gateway to Accommodation and Support follows a Positive Pathway model to provide information advice and assistance, supported accommodation and floating support with consistent pathways into settled adult accommodation.

Regardless of the location of the placements or age of the child or young person Independent Reviewing Officers, Independent Visitors and Advocates ensure the voice of our children and young people are heard and their wishes and rights are acted upon.

This strategy is underpinned by a detailed action plan connected to each priority.

How we shall achieve our aims

This strategy is underpinned by a detailed action plan connected to each priority.

Key actions are:

- Implementing Cardiff's Commissioning Strategy to increase placement sufficiency including;
 - Increase local placements for local children by increasing local capacity such in house placements, Oakway emergency placement for young people and the Assessment Centre with a multi- agency approach.
 - Continue to work with Independent Fostering Agencies and Care providers sufficient provision to meet need
- Ensuring there is appropriate support for placements to prevent breakdown
- Continuing to provide the Young Person's Gateway and develop additional provision to ensure demand is met
- Further enhance our data systems for care leavers in achieving a safe and stable home and well-being outcomes.
- Strengthen systems to plan accommodation and transition for young people transitioning to independent living and adulthood.
- Further develop the Kinship Team to support more family members to become kinship carers or special guardians and enhance the support available.
- Continue to working in partnership so that a placement move does not adversely impact on to education, training or health outcomes
- Explore how the council and partners can support care leavers to own their own homes such as shared ownership schemes
- Improving contextual safeguarding for risks outside of the home through the development of an Adolescent and Safeguarding Strategy and implementation of the RSB Exploitation Strategy.
- Children's Services with ENFYs will work to ensure that in house fostering an kinship carers are trained in PACE and Therapeutic Parenting models of care.

Priority 4: Educational Achievement, Employment and Training

This is important because...

There are 709 Looked after children in our Cardiff schools. 54% are of primary school age and 46% are at secondary school.

We want our children and care leavers to achieve the best possible educational and employment outcomes so that they can lead fulfilled and successful lives. Our children and young people told us this is their aspiration. Having a good job with a good income was seen as a means to obtaining their own home, income, fulfilment and to have the things they never had.

But we also know that due to the circumstances which led our children and young people into care, some will feel disenfranchised or have disengaged from school. Some will have changed school when entering or changing placement.

This disruption means that some young people may need additional assistance to achieve or they may achieve their accomplishments later than others. Research suggests that children looked after and young people are more likely to have a statement of special educational needs, to be excluded from school, and to leave school with no qualifications compared with children in the general population.

It is important to ensure that Education is considered fully when a change of placement is necessary, to ensure there is as little disruption to relationships and learning as possible. This can be particularly challenging when young people are placed outside Cardiff where provision may not be comparable.

We want to provide the best possible opportunities for all our children and young people, where all have the right to access a quality, broad and balanced education, in line with their needs and wherever possible in a mainstream school.

Key facts

The Your Life, Your Care survey of our children and young people identified:

75% of the 11-18yrs group liked school or college 'a lot' or 'a bit'.

94% of children (8-11yrs) and young people (11-18yrs) felt that their carers showed an interest in their education 'Most of the time' or 'Sometimes'.

13% wrote that they 'hardly ever' or 'never' were given trusted roles in school.

87% had access to the internet at home compared with **98%** of households with children and two adults in Wales; and **90%** of single parents in Wales

What our children and young people said

*"More contact with social worker finding jobs etc would make care better"
(11-18yrs)*

"It also upsets me that I may not have anyone outside of the care system to help me with financial problems (if I have them)"

"I feel extremely proud of myself at the moment with everything I have achieved" (11-18yrs)

Our current activity

The education of our children and young people is overseen by a dedicated Achievement Leader and Looked After in Education Co-ordinator who liaise strategically and operationally with schools and social services.

Each of our children and young people have a Personal Education Plan (PEP) which is monitored and reviewed regularly. The information held in the Virtual School, which includes the individual's attainment and progress data, helps us to ensure there is the earliest intervention and response to any underachievement. The Improvement Partners in the Consortium help us to monitor the progress and achievement of Looked after Children and ensure their needs are being fully considered by the school.

Such intervention is aided by a Pupil Development Grant, which is currently used to train all teachers to meet the needs of children in care. Designated teacher forums share good practice across schools, and training is available for all partners including governors, specialist teams, social workers and carers to ensure all are working together.

Education teams including specialist teachers and educational psychologists have pledged specific

support for our children looked after and young people. The pathway planning process when a young person is 16 ensures that care leavers have practical and financial support when they participate in any further or higher education.

The Brighter Futures project as part of the Into Work Advice Service supports our young people equipping them for employment or returning to education. Young people are assigned their own mentor and bespoke employment support, with access to free training, finance and interview preparation. When ready and confident they progress to a six month work placement.

Work experience, traineeships and apprenticeships are provided children who are looked after or leaving care by or through the Council's Economic Development Directorate, but also through The Cardiff Commitment. The Commitment is a partnership between Into Work Advice Service, education providers and employers to ensure that all young people in the city secure a job that enables them to reach their full potential.

This strategy is underpinned by a detailed action plan connected to each priority.

How we shall achieve our aims

This strategy is underpinned by a detailed action plan connected to each priority.

Key actions are:

- Ensure our children and young people placed out of area or move placements have their educational needs met and minimal disruption as possible through the multi-agency Brighter Futures Panel
- Understand, through enhancing data the provision available and outcomes to children looked after and care leavers to identify any gaps and improve outcomes.
- Ensuring all our children have access to the IT resources they need for education at home and minimising the impact of Covid 19.
- Transferring best practice from schools that are excellent in supporting and nurturing our children and young people city wide.
- Further develop access to employment and work experience opportunities in the Council, partners and the private sector
- Strengthen access to cultural, social and leisure opportunities in the council, with partners and the private sector to support the wider education needs of our children and care leavers
- Listen to and work with our children and young people to see what would make the difference to them with this priority.

Priority 5: Celebrating our children and young people

This is important because...

Many of our young people have had a difficult start in life and are likely to have faced barriers. It is vital our children and young people feel valued and their achievements are celebrated. It is important that they are treated with the dignity and respect that they deserve and our contact with children and care leavers reinforces this.

Our children and young people told us they worry about not being understood by other people. They identified a lack of understanding and awareness about children looked after in society and felt stigmatised by being in care. Some described being bullied as a result of being in care.

We know that each of our children looked after are unique, with their own life experiences. It is important that they are supported to develop their talents and share their strengths. This builds resilience for the future. As Corporate Parents we must support children looked after and care leavers to reach their full potential and champion their rights.

What our children and young people said

"Adults that know you are in care should keep it to themselves" (11-18yrs)

"I feel extremely proud of myself at the moment with everything I have achieved" (11-18yrs)

"My foster carers ... don't trust me and think I steal and lie which is hurtful to me because I don't" (11-18yrs)

"No, I don't have a really good friend"

Key facts

The Your Life, Your Care survey of our children and young people identified:

98% of the 4-7yr olds, and **98%** of the 8-11yr olds had a really good friend. **11%** of young people 11-18yrs wrote that they did not have a really good friend feeling isolated from friends was a strong theme from focus groups.

25% of 8-11yr olds looked after children and **30%** of 11-18yr olds were afraid to go to school because of bullying. Girls were more likely than boys to report feeling like this.

All 8-11yr olds felt supported with this. But a quarter of 11-18yr olds did not.

12% of young people recorded that adults did things that made them feel embarrassed about being in care.

54% of 11-18yr olds responded that they got a second chance 'all or most of the time'. **9%** felt they 'hardly ever' or 'never' got second chances.

39% of young people (11-18yrs) thought they were given opportunities 'all or most of the time' to show they could be trusted. **4%** wrote that they were 'never' given the opportunity to be trusted.

Our current activity

Currently there are a range of interventions and support available to help support our young people and families to build resilience.

Annually a Bright Sparks Award Ceremony celebrates the success of our children and young people across the city. This event is an opportunity to acknowledge their achievements. Not only does it provide celebration and recognition for our children and young people who participate, but as a sponsored event the successes of our children and young people are promoted to local businesses.

The Cardiff Commitment offers our young people work placements and training opportunities in the world of work. These provide our children and young people with opportunities to hold positions of trust, to gain knowledge, skills and confidence. The initiative not only helps overcome barriers our young people face in accessing or maintaining employment, but also provides employers and their staff the opportunity to meet our young people and receive training to better understand their needs.

Cardiff's Fostering Campaign and the National Adoption Campaign in seeking prospective foster and adoptive carers are also important public facing publicity campaigns. They raise awareness of our children and young people to wider society and raises awareness of fostering and adoption to increase the number of placements available.

The Police Crime Commissioner Project works with children and young people who are at risk of entering the criminal justice system or becoming victims of crime and anti-social behaviour. This project challenges stereotypes and perceptions of young people. It uses a child rights-based approach to address the criminalisation of care experienced young people.

The police have committed to not treating our children as offenders when behaving in ways many children behave at home. Children should be allowed to make mistakes and prevented from entering the criminal justice system.

How we shall achieve our aims

It should be noted this is the most challenging of our priorities, because it needs to reach beyond our sphere of direct influence. It is a developmental priority. It is the basis for our Big Ask of Our City and Communities. Members of the Corporate Parenting Advisory Committee are champions for children looked after and care leavers. They shall promote the interests and opportunities for children looked after in their interactions with businesses, the voluntary sector and communities. Professionals shall seek new opportunities in the spirit of this strategy and action plan evolving over time. This strategy is underpinned by a detailed action plan connected to each priority.

Key actions are:

- Work with our children and young people to develop their own version of this strategy and further develop the pledge
- Strengthen participation for our children, young people and care leavers
- Develop stronger links between CPAC and our children, young people and care leavers.
- Exploring the subject of bullying prevention with schools to determine if there are opportunities to apply lessons learnt more widely.
- Develop a corporate parenting network of stakeholders to champion corporate parenting and meet the aims of this Strategy
- Supporting our children and young people in their campaigning and influencing work in a rights based way.
- Monitoring and making links with the Cardiff Commitment to promote our children and young people.
- Challenging negative stereotypes and educating others as to the reality of care experience.
- Exploring how the aspirations of our young people can be met through wider Council policy and initiatives including home ownership and access to services.

Making it happen

To achieve the right results, we know we need to get our message out, have a shared understanding and strong direction, ensure clear and effective leadership, and report on our priorities to the right people.

To do this we are going to make three big asks.

- The Big Ask of young people whose lives are affected.
- The Big Ask of our fantastic professionals.
- The Big Ask of our City and Communities.

The Big Ask of our children and young people whose lives are affected

We are proud of each and every one of our children and young people and want everything we do to be driven by what they need to be happy and established for life.

To do that, like every good parent we need to continually know what they experience, feel and think. We need them to get involved, tell us if we are getting it right and help us find the right way if we are not.

The Big Ask of our children and young people whose lives are affected by care, outlines eight key areas where we shall ask our children and young people to get involved to make a difference for now and the future, for themselves and for others.

Get involved in the Bright Sparks youth club for care experience children and young people, to do the following:

- Decide how the club is run - events, activities, and location.
- Decide on creative ways to decide what matters.
- Come to our Corporate Parenting Advisory Committee meetings or events if you want and tell us what to listen to.
- If you don't want to, tell us by animations, videos, pictures, or another way.
- Invite us to the places that matter to you if you want us to see for ourselves.
- Reach out to other clubs and communities with the help of our youth workers and advocates. Be their voice.
- Listen to our ideas about what might help.
- Tell us if we get it right and if we get it wrong.

Cardiff's social workers, foster carers, children's homes, advocacy providers, youth teams and young people themselves shall have a key role in promoting and advertising the big ask of young people whose lives are affected.

The Big Ask of our fantastic professionals

We know that professionals care. They want to make a positive difference to every young person's life.

So we asked professionals what is important to them in being a good Corporate Parent. They told us:

They fundamentally believe that Corporate Parenting is everybody's responsibility.

That we need to understand the needs of young people, advocate on their behalf, and search for solutions through the lens of wellbeing instead of risk aversion.

That every professional needs to understand and decide how their organisation shall contribute.

We should collectively aspire to achieve the best for our young people in every aspect of their lives. That there must be monitoring of progress and accountability.

The Big Ask of our fantastic professionals therefore outlines six key areas where we shall ask foster carers, residential workers, social workers, teachers, nurses, youth workers, therapists, housing providers and others to make a difference.

- We know you are working hard and are already making a difference. Come to our meetings and tell us about it.
- Listen with us to what young people tell us.
- Encourage children and young people to tell us what they think. Get involved and be the voice of young people who are disenfranchised or lack confidence.
- Work with us to find new creative solutions to deliver our priorities.
- Make a pledge.
- Build that in to your team or service area plan.
- Help us evaluate if the changes we make together work.

Cardiff's public sector, third sector and contracted service leaders and senior managers shall have a key role in promoting and advertising the big ask of professionals to their workforce.

The Big Ask of our City & Communities

We are ambitious for children in care and care leavers and we know the City and its communities are too.

The Big Ask of our City & Communities outlines four key areas where we shall ask businesses, the voluntary sector and communities to make a difference.

- Help celebrate the achievements of children in care and care leavers by sponsoring our Bright Sparks Awards or donating a prize.
- Pledge access to your organisation's sport, music, arts, leisure, cultural, or faith based activities for children in care, foster families and care leavers at low or no cost.
- Become a Fostering Friendly employer by promoting fostering in the work place or promote fostering in your venue. Help us let everyone know how important it is that our communities better understand that Children in Care Matter.
- Pledge work experience, traineeships, apprenticeships and work based mentoring to children in care and care leavers through Cardiff Bright Starts programme.

Cardiff's County Councillors as elected community leaders shall have a key role in promoting and advertising the Big Ask of our City and Communities.



Pulling it together – the role of the Committee

Our strategy is based on the evidence we have now from working together, driven by elected members who want to make the difference.

We know we can do more to understand the issues. We know there are solutions we haven't yet found. We know there is more we can do to work together.

We also know that over the lifespan of the Strategy, the context of young people's lives will change. We hope they will improve as we implement our plans, but we also anticipate there will be new challenges, not least arising from the wide ranging social and economic impacts of the Covid 19 pandemic.

For that reason we believe it is important that our strategy is a living document that is continually monitored and evolves. That we seek out new activity and identify new actions as we proceed.

The Corporate Parenting Advisory Committee is our vehicle for this. Not only for governance, but also for engagement and development.

The Committee shall pull together all three Big Asks:

- Young people shall inform the Committee.
- Professionals shall continue to search for new solutions by listening and working together.
- Elected members shall lead cohesion, partnership and champion the cause of our children and young people for whom they are corporate parents.

How we shall do it

The Corporate Parenting Advisory Committee shall monitor the implementation of the strategy.

The Committee shall plan its meetings thematically according to the Priorities of the strategy.

The Committee shall consider feedback from children and young people engagement groups and creative feedback methods so that it can listen and further its understanding of each Priority in even greater depth.

Multi-agency groups shall work on delivering the individual priorities.

The Committee shall be the forum for cohesion and partnership in seeking solutions.

The Committee shall report its progress.

Finally it is important to stress, our corporate parenting principles and strategy do not exist in a vacuum. They should shape the mind-set of culture in every partner organisation, in how each carries out all of its functions.

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**



CABINET MEETING: 18 MARCH 2021

**REPLACEMENT OF THE RECYCLING AND REFUSE
COLLECTION FLEET**

**CLEAN STREETS, RECYCLING AND ENVIRONMENT
(COUNCILLOR MICHAEL MICHAEL)**

AGENDA ITEM: 4

Reason for this Report

1. To recommend the Cabinet approve the phased purchasing of a new recycling and refuse collection fleet over a two-year period with a value estimated at £9.7M.

Background

2. The current fleet of recycling and Refuse Collection Vehicles (RCVs) were procured in 2013/14 via a contract hire agreement. On conclusion of the agreement in 2018/19, the vehicle fleet was purchased and maintained by Central Transport Services.
3. The majority of the fleet is now at the end of its working life and at a point where maintenance costs have significantly increased and reliability reduced. A replacement program is required to provide resilience to maintain frontline operations supporting the Councils objective to deliver a world-class waste collection service and high recycling performance.
4. The recycling and refuse collection service provided by the Council, comprises of several elements:
 - Domestic general waste
 - Recycling collections
 - Food waste
 - Garden Waste
 - Commercial trade recycling and waste services
5. To deliver these services a Refuse Collection Vehicle fleet of approximately 70 vehicles is utilised.

Issues

6. An initial procurement exercise was carried out in 2020 and 12 recycling and refuse vehicles were purchased to replace a number of the existing fleet.
7. This exercise verified current market prices and confirmed the best value approach is to continue with purchasing vehicles in comparison to leasing to replace the existing vehicle fleet and to acquire interim hire vehicles to facilitate the change to four day working.
8. Based on current vehicle prices, the anticipated cost of the procurement of the replacement fleet will be £10.8M as shown in Appendix A
9. The procurement would be carried out as a direct award to the vehicle manufacturer via the Halton Housing Framework.
10. Halton Housing is a housing association in the North West with a fleet procurement framework designed to reduce fleet procurement costs. The framework covers nine separate types of vehicles, ranging from small cars to 26 tonne refuse and recycling vehicles. The framework results in a fixed rebate paid by supplier (£50 per vehicle) to framework, rather than a percentage of the overall cost resulting in a saving to the authority.
11. The procurement strategy must consider the service requirements over the next seven year following purchase. A phased approach over a two-year period allows the Council to continue vehicle trials to determine recycling methodology in line with Welsh Government Waste Strategy for both domestic and trade waste collections.
12. All vehicles to be procured support the future recycling strategy for Cardiff, albeit the vehicles in the final phase will be in line with the new recycling strategy.
13. Fully electric vehicles are available and included in the vehicle replacement program. However, due to the increased cost of this vehicle type, consideration can only be given where additional funding for uplift vehicle costs and vehicle charging infrastructure. The two year phased approach will allow the Council to continue to seek opportunities for additional funding in this area and support reviewing the performance of electric RCV's and associated running costs.
14. The Council has been supported by Welsh Government to replace 4 diesel vehicles within the procurement of new fleet electric Refuse Collection vehicles within this procurement.
15. All new vehicles will all be fitted with the latest Euro VI diesel engines and will produce 90% less particulates and Nitrogen Oxide than the 2013/14 vehicle fleet being replaced thus support the environmental objectives of the Council.

16. The vehicle delivery is approximately 6 months from the date of the purchase order.
17. Vehicles will be fully supported by Central Transport Services. The preferred vehicle manufacturer will enable CTS to undertake and recharge remedial work under the vehicle warranty. The manufacturer will provide training, free of charge, to support this initiative.

Reason for Recommendations

18. To support the programme of service improvements in Recycling Services.
19. To support the Council meeting the statutory requirement to collect household waste and maintain a goods vehicle operator's licence.

Financial Implications

20. The costs of the vehicles will need to be met from the existing revenue budgets held by the Directorate. The cost of replacing existing fleet vehicles can be met from existing budgets and any allowance for increased costs held as part of the Medium Term Financial Plan. The cost of any additional vehicles required as part of changes in collection practices are assumed to be recoverable from the financial benefits assumed in the business case supporting that change.
21. It is proposed that the best value approach to the sourcing of these vehicles will follow the first phase and be outright acquisition rather than lease.
22. The Council's budget framework approved in March 2021, includes a capital programme budget for the vehicles to be acquired. Where the business case for acquisition assumes a residual value, careful management and maintenance of vehicles should take place over its useful life to ensure any such value is recoverable. The acquisition of vehicles will be via additional Council borrowing, with the directorate commitment to repay any acquisition costs over a 5 - 7 year period. To ensure the financial sustainability of this policy approach to acquisition of vehicles, any variations to this should be made in exceptional circumstances only, with the reasons and rationale for this reported by the S151 as part of budget monitoring reports to Cabinet.
23. Disposal proceeds of replaced vehicles will be used to reduce any invest to loan charges arising from the initial acquisition of vehicles. Robust processes will need to be developed between vehicle users, CTS and financial services in order to ensure clarity of charges for vehicles and recovery of the initial cost of vehicles as approved in this report over the agreed period of time.
24. The procurement of these vehicles is based on the maintenance of vehicles by the Council. The operating and maintaining departments of

the council deem this best value and confirm these can be managed within existing budgets.

Legal Implications

25. The report recommends that approval to award a contract off a framework. Any Call off contract must be carried out in accordance with the Call Off Process set out in the Framework Agreement. Legal Services are instructed that the recommendation proposed accords with the Framework Agreement and call off process. It should be noted that the terms and conditions will be those as set down by the Framework Agreement and the client department should satisfy themselves as to whether they are suitable for their requirements.

Equalities Duties.

26. In considering this matter the decision maker must have regard to the Council's duties under the Equality Act 2010. Pursuant to these legal duties Councils must, in making decisions, have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: (a). Age,(b) Gender reassignment(c) Sex (d) Race – including ethnic or national origin, colour or nationality, (e) Disability, (f) Pregnancy and maternity, (g) Marriage and civil partnership, (h)Sexual orientation (i)Religion or belief – including lack of belief.
27. Well Being of Future Generations (Wales) Act 2015 - Standard legal imps The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
28. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well being goals. The well being objectives are set out in Cardiff's Corporate Plan 2020-23. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
29. The well being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
Look to the long term

- Focus on prevention by understanding the root causes of problems
 - Deliver an integrated approach to achieving the 7 national well-being goals
 - Work in collaboration with others to find shared sustainable solutions
 - Involve people from all sections of the community in the decisions which affect them
30. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

General

31. The decision maker should be satisfied that the procurement is in accordance within the financial and budgetary policy and represents value for money for the council.
32. The decision maker should also have regard to, when making its decision, to the Council's wider obligations under the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards."

HR Implications

33. There are no employee implications to be considered in this report.

Property Implications

34. There are no property implications for this report

RECOMMENDATIONS

Cabinet is recommend to approve the direct award to Dennis Eagle off a framework for the phased purchasing of a new recycling and refuse collection fleet over a two-year period with a value estimated at £9.7M.

SENIOR RESPONSIBLE OFFICER	NEIL HANRATTY Director Economic Development
	12 March 2021

The following appendices are attached:

Appendix A – Waste RCV Procurement

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Waste RCV Procurement

2020-21 - PHASE 1 - ORDERED	Quantity	Purchase Cost	Total
Rigid Box 7.5t	3	£66,350.00	£199,050.00
Rigid 18t Skip	2	£96,675.00	£193,350.00
Rigid 32t Hook	4	£134,185.00	£536,740.00
LF 180 FA 4X2 RIGID 12T	2	£135,596.00	£271,192.00
Domestic RCV (Dennis OL16 26T RS)	7	£171,709.00	£1,201,963.00
Domestic RCV (Dennis OL19 26RS Ecollect) (electric vehicle)	1	£446,825.00	£446,825.00
Domestic RCV (Dennis OL10 18T RS)	2	£162,029.00	£324,058.00
	18		£2,974,128.00

2020-21 - PHASE 2	Quantity	Purchase Cost	Total
Domestic Food Waste RCV 18T	7	£175,000.00	£1,225,000.00
Trade Food Waste RCV 18T (BIN WEIGH)	1	£160,000.00	£160,000.00
Domestic RCV (Dennis OL16 26T RS)	6	£171,709.00	£1,030,254.00
Domestic RCV (Dennis OL19 26RS Ecollect) (electric vehicle)	4	£446,825.00	£1,787,300.00
Domestic RCV (Dennis OL10 18T RS)	5	£162,029.00	£810,145.00
Trade RCV (Renualt Dennis 26T RS BIN WEIGH)	4	£146,000.00	£ 584,000.00
Trade RCV (Dennis OL10 18T RS BIN WEIGH)	2	£173,000.00	£346,000.00
	29		£5,942,699

2021-22 - PHASE 3	Quantity	Purchase Cost	Total
Domestic RCV (Dennis OL16 26T RS)	22	£171,709.00	£3,777,598.00
Domestic RCV (Dennis OL10 18T RS)	2	£162,029.00	£324,058.00
Trade RCV (Renualt Dennis 26T RS BIN WEIGH)	2	£146,000.00	£292,000.00
Trade RCV (Dennis OL10 18T RS BIN WEIGH)	1	£173,000.00	£173,000.00
7.5t Hygiene	4	£76,000.00	£304,000.00
	31		£4,870,656.00

Note: Ecollect is an electric refuse collection vehicle supported by £205,000 additional funding per vehicle by a Welsh Government grant for uplift of purchase costs from diesel to electric.

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**



CABINET MEETING: 18 MARCH 2021

**CONTRACT AND LEASE FOR GREEN ELECTRICITY
GENERATION FROM LANDFILL GAS AND LANDFILL GAS
MANAGEMENT AT LAMBY WAY**

**CLEAN STREETS, RECYCLING AND ENVIRONMENT
(COUNCILLOR MICHAEL MICHAEL)**

AGENDA ITEM: 5

Appendix A to this report is exempt from publication on the basis that it contains information of the description set out in paragraphs 14 and 21 of Part 4 of schedule 12 A of the Local Government Act 1972 and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Appendix B to this report is not for publication as it contains exempt information of the description in paragraph 16 of Schedule 12A of the Local Government Act 1972

Reason for this Report

1. To update Cabinet on the management of landfill gas at Lamby Way and Ferry Road
2. To seek approval to conclude contract and lease agreements for the provision of electricity from landfill gas and landfill gas management at Lamby Way.

Background

3. The Council had a historical landfill gas lease with Infinis at Lamby way which was in place since December 1997 (and which was subsequently extended with effect from December 2014).
4. Under the lease arrangement, Cardiff Council received 15% of the gross income from the generation and sale of electricity.
5. Should the landfill gas curve continue as forecast until 2040, it is anticipated the total value of the electricity generated from landfill gas will be in the region of £13.3M from 2020-2040.

6. The Council intended to procure new arrangements via OJEU open procedure via 'Sell to Wales'. The Council will utilise the SQUID pre-qualification document for the purposes of the selection process.
7. The Council were seeking a percentage share of the royalty payments for the electricity that is transferred to the grid, this is to include GDUoS income, Triad income, Traded Power (until 2021), ROC and BSUoS and all associated income and savings.
8. Prior to the lease finishing the Council working with specialist consultants engaged with OFGEM with regards the transfer of ROC accreditation, as this accreditation represents 50% of total income and the accreditation remains in place until 2027. OFGEM manages the ROC accreditation scheme, including payments and transfers.

Issues

9. Infinis did not support the transfer of ROC accreditation and following the cessation of the lease they removed equipment from Ferry Road Landfill and wrote to OFGEM to cease the ROC accreditation for their equipment at this site.
10. Ferry Road Landfill will not be included in the Contract and Lease with Infinis. The Council will seek an alternative provider; albeit the gas levels are significantly lower than those at Lamby way landfill.
11. Infinis kept their generating equipment at Lamby Way and lit the flare to burn the landfill gas as they had no lease arrangement to support them generating electricity.
12. The Council could not persuade OFGEM to transfer the ROC accreditation to them or a new provider as they stated the ROC is attached to the specific generating equipment and therefore Infinis needed to support any transfer.
13. As the transfer of ROC accreditation was unable to take place without consent from Infinis it meant they have an exclusive right. This meant the Council would be either in detriment by undertaking a competitive tender without ROC accreditation or the tender would not be competitive or fair if Infinis were allowed to tender with their ROC accreditation.

Responding to concerns

14. The risk associated the ROC transfer meant the Council could not implement a competitive tender without being in detriment. No alternative provider would be interested in tendering as they know Infinis have the advantage of holding ROC accreditation at the site.
15. The Council opened dialogue with Infinis to agree a new Contract and Lease for the generation of green electricity from landfill gas and landfill gas management at Lamby Way.

16. A Heads of Terms between Novera Energy Generation No.2 Limited (Infinis) and the Council for the renewal of gas management, generation rights and obligations of Infinis at the Lamby Way landfill site with effect from 1 April 2021.
17. The Heads of Terms agreed had three main principles:
- A transitional lease to enable electric generation and the receipt of royalty payments at 15% from the date of the Heads of Terms to the 1 April 2021.
 - A payment of £115,000 for the rights to gas during the Term prescribed by the Lamby Way Agreements. The Term being 1 April 2021 to 31 March 2028 unless terminated sooner.
 - Royalty payments of Gross Revenue Income of:
 - 17% - Year 1 (commencing 1 April 2021)
 - 16% - Year 2 (commencing 1 April 2022)
 - 15% - Years 3, 4, 5 and 6 (commencing 1 April 2023, 1 April 2024, April 2025 and 1 April 2026 respectively)
 - 14% - Year 7 (commencing 1 April 2027)

Reason for Recommendations

18. To conclude contract and lease arrangements for the provision of electricity from landfill gas and landfill gas management at Lamby Way as agreed in the Heads of Terms.

Financial Implications

19. There is an existing income base budget of £273.000 and the Directorate will need to manage any potential shortfall in income by the realignment of budget from other areas of the service. Further research will be required on the accounting treatment for the upfront payment of £115,000 as this may need to be amortised over the term of the lease.

Legal Implications

Equalities Duties

20. In considering this matter the decision maker must have regard to the Council's duties under the Equality Act 2010. Pursuant to these legal duties Councils must, in making decisions, have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: (a) Age, (b) Gender reassignment, (c) Sex (d) Race – including ethnic or national origin, colour or nationality, (e) Disability, (f) Pregnancy and maternity, (g) Marriage and civil partnership, (h) Sexual orientation (i) Religion or belief – including lack of belief.

21. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
22. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well being goals. The well being objectives are set out in Cardiff's Corporate Plan 2020-23. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives
23. The well being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
 - Look to the long term
 - Focus on prevention by understanding the root causes of problems
 - Deliver an integrated approach to achieving the 7 national well-being goals
 - Work in collaboration with others to find shared sustainable solutions
 - Involve people from all sections of the community in the decisions which affect them
24. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below: <http://gov.wales/topics/people-andcommunities/people/future-generations-act/statutory-guidance/?lang=en>

General

25. The decision maker should be satisfied that the procurement is in accordance within the financial and budgetary policy and represents value for money for the council.
26. The decision maker should also have regard to, when making its decision, to the Council's wider obligations under the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.
27. See appendix B for exempt legal implications.

HR Implications

28. There are no employee implications to be considered in this report.

Property implications

29. Strategic estates note the draft Heads of Terms in regards to the lease arrangements. Finalisation of lease arrangements will need to be undertaken in conjunction with Strategic Estates and follow the relevant delegations of authority.

RECOMMENDATIONS

Cabinet is recommend to

1. Approve the conclusion of contract and lease agreements for the provision of electricity from landfill gas and landfill gas management at Lamby Way as agreed in the Heads of Terms.
2. delegate authority to the Director of Economic Development subject to consultation with the Cabinet Member Finance, Modernisation & Performance and the Cabinet Member Clean Streets, Recycling and Environment, s.151 Officer and Director Governance and Legal Services, to deal with all aspects of the contract and lease agreements.

SENIOR RESPONSIBLE OFFICER	Neil Hanratty Director of Economic Development
	12 March 2021

The following confidential appendices are attached:

Appendix A – Heads of Terms

Appendix B - Exempt legal implications – landfill gas report

The following background papers have been taken into account:

Cabinet Report 10th October 2019 – Tender for electricity generation from landfill gas and potentially natural gas, including landfill gas management.

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CABINET MEETING: 18 MARCH 2021

**REVIEW OF THE LEISURE SERVICES CONTRACT WITH
GREENWICH LEISURE LTD (GLL)**

CULTURE & LEISURE (COUNCILLOR PETER BRADBURY)

AGENDA ITEM: 6

Appendices 1, 2, 5, 6, 8, 9 and 10 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14 and 16 of Part 4 of Schedule 12A of the Local Government Act 1972.

Reason for this Report

1. To seek authority to vary the Leisure Services contract with Greenwich Leisure Limited (GLL) in response to the COVID-19 pandemic to improve the long-term sustainability of the contract.
2. As part of (1) above, to seek authority to remove the Pentwyn Leisure Centre from the GLL contract and to take forward an alternative approach to ensure the facility remains open to the public and to deliver new investment into the site.
3. Also, as part of (1) above, to seek authority to further vary the GLL contract to remove the Velodrome facility from the Maindy Leisure Centre site to pave the way for delivery of a new Velodrome facility at the International Sports Village.

Background

4. In November 2020, following the sustained impact of the COVID-19 pandemic, Cabinet authorised a detailed review of the GLL Leisure Services contract to identify potential variations that would improve its long-term sustainability and protect service delivery.
5. The requirement for a review was in response to a number of emerging issues:
 - The significant financial impacts and uncertainty caused by the COVID-19 pandemic.
 - The Review of the Council's Leisure Services report undertaken by Audit Wales in 2019/20.

- The requirement to remove the Maindy Velodrome from the GLL contract to enable the delivery of a new Velodrome at the International Sports Village.
6. The Council entered into a contract for the operation of eight Leisure Centres with GLL from 1st December 2016. Prior to this, the centres were operated by the Council and were subject to an annual operating subsidy of circa £3.5m. The procurement of an operating partner aimed to eliminate the operating subsidy at a time of significant budget pressures whilst implementing new working practices and an improved offer to customers, placing the service on a stronger and more sustainable footing for the long-term.
 7. From the outset, both the Council and GLL fully understood that it would take time for the operating deficit forecast in the early years of the contract to be eliminated. GLL's proposal was to cross-subsidise during this period, from other profitable parts of its business with a view to recovering the position through the following years of the contract.
 8. The Council paid a tapered management fee for the first 3 years of the contract, to support the transition and capital funding was allocated to enable investment in the centres, to be repaid by GLL over the term of the contract. Under the contract, the Council retained control over certain aspects of the service provision, such as pricing and the protection of terms and conditions of Council staff transferred to GLL.
 9. Prior to the on-set of the COVID-19 pandemic, GLL's original projections for eliminating the operating deficit were behind schedule as set out in Confidential Appendix 1. This was mainly due to capital investment works taking longer to deliver than originally expected with service disruption affecting income generation.
 10. The COVID-19 pandemic has increased the financial pressure on the contract and eliminated GLL's ability to cross subsidise from other profitable parts of their business as all of their Leisure contracts are now under pressure. As the pandemic has progressed, the prolonged closure of leisure and gym facilities has resulted in a total loss of income and significant financial uncertainty moving forward.
 11. In the trading year January to December 2020, GLL, supported by the Council, have been able to secure circa £1.86m from the Welsh Government Hardship Fund in addition to circa £1.5m through the UK Government Coronavirus Job Retention Scheme. Even with this unprecedented level of support, the contract has remained in deficit as set out in Confidential Appendix 2.
 12. Although the Leisure Services contract with GLL enabled the Council to eliminate its previous operating subsidy, the priority was to ensure that all facilities remained open to the public. For this position to be sustained over the longer term, GLL will need to eliminate their operating deficit. The main financial pressure relates to the operation of swimming pools, in particular, leisure pools which demand greater staffing resource. GLL will work with

the Council to develop a Five Year Recovery plan to mitigate for the loss of cross-subsidy from other parts of the GLL business and the support from government during the pandemic with a view to eliminating the operating subsidy.

13. In 2019/20, Audit Wales undertook an audit of the GLL Leisure Services contract to determine whether the Council's approach to Leisure Services supported the achievement of its well-being objectives as described in the Council's Corporate Plan and with a particular focus on the well-being objective of 'Safe, Confident and Empowered Communities'. The report is attached as Appendix 3.
14. Audit Wales made a number of recommendations aimed mainly at improving contract management and risk / performance management, ensuring risks and issues are reported corporately to provide the Council with greater certainty that its Leisure Services contract with GLL is sustainable and delivering value for money. The Council's response to the Audit Wales Review is on-going and is set out in summary form in Appendix 4.
15. A key recommendation was to undertake a review of the GLL contract to ensure that the Council properly considers its long-term financial sustainability. The Council has initiated a review with GLL to understand in detail the key challenges and to identify measures that will support post COVID-19 recovery. It is clear that the previous financial challenges have been magnified by the pandemic and the Council remains committed to working with GLL to secure sustainability of the contract.
16. The review of the contract will be an on-going process over the coming months as the leisure sector emerges from lockdown. The initial proposals set out in this report represent an immediate response to the COVID-19 challenges. Continued monitoring and review will be required adapting to changing circumstances, demand and need.

Issues

17. In September 2020, GLL wrote to the Council highlighting their financial concerns, in particular the negative impact that the operation of the Pentwyn Leisure Centre was having on their ability to reduce the operating deficit. The financial performance of all Leisure Centres during the 2019 trading year is set out in Confidential Appendix 2.
18. During the autumn of 2020, the Council approached GLL regarding proposals to relocate the Velodrome facility to the International Sports Village. The Velodrome facility provides a key income stream for the Maindy Leisure Centre, also set out in Confidential Appendix 2. Pre-COVID-19, the Centre operated close to break-even. In 2019, it may have achieved a surplus if it had not suffered from disruption owing to capital improvement works. The proposed removal of the Velodrome would place the Maindy Leisure Centre into an operating deficit position.

19. This report puts forward a proposal to remove both the Pentwyn Leisure Centre and the Velodrome facility at the Maindy Leisure Centre from the GLL contract. The removal of Pentwyn Leisure Centre would more than offset the financial pressures arising from the removal of the Velodrome facility.
20. In addition to the above, GLL has intimated that their ability to repay the capital recently invested by the Council to upgrade some of the Leisure Centres will be constrained for a considerable length of time and in light of COVID-19 may need to be reconsidered altogether. At this stage in the contract review process Cabinet is not being asked to make a decision on capital repayment. However, in recognition of the fact that there may be a pending issue, this report seeks authority to pause the current programme of investment until the issue has been fully considered and (as required) report back to a future meeting of Cabinet.

Pentwyn Leisure Centre

21. Pentwyn Leisure Centre continues to be the poorest performing centre in the GLL portfolio, primarily due to the scale of operations of a leisure/beach pool, the absence of a 25 metre pool tank, low gym membership and poorly attended dry-side activities. This is a long term trend and was also experienced when the facilities were operated by the Council. The opening of the Cardiff International Pool in 2008 has meant that the leisure shaped, beach entry pool was no longer a destination facility attracting visitors from wider afield.
22. The facility was built in 1989 and is now in need of significant investment to meet new trends, customer needs and to bring it up to date to attract increased membership and participation. Given the poor performance of the centre over a prolonged period of time, GLL has chosen to invest capital funding available in centres with better potential for delivering a return on investment.
23. Following GLL's letter to the Council in September 2020, a number of possible interventions relating to the Pentwyn Leisure Centre have been considered as a means of improving the overall performance of the GLL contract:
 - a) **Full closure of the Centre.** This would have an immediate positive impact on the wider GLL contract. The estimated benefit is set out in Confidential Appendix 2. However, this would mean a complete loss of provision for the local community.
 - b) **Partial closure of the Centre.** Removal/repurposing of facilities that are loss making, such as the leisure pool, would improve the financial position, however the centre would still operate at a significant deficit. Any repurposing of facilities would also require investment that would need to be re-paid. Closure of the leisure pool would have the greatest impact on the financial position, but would significantly impact the leisure offer.

- c) **Upgrade the Centre.** This would attract new patronage and would improve the financial position. However, it would not have the effect of placing the overall GLL contract into a significant surplus position and able to service the debt associated with investment in the Centre. If additional capital were available for investment, GLL would prefer to invest in other centres that have better potential for return on investment.
 - d) **Transfer the Centre.** Identify an alternative operator able to repay investment to maintain service provision.
24. The Council remains committed to Pentwyn Leisure Centre remaining open to the public, including the retention of swimming at the site. As such, option (d) provides the best opportunity for long-term sustainability, both for the GLL contract and the community the Leisure Centre serves.
 25. During the COVID-19 pandemic Cardiff Blues gave up their home pitch and associated facilities at the Cardiff Arms Park to accommodate the Local Health Board in the provision of the Dragon's Heart Hospital at the Principality Stadium and to treat patients hospitalised owing to the virus. The Council worked with the Cardiff Blues to identify an alternative venue to operate during this period as elite rugby was permitted to continue.
 26. Given the operating deficit, Pentwyn Leisure Centre was likely to be the last centre to return to full operation and therefore the Council and GLL permitted Cardiff Blues to occupy the Centre whilst it remained closed to the public.
 27. Cardiff Blues have had a positive experience during their temporary use of the Centre and have recently submitted a proposal to the Council that would allow them to establish the Centre as their long-term training base. Their proposal is to provide a rent for operating the Centre, in return for the Council providing capital investment to upgrade. There would be no ongoing subsidy from the Council. The proposal is attached as Confidential Appendix 5 and Heads of Terms for a lease attached as Confidential Appendix 6.
 28. As part of their proposal, the Blues would plan to retain the first floor area for dedicated use. The ground floor area would be reconfigured to provide a much-improved cross fit gymnasium, a new 25m swimming pool, retention of the main hall, community rooms, a new catering concession and some office space.
 29. It is also proposed to replace the existing grass pitch with a full sized 3G pitch and a new mini 3G pitch for dual use. As part of the proposal Cardiff Blues plan to develop the site as a Community Rugby Hub and will provide community access to the Cardiff Blues services such as medical and physiotherapy. Learning opportunities and apprenticeships will also be made available. Details of the proposed investment scheme are attached at Appendix 7 and initial costings are attached as Confidential Appendix 8.

30. The Cardiff Blues proposal would have the effect of eliminating the Pentwyn Leisure Centre operational deficit from the GLL contract whilst keeping the Centre open for public use, including an improved swimming offer. GLL have confirmed that they are content with the Cardiff Blues proposal.
31. As a result of the temporary closure of Pentwyn Leisure Centre, GLL and the Council have supported Cardiff and Vale Health Board's response to the pandemic by allowing the main hall to be used as a Vaccination Centre. The occupation of the building is on an initial 12 months lease, up until February 2022. It is anticipated that the facility will remain closed to the public during this period. COVID-19 Regulations do not currently permit outdoor sports, therefore community football has not restarted. As a result, the local football clubs who potentially could be displaced as a result of Cardiff Blues' temporary use of the grass football pitch to train remain dormant.
32. The Council's draft Playing Pitch Strategy, due to be presented to Cabinet in summer, provides a review of playing pitch needs and demands both current and future. The strategy identifies the need for a further six, Third Generation artificial pitches with a particular need in the Pentwyn area. These pitches are able to accommodate fixtures equivalent to four grass pitches, with the advantage of being playable fifty-two weeks of the year for training and competition. The impact of inclement weather in Cardiff has resulted in up to sixteen weeks of cancellations for grass pitches for league fixtures, per season, this has led to long periods of reduced physical activity.
33. The introduction of a 3G pitch as part of a redevelopment will enable the resident club, Pentwyn Dynamos, to achieve growth in membership whilst providing a facility that meets the ground criteria for the highest division of Welsh Football League. The new 3G pitch will also help other local community clubs access much needed training and playing facilities.
34. The financial plan for the Centre and associated outdoor facilities is set out in Confidential Appendices 8 and 9. In summary, the proposed investment in the building would be funded through the proposed rent from Cardiff Blues. Investment in the proposed outdoor facilities would be funded through the disposal of land assets in the Pentwyn ward, as part of the Llanrumney Redevelopment Plan approved by Cabinet in November 2020.
35. The current use of the facility as a Vaccination Centre and its closure to the public until February 2022 would provide an opportunity to undertake works over the period as the pool area remains outside of the UHB lease and will not impact on its operation.

Staffing Implications

36. There will be implications for the staff currently employed by GLL at Pentwyn Leisure Centre. Under the proposals presented in this report, Cardiff Blues will become the operator and employer. TUPE will apply to all

staff and the Council will require existing terms and conditions to be protected.

Legal Due Diligence

37. The Council will need to undertake legal due diligence prior to concluding any agreement to ensure the proposal is in line with contract law, property law requirements, procurement regulations and is state aid compliant (subsidy regime).

Maindy Velodrome

38. As part of the proposal to release Pentwyn Leisure Centre from the GLL Contract, the Council requires GLL to release the Maindy Velodrome and associated land from their operation as part of the Maindy Leisure Centre.
39. The proposal is to relocate the Velodrome to the International Sports Village (ISV) as part of plans to complete the leisure destination at this location and to deliver a new modern Velodrome facility for the city. The ISV plans are set out in the Cabinet report also presented at the March 2021 meeting. The Council is also currently consulting on the expansion of Cathays High School. If the Velodrome is relocated to the ISV, the land currently occupied by the Velodrome at Maindy would become available to support the school expansion project. The proposal is for the replacement track facility to be funded by a capital contribution by the Council. The plan is to supplement this investment with additional facilities creating a leading cycling hub in the city for use by all local clubs and the public. Initial consultation in respect of the design of the facility has taken place with local cycling clubs and is on-going.
40. The proposal is for the new Velodrome to be constructed and operational at the International Sports Village before the existing facility at Maindy is closed. The remaining facilities at the Maindy Leisure Centre will not be affected by these proposals and will remain open to the public.

Service Specification

41. In addition to the proposed variation of the contract presented in this report, the Council and GLL will continue to review the Leisure Services Contract Service Specification to identify opportunities for meeting the current and future needs and demands for Sport, Leisure and Physical Activity. A number of changes have already been identified as follows:
 - Removal of receptionists to be replaced by a concierge type service
 - Cashless automated payments only
 - Turnstile entry
 - Targeted programming aligned to emerging strategies and in response to the Well-being of Future Generations (Wales) Act 2015

- Revised opening hours to reflect the needs of the community each centre serves.
42. These proposed changes will contribute to the sustainability of the contract through smarter deployment of resources, reductions in waste, and improved overall efficiencies. The proposals are within normal contract tolerances and will be implemented from 1 April 2021.

Reason for Recommendations

43. To improve the long-term sustainability of the Leisure Services Contract with Greenwich Leisure Ltd following the COVID-19 pandemic.

Financial Implications

44. The Council has begun a process of reviewing the GLL contract. Cabinet is being asked to agree in principle to proposals to vary the contract subject to further work being undertaken before final decisions are made. Appendix 2 sets out the pre-pandemic issues for each leisure centre but it is not yet clear how the proposed measures set out in this report resolve the financial position. It is noted that the WG Hardship Fund provides support for the lost net income suffered by the contractor as a result of the pandemic. Appendix 3 highlights that without the unprecedented level of support from WG and the Job Retention Scheme the contract would be in deficit by in excess of £3 million. Any reduction in this level of support would put a lot of pressure on the success of the contract as once centres reopen attendance figures will be subject to uncertainty for the forthcoming period of twelve months at least. Further work is required by GLL to provide a detailed Recovery Plan covering all of the centres that form part of the contract.
45. Before a final decision is taken, further work will be required to understand the detailed financial and staff impact of the removal of the Maindy Velodrome and Pentwyn Leisure Centre from the contract and the risks associated with the proposals and their level of achievability.
46. The Council paid a tapered management fee for the first 3 years of the contract, to support the transition and capital funding was allocated to enable investment in the centres, to be repaid by GLL over the term of the contract. Under the contract, the Council retained control over certain aspects of the service provision, such as pricing and the protection of terms and conditions of Council staff transferred to GLL. The capital programme anticipates a repayment from GLL based on a financial profile based on amount of capital investment based on front loaded management fees. Any default in those payments from GLL in future years will result in a funding gap (see Confidential Appendix 2) that would need to be funded from Council financial resources.
47. Confidential Appendix 1 sets out GLL's original financial plan. Further work will need to be undertaken to understand the level of financial impact to GLL as a result of the proposed changes. Due diligence will also need to be undertaken on the Cardiff Rugby financial submission for Pentwyn

Leisure Centre to determine the full level of risks in this financial performance being achieved and any liability remaining with the Council.

48. The financial impact of Pentwyn Leisure Centre as Vaccination Centre has not been finalised but it is presumed that direct costs only associated with that services will be recovered.
49. Tax advice has been sought to determine the optimum benefit from formally transferring the management of Pentwyn Leisure Centre from GLL to Cardiff Blues Rugby. The advice is based on the premise that the site would be closed during its refurbishment and that the Council has clear intention to lease the whole site to CBR and – subject to the Council opting to tax it's interest in the site, there would be the potential for the VAT incurred on the development to be recovered in full. In respect of the lease granted to the NHS it is clear that whilst the rest of the building would be closed for use the space let to the NHS will remain open and in use till at least March 2022. To make this grant a Taxable supply CCC would either need to opt to tax the site prior to taking on the lease terms or re-negotiate the supply as the provision of serviced facilities which whilst subject to VAT would be VAT recoverable in the hands of the NHS under the Contracted Out Services VAT rules operated by the NHS. Fuller advice can found within Confidential Appendix 10.

Legal Implications

50. The report recommends that the decision in this matter is made in principle only so, amongst other things, detailed legal consideration can be given to the various legal issues raised. The proposals raise a number of potential legal issues that will require detailed consideration, once full information is provided, in order to assess if the proposals can be achieved within legal constraints and or any potential risks raised assessed. As well as consideration of the legal issues raised, these proposals will require appropriate consultation, equality impact assessment and evaluation in relation to the Council's wellbeing objectives. Any decision taken (pursuant to the delegated authority sought) on whether to implement the in principle decision or not, must take into account the outcome of any such consultation, assessment and evaluation.

General legal advice

Equalities & Welsh Language

51. In considering this matter the decision maker must have regard to the Council's duties under the Equality Act 2010 (including specific Welsh public sector duties) . Pursuant to these legal duties Councils must, in making decisions, have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: (a). Age,(b) Gender reassignment(c) Sex (d) Race – including ethnic or national origin, colour or nationality, (e) Disability, (f) Pregnancy and maternity, (g) Marriage and civil partnership, (h)Sexual orientation (i)Religion or belief –including lack of belief.

52. The decision maker should be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.

The Well-being of Future Generations (Wales) Act 2015

53. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well being goals. The well being objectives are set out in Cardiff's Corporate Plan 2020 -23.
54. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives. The well being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- Look to the long term
 - Focus on prevention by understanding the root causes of problems
 - Deliver an integrated approach to achieving the 7 national well-being goals
 - Work in collaboration with others to find shared sustainable solutions
 - Involve people from all sections of the community in the decisions which affect them
55. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible on line using the link below: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

Policy and Budget Framework

56. The decision maker must be satisfied that the proposal is within the Policy and Budget Framework, if it is not then the matter must be referred to Council.

Property Implications

57. The proposed capital investment in Pentwyn Leisure Centre will require suitable commercial terms to be agreed with Cardiff Blues.

58. In order to ensure the Council does not have responsibility for the up-keep of the site and building, it would be preferable to link any relinquishment of the GLL lease to a new property agreement being completed with Cardiff Blues. Consideration will also be required in respect of the method of the Council in delivering the capital investment works, which it is likely will be termed "landlord works" as part of the commercial agreement with Cardiff Blues.
59. The detailed property proposals have been outlined in the main body of this report. Where any property transactions are required as a result of these proposals, these should be done so in accordance with the Council's Asset Management process and in consultation with Strategic Estates and relevant service areas.

Human Resources Implications

60. These proposals do not have any direct impact on Council employees as GLL is the employer. However, it is the Council's position that TUPE will apply. The Council expects that in line with its agreement with GLL, they will consult the recognised trade unions, GMB, UNITE and UNISON in advance of any announcements and throughout the process and keep the Council informed of progress. It is expected that the agreed recognition of these trade unions by GLL should form part of the contractual arrangements and TUPE transfer for former Cardiff Council employees.

RECOMMENDATIONS

Cabinet is recommended to:

- i) Note the Audit Wales report attached as Appendix 3 and the Council's initial summary response set out in Appendix 4.
- ii) Agree in principle to the proposed variation to the GLL contract as set out in this report namely the removal of the Pentwyn Leisure Centre and the Maindy Velodrome from the contract and delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Culture & Leisure, the Legal Officer and the S151 Officer to:
 - a) Complete the contract variation subject to the detailed legal due diligence set out in this report and consideration of the outcome of the Equality Impact Assessment;
 - b) Enter into the proposed lease at Pentwyn Leisure Centre as set out in this report, in line with the proposal attached at Confidential Appendix 5 and substantially in the form of the draft Heads of Terms attached as Confidential Appendix 6, and subject to: satisfactory conclusion of point a); detailed legal due diligence as set out in this report; detailed financial due diligence; and an independent valuation.
 - c) Subject to a) and b) above, deal with all aspects of the procurement and implementation of the proposed improvements to the Pentwyn Leisure Centre subject to the financial envelope set out in Confidential Appendix

9 and in line with the scheme presented at Appendix 7 and the estimated costings presented at Confidential Appendix 8.

SENIOR RESPONSIBLE OFFICER	Neil Hanratty Director of Economic Development
	12 March 2021

The following appendices are attached

Confidential Appendix 1: GLL Contract Financial Analysis

Confidential Appendix 2: GLL Contract Financial Statement

Appendix 3: Audit Wales Report

Appendix 4: Extract from External Audit Tracker (Leisure Services) March 2021

Confidential Appendix 5: Cardiff Blues Proposal & Financial Plan

Confidential Appendix 6: Heads of Terms

Appendix 7: Pentwyn Leisure Centre Capital Investment Proposals

Confidential Appendix 8: Pentwyn Leisure Centre Capital Investment Costings

Confidential Appendix 9: Financial Envelope - Pentwyn Leisure Centre

Confidential Appendix 10: VAT Advice (March 2021)

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Review of Leisure Services – Cardiff Council

Audit year: 2019-20

Date issued: October 2020

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This document has been prepared as part of work performed in accordance with statutory functions.

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We welcome correspondence and telephone calls in Welsh and English. Corresponding in Welsh will not lead to delay. Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg a Saesneg. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

Mae'r ddogfen hon hefyd ar gael yn Gymraeg. This document is also available in Welsh.

Contents

The Council has achieved its key aim of keeping its leisure centres open but there is significant scope for the Council to better apply the sustainable development principle and strengthen its arrangements to assure itself that its contract with GLL is delivering value for money.

Summary report

What we reviewed and why	4
What we found	5
Proposals for improvement	6

Detailed report

The Council has maintained its leisure provision but would benefit from setting clear priorities for its leisure services and reviewing its contract with GLL to ensure it supports the delivery of these priorities and its well-being objectives	7
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There have been weaknesses in contract management and whilst the Council has strengthened arrangements, there is still scope to further improve them	8
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The Council's governance and performance management arrangements could be improved to help the Council to assure itself that the contract with GLL is sustainable and delivering value for money	10
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Appendices

Appendix 1 – Positive indicators of the five ways of working - Well-being of Future Generations Examinations findings	14
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Summary report

What we reviewed and why

- 1 In accordance with the Well-being of Future Generations (Wales) Act 2015 (the WFG Act) the Auditor General for Wales (the AGW) is statutorily required to examine public bodies to assess the extent to which they have acted in accordance with the sustainable development principle when:
 - setting their well-being objectives; and
 - taking steps to meet them.
- 2 The Act defines the sustainable development principle as acting in a manner: ‘...which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs’.
- 3 As well as duties under the WFG Act, the AGW has duties relating to examining whether councils have proper arrangements to ensure economy, efficiency and effectiveness (value for **money**) under the Public Audit (Wales) Act 2004. In discharging these duties, the Auditor General published his report *Delivering with Less – Leisure Services*, in December 2015.¹
- 4 Since we published that 2015 report, the Council entered into a new 15-year contract, described as a partnership arrangement, with Greenwich Leisure Limited (GLL). This commenced in December 2016. The contract covers eight leisure centres and was procured through a competitive procurement process.
- 5 This review sought to answer the question: **is the Council’s approach to leisure services supporting the achievement of its well-being objectives, and delivering value for money?**
- 6 Our work focused on those leisure services provided by GLL and how they contribute to the achievement of the Council’s Wellbeing Objectives as described in the Council’s Corporate Plan, *Delivering Capital Ambition*, in particular the Well-being Objective: ‘Safe confident and empowered communities’ and the priority for 2019-20 to support sports, leisure, culture and green spaces.
- 7 The findings in this report are based on fieldwork that we undertook prior to the COVID-19 pandemic.

1 *Delivering with Less - Leisure Services*, National Report published in 2015

What we found

- 8 Overall, we found that the Council has achieved its key aim of keeping its leisure centres open. But there is significant scope for the Council to better apply the sustainable development principle and strengthen its arrangements to assure itself that its contract with GLL is delivering value for money.
- 9 We came to this conclusion because:
 - the Council has maintained its leisure provision but would benefit from setting clear priorities for its leisure services and reviewing its contract with GLL to ensure it supports the delivery of these priorities and its well-being objectives;
 - there have been weaknesses in contract management and whilst the Council has strengthened arrangements, there is still scope to further improve them; and
 - the Council's governance and performance management arrangements could be improved to help the Council to assure itself that the contract with GLL is sustainable and delivering value for money.
- 10 Our detailed findings are set out in the next section of the report.

Proposals for improvement

Exhibit 1: proposals for Improvement

The table below sets out the proposals for improvement that we have identified following this review.

Proposals for improvement
<p>The Council should:</p> <p>PFI 1: Establish a clear strategy, vision and priorities for its leisure services which incorporates consideration of the WFG Act.</p>
<p>PFI 2: Undertake a review of the GLL contract service specification to ensure it supports the delivery of the Council's priorities for its leisure services and its wider well-being objectives.</p>
<p>PFI 3: Consider how it can strengthen application of the sustainable development principle through the services delivered by GLL, including:</p> <ul style="list-style-type: none">• adopt a more strategic approach to collaboration which ensures all organisations including Cardiff and the Vale Health Board/Public Health and the Third Sector are involved in planning and developing GLL and other leisure services at a local and regional level.• further integrate the planning and delivery of GLL Leisure Services with other public bodies and Council services, such as Education and Social Care.• listen to, and involve, service users in the development and delivery of GLL and other leisure services to ensure they represent the needs and aspirations of the full diversity of local communities they serve.
<p>PFI 4: Improve contract management arrangements to ensure there is robust and transparent monitoring of the delivery of the contract specification.</p>
<p>PFI 5: Ensure that the Council effectively considers the long-term financial and well-being risks of the leisure contract in its corporate risk management processes.</p>
<p>PFI 6: Improve reporting arrangements to ensure members receive a full and timely account of contract performance which includes revenue/expenditure.</p>

Detailed report

The Council has maintained its leisure provision but would benefit from setting clear priorities for its leisure services and reviewing its contract with GLL to ensure it supports the delivery of these priorities and its well-being objectives

- 11 Overall, the Council considers that the contract with GLL is successful. It has achieved its original aims of keeping all leisure centres open, achieving a zero-subsidy position by April 2019 and thereafter receipt of a net income from its contract with GLL.
- 12 There are references to the role being played by leisure within the Council's corporate plan – 'Delivering Capital Ambition' (the Plan) in support of its well-being objectives. However, the Council does not have a clear vision or strategy which clearly articulates its priorities for the current and future provision of leisure services to help guide the services provided by GLL. The Council has also not set out how its approach to leisure services intends to apply the sustainable development principle and the five ways of working to achieve its well-being objectives, national well-being goals, and to deliver value for money.
- 13 In the absence of a clear set of priorities for its leisure services, there is also a lack of clarity among stakeholders about what the specific leisure priorities are within Cardiff, and how stakeholders, including GLL, can work together to achieve them. We found that the Council is unable to clearly demonstrate how GLL plans are integrated with those of other public bodies.
- 14 The Council would benefit from setting clear priorities for its leisure services and reviewing its contract with GLL to ensure it supports the delivery of these priorities and its well-being objectives.
- 15 The Council's Economic Development Directorate Delivery Plan 2019-20 includes an action to develop a vision for leisure services, but we understand this is currently in the early stages of development.
- 16 We found numerous examples of collaborative working, such as with Menter Caerdydd² and the Urdd³ to promote Welsh swimming lessons and with Cardiff and Vale Health Board Neurological Rehabilitation Unit to encourage participation. However, we found limited evidence that the Council has taken account of the integration, prevention and involvement ways of working. For example, we found limited evidence of integration with other Council services and there are further opportunities to explore collaboration with other external bodies.

² Menter Caerdydd is an events services company through the medium of Welsh.

³ Urdd Gobaith Cymru is a National Voluntary Youth Organisation which provides opportunities through the medium of Welsh for children and young people in Wales to make positive contributions to their communities.

- 17 In its 2018-19 annual report, GLL state that the overall number of visits to its leisure centres had increased by 3.9% since the prior year. As such, the contract is helping to contribute to the delivery of the Council's well-being objectives but there remains significant scope for the Council to better apply the sustainable development principle and measure and report on this contribution more broadly.

There have been weaknesses in contract management and whilst the Council has strengthened arrangements, there is still scope to further improve them

- 18 The key arrangements in place to monitor and manage the contract include:
- a Project Liaison Board (PLB), attended by a mix of cabinet members, GLL and Council staff. The PLB first met in September 2017 and meets quarterly. The PLB discusses contract performance, significant operational matters, and any future planned changes to service. The PLB receives a mix of financial and performance information relating to the operation of the contract.
 - regular contract liaison meetings between GLL and the Council's contract monitoring staff. These meetings focus on operational matters.
- 19 Relevant cabinet members, Council and GLL staff feel they have developed a good working relationship described by all parties as a partnership. This relationship has evolved since the inception of the contract on 1 December 2016. It is important to note that it is a formal contract rather than a partnership, which should be reflected in the application of the Council's contract management arrangements.
- 20 In April 2018, the Council's Internal Audit Service gave an assurance rating of 'Insufficient with major improvement needed' on the processes and procedures in place relating to the GLL service contract. Internal Audit's report raised a corporate recommendation for the Council to ensure that reporting mechanisms are in place from the commencement of a contract when entering into any contractual or partnership arrangement. The report added that the control environment (corporate and directorate) required improvement as it did not provide reasonable assurance that all high-level risks were adequately controlled. It also found that a lack of adequate monitoring controls exposes the Council to the risk of GLL not achieving their objectives, performance standards and financial targets set out in the contract. Internal Audit made nine recommendations in total, including five relating to governance and monitoring arrangements.
- 21 The management response in November 2018 to that Internal Audit report gave assurance that the recommendations had been addressed. However, our review echoes the Internal Audit findings and found that some of the concerns identified as recommendations by Internal Audit remain. For example:
- management must ensure risks identified are reviewed and updated in the Directorate Delivery Plan;

- effective decision-making process is followed demonstrating options, alternatives and risks in the case of a deviation being sought from the Service Specification;
 - management reports must provide sufficient information to provide an accurate assessment of progress made to facilitate a review of added value, including comparative data to prior year(s); and
 - introducing regular reporting to Senior Management Team (SMT) to increase the effectiveness of monitoring the contract.
- 22 In October 2018, GLL appointed a contract manager and a locally based management team to further develop its local knowledge and improve communication and performance. This has helped to strengthen the relationship with the Council and provided assurances as to their shared intentions to work together to improve contract management arrangements and performance.
- 23 The Council appointed a new Operational Manager for Sport Leisure and Development in July 2019 to improve the oversight and management of contract performance and better align the service with the Well-being of Future Generations Act principles.
- 24 We found that contract management arrangements could be improved by more closely monitoring delivery of the contract specification in a transparent and systematic way. Our review found that aspects of performance are not being consistently monitored in line with the service specification. For example, the Council has not set targets for the desired levels of junior participation or for those with the social characteristics as set out in the service specification. The Economy and Culture Scrutiny Committee emphasised the importance of achieving social objectives, such as reduced charges for looked after children and increased access for disadvantaged customers in its report in January 2019.
- 25 The Service Specification requires GLL to:
- provide a Community Benefits Plan to maximise benefits from the delivery of educational community and environmental initiatives in association with the delivery of the services through the facilities;
 - ensure services continuously improve and certain performance standards achieved such as the use of benchmarking services through the National Benchmarking Service;
 - reflect the Council's duties and responsibilities under the Equality Act 2010; and
 - reflect the Well-being of Future Generations (Wales) Act 2015.
- 26 At the time of this review GLL had not produced a Community Benefits Plan, but we understand it was under development. We also found no evidence of services being benchmarked through the National Benchmarking Service or equivalent in the first two years of the contract nor agreement to do so every subsequent two-year period of the contract as required in the specification. In December 2017, the Chair of the Economy and Culture and Environmental Scrutiny Committee wrote to the Cabinet Member for Leisure and Culture recommending that GLL incorporate

equality impact assessments into their decision-making process for strategic, policy and key operational changes. However, there is confusion between the Council and GLL as to who is responsible for doing these assessments. We have not been provided with evidence of any assessments made to date. The absence of equalities impact assessments hampers the ability of the Council to demonstrate that it has fully considered the needs of the diversity of the population. Public bodies must give careful consideration to their Equality Duty under the Equality Act 2010 when a decision clearly affects a considerable number of people.

- 27 Although we understand that the impact of changes to pricing and schemes were discussed at the PLB, the documents and minutes of these meetings do not substantiate that there had been robust consideration and appraisal of the impact of price changes on participation for those with protected characteristics under the Equality Act 2010, such as changes to junior membership arrangements, or for service users more generally. The service specification requires that the contractor 'explain and demonstrate the rationale for pricing policies schemes and initiatives and provide an analysis of the impact of any changes on participation and customer groups.' This information was not available. The Council should improve the quality of records of decisions and the process of transparently managing and overseeing their implementation in line with the specification.
- 28 Overall, our review suggests that the Council would benefit from an evaluation of how well its contract is being managed in accordance with the service specification and the arrangements in place to support this.

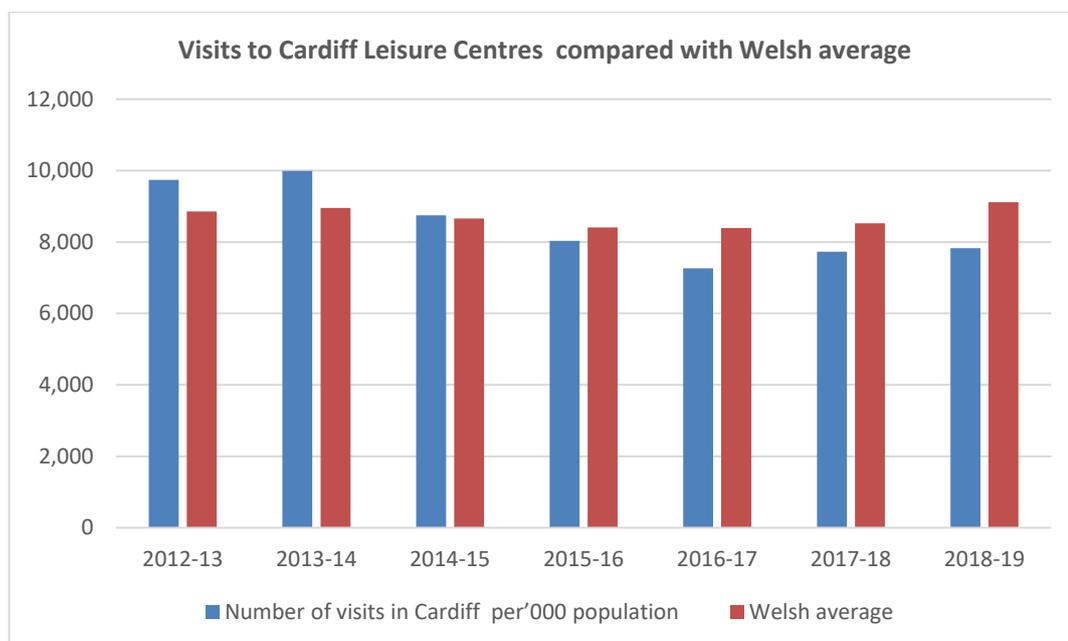
The Council's governance and performance management arrangements could be improved to help the Council assure itself that the contract with GLL is sustainable and delivering value for money

- 29 Information provided within GLL quarterly monitoring reports to the Project Liaison Board show that GLL is currently operating the contract at a financial loss. The GLL Annual Report 2018-19 describes the financial position of the service as disappointing. In response to this, the local GLL contract management team developed a five-year plan which came into force in April 2019, to bring the contract back in line with the expected financial position. Whilst it is GLL that bears the financial risk, should the financial position not improve, there is a risk to the sustainability of the contract and therefore to the wider benefits the service brings to service users as well as to the reputation of the Council. We would expect, therefore, that the Council is closely monitoring and addressing this risk.
- 30 A reference to this risk that 'GLL fail to deliver on the agreed legal contract and the subsequent financial objectives' is included in the Economic Development Directorate Delivery Plan 2019-20. However, it is given a 'green' status and no mitigating actions or commentary is included.

- 31 Internal Audit's report on the leisure contract included a recommendation that: 'Management must ensure that the risks identified in the Directorate Risk Register are reviewed and updated reflecting all mitigating and risk factors. Where necessary risks must be escalated to the Senior Management Team (SMT) as specified in the Risk Management Policy and Strategy'. We could not find any evidence that this has been done.
- 32 The Council's corporate plan for 2019-20 sets out that one of its key targets is to achieve a two per cent increase in the number of visits to local authority sports and leisure centres during the year per 1,000 population where the visitor will be participating in physical activity. **Exhibit 2** below shows that visits to Cardiff Sport and Leisure facilities, (which include the eight centres managed by GLL) remain below those achieved in 2012-13, are below the Welsh average and give rise to a ranking of 19th in Wales for 2018-19.

Exhibit 2: the number of visits to Local Authority sport and leisure centres during the year per 1,000 population where the visitor will be participating in physical activity

The most recent national performance data available shows that visits to Cardiff Sport and Leisure facilities (which include the eight centres managed by GLL) in 2018-19 remain below those achieved in 2012-13, are below the 2018-19 Welsh average and give rise to a ranking of 19th out of the 22 councils in Wales.



Source: Data Cymru

- 33 This comparative performance is not included in the Council's 2018-19 annual performance report; neither does the report provide any information about how

performance compares with other providers or any information about service user views of the service. Therefore, it is difficult for members and the public to obtain a rounded picture of the Council's leisure performance from the annual performance report.

- 34 We recognise that this indicator covers a broader range of sport and physical activity facilities than the centres managed by GLL. It is positive GLL reported in its Annual Report 2018-19 that its leisure service in Cardiff saw an increase in usage over the previous year of 5.1%, exceeding the Council's target of a 2% annual increase.
- 35 GLL also reported it has generated for Cardiff a social return against health, well-being, crime and education to the value of £13.4 million in 2018-19; this equates to a social return of £2.25 for every £1.00 spent in the leisure centres. GLL's social return calculation is based on regular participation in sports and physical exercise in its centres. This could be further improved through the provision of comparative data to indicate how well this social return calculation compares with other authorities or similar facilities.
- 36 In its attempt to involve its service users, GLL implemented a 'listen 360' customer feedback system in 2018, which provides a 'net promoter score' for each leisure centre. GLL indicate that Cardiff scores 21%, which is above GLL national averages of 20%. However, the scores for 2018-19 show some variation: five of GLL's eight leisure centres in Cardiff score less than this average and the average score is masked by high scores at some centres, such as Eastern at 48% and Star at 41%.
- 37 GLL has achieved Quest⁴ entry accreditation across all its centres as prescribed by the Service Specification, and has further assessments programmed in 2019-20. The assessments provide each centre with a detailed account of the strengths and areas for improvement helpful to inform any future changes.
- 38 The Council's Economy and Culture Scrutiny committee has considered the performance of the leisure contract twice since the inception of the contract in December 2016. In December 2017, the committee scrutinised the first year of operation of the contract and then received a presentation from GLL in January 2019. The Cabinet Member for Culture and Leisure attended both meetings to answer questions. The minutes of the January 2019 meeting demonstrate that members considered a wide range of areas, including performance and satisfaction levels as well as sharing concerns expressed by service users about changes to leisure services undertaken by GLL.
- 39 It is positive that the scrutiny committee has been involved in reviewing the service provided by GLL. On both occasions, the Chair of the Scrutiny Committee wrote to the Cabinet Member for Culture and Leisure summarising the committee's findings.

⁴ Quest is a tool for continuous improvement, designed primarily for the management of leisure facilities and sports development. It defines industry standards and good practice and encourages ongoing development and delivery within a customer-focused management framework.

However, the Scrutiny Committee papers considering the performance of the contract in January 2019 did not disclose GLL's operating position or the potential implications of this for the Council. Neither did the covering report refer to Internal Audit's critical report relating to the contract. Therefore, the scrutiny committee was not given the full information to enable members to effectively challenge the service and its sustainability and consider if the contract is providing value for money. Indeed, the Scrutiny committee chair's letter to the Cabinet member following the presentation noted that work is on track for there to be zero subsidy from the Council by 2019-20, and that no new commitments or risks to the Council have been identified.

- 40 We recognise that the contract is in its third year of operation, but it is evident that arrangements are not yet mature enough to provide the assurance needed to determine whether the contract is delivering value for money and maximising its contribution to the achievement of the Council's well-being objectives and the national well-being goals.

Appendix 1

Positive indicators of the Five Ways of Working

The table below sets out 'positive indicators' for each of the five ways of working that we have identified. We have not used the indicators as a checklist. They should be viewed as indicators. They helped us to form conclusions about the extent to which a body is acting in accordance with the sustainable development principle in taking steps to meet its Wellbeing Objectives.

What would show a body is fully applying the long-term way of working?

- There is a clear understanding of what 'long term' means in the context of the Act.
- They have designed the step to deliver the well-being objective/s and contribute to their long-term vision.
- They have designed the step to deliver short or medium-term benefits, which are balanced with the impact over the long term (within the project context).
- They have designed the step based on a sophisticated understanding of current and future need and pressures, including analysis of future trends.
- Consequently, there is a comprehensive understanding of current and future risks and opportunities.
- Resources have been allocated to ensure long-term as well as short-term benefits are delivered.
- There is a focus on delivering outcomes, with milestones/progression steps identified where outcomes will be delivered over the long term.
- They are open to new ways of doing things which could help deliver benefits over the longer term.
- They value intelligence and pursue evidence-based approaches.

What would show a body is fully applying the preventative way of working?

- The body seeks to understand the root causes of problems so that negative cycles and intergenerational challenges can be tackled.
- The body sees challenges from a system-wide perspective, recognising and valuing the long-term benefits that they can deliver for people and places.
- The body allocates resources to preventative action that is likely to contribute to better outcomes and use of resources over the longer term, even where this may limit the ability to meet some short-term needs.
- There are decision-making and accountability arrangements that recognise the value of preventative action and accept short-term reductions in performance and resources in the pursuit of anticipated improvements in outcomes and use of resources.

What would show a body is taking an 'integrated' approach?

- Individuals at all levels understand their contribution to the delivery of the vision and wellbeing objectives.
- Individuals at all levels understand what different parts of the organisation do and proactively seek opportunities to work across organisational boundaries. This is replicated in their work with other public bodies.
- Individuals at all levels recognise the cross-organisation dependencies of achieving the ambition and objectives.
- There is an open culture where information is shared.
- There is a well-developed understanding of how the wellbeing objectives and steps to meet them impact on other public sector bodies.
- Individuals proactively work across organisational boundaries to maximise their contribution across the wellbeing goals and minimise negative impacts.
- Governance, structures and processes support this, as do behaviours.

What would show a body is collaborating effectively?

- The body is focused on place, community and outcomes rather than organisational boundaries.
- The body has a good understanding of partners' objectives and their responsibilities, which helps to drive collaborative activity.
- The body has positive and mature relationships with stakeholders, where information is shared in an open and transparent way.
- The body recognises and values the contributions that all partners can make.
- The body seeks to establish shared processes and ways of working, where appropriate.

What would show a body is involving people effectively?

- Having an understanding of who needs to be involved and why.
- Reflecting on how well the needs and challenges facing those people are currently understood.
- Working co-productively, working with stakeholders to design and deliver.
- Seeing the views of stakeholders as a vital sources of information that will help deliver better outcomes.
- Ensuring that the full diversity of stakeholders is represented, and they are able to take part.
- Having mature and trusting relationships with its stakeholders where there is ongoing dialogue and information is shared in an open and transparent way.
- Ensure stakeholders understand the impact of their contribution.
- Seek feedback from key stakeholders which is used to help learn and improve.



Audit Wales
24 Cathedral Road
Cardiff CF11 9LJ

Tel: 029 2032 0500

Fax: 029 2032 0600

Textphone: 029 2032 0660

E-mail: info@audit.wales

Website: www.audit.wales

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Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg a Saesneg.

APPENDIX 4

Recommendation Ref No.	Name of Audit	Recommendation	Management Response	Update Dec 2020	Lead Officer	RAG Status	Open/Closed
RL1	Review of Leisure	Establish a clear strategy, vision and clear priorities for leisure services, which incorporates consideration of the WFG Act. This should be used to guide the delivery of services provided by GLL.	ACCEPT: The need for a Sport, Health and Physical Activity Strategy was identified and included in the Corporate Plan 20/21 and 21/22. The Health and Wellbeing of Future Generations Act and the recent Sport Wales vision provide the platform to ensure Cardiff aligns its priorities to achieve the objectives that both these set out. A number of stakeholder forums have taken place and a strategy group has been established to include Public Health, HE/FE, NGBs, Vale of Glamorgan, GLL and other delivery partners. The aim is to have a finalised strategy by March 2022.	The strategy group has been supported with funding from Public Health to engage an independent consultant with experience of delivery Physical Activity and Health strategies. Four key themed workshops have taken place and results are being compiled to shape the next steps of the strategy and the establishment of board of cross services professionals will steer the strategy towards completion in September 2021. Attendance and collaboration has been strong with positive engagement. The partnership with Public Health covering Cardiff and Vale of Glamorgan Health Board area is proving particularly positive.	Steve Morris	Green	Open
RL2	Review of Leisure	Consider how it can strengthen application of the sustainable development principle through the services delivered by GLL, including: <ul style="list-style-type: none"> Adopt a more strategic approach to collaboration which ensures all organisations including Cardiff and the Vale Health Board/Public Health and the Third Sector are involved in planning and developing GLL another leisure services at a local and regional level. Further integrate the planning and delivery of GLL Leisure Services with other public bodies and Council services, such as Education and Social Care. Listen to, and involve, service users in the development and delivery of GLL and leisure services to ensure they represent the needs and aspirations of the full diversity of local communities they serve 	ACCEPT: GLL local, regional and national management are involved as key stakeholders for the emerging Sport, Health and Physical Activity Strategy along with Public Health and the Vale of Glamorgan Council and their Leisure provider, Parkwood. A multi agency approach is planned to develop the strategy. - We have put a strong emphasis on Social Value by way of calculating and measuring the impact of attendances in GLL facilities. A number of partnerships are in place to target specific hard to reach and under represented groups that brings joint collaboration between internal and external partners. The social value calculator is used when reporting progress to the partnership board. However, we note that further engagement with alternative services and potential stakeholders is required. - The consultation with customers and key stakeholders is critical in developing the most appropriate services and programmes in an ever evolving leisure and physical activity arena. Further work is being carried out to determine needs and trends to be reflected in the Service	The review of the Service Specification has identified current partnerships that can be further developed such as delivery through the medium of Welsh in partnership with the URDD. Closer alignment to the emerging 21st Century Schools programme to ensure duplication is avoided and collaboration is explored. further work on integration of programmes for people with disabilities and alignment to the Disability Sport Wales accreditation programme to achieve Silver status. The involvement in the Strategy development will help set key areas of focus and targeted delivery with new partners. - GLL have implemented the "listen 360" as a customer feedback system and report on this to the Partnership Board. In addition, quarterly on-line surveys are carried out and reviewed against previous benchmark data. All centres will hold public open forums to listen to customers views and suggestions. Staff surveys and engagement form a key part of the Business Planning process for each centre. QUEST accreditation also requires robust customer survey information which all centres are working towards.	Steve Morris	Green	Open
RL3	Review of Leisure	Improve contract management arrangements to ensure they monitor delivery of the revised specification in a transparent and systematic way.	ACCEPT: The governance and monitoring in place has been reviewed to ensure the contract Service Specification is kept up to date, amended where applicable and is responsive to changing trends and habits. The revised Service Specification will also be reported to Cabinet. Client monitoring remains in place and includes weekly officer meetings, quarterly performance reviews with senior officers from both the Council and GLL and the Partnership Liaison Board which also meets quarterly with the Cabinet Member for Leisure and Culture and the Cabinet Member for Finance and Resources.	We have introduced and included the GLL partnership in the Directorate Delivery Plan and Risk Register. This is reported against on a quarterly basis with risks escalated to SMT and reported to Cabinet where appropriate.	Steve Morris	Green	Open
RL4	Review of Leisure	Undertake a systematic review of the GLL contract service specification to ensure it is fit for purpose and supports the delivery of the Council's vision for its leisure services and is in accordance with the WFG Act.	ACCEPT: The contract has been running for 4 years with the initial years focussing on partnership, compliance, introduction of new systems, implementing capital improvements and developing new ways of working. The Service Specification was written before the introduction of the Wellbeing of Future Generations Act. It has therefore been agreed that a review of the Service Specification is essential to test whether it is now fit for purpose, meets current trends and needs and contributes where possible to the Act.	The Service Specification is now under review with weekly meetings taking place between GLL and Client Management team. The update was taken to Scrutiny and a Cabinet report was taken in November seeking authority to make recommendations to vary the specification to assist in a more sustainable model of delivery going forward. A number of key changes are being recommended to Cabinet to consider such as the transfer of Pentwyn Leisure Centre from GLL to Cardiff Blues which will reduce the financial deficit to GLL by circa £700,000. A staff restructure is also proposed aimed at reducing fte without adverse impacts on service provision. Receptionists will change to foyer concierge to be more responsive and customer facing. Changes in programming and opening times at each centre will ensure resources are applied to where there is the highest customer need and demand. A Cabinet Report is scheduled for March 2021.	Steve Morris	Green	Open
RL5	Review of Leisure	Ensure that the Council effectively considers the long-term financial and well-being risks of the leisure contract in its corporate risk management processes.	NOTED: The Directorate Delivery Plan now includes more robust monitoring and reporting measures of performance and risk. Risks are escalated to the Corporate Risk register and to Senior Management Team. These are reported quarterly.	The Directorate Delivery Plan has reported financial and well being risks predominantly linked to COVID 19. A Cabinet briefing was held in Q3 on financial risk and sustainability. The Cabinet report in November highlighted the current financial difficulties and will report back in March with mitigating recommendations as above. Welsh Government have supported losses in 20/21 through the Hardship Fund.	Steve Morris	Green	Open
RL6	Review of Leisure	Improve reporting arrangements to ensure members receive a full and timely account of contract performance which includes revenue/expenditure.	ACCEPT: In addition to the current governance structure and reporting to the Partnership Liaison Board. Reports are taken quarterly through the Corporate process and financial performance is monitored effectively and reported through the Corporate Risk Register.	Financial performance is a key measure at the PLB with attendance from the Cabinet Member for Finance. An informal Cabinet briefing took place in Q3 with GLL and Client management to present the impact of COVID on income and expenditure for the current operating year and estimated forecasts for 21/22. Furthermore, a report was taken to Scrutiny committee to highlight both the general financial position of the GLL contract and the financial impact of Covid 19. A monthly meeting between Council senior accountants and GLL has been introduced based on an open book approach in response to financial risks linked to COVID 19.	Steve Morris	Green	Open

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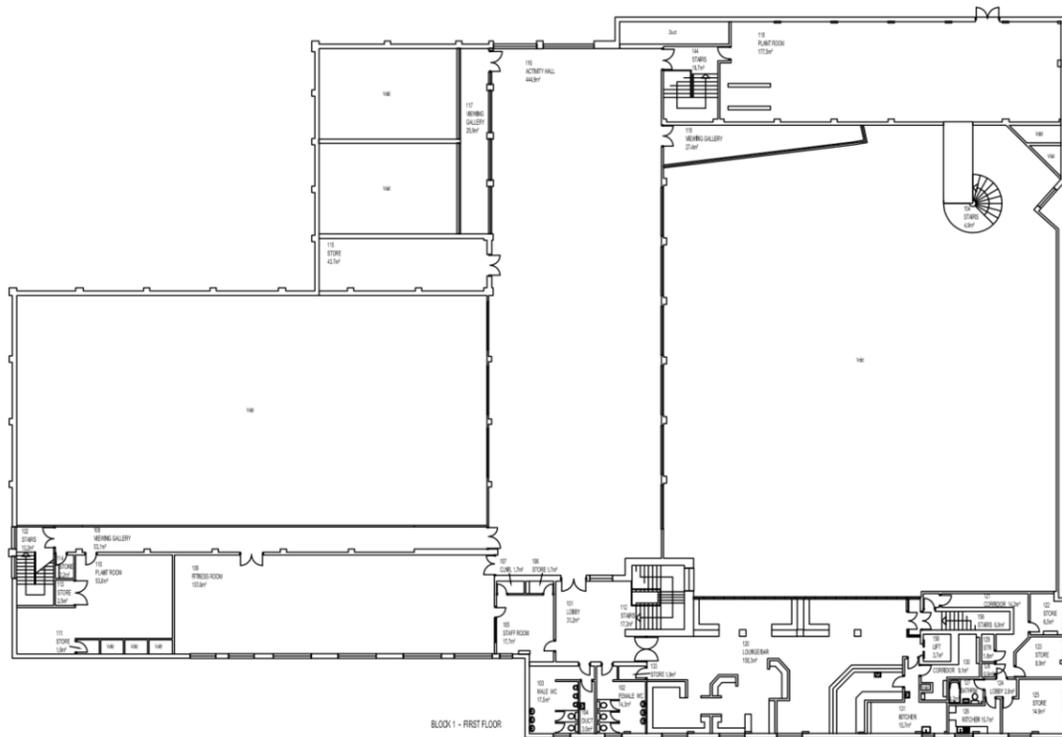
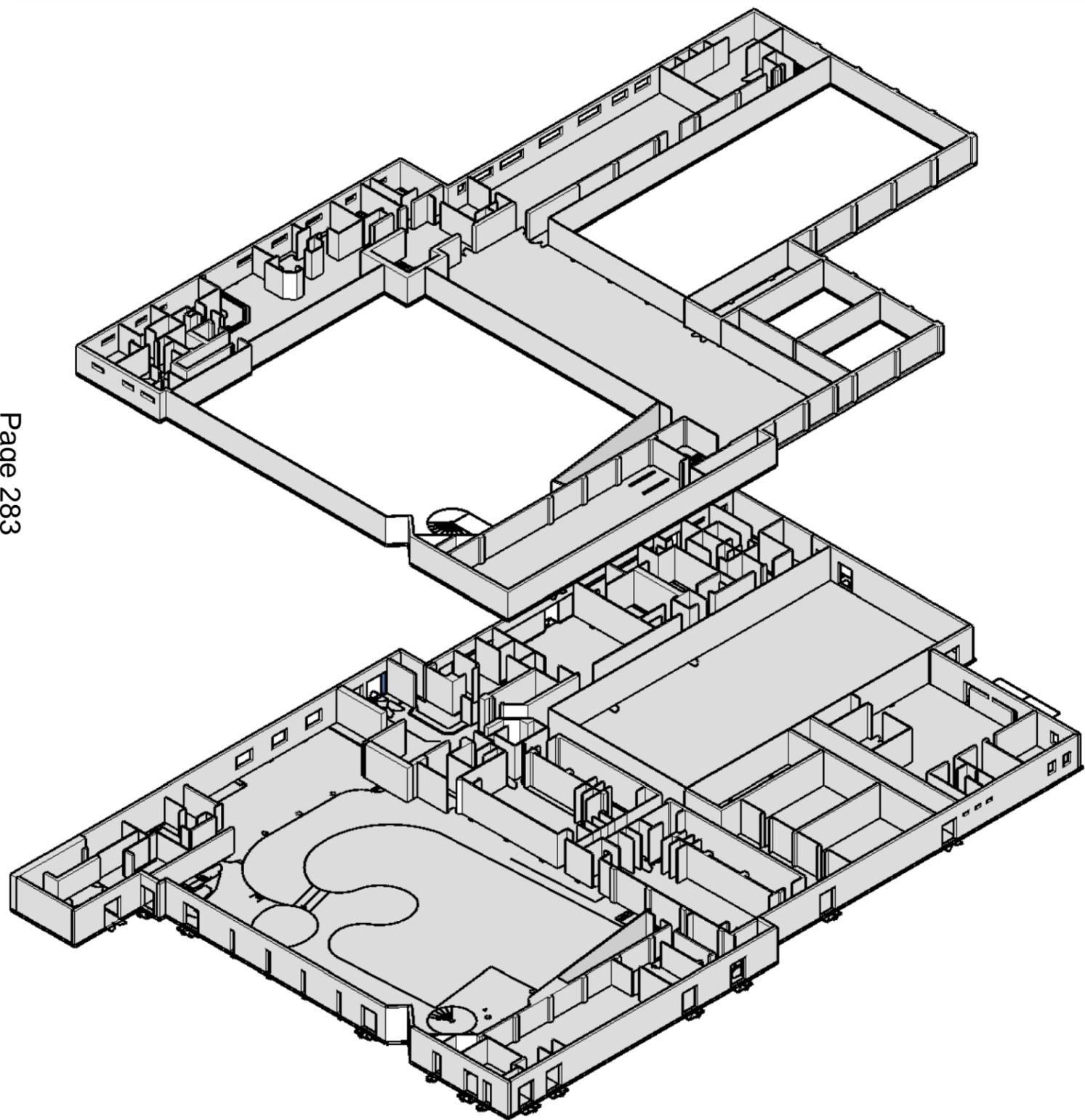


Pentywn Leisure
Centre Proposal

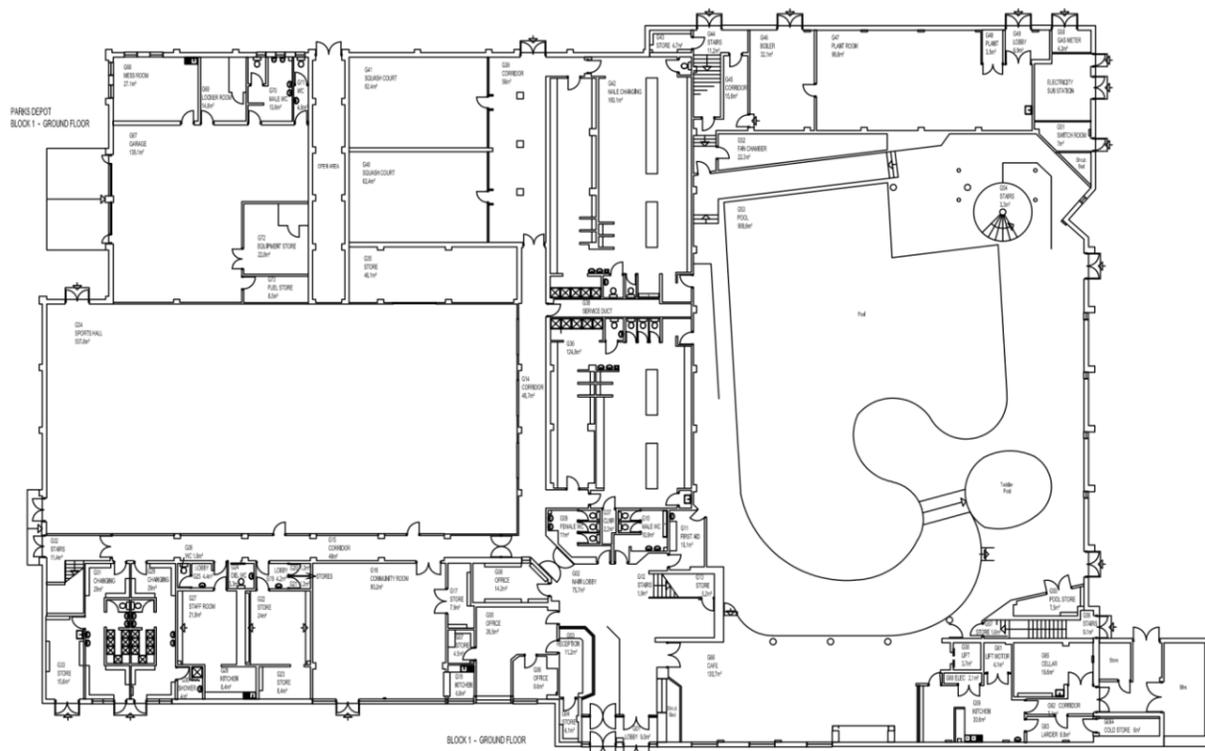




Pentwyn Leisure Centre
Front Elevation
1:200 @ A2



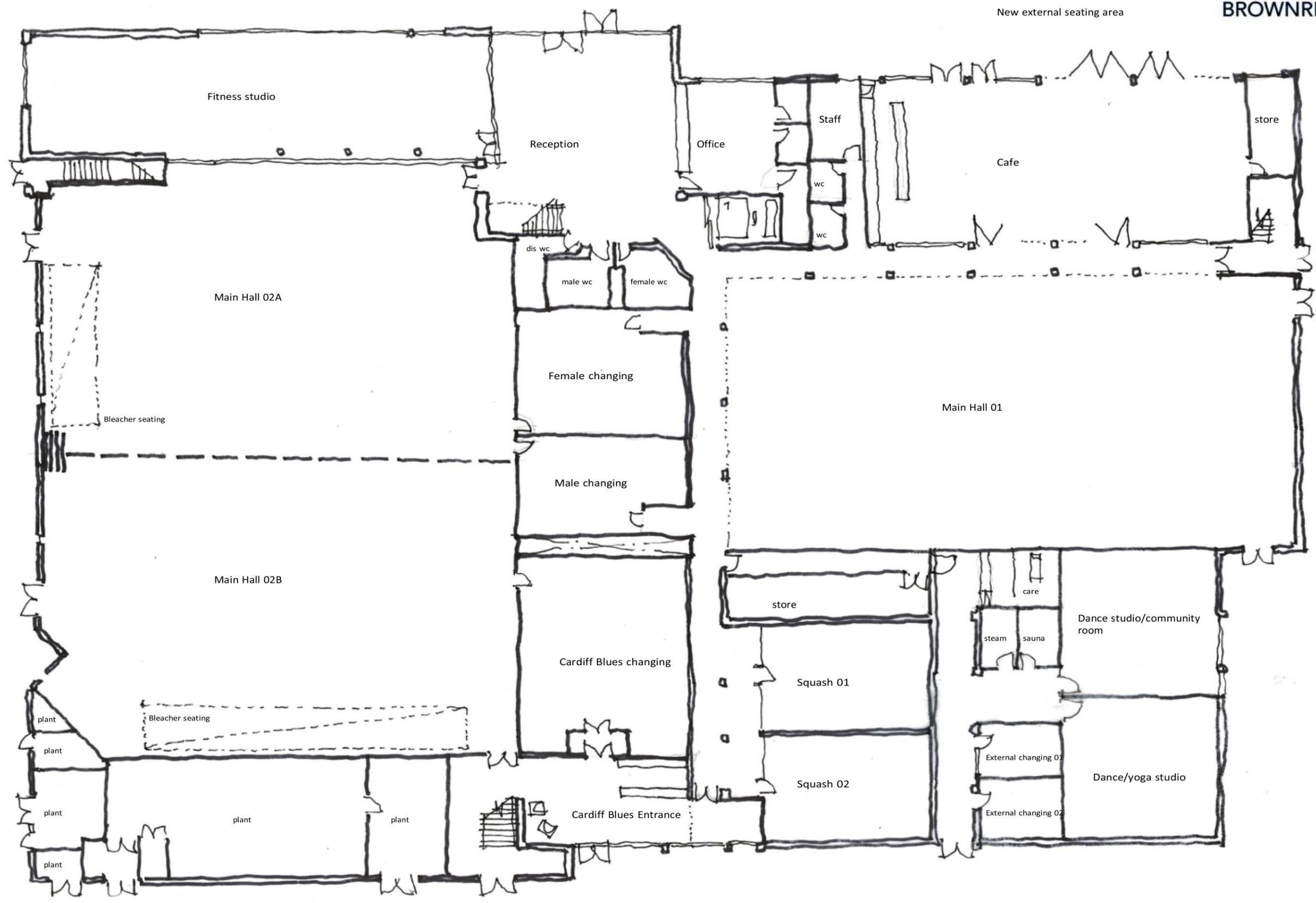
BLOCK 1 - FIRST FLOOR

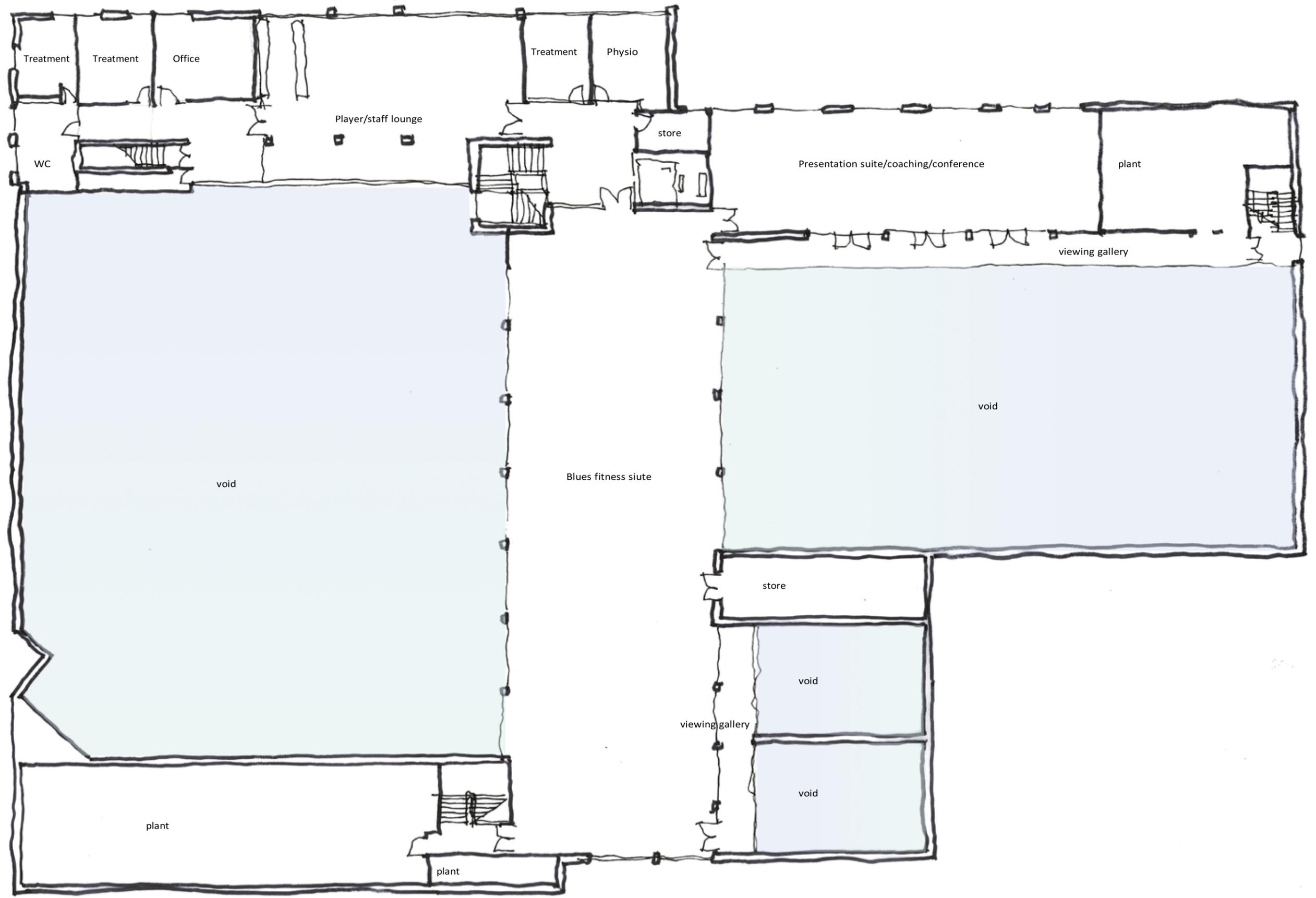


BLOCK 1 - GROUND FLOOR

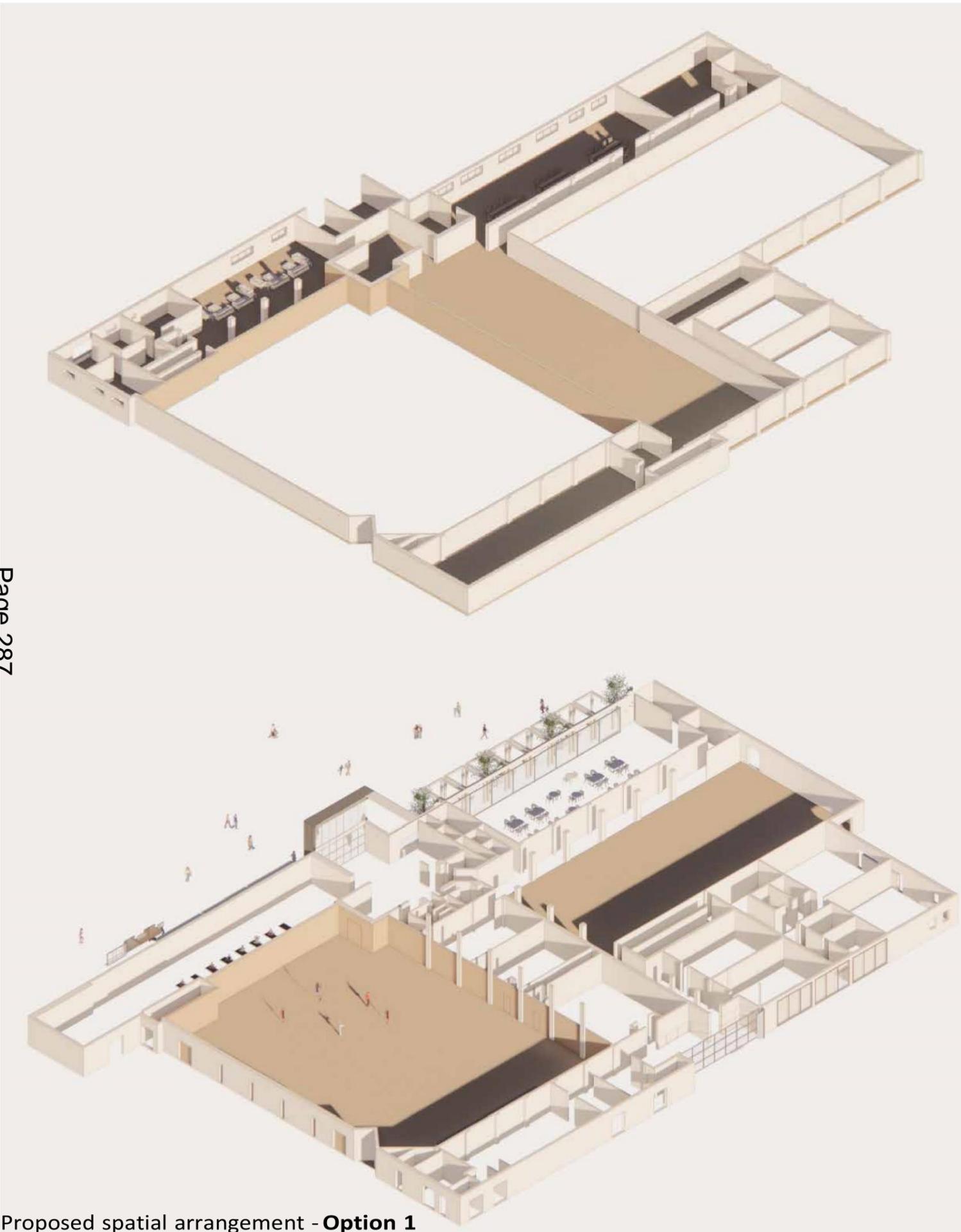


- 1 - New playspace
- 2 - reconfigured parking
- 3 - parking removed, new public realm and external cafe space
- 4 - existing artificial playing surface
- 5 - New 2-side spectator seating
- 6 - New artificial playing surface
- 7 - Extended parking
- 8 - Blues grass pitch
- 9 - New grass junior
- 10 - New full size pitch
- 11 - existing skateboard park

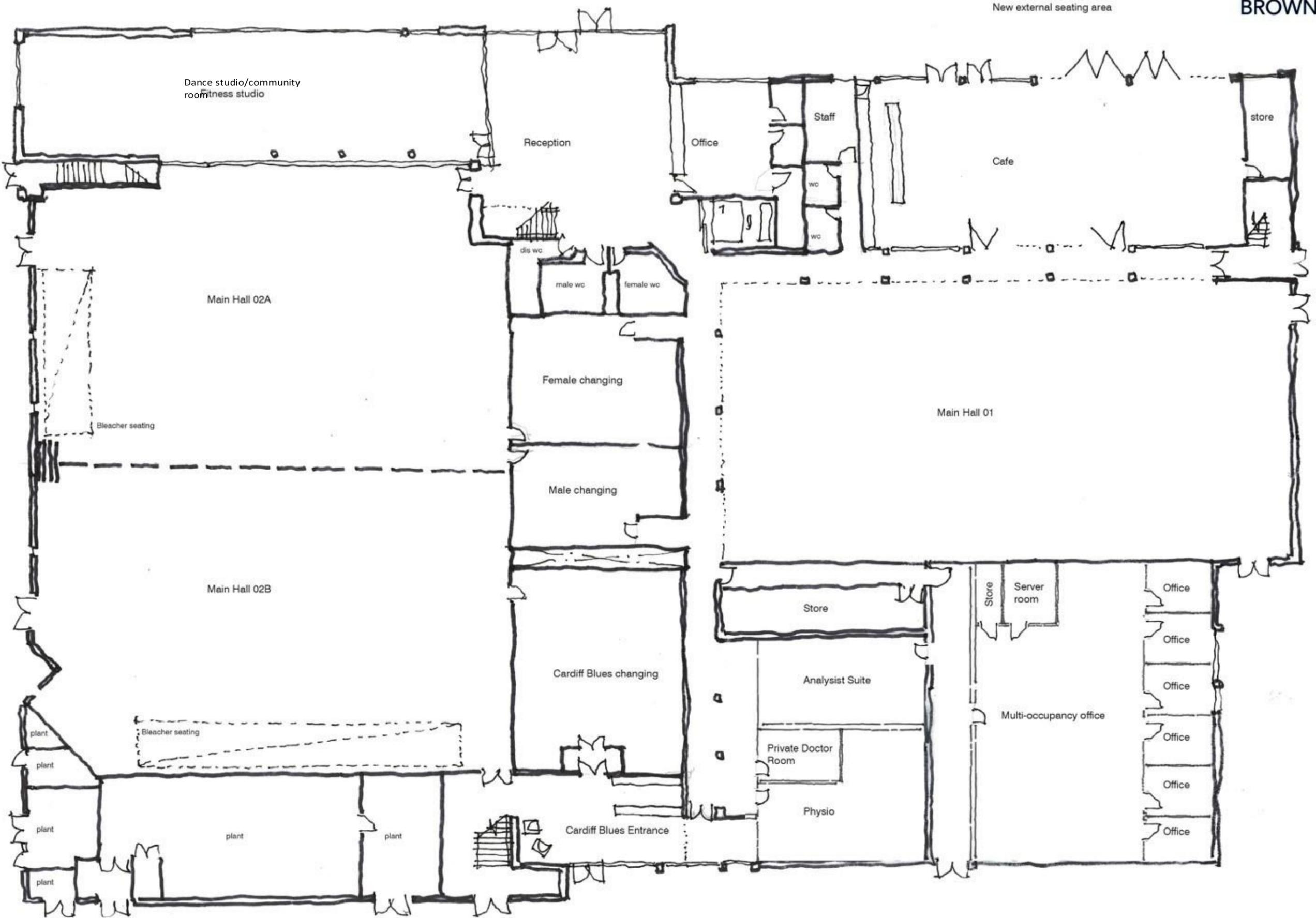




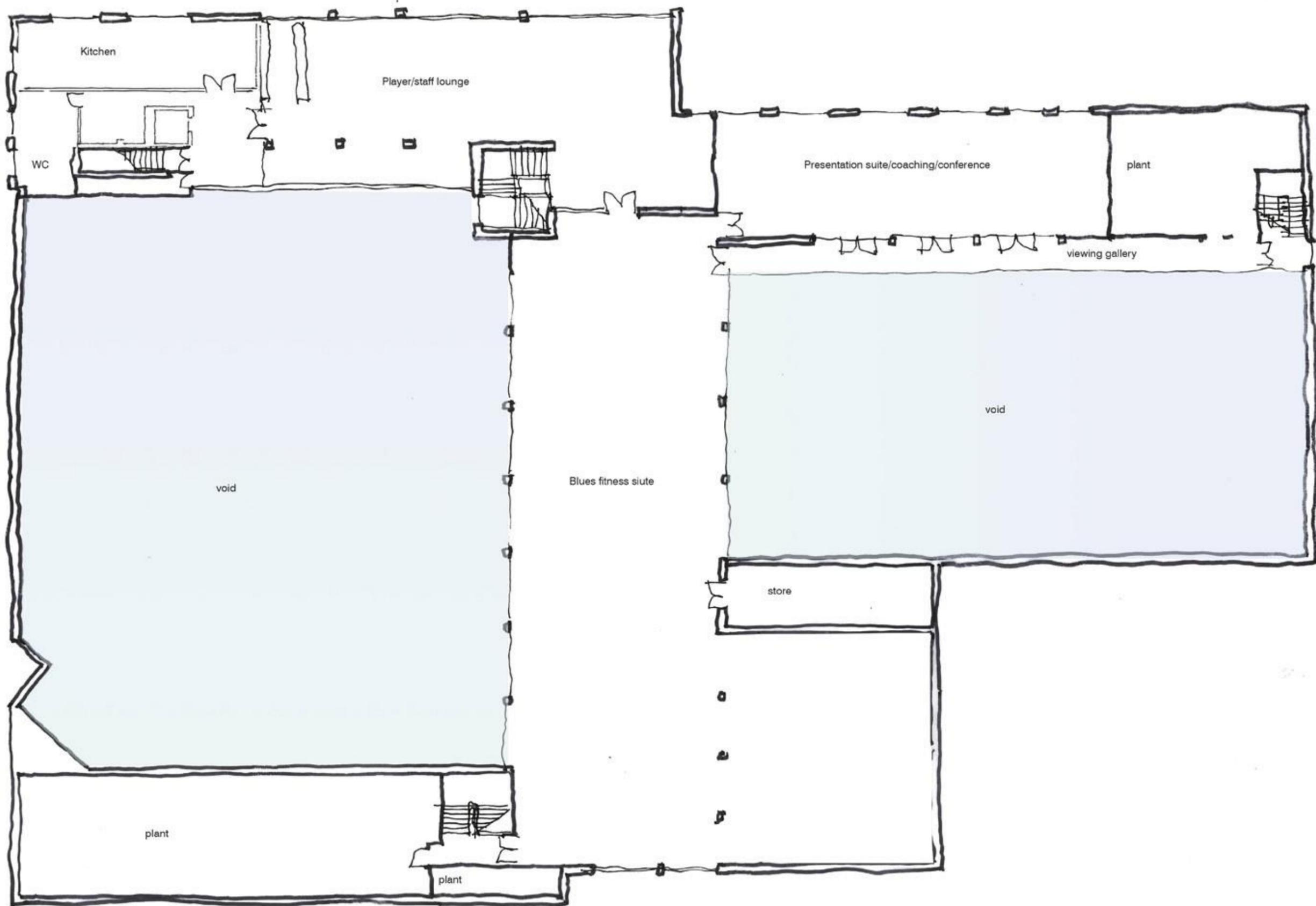
Proposed first floor plan - **Option 1**

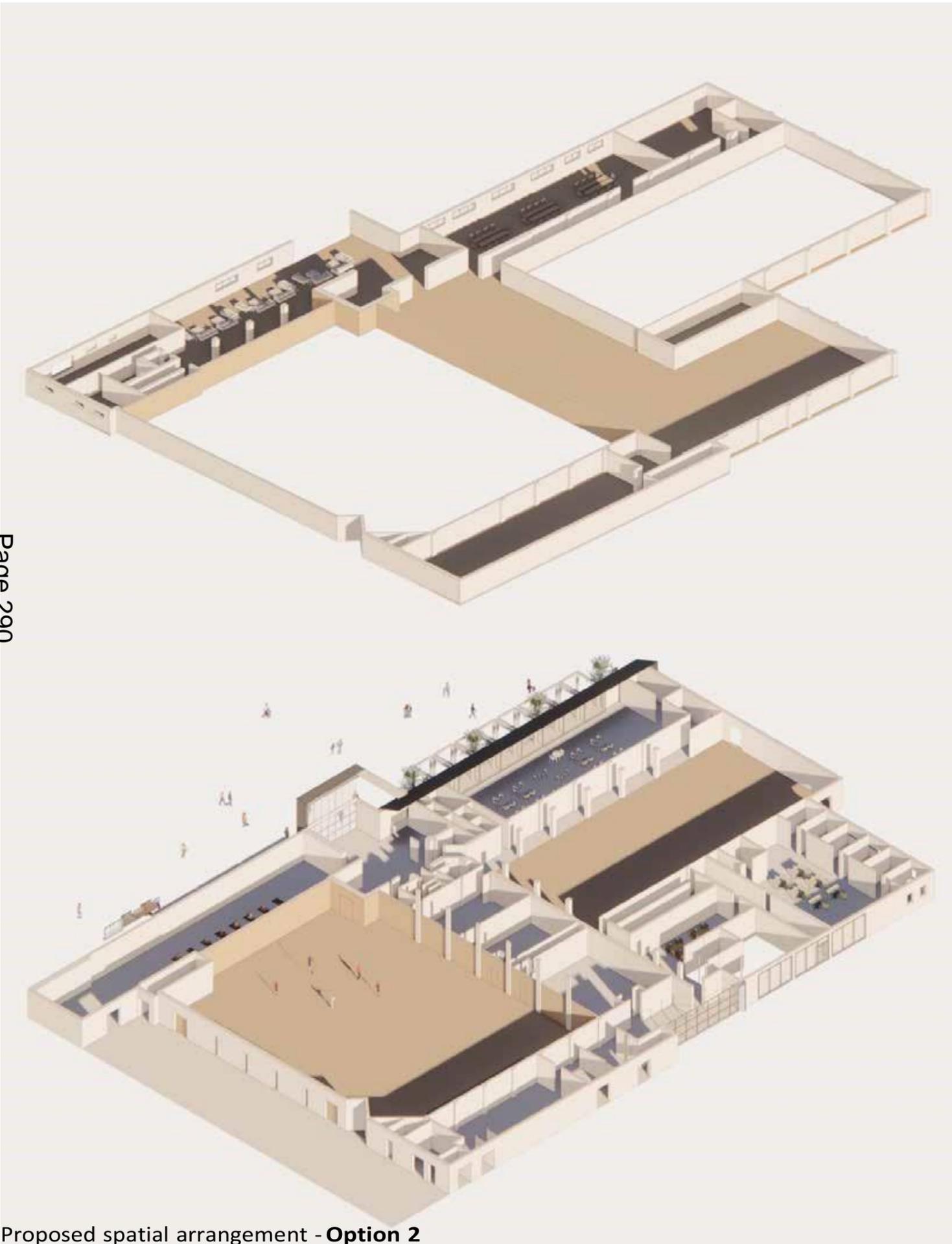


Proposed spatial arrangement - **Option 1**

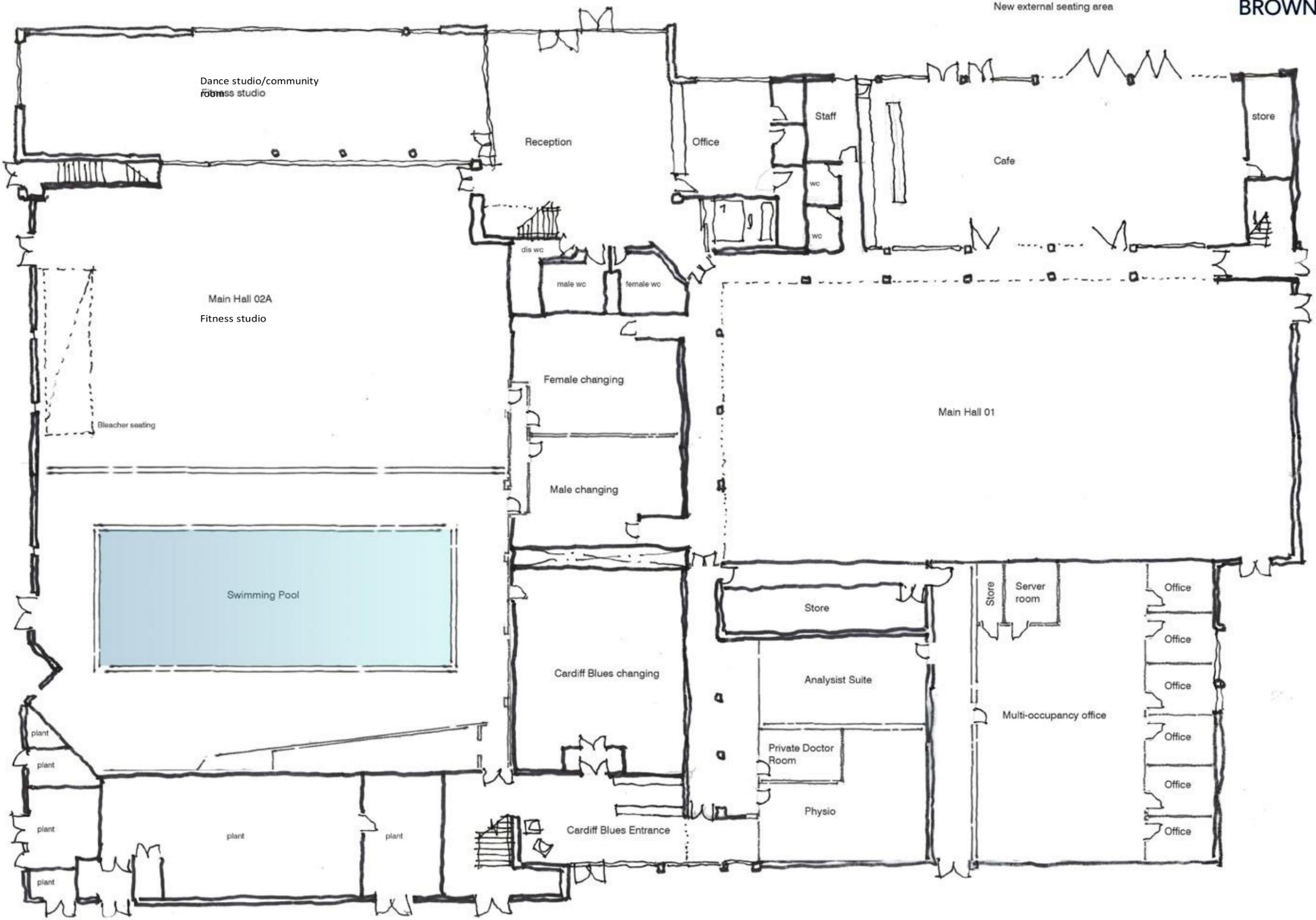


Proposed ground floor plan - Option 2

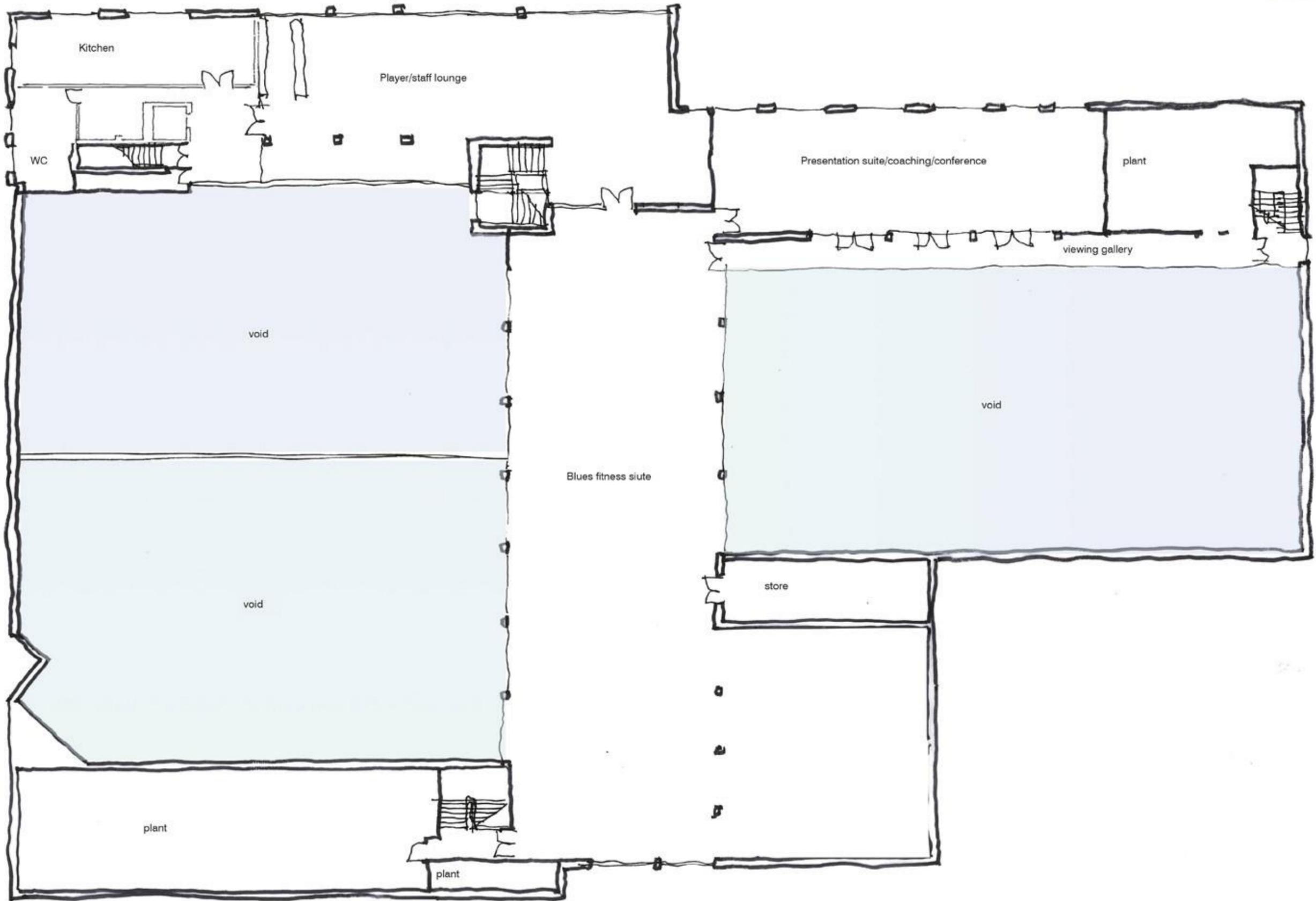




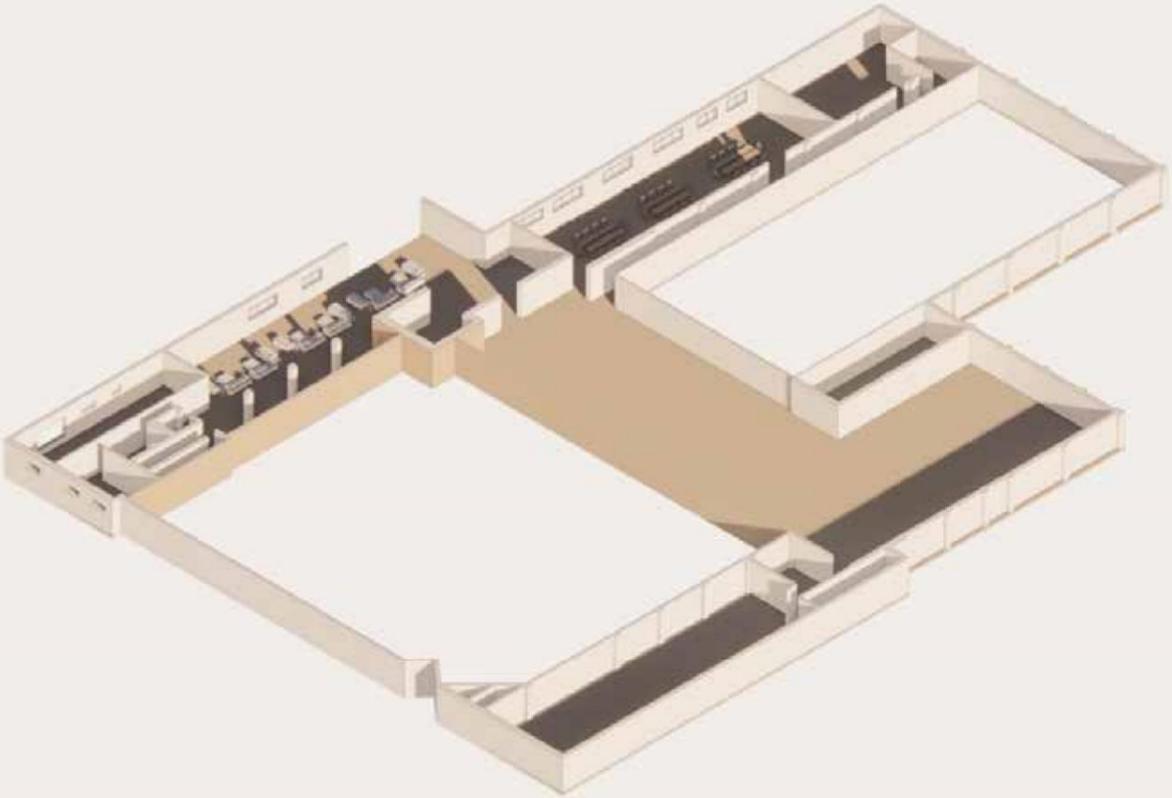
Proposed spatial arrangement - **Option 2**



Proposed ground floor plan - Option 3



Proposed first floor plan - Option 3





Page 294

Proposed elevation





Page 296

Proposed visualisation

By virtue of paragraph(s) 14, 16 of Part(s) 4 and 5 of Schedule 12A of the Local Government Act 1972.

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SCHOOL ADMISSIONS ARRANGMENTS 2022/2023

EDUCATION, EMPLOYMENT & SKILLS (COUNCILLOR SARAH MERRY)

AGENDA ITEM: 7

Reason for this Report

1. In accordance with Section 89 of the School Standards and Framework Act 1998 and the Education (Determination of Admission Arrangements) (Wales) Regulations 20016, Admission Authorities are required to review their School Admission Arrangements annually.
2. This report is to inform the Cabinet of responses received following public consultation on the Council's School Admission Arrangements 2022/2023.

Background

3. In order to comply with the legislation above, School Admission arrangements for implementation in the 2022/2023 academic year (i.e. from September 2022) must be determined on or before 15th April 2021.
4. The Education (Determination of Admission Arrangements) (Wales) Regulations 2006 and the School Admissions Code set out the procedure which admission authorities should follow when determining their admission arrangements, including that proper consultation must be carried out and that the arrangements should be determined by 15th April in the school year beginning two years before the school year which the arrangements will be for.

Issues

Summary of the Council's School Admission Arrangements 2022/2023 Consultation

5. The Council's draft School Admissions Policy 2022/2023 (see Appendix 1) was issued for consultation on 18 December 2020 to all those the Council are required to consult with as set out in the Welsh Government's School Admissions Code (Headteacher, Governing Bodies, Diocesan Directors, neighbouring Local Education Authorities). The consultation closed on 5 February 2021.

6. The proposed changes to the arrangements for 2022/2023 compared to the arrangements for 2021/2022, relate to the following:
 - Clarification of the Out of Chronological Age process
 - Clarification of the Fair Access Protocol
 - A change to the priority given under the admissions criteria for multiple birth siblings
 - Clarification on guidance for schools where children who have been allocated a place at the school fail to attend
 - Increased Published Admission Numbers for Cathays High School and Ysgol Mynydd Bychan
 - Reduced Admission Number for Allensbank Primary School
7. The policy was published on the Council website with details of how responses could be submitted which provided an opportunity for any interested parties to comment. Responses were requested to be returned by 5 February 2021.
8. Details of the consultation were promoted via social media and schools.
9. Proposed oversubscription criteria for 2022/2023 are set out on pages 9, 13 and 16 of Appendix 1.

Responses received in respect of the draft policy during the consultation period

10. Prior to the annual consultation, the Council works closely with the Admissions Forum to consider how well existing and proposed admission arrangements serve the interests of children and parents city-wide. The Cardiff Admissions Forum includes Diocesan representatives, representatives of community and voluntary controlled, foundation and voluntary aided schools, parent governors and local community representatives.
11. The role of the admission forums is to provide a vehicle for admission authorities and other key interested parties to discuss the effectiveness of local admission arrangements. This includes raising any particular issues that they may be privy to and consider how to deal with difficult admission issues and advise admission authorities on ways in which their arrangements can be improved and whether this would represent issues that should be included in the wider consultation.
12. The points of view raised in the responses received in relation to the issues consulted upon are set out in *italics* below. The Council's response to each point can be seen underneath, under the heading "Appraisal of views expressed".
13. A total of two responses were received.

Formal responses

14. A response from Cllr Robert Hopkins, Liberal Democrats Education Spokesman, included the following points:

- *There is no connection made between length of time resident at a qualifying address in the residency criteria whether living inside or outside a school's catchment area. Where new housing developments appear, this can mean that families who may have lived at a more established property within the catchment area of a particular school, are edged out of a place. This is especially so where a new housing development may be sited closer to a school than other pre-existing properties in the area.*
- *Should the council not review the impact of the proximity and residency criteria where there are particular pinch points across the city? Should consideration be given to using a points-based system within the criteria reacting to the proximity and residency criteria? Should consideration be given to increasing the number of places available, especially in primary schools, including the potential for using section 106 monies?*
- *Further consideration should be given to whether the sibling criterion is given sufficient weight and prominence in the criteria overall. It is extremely upsetting and disruptive where siblings are not able to attend the same school. This further undermines the commitment to "Active Travel", especially for children of primary school age.*

15. A copy of the full response can be seen at Appendix 2.

Appraisal of views expressed

16. The Council acknowledges the views expressed.
17. The changes suggested in the consultation response were not proposed by the Admissions Forum ahead of consultation. The consultation response does not comment on the changes proposed within the draft Admissions Policy 2022/23, but comments on paragraphs and oversubscription criteria that were proposed to be unchanged from the 2021/22 policy following consideration by the Admissions Forum.
18. The Cabinet has previously considered responses to consultations on school admissions arrangements which suggested the inclusion of criteria which gave priority according to the length of time resident in an address.
19. As set out in the report to Cabinet on 16 March 2017, School Admission Arrangements 2018/19 and Co-ordinated Secondary School Admission Arrangements 2018 - 2020, the introduction of a 'length of catchment area residence' criterion would not be recognised as best practice.
20. This point is referenced in the Welsh Government's School Admissions Code 2.63 which refers to feeder primary schools and states that if Admission Authorities use this criterion, to do so with caution, as such arrangements can unduly disadvantage children who move into the area at a late stage and should consider the impact that such arrangements have on the ability of a school to serve its local area. The same caution

and potential disadvantage would apply to a 'length of catchment area residence' criterion.

21. Under Section 19 of the Equality Act 2010, indirect discrimination is prohibited and under Section 85 discrimination in relation to School Admissions is also prohibited. The Council is also bound by the Public Sector Equality Duty in all of its decisions. A 'length of catchment area residence' criterion is an example of a potentially indirect discrimination as those who would be disadvantaged by this criterion are more likely to come from vulnerable social groups with protected characteristics; for example, Gypsy and Traveller children, Asylum Seeker/Refugees and some other pupils.
22. The Council must consider whether there is sufficient benefit in the city-wide Cardiff context to implement changes and whether there is a sufficiently compelling case that making such a change would achieve the aim of introducing more suitable admission arrangements for all pupils in Cardiff.
23. Following consultation on the School Admissions Arrangements for 2018/2019 which outlined the need to assess the suitability of the Council's system for allocating school places at a time when surplus places in secondary schools are reducing, and an increasing number of schools are oversubscribed, the Cabinet authorised officers to consider further the Council's school admission arrangements, including wider research into alternative options and the impact of each, in advance of consultation on the Council's School Admissions Policy 2019/20.
24. The Council subsequently engaged Professor Chris Taylor, Wales Institute of Social & Economic Research, Data & Methods (WISERD), Cardiff University, School of Social Sciences to undertake the research which predominantly focused on secondary school admissions, although any significant issues in primary were also taken into consideration.
25. The WISERD report on Admission Criteria noted observations from the review of local authority arrangements, including that:
 - The easiest set of admission arrangements to understand are those that include a relatively small number of criteria
 - The most difficult admission arrangements to understand are those where the oversubscription criteria are presented for each school separately.
 - Oversubscription criteria are more difficult to understand when they are presented as groups of priority rather than criteria for prioritisation.
 - Oversubscription criteria having equal priority could be considered confusing for applicants when trying to understand how criteria are ranked.
26. A points-based oversubscription criteria would not be clear and easy for all parents to understand.
27. In line with the Cardiff Planning Obligations Supplementary Planning Guidance (SPG), the Council will seek the provision of new school places

in circumstances where the need generated by a proposed development cannot reasonably be met by existing schools, because the capacity at the schools in whose catchment areas the new housing development is proposed would, as a result of the development, be exceeded by demand.

28. New school places will either be provided through the expansion of existing schools (where a site is capable of accommodating additional pupil places), or through the provision of new build schools.
29. The number of children generated by a residential development will vary depending on the type and size of the dwellings of which it comprises. In order to be able to project a typical yield for a development, an initial assessment of the number of children likely to be generated by a proposed housing development is made based on yield factors derived from 2011 Census statistics and Number on School Rolls (NOR) data for Cardiff.
30. An evaluation of different educational settings (i.e. English-medium, Welsh-medium, faith and voluntary aided schools) is undertaken based on historical take up of places in the catchment and how place availability would drive parental preference.
31. Where there are sufficient school places within a reasonable distance of the area, housing developers are not obliged to contribute towards the expansion of school provision.
32. The Council already gives priority to siblings of children enrolled in a school within its oversubscription criteria, and has considered the level of priority given in previous consultations on school admissions arrangements.
33. The highest priority for admission is given to Looked After Children and children with a statement of Special Education Need specifying a school or equivalent followed by catchment area applications.
34. Within the oversubscription criteria weight and prominence is given to in-catchment qualifying sibling applications received within agreed deadlines.
35. In the event of there being more applications than places available, allocations are prioritised according to the published oversubscription criteria as set out in the agreed School Admissions Policy.
36. Within these criteria, priority is given to qualifying sibling applications from pupils already on roll at a school. For admissions to schools in September 2020 there were no in-catchment qualifying sibling applications, who applied by the closing date, refused admission.
37. Whilst, in-catchment applications have a high priority than out of catchment applications, qualifying out of catchment sibling applications are given higher priority than those of children without siblings enrolled. Giving higher priority for admission to in-catchment applications supports the Council's commitment to 'Active Travel'.

38. In circumstances where an older sibling is admitted as an in-catchment pupil and there are subsequent changes to the catchment area, priority is given to younger siblings as set out in the Admissions Policy.
39. A response from the Chair of St Peter's RC Primary School including the following:
 - *The draft policy includes an admission number of 75 for St Peter's RC Primary School. The admission of the school as agreed by the Governing Body in 2019 is 60 not 75*
40. A copy of the full response can be seen at Appendix 2.

Appraisal of views expressed

41. The Council acknowledges the views expressed.
42. The Published Admission Number within the admissions arrangements has been updated to reflect the admission number of the school as agreed by the St Peter's RC Primary School Governing Body.

Local Member consultation

43. All members were consulted on the draft Admissions Arrangements 2022/2023.

Scrutiny Consideration

44. The Children and Young People's Scrutiny Committee will consider these proposals on 15 March 2021.

Reason for Recommendations

45. The Council is required to review its school admission arrangements annually and to agree the arrangements following appropriate consultation.

Financial Implications

46. There are no requirements for additional funding, or direct cost implications, arising from this report. The funding provided to individual schools, including external grant funding, is largely predicated on the basis of pupil numbers. Therefore, any proposal that results in changes to the number of pupils admitted to an individual school will result in an increase or decrease in the budget for that school. In addition, should a proposal result in a change to the school transport provision required, it will need to be identified and considered as part of the Council's budget planning process and reflected in the Medium Term Financial Plan.

Legal Implications

47. The Council has a statutory obligation under the Education Act 1996 to promote high standards of education for primary and secondary schools in

its local authority area. Section 89 of the School Standards and Framework Act 1998 as amended by the Education Act 2002 determines that the Admission Authorities must carry out consultation before determining the admission arrangements which are to apply. The report shows that consultation has been conducted.

48. The Education (Determination of Admission Arrangements) (Wales) Regulations 2006 set out the procedure which the Admission Authorities should follow when determining their admission arrangements, including the consultation and notification process as well as timescales. In particular, the Admission Authority must determine arrangements in the school year beginning two years before the school year which the arrangements will be for, take all steps necessary to ensure that they will have completed the consultation required by section 89(2) before 1st March and determine the admission arrangements by 15th April. The arrangements must then be published within 14 days of the determination and appropriate bodies must be notified. The report shows that the consultation was conducted before the 1st March.
49. The Welsh Government has issued the School Admissions Code, which sets out the process for Local Authorities to follow when determining their admission arrangements. The School Admissions Code requires that no prohibited criteria (as set out on page 12 of the Code) are included in the admission arrangements and gives guidance on using various types of oversubscription criteria. This report reflects these requirements.
50. The Council also has to satisfy its public sector duties and obligations under the Equality Act 2010 (including the specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Council must also not directly or indirectly discriminate against any pupil in its admission arrangements, this means that no pupil or group of pupils may be treated less favourably based on a protected characteristic. Protected characteristics are:
 - Age
 - Gender reassignment
 - Sex
 - Race – including ethnic or national origin, colour or nationality
 - Disability
 - Pregnancy and maternity
 - Marriage and civil partnership
 - Sexual orientation
 - Religion or belief – including lack of belief
51. The Equality Impact Assessment specifically considers how the proposals may affect pupils with protected characteristics. The purpose of the Equality Impact Assessment is to ensure that the Council has understood the potential impacts of the proposal in terms of equality so that it can ensure that it is making proportionate and rational decisions having due regard to its public sector equality duty. The Council must have due regard

to these obligations when this decision is taken to determine the admission arrangements.

52. In accordance with the Welsh Language (Wales) Measure 2011 and the Welsh Language standards, the Council also has to consider the impact upon the Welsh language any decision that it makes and in accordance with the Welsh in Education Strategic Plan, the Council must consider how it can promote Welsh medium education. This report reflects those requirements.
53. The Council must also consider its legal obligations under the Wellbeing of Future Generations (Wales) Act 2015 to think more about the long term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach.
54. There are also legal obligations under the Education Act 1996 which require pupils with statements of special educational needs to be admitted to the school named in the statement and the Education (Admission of Looked After Children) (Wales) Regulation 2009 which requires the Council to admit children who are currently looked after (in accordance with the definition in section 74 of the Social Services and Wellbeing Act (Wales) 2014. The report and proposed admission arrangements reflect these obligations.

HR Implications

55. There are no HR implications arising from this report or its recommendations.

Property Implications

56. There are no Property Implications in respect of the Council's School Admission Arrangements 2022/2023

Transport Implications

57. The Council's policy is to increase the overall share of daily journeys that are made by sustainable modes of transport – walking, cycling and public transport. Many journeys to school are very short. 75% of journeys to education in Cardiff are within 3km of people's homes. More of these journeys could be made by active modes if improvements could be made to the safety of roads and routes for walking and cycling within school catchment areas. The health and wellbeing benefits of enabling children to travel actively and independently to school, as opposed to being escorted by car, are well documented and evidenced.
58. The adopted Local Development Plan sets a target to achieve a 50:50 split between journeys by car and journeys made by foot, cycle and/or use of public transport by 2026.
59. More recently, the Council's Transport White Paper, published in 2020, sets more ambitious modal shift targets and seeks to achieve over 60% of

daily work trips to be made by sustainable modes of travel by 2025 with this share increasing to around 75% by 2030.

60. The Transport White Paper includes the commitment to “Develop Active Travel Plans and accessible walking and cycling routes for all schools by working with children, teachers, parents and governors to promote walking, scooting and cycling to and from schools”
61. The Council is committed to ensuring that every school in Cardiff has an Active Travel Plan by 2022. Such a plan identifies actions by the school to support and encourage active travel to school and will also identify any improvements to on-site and off-site infrastructure required to facilitate active journeys.
62. Admissions policy changes which give greater priority to (multiple birth) siblings attending the same school would tend to reduce overall numbers of vehicular school trips by affected families as siblings can travel together and should be better able to undertake independent and active travel without parents or carers accompanying.
63. An increase in the published admission numbers at Cathays High School would be addressed by recommended mitigation proposals for improvements in travel facilities and transport provision. The Cabinet report of 17 December 2020 refers.
64. Changes to the published admission numbers at Ysgol Mynydd Bychan and Allensbank Primary including current issues with traffic would be addressed by recommended mitigation proposals for improvements in travel facilities and transport provision. The Cabinet report of 17 December 2020 refers.

Impact on the Welsh Language

65. The Council is committed to developing a Bilingual Cardiff. The Council's Welsh in Education Strategy (WESP) 2017 – 2020 will help Cardiff to support the Welsh Government's vision to see one million Welsh speakers across Wales by 2050.
66. The WESP is an integral part of the Council's 5 year Bi-lingual Strategy. The Council recognise that a strong and inclusive Welsh-medium education sector is vital if Cardiff is to develop as a truly bilingual city where Welsh is a vibrant living language.
67. The Bilingual Strategy aims to increase the number of Welsh speakers within Cardiff and promote the use of the language throughout the city. The Council recognise that the education system is a key element in ensuring that children are able to develop their Welsh skills, and for creating new speakers.
68. Officers will continue to monitor birth rates, the yield from proposed housing and the patterns of take up in Welsh-medium provision at primary and secondary age with a view to being forward appropriate plans to meet any increased demand.

69. The teaching of Welsh within an English-medium setting is subject to the requirements of the National Curriculum. This would not change.

Wellbeing of Future Generations

70. The Wellbeing of Future Generations (Wales) Act 2015 requires public bodies to make sure their decisions take into account the impact they could have on people living in Wales in the future. The Council has done so in relation to its proposed school admission arrangements. All Admission Authorities in Wales are legally bound to Section 84 of the Schools Standards and Framework Act (1998) (the Welsh Government's School Admission Code) and the Council has also complied with that legislation. Account is also taken of the Council's responsibility to provide and promote high standards of Education under the Education Act 1996.

Equality Impact Assessment

71. An Equality Impact Assessment on this proposal has been carried out. The assessment concluded that this proposal would not adversely affect a particular group in society (details of the Equality Impact Assessment can be seen at Appendix 3).

RECOMMENDATIONS

Cabinet is recommended to agree the Council's School Admission Arrangements 2022/2023 as set out in the Admission Policy 2022/2023.

SENIOR RESPONSIBLE OFFICER	Melanie Godfrey Director of Education & Lifelong Learning
	12 March 2021

The following appendices are attached:

- Appendix 1 – Draft School Admissions Policy 2022/23
- Appendix 2 – Formal responses
- Appendix 3 – Equality Impact Assessment

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



**SCHOOL
ADMISSIONS
POLICY
2022/2023**

**CARDIFF COUNCIL
EDUCATION & LIFELONG
LEARNING**

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

- 1. INTRODUCTION**
 - 1.1 School Admissions
 - 1.2 Relevant Area for Consultation
 - 1.3 Published Admission Number
 - 1.4 Community School Catchment Areas
 - 1.5 Children in receipt of a statement of Special Educational Needs (SEN)
 - 1.6 Children with ALN (additional learning needs) who have an IDP (Individual Development Plan) that names a school
 - 1.7 Out of Chronological Age Applications
 - 1.8 School Managed Transfers
 - 1.9 Fair Access Protocol
 - 1.10 Co-ordinated Secondary School Admission Arrangements
 - 1.11 Data Protection and the EU General Data Protection Regulation
- 2. SUBMITTING AN APPLICATION**
 - 2.1 How to apply
 - 2.2 Prior to Application
 - 2.3 The Applicant
 - 2.4 On-time Applications (considered during the 'normal admissions round')
 - 2.5 Late Applications (considered outside the 'normal admissions round')
 - 2.6 Information the Council does not consider when allocating places
 - 2.7 Applications for Reception to Year 11
- 3. ADMISSIONS TO COMMUNITY NURSERY SCHOOLS AND NURSERY CLASSES**
 - 3.1 Oversubscription Criteria
 - 3.2 Late Applications
 - 3.3 No Right to Statutory Appeal
 - 3.4 Early Years Funding (EYF)
- 4. ADMISSIONS TO COMMUNITY PRIMARY SCHOOLS AND VOLUNTARY CONTROLLED PRIMARY SCHOOLS**
 - 4.1 Oversubscription Criteria
 - 4.2 Late Applications
 - 4.3 Statutory Appeals
 - 4.4 Deferred Entry
 - 4.5 St Mellons Church in Wales Voluntary Controlled Primary School
- 5. ADMISSIONS TO COMMUNITY SECONDARY SCHOOLS**
 - 5.1 Oversubscription Criteria
 - 5.2 Late Applications
 - 5.3 Statutory Appeals
- 6. ADMISSIONS TO SIXTH FORMS**
- 7. EXPLANATION OF OVERSUBSCRIPTION CRITERIA**
 - 7.1 Child's Details – Address
 - 7.2 Change of Address
 - 7.3 Looked After Children (LAC)/previously Looked After Children (pLAC)
 - 7.4 Individual Development Plan (IDP)
 - 7.5 Residence in a defined catchment area
 - 7.6 Compelling Medical/Compelling Social Grounds
 - 7.7 Siblings
 - 7.8 Multiple Birth Siblings
 - 7.9 Proximity
- 8. DOCUMENTARY EVIDENCE THAT MAY BE REQUIRED FROM APPLICANTS**
 - 8.1 Submission of documents relating to a child of UK Service Personnel or other Crown Servants
 - 8.2 Submission of documents relating to a Child's Home Address
 - 8.3 Submission of documents relating to Compelling Medical Grounds or Compelling Social Grounds
- 9. OFFERS PROCESS**
 - 9.1 School Offers
 - 9.2 No School Offers
 - 9.3 Changes of circumstances
 - 9.4 Withdrawal of School Offers
 - 9.5 Waiting Lists

Appendix 1 – School Admission Numbers 2022/23

DRAFT

1. INTRODUCTION

1.1 School Admissions

The Council is committed to providing local schools for local children where possible.

Parents (also referred to as 'applicants' in this policy document) have the right to express a preference for their preferred school(s) which will be considered individually and complied with wherever possible.

Cardiff Council is committed to equality of opportunity and to eliminating discrimination. In respect of admissions to schools, all pupils and prospective pupils are treated equitably, regardless of gender, race, ethnicity, culture, nationality, language, ability / disability or religious / non-religious belief. Steps are taken to ensure that admission procedures do not unfairly advantage or disadvantage any groups through the application of rules or conditions that cannot be complied with equally by all.

All admissions to community classes and community schools are approved by the Cardiff Council's Director of Education & Lifelong Learning.

1.2 Relevant Area for Consultation

In accordance with the Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999, the relevant area for community schools in Cardiff is the administrative area of the County Council for the City and County of Cardiff (the County Council).

1.3 Published Admission Number

In the normal admissions round, all maintained schools must admit pupils up to their Published Admission Number. An admission request may not be refused to any school until the Published Admission Number has been reached (with exception to twice excluded pupils [refer to 3.58 – 3.60 of the Welsh Government's School Admissions Code document no. 005/2013]). The Published Admission Number has been calculated in accordance with the Welsh Government's school capacity calculation methodology "Measuring the Capacity of Schools in Wales" circular no. 021/2011. As this number is based on the physical capacity of the school to accommodate pupils it should not be exceeded in normal circumstances.

1.4 Community School Catchment Areas

Catchment area information is available on the Council's website. The majority of catchment areas of maintained community primary schools are grouped together to form the catchment areas of maintained community secondary schools in Cardiff.

Catchment areas are subject to change with any changes being consulted upon prior to implementation. There is no guarantee of an offer of a place at a child's catchment area school.

1.5 Children in receipt of a statement of Special Educational Needs (SEN)
Where a community school is named in a statement of Special Educational Needs (SEN) the child must be admitted to that school.

1.6 Children with ALN (Additional Learning Needs) who have an IDP (Individual Development Plan) that names a school

In most cases, children with ALN will be able to receive the support they need in any maintained school.

The Council can decide to name a maintained school in the IDP for the purposes of securing admission of the child to a particular school.

The Council will not name a school in an IDP, for the purposes of securing admission, unless the needs and circumstances of the child is such that they ought to attend that particular school.

The Council will consider the following factors:

- Whether specific characteristics of the school make it especially good at making the required ALP (additional learning provision) compared to other maintained schools the child could attend- for example, the school's physical characteristics;
- Whether the school has members of staff with specialist expertise or training, or specialism in a low incidence need such as hearing or visual impairment (for example, if the school has a specialist resource base);
- It would be unreasonable for a more local school to provide the child's ALP (additional learning provision);
- Any other factors the local authority considers to be relevant to the particular case.

When a school is named in an IDP for the purpose of securing admission, the child must be admitted to the school.

1.7 Out of Chronological Age Applications

Cardiff Council operates a separate policy on Out of Chronological Age applications.

If a parent requests to places their child in a year group that is outside of their chronological age and the request is at the point of admissions, the Local Authority will review each request based on their individual circumstances.
Contact: outofyeargroup@cardiff.gov.uk.

1.8 School Managed Transfers

Cardiff Council operates a separate policy on School Managed Moves.

Schools are able to undertake managed moves of pupils. These will be treated differently to regular admissions and the child will remain on roll at the school from which they are applying to transfer until the end of their managed move period.

At the end of the managed move period, if successful, the child will be added to the roll of the receiving school. If the managed move is not successful, the child will return to attend the school from which they were applying to transfer. All managed moves should be negotiated between the schools with a representative from the Council.

1.9 Fair Access Protocol

Cardiff Council maintains Fair Access Protocols for vulnerable children in accordance with the School Admissions Code Annex D Paragraph 5.

The role of the Fair Access Panel is to ensure that vulnerable and 'hard to place' children are able to access education and are placed fairly within the city. The Fair Access Panel will assess all pupils and schools according to their vulnerability and will, (in participation with all high schools via the subsequent Hard to Place panel), place these children in schools that can meet their needs in the most efficient manner that will have the least negative impact on the effectiveness of education within Cardiff.

The panel members will review outcomes annually to monitor compliance and will ensure that schools are adhering to the procedures.

1.10 Co-ordinated School Admission Arrangements

The Council will continue to co-ordinate secondary school admission arrangements, which applies to all community secondary schools; Corpus Christi RC High School; St. Teilo's CW High School and Whitchurch High (Foundation) School.

The Council will also coordinate admissions arrangements with St Mellons Church in Wales Voluntary Controlled Primary School.

1.11 Data Protection and the EU General Data Protection Regulation

All personal data will be processed in accordance with the General Data Protection Regulations (GDPR) 2018 and the Data Protection Act 2018.

2. SUBMITTING AN APPLICATION

2.1 How to apply

An application must be submitted for a school that a parent wishes their child to attend. The Council accepts applications via the Council's Online Application Service or by a completed preference form emailed to schooladmissions@cardiff.gov.uk or posted to School Admissions, Room 422, County Hall, Atlantic Wharf, Cardiff, CF10 4UW. The Council takes no responsibility for any loss of data as a result of the method chosen by the applicant to deliver the information.

2.2 Prior to Application

There is a facility on the Cardiff Council website for parents to provide their child's details and receive information on how to apply for a school place at the appropriate time in accordance with the Council's admissions timetable.

Parents who have registered their pre-nursery-aged child's details with the Council, will be advised to apply for a community nursery place by using the Council's Online Application Service or by completing a preference form.

Parents who have registered their nursery-aged or younger child's details with the Council, will be advised to apply for a reception place in their preferred community primary school(s) during the Autumn Term prior to admission, by using the Council's Online Application Service or by completing a preference form.

In the Autumn Term prior to admission, parents of children in the Year 6 age group are invited to nominate their preferred secondary school(s) by using the Council's Online Application Service or by completing a preference form.

Any parent who has not pre-registered their child can still apply for a school place.

2.3 The Applicant

Only applications submitted by the 'parent' of the child (as defined by Section 576 of the Education Act 1996) will be considered by the Council. This includes any person who is not a parent of the child or young person but who has parental responsibility for them or who has care of them.

Separate legal guidance is available for parental disputes in respect of school admissions.

In advance of submitting an application, parents should discuss which school they wish their child to attend, and attempt to reach agreement, especially where more than one person has parental responsibility.

2.4 On-time Applications (considered during the 'normal admissions round')

Admission to Nursery from the beginning of Term:

Parents who submit an application by the published closing date will be notified of the result of their application by the issue of an email or letter by the published notification date. See paragraphs 3.1.1, 3.1.2 and 3.1.3 for details on the published dates.

Admission to Reception from the beginning of the Academic Year:

Only applications received by the relevant published closing date of Monday, 10 January 2022 for receipt of preference forms will be considered in the initial round of allocation of places. Decisions will be issued by email or letter to notify applicants of the result of their application on Tuesday, 19 April 2022.

Transfer to Year 7 from the beginning of the Academic Year:

Only applications received by the relevant published closing date of Monday, 23 November 2020 for receipt of preference forms will be considered in the initial round of allocation of places. Decisions will be issued by email or letter to notify applicants of the result of their application on Monday, 1 March 2021.

2.5 Late Applications (considered outside the 'normal admissions round')

Following the first round of allocations, late applications will be considered in accordance with the Council's published admissions criteria.

After the initial round closing dates, the next are:

- Admission to Nursery Education – last day of each month
- Admission to Primary Education (Reception from September) – 9 May 2022
- Transfer to Secondary Education (Year 7 from September) – 15 March 2022

The dates for subsequent rounds will be the last day of each month.

Refused applications from the first round of allocations and any subsequent late applications will be considered together for any subsequent available places that may arise.

2.6 Information the Council does not consider when allocating places

For the purposes of admission to a Community Nursery:

- The particular primary school the child is likely to attend;
- The length of time the nursery has been aware of the parental intention to apply for a place at the nursery;
- An invitation to or attendance by a child at a taster day.

For the purposes of admission to a Community Primary School or Voluntary Controlled School:

- The particular secondary school the child is likely to attend;
- The length of time the school has been aware of the parental intention to apply for a place at the school;
- Attendance at a Nursery Class which is at the same school – a separate application must be made for transfer from the nursery to the primary school;
- An invitation to or attendance by a child at a taster/transition day.

For the purposes of admission to a Community Secondary School:

- The particular sixth form the child is likely to attend;
- The length of time the school has been aware of the parental intention to apply for a place at the school;
- An invitation to or attendance by a child at a taster/transition day.

2.7 Applications for Reception to Year 11

Parents can express a preference for more than one school. The parent's highest available preference will be offered. Lower preferences are only offered if a parents' higher preference(s) are unavailable.

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3. ADMISSIONS TO COMMUNITY NURSERY SCHOOLS AND NURSERY CLASSES

Cardiff Council is the admissions authority for all maintained community nursery schools and nursery classes in community schools and voluntary controlled schools in the City and County of Cardiff. Cardiff Council is not the admissions authority for nursery classes in voluntary aided schools in Cardiff.

Children are entitled to a part-time nursery place from the start of the term following their third (3rd) birthday. Regulation 4 of the Wales Education Regulations (Nursery Education and Early Years Development and Childcare Plans) states that:

- Children born between April 1st and the end of the Summer term can take up a school place at the start of the Autumn term
- Children born between September 1st and the end of the Autumn term can take up a school place at the start of the Winter term
- Children born between January 1st and the end of the Spring term can take up a school place at the start of the Summer term

Though nursery education is non-statutory provision, children must attend for five half days if the offer of a community or voluntary controlled nursery place has been accepted.

Children can be admitted or transferred to a community or voluntary controlled nursery throughout the academic year subject to availability.

Where a community or voluntary controlled nursery school is undersubscribed, all applicants can be offered a nursery place.

3.1 Oversubscription Criteria

Where a community or voluntary controlled nursery is oversubscribed, applications received by the published closing date will be considered in accordance with the oversubscription criteria set by the Council in order of priority [1.(a) being the highest] up to the approved capacity:

1. For applications received by the published closing date of Monday 21 February 2022 for children born between 1 September 2018 and 31 August 2019 (inclusive):
 - (a) Children who are looked after by a Local Authority in England or Wales **or** children who were previously looked after by a Local Authority in England or Wales. *
 - (b) Children subject to an Individual Development Plan (IDP) in which a specific school is named *
 - (c) Children who have a sibling (in any age group between Reception to Year 6 inclusive) who will be on register at the school at which the nursery class is at the same school when they are admitted. *

- (d) Children in respect of whom the Council judges there are compelling medical grounds or compelling social grounds for their admission to a particular nursery school/class. *
- (e) Children living nearest the nursery school/class, as measured by the shortest safe available route.

*Where the number of preferences exceed the number of places available, see paragraph '7.9 Proximity'.

2. For applications received by the published closing date of Monday 4 July 2021 for children born between 1 September 2019 and 31 December 2019 (inclusive), criteria (a) to (e) [as above] are applied.
3. For applications received by the published closing date of Monday 4 July 2021 for children born between 1 January 2020 and 31 March 2020 (inclusive), criteria (a) to (e) [as above] are applied.
4. Where a community primary school is oversubscribed, and one (or more) of multiple birth siblings would be allocated a place but one (or more) of the multiple birth siblings would not be offered a place as the Published Admission Number has been met, the Council will admit the remaining multiple birth sibling(s).

3.2 Late applications

The Council will consider late applicants with unsuccessful 'on-time' applicants where vacancies arise in an oversubscribed community or voluntary controlled nursery and apply the oversubscription criteria set by the Council (as above).

3.3 No Right to Statutory Appeal

As nursery education is non-statutory provision, parents have no statutory right of appeal under the School Standards and Framework Act 1998 if unsuccessful in gaining a nursery place.

Attendance at a nursery class does not automatically entitle a child to a reception class place in the same school. A new application must be made for a reception class place.

3.4 Early Years Funding (EYF)

Where nursery education places are not available in local community or voluntary controlled nursery schools or nursery classes within two (2) miles of a child's home address, parents may apply for nursery education place funding (also referred to as 'EYF') with a recognised childcare provider designated by the Council. The two (2) mile radius is measured by the Council as the shortest safe available route.

The Council will only approve applications for EYF with a recognised childcare provider designated by the Cardiff Council. If a place is offered in a community or voluntary controlled nursery school and a parent refuses the offer, the Council will not approve applications for EYF. The Council will only approve funding if there are no places available within two (2) miles of the child's home and the application was submitted on time (see below for deadlines).

When to apply:

- EYF applications should be submitted in the term prior to your child starting nursery education
- If your child starts in nursery education with a recognised childcare provider at a later date, applications should be submitted in the term when the admission takes place

Eligibility Requirements: Your child is eligible,

- If they are resident within Cardiff **and**,
- Residency can be proven, **and**,
- You have proof of parental responsibility **and**,
 - There is no place available in a local community or voluntary controlled nursery school or nursery class within two (2) miles of your home **or**,
- There are compelling medical or compelling social grounds which prevent the child from attending the community or voluntary controlled nursery provision available

Making an application: To make an application,

- Parents need to complete an Early Years Funding Application
- Parents need to confirm proof of residency, as indicated through Cardiff Council Tax/other Council records
- Parents need to provide proof of parental responsibility, through providing a birth certificate, court order or passport that lists both the child and the parent.

Applying on compelling medical/social grounds:

- Parents need to provide documentary evidence from a professional. This may include but is not limited to:
 - Written recommendation from a social worker
 - Written recommendation from a medical consultant
- Written recommendations must be dated no more than three (3) months prior to the application submission
- Written recommendations must give detailed reasons explaining why the child cannot attend any of the available community or voluntary controlled nurseries.

30 Hour Childcare Offer

If eligible, parents may also be entitled to 30 hours of funded childcare through the 'Childcare Offer'. During term time the 30 hours will consist of a combination of the existing Foundation Phase Nursery (FPN) provision available to all 3 and 4 year olds, (usually 12.5 hours per week) and the additional funded childcare (up to 17.5 hours per week). For 9 weeks of the year, outside of term time, parents will be able to access the full 30 hours of childcare funded through the Childcare Offer.

If a child does not access their FPN provision then they will still be entitled to the childcare element of the Offer during school term time (39 weeks of the year) and to 30 hours of government- funded childcare for the remaining 9 weeks.

Eligible children will be able to access the Offer from the beginning of the term following their third birthday, until the September following their fourth birthday when they will be offered a full time education place”.

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5. ADMISSIONS TO COMMUNITY PRIMARY SCHOOLS AND VOLUNTARY CONTROLLED PRIMARY SCHOOLS

Cardiff Council is the admissions authority for all maintained community primary schools and the voluntary controlled primary school in the City and County of Cardiff. Cardiff Council is not the admissions authority for voluntary aided primary schools in Cardiff.

Children are admitted into Reception (also referred to as 'Year 0') in the September following their fourth (4th) birthday during the normal admissions round.

Children can be admitted or transferred to a community or voluntary controlled primary school outside the normal admissions round subject to availability (with exception to twice excluded pupils [refer to 3.58 – 3.60 of the Welsh Government's School Admissions Code document no. 005/2013]).

Where a community or voluntary controlled primary school is undersubscribed, all applicants (with exception to twice excluded pupils [refer to 3.58 – 3.60 of the Welsh Government's School Admissions Code document no. 005/2013]) can be offered a school place. Cardiff Council also maintains Fair Access Protocols for the placement of vulnerable children who are transferring outside of the normal admissions round. These protocols seek to ensure that vulnerable and hard to place children are able to access education and are placed fairly within the city.

4.1 Community Primary Schools Oversubscription Criteria

Where a community primary school is oversubscribed, preferences received by the published closing date will be considered in accordance with the oversubscription criteria set by the Council in order of priority [1. being the highest] up to the approved capacity and will not normally exceed the school's Published Admission Number or breach the limitations imposed by statutory maximum class size (30) where this applies:

1. Children who are looked after by a Local Authority in England or Wales **or** children who were previously looked after by a Local Authority in England or Wales. *
2. Children subject to an Individual Development Plan (IDP), in which a specific school is named. *
- ~~3.~~ Pupils who are resident within the defined catchment area of the school **and** in respect of whom the Council judges there are compelling medical grounds or compelling social grounds for their admission to a particular school.
4. Pupils who are resident within the defined catchment area of the school **and** have a sibling enrolled in Reception or Years 1 to 6 who will be on register at the school when they are admitted.
5. Children who have a brother or sister attending the school, admitted before catchment area change

- a) Where an older sibling was admitted to and continues to attend a school that was previously the catchment area school for the home address of the family at the time of the older sibling's admission, if the parent applies, the Council will give priority to younger siblings to the former catchment school.
 - b) Where an older sibling was admitted to and continues to attend a community school, and a catchment area was not established at the time of the older sibling's admission, if the parent applies, the Council will give priority to younger siblings to this school.
6. Pupils who are resident within the defined catchment area of the school.
- *Where the number of preferences exceed the number of places available, see paragraph '7.9 Proximity'.
7. Pupils in respect of whom the Council judges there are compelling medical grounds or compelling social grounds for their admission to a particular school.
 8. Pupils who have a sibling enrolled in Reception or Years 1 to 6 who will be on register at the school when they are admitted.
 9. In determining applications for admission in respect of other pupils the Council gives priority to children living nearest the school as measured by the shortest safe available route.
 10. Where a community primary school is oversubscribed, and one (or more) of multiple birth siblings would be allocated a place but one (or more) of the multiple birth siblings would not be offered a place as the Published Admission Number has been met, the Council will admit the remaining multiple birth sibling(s).

4.2 Late applications

The Council will consider late applicants with unsuccessful 'on-time' applicants where vacancies arise in an oversubscribed community or voluntary controlled primary school and apply the oversubscription criteria set by the Council (as above).

4.3 Statutory Appeals

If a child has been refused admission to a community or voluntary controlled primary school, an appeal may be submitted to the Independent Statutory School Admission Appeal Panel.

4.4 Deferred Entry

A child is not required to start primary school until the beginning of the term following their fifth (5th) birthday however, their start cannot be deferred beyond the beginning of the term after their fifth (5th) birthday. The deferred place is held for the child and not made available to another. It is recommended that any consideration to defer is discussed with the Headteacher of the allocated primary school.

4.5 St Mellons Church in Wales Voluntary Controlled Primary School

Applications for admission should be submitted to the Council.

In the event of oversubscription at the closing date for receipt of applications, the Council will consider all applications in accordance with the oversubscription criteria set by the Council. The Council will also consider all applications in accordance with the school's oversubscription criteria.

Where the school is oversubscribed, preferences received by the published closing date will be considered and 30 places allocated.

15 places will be allocated in accordance with the oversubscription criteria set by the Council in section 4.1.

15 places will be allocated in accordance with the oversubscription criteria set by the school.

Attendance at a nursery class does not automatically entitle a child to a reception class place in the same school. A new application must be made for a reception class place.

6. ADMISSIONS TO COMMUNITY SECONDARY SCHOOLS

Cardiff Council is the admissions authority for all maintained community secondary schools in the City and County of Cardiff. Cardiff Council is not the admissions authority for foundation or voluntary aided secondary schools in Cardiff.

Children transfer into Year 7 in the September following their eleventh (11th) birthday during the normal admissions round.

Children can be admitted or transferred to a community secondary school outside the normal admissions round subject to availability (with exception to twice excluded pupils [refer to 3.58 – 3.60 of the Welsh Government's School Admissions Code document no. 005/2013]).

Where a community secondary school is undersubscribed, all applicants (with exception to twice excluded pupils [refer to 3.48 – 3.60 of the Welsh Government's School Admissions Code document no. 005/2013]) can be offered a school place. Cardiff Council also maintains Fair Access Protocols for the placement of vulnerable children who are transferring outside of the normal admissions round. These protocols seek to ensure that vulnerable and hard to place children are able to access education and are placed fairly within the city.

5.1 Oversubscription Criteria

Where a community secondary school is oversubscribed, preferences received by the published closing date will be considered in accordance with the oversubscription criteria set by the Council in order of priority [1. being the highest] up to the approved capacity and will not normally exceed the school's Published Admission Number:

1. Children who are looked after by a Local Authority in England or Wales **or** children who were previously looked after by a Local Authority in England or Wales. *
2. Children subject to an Individual Development Plan (IDP), in which a specific school is named.
3. Pupils who are resident within the defined catchment area of the school **and** in respect of whom the Council judges there are compelling medical grounds or compelling social grounds for their admission to a particular school. *
4. Pupils who are resident within the defined catchment area of the school **and** have a sibling enrolled in Years 7 to 11 who will be on register at the school when they are admitted. *
5. Pupils who are resident within the defined catchment area of the school. *
6. Pupils in respect of whom the Council judges there are compelling medical grounds or compelling social grounds for their admission to a particular school.*

*Where the number of preferences exceed the number of places available,

see paragraph '7.9 Proximity'.

7. Pupils who have a sibling enrolled in Years 7 to 11 who will be on register at the school when they are admitted. *
8. In determining applications for admission in respect of other pupils the Council gives priority to children living nearest the school as measured by the shortest safe available route.
9. Where a community primary school is oversubscribed, and one (or more) of multiple birth siblings would be allocated a place but one (or more) of the multiple birth siblings would not be offered a place as the Published Admission Number has been met, the Council will admit the remaining multiple birth sibling(s).

5.2 Late applications

The Council will consider late applicants with unsuccessful 'on-time' applicants where vacancies arise in an oversubscribed community secondary school and apply the oversubscription criteria set by the Council (as above).

5.3 Statutory Appeals

If a child has been refused admission to a community secondary school, an appeal may be submitted to the Independent Statutory School Admission Appeal Panel.

Attendance at a community or voluntary controlled primary school located in the catchment area of a community secondary school does not automatically entitle a child to a place at the school. A new application must be made for transfer from the primary school to the secondary school.

7. ADMISSIONS TO SIXTH FORMS

The Council has agreed to delegate to the Governing Body of Community Secondary Schools, the responsibility for the determination of admission arrangements for sixth forms. Applications for admission should be submitted to the school.

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8. EXPLANATION OF OVERSUBSCRIPTION CRITERIA

7.1 Child's Details - Address

The child's home address must be used on the application, this is where the child lives for all or the majority of the school week. Please see 'Submission of documents relating to a Child's Home Address' (8.2). The Council may not accept an address given if there is no evidence that a parent for the child lives at the property.

In order to qualify as a 'child's home address,' for the purposes of admission, the child must be resident on the application submission date. If the child moves address after applying and before the date to which the child would start school, the parent must inform the Council in writing (e-mail or letter) stating the new address otherwise any school offer made will be withdrawn and a new application will be required.

7.2 Changes of Address

If an applicant moves address at any point between submission of an application and the pupil attending an offered school, any offer based on the original address will be subject to re-assessment.

Preferences will be assessed on the basis of the home address outlined in the application and which is valid at the time of the closing date for applications. Any changes of address after the closing date cannot be considered until the next round of admissions.

Places allocated on the basis of an address which is valid on the closing date, but is no longer the home address, will be reassessed on the basis of their new address in the next application round. This change of address will mean that the application will be considered as a new application in the next round.

Offers of places will be reassessed and:

- If the new address meets higher oversubscription criteria (or the same oversubscription criteria but in closer proximity) than in the initial or previous application then the offer will not be withdrawn
- If the new address meets lower oversubscription criteria (or the same oversubscription criteria but in further proximity) than in the initial or previous application round then the offer will be reassessed and would be offered to the applicant in that application round who meets the highest oversubscription criteria.

A change of address would be considered by the Council in the application round immediately following the occupancy of a property, where evidence has been provided of this change of address and this evidence has been accepted and verified as sufficient by the Council.

7.3 Looked After Children (LAC) / previously Looked After Children (pLAC)

In the case of a child looked after by a Local Authority in England or Wales (as defined by Section 22 of the Children Act 1989 and Section 74 of the Social Services and Wellbeing [Wales] Act 2014), the relevant Local Authority (corporate parent) must apply and supporting evidence (a Care Order or Interim Care Order) must be provided with the application. Following consultation on

the appropriateness of the named school in light of the child's background and needs, the Council has a **duty to admit** the child to the school and give highest priority in the oversubscription criteria.

In the case of a child previously looked after by a Local Authority in England or Wales (as defined by the Welsh Government School Admissions Code document no. 005/2013), supporting evidence (a letter from the relevant Local Authority [former corporate parent]) must be provided with the application. Following consultation on the appropriateness of the named school in light of the child's background and needs, the Council has a **duty to give highest priority** in the oversubscription criteria.

7.4 Individual Development Plan (IDP)

The local authority can decide to name a maintained school in the IDP for the purposes of securing admission of the child to a particular school.

The local authority will not name a school in an IDP, for the purposes of securing admission, unless the needs and circumstances of the child is such that they ought to attend that particular school.

The local authority will consider the following factors:

- Whether specific characteristics of the school make it especially good at making the required ALP (additional learning provision) compared to other maintained schools the child could attend- for example, the school's physical characteristics;
- Whether the school has members of staff with specialist expertise or training, or specialism in a low incidence need such as hearing or visual impairment (for example, if the school has a specialist resource base);
- It would be unreasonable for a more local school to provide the child's ALP (additional learning provision);
- Any other factors the local authority considers to be relevant to the particular case.

7.5 Residence within the defined catchment area of a school

The defined catchment areas of community primary and secondary schools can be viewed on the Council's website (www.cardiff.gov.uk).

7.6 Compelling medical/compelling social grounds

To qualify for compelling medical or compelling social grounds, a written recommendation from a medical consultant or a social worker dated no more than 6 (six) months prior to the application submission date, must give detailed reasons for the child's admission to a particular school.

7.7 Siblings

An application will be considered under the sibling criterion if the sibling, and the applicant at the time of enrolment, would be attending the same school at the same time.

The Council will only consider compulsory school-aged siblings (for nursery and primary school applications this refers to Reception to Year 6 and for secondary school applications this refers to Year 7 to Year 11):

- Clearly named on the application **and**

- Resident at the same address as the child subject to the application **and**
- Attending the preferred primary school (not nursery) **or**
- Attending the preferred secondary school (not sixth form).

Sibling, for the purposes of admission, is defined as: brother/sister; half-brother/half-sister (children who share one common parent); step brother/step sister (where children are related by virtue of their parents being married, co-habiting or in a civil partnership); adopted or fostered child.

7.8 Multiple Birth Siblings

Separate applications are required for each child. Each application will be considered on the basis of the oversubscription criteria met by the individual child.

7.9 Proximity

* This criterion is the last to be applied in all oversubscription criteria. Where the number of preferences exceed the number of places available in any higher criterion, proximity is used as a tie breaker to determine which pupils are admitted.

The Council has developed a Geographical Information System (GIS), referred to as an 'Integrated Transport Network' (ITN), configured in compliance with the Learner Travel (Wales) Measure 2008 and the Learner Travel Statutory Provision and Operational Guidance 2014 route determination criteria. The shortest safe available route (as defined by the Welsh Government's 'Learner Travel Statutory Provision and Operational Guidance June 2014') is calculated (to 4 decimal places) from the co-ordinates of an applicant's home address (determined using the Local Land and Property Gazetteer [LLPG] address point data), to the nearest open school gate using Ordnance Survey (OS) route data.

- a) Where there is no safe route available, the nearest point on the ITN to the applicant's home address will be used to calculate the shortest driving route to the nearest open school gate.
- b) Tie-breaker: Where flats use the same LLPG address point co-ordinates, the route assessment is determined from the front entrance to each flat.

For applications for pupils residing within mainland UK but outside of the area covered by the integrated transport network (ITN), residence to school distances are calculated as the shortest driving distance as evaluated using google maps.

Where applicants reside outside of mainland Britain, route distances are determined as the shortest route as determined using google maps utilising available transport types.

9. DOCUMENTARY EVIDENCE THAT MAY BE REQUIRED FROM APPLICANTS

The Council may ask applicants to provide **clear** and **legible** documentation (e-mail: schooladmissions@cardiff.gov.uk) to prove their claim to qualify for one or more admission criteria. Where satisfactory documentary evidence is not received, a place at an oversubscribed school will not be offered based on the claimed admission grounds.

Subject to applicant's consent upon submission of the application, the evidence provided may be checked with other government agencies including (if appropriate) the child's current school.

8.1 Submission of documents relating to a child of UK Service Personnel or other Crown Servants

Children of UK service personnel (UK Armed Forces) or other Crown Servants will be treated as resident at a future address if their application is accompanied by an official Ministry of Defence (MOD) or Foreign and Commonwealth Office (FCO) letter declaring a definite address occupation date and confirmation of the new home or unit postal address.

Applications for children of former UK service personnel or other former Crown Servants will be treated as all other applications.

Where applications outside of the normal for Children of UK service personnel or other Crown Servants are unsuccessful, parents may appeal against this decision and any appeal hearing convened would be heard as a normal prejudice appeal.

8.2 Submission of documents relating to a Child's Home Address

Where an application is made for a place at a school or in a year group that is expected to be fully subscribed, and subject to the applicant's consent upon submission of the application, the Council will undertake checks of records held by Council Tax, Electoral Register, the child's school (if appropriate) and external organisations including credit reference agencies.

Where there is any concern regarding the consistency of information held, further evidence may be required.

To prove residency at a claimed 'Child's Home Address,' the following documentation may be requested.

Proof of Residency at Current Address

Tenancy Agreement:

- Tenancy Start Date must be on or before the application submission date **and** Tenancy End Date must be on or after the date to which the child would start school.

Mortgage Statement:

- Date of statement must be no more than 6 (six) months prior to the application submission date.

Council Tax Correspondence (bill/letter/statement):

- Referring to payments made in the current financial year for the property claimed as the child's home address.

Utility Supplier Correspondence (electricity/gas/water bill /letter / statement):

- Referring to payments made in the current financial year for the property claimed as the child's home address;
- Electricity and Gas (or Dual Fuel) bills must be dated no more than 6 (six) months prior to the application submission date.

Child Benefit Correspondence:

- Date of correspondence must be no more than 6 (six) months prior to the application submission date.

Proof of Residency at New Address

If a child will be moving to a new address after the application submission date and before the date to which the child would start school:

Leased Property:

- A new tenancy agreement will be required which must state an end date on or after the date to which the child would start school;

Owned Property:

- An exchange of contracts document will be required which must be dated no more than 6 (six) months prior to the application submission date.

If the Council is not satisfied with the evidence provided, the claimed 'child's home address' will not be accepted for the purposes of the admission request.

8.3 Submission of documents relating to Compelling Medical Grounds or Compelling Social Grounds

To qualify for compelling medical or compelling social grounds, a written recommendation from a medical consultant or a social worker dated no more than 6 (six) months prior to the application submission date, must give detailed reasons for the child's admission to a particular school.

Subject to applicant's consent upon submission of the application, the evidence provided may be checked with other government agencies including (if appropriate) the child's current school.

10. OFFERS PROCESS

9.1 School Offers

If more than one place could be offered to a child, the applicant's highest available preference school will be offered. Any other school place that could be offered, will be offered to another child.

Decisions and responses will not be relayed over the telephone. Written confirmation (e-mail or letter) will be supplied.

Any offer not accepted by the date stated on the decision notice may be withdrawn and offered to another child.

If an offer to a higher community or voluntary controlled school preference is rejected by the applicant on the basis of the applicant declaring a former lower community or voluntary controlled school preference has become their preferred school, applicants must submit a new application for this community or voluntary controlled school preference to be re-considered.

9.2 No School Offers

Applicants that receive written confirmation (e-mail or letter) advising their child has not been offered any of their school preferences, will be provided with an alternative preference form, details of community and voluntary controlled schools with vacancies and (for requests for admission to an age group of compulsory school age) information regarding their right to appeal against the Council's decision.

9.3 Changes of circumstances

The Council will consider an applicant's circumstances to have changed, and that the application is considered as a new application, if:

- The applicant has changed address, or
- The applicant meets a higher oversubscription criteria than considered in their previous application.

This change of circumstances would be considered by the Council to have been from the date at which sufficient evidence of the change is received by the Council. Such evidence may be proof of residence at the new address, confirmation of the enrolment of a sibling at the school to which an applicant has stated the preference, or receipt of a letter meeting the 'compelling medical and/or compelling social grounds' criterion.

9.4 Withdrawal of School Offers

Prior to the date to which the child would start school, any place approved may be withdrawn if it is found that the child's circumstances no longer meet the grounds for admission to which they were offered the school place, if the application was found to have been made in fraudulent circumstances or if the school place offer was made in error. A new written decision (e-mail or letter) will be released.

Any offer of a place at entry to Reception Year in a community primary school will be withdrawn by the Council if the child does not attend the school within 20 school days after the start of the school term following the child's fifth birthday.

Any offer of a place at entry to Year 7 in a community secondary school will be withdrawn by the Council if the child does not attend the school within 20 school days after the start of the autumn term 2022.

The Council may withdraw the offer of a school place from a pupil transferring between schools within the school year if the child does not attend the school within 20 school days of the place being offered.

However, if no reason has been provided for the child's failure to start, the school must notify the council immediately so that Children Missing Education (CME) enquires to establish the whereabouts of the child can be undertaken. Once these have been completed, the place will be re-allocated.

9.5 Waiting Lists

Where an applicant has been refused admission to a community or voluntary controlled nursery, primary or secondary school, the applicant will be placed on the waiting list for the preference school unless the applicant informs the Council to remove their child from the waiting list.

Unsuccessful applicants for admission into Nursery to start from the beginning of the term following their third (3rd) birthday, will remain on the waiting list until the end of the Summer Term 2023.

Unsuccessful 'on-time' applicants for admission into Reception or Year 7 to start from the beginning of the academic year (also referred to as 'normal admissions round'), will remain on the waiting list until 30th September 2023.

Unsuccessful applicants for admission into Reception to Year 11 (inclusive) whose application was received outside the normal admissions round (also referred to as an 'in-year application'), will remain on the waiting list until the end of the term to which the child would start school.

Places are not prioritised on the basis of how long a child has been on a waiting list. Priority is determined in accordance with the oversubscription criteria. Applications are considered in line with the criteria and any places that become available will be allocated on that basis. A child's position on the waiting list may change as applications may be received that have a higher degree of priority under the oversubscription criteria.

Should a child be allocated from the waiting list, the applicant will be contacted by the Council and requested to confirm if they accept the place. Acceptance of a place must be via the Admissions Online Portal, or in writing or by email. Upon acceptance, any other school place to which the child may already be allocated will be released and reallocated to another child.

Once the waiting list expiry date has been reached, should a parent wish their child to continue to be considered for admission a new application must be submitted.

There is no guarantee of an offer of a place at a child's catchment area school nor the school at which a sibling attends.

Appendix 1

School Admission Numbers 2021/22

Community Primary Schools	Admission Number
Adamsdown Primary School	60
Albany Primary School	60
Allensbank Primary School	30
Baden Powell Primary School	60
Birchgrove Primary School	58
Bryn Celyn Primary School	30
Bryn Deri Primary School	30
Bryn Hafod Primary School	60
Coed Glas Primary School	75
Coryton Primary School	30
Creigiau Primary School (English)	29
Danescourt Primary School	60
Fairwater Primary School	40
Gabalfa Primary School	30
Gladstone Primary School	30
Glan Yr Afon Primary School	30
Glyncoed Primary School	60
Grangetown Primary School	60
Greenway Primary School	30
Ysgol Gynradd Gwaelod Y Garth Primary School (English)	7
Hawthorn Primary School	30
Herbert Thompson Primary School	60
Howardian Primary School	60
Hywel Dda Primary School	60
Kitchener Primary School	60
Lakeside Primary School	60
Lansdowne Primary School	60
Llanedeyrn Primary School	55
Llanishen Fach Primary School	60
Llysfaen Primary School	60
Marlborough Primary School	60
Meadowlane Primary School	45
Millbank Primary School	30

CARDIFF COUNCIL: EDUCATION & LIFELONG LEARNING
SCHOOL ADMISSIONS POLICY: 2022/2023

Community Primary Schools	Admission Number
Moorland Primary School	60
Mount Stuart Primary School	60
Ninian Park Primary School	90
Oakfield Primary School	60
Pencaerau Primary School	30
Pentrebane Primary School	30
Pentyrch Primary School	20
Pen-y-Bryn Primary School	30
Peter Lea Primary School	45
Pontprennau Primary School	60
Radnor Primary School	45
Radyr Primary School	60
Rhiwbeina Primary School	75
Rhydypenau Primary School	60
Roath Park Primary School	58
Rumney Primary School	60
Severn Primary School	60
Springwood Primary School	60
Stacey Primary School	30
Thornhill Primary School	60
Tongwynlais Primary School	28
Ton-yr-Ywen Primary School	60
Trelai Primary School	60
Trowbridge Primary School	30
Whitchurch Primary School	90
Willowbrook Primary School	60
Windsor Clive Primary School	60
Ysgol Bro Eirwg	60
Ysgol Gymraeg Coed-y-Gof	60
Creigiau Primary School (Welsh)	29
Ysgol Glan Ceubal	30
Ysgol Glan Morfa	60
Ysgol Gynradd Gwaelod Y Garth Primary School (Welsh)	26
Ysgol Hamadryad	60
Ysgol Gymraeg Melin Gruffydd	60

CARDIFF COUNCIL: EDUCATION & LIFELONG LEARNING
SCHOOL ADMISSIONS POLICY: 2022/2023

Ysgol Mynydd Bychan	45*
Ysgol Pencae	30
Ysgol Gynradd Gymraeg Pen-Y-Groes	30
Ysgol Gymraeg Pwll Coch	60
Ysgol Gymraeg Treganna	90
Ysgol y Berllan Deg	60
Ysgol Y Wern	75
Ysgol Gymraeg Nant Caerau	30
Ysgol Pen Y Pil.	30
New Plasdwr Primary School (English)	30
New Plasdwr Primary School (Welsh)	30
Voluntary Controlled Primary Schools	Admission Number
St Mellons C.W. Primary School	30
Voluntary Aided Primary Schools	Admission Number
All Saints C.W. Primary School	30
Bishop Childs C.W. Primary School	30
Christ The King R.C. Primary School	30
Holy Family R.C. Primary School	35
Llandaff C.W. Primary School	60
St Alban's R.C. Primary School	30
St Bernadette's R.C. Primary School	30
St Cadoc's R.C. Primary School	45
St Cuthbert's R.C. Primary School	22
St David's C.W. Primary School	30
St Fagans C.W. Primary School	30
St Francis R.C. Primary School	55
St John Lloyd R.C. Primary School	45
St Joseph's R.C. Primary School	30
St Mary The Virgin C.W. Primary School	60
St Mary's R.C. Primary School	37
St Monica's C.W. Primary School	20
St Patrick's R.C. Primary School	45
St Paul's C.W. Primary School	30
St Peter's R.C. Primary School	60
St Philip Evans R.C. Primary School	52
Tredegaville C.W. Primary School	30

Community Secondary Schools	Admission Number
Cantonian High School	181
Cardiff High School	240
Cardiff West Community High School	240
Cathays High School	240**
Eastern High	240
Fitzalan High School	300
Llanishen High School	300
Radyr Comprehensive School	210
Willows High School	224
Ysgol Gyfun Gymraeg Glantaf	240
Ysgol Gyfun Gymraeg Plasmawr	210
Ysgol Bro Edern	180
Foundation Secondary Schools	Admission Number
Whitchurch High School	390
Voluntary Aided Secondary Schools	Admission Number
Bishop of Llandaff C.W. High School	180
Corpus Christi R.C. High School	215
Mary Immaculate R.C. High School	159
St Illtyd's R.C. High School	176
St Teilo's C.W. High School	240

It should be noted that in progressing school reorganisation proposals, some admission numbers may need to change.

* Subject to approval by the Council's Cabinet of the proposal to increase the capacity of the school to 315 places

**Subject to planning consent for replacement and additional temporary accommodation on the school site

NB. It should be noted that some of the above proposals are subject to receiving the relevant planning consent.

Appendix 2
Formal Responses

Response from Cllr. Robert Hopkins, Liberal Democrat Education spokesperson

Comments In Response To The Consultation On The Schools Admissions Policy

The comments below relate to the following paragraphs in the draft policy:

Paragraph 1.1.1: *“The council is committed to providing local schools for local children where possible.”*

Paragraph 1.4: *“There is no guarantee of an offer of a place at a child’s catchment school.”*

Paragraph 4.1 criterion 6 (Primary Schools) and paragraph 5.1 criterion 5 (secondary schools): *“Pupils who are resident within the defined catchment area of the school.”*

Oversubscription criteria- Paragraph 4.1 criterion 9 (Primary Schools) and paragraph 5.1 criterion 8 (secondary schools): *“...the Council gives priority to children living nearest the school as measured by the shortest safe available route.”*

Paragraphs 7.1 and 7.2: *conditions relating to a child’s home address or to a change of address*

Paragraph 7.9: *“Where the number of preferences exceed the number of places available in any higher criterion, proximity is used as a tie breaker to determine which pupils are admitted.”*

Paragraph 7.7: *“An application will be considered under the sibling criterion if the sibling, and the applicant, would be attending the school at the same time.”*

Comments

Notwithstanding the commitment to providing a school place in local schools for local children wherever possible, in certain primary schools and secondary schools oversubscription relative to the places available is a significant, and in some cases, a growing problem. This is not a problem confined to the north of the city.

In recurring cases where a place is refused, in some instances at each of the preferred schools, parents are advised to seek a place at an alternative which may be twice the distance or more away from the child’s address. This poses significant problems for the parents of children of primary school age in particular and conflicts with the council’s “Active Travel” policy designed to encourage walking to school.

There is no connection made between length of time resident at a qualifying address in the residency criteria whether living inside or outside a school’s catchment area. Where new housing developments appear, this can mean that families who may have lived at a more established property within the catchment area of a particular

school, are edged out of a place. This is especially so where a new housing development may be sited closer to a school than other pre-existing properties in the area.

Should the council not review the impact of the proximity and residency criteria where there are particular pinch points across the city? Should consideration be given to using a points-based system within the criteria reacting to the proximity and residency criteria? Should consideration be given to increasing the number of places available, especially in primary schools, including the potential for using section 106 monies?

Finally, further consideration should be given to whether the sibling criterion is given sufficient weight and prominence in the criteria overall. It goes without saying that it is extremely upsetting and disruptive where siblings are not able to attend the same school. This further undermines the commitment to "Active Travel", especially for children of primary school age.

Response from Michael Howells, Chair of Governing Body, St Peter's R.C. Primary School

Reference Cardiff Admission Arrangements 2022-2023 Consultation

To whom it may concern.

St Peter's RC School is currently designated as in "Special Measures" post Estyn Inspection in late 2018.

The Cardiff County Council then exercised its powers under the School Standards and Organisation (Wales) Act 2013

and intervened. Its powers include appointing extra governors and the Chair.

I was appointed to the Governing Body as an LA Governor in 2019 and in February 2020 appointed Chair.

During 2018/2019, in the consultation process, in regard to schools in the Tremorfa/Splott area,

that included the possible closure of St Albans Rc Primary, it became apparent that in

in the annual Cardiff Admissions Booklets, the Admissions Number for St Peter's had varied from 60 to 75. There was no

audit trail of any written agreement between the Local Authority and the Governing Body as to how that had emerged.

I agreed as a member of the Governing Body to re write St Peter's RC School Admissions Policy and liaise with Neil Hardie, who was attends all Governing Body meetings on behalf of the Local Authority. Neil forwarded my copy to the relevant representatives to check the policy and with minor amendment it was approved by the Governing Body in 2019.

That policy has an admissions number of 60. In your consultation document the number is 75

Yours sincerely

Michael Howells Chair of Governors

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Appendix 3

<p>Policy/Strategy/Project/Procedure/Service/Function Title: City of Cardiff Council's Schools Admissions Policy 2022-23</p>
<p>New/Existing/Updating/Amending</p>

<p>Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function?</p>	
Name: Richard Portas	Job Title: Programme Director
Service Team: School Organisation Programme	Directorate: Education & Lifelong Learning
Assessment Date: 01/12/20	

1. Aims and Objectives

What are the objectives of the Policy / Strategy / Project / Procedure / Service / Function?

<p>To equitably administer the admission of eligible children to nursery, primary and secondary classes/schools based on parent/guardian preference in accordance with the admissions criteria detailed in the City of Cardiff Council's School Admissions Policy 2022-23.</p> <p>The Council has started consulting on the draft School Admission Arrangements 2022-2023. The consultation period is from 16 December 2020 until 5 February 2021.</p> <p>The consultation is an opportunity for people to learn about proposed changes to the Cardiff Council School Admission Arrangements for the 2022/23 academic year.</p> <p>The changes to the policy include:</p> <ul style="list-style-type: none"> • Clarification of the Out of Chronological Age process. • Clarification of the Fair Access Protocol. • A change to the priority given under the admissions criteria for multiple birth siblings. • Clarification on guidance for schools where children who have been

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allocated a place at the school fail to attend.

Details of the consultation are available to view on the Council website via the link below:

www.cardiff.gov.uk/admissionarrangements

2. Background Information

Please provide background information on the Policy / Strategy / Project / Procedure / Service / Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]

The City of Cardiff Council is committed to equality of opportunity and to eliminating unlawful discrimination. In respect of admissions to community schools, all pupils and prospective pupils are treated equitably, regardless of gender, race, ethnicity, culture, nationality, language, ability/disability or religious belief.

The Council is the Admissions Authority for the following:

- Community Nursery Schools/Nursery Classes in Community Schools
- Community Primary Schools
- Community Secondary Schools

In order to facilitate the admissions process, the Local Authority has to consider:

- Children are entitled to a part-time nursery place from the start of the term following their third birthday and must attend for five half days.
- Children are admitted to reception classes in the September following their fourth birthday.
- Children transfer to secondary education in the September following their eleventh birthday.
- All maintained schools must admit pupils up to their published Admission Number.

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Parents have the right to express a preference for their preferred schools; these will be considered individually and complied with wherever possible. Some schools have more requests for places than there are places available. Where a school is oversubscribed preferences will still be considered but the oversubscription criteria set by the Council will be applied. In deciding which children to admit to a school, the Council applies the criteria set out in its Schools Admissions Policy Document and examines the merits to support each case by considering any reasons put forward supporting any expressed preference.

If parents are dissatisfied with the result of an application for a particular School, an appeal may be submitted to the Independent Statutory Appeal Panel, any decision made by the Panel being binding on the Council; school and the appellant. If the appeal is not successful, further requests to appeal for a place at the same school will not be considered for the same academic year unless the Director of Education & Lifelong Learning determines there are significant and material changes in the circumstances of pupil/parents or school. There is no right of appeal for admission to a Community Nursery School/ Nursery Classes in Community Schools.

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

"An admission authority **must not** discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil."

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3 Assess Impact on the Protected Characteristics

3.1 Age

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative/]** on younger/older people?

	Yes	No	N/A
Up to 18 years	✓		
18 - 65 years	✓		
Over 65 years	✓		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The nature of the policy is such that it will inherently apply to the 3 - 16 years age group as it targets school and nursery aged children and young adults.

Whilst implementation of this policy would therefore have a differential impact, it would not be regarded as prejudicial to older age groups as they are not part of this educational place provision process.

What action(s) can you take to address the differential impact?

N/A

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3.2 Disability

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on disabled people?

	Yes	No	N/A
Hearing Impairment	✓		
Physical Impairment	✓		
Visual Impairment	✓		
Learning Disability	✓		
Long-Standing Illness or Health Condition	✓		
Mental Health	✓		
Substance Dependence	✓		
Other	✓		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

"An admission authority **must not** discriminate on the grounds of **disability**; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil."

Differential impact could occur as the implementation of the School Admissions Policy would allow for priority to be given to applicants where the legislation and protection prescribe the inclusion of specific criteria in relation to Special Educational needs which support pupils with disabilities that are also learning difficulties.

Similarly differential impact could occur as the implementation of the School Admissions Policy would allow for priority to be given to applicants for whom compelling medical and/or compelling social grounds could be evidenced indicating particular needs. This would be a positive impact if the degree of need was such that preferential placement were to apply.

What action(s) can you take to address the differential impact?

N/A

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3.3 Gender Reassignment

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on transgender people?

	Yes	No	N/A
<p>Transgender People (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex)</p>		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

“An admission authority **must not** discriminate on the grounds of disability; **gender reassignment**; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil.”

No differential impact would occur as the implementation of the Schools Admissions Policy would not affect this protected characteristic.

What action(s) can you take to address the differential impact?

N/A

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3.4. Marriage and Civil Partnership

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage			✓
Civil Partnership			✓

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

No differential impact would occur as the implementation of the Schools Admissions Policy would not affect this protected characteristic.

What action(s) can you take to address the differential impact?

N/A

3.5 Pregnancy and Maternity

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on pregnancy and maternity?

	Yes	No	N/A
Pregnancy		✓	
Maternity		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

"An admission authority **must not** discriminate on the grounds of disability; gender reassignment; **pregnancy and maternity**; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil."

No differential impact would occur as the implementation of the Schools Admissions Policy would not affect this protected characteristic.

What action(s) can you take to address the differential impact?

N/A

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Equality Impact Assessment
Corporate Assessment Template

3.6 Race

Will this Policy/Strategy/Project//Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
White		X	
Mixed / Multiple Ethnic Groups		X	
Asian / Asian British		X	
Black / African / Caribbean / Black British		X	
Other Ethnic Groups		X	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

None

What action(s) can you take to address the differential impact?

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Corporate Assessment Template

3.7 Religion, Belief or Non-Belief

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	Yes	No	N/A
Buddhist		✓	
Christian		✓	
Hindu		✓	
Humanist		✓	
Jewish		✓	
Muslim		✓	
Sikh		✓	
Other		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

"An admission authority **must not** discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; **religion or belief**; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil."

There are a number of maintained voluntary aided faith schools in Cardiff which are either Roman Catholic or Church in Wales which deal with their own admissions and admit children of those faiths. There are also 3 independent Muslim schools who deal with their own admission arrangements. As a result there may be a lower number of pupils of these faiths within community schools. However, the Council's admission arrangements do not differentiate between applicants of differing belief systems who apply to attend Community Schools.

What action(s) can you take to address the differential impact?

The Council will remain sensitive to the needs of religious communities seeking faith place provision.

CARDIFF COUNCIL
Equality Impact Assessment
Corporate Assessment Template

3.8 Sex

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

	Yes	No	N/A
Men		✓	
Women		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

"An admission authority **must not** discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; **sex**; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil."

All schools to which the Schools Admission Policy applies are non-gender specific in relation to their admissions criteria.

No differential impact would occur as the implementation of the Schools Admissions Policy would not affect this protected characteristic.

What action(s) can you take to address the differential impact?

N/A

CARDIFF COUNCIL
Equality Impact Assessment
Corporate Assessment Template

3.9 Sexual Orientation

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following people?

	Yes	No	N/A
Bisexual		✓	
Gay Men		✓	
Gay Women/Lesbians		✓	
Heterosexual/Straight		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

This proposal has been developed in accordance with the requirements of the Equality Act 2010 throughout and in compliance with the Welsh Government's School Admissions Code E.3 which states:

"An admission authority **must not** discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or **sexual orientation**, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil."

No differential impact would occur as the implementation of the Schools Admissions Policy would not affect this protected characteristic.

What action(s) can you take to address the differential impact?

N/A

CARDIFF COUNCIL
Equality Impact Assessment
Corporate Assessment Template

3.10 Welsh Language

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on Welsh Language?

	Yes	No	N/A
Welsh Language		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

The Council will continue to implement its Welsh in Education Strategic Plan and will ensure that there are schools to meet the demand for Welsh medium education.

What action(s) can you take to address the differential impact?

N/A

CARDIFF COUNCIL
Equality Impact Assessment
Corporate Assessment Template

4. Consultation and Engagement

What arrangements have been made to consult/engage with the various Equalities Groups?

The consultation re: School Admission Policy includes engagement with the following stakeholders:

- All Community; Foundation; Voluntary Controlled and Voluntary Aided School Governing Bodies in Cardiff.
- Cardiff's Diocesan Directors of Education.
- Neighbouring Local Authorities.
- Cardiff Admissions Forum.
- Local Assembly Members.
- Local Members of Parliament.
- Any other interested parties who wish to respond

Consultation on the 2022/23 City of Cardiff Council's School Admission Policy is proposed from 16/12/20 to 05/02/2021. The Council welcomes all views.

Details of the Schools Admission Policy will be made available on the Council's website:

<https://www.cardiff.gov.uk/ENG/resident/Schools-and-learning/Schools/Applying-for-a-school-place>

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Corporate Assessment Template

5. Summary of Actions To Be Taken [from the Actions listed in the Sections above]

These actions should be included in your Directorate's Equality Action Plan for the year, monitored on a regular basis and reported in your Directorate Equality Annual Report.

Groups	Actions
Age	None
Disability	None
Gender Reassignment	None
Marriage & Civil Partnership	None
Pregnancy & Maternity	None
Race	None
Religion/Belief	None
Sex	None
Sexual Orientation	None
Welsh Language	None
Generic Over-Arching [applicable to all the above groups]	None

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Equality Impact Assessment
Corporate Assessment Template

6. ACTIONS TO BE CONSIDERED IN THE FUTURE

List here any actions that you could not take in the immediate future, but which have arisen as issues to be considered for future service developments

--

7. Authorisation

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By : Rachel Burgess Willis	Date: 01/12/20
Designation: Project Officer	
Approved By: Brett Andrewartha	
Designation: School Organisation Programme Planning Manager	
Service Area: Education and Lifelong Learning Service	

7.1 On completion of this Assessment, please send it to equalityteam@cardiff.gov.uk, who will publish it on the Council's Website.

For further information or assistance, please contact the Equality Team 029 2087 2536 or email equalityteam@cardiff.gov.uk.

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**



CABINET MEETING: 18 MARCH 2021

**AUTHORISATION AND PROTOCOL REQUIREMENTS FOR
REVIEW OF WORK ACTIVITIES**

**FINANCE, MODERNISATION & PERFORMANCE (COUNCILLOR
CHRIS WEAVER)**

AGENDA ITEM: 8

Reason for this Report

1. To seek approval from Cabinet for the Authorisation and Protocol Requirements for Review of Work Activities.

Background

2. The Council has adopted an Employees' Code of Conduct, embedded in the Constitution and incorporated into the contract of employment of all Council employees. All employees have a duty to be honest, to act with propriety and integrity at all times, and to adhere to legal requirements, rules, procedures and practices.
3. From time to time managers may receive an allegation or suspicion that the conduct of an employee they manage has fallen short of the expected standards, and requires investigation. The procedure (authorisation and protocol requirements) is designed to support a consistent and disciplined assessment of the purpose and impact of considerations for monitoring, in such circumstances.
4. The procedure sets out the decision-making process and governance requirements when considering any monitoring at work in respect of a suspicion or allegation of misconduct. It is aligned to upholding the principles of the Council's Counter-Fraud and Corruption Strategy, and to the Council's Disciplinary Policy.
5. It has been prepared through consultation with colleagues in Internal Audit, Information Governance, HR People Services and Legal Services, and subject to consideration and comment from the portfolio Cabinet Member, Senior Management Team the Equalities Team and Trade Unions.

Issues

6. The procedure is designed to help to ensure that when a suspicion or allegation of misconduct by an employee comes to the attention of the

Council, an adequate investigation, conforming to the rules of natural justice, is carried out as quickly as possible.

7. Whilst it would be rare for covert monitoring (surveillance) of workers to be justified, in such cases, the Authorising Officer, graded Assistant Director / Chief Officer or above, would need to be satisfied that there are grounds for suspecting criminal activity or equivalent malpractice, and that notifying individuals about the monitoring would prejudice its prevention or detection.
8. This procedure would apply to all Council officers, and is commended to all Schools for consideration and adoption by their respective Governing Bodies. In respect of Schools, the authorising officer for monitoring activities should be the relevant Chair of Governors, in consultation with the Audit Manager.
9. The procedure requires that before monitoring is undertaken, a preliminary investigation is completed, and if monitoring is considered appropriate, a monitoring at work impact assessment would be completed. The impact assessment pro forma is contained within the procedure, to ensure that the relevant factors are taken into account when deciding if monitoring is justified, and to ensure that the exercise is properly authorised.
10. The draft procedure requires an Impact Assessment Form (Appendix A) to be completed by the relevant officer in respect of each monitoring exercise, which requires:
 - Professional advice from the Audit Manager and the Information Governance OM, for consideration by the Authorising Officer;
 - Technical advice and guidance from the ICT Security and Compliance Manager, where the monitoring relates to ICT systems;
 - Authorising Officer approval (graded Assistant Director / Chief Officer or above);
 - Agreement and counter-signatory from the OM Principal Solicitor (Litigation) or an equivalent representative, as assigned by the Monitoring Officer in order to proceed with the monitoring exercise.

Reason for Recommendation

11. To enable the Cabinet to consider the proposed Authorisation and Protocol Requirements for Review of Work Activities.

Financial Implications

12. There are no direct financial implications arising from this report but if additional financial resources are required in order to undertake these duties then there is a need to identify financial resources prior to proceeding.

Legal Implications

13. Article 8(1) of the European Convention on Human Rights, incorporated into UK law by the Human Rights Act 1998, provides that everyone has a right to respect for his private and family life, his home and his correspondence, which may only be interfered with in accordance with the law and as necessary in a democratic society. Under Article 8, public authorities must guarantee workers some degree of privacy in the workplace.
14. Electronic forms of workplace surveillance involve the processing of personal data which is regulated by data protection law. The Employment Practices Code issued by the Information Commissioner's Office provides guidance for employers on their data protection obligations. Part 3 of the Code contains guidance on monitoring employees at work, core principles of which include the following points:
 - i. Workers' private lives usually extend into the workplace and employees have an expectation of privacy, even where they have been informed monitoring may take place.
 - ii. If monitoring is to be carried out, an impact assessment should be undertaken.
 - iii. For monitoring to be justified, a proportionality test must be met (the employer must consider whether the reason for monitoring is sufficient to justify intrusion into an employee's private life; and whether the means of monitoring chosen is proportionate to meet that need).
 - iv. Employees should be given information if monitoring is to take place.
 - v. A limited number of staff should have access to information obtained through monitoring and they should have received appropriate training.
 - vi. Data obtained through monitoring should be secure.
15. In considering this matter, the Council must have regard to its public sector equality duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Protected characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief. An Equalities Impact Assessment has been carried out to identify the equalities implications of the proposed procedure and due regard should be given to the outcomes of the Equalities Impact Assessment.

HR Implications

16. The procedure that this report refers to has been consulted on with Trade Unions. There will be a requirement for the details of the procedure, if

agreed by Cabinet, to be communicated to staff and the requisite training undertaken by the appropriate employees. There will also need to be a detailed briefing to HR Officers in order that they can advise as required and links can be made with HR policies.

Property Implications

17. There are no property implications in respect of this report. Where any property related elements are required to deliver any proposals, these should be done so in accordance with the Council's Asset Management process and in consultation with Strategic Estates and relevant service areas.

RECOMMENDATIONS

Cabinet is recommended to approve the Authorisation and Protocol Requirements for Review of Work Activities.

SENIOR RESPONSIBLE OFFICER	Christopher Lee Corporate Director Resources
	12 March 2021

The following appendices are attached:

Appendix A: Authorisation and Protocol Requirements for Review of Work Activities

Appendix B: Equality Impact Assessment



Authorisation and Protocol Requirements for Review of Work Activities

Contents

1. [Procedure](#)
2. [Impact Assessment](#)

Authorisation and Protocol Requirements for Review of Work Activities

Application

1. This procedure (authorisation and protocol requirements) applies to all Council officers, and is commended to all Schools for consideration and adoption by their respective Governing Bodies. In respect of Schools, the authorising officer for monitoring activities should be the relevant Chair of Governors, in consultation with the Audit Manager, who will coordinate the associated professional considerations.
2. The procedure is aligned to upholding the principles of Council Codes of Conduct, the Counter-Fraud and Corruption Strategy, and to the Council's Disciplinary Policy.

Scope

3. The Council is involved in everyday functions of law enforcement ('core functions'). The Regulation of Investigatory Powers Act 2000 (RIPA) provides a framework for regulating the use of those investigatory powers ensuring that any covert surveillance activities are consistent with the duties imposed upon public authorities by the Human Rights Act.
4. The regulation of employees (e.g. employment issues, contractual arrangements etc.) is a factor common to all public authorities and may be considered to be an 'ordinary function.' These 'ordinary functions' are covered by the Data Protection Act 2018 and the Information Commissioner's Employment Practices Code. A public authority may only seek authorisations under RIPA when in performance of its 'core functions'.
5. This procedure does not apply to cases which relate to the Regulation of Investigatory Powers Act 2000. Any such cases should be progressed in accordance with the Council's RIPA Operational Policy and Guidance. In each case advice should be obtained as appropriate, from the OM Principal Solicitor (Litigation), or other representative as directed by the Monitoring Officer.

Introduction

6. The Council has adopted an Employees' Code of Conduct, embedded in the Constitution and incorporated into the contract of employment of all Council employees.
7. The public are entitled to expect the highest standards of conduct from all Council employees. The role of employees is to serve the Council by providing advice, implementing its policies, and delivering services to the local community.
8. Where the employer is a public authority, that authority has a duty to the tax payer to ensure that employees are doing what they are paid to do. The Council demands a very high standard of conduct from employees whilst they conduct their duties, and official positions must not be used to further private interests, or the interest of others.
9. Officers in a supervisory role are responsible for ensuring that employees under their control adopt high standards of conduct whilst undertaking their duties. All employees have a duty; to be honest; to act with propriety and integrity at all times; and to adhere to legal requirements, rules, policies, procedures and practices.

10. Many employees spend time working in the community, reporting direct to site or job. Occasionally the Council will want to undertake management checks to ensure that employees comply with appropriate rules and working practices. This supervisory action is to ensure compliance with the contractual arrangements between employer and employee. Such checks can be conducted as to the whereabouts and actions of employees during hours of paid employment, and as such are outside the scope of this procedure.
11. From time to time managers may receive an allegation or suspicion that the conduct of an employee they manage has fallen short of the expected standards, and would require investigation, for example; falsification of time sheets. It is important that before monitoring is undertaken, a preliminary investigation is undertaken and if monitoring is considered appropriate, an impact assessment will need to be completed.
12. It will be rare for covert monitoring (surveillance) of employees to be justified; it should therefore be used in exceptional circumstances.

- *“The covert monitoring of workers can rarely be justified. Do not carry it out unless it has been authorised at the highest level in your business. You should be satisfied that there are grounds for suspecting criminal activity or equivalent malpractice, and that telling people about the monitoring would make it difficult to prevent or detect such wrongdoing.*
- *Use covert monitoring only as part of a specific investigation, and stop when the investigation has been completed. Do not use covert monitoring in places such as toilets or private offices unless you suspect serious crime and intend to involve the police.”*

Information Commissioners Office

13. The authorising officer, graded Assistant Director / Chief Officer or above, should satisfy themselves that there are grounds for suspecting criminal activity or equivalent malpractice and notifying individuals about the monitoring would prejudice its prevention or detection.
14. The Council’s Disciplinary Policy and Fraud, Bribery & Corruption Policy help to ensure that when a suspicion or allegation of misconduct by an employee comes to the attention of the Council, an adequate investigation, conforming to the rules of natural justice, is carried out as quickly as possible. The Council must also ensure that it meets its counter-fraud obligations in accordance with a range of legislative requirements, including corporate criminal offence legislation (Criminal Finances Act). Support and guidance is available from Internal Audit (fraud@cardiff.gov.uk).

Data protection and monitoring at work

15. A number of the requirements of the Data Protection Act will come into play whenever an employer wishes to monitor its employees. It is important to note that the Act does not prevent an employer from monitoring employees, but such monitoring must be done in a way which is consistent with the Act.

16. The Employment Practices Code under the Data Protection Act deals with the impact of data protection laws on the employment relationship. The Code has been issued by the Information Commissioner and aims to give guidance and promote good practice.
17. Employers especially in the public sector must also bear in mind Article 8 of the European Convention on Human Rights, which creates a right to respect for private and family life, home and correspondence. In broad terms, what this Act requires is that any adverse impact on employees is justified by the benefits to the employer and others.
18. The procedure has been subject to an Equality Impact Assessment, to meet the responsibilities of Section 149 of the Equality Act 2010. Those tasked with administering the procedure require adequate equality / unconscious bias training to ensure fairness throughout the process.

The Council's monitoring arrangements

ICT Services

19. Access to, and use of ICT services, such as internet, email, mobile devices, electronic file store (networks and storage devices) and printing is subject to the scrutiny of the employer.

Tracking systems

20. The Council uses vehicle tracking systems to manage its vehicle fleet using real time information to improve operational practice and service delivery. It also enables the Council to comply with legal duties in relation to Health & Safety. The system gathers GPS (geographical / speed) data and time information in respect of each vehicle.

CCTV

21. The Council reserves the right to view CCTV images where it is considered necessary and proportionate to do so, following suspicion or receipt of an allegation of misconduct.

Impact assessments & process

22. The Data Protection Act does not prevent monitoring, and in some cases monitoring might be necessary to satisfy its requirements. However, any adverse impact of monitoring individuals must be justified by the benefits to the employer and others. The term "impact assessment" describes the process of deciding whether this is the case.
23. An Impact Assessment form has been designed to ensure that the relevant factors are taken into account when deciding if monitoring is justified and to ensure that the exercise is properly authorised.
24. As an employer, managers are likely to find it helpful to carry out an 'impact assessment' to decide if and how to carry out monitoring. This is the means by which it is established whether a monitoring arrangement is a proportionate response to the problem it seeks to address. It should assist employers in identifying and giving

appropriate weight to the other factors they should take into account as outlined in the Impact Assessment Form.

25. The Impact Assessment Form (Appendix A) should be completed by the relevant officer in respect of each monitoring exercise and emailed via a Cardiff Council email account for professional advice from the Audit Manager and the Information Governance OM. The advice / comments received will be included on the Impact Assessment Form, for consideration by the Authorising Officer.
26. Where the monitoring relates to ICT systems, if the form appears to identify an appropriate request, contact will be made with the ICT Security and Compliance Manager, to ascertain if proposed monitoring is achievable before forwarding to the Authorising Officer.
27. The Authorising Officer will discuss the Impact Assessment Form with the OM Principal Solicitor (Litigation) or an equivalent representative, as assigned by the Monitoring Officer. The Authorising Officer will require the agreement of the representative in Legal services to counter-sign the Impact Assessment Form in order to proceed with the monitoring exercise.
28. The Authorising Officer, will make the final decision to authorise / not authorise the monitoring exercise, and will sign the Impact Assessment Form, which will be counter-signed by the representative in Legal Services. The decision will be communicated within 5 working days of their receipt of the form. The Authorising Officer will keep authorised requests under regular review.
29. Each request will be dealt with on a case by case basis taking into account the requirements of the Data Protection Act, and the Employment Practices Code. Officers will be asked, as part of the request, what considerations have been taken into account in respect of an adverse effect on others and what other action has been considered prior to requesting the monitoring of an employee.
30. This information will be held securely by the Authorising Officer for a period of time as specified within the Council's Retention Schedule and securely destroyed when no longer required. Information will be kept confidential at all times as set out in employee's contract of employment and the Council's data protection policies and procedures.
31. The Monitoring Officer will retain a copy of each Impact Assessment for a period of time as specified within the Council's Retention Schedule.
32. Questions in relation to this process should be directed to the Audit Manager (fraud@cardiff.gov.uk).
33. It is intended to review this process every two years.



Cardiff Council Review of Work Activities – Impact Assessment

Applicant		Section	
Place of work			
Contact number			

PURPOSE OF MONITORING

1. Describe the conduct to be authorised

Explain what is being investigated, for example:

- Investigate allegation of misuse of email/internet
- Investigate allegation of employee falsifying timesheets
- Investigate allegation of theft of fuel

2. Describe in detail the operation (include duration, vehicles, equipment, subject(s), resources etc)

The key phrase is “in detail.” Therefore a response which merely states “Video camera and recording equipment will be installed at a fixed point” will not be adequate.

Your statement here needs to include what is going to be done, who is going to do it, when they are going to do it, where they are going to do it, how they are going to do it and also:

- How long will the monitoring last?
- Specific details about dates and times i.e. is it 24/7, at specific times of the day or at random times?
- Which premises are to be used and/or targeted?
- Which vehicles are to be used? Are they public or private?
- What type of equipment is to be used? e.g. covert cameras
- What is the capability of the equipment to be used? e.g. zoom lens, remote controlled, audio etc.
- Who else will be involved in the operation and what will be their role? e.g. Internal Audit, ICT, Police

It may be appropriate to attach plans/maps showing where and how the surveillance will be conducted and indicating where any surveillance equipment will be installed.

3. What do you expect to obtain as a result of monitoring

- Internet usage logs to establish if the Council’s system was used in order to undertake personal, business activities
- Evidence to determine if the employees are leaving work at a time different to their time sheet entries
- Evidence to determine if the employee is undertaking secondary employment which has not been declared and may be detrimental to their recovery.

INDIVIDUAL SUBJECT TO MONITORING

4. Employee details			
Name		Address	State N/A if not relevant
Job title		Directorate	
Place of work		Address of monitoring	State N/A if not relevant

ADVERSE IMPACT

5. Identify any likely adverse impact as a result of monitoring
<p>Mutual trust and confidence should exist between an employee and their employer, what impact could this activity have? If you undertake monitoring you may also identify information relating to others, for example, members of the public or work colleagues.</p> <p>List here all potential collateral intrusion and negative impacts of this proposed activity.</p> <p>If the employee is already aware that their use of a system will be recorded, please state so here (e.g. attended tool box talk – aware that vehicle has a tracker).</p>

ALTERNATIVES

6. What alternative actions have been considered
<p>Whilst the only other alternative may appear to be speaking to the employee, you must still show that you have considered that and any other alternatives, setting out why you have chosen not to take that course of action.</p> <ul style="list-style-type: none">• Can you get information using less intrusive means/overt methods?• What other means have you tried to obtain the same information/evidence?

OBLIGATIONS

7. How will you ensure that you comply with the Data Protection Act
<p>This involves balancing the seriousness of the intrusion into the employees privacy (or any other person who might be affected) against the need for the activity in investigative and operational terms.</p> <p>Ensure that officers who undertake the monitoring are clear on the subject of the exercise. Document how evidence will be gathered, retained, disclosed, stored, destroyed.</p> <p>Demonstrate how you have balanced the size and scope of the proposed activity against the gravity and extent of the perceived misconduct.</p>

DECISION

8. Considering the impact assessment, is the proposed activity justified
<p>The authorisation will not be proportionate if it is excessive in the overall circumstances of the case. Each action authorised should bring an expected benefit to the investigation or operation and should not be disproportionate or arbitrary. The fact that a suspected offence may be serious will not alone render intrusive actions proportionate. Similarly, an offence may be so minor that any deployment of covert techniques would be disproportionate. No activity should be considered proportionate if the information which is sought could reasonably be obtained by other less intrusive means.</p>

9. Professional Advice			
Name		Name	
Job title	Audit Manager	Job title	Information Governance OM
Comments Received			
Date			

10. Authorising Officer			
Name		Job title	<i>(Assistant Director / Chief Officer or above)</i>
Comments			
Date		Time	
Signature		To be reviewed:	E.g. within 30 days

11. Counter-Signing Officer			
Name		Job title	<i>(OM Principal Solicitor (Litigation) / equivalent)</i>
Comments			
Date		Time	
Signature			

** This authorisation if approved will be effective on signing.

Review1	
Officer	
Date	
Comments	

Review2	
Officer	
Date	
Comments	

CARDIFF COUNCIL

**Equality Impact Assessment
Corporate Assessment Template**



Policy/Strategy/Project/Procedure/Service/Function Title: Authorisation and Protocol Requirements for Review of Work Activities
New/Existing/Updating/Amending: New

Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function?	
Name: Chris Pyke	Job Title: Audit Manager, Operational Manager
Service Team: Internal Audit	Service Area: Resources
Assessment Date: 03/09/2020 (updated 11/02/2021)	

1. What are the objectives of the Policy/Strategy/Project/ Procedure/ Service/Function?

The procedure (Authorisation and Protocol Requirements) is designed to help to ensure that when a suspicion or allegation of misconduct by an employee comes to the attention of the Council, an adequate investigation, conforming to the rules of natural justice, is carried out as quickly as possible.

The procedure requires that before monitoring is undertaken a preliminary investigation is completed, and if monitoring is considered appropriate, a review of work activities impact assessment will be completed.

An impact assessment pro forma has been designed, and is contained within the procedure, to ensure that the relevant factors are taken into account when deciding if monitoring is justified and to ensure that the exercise is properly authorised.

2. Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]

The procedure has been prepared through consultation with colleagues in Internal Audit, Information Governance, HR People Services and Legal Services.

The procedure is prepared in order to support a consistent and disciplined assessment of the purpose and impact of considerations for monitoring, where there are suspicions or allegations of misconduct. The procedure is aligned to upholding the principles of the Council's Counter-Fraud and Corruption Strategy.

All employees have a duty: to be honest; to act with propriety and integrity at all times; and to adhere to legal requirements, rules, policies and practices.

CARDIFF COUNCIL

**Equality Impact Assessment
Corporate Assessment Template**

3 Assess Impact on the Protected Characteristics

3.1 Age

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative/]** on younger/older people?

	Yes	No	N/A
Up to 18 years			X
18 - 65 years			X
Over 65 years			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

It is not anticipated that the procedure will have a differential impact on younger/older people. General comments are included in section 5.

What action(s) can you take to address the differential impact?

3.2 Disability

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on disabled people?

	Yes	No	N/A
Hearing Impairment			X
Physical Impairment			X
Visual Impairment			X
Learning Disability			X
Long-Standing Illness or Health Condition			X
Mental Health			X
Substance Misuse			X
Other			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

It is not anticipated that the procedure will have a differential impact on disabled people. General comments are included in section 5.

What action(s) can you take to address the differential impact?

3.3 Gender Reassignment

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on transgender people?

CARDIFF COUNCIL

**Equality Impact Assessment
Corporate Assessment Template**

	Yes	No	N/A
Transgender People (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex)			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

It is not anticipated that the procedure will have a differential impact on transgender people. General comments are included in section 5.

What action(s) can you take to address the differential impact?

3.4. Marriage and Civil Partnership

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage			X
Civil Partnership			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

It is not anticipated that the procedure will have a differential impact on marriage and civil partnership. General comments are included in section 5.

What action(s) can you take to address the differential impact?

3.5 Pregnancy and Maternity

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on pregnancy and maternity?

	Yes	No	N/A
Pregnancy			X
Maternity			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

It is not anticipated that the procedure will have a differential impact on pregnancy and maternity. General comments are included in section 5.

What action(s) can you take to address the differential impact?

CARDIFF COUNCIL

Equality Impact Assessment Corporate Assessment Template

3.6 Race

Will this Policy/Strategy/Project//Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
White			X
Mixed / Multiple Ethnic Groups			X
Asian / Asian British			X
Black / African / Caribbean / Black British			X
Other Ethnic Groups			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

It is not anticipated that the procedure will have a differential impact in respect of race. General comments are included in section 5.

What action(s) can you take to address the differential impact?

3.7 Religion, Belief or Non-Belief

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	Yes	No	N/A
Buddhist			X
Christian			X
Hindu			X
Humanist			X
Jewish			X
Muslim			X
Sikh			X
Other			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

It is not anticipated that the procedure will have a differential impact on people with different religions, beliefs or non-beliefs. General comments are included in section 5.

What action(s) can you take to address the differential impact?

3.8 Sex

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

CARDIFF COUNCIL

**Equality Impact Assessment
Corporate Assessment Template**

	Yes	No	N/A
Men			X
Women			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

It is not anticipated that the procedure will have a differential impact on men and/or women. General comments are included in section 5.

What action(s) can you take to address the differential impact?

3.9 Sexual Orientation

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
Bisexual			X
Gay Men			X
Gay Women/Lesbians			X
Heterosexual/Straight			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

It is not anticipated that the procedure will have a differential impact in respect of sexual orientation. General comments are included in section 5.

What action(s) can you take to address the differential impact?

3.10 Welsh Language

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on Welsh Language?

	Yes	No	N/A
Welsh Language			X

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

It is not anticipated that the procedure will have a differential impact on welsh language. General comments are included in section 5.

What action(s) can you take to address the differential impact?

4. Consultation and Engagement

CARDIFF COUNCIL

Equality Impact Assessment Corporate Assessment Template

What arrangements have been made to consult/engage with the various Equalities Groups?

A copy of the procedure has been shared and discussed with the Equality Team and Trade Unions.

5. Summary of Actions [Listed in the Sections above]

Groups	Actions
Age	Not applicable
Disability	Not applicable
Gender Reassignment	Not applicable
Marriage & Civil Partnership	Not applicable
Pregnancy & Maternity	Not applicable
Race	Not applicable
Religion/Belief	Not applicable
Sex	Not applicable
Sexual Orientation	Not applicable
Welsh Language	Not applicable
Generic Over-Arching [applicable to all the above groups]	Not applicable

Comment	<p>There will be no adverse impact on any Equality groups or protected characteristics, as the procedure supports the Council in its duty to protect public resources.</p> <p>The review of work activities impact assessment document, and authorisation process, will ensure that all relevant obligations and adverse impacts are appropriately taken into account in the consideration of requests for monitoring employees at work.</p> <p>The procedure requires that decisions must bear in mind Article 8 of the European Convention on Human Rights, which creates a right to respect private and family life, home and correspondence. There is a requirement for any adverse impact on workers to be justified by the benefits to the employer.</p> <p>That all those tasked with administering the procedure should have received adequate equality/unconscious bias training to ensure fairness throughout the process.</p>
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CARDIFF COUNCIL

Equality Impact Assessment Corporate Assessment Template

6. Further Action

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

7. Authorisation

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By : David Hexter	Date: 11 February 2021
Designation: Group Auditor (Investigations)	
Approved By: Chris Pyke	
Designation: Audit Manager, Operational Manager	
Service Area: Resources	

- 7.1 On completion of this Assessment, please ensure that the Form is posted on your Directorate's Page on CIS - *Council Wide/Management Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council.

For further information or assistance, please contact the Citizen Focus Team on 029 2087 2536 / 3262 or email equalityteam@cardiff.gov.uk

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CABINET MEETING: 18 MARCH 2021

CARDIFF COUNCIL ANNUAL COMPLAINTS REPORT 2019 - 20

**FINANCE, MODERNISATION AND PERFORMANCE
(COUNCILLOR CHRIS WEAVER)**

AGENDA ITEM: 9

Reason for this Report

1. To report to the Cabinet on the operation of the corporate complaints procedure between 1st April 2019 and 31st March 2020. The statistics for corporate complaints are set out by service area.

Background

2. Complaints provide valuable information about how we are performing and what our customers think about our services. Most people who complain tell us what we have done wrong and how we can do better; we use this information to improve our services, strengthen our relationships with customers and make better use of our resources. Publishing this annual report demonstrates the Council's commitment to transparency and a positive approach to dealing with and learning from complaints.
3. The Council's complaints procedure reflects guidance given in the Welsh Government Model Policy and Guidance Paper for Handling Complaints. This was further supported by the Public Services Ombudsman for Wales. Complaints Managers record information about the number of complaints they have received and how quickly they acknowledged and responded to the complaints. This information is submitted to the Corporate Complaints Team at the end of each quarter. The Corporate Complaints Team use this information to ensure that the complaints policy is being adhered to. Meanwhile, the Public Services Ombudsman for Wales captures detailed information regarding complaints against the Council which is included in his annual report.
4. In the coming year, Officers will undertake a review of the complaints management process as whole, focusing not just on a timely response to matters raised but on a consistent and focused approach to matters whether raised by a member of the public or an elected official.

Complaints

5. A total of 2,859 complaints were recorded during 2019-20. This is a 12.1% increase from the previous year, when 2,550 complaints were recorded.

Compliments

6. As an organization, we receive many positive comments about our staff and the services we provide. Knowing where things are working well and are appreciated is as important to capture as knowing where things are perhaps not working. We therefore keep a record of the compliments we receive as well as the complaints. Good practice and learning can then be circulated across the Council.
7. Across the year 2019-20, Cardiff Council received a total of 2,345 recorded compliments, which is a 10.2% decrease from the previous year when 2,611 compliments were recorded.

Ombudsman Complaints

8. Recommendations in Ombudsman reports and observations about our strengths and weaknesses help us improve our processes. The Ombudsman closed 120 cases involving Cardiff Council in 2019-20 compared to 110 cases in 2018-19. The Ombudsman received 11 premature complaints (defined as when the council has not had a reasonable opportunity to deal with the complaint itself). 44 cases were closed by the Ombudsman after initial consideration and with no further action required by the Council. A further 21 cases were declined because the Ombudsman was satisfied with action proposed or taken by the Council and 40 cases were out of the Ombudsman's jurisdiction. There were 4 cases accepted for further investigation during 2019-20, however all 4 were not upheld after consideration by the Ombudsman.

Reason for Recommendations

9. To enable Cabinet to have corporate overview of the complaints and compliments process during 2019/20 and to note the information contained within the report.

Financial Implications

10. This report has no direct financial implications. Any financial implications of future changes made to improve processes and learn from complaints will need to be met from existing resources.

Legal Implications

11. There are no direct legal implications arising from this report.

HR Implications

12. There are no HR implications arising from this report.

RECOMMENDATIONS

Cabinet is recommended to note the contents of the report.

SENIOR RESPONSIBLE OFFICER	Isabelle Bignall Chief Digital Officer
	12 March 2021

The following appendix is attached:

Appendix 1 –Cardiff Council Annual Complaints Report 2019-20

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Cardiff Council

Annual Feedback Report 2019/20



Foreword

Welcome to our 2019/20 Annual Feedback Report, a document that details the complaints and compliments received by the Council during the previous financial year.

By the end of the 2019/20 financial year, Council operations were starting to become significantly and profoundly affected by the COVID-19 virus. This report has subsequently been delayed due to the demands of the pandemic.

Following this learning experience, there will be no such delay next year and our Annual Feedback Report 2020/21 will follow promptly in the summer of 2021. In this summer's report, I will present further information about how we responded during one of the most challenging years imaginable, though our most up to date suggests there will be a decrease in complaints when compared to 2019/20.

Bringing it back to the period this report covers – 1st April 2019 until 31st March 2020 – the number of complaints received rose from 2,550 in the previous year to 2,859. Whilst we always want to provide services that lead to the fewest complaints possible, we welcome engagement from our citizens about both positive and negative experiences of Council services. Consideration of these complaints and compliments is an opportunity to learn and improve. We continue to want it to be as easy as possible to access our complaints process, through a variety of channels, and for every complaint to be properly recorded, so that the greatest amount of feedback is received.

While complaints to the Council have increased, the number of complainants that then proceeded to take their complaint to the Public Services Ombudsman for Wales has remained relatively static (pages 12-13). We feel this represents the trust that our customers have in us as a council to “investigate once, investigate well”.

It is also clear that our complaints service is committed to continuous improvement. In particular, I welcome the increased amount of work we have carried out to share the lessons learned from the complaints we have received. This report is illustrated with examples of how we as a council have learned from complaints (pages 14-16).

Finally, the priorities for the complaints service can be found at the end of this report (pages 27-28). Going forward, regular data will need to be provided by the council to enable the Ombudsman's Complaints Standards Authority to identify trends and patterns in public service delivery. We welcome this as a positive move and hope that it will further emphasise our commitment to being an organisation that values complaints as tools for feedback, learning and improvement.

As always, I would like to finish this foreword by taking this opportunity to thank our staff who work with complaints across the council and for the service they provide every day to the citizens of Cardiff.

Councillor Chris Weaver - Cabinet Member for Finance, Modernisation and Performance



1. Reason for this report

To report to Cabinet on the operation of the corporate complaints process between 1st April 2019 and 31st March 2020. The statistics for corporate complaints are set out by Directorate.

A complaint is defined within the Council as:

“An expression of dissatisfaction, however made, about the standard of service, action or lack of action by the Council, or its staff, affecting an individual customer or group of customers.”

Complaints recorded under the corporate complaints process do not include ‘first time’ representations which are effectively requests for service and are dealt with as such. A new report of a pothole or a missed bin for example, would not be registered as a complaint, but as a request for service. Of course, in the event that we failed to respond to the ‘request’ appropriately, then that may generate a complaint.

The number of compliments received and recorded during 2019/20 is also set out in this report. Many people get in touch with a compliment when the information or support they have received has exceeded their expectations. We like to recognise compliments alongside any complaints. It is good for us to say ‘thank you’ to our teams and staff too.



2. Our complaints process

The Council's complaints process reflects guidance given in the Welsh Government Model Policy and Guidance Paper for Handling Complaints. This was further supported by the Public Services Ombudsman for Wales.

Complaints, comments and compliments can be made face-to-face or by telephone, email, letter or by using the online form found on the Council's website.



Complaint received. A complaint can be registered via any Council venue and once received, should be forwarded to the Service Area Complaints Manager. Every Council Directorate has a lead officer for complaints. The Complaints Manager will ensure complaints are acknowledged and recorded and facilitate the investigation of the complaint in accordance with the corporate complaints procedure.

Acknowledgment. The Complaints Managers will aim to acknowledge complaints within 5 working days. At this stage, we can let the customer know who is dealing with their complaint and our understanding of what the customer's complaint entails. We can also let the customer know that a full response will follow within 20 working days of our receipt of the complaint.

Full response. At the end of an investigation, a response should be produced depending on how a customer has indicated they prefer to be contacted. The response should include the outcome of the investigation as well as any necessary action taken for service improvement. The Public Services Ombudsman for Wales states that the aim of every formal investigation should be to "investigate once, investigate well". Advice will also be included on the full response on what the complainant should do if they remain dissatisfied with the outcome – to contact the Ombudsman.

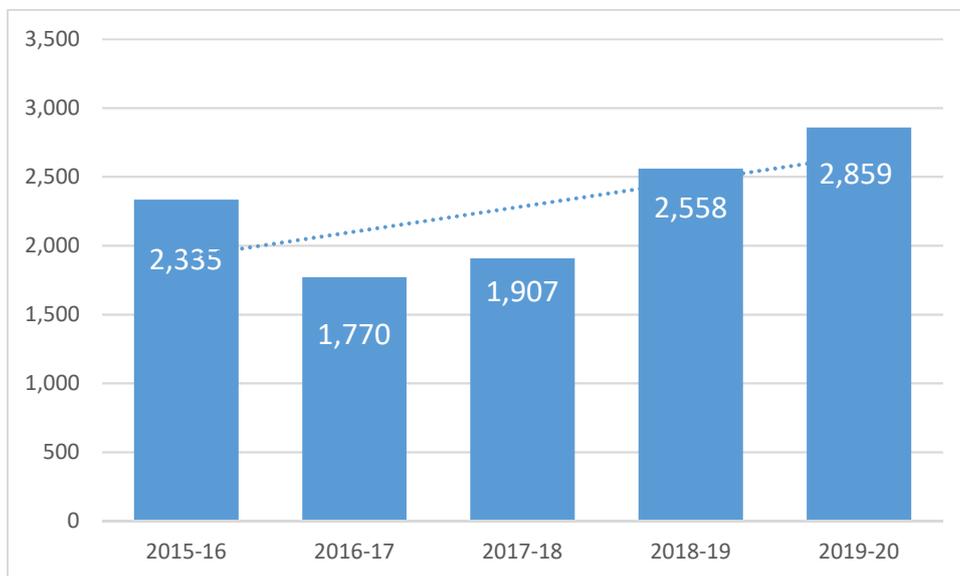
Public Services Ombudsman for Wales. Complaints that progress to the Ombudsman will have been thoroughly investigated by the service area. If a complainant remains dissatisfied, it is for the Ombudsman to assess whether there is any evidence of service failure or maladministration not identified by the Council.



3. Complaints for Cardiff Council in 2019-20

A total of **2,859** complaints were recorded during 2019/20. This is a 12.1% increase from the previous year, when 2,550 complaints were recorded.

Year	Number of complaints
2019-20	2,859
2018-19	2,550
2017-18	1,907
2016-17	1,770
2015-16	2,335



Complaints received per 1,000 of population

	2017/18	2018/19	2019/20
Cardiff population (estimate)	361,168	362,756	366,903
Total number complaints received	1,907	2,550	2,859
Number of complaints received per 1,000	5.3	7.0	7.8

The population of Cardiff is estimated at 366,903 (Source: <https://statswales.gov.wales>). In 2019/20, Cardiff Council handled 2,859 complaints from customers, meaning that an average of 7.8 complaints were received per 1000 residents.



4. Complaints breakdown for Cardiff Council

A total of 2,859 complaints were recorded during 2019/20. This is a 12.1% increase from the previous year, when 2,550 complaints were recorded.

A breakdown of the number of complaints received by service area can be found below.

Service Area	Number of complaints 2018/19	Number of complaints 2019/20
Waste Collections	890	1256
Housing & Communities	479	543
Arts & Theatres	291	294
Finance	120	163
Traffic & Transportation	141	130
Neighbourhood Services	253	110
Customer & Digital Services	104	79
Parks & Harbour Authority	81	76
Highways Maintenance	42	63
Economic Development	65	50
Education	44	26
Bereavement & Registration	24	23
Planning	13	20
Governance & Legal Services	2	15
HR	1	2
Total	2550	2859

NB Complaints for Social Services are recorded under their statutory complaints procedure rather than the corporate complaints procedure. Information on this can be found at the end of this report.

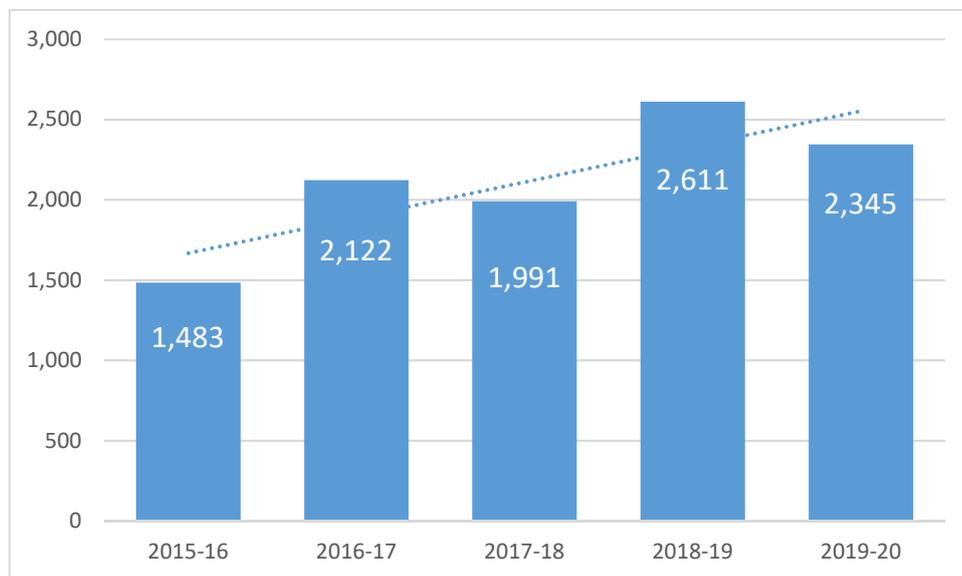
Service Area	Number of complaints 2018/19	Number of complaints 2019/20
Adult Services	70	64
Childrens Services	185	146



5. Compliments for Cardiff Council in 2019-20

A total of 2,345 compliments were recorded during 2019/20. This is a 10.2% decrease from the previous year, when 2,611 compliments were recorded.

Year	Number of compliments
2019-20	2,345
2018-19	2,611
2017-18	1,991
2016-17	2,122
2015-16	1,483



Compliments received per 1,000 of population

	2017/18	2018/19	2019/20
Cardiff population (estimate)	361,168	362,756	366,903
Total number compliments received	1,991	2,611	2,345
Number of complaints received per 1,000	5.5	7.2	6.4

The population of Cardiff is estimated at 366,903 (Source: <https://statswales.gov.wales>). In 2019/20, Cardiff Council handled 2,345 compliments from customers, meaning that an average of 6.4 compliments were received per 1000 residents.



6. Compliments breakdown for Cardiff Council

As an organisation, we receive many positive comments about our staff and the services we provide. Knowing where things are working well and are appreciated is as important to capture as knowing where things are perhaps not working. We therefore keep a record of the compliments we receive as well as the complaints. Good practice and learning can then be circulated across the Council.

A breakdown of the number of compliments received by service area can be found below. We have also provided examples of the types of compliments received over the following pages.

Service Area	Number of compliments 2018/19	Number of compliments 2019/20
Housing & Communities	703	613
Arts & Theatres	477	449
Customer & Digital Services	472	465
Bereavement & Registration Services	180	312
Waste Collections	217	137
Economic Development	131	115
Parks & Harbour Authority	161	101
Neighbourhood Services	140	48
Planning, Transport & Environment	98	87
Finance	25	11
Education & Lifelong Learning	4	3
Governance & Legal Services	3	4
Total	2,611	2,345

NB Similar to complaints, compliments for Social Services are recorded under their statutory procedure rather than the corporate complaints procedure. Information on this can be found at the end of this report.

Service Area	Number of compliments 2018/19	Number of compliments 2019/20
Adult Services	21	48
Childrens Services	98	91



During 2019/20, 2,345 compliments were recorded; a selection of those compliments is set out below.

Arts & Theatres

“I attended the classic rock show recently with my younger brother who has autism and ADHD. We had a wonderful time and all of the staff were amazing. In particular, a volunteer made us very welcome and ... spoke to the manager and found somewhere to relocate us if needed. She made the experience so good for myself and my brother who doesn't get to access the arts often due to his disabilities so I just wanted to let management know that she went above and beyond her role and deserves a high commendation for her work that night”

Bereavement Services

“Thank you for your very understanding and caring way you conducted every part of my brother's service. It was something I didn't expect you went the extra mile and it made the world if difference. The service was so compassionate and I will look back with fond memories and a lifted heart.”

Citizen Hub

Letter from service user published on WalesOnline – service user had visited Central Library Hub on two occasions to order bus passes and did not wait more than 5 minutes at either visit. "The Service is excellent with very courteous and competent staff"

Connect to Cardiff

Customer called to pass on a compliment for a member of staff and said that X was an absolute star on the call. Customer said that call centre agents don't get the recognition they deserve so wanted to pass this compliment on, when he calls other call centres he doesn't often experience such good service and wanted to feedback on his positive experience.

Economic Development – Events team

“I just thought I'd drop you a quick note to say well done, congratulations and thank you to yourself and all the team for making our debut at Cardiff Food and Drink Festival such a fantastic and memorable event. From start to finish the organisation was top class, the staff were all friendly and couldn't do enough to help. Even the setting up and breaking down was completely hassle free and well organised (not the usual bunfight of most events!) and the people of Cardiff were a total pleasure to deal with and our product was most certainly very well received”

Electoral Services

“I just wanted to take a moment to ... pass on my personal thanks to you all for the incredible work you did to deliver the General Election in 2019. A December election was never going to be an easy challenge ... but each and every one of you went over and above to ensure the day was a success”



Finance - Recovery

“I was under a great deal of stress regarding recovery of a moving traffic ticket...family circumstances and my own health made this impossible to deal with and pay. I put in a complaint as a last resort and X from recovery has turned this into a huge compliment! X has been fantastic, calmly and professionally explaining everything for me...I just wanted to give her a big thank you and let the council know what an asset to them they have!”

Harbour Authority

“The event was a complete success and it was a thoroughly enjoyable day for both competitors and spectators. Hopefully the Varsity Boat Races will come back to Cardiff in a few years’ time and I wish you every success with it. It has been one of the highlights of my year so far”

Highways

“Credit when it's due. Met your fabulous guys repairing the potholes in the Heath this morning. I was very impressed with the professional and industrious way they carried themselves. Thank you, pleasure to meet you chaps.”

Housing – Anti-Social Behaviour team

“To everyone at the department, we wish to express our deepest gratitude for all the help you have given us during this dramatic period in our lives. We doubt if you ever fully appreciate what it meant to us to have your support, and the knowledge that you were there to help us through our deepest and darkest moments. We never thought that we would have relied on people as much as we have in this case, and you have come through with flying colours. You have all been there as a team in a situation which we found ourselves drowning in depression and self-doubt. We cannot express our gratitude enough. Thank you all.”

Housing – Independent Living Services

“Thank you for everything! From the initial first phone call right through to the completion of work and services, and the phone calls to check, we were so happy with everything. I would just like to mention the workmen who carried out the work, very clean and efficient, I can't praise them enough. You couldn't have done anything better.”

Libraries

“This library is just what the community needs – a comprehensive range of books, good groups and events and lovely people. Happy days!”

Neighbourhood Services

“I passed some of your employees late morning today. They were in a truck that had a cage on the back and appeared to be delivering something. Both employees had gotten out of their van (whilst leaving it safely) to assist an older lady whose car had broken down and was causing an obstruction at the lights. It was lovely to see



people who were happy to work outside of their job description to help a citizen who was in a tricky situation when no one else had stopped. Please pass on to them that what might seem like a small act of kindness was noticed. I was going to stop and help the lady, but when I noticed that they were Council staff I felt happy that she was in safe hands. Employees of the month for both of them please Cardiff Council”

Parks

“I would like to compliment the parks department on their fast service and for keeping our children safe. I sent an email yesterday morning about the brambles sticking out of the bowling green. Today it’s now home time and they have all gone. Thank you for all your hard work and efforts. I also complained before about an extremely bad over grown hedge and you dealt with this. I am so thankful to have such a great team of guy/girls working at Cardiff Council”

Planning, Transport & Environment

“I am a Cardiff resident and I just wanted to say "thank you" to you and all your many staff. Today is bin collection day in my part of Cardiff and I was looking at the sheer number of bins lined up along my very long road. For each and every bin, there is a family that relies on the early-risers who take our rubbish away. It occurred to me that, although so many residents benefit from their efforts, your staff probably don't get the thanks they deserve for all the hard work they do. So I am getting in touch to say thanks. For keeping the roads running. For keeping the parks clean. For teaching our children. For providing housing for those who need it. For making books available to us all in libraries. For checking up on vulnerable people who might otherwise be overlooked. And, yes, for collecting the bins each week. As a community, we perhaps don't say "thank you" enough. But your hard work is noticed, it's appreciated, and it makes a big difference to all the people who benefit from it. So thank you - and keep it up”

Rent Smart Wales

"Thank you ever so much, What a pleasurable experience this has been I was expecting lots of turmoil and bureaucracy, you have made this brilliant for me, thank you ever so much I am very grateful"

Telecare

“Thank you – once again in incredibly difficult and challenging circumstances – your teams continued to deliver our emergency out of hours service with a professional approach – and where very much needed a sense of humour shared with our staff– and supportive and understanding of the challenges being faced by the duty officers, operational teams and of course yourselves. It is very much appreciated – please share this message of thanks to you and the team”

Waste Collections

Customer called to say thank you very very much for collecting general waste from the property. Customer is on the Assisted Lift service and would like to say a huge thank you to the crews for collecting her waste.



7. Complaints to the Public Services Ombudsman for Wales 2019/20

A key indicator of how satisfied complainants are with the standard of investigation and the fairness of outcomes is the number of complainants that escalate their complaint to the Public Services Ombudsman for Wales.

The Ombudsman closed **120** cases involving Cardiff Council compared to 110 cases in 2018-19. The Ombudsman received 40 premature complaints (defined as when the Council has not had a reasonable opportunity to deal with the complaint itself).

A further 44 cases were declined because the Ombudsman was satisfied with action proposed or taken by the Council. 21 cases were closed by voluntary settlements during 2019/20. These are redress proposals (an apology / change of process / time and trouble payment) which enable cases to be closed without the need for full investigation. Of the 120 cases, only 4 proceeded to investigation during 2019-20, all of which were not upheld.

The Ombudsman closed the cases for the following reasons:

	2018-19	2019-20
Complainants had not exhausted the Council's complaints process - they were referred back to the Council	27	40
Cases closed by the Ombudsman after initial consideration <ul style="list-style-type: none"> • e.g. no evidence of maladministration or service failure • no evidence of hardship or injustice suffered by the complainant • little further would be achieved by the Ombudsman pursuing the matter 	45	44
Cases declined because Ombudsman was satisfied with action proposed or taken by Council (Quick-Fix / Voluntary Settlement)	19	21
Cases out of Ombudsman's jurisdiction	19	11
Cases withdrawn by complainant	0	0
Complaint led to an Ombudsman's report – complaint upheld	0	0
Complaint led to an Ombudsman's report – complaint not upheld	0	4
Total	110	120



Ombudsman Complaints - a yearly comparison

The table below shows the total number of complaints made to the Ombudsman regarding Cardiff Council over the last five years.

Year	
2019-20	120
2018-19	110
2017-18	123
2016-17	133
2015-16	143

Investigations leading to reports

The Ombudsman issues a report if he finds that a complainant has suffered hardship or injustice through the Council's maladministration or service failure.

Under the Public Services Ombudsman (Wales) Act 2005, the Ombudsman can issue one of two types of report following an investigation into a complaint by a member of the public: Section 16 and Section 21.

Section 16 Report

The first type of report is known as a Section 16 report. This is issued when the Ombudsman believes that the investigation report contains matters of public interest. The Council is then obliged to publicise the report at its own expense. For the eighth consecutive year, the Ombudsman issued **0** Section 16 reports against Cardiff Council.

Section 21 Report

The Ombudsman can issue a Section 21 report if the Council agrees to implement any recommendations he has made and if he is satisfied that the case does not raise matters of public interest. The Ombudsman issued **4** Section 21 reports during 2019-20, all of which were not upheld.



8. Learning from complaints

Complaints provide valuable feedback and are viewed by our staff as a positive opportunity to learn from experiences in order to drive continual organisational improvement and prevent similar things happening again.

Our complaints handling procedure helps us to address a customer’s dissatisfaction and may also prevent the same problems that led to the complaint from arising again. For our staff, complaints provide a first-hand account of the customer’s views and experience, and resolving complaints early saves resources and creates better customer relations.

Every Council Service Area has a lead officer for complaints and Corporate Complaints Workshops have been set up to look at common issues relating to complaints handling, including standardising responses to customers, collecting customer views and developing templates.

Some of the actions we take in response to complaints might appear to be small but they can make a big difference. The following are examples - big and small - of what we have done as a result of learning from complaints

Area	Complaints analysis	Service improvement
Arts & Theatres – St David’s Hall	A complaint was received about the lack of facilities regarding the elevators and escalators at St David’s Hall and that the complainant found access to be difficult.	A Conditions Survey has been commissioned to help identify all works needed in order to renovate the hall and bring it up to current standards regarding access.
Bereavement Services	Bereavement Services have received some negative comments regarding the Gardens of Remembrance.	These comments have led to the development of a phased plan of improvements to all of the gardens, starting with Gorse and Ilex Gardens this year.
Cardiff Dogs Home	Analysis of complaints and other customer feedback has shown that there is some confusion among customers about the rehoming process and timescales.	Staff will ensure they follow the rehoming procedures fully and record relevant information at each stage. Communication with customers is key and communication needs to be clearer both on the telephone and in person. Staff from Cardiff Dogs Home have also received Customer Service training to further develop their skills in dealing with the public in often difficult circumstances.



Area	Complaints analysis	Service improvement
Connect to Cardiff	On the rare occasion there are complaints about a member of staff, Connect to Cardiff are able to utilize the centre's call recording software.	Any upheld complaints regarding members of staff can be managed effectively with the benefit of call recordings being available for staff to hear and work through a plan of rectification with either one of our full time coaches or a Team Leader.
Economic Development – Major Events	Complaint received from complainant who was unhappy with being unable to park on two occasions at Pontcanna fields' car park, due to it being used for a cricket event.	The complainant was advised to look out in advance for signs, and if they had a specific enquiry to contact the Council's Events team so they can confirm if there are any known events taking place that could impact on parking availability.
Housing – Voids (Vacant Repairs)	When Council properties are empty (between tenants), there is a Voids team that get the property up to a standard before it is re-let. A number of complaints were received from the new tenants who find problems that hadn't been identified/rectified by Voids.	The Voids team have conducted work to improve the inspection process to ensure that it is more thorough.
Planning, Transport & Environment	Complaints concerning the condition of a road or footway can often involve a Liability Claim. Previously the service area has replied to the defect that has been reported and provided details for the Insurance Section so that a claim form can be sent to the complainant. This on occasion has caused the complaint to be escalated as the complainant would expect both issues to be dealt with at the same time.	To resolve this issue the service area has discussed the matter with Corporate Complaints and Connect to Cardiff, which has resulted in a Liability Claim form now automatically being sent to the customer where a defect is reported and a claim is being made.



Area	Complaints analysis	Service improvement
Rent Smart Wales	The Rent Smart Wales system was updated and caused a number of system errors, causing customers to complain about the lack of contact/updates complainants received.	We have worked with developers and our contact centre to proactively contact cases where an error has prevented progress and advise them of timescales and development.
Revenues	A complaint was received due to the length of time taken to process an application for discount in respect of somebody who was deemed to be Severely Mentally Impaired.	Although the application was addressed within a reasonable timescale, based on correspondence being dealt with in date order. It was considered that these type of applications should perhaps be prioritised above other correspondence. A recommendation was made and agreed for future applications to be prioritised.
Revenues	An attachment of Earnings was taken in addition to full payment previously being made by other methods, resulting in a complaint.	Although this would be an uncommon situation, a new daily list is now being produced to identify such occurrences and a work instruction distributed to mitigate such incidents. Letters have also been adjusted to advise debtors to inform the Council that if any additional payments are made against their debt.
Waste	There have been an increase in complaints during 2019/20 and we recognise that it is essential that moving forward we reduce missed collections, particularly assisted collections.	Waste Collections have introduced a four-fold plan to address this matter - more information on this can be found on page 16.

9. Complaints by area

Waste Collections

The number of complaints received by Waste Collections has increased by 41% from 890 in 2018/19 to **1256** in 2019/20.

Service Area	2018/19	2019/20
Waste Collections	890	1256
Number / Percentage of complaints responded to on time	774 (87.1%)	988 (78.66%)

Whilst in-cab technology has been introduced to assist with ensuring collections are completed as scheduled, we are still experiencing a high number of missed collections, particularly assisted collections. In addition, due to the ageing fleet and resourcing issues, we did experience a number of delayed collections during 2019/20, whereby collections were not completed as scheduled.

There has also been a significant number of new properties built in Cardiff over the last year, and Waste Management has experienced access issues to some of these sites resulting in further non-collection complaints.

The number of complaints is considered to be extremely low when the volume of waste service delivery is taken into account. With approximately 170,000 address points currently serviced citywide, over 538,000 waste collections are carried out weekly – which is equivalent to over 25 million collections a year. Additionally, Waste Management also provided education to residents, bulky waste collection services and delivery/repair services across the City, as well as access to two household waste recycling centres during the 2019/20 period.

Waste recognises that it is essential that moving forward the number of missed collections needs to be reduced, particularly assisted collections. The plan to address this is -

- ✓ Introduce a new way of working which includes a single shift between 6am and 3.45pm. This will result in an easier to maintain fleet, as well as increase our ability to complete collections on the scheduled day. Alongside this, we will monitor completion of rounds from an operational control room to ensure work is reallocated where required to make sure it is completed on the day.
- ✓ Rolling replacement of the vehicle fleet, resulting in newer, more reliable vehicles.
- ✓ Develop an improved customer requests and complaints process to reduce any possibility of duplication and streamline the service – as outlined in the team plan objective for waste collections for 2020-2021.
- ✓ Introduce headsets for food waste loaders: Currently food waste loaders are regularly away from the vehicle and therefore the driver cannot alert them to the assisted collections that are highlighted on the in-cab device. Headsets provide a way for the driver to communicate assisted collections to the loader.



Planning, Transport & Environment

Service Area	2018/19	2019/20
Highway Maintenance	42	63
Planning (including Building Control)	13	20
Traffic & Transportation	141	130
Total	196	213
Number / Percentage of acknowledgments sent within 5 working days	183 (93.3%)	188 (88.26%)
Number / Percentage of responses sent within 20 working days	151 (77.1%)	167 (78.4%)

Highway Maintenance received 63 complaints for 2019/20. This is an increase of 21 on the previous year when 42 complaints were recorded.

The highest number of complaints received was again related to Potholes and Paving (29 complaints). This is an increase of 13 on the previous year when 16 complaints were received. Again, like previous years, the majority of complaints were concerning the quality of the pothole repair, although this is often attributable to the repair only being temporary to make the area safe and serviceable until a permanent repair can be provided. A number of complaints also concerned the time taken to repair a pothole. Unfortunately, due to the sheer number of potholes reported, there may be a delay between the defect being reported and the time taken to repair the pothole, however, officers do endeavour to repair/make safe any defect as soon as possible.

Maintenance Operations received 14 complaints in 2018/19 compared with 8 in the previous year. The largest number of complaints were concerning blocked drains (8). It should be noted that once a blocked drained has been reported, a drainage crew will endeavour to attend the location within 48hrs to cleanse/flush the drain accordingly. Also, when there are torrential downpours, the cause of flooding can sometimes be attributed to the drain reaching its capacity and not any actual blockages to the drain.

Traffic & Transportation received 130 complaints for 2019/20, which is a decrease of 11 from the total (141) for 2018/19.

The highest number of complaints again related to Penalty Charge Notices (25 complaints received by the service area). The main reason for the complaints were that their appeals against the charge had been rejected. The issuing of a penalty charge notice is a legal process and all appeals received against the issue of a notice are dealt with using the correct legislative process. There has also been a large number of complaints received concerning resident parking policy (17), especially with regards to the non-entitlement of resident parking permits for new build properties.



Civil Parking Enforcement received 18 complaints. This is again a decrease from the 28 complaints that were received in 2018/19. The fall in complaints of this nature is likely to be because motorists are now more aware to the increased enforcement of moving traffic offences such as yellow box junctions and also bus lanes, and have started to alter their driving habits accordingly. Training is also provided to CPE Officers to deal with difficult situations.

Road Safety Schemes have seen a slight decrease in complaints during 2019/20, with 14 complaints received compared to 17 for the year before. Although these comments are logged as complaints, essentially the information is classed as feedback to the scheme and included as part of the post-scheme monitoring process. These comments are a valuable aid when assessing if any adjustments are required to a scheme.

The **Planning Service** received 20 complaints in total for 2019/20. This is an increase of 7 on the previous year where 13 complaints were recorded. These complaints covered a range of issues relating to planning applications, the planning consultation process, planning decisions and compliance with Building Regulations. This figure is small considering that Development Management determines approximately 3,000 planning applications per year. Many of these applications will require negotiating with multiple parties to discuss contentious issues and securing decisions using either Delegated Powers or by reporting through the Planning Committee. Planners also investigated approximately 501 Enforcement Cases where planning permission had not been granted, developments had not complied with permissions granted, and unauthorised and alleged unauthorised developments had been undertaken.

Bereavement & Registration

Service Area	2018/19	2019/20
Bereavement & Registration	24	18
Cardiff Dogs Home	N/A	5
Number / Percentage of complaints responded to on time	24 (100%)	23 (100%)

There were 18 recorded complaints via emails and letters for **Bereavement & Registration Services** in 2019/20 compared to 24 in 2018/19, and 5 recorded complaints for **Cardiff Dogs Home**.

Bereavement and Registration Services actively encourages the bereaved and all Registration Service users to contact them should they experience any issues with any burial, cremation, marriage or registration service as these are such significant events where we cannot afford to make errors.



Complaints are received by email, via C2C, in writing and also via Bereavement Services' reception area where service monitor forms are completed. All complaints are recorded on a database and dealt with as soon as possible and always within the timescale. Service Provision Questionnaires are sent to all those who use Bereavement and Registration Services which provides an additional avenue for people to advise us of any issues with the services they have received.

It is important to note that due to the high number of visitors to the service – with over 4,000 funeral services per annum, approximately 500,000 visitors to our sites, 9,000 registrations for births and deaths, and 1,500 marriages – the complaints are very minimal and equate to under 0.01% of all visitors to our sites.

Bereavement and Registration Services is a 'right first time' service in which our customers, the bereaved, or those carrying out life changing events are our ultimate priority. Customer requests and comments via service monitor forms and questionnaires are scrutinised and service standards have been developed to inform the public. From these standards, monthly performance data is monitored to ensure that we are meeting our commitments to Cardiff's citizens. Annually our level of customer satisfaction averages 99%.

Visitors often come to us in quite a vulnerable state and at differing points in their grieving process. This can mean that small issues may become of increased importance to them and we actively encourage families to communicate their needs with Bereavement Services via service monitor forms. In 2019-20, 28 instances of this nature were recorded and 8 instances via questionnaire responses. These are then monitored via our monthly statistics and at operational meetings. Trends in service requirements are then considered at this point as well. Where an error has occurred we will also proactively apologise in writing to the family concerned to try and stop an issue escalating.

Registration Services is also an area in which our citizens are undertaking life changing events and as such we have to respond to their needs with sensitivity and understanding. We also register deaths at University Hospital of Wales and work with the team there to ensure that any issues are dealt with in a timely manner.

Education & Lifelong Learning

Service Area	2018/19	2019/20
Education	44	26
Number / Percentage of acknowledgments sent within 5 working days	41 (93.1%)	19 (73.1%)
Number / Percentage of responses sent within 20 working days	31 (70%)	13 (50%)



The **Education & Lifelong Learning** Directorate received 26 formal complaints in 2019/2020, a decrease from the 44 recorded in 2018/19.

The most common reason for complaining was in relation to School Admissions, accounting for half of all complaints received. Of the 26 complaints received, 19 of the complaints were acknowledged within five working days. This is a reduction on the previous year. Many of the complaints that were not formally acknowledged within the timescale were being dealt with, but there was unfortunately a delay with them being formally logged. Process improvements within Education mean that we expect to be able to report an improved figure for 2020/21 for acknowledging within timescale. The Directorate responded in full to 50% of the complaints received within 20 days of receipt, which is a reduction on previous years. Further work will take place over the coming year to improve this result.

Of the complaints which were responded to outside of the 20 working day timescale, some issues were dealt with promptly by officers, but took longer to be logged via the official route, so the timescale does not necessarily reflect the customer having faced a delay in having their issue resolved. Some complaints were sent directly to the Director of Education as correspondence in the first instance, which can result in some delay. The result of these processes has an impact on the Council meeting its complaint timescales. When this occurs, the Directorate will send an interim reply explaining the reasons for delay and when the complainant can expect a response.

It is important to note that under Section 29(1) of the Education Act 2002, governing bodies of all maintained schools are required to establish procedures for dealing with complaints relating to the school or to the provision of facilities or services. The Local Authority does not have a role in investigating or resolving complaints about schools. The Welsh Government has issued guidance to support schools in dealing with complaints entitled Complaints Procedures for School Governing Bodies in Wales (Welsh Government circular no 011/2012). Within the guidance, it is the responsibility of the Local Authority to satisfy itself that all schools it maintains have adequate complaints procedures in place and that these are published. A governing body complaints procedure may, with the agreement of the local authority, include a stage for the local authority to consider the complaint. However, the statutory responsibility for dealing with a complaint remains with the governing body.

Economic Development

Service Area	2018/19	2019/20
Economic Development	65	50
Number / Percentage of acknowledgments sent within 5 working days	64 (98.5%)	50 (100%)
Number / Percentage of responses sent within 20 working days	65 (100%)	49 (98%)



Parks & Harbour Authority	81	76
Number / Percentage of acknowledgments sent within 5 working days	76 (93.8%)	74 (97.3%)
Number / Percentage of responses sent within 20 working days	77 (95.1%)	70 (92.1%)

During 2019/20, **Economic Development** received 126 complaints which is a notable decrease on the 146 recorded during 2018/19. The complaints comprised of 4 for City Centre Management, 10 for Strategic Estates, 9 for Venues and Tourism (this includes Cardiff Castle, the Events team, Cardiff Caravan Park and the Norwegian Church), 23 for Major Events, 4 for Property Services and 76 for **Parks & Harbour Authority**.

The legacy and benefit to Cardiff of hosting major events is significant and feedback from many has been overwhelmingly positive. When considering the number of high profile projects and the amount of regeneration activity across the city, the number of complaints received for 2019/20 is still a very encouraging result

Service Area	2018/19	2019/20
Neighbourhood Services	253	110
Number / Percentage of complaints responded to on time	231 (91.3%)	91 (82.73%)

110 complaints were received for **Neighbourhood Services** which comprises of; street cleansing, education and enforcement & fly tipping. This is a 56.5% decrease from the previous year when 253 complaints were recorded.

We are pleased to note that the number of complaints received by Neighbourhood Services have significantly reduced compared with 2018/2019. This indicated that the actions taken to improve the service's reporting processed have been effective.

Neighbourhood Services are now proactively monitoring performance using Power BI analytics service and Local Environment Audit & Management System (LEAMS) to identify and target hotspots. In addition to this, the introduction of Cardiff's 'log it report it' app for the reporting of general cleansing and fly-tipping issues have improved the customers experience.



Service Area	2018/19	2019/20
Arts & Theatres	291	294
Number / Percentage of acknowledgments sent within 5 working days	291 (100%)	294 (100%)
Number / Percentage of responses sent within 20 working days	291 (100%)	294 (100%)

Arts and Theatres contains two of the city's biggest arts venues, St David's Hall and the New Theatre. Complaints for Arts and Theatres have slightly increased from 291 in 2018/19 to 294 in 2019/20.

100% of complaints received an acknowledgement within 5 working days with the same number receiving a full response within 20 working days.

A large variety of shows take place within Arts and Theatres and it is important to note that the majority of complaints for this service area can be classified as 'customer preference' rather than service failure; for example, the department receives complaints about shows not being to the customer's personal taste. It is also noted that the numbers of complaints regarding the behaviour of other audience members is increasing and is likely indicative of wider issues within society, and not due to poor service provision.

Resources

Service Area	2018/19	2019/20
Revenues	120	163
Number / Percentage of responses sent within 20 working days	79.1%	80.4%

163 complaints were logged by the **Revenues** Complaints Department in what was a particularly challenging year. This represents an increase of 35.8% on the number of complaints received when compared to the previous year. A large percentage of these can be attributed to the robust stance in pursuing debtors for outstanding Council Tax and Parking Fines. Of the 163 complaints, 131 were responded to within 20 days.

The team has two full time posts responsible for logging, investigating and responding to complaints. This is in addition to maintaining quality procedures and providing Revenues training for the department, C2C and the Hubs. Unfortunately one member of staff had a period of long term sickness from April through until July 2019; 12 late responses could be attributed to this period of absence. This member of staff left the department in early March 2020, leaving a vacant post, this was further compounded by COVID 19, where resources were allocated to help achieve



Council priorities. A further 12 late responses could be attributed to this situation. Of the 32 late responses, 14 were answered within 22 days.

Improvements within the department and staff dedication have ensured that overall there has been an annual increase in the actual number of responses issued within 20 days, despite reduced resources and increased pressures.

Service Area	2018/19	2019/20
Customer & Digital Services	104	79
Number / Percentage of responses sent within 20 working days	100%	100%

Customer & Digital Services includes a number of key frontline services including Connect to Cardiff, 24/7 Services and Rent Smart Wales. **Connect to Cardiff (C2C)** has received 34 complaints which is a slight increase when compared to the 23 complaints received in 2018/19. Of the 34 complaints received, 17 were not upheld and 3 only partially upheld, leaving 14 that were considered as having genuine grounds for complaint.

Of the upheld complaints, any regarding members of staff are managed effectively with the benefit of call recordings being available for staff to hear and work through a plan of rectification with either one of our full time coaches or a Team Leader.

To further reduce complaints, our Stats and Support Team work closely alongside C2C on a daily basis and can produce accurate and timely data to the second, such as the time a customer waits to be answered or when a customer was actually passed to colleagues in the back office of our service area partners to be assisted further. This affords the ability to drill down right to the heart of the customers concerns and understand any points of failure without the need to rely on customer/staff accounts in order to form a decision.

Rent Smart Wales was introduced in November 2015, with the enforcement provisions being implemented from November 2016. From a complaints perspective, an increase in compliance and enforcement activity would ordinarily be expected to lead to an increase in the number of complaints. It is very pleasing therefore that the number of complaints received has halved when compared to the previous year, Rent Smart Wales receiving 35 complaints compared to 70 in 2018/19.

24/7 Services provides support, security and reassurance 24 hours a day, 365 days a year, to over 4,500 citizens across Cardiff. These services include Telecare, Meals on Wheels, Alarm Response Centre (ARC), Concierge and Locality Wardens.

Complaints for 24/7 Services have remained relatively static with just 10 complaints recorded during 2019/20, compared to 11 received in 2018/19.



Governance & Legal

Service Area	2018/19	2019/20
Governance & Legal	2	15
Number / Percentage of responses sent within 20 working days	100%	100%

15 complaints were received for **Governance & Legal** during 2019/20, an increase of 13 complaints when compared to 2018/19. The main reason for the increase in the number of complaints is as a result of the 2019 General Election, which resulted in an increase in activity for the team with relatively short notice to prepare. The Electoral Services Team administer elections in 4 parliamentary constituencies with a total electorate of 279,820 in 2019 and supported 191,244 electors to cast their vote. Taking the above into account, the number of complaints received is very minimal.

All complaints have been investigated and action taken to improve. This includes improved training plans for temporary staff. Despite this increase in complaints, many positive comments were received from candidates, agents and the electoral commission regarding the professional delivery of the election in Cardiff.

Housing & Communities

Housing & Communities received a total of **543** complaints in 2019/20, which is an increase on the 464 complaints received in 2018/19.

Service Area	2018/19	2019/20
Housing & Communities	479	543
Assessment & Support	103	102
Hubs & Community Services	44	40
Landlord Services	119	137
Preventative Services	6	11
Regeneration, Development & Enabling	5	8
Responsive Repairs Unit	184	233
Libraries	17	9
Adult Community Learning	1	3
Number / Percentage of complaints responded to on time	464 (96.9%)	518 (95.4%)



Housing & Communities continue to treat complaints in a positive way, looking at each one thoroughly to establish exactly what (if anything) has gone wrong. In addition to doing everything possible to resolve individual complaints, officers will always look at any changes that can be made following a complaint.

The detailed reasons for complaints are monitored at monthly meetings by the Director of Adults Social Services, Communities and Housing and other relevant staff. Any patterns, such as the types of errors being made, can then be addressed and the appropriate action taken to ensure best practice; for example, changes made to procedure or standard letters being amended.

The role of the specialised Housing Complaint Officers has expanded as hoped and they now deal with complaints relating to a number of housing teams including Landlord Services (including Social Lettings, Anti-Social Behaviour and Tenancy Management), Hubs and the Responsive Repairs Unit. This allows for a consistent and thorough approach to all complaint investigations and their roles continue to evolve.

Overall, the number of complaints has gone up slightly, but this appears to be purely the natural fluctuation that is to be expected. Having looked at the figures and the reports, there is no specific reason that can be identified. An increase in the number of complaints about Landlord Services is primarily due to an increase in complaints about the Social Lettings Unit. This may be as a result of changes to the Allocations Policy. The policy is now based on housing need rather than time served on the list and as such is much fairer. However, there are inevitably some people who have become less likely to be housed as a result of the change.

The largest proportion of complaints was about Responsive Repairs who are responsible for responsive repairs for 13,721 Council properties. 233 complaints were received and, while any level of complaints remains of concern, it should be noted that the amount of complaints is less than 0.40% of the approximately 57,000 repairs carried out in 2019/20 in total. With at least 92% of repairs being carried out by the in-house workforce and 91% of appointments made, customer satisfaction with the Responsive Repairs service remains high as is demonstrated by good feedback in the annual tenant survey.

10. Welsh Language Complaints

During 2019-20, a total of 13 complaints were received by the Council from the public in relation to the Welsh Language Standards. Whether the complaints were received in English or Welsh, they were dealt with in accordance with the corporate complaints procedure.



11. Priorities for 2021

We will continue to review the complaints service throughout 2021 and make any necessary changes to ensure that our complaints process remains customer-focused and that the Council is providing the best service possible. Below are some of our priorities this coming year so that we can achieve these goals.

Council-wide complaints system

An internal audit conducted by the Council's internal audit team identified the lack of a central repository for all complaints. Currently, each directorate is recording data using a variety of systems. Therefore, during 2021, we will be working towards implementing a Council-wide complaints system. This will also result in improved consistency of data entry across the organisation. The Complaints Standards Authority (CSA) was created as a result of the Public Services Ombudsman (Wales) 2019 Act and part of the CSA's duty is to collect and publish specific data from local authorities. A central complaints repository will help us in this regard.

Improved complaints reporting

The Public Services Ombudsman (Wales) 2019 Act will require Local Authorities to report on its complaints performance twice a year. This, in addition, to the ad-hoc requests from senior management for complaints performance data, emphasises the importance of a council-wide repository for complaints that can produce council-wide data quickly. To meet the requirements of the act, in addition to the Annual Complaints Report, the Corporate Complaints team will produce a second report to take to Informal Cabinet at the six-month period. This increased reporting will enable our complaints team to conduct frequent trend analysis of the main reasons complaints are made and this could lead to possible and timely improvements.

Improved compliments recording

There continues to be a concern that the good service provided every day by officers within the Council is not being represented. The complaints team will look at ways of updating our recording procedure to ensure our compliments are captured and that we are continuing to take on board what our customers want. Staff will also be reminded that it is important to report compliments as well as complaints. Compliments provide very helpful feedback and provide us with a flavour of what works well and what people using our services really value. Furthermore, a section receiving larger numbers of complaints can appear to be a concern until a consideration of compliments highlights that there is a more balanced view of the service overall.

Guidance document for handling complaints and compliments

The Comments, Complaints and Compliments Policy provides process information for stakeholders, however we are working towards updating our guidance policy for Service Area Complaints Officers. This guidance policy will define how complaints and compliments should be identified, recognised, recorded and reported for improved consistency across the organisation.



Training from the Ombudsman

Since the publication of this report, many of the Service Area Complaints Officers have attended free training provided by the aforementioned Complaints Standards Authority. This training has covered a wide range of topics and has been very warmly received. More Complaints Officers will be attending this training in 2021.

Customer Service training

Whilst the Complaints Standards Authority and Corporate Complaints Team will continue to provide specific training on complaint handling, we will also promote the popular Customer Service training offered by Customer & Digital Services. Whether we are working with external or internal customers, great service is crucial in how we operate across the council and ultimately, can result in decreased complaints and costs.



**CARDIFF COUNCIL
CYNGOR CAERDYDD**



CABINET MEETING: 18 MARCH 2021

PAY POLICY 2021/2022

**FINANCE, MODERNISATION AND PERFORMANCE
(COUNCILLOR CHRIS WEAVER)**

AGENDA ITEM:10

Reason for this Report

1. To ask the Council to agree a Pay Policy Statement for 2021/22, in accordance with the requirements of the Localism Act 2011.

Background

2. Cardiff Council understands the importance of having a clear written policy on pay for employees. The policy statement provides a framework to ensure that employees are rewarded fairly and objectively without discrimination.
3. The Council also has a statutory requirement under the Localism Act 2011 to prepare a Pay Policy Statement on an annual basis. The first statement was in place by 31st March 2012 and they have been produced annually since then. Agreement (and subsequent publication) of the 2021/22 Pay Policy Statement will ensure continued compliance with this legislation.
4. The focus of the legislation is about transparency of pay for Chief Officers and how their pay compares with lower paid employees in the Council. However, in the interests of transparency and accountability the Council has chosen since 2011 to take a broader approach and produce a Pay Policy Statement covering all employee groups with the exception of teachers (as the remuneration for this latter group is set by Welsh Government Ministers and therefore not in local authority control). This policy also excludes Members of the Council as they are not employees and are governed by separate legislation via the Independent Remuneration Panel for Wales.

Voluntary Redundancy Scheme

5. The legislation also requires the Council to provide information about redundancy payments that are made to employees who leave the organisation. The current Voluntary Redundancy Policy has been in

place since 3rd April 2015. Other than the change set out in paragraph 6, and annual reviews have resulted in no further changes. There will be no change to the Voluntary Redundancy Policy for 2021/22.

6. Redundancy payments made under the Policy are calculated with reference to a week's pay up to a maximum of £538.00. Since 13th June 2017, as a result of a ruling by an Employment Appeal Tribunal (EAT) in the case of *University of Sunderland v Drossou*, in June 2017, employers must ensure that a week's pay includes remuneration 'payable by the employer under the contract of employment' and that this value should not be limited by what the employee directly receives. The rationale offered by the EAT was that employer's pension contributions formed part of the overall package of 'remuneration' offered to an employee in return for their services. The result of this is that where appropriate, the employer's pension contributions are included in the calculation of an employee's weekly pay, subject to the £538 maximum stated in the Voluntary Redundancy Policy.

Exit Payment Cap

7. As previous Pay Policy Statements have referred to the potential introduction of a cap on exit payments it has been necessary to provide an update on recent changes.
8. The Restriction of Public Sector Exit Payments Regulations 2020 that came into force on 4 November 2020. However, in February 2021 the UK government issued a Treasury Direction to disapply the regulations, whilst the process of formal revocation can take place.
9. It is understood that the UK Government may bring forward further proposals in due course.

Chief Officer Pay

10. The Standing Orders (Wales) Amendment Regulations 2014 introduced a requirement that: "*The relevant authority must determine the level, and any change in the level, of the remuneration to be paid to a Chief Officer*". The impact of this amendment was that *all* changes to Chief Officer pay had to be voted on by full Council, not just those which are determined locally. This included any pay rises which had been nationally negotiated by the JNC for Chief Officers and that they could not be paid, unless and until, they had been agreed by full Council.
11. As Chief Officers of this authority are employed under JNC terms and conditions which are incorporated into their contracts of employment, they are contractually entitled to any JNC pay rises. A decision to withhold payment (unless preceded by action to effect appropriate changes to contracts) could result in claims against the authority of 'unlawful deduction from wages' or 'breach of contract'.
12. Taking account of the contractual obligations, and the potential time delays resulting from local determination to pay JNC nationally agreed

pay rises, the WLGA pursued the matter with Welsh Government on behalf of local authority employers. As a result it was agreed that the requirement that full council must determine nationally agreed contractually entitled pay rises for Chief Officers could be met by full Council voting on an appropriate resolution to insert a suitable clause in their Pay Policy Statements to cover this issue.

13. As a result, in agreeing the 2015/16 Pay Policy Statement, Council resolved that the authority's Pay Policy Statement, from 2015/16 onwards, would include the following paragraph:

The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award of same is determined on this basis. Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC pay rises. This Council will therefore pay these nationally agreed pay awards as and when determined unless full Council decides otherwise.

14. Should the Council at any time decide that it does not wish to implement nationally negotiated JNC pay increases then that would need to be a decision of Full Council, and the Pay Policy Statement would need to be amended to reflect that decision.
15. This report recommends that the resolution continues to be applied provided that such pay increases are in line with those accounted for in the Budget set and agreed by Council on 4th March 2021. Any additional financial implications arising from the national pay agreements determined after this date that cannot be met within the Council's agreed Budget will be referred to Council for consideration and decision.

Local Government Services Pay Award 2021

16. The NJC pay agreement effective from 1st April 2021 will be implemented once agreed by the national employers. Until then the Council will continue to apply the NJC 2020-21 pay agreement in line with those accounted for in the Budget set and agreed by Council on 4th March 2021. Any additional financial implications arising from the national pay agreements determined after this date that cannot be met within the Council's agreed Budget will be referred to Council for consideration and decision.

Gender Pay Gap

17. The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, which relate to public sector employers in England and Wales, requires the publication of gender pay gap data based on a 'snapshot' date of 31st March.
18. Since the publication of the regulations it has been clarified that local authorities in Wales are not covered by the requirement to formally publish a Gender Pay Gap report, but instead must manage gender pay differences.

19. With more public sector employers being required to report on their Gender Pay Gap, and in line with the Council's commitment to fairness and transparency, it is proposed that the Council continues to voluntarily publish its Gender Pay gap report as part of the annual Pay Policy Statement, to be published by 31st March 202, however this year the UK Government has extended this date to 30th October 2021.
20. The Council uses the Greater London Provincial Council's Job Evaluation (GLPC) Scheme to determine the grades of posts using a consistent set of criteria. This ensures that the Council's grading structure is fair, transparent and equitable, and that men and women receive equal pay for work of equal value.
21. The Pay Policy Statement reports a change in the Gender Pay Gap from 2019 to 2020. The following table highlights the actual monetary change in pay between the two years:

	2019 Mean Hourly Rate	2019 Median Hourly Rate	2020 Mean Hourly Rate	2020 Median Hourly Rate
Male	14.16	12.78	14.04 (-12p)	12.85 (+07p)
Female	13.96	12.37	13.68(-28p)	11.97 (-40p)
Pay Gap	1.44%	3.21%	2.56%	6.85%

22. A positive percentage figure reveals that typically, or overall, employees who are female have lower pay than male employees. According to the national government's Gender Pay Gap information at www.gov.uk, this is likely to be the situation for most employers.
23. For 2020, the Mean hourly pay rates for both males and females are within Grade 6 of the Council's Pay & Grading Structure. The Median hourly pay rates for both males and females are within Grade 5, although the rate for male employees is the overlapping point between Grade 5 and Grade 6.
24. The reasons for the increase in the Gender Pay Gap for 2020 are varied. There have been changes to the numbers of employees employed at the different grades. There are fewer female employees employed at Grades 1 to 4 and more employed at Grades 5 and 6, but this is where both the Mean and Median hourly pay rates fall. However, this positive changes is offset by an overall increase in male employees in most Grades, but in particular at Grade 7 and above.
25. Changes to the national pay structure effective from 1st April 2019 which resulted in a reduction in spinal column points at a number of different grades will also have contributed to the change in the Gender Pay Gap.

26. When compared to those Core Cities and local authorities in Wales that have published their Gender Pay Gap, the Council's position as at 31st March 2019 compared very favourably. So far, few have published their data for 31st March 2020. Despite the increase the Council's Gender Pay Gap at 31st March 2020, it still compares favourably with the 2019 position of others, and the 2020 position, where data has been published.

Non-Guaranteed Working Hours

27. In December 2016 the Welsh Government issued principles and guidance on the appropriate use of non-guaranteed hours arrangements in the devolved public services in Wales. These principles and guidance were developed by the Public Services Staff Commission in social partnership with the Welsh Government's Partnership Council and its sector groups. The Council is committed to the principles determined by Welsh Government which apply to those employees who are employed on a relief, 'casual' or sessional basis. These employees are used in services within the Council where there is either a need to bring in an additional workforce in order to cover peaks in workload, or where the workload is on a one off basis, such as Events.

Reason for Recommendations

29. To respond to the legal requirement under the Localism Act 2011 but the production of the policy statement will also provide openness and accountability in how the Council rewards its employees.

Financial Implications

30. The rates of pay and conditions set out in the Pay Policy Statement are reflected in the Council's budget for 2021/22.

Legal Implications

31. Under Section 38 of the Localism Act 2011 the Council must prepare a Pay Policy Statement for each financial year before the commencement of that year. The Pay Policy Statement for 2021/22 must therefore be approved by 31st March 2021.
32. The Act requires the Pay Policy Statement to cover certain specific matters and the Welsh Government has issued statutory Guidance in relation to Pay Policies.
33. The proposed Pay Policy Statement for 2021/22 meets the requirements of the Act and Welsh Government Guidance.
34. The Pay Policy must be published in such manner as the Council thinks fit, which must include publication on the Council's website.
35. The Council's pay structures are considered to be compliant with Equalities legislation.

HR Implications

36. The pay recommendations will not impact on employees across the Council as it merely outlines in one policy, existing and agreed arrangements for pay and remuneration of employees.
37. The trade unions have been consulted on the Pay Policy Statement.

Property Implications

38. There are no property implications.

RECOMMENDATIONS

Cabinet is recommend to;

- (i) confirm that the decision to agree the Pay Policy Statement constitutes agreement to implement the cost of living pay increases determined by the relevant negotiating body effective from 1st April 2021, as accounted for in the Budget set and agreed by Council on 4th March 2021.
- (ii) determine that any additional financial implications arising from the national pay agreements determined after this date that cannot be met within the Council's agreed Budget will be referred to Council for consideration and decision.
- (iii) approve the attached Pay Policy Statement (2021/22) Appendix 1.

SENIOR RESPONSIBLE OFFICER	Chris Lee Corporate Director Resources
	11 March 2021

*The following appendix is attached:
Appendix 1: Pay Policy Statement 2021/22, together with Annex1*

CARDIFF COUNCIL**PAY POLICY STATEMENT 2021/22****INTRODUCTION**

1. Since 2012 the Council has complied with the statutory requirement under the Localism Act 2011 to prepare a Pay Policy Statement on an annual basis. This is the tenth Pay Policy Statement and covers the period 1st April 2021 to 31st March 2022. It was approved by Council on (insert Date and link to Minute). Agreement (and subsequent publication) of the 2021/22 Pay Policy Statement ensures continued compliance with legislation.
2. This Pay Policy Statement provides the framework for decision making on pay, and in particular, decision making on senior officer pay within the Council. It complements other information published on the Council's website which is linked at appropriate points in this Pay Policy Statement.
3. Cardiff Council recognises the importance of managing pay fairly and consistently in a way that motivates employees to make a positive contribution to the Council's business of delivering public services and administering local government in the Capital City of Wales.
4. The Council has also been accredited as a Living Wage Employer by the Living Wage Foundation and is committed to ensuring that our lowest paid employees are paid, as a minimum, in accordance with the 'Real' or Voluntary Living Wage, which is calculated annually by the Resolution Foundation and overseen by the Living Wage Commission.
5. The decisions that are taken by the Council regarding pay are crucial to maintaining equality across the organisation. The production of an annual Pay Policy Statement supports this approach and assists in providing both transparency and accountability.

SCOPE

6. In accordance with the requirements of the Localism Act 2011 this Pay Policy Statement covers all aspects of Chief Officer remuneration (including on ceasing to hold office), and that relating to the 'lowest paid' employees in the authority. The relationship between the remuneration for Chief Officer posts and other employee groups employed by the Council is explained.
7. In the interests of transparency and accountability the Council has chosen to take a broader approach than that required by legislation and therefore this Pay Policy Statement covers all employee groups with the exception of teachers (as the remuneration for this latter group is set by the Welsh Government and therefore not in local authority control).

8. This Pay Policy Statement does not apply to Members of the Council as they are not employees and are governed by separate legislation and the requirements of the Independent Remuneration Panel for Wales.

KEY PRINCIPLES

9. This Pay Policy Statement aims to ensure that all employees are rewarded fairly and without discrimination for the work that they do. It reflects fairness and equality of opportunity, the need to encourage and enable employees to perform to the best of their ability and the commitment to operate a transparent pay and grading structure.
10. The Council recognises that pay is not the only means of rewarding and supporting employees and offers a wider range of benefits, such as flexible working arrangements, access to learning and development, a Health and Wellbeing Charter and an Employee Assistance Programme.
11. To ensure these principles are embedded the Council will ensure that there are clear and transparent processes for setting and reviewing salaries for all employees, and that there is sufficient flexibility to take into account the pay market and recruitment and retention factors.
12. Any policy statement on pay has to be affordable and support the provision of high quality public service.

LEGISLATION

13. In determining the pay and remuneration of all its employees, the Council will comply with all relevant legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, Agency Workers Regulations 2010 and where relevant the Transfer of Undertakings (Protection of Employment) Regulations 2006.
14. With regard to the Equal Pay requirements contained within the Equality Act, the Council will ensure there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role.

DEFINITIONS

15. The Localism Act 2011 sets out the requirements for Pay Policy Statements and as part of this there are certain terms that are used to define different employee groups and in particular senior officers. This section explains these definitions and how they apply in this authority.

Chief Officer

16. The Localism Act 2011 defines 'Chief Officer' as Head of Paid Service, Monitoring Officer, Statutory Chief Officers and Non Statutory Chief Officers.
17. Cardiff Council's Chief Officers are as follows:
 - Head of Paid Service - Chief Executive
 - Monitoring Officer – Director of Governance & Legal Services
 - Statutory Chief Officers:-
 - Director for Education and Lifelong Learning,
 - Corporate Director for People and Communities who undertakes the role of Director of Social Services
 - Corporate Director Resources who undertakes the role of Section151 Officer
 - Non-statutory Chief Officers – this refers to non-statutory posts that report directly to the Head of Paid Service
 - Director for Economic Development
 - Director for Planning, Transport and Environment

Deputy Chief Officers

18. The Localism Act 2011 defines 'Deputy Chief Officers' as those officers that report directly to statutory or non-statutory Chief Officers. In Cardiff Council this includes:
 - Director Adult, Housing and Communities
 - Director Children's Services
 - Assistant Director for County Estates
 - Assistant Director for Education and Lifelong Learning
 - Assistant Director for Street Scene
 - Programme Director for School Organisation Planning
 - Head of Service for Finance
 - Head of Performance and Partnerships
 - Head of Democratic Services – statutory role which reports to the Monitoring Officer
 - Chief HR Officer
 - Chief Digital Officer
19. The Council's senior management arrangements include Operational Manager posts. In addition to the posts identified above, there are also some Operational Managers that report directly to statutory or non-statutory Chief Officers (Corporate Director Resources, Directors of Economic Development; Governance and Legal Services; Planning, Transport and Environment) and so for the purposes of this policy these posts are included within the definition of Deputy Chief Officer. Operational Managers are employed on the same terms and conditions as the Council's Chief Officers as indicated in paragraph 26.
20. The Council's senior management arrangements also include the posts of Assistant Director for Adult Services, and Assistant Director of Housing and Communities, that report to a Deputy Chief Officer.

Lowest Paid Employees

21. The Localism Act 2011 requires the Council to define its 'lowest paid employee' within the Pay Policy Statement. Within the Council the lowest paid employees are those appointed on Spinal Column Point (SCP) 1 of the National Joint Council for Local Government Services' nationally agreed pay scale. However to support the Council's lowest paid employees, with effect from 1st September 2012 the Council adopted the Voluntary Living Wage. In practice this means that the pay for the lowest paid employees is kept under review to ensure that either the Voluntary Living Wage hourly rate is paid, or the relevant Spinal Column Point, whichever is the greatest.
22. As at 1st April 2020 the SCP 1 of the NJC pay scale equated to an hourly rate of pay of £9.25. As the Voluntary Living Wage equates to £9.30 this is the rate that is currently paid. In accordance with the Council's commitment to the payment of the Voluntary Living Wage this will be further reviewed once the 2021 National Pay Agreement is finalised.

Pay

23. The Localism Act 2011 defines 'pay' remuneration as 'salary, bonuses, charges, fees or allowances payable, any benefits in kind, increase or enhancement of pension entitlement. This definition is applies in this Pay Policy Statement.

ROLE OF THE CHIEF EXECUTIVE

24. The Chief Executive fulfils the statutory role of Head of Paid Service as defined by the Localism Act 2011. As the most senior officer the Chief Executive is responsible for a wide range of services with a total budget of £656 million (2020/21) and for the employment of 13,319 employees (as at December 2020). The services are provided to a total population of 366, 900 (rounded to the nearest 100) according to the Office for National Statistics' latest (mid-2019) population estimates. The Council was recorded as having a Council housing stock of 13,678 and in October 2020 there were 55,487 pupils enrolled in our schools.
25. The role of Chief Executive is a full time and permanent appointment. Post holders are selected on merit, against objective criteria, following public advertisement. They are appointment by the Appointments Committee of the Council, comprising elected members.
26. As Head of Paid Service, the Chief Executive works closely with elected members to deliver the administration's policy statement – 'Capital Ambition' – a programme of action to create opportunity, manage growth and reform public services, whilst ensuring that the benefits of success are felt by all residents.
27. The Chief Executive routinely works outside of the standard Monday to Friday business week, The Chief Executive also heads the Gold Command 'on call' arrangements particularly to cover emergency planning requirements.

PAY DETAILS

Chief Executive

28. The Chief Executives is employed on Joint National Committee for Chief Executives of Local Authorities (JNC for Chief Executives) terms and conditions. The JNC for Chief Executives negotiates on national (UK) annual cost of living pay increases, and any award of the same is determined on this basis. These pay awards are effective from 1st April each year however they are not normally confirmed in advance of this date.

Chief Officers and Operational Managers

29. Posts at Operational Manager and above are employed on Joint National Committee (JNC) Chief Officer terms and conditions, and pay levels for these posts have been evaluated using the Korn Ferry Hay (formerly Hay) Job Evaluation Scheme since 1999.
30. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award of same is determined on this basis. These pay awards are effective from 1st April each year, however they are not normally confirmed in advance of this date.

Chief Officer Pay Decisions

31. Although the annual cost of living pay increases referred to in paragraphs 28 and 30 above are part of the nationally agreed terms and conditions, the Council's Constitution Employment Procedure Rules states that any decision to determine or vary the remuneration of Chief Officers (or those to be appointed as Chief Officers) must be made by full Council.
32. Therefore, in accordance with these rules, the Council's decision to agree this Pay Policy Statement constitutes agreement to implement the cost of living pay increases determined by the relevant negotiating body effective from 1st April 2021, as accounted for in the Budget set and agreed by Council on 4th March 2021.
33. Any additional financial implications arising from the national pay agreements determined after this date that cannot be met within the Council's agreed Budget will be referred to Council for consideration and decision.

Chief Officer and Operational Manager Pay

34. The following table shows the pay for Chief Officers and Operational Managers:

Post	Salary
Chief Officers – Spot Salary	
Chief Executive	£185,385

Corporate Director for Resources	£141,764
Corporate Director for People and Communities	
Directors	£130,859
Chief Digital Officer	£105,052
Chief Officers, Assistant Directors	£88,985
Operational Managers – 5 Point Range	
Operational Manager – Level 1	£58,454 - £71,224
Operational Manager – Level 2	£47,832 - £57,779

35. The salary level for Chief Officer and Operational Managers is determined by an independent external evaluation process based on an assessment of relative job sizes and benchmarking against market comparisons for posts of similar size and complexity, using the Korn Ferry (previously Hay) Job Evaluation Scheme.
36. For Chief Officer positions any report from the external evaluators on grading of new posts or changes to salary levels is presented to the Council's Employment Conditions Committee (ECC) which has the following functions delegated to it under the Council's Constitution:
- (i) *To consider and determine policy and issues arising from the organisation, terms and conditions of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006), together with any other category of employee specified in Regulation from time to time where this is necessary, subject to the approval of Council in respect of any determination or variation of the remuneration of Chief Officers.*
- (ii) *To decide requests for re-grading of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006), together with any other category of employee specified in Regulation from time to time, whether by way of appeal by an employee against a decision to refuse a re-grading application or to decide applications for re-grading which are supported, subject to the approval of Council in respect of any determination or variation of the remuneration of a Chief Officer.*
37. In addition to the above, the Independent Remuneration Panel in Wales (IRP) has specific functions concerning the salary of the Chief Executive (Head of Paid Service). Before making a change to the salary of the Chief Executive, which is not commensurate with a change to the salaries of the Council's other employees, the local authority must consult the IRP about the proposed change and have regard to any recommendation received from the IRP when deciding whether or not to proceed with making the change.
38. In the year ending 31st March 2020 the local authority has not had the need to make a referral to the IRP.
39. Since 2009/10, the Council has published pay details for Chief Officer posts on its website. Previous to this, the number of officers at each salary band over £60,000 were set out. The information can be found in the 'Statement of Accounts' which is accessed

via the tab 'Your Council' and then the link to 'Council Finance' <https://www.cardiff.gov.uk/ENG/Your-Council/Council-finance/Managing-the-Councils-Finances/Pages/default.aspx>. The Chief Executive pay has been published on the website since 2010.

'National Joint Council (JNC) (Green Book)' and 'Joint National Council (JNC) Craft' Employees

40. The pay grades for all former NJC Green Book and JNC Craft positions within the Council are evaluated using a job evaluation (JE) process using the Greater London Provincial Council (GLPC) scheme. The JE process uses a consistent set of criteria which ensures that the Council's grading structure is fair, transparent and equitable, and that men and women receive equal pay for work of equal value. The Council has Collective Agreements in place with UNISON, GMB and Unite (NJC Green Book), and GMB, and Unite (JNC Craft) which set out the pay ranges for each grade and also relevant terms and conditions.
41. The Council's pay and grading structure links the scores from the job evaluation process directly to the NJC pay structure. On the 1st April 2019 this national pay structure changed which overall had the effect of reducing from 49 spinal column points (SCP) to 43. This national pay structure with effect from 1st April 2020 ranges from spinal column point (SCP) 1 to 43 which equates to £17,842 to £46,845.
42. Cardiff Council has in place a locally agreed pay scale which has 10 grades that span across SCPs 1- 40 of the national pay structure. As a result of the changes effective from 1st April 2019, the Council was required to review its locally agreed pay scale and in order to minimise the impact of transition to the new scale SCPs 10, 13, 16, 18 and 21 of the national pay structure are no longer used. Overall, the Council's pay scale equates to £17,842 to £43,857, at 1st April 2020. Each grade has a number of incremental points. More information about the GLPC Scheme and the grades of the Council can be found in the Council's Single Status Collective Agreement. The agreed grades and associated salaries as at 1st April 2020 can be seen at Annex1.

Employees other than Chief Officer and previous 'Green Book' and 'Craft' employees

43. The Council also has employees whose pay, terms and conditions are determined by other national agreement, i.e. JNC Youth and Community, Soulbury, and School Teacher terms and conditions. Pay for these employees is based on the relevant nationally agreed rates of pay. Pay rates are included in Annex 1 for information.

Pay Differentials

44. The current pay levels within the Council define the multiple between the lowest paid (full time equivalent) employee (£17,942) and the Chief Executive (£185,385) as [1:10] and; between the lowest paid employee (£17,942) and median Chief Officer (£88,895) as [1:5].

45. The multiple between the median full time equivalent earnings (£25,481) and the Chief Executive (£185,385) is [1:7] and; between the median full time equivalent earnings (£25,481) and median Chief Officer (£88,985) is [1:3].

These figures are based on basic salary on 1st April 2020.

46. The Council does not use performance related pay or bonuses for Chief Officers

Incremental Progression – all employees

47. Incremental progression for 'Green Book', 'Craft' employees and Operational Managers is not automatic but is dependent upon a successful performance review. Following a successful performance review, increments are normally effective from the 1st April each year. For 'Green Book' and 'Craft' employees, this requirement is detailed in the relevant Single Status Collective Agreement, and for Operational Managers this is contained within their terms and conditions.

Salary on Appointment – all employees

48. Vacancies are advertised on the agreed grade for the post stating the minimum and maximum salary, or spot point, as appropriate to the post. All Chief Officers are appointed to the spot point. Where salary scales are in place appointments are made at the bottom point of the range, but there is discretion to appoint at a higher point within the range. This would usually be to match a candidate's current level of pay or in particular circumstances.

Market Supplements – all employees

49. It is recognised that there will be exceptional circumstances where the market rate for certain key jobs is higher than that provided for by relevant Council pay and grading structure. In these circumstances, the grading of the post will be reviewed in accordance with the Council's Market Supplement Scheme agreed as part of the Council's Single Status Agreement. The scheme is applicable to all those covered by the Green book, Craft employees, JNC for Chief Officers, JNC for Youth & Community Workers and those on Soulbury terms and conditions. Proposals to pay a Market Supplement must be supported by a full evidence based business case, and follow the agreed decision making processes of the Council.

ADDITIONAL PAYMENTS

50. Employees employed under the previous 'Green Book' and 'Craft' terms and conditions are paid on the same terms and conditions and pay scales through Single Status. However, a tool allowance has been retained for relevant craft posts.

NJC 'Green Book' and JNC 'Craft' Employees

51. Additional payments are made as detailed in their respective Collective Agreements. The types of additional payments made include: overtime and Saturday and Sunday working at time and a half, recalls to work attract a minimum payment of 2 hours payment, public holiday payments, car allowances, motorcycle and bicycle allowances, stand by and call out payments, night /evening /unsocial hours payments, shift work allowance, sleeping in duty payment, first aid allowance, relocation payment and payment for professional subscriptions. In order to manage an ongoing budgetary pressure, in the financial year 2021/22 payments for interview expenses, relocation expenses and professional subscriptions (which are not legal requirements of a post) will not be made. This has consistently been applied since the 2014/15 financial year.

Chief Officers and Operational Managers

52. Additional payments made include car, motorcycle and bicycle allowances which have been harmonised for all Council employees using the single rate based on the HMRC arrangements paid for business mileage, i.e. currently 45p per mile.
53. Interview Expenses and Relocation Assistance – Consistent with a decision applied since the 2014/15 financial year, these payments will not be made for the 2021/22 financial year.
54. Professional Subscriptions – For the financial year 2021/22 these will continue to only be paid by the Council where it is an essential requirement of the post.
55. Returning Officer Fees - The appointment of Electoral Registration Officer is required by S8 Representation of the People Act 1983, and the appointment of Returning officer by S35 Representation of the People Act, 1983. In Cardiff, the role of Electoral Registration Officer and Returning Officer is part of the job description of the Chief Executive. The fee for parliamentary, European Union, Welsh Government, Police and Crime Commissioner Elections and all referenda are set by legislation. For these externally sponsored elections the fee is funded through grant awarded by the Welsh Government in respect of its election, and by Central Government in respect of the other elections. Local authorities have the discretion to set the fee for local elections. In the Council the fee for local elections (including ordinary and casual) is set in line with the fee agreed for the Welsh Government elections.
56. Following Council decision on the 28th February 2019, from the 3rd April 2019 the Chief Executive carries out the role of Electoral Registration Officer and Returning Officer. The Chief Executive has waived all fees associated with the role.

HONORARIA AND ACTING UP SCHEMES

57. The Council has schemes for payment where an employee acts up into a post at a higher level of pay (Acting Up Scheme) or where they undertake additional duties at a higher level of responsibility (Honoraria Scheme). These schemes are applicable for all Council employees, excluding teachers, however for the financial year 2021/22 use of

the Honoraria Scheme will continue to be withdrawn in order to manage an ongoing budgetary pressure.

ANNUAL LEAVE

58. Annual leave entitlements are determined by the terms and conditions of the different employee groups. Entitlements to annual leave are pro rata for part time employees

Green Book and Craft employees, Chief Executive, Chief Officers and Operational Managers

59. The annual leave entitlement is 27 days, rising to 32 days after 5 years' service. In addition there are 8 bank holidays.

Other Employees

60. The annual leave entitlement for JNC Youth & Community is 30 days, rising to 35 days after 5 years' service. The Soulbury entitlement is 25 days rising to 30 days after 5 years' service. In addition there are 8 bank holidays and 4 extra statutory days for both groups.

Purchase of Annual Leave

61. The Council has in place an Annual Leave Purchase scheme, whereby employees can purchase up to 10 days annual leave, which is then payable by monthly deductions during the leave year. As at January 2021, 69 employees accessed the scheme in the 2020/21 annual leave year which compared to 232 employees in the previous year. The reduction in the number of employees accessing the scheme is due to the COVID19 situation.

GENDER PAY GAP REPORT

62. The Council has published a Gender Pay Gap report as part of its Annual Equalities Monitoring Report. The following Gender Pay Gap information sets out the differences in the average pay between men and women (excluding schools) as at 31st March 2020, compared with 31st March 2019, **and shows the actual pay differences:**

	2019 Mean Hourly Rate	2019 Median Hourly Rate	2020 Mean Hourly Rate	2020 Median Hourly Rate
Male	14.16	12.78	14.04 (-0.12p)	12.85 (+0.07p)
Female	13.96	12.37	13.68 (-0.28p)	11.97 (-0.40p)
Pay Gap	1.44%	3.21%	2.56%	6.85%

63. The **mean** average involves adding up all of the hourly rates and dividing the result by how many numbers were in the list. The **median** average involves listing all of the hourly rates in numerical order. If there is an odd number of results, the median average is the middle number. If there is an even number of results, the median will be the mean of the two central numbers. **A positive percentage figure reveals that typically, or overall, employees who are female have lower pay than male employees. According to the national government's Gender Pay Gap information at www.gov.uk, this is likely to be the situation for most employers.**
64. The mean average has increased by 1.12% between 2019 and 2020. The median average of 3.21% in 2019 compared with 6.85% in 2020 gives an overall increase of 3.64%.
65. **For 2020, the Mean hourly pay rates for both males and females are within Grade 6 of the Council's Pay & Grading Structure. The Median hourly pay rates for both males and females are within Grade 5, although the rate for male employees is the overlapping point between Grade 5 and Grade 6.**
66. When schools are included, the Gender Pay Gap information as at 31st March 2020, compared with 31st March 2019 is as follows:

	2019 Mean Hourly Rate	2019 Median Hourly Rate	2020 Mean Hourly Rate	2020 Median Hourly Rate
Male	15.49	13.20	15.38	12.96
Female	15.13	12.56	15.20	12.85
Pay Gap	2.32%	4.85%	1.17%	0.85%

The UK Government's Equalities Office recently stated that women working in the public sector are paid on average 19.0% less than men compared to 23.8% less for women in the private sector

67. The quartile table below shows the proportion of male and female full-pay relevant employees (excluding schools) in four quartile pay bands, which is calculated by dividing the workforce into four equal parts. If there are number of employees on the same hourly rate of pay crossing two of the quartiles, males and females are split as evenly as possible across the quartiles. Quartile 1 represents the lowest paid and Quartile 4 represents the highest paid.

Quartiles	2019		2020		Male Difference	Female Difference
	Male	Female	Male	Female		
Q1 Lower hourly pay	31.65%	68.35%	38.48%	61.52%	6.83%	-6.83%
Q2 Lower middle hourly pay	44.01%	55.99%	37.74%	62.26%	-6.27%	6.27%
Q3 Upper middle hourly pay	48.71%	51.29%	45.36%	54.64%	-3.35%	3.35%
Q4 Upper hourly pay	42.28%	57.72%	44.55%	55.45%	2.27%	-2.27%

68. At 31st March 2020 in Quartiles 1 and 4 the percentage of females compared to male employees reduced. In Quartiles 2 and 3 the percentage of female employees compared to male employees increased.
69. Whilst there is no requirement in Wales to publish Gender Pay Gap information, Cardiff Council has chosen to publish its information on GOV.UK. In terms of the 2019/20 published data, Cardiff Council's position compares well to other Local Authorities, include those core cities that have published their data.

PENSION SCHEME

70. All Council employees (with the exception of teachers) are entitled to join the local government pension scheme (LGPS) which is offered by the Local Government Employers. If employees are eligible they will automatically become a member of the scheme (to join they must have a contract for at least 3 months duration and be under the age of 75). Employees can decide to opt out of the scheme. The benefits and contributions payable under the Fund are set out in the LGPS regulations.
71. The current level of contribution to the scheme by employees is:

Contribution table 2020/21			
Band	Actual pensionable pay for an employment	Contribution rate for that employment	
		Main	50/50 section
1	Up to £14,600	5.50%	2.75%
2	£14,601 to £22,500	5.80%	2.90%
3	£22,801 to £37,1008	6.50%	3.25%
4	£37,101 to £46,00	6.80%	3.40%
5	£46,901 to £65,600	8.50%	4.25%
6	£65,601 to £93,000	9.90%	4.95%
7	£93,001 to £109,500	10.50%	5.25%
8	£109,501 to £164,200	11.40%	5.70%
9	£164,201 or more	12.50%	6.25%

72. Teachers are entitled to join the Teachers' Pensions scheme. As the Teachers Pensions scheme is operated externally further information can be found on www.teacherspensions.co.uk.
73. The Council's current published statement relating to pensions was agreed by the Cabinet on 12th June 2014 for implementation in 30th June 2014. The way redundancy payments are calculated was agreed by Cabinet on 26th January 2015 as part of the Voluntary Redundancy Policy, and is detailed below in paragraph 75.

EXIT (REDUNDANCY/SEVERANCE) PAYMENTS

Voluntary Severance Scheme

74. The Voluntary Redundancy Policy provides details of the position on making discretionary payments on early termination of employment under Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. The policy also provides details of the Council's policy on increasing an employee's total pension scheme membership and on awarding additional pension under Regulation 66 of the Local Government Pension Scheme (Administration) Regulations 2008.
75. The arrangements set out in the document referred to in paragraph 73 apply to Chief Officers and all other employees of the Council irrespective of grade or status. The most relevant sections are detailed below:
- (i) **The power to pay lump sum compensation of up to 104 weeks** - the Council's policy for utilising this discretion is that the statutory redundancy table is multiplied by a factor of 1.5 subject to a maximum of 45 weeks from 3rd April 2015.
 - (ii) **The power to Increase a Statutory Redundancy Payment** – the Council's policy for utilising this discretion is that redundancy payments to be based on actual week's pay up to a maximum of £538 per week (as at 6th April 2020) or actual pay whichever is the lesser. The maximum figure to be adjusted by the statutory amount for a week's pay, as announced annually by the Department of Business Innovation and Skills. The maximum redundancy payable is therefore £24,210.
76. The policy effective since 5 April 2015 was been amended to take account of the decision of an Employment Appeal Tribunal (EAT) in the case of *University of Sunderland v Drossou (13 June 2017)*. The EAT ruled that employer's pension contributions should be included in the calculation of a week's pay for calculations made under the Employment Rights Act 1996 (ERA). Sections 220-229 of the ERA set out the rules regarding the 'week's pay provisions' and the way a week's pay is used, which includes the calculation of redundancy pay.
77. The EAT held that a week's pay should include remuneration 'payable by the employer under the contract of employment' and that this value should not be limited by what the employee directly receives. The rationale offered by the EAT was that employer's pension contributions formed part of the overall package of 'remuneration' offered to an employee in return for their services. The result of this is that, where appropriate, the employer's pension contributions are included in the calculation of weekly pay, subject to the £538 maximum.

Exit Payment Cap

78. Previous Pay Policy Statements have referred to the potential introduction of a cap on exit payments. The Restriction of Public Sector Exit Payments Regulations 2020 came into force across the United Kingdom on 4 November 2020, however, in February 2021 the UK government issued a Treasury Direction to disapply the regulations, whilst the process of formal revocation can take place.

79. It is understood that the UK Government may bring forward further proposals in due course.

RE-EMPLOYMENT OF STAFF

80. Since 1st April 2015, the Council has had a policy regarding re-employment of employees (at any level) who take voluntary redundancy from the Council which was agreed at Cabinet on 26th January 2015.
81. The Council's agreed policy is that employees requesting voluntary redundancy have to agree to the condition that given the Council's obligation to safeguard public funds, they will be precluded from returning to employment (which includes permanent, temporary, casual and agency) within the Council (including schools) for a period of 12 months from the date of their termination. Casual engagement includes contracts for services.
82. The Council does not believe that it employs any individual in a manner that seeks to avoid tax.
83. Within the Council, under the pension fund discretionary policies there is generally no abatement of pension following re-employment except under the following circumstances:
- (i) Where a person has been awarded compensatory added years (CAY's) under the LGPS Compensation Regulations the pension may be abated. This is a requirement of the compensation regulations but these will be historical cases as CAY's can no longer be granted.
 - (ii) Where a person has retired under tier 1 ill health provisions and is subsequently re-employed. This is because the certification for tier 1 supposes that the person is permanently unfit for all work. Other tiers of ill health or other retirements would not lead to abatement on re-employment.
84. Abatement, where it applies, would be based on non betterment that is the pension together with the pay in the new employment should not exceed the pay at the point of retirement (adjusted for pension increases). Under (i) the abatement would only apply to the pension from CAY's.

NON GUARANTEED WORKING HOURS

85. In December 2016 the Welsh Government issued principles and guidance on the appropriate use of non-guaranteed hours arrangements in the devolved public services in Wales. These principles and guidance were developed by the Public Services Staff Commission in social partnership with the Welsh Government's Partnership Council and its sector groups.
86. The Council is committed to the principles determined by Welsh Government which apply to those employees who are employed on a relief, casual or sessional basis. These employees are used in services within the Council where there is either a need

to bring in an additional workforce in order to cover peaks in workload or where the workload is on a one off basis.

ACCOUNTABILITY AND DECISION MAKING

87. In accordance with the Constitution of the Council the Cabinet are responsible for decision making in terms of pay, terms and conditions and redundancy arrangements in relation to employees of the Council. The exception to this is that the Employment Conditions Committee is responsible for posts at Chief Officer level and above.
88. In accordance with the Localism Act 2011 redundancy packages above £100,000 for Chief Officers must be agreed by full Council. The redundancy package includes any redundancy payment (from 3 April 2015, statutory redundancy pay of 30 weeks plus an additional 15 weeks), contractual notice period and full cost of early release of pension (as required under Regulation 68(2) of the Local Government Pension Scheme).

REVIEW OF THE POLICY

89. This Pay Policy Statement will be kept under review and developments considered in the light of external best practice and legislation. The Pay Policy Statement may also be reviewed as part of the Council's existing Scrutiny arrangements. The Council will ensure the Pay Policy Statement is updated on an annual basis in line with the requirement of the Localism Act 2011. The annual Pay Policy Statement will be submitted to Cabinet, and then full Council by March of each year.
90. In line with legislation, this Pay Policy Statement will be reviewed and updated on an annual basis for consideration and agreement by full Council, with the next Pay Policy Statement to be in place for the 2022/23 financial year.

Salary Scales

SCP	Job Evaluation Scores (GLPC scheme)	FTE SALARY	MONTHLY	HOURLY (National Living Wage £8.72 from 01/04/2020)	Hourly Living Wage £9.30 from 01/04/2020
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NJC for Local Government (as at 1st April 2020) £17,942

GRADE 1

1	1 - 247	17842	1486.83	9.25
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GRADE 2

2	248 - 286	18198	1516.50	9.43
3		18562	1546.83	9.62

GRADE 3

3	287 - 327	18562	1546.83	9.62
4		18933	1577.75	9.81
5		19312	1609.33	10.01
6		19698	1641.50	10.21

GRADE 4

6	328 - 369	19698	1641.50	10.21
7		20092	1674.33	10.41
8		20493	1707.75	10.62
9		20903	1741.92	10.83
11		21748	1812.33	11.27

GRADE 5

11	370 - 409	21748	1812.33	11.27
12		22183	1848.58	11.50
14		23080	1923.33	11.96
15		23541	1961.75	12.20
17		24491	2040.92	12.69
19		25481	2123.42	13.21

GRADE 6

19	410 - 454	25481	2123.42	13.21
20		25991	2165.92	13.47
22		27041	2253.42	14.02
23		27741	2311.75	14.38
24		28672	2389.33	14.86
25		29577	2464.75	15.33

GRADE 7

25	455 - 499	29577	2464.75	15.33
26		30451	2537.58	15.78
27		31346	2612.17	16.25
28		32234	2686.17	16.71
29		32910	2742.50	17.06
30		33782	2815.17	17.51

GRADE 8

30	500 - 544	33782	2815.17	17.51
31		34728	2894.00	18.00
32		35745	2978.75	18.53
33		36922	3076.83	19.14
34		37890	3157.50	19.64

GRADE 9

34	545 - 589	37890	3157.50	19.64
35		38890	3240.83	20.16
36		39880	3323.33	20.67
37		40876	3406.33	21.19

GRADE 10

37	590 +	40876	3406.33	21.19
38		41881	3490.08	21.71
39		42821	3568.42	22.20
40		43857	3654.75	22.73

Other		0	0.00	0.00
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* SCP 10, 13, 16, 18 & 21 are not in use

SCP	FTE SALARY	MONTHLY	HOURLY
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NJC CHIEF OFFICERS (as at 1st April 2020)

OM2

1	47832	3986.00	24.79
2	50348	4195.67	26.10
3	52538	4378.17	27.23
4	55157	4596.42	28.59
5	57779	4814.92	29.95

OM1

1	58445	4870.42	30.29
2	61692	5141.00	31.98
3	64940	5411.67	33.66
4	68010	5667.50	35.25
5	71224	5935.33	36.92

Chief Officer/Assistant Director

1	88985	7415.42	46.12
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Chief Digital Officer

1	105052	8754.33	54.45
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Director

1	130859	10904.92	67.83
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Corporate Director

1	141764	11813.67	73.48
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NJC CHIEF EXECUTIVE (as at 1st April 2020)

Chief Executive

1	185385	15448.75	96.09
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NATIONAL MINIMUM WAGE (as at 1st April 2020)

NMW - Point 1 (16 to 17 years of age)

1	8778	731.50	4.55
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NMW - Point 2 (18 to 20 years of age)

2	12444	1037.00	6.45
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NMW - Point 3 (21 to 24 years of age)

3	15820	1318.33	8.20
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NMW - Point 4 (25 years and above)

4	16823	1401.92	8.72
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Apprentice Rate

1	8006	667.17	4.15
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Teacher (Main Pay Range)

	Daily Rate (195ths)		
1	27,018	2251.50	138.55
2	27,018	2251.50	138.55
3	29,188	2432.33	149.68
4	31,436	2619.67	161.21
5	33,912	2826.00	173.91
6	37,320	3110.00	191.38

Teacher (Upper Pay Range)

	Daily Rate (195ths)		
1	38,690	3224.17	198.41
2	40,124	3343.67	205.76
3	41,604	3467.00	213.35

Unqualified Teacher

	Daily Rate (195ths)		
1	18,169	1514.08	93.17
2	20,282	1690.17	104.01
3	22,394	1866.17	114.84
4	24,507	2042.25	125.68
5	26,622	2218.50	136.52
6	28,735	2394.58	147.36

Leadership Group Range

	Min	Max
Group 1	47,735	63,508
Group 2	50,151	68,347
Group 3	54,091	73,559
Group 4	58,135	79,167
Group 5	64,143	87,313
Group 6	69,031	96,310
Group 7	74,295	106,176
Group 8	81,942	117,197

* Scale points to be applied **only** to head teachers at the top of the school group range in the academic year 2015/16, indicating no uplift for 2016/17.

e.g

Headteacher on Grade 12-18 (moves to sp18 on Sept 2016)
Salary Range £51,127 - £58,677 (no uplift on point 18)

Headteacher on Grade 15-21 (moves to sp18 on Sept 2016)
Salary Range £55,049 - £63,779 (sp18 = £59,264)

Leading Practitioner Range

LP01 - LP05		LP02 - LP06		LP03-LP07	
1	42,402	2	43,465	3	44,550
2	43,465	3	44,550	4	45,658
3	44,550	4	45,658	5	46,796
4	45,658	5	46,796	6	47,969
5	46,796	6	47,969	7	49,261
LP04-LP08		LP05-LP09		LP06-LP10	
4	45,658	5	46,796	6	47,969
5	46,796	6	47,969	7	49,261
6	47,969	7	49,261	8	50,397
7	49,261	8	50,397	9	51,656
8	50,397	9	51,656	10	52,983
LP07-LP11		LP08-LP12		LP09-LP13	
7	49,261	8	50,397	9	51,656
8	50,397	9	51,656	10	52,983
9	51,656	10	52,983	11	54,357
10	52,983	11	54,357	12	55,610
11	54,357	12	55,610	13	57,000
LP10-LP14		LP11-LP15		LP12-LP16	
10	52,983	11	54,357	12	55,610
11	54,357	12	55,610	13	57,000
12	55,610	13	57,000	14	58,421
13	57,000	14	58,421	15	59,875
14	58,421	15	59,875	16	61,467
LP13-LP17		LP14-LP18			
13	57,000	14	58,421		
14	58,421	15	59,875		
15	59,875	16	61,467		
16	61,467	17	62,878		
17	62,878	18	64,461		

Leadership Pay Range

1	42,195
2	43,251
3	44,331
4	45,434
5	46,566
6	47,735
7	49,019
8	50,151
9	51,402
10	52,723
11	54,091
12	55,338
13	56,721
14	58,135
15	59,581
16	61,166
17	62,570
18*	63,508
18	64,143
19	65,735
20	67,364
21*	68,347
21	69,031
22	70,745
23	72,497
24*	73,559
24	74,295
25	76,141
26	78,025
27*	79,167
27	79,958
28	81,942
29	83,971
30	86,061
31*	87,313
31	88,187
32	90,379
33	92,624
34	94,914
35*	96,310
35	97,273
36	99,681
37	102,159
38	104,687
39*	106,176
39	107,239
40	109,914
41	112,660
42	115,483
43	117,197

JNC YOUTH AND COMMUNITY (as at 1st September 2020)

SCP	FTE SALARY	MONTHLY	HOURLY	Hourly Living Wage £9.30 from 01/04/2020
CE2				£17,942
05	25313	2109.42	13.12	
06	25313	2109.42	13.12	
07	27202	2266.83	14.10	
08	31152	2596.00	16.15	
09	31152	2596.00	16.15	
10	36849	3070.75	19.10	

SCP	FTE SALARY	MONTHLY	HOURLY
T00 1			
11	23178	1931.50	12.01
12	24228	2019.00	12.56
13	25313	2109.42	13.12
14	26437	2203.08	13.70

T00 2			
18	29579	2464.92	15.33
19	30364	2530.33	15.74
20	31152	2596.00	16.15
21	32036	2669.67	16.61

T00 3			
20	31152	2596.00	16.15
21	32036	2669.67	16.61
22	33039	2753.25	17.12
23	34015	2834.58	17.63

T00 4			
22	33039	2753.25	17.12
23	34015	2834.58	17.63
24	34997	2916.42	18.14
25	35985	2998.75	18.65

T00 4A			
24	34997	2916.42	18.14
25	35985	2998.75	18.65
26	36973	3081.08	19.16
27	37961	3163.42	19.68

T00 5			
27	37961	3163.42	19.68
28	38961	3246.75	20.19
29	39953	3329.42	20.71
30	40947	3412.25	21.22

SCP	FTE SALARY	MONTHLY	HOURLY
T00 HRLY			
05	19308	1609.00	10.01
06	19631	1635.92	10.18
07	19922	1660.17	10.33
08	20589	1715.75	10.67
09	21439	1786.58	11.11
10	22104	1842.00	11.46
11	23178	1931.50	12.01
12	24228	2019.00	12.56
13	25313	2109.42	13.12
14	26437	2203.08	13.70
15	27202	2266.83	14.10
16	28001	2333.42	14.51
17	28787	2398.92	14.92
18	29579	2464.92	15.33
19	30364	2530.33	15.74
20	31152	2596.00	16.15
21	32036	2669.67	16.61
22	33039	2753.25	17.12
23	34015	2834.58	17.63
24	34997	2916.42	18.14

SOULBURY (as at 1st September 2020)

SCP	FTE SALARY	MONTHLY	HOURLY
EAI			
01	36419	3034.92	18.88
02	37723	3143.58	19.55
03	38955	3246.25	20.19
04	40203	3350.25	20.84
05	41443	3453.58	21.48
06	42684	3557.00	22.12
07	43988	3665.67	22.80
08	45243	3770.25	23.45
09	46705	3892.08	24.21
10	48009	4000.75	24.88
11	49295	4107.92	25.55
12	50541	4211.75	26.20
13	51951	4329.25	26.93
14	53209	4434.08	27.58
15	54598	4549.83	28.30
16	55854	4654.50	28.95
17	57114	4759.50	29.60
18	58350	4862.50	30.24
19	59625	4968.75	30.91
20	60283	5023.58	31.25
21	61549	5129.08	31.90
22	62653	5221.08	32.47
23	63867	5322.25	33.10
24	64956	5413.00	33.67
25	66121	5510.08	34.27
26	67257	5604.75	34.86
27	68419	5701.58	35.46
28	69597	5799.75	36.07
29	70777	5898.08	36.69
30	71956	5996.33	37.30
31	73124	6093.67	37.90
32	74311	6192.58	38.52
33	75498	6291.50	39.13
34	76714	6392.83	39.76
35	77927	6493.92	40.39
36	79174	6597.83	41.04
37	80402	6700.17	41.67
38	81642	6803.50	42.32
39	82866	6905.50	42.95
40	84089	7007.42	43.59
41	85318	7109.83	44.22
42	86546	7212.17	44.86
43	87773	7314.42	45.50
44	89006	7417.17	46.13
45	90236	7519.67	46.77
46	91468	7622.33	47.41
47	92705	7725.42	48.05
48	93930	7827.50	48.69
49	95160	7930.00	49.32

SCP	FTE SALARY	MONTHLY	HOURLY
AEP			
01	30166	2513.83	15.64
02	31399	2616.58	16.27
03	32630	2719.17	16.91
04	33856	2821.33	17.55

SCP	FTE SALARY	MONTHLY	HOURLY
EDPSY A			
01	38197	3183.08	19.80
02	40136	3344.67	20.80
03	42075	3506.25	21.81
04	44012	3667.67	22.81
05	45951	3829.25	23.82
06	47889	3990.75	24.82
07	49714	4142.83	25.77
08	51538	4294.83	26.71
09	53247	4437.25	27.60
10	54959	4579.92	28.49
11	56554	4712.83	29.31

SCP	FTE SALARY	MONTHLY	HOURLY
EDPSY B			
01	47889	3990.75	24.82
02	49714	4142.83	25.77
03	51538	4294.83	26.71
04	53247	4437.25	27.60
05	54959	4579.92	28.49
06	56554	4712.83	29.31
07	57209	4767.42	29.65
08	58433	4869.42	30.29
09	59646	4970.50	30.92
10	60880	5073.33	31.56
11	62090	5174.17	32.18
12	63323	5276.92	32.82

ALLOWANCES

Single Status Contractual Allowances - NJC 37 Hours

Wage Type	Wage Type Text	£/Hours/Units	Comments
1015	Market Supplement £	£	Cash Amount
1020	Market Supplement %	Units	% of Annual Salary, amount auto populates
1253	Travel Allowance	£	Cash Amount. Payments will be not considered unless the additional expenditure exceeds £3.27 per week and payments should continue for a period of 1 year from the date of transfer, whichever is the shorter
1306	Protected Allowance	£	SOP Protected Allowance
1324	Dress Allowance	£	Cash Amount £21.81
1403	Secondment allowance	£	Cash Amount for External Secondment
1405	Acting Up Allowance	£	Cash Amount
1421	AMHP Payment	£	£1800 PA pro rata , amount auto populates
1510	Term Time Only Wks	Units	44 Weeks Max
1515	Term Time Leave Ent Days	Units	27 or 32 Days
1600	Contractual Overtime	Hours	SCP * 1.5
1605	Night Allowance	Hours	SCP * 1/3
1610	Shift Allowance 10%	£	10% of Annual Salary, amount auto populates
1615	Standby Duty	Units	£30.96 per session
1620	Weekend Work	Hours	SCP * 1/2
1625	SEN	£	£498.36 PA, £41.53 monthly amount auto populates
1630	First Aid Allowance	£	£186.48 PA, £15.54 monthly amount auto populates
1632	Living Wage Supplement	£	Cash amount and only payable for scp 1
1650	Market Supplement - CS	£	£5000 PA pro rata , amount auto populates

Single Status Contractual Allowances - JNC Craft/Assoc

Wage Type	Wage Type Text	£/Hours/Units	Comments
1253	Travel Allowance	£	Cash Amount. Payments will be not considered unless the additional expenditure exceeds £3.27 per week and payments should continue for a period of 1 year from the date of transfer, whichever is the shorter
1403	Secondment allowance	£	Cash Amount for External Secondment
1405	Acting Up Allowance	£	Cash Amount
1510	Term Time Only Wks	Units	44 Weeks Max
1515	Term Time Leave Ent Days	Units	27 or 32 Days
1600	Contractual Overtime	Hours	SCP * 1.5
1605	Night Allowance	Hours	SCP * 1/3
1610	Shift Allowance 10%	£	10% of Annual Salary, amount auto populates
1615	Standby Duty	Units	£30.96 per session
1620	Weekend Work	Hours	SCP * 1/2
1630	First Aid Allowance	£	£186.48 PA, £15.54 monthly amount auto populates
1632	Living Wage Supplement	£	Cash amount and only payable for scp 1
1634	Tool Allowance 1	£	£189.84 PA, £15.82 monthly amount auto populates
1636	Tool Allowance 2	£	£403.68 PA, £33.64 monthly amount auto populates

Contractual Allowances - Chief Officers

Wage Type	Wage Type Text	£/Hours/Units	Comments
1253	Travel Allowance	£	Cash Amount. Payments will be not considered unless the additional expenditure exceeds £3.27 per week and payments should continue for a period of 1 year from the date of transfer, whichever is the shorter
1403	Secondment allowance	£	Cash Amount for External Secondment
1405	Acting Up Allowance	£	Cash Amount
1510	Term Time Only Wks	Units	44 Weeks Max
1515	Term Time Leave Ent Days	Units	27 or 32 Days
1630	First Aid Allowance	£	£186.48 PA, £15.54 monthly amount auto populates

Contractual Allowances - JNC Youth & Comm

Wage Type	Wage Type Text	£/Hours/Units	Comments
1253	Travel Allowance	£	Cash Amount. Payments will be not considered unless the additional expenditure exceeds £3.03 per week and payments should continue for a period of 1 year from the date of transfer, whichever is the shorter
1403	Secondment allowance	£	Cash Amount for External Secondment
1405	Acting Up Allowance	£	Cash Amount
1510	Term Time Only Wks	Units	44 Weeks Max
1515	Term Time Leave Ent Days	Units	34 or 39 Days (Actual AL are 30 or 35)
1630	First Aid Allowance	£	£186.48 PA, £15.54 monthly amount auto populates

Contractual Allowances - Soulbury

Wage Type	Wage Type Text	£/Hours/Units	Comments
1253	Travel Allowance	£	Cash Amount. Payments will be not considered unless the additional expenditure exceeds £3.03 per week and payments should continue for a period of 1 year from the date of transfer, whichever is the shorter
1403	Secondment allowance	£	Cash Amount for External Secondment
1405	Acting Up Allowance	£	Cash Amount
1510	Term Time Only Wks	Units	44 Weeks Max
1515	Term Time Leave Ent Days	Units	29 or 34 Days (Actual AL are 25 or 30)
1630	First Aid Allowance	£	£186.48 PA, £15.54 monthly amount auto populates

Contractual Allowances - Teachers

Wage Type	Wage Type Text	£/Hours/Units	Comments
1313	Pay Supplement	£	Cash Amount
1360	SEN - Teacher	£	Cash Amount - please refer to the minimum and maximum for each academic year below
1375	First Aid - Teachers	£	£186.48 PA, £15.54 monthly amount auto populates
1376	TLR1	£	Cash Amount - please refer to the minimum and maximum for each academic year below.
1377	TLR2	£	Cash Amount - please refer to the minimum and maximum for each academic year below
1378	Safeguard Payment	£	Fixed term cash amount - normally ends after 3 years
1386	TLR3	£	Fixed term cash amount - requires an end date, please refer to the minimum and maximum for each academic year below
1388	Discretionary Payment HT	£	Cash Amount
1389	Discretionary Payment HT %	Units	% of Annual Salary, amount auto populates

Start Date	End Date	Allowance	Min	Max
01/09/14	31/08/15	SEN - Teacher	£2,043	£4,034
01/09/15	31/08/16	SEN - Teacher	£2,064	£4,075
01/09/16	31/08/17	SEN - Teacher	£2,085	£4,116
01/09/17	31/08/18	SEN - Teacher	£2,106	£4,158
01/09/18	31/08/19	SEN - Teacher	£2,149	£4,242
01/09/19	31/08/20	SEN - Teacher	£2,209	£4,359
01/09/20		SEN - Teacher	£2,270	£4,479
01/09/14	31/08/15	TLR 1	£7,471	£12,643
01/09/15	31/08/16	TLR 1	£7,546	£12,770
01/09/16	31/08/17	TLR 1	£7,622	£12,898
01/09/17	31/08/18	TLR 1	£7,699	£13,027
01/09/18	31/08/19	TLR 1	£7,853	£13,288
01/09/19	31/08/20	TLR 1	£8,069	£13,654
01/09/20		TLR 1	£8,291	£14,030
01/09/14	31/08/15	TLR 2	£2,587	£6,322
01/09/15	31/08/16	TLR 2	£2,613	£6,386
01/09/16	31/08/17	TLR 2	£2,640	£6,450
01/09/17	31/08/18	TLR 2	£2,667	£6,515
01/09/18	31/08/19	TLR 2	£2,721	£6,646
01/09/19	31/08/20	TLR 2	£2,796	£6,829
01/09/20		TLR 2	£2,873	£7,017
01/09/14	31/08/15	TLR 3	£511	£2,551
01/09/15	31/08/16	TLR 3	£517	£2,577
01/09/16	31/08/17	TLR 3	£523	£2,603
01/09/17	31/08/18	TLR 3	£529	£2,630
01/09/18	31/08/19	TLR 3	£540	£2,683
01/09/19	31/08/20	TLR 3	£555	£2,757
01/09/20		TLR 3	£571	£2,833

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**



CABINET MEETING: 18 MARCH 2021

HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN

HOUSING AND COMMUNITIES (COUNCILLOR LYNDA THORNE)

AGENDA ITEM:

Reason for this Report

1. To seek Cabinet approval for the Housing Revenue Account (HRA) Business Plan 2021-2022.

Background

2. All Local Authorities in Wales have the responsibility to plan for the housing needs of their population in their role as Strategic Housing Authority. However only 11 of the 22 authorities in Wales have retained their council housing stock and consequently play a role in the direct delivery of affordable, good quality homes as a social housing landlord.
3. The Council's landlord functions are managed within a ring-fenced Housing Revenue Account.
4. The 11 stock retaining authorities in Wales are required to present an "acceptable" Housing Revenue Account (HRA) Business Plan (including a 30 year financial model) to the Welsh Government each year in order that the Welsh Government can assess the progress of local authorities towards meeting and/or maintaining the Welsh Housing Quality Standard (WHQS) in order to be eligible for the Major Repairs Allowance (MRA) Grant (currently £9.5m).
5. The Plan must conform to a structure and Business Plan parameters as set out by the Welsh Government.
6. This plan also provides the link with the Service Delivery Plan.

Issues

Housing Revenue Account Business Plan

7. The HRA Business Plan attached in appendix 1 aims to;

- set out Cardiff's purpose and vision as a social housing landlord;
 - set out its objectives and standards for the service;
 - plan how the service aims to achieve the objectives and standards set out (the strategies);
 - plan resource and financial requirements;
 - provide a framework for monitoring and evaluating the progress of the housing 'business';
 - communicate Cardiff's plans to its tenants, members, the Welsh Government, other key stakeholders, partners and the wider community.
8. The Business Plan ensures;
- efficient use of housing assets;
 - increased transparency of the HRA;
 - precise planning of the Council's housing management strategy;
9. The Welsh Government has introduced a new five year rent policy which provides for a maximum annual uplift of CPI +1% each year from 2020-21 to 2024-25 using the level of CPI from the previous September each year. The September 2020 CPI was 0.5%. CPI+ 1% will be the maximum increase allowable in any one year but landlord decisions on rent must also take into account the affordability of rents for tenants. Should CPI fall outside the range of 0% to 3%, the Minister with responsibility for housing will determine the appropriate changes to rent levels to be applied for that year only.
10. In line with the above policy, it is proposed that rents increase by the full increase of CPI & 1% for 2021. The average rent for a Council home in Cardiff will increase by £1.59 per week (£1.69 based on the 49 week collection) exclusive of service charges for 2021/22. This results in an average weekly rent of £107.80 for standard housing stock. This approach was agreed at Budget Council on 4th March 2021 following consideration of the affordability and value for money of council rents.
11. It is considered that the rent uplifts proposed above will allow for obligations to tenants and lenders to be met and help to support the financial viability of the Housing Revenue Account whilst ensuring that rents remain affordable for current and future tenants. This level of increase will also allow for the continuation of the Council's ambitious new build plans.

12. Cardiff Council was the first authority in Wales to declare achievement of the Welsh Housing Quality Standard (WHQS), almost two months ahead of the Welsh Government deadline date of December 2012.
13. Following the completion of the WHQS for existing council housing, the Business Plan ensures the maintenance of the WHQS and sets out the Council's objective to deliver high quality and sustainable housing. The individual component details of every council property are held on a stock condition database which includes dates of installation or upgrade with associated component lifespan e.g. kitchen lifespan of 15 years. This enables planned programmes of work to be developed for future works and the setting aside of sufficient financial budgets.
14. A **new build housing** programme is being undertaken which is capable of delivering over 2,700 new council homes in total, of which 1,000 will be completed by 2022.
15. A summary of the various delivery streams is highlighted in the table below:

Scheme	Target Number Within 5 years	Complete (as at Jan 21)
Cardiff Living	250	178
Additional New Build	400	8
Open Market Buy-backs	100	109
Developer Package Deals	100	30
Converting Buildings to Council Homes	50	18
Meanwhile Use of Land	50	13
Council Assisted Home Ownership	50	44
Totals	1,000	400

16. A partnership with a national housing developer is already in place via the **Cardiff Living** innovative building partnership. This 10 year development programme will deliver around 1,500 new homes in total with a minimum of 600 of these being new council homes. These homes will be built over 40 sites across Cardiff split into 3 phases of development.
17. Other **Additional New Build** programmes (new build housing projects outside of the Cardiff Living scheme) are being developed in order to achieve the overall target of building 1,000 new council homes by 2022 and 2,000 in the long term. There are currently 59 development sites across Cardiff in the programme and will deliver a wide range of new homes for all types of tenants including older people, families, specialist housing and homelessness & supported housing schemes. One such scheme which has recently undertaken public consultation is the proposed redevelopment of the Channel View estate in Grangetown. This will replace existing housing with new, sustainable, energy efficient homes.

18. There is also a real focus on delivering exciting new **community living** “care-ready” schemes offering quality, flexible homes for older people which in turn will free up family homes for rent.
19. Cardiff have also been successful in bidding for Welsh Governments **Innovative Housing Programme** (IHP) with around £3.8m of grant being awarded to deliver four new build schemes using innovative techniques.
20. The Council’s **buy-back** policy sets out the criteria for the purchase of properties (both flats and houses) from the market. Often these properties will be ex-Council properties, although this will not always be the case. In determining which properties to purchase there is a focus on those in high demand and where the new build programme is unlikely to meet the need. These would include properties such as larger 3 or 4 bedroomed family homes, which would be costly to build, as well as adapted properties and ground floor flats suitable for tenants who are less mobile. Properties will also be purchased where necessary to deliver redevelopment or improvement schemes and to meet social care needs. The properties are all surveyed and valued by an independent surveyor before purchase to ensure value for money.
21. **Package deals** are where the Council buys new properties straight from a developer. The first scheme with Cadwyn Housing Association has delivered 30 flats.
22. **Converting Buildings to Council Homes** has been possible at two sites to date including one previous children’s home. Other sites will be considered as opportunities arise.
23. **Meanwhile use of land** includes temporary accommodation solutions located on land awaiting permanent development.
24. The **Council Assisted Home Ownership** scheme is available to first time buyers to help them get a foot on the property ladder. The Council retains an equity share in the property, normally 70% owned by the resident and 30% by the Council.
25. As part of the overall strategy to build 2,000 new homes, work is underway to identify suitable council owned land or property for council house development. In the case where council land or property is identified as being suitable for development, consideration will be given to the appropriation of this land/property from the General Fund into the Housing Revenue Account. Each case will be considered on its merits and, if approved, an assessed price representing a market value will be transferred.
26. The application to suspend the **Right to Buy** in Cardiff was approved by the Welsh Government in July 2017 which means that any properties purchased or built will remain available for those in housing need in Cardiff.

27. Delivering **energy efficiency** has been a key part of the HRA Business Plan in recent years with the upgrading of boilers in the housing stock being a key focus. 99% of all council homes have “A” rated energy efficient boilers delivering energy cost savings for tenants. The energy efficiency of a property is assessed using a government approved Standard Assessment Rating (SAP). Cardiff’s average SAP rating is currently 71.5 which is well above the Welsh Government good practice level of 65. The ambition in the medium to long term is to raise the average SAP rating to 75 in all Council homes.
28. Other plans to decarbonise and improve the energy efficiency of our existing stock includes the acceleration of additional loft and wall insulation programmes, renewing outdated energy systems with alternative energy heating such as ground or air source heat pumps, installing external wall insulation to all low rise blocks of flats and moving forward with renewable energy sources such as solar panels.
29. In a response to the climate emergency the Council’s first PassivHaus (ultra-low energy efficiency in buildings) scheme is underway at Highfields in Heath. This will deliver 10 new council homes and will provide the opportunity to evaluate how PassivHaus works for tenants. The award of a Welsh Government Innovative Housing Programme grant of £3.8 million will allow the service to deliver the Council’s first Zero Energy housing scheme. The Cardiff Living development at the former Rumney High school site will deliver 214 new homes to a high energy efficiency specification incorporating solar PV with batteries, ground source heat pumps and electric vehicle charging points.
30. The Business Plan also sets out plans for:
- The **Remodelling and Refurbishment** of existing homes over the life of the plan. Following a review of the suitability of the Council’s sheltered housing accommodation a phased plan to upgrade the schemes has been agreed. One sheltered block (Sandown Court) was initially refurbished and rebranded as the Council’s first Community Living Scheme. The scheme offers a modern and welcoming environment which allows older persons living outside of the scheme to access the health care and social activities on site. Similar works have now been completed at Brentwood Court in Llanishen, Clos-y-Nant in Fairwater and Minton Court in Splott. Work is currently underway at Nelson House in Butetown similar improvements are due to start in the spring at Popular House in Whitchurch and Broadland Court in St Mellons.
 - Major **Neighbourhood Regeneration**, works are underway at Bronte Crescent and Arnold Avenue in Llanrumney and Roundwood in Llanedeyrn. Residents are also being consulted on proposals for schemes in Trowbridge Green, Rumney and Lincoln Court, Llanedeyrn.
 - Other **smaller scale projects** are planned throughout the city and include garage sites refurbishments, courtyard improvements, gullies

and alley gating schemes to tackle anti-social behaviour and crime issues.

- Large scale **Capital Improvement Works** continue to be implemented including roofing to houses and flats, front door upgrades to flats, window replacements to both flats and houses and Works to re-clad Lydstep Flats in Gabalfa are progressing and a contractor has been appointed. Final design and safety checks are underway and residents helped chose the final design option following a lengthy consultation period.
- **Fire Safety works** – sprinkler systems will be installed in all Cardiff high-rise and installations have already started at Loudoun and Nelson House in Butetown.
- The delivery of **Community Benefits** in partnership with our external building contractors has continued, delivering apprenticeships for people living in Cardiff communities and the volunteering of staff time.

31. The Business Plan also sets out how the Council manages its homes as effective housing management is a key part of WHQS. This includes:

- Focusing on improving **Tenant Participation and Consultation** including examples of community projects, information on grants available and advice on how to make a difference in a community.
- Working to improve services to tenants and ensure these are **cost effective**.
- **Supporting vulnerable people**, assisting older people with independent living services, housing vulnerable homeless people through hostels and rough sleeping projects, and providing additional support to help them sustain their tenancies.

32. **Providing advice and information to tenants** is a key focus of the Business Plan. Community Hubs are designed to bring together services, share resources and enable integrated investment in better quality facilities. Services delivered through the Community Hubs are responsive to the needs and priorities of individual neighbourhoods with housing services being a key component.

33. The impact of **welfare reform and the economic impact of Covid-19 and Brexit** have been taken into account in developing the Business Plan. Financial modelling has been carried out to account for potential increases in rent arrears. A Welfare Liaison Team is in place to assist and advise tenants with debt management and budgeting, minimising the impact as far as possible. The Team has had increased staffing numbers in recent years to deal with the increased volume of complex cases. Advice and Into Work assistance is also available through the Advice Line, website and in the Hubs when Covid restrictions allow.

Scrutiny

34. The draft HRA Business Plan was presented at Communities and Adult Services Scrutiny Committee on 10th March 2021. The letter from Scrutiny will be tabled and considered as part of the Cabinet meeting.

Reason for Recommendations

35. To comply with the requirement to present the HRA Business Plan to the Welsh Government.

Financial Implications

36. The HRA Business Plan has a prescribed format and content which is a requirement of application for the Major Repairs Allowance grant (MRA) from Welsh Government. It informs Welsh Government about plans for development of new homes and should be used by local authority landlords to drive improvements and value for money in the HRA.

The Business Plan is underpinned by a thirty year financial model which sets out estimates of planned Capital and Revenue income and expenditure over the period. This model is intended to be used as a planning and modelling document forming the basis of the HRA business, to safeguard the interests of current and future tenants and other service users and to demonstrate the long term sustainability of the HRA.

Any financial deficit and liabilities of the HRA are ultimately liabilities of the Council.

Whilst the assumptions are robust in the very short term, medium and longer term assumptions are based on a number of judgements and parameters set out by Welsh Government. It is essential that the Capital Investment Programme is based on deliverability and a sound understanding and modelling of the condition of existing housing stock to ensure all future requirements are captured.

The financial model includes many assumptions, particularly in respect of expenditure forecasts, capital financing, projected income levels and inflation rates. Due to the long term nature of the forecasts within the model, the uncertainty of the economic climate and the demands on the housing environment generally, these assumptions are extremely sensitive to change.

37. A number of crucial assumptions are, as follows:
- Rent increases in line with the Welsh Government Social Housing Rent policy through to 2024/25 and taking account of forward indicators for inflation factors (CPI assumed to increase incrementally to 2% by 2024/25 and through to 2050/51)
 - Service charges are increased for future years in line with inflation for full cost recovery

- Void rent loss projections vary within a range of 1.68% and 2.5%
 - Bad debts vary within a range of 1.45% and 2.2% over the life of the plan to take into account the potential impact of Welfare Reform and the transfer to Universal Credit
 - Consumer and retail price indexes are estimated to be within a range of 0.5% and 2.6% throughout the model
 - The Welsh Government Major Repairs Allowance receivable is assumed to remain at previous levels of £9.5 million per annum.
38. Future rent modelling is based on incremental increases in CPI up to 2% by 2024/25 as set out in Annex 2 of the Budget Proposals Report March 2021. Lower rates of CPI, and lower rent increases than assumed within the model will have an impact on the available revenue resources to support the plan and deliver key commitments.
39. The Capital Investment Programme assumes a significant increase in additional borrowing to build new housing, investment in disabled adaptations and to support investment in the existing stock. This will result in additional revenue implications in terms of interest payments and provision of repayment for borrowing. Affordability is considered as part of the budget including consideration of prudential indicators.

Where capital investment is proposed this must be based on informed criteria, including viability or payback assessments. This is essential to demonstrate value for money, effective use of rent payer funds and to mitigate against future risks to the affordability and viability of the HRA. There should be a robust governance process that sets out the requirements and approval of investment proposals at agreed stages, reviews costs before they are incurred and as projects progress as well as the effectiveness of delivery of targets. Value for money should be assessed against set benchmarks and to ensure investment is repaid over a prudent period having regard to future rent payers. The effectiveness of that governance should be reviewed and assessed regularly.

Consideration will be given to bringing forward future year's budget to allow flexibility to acquire sites and buildings at an earlier stage as part of the overall programme. This must only be after consideration of viability and affordability and relevant governance processes.

40. Given the significant uncertainties and risks included in the financial modelling, the Business Plan includes a risk assessment setting out a number of key variables and any changes in these are likely to necessitate a review of priorities both in terms of capital investment and for revenue budgets.
41. A robust risk review and monitoring process should be set in place to review the HRA risk register specifically and any emerging issues that could impact on the viability of the HRA. This is to ensure that the level and quality of service provision to tenants is not affected and the HRA continues to be viable. Where necessary, mitigating actions will need to

be taken including reducing revenue costs or reviewing plans for new build affordable housing programmes and other capital expenditure aspirations.

Legal Implications

42. There are no direct legal implications but the requirement for a plan is set out in the body of the report. The approval of the Business Plan is an executive function which does not have to be referred to Council.

HR Implications

43. There are no direct HR implications for this report.

Property Implications

44. Any resulting property transactions should be managed through the agreed property process.

RECOMMENDATIONS

Cabinet is recommend to approve the Housing Revenue Account (HRA) Business Plan - 2021-2022 for presentation to Welsh Government.

SENIOR RESPONSIBLE OFFICER	Sarah McGill Corporate Director People & Communities
	11 March 2021

The following appendix is attached:

Appendix 1 - HRA Business Plan 2021-2022

The following background papers have been taken into account

- *30 Year Business Plan for Welsh Housing Revenue Accounts - Financial Model*

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Housing Revenue Account (HRA) Business Plan 2021-22



Gweithio dros Gaerdydd, gweithio gyda'n gilydd

Working for Cardiff, working together

Page 479



Contents	Page
Foreword	3
Ambition	
Capital Ambition	6
Our ambitions for the coming year	8
Building for the future	
New homes for Cardiff	12
Cardiff Living	16
The Council's Cardiff Living partners	18
Flagship schemes	19
Affordable first homes for first time buyers	20
Number of properties and availability during 2019 – 2020	22
Improving homes & neighbourhoods	
Typology of the housing stock	26
The Welsh Housing Quality Standard and beyond	28
Welsh Housing Quality Standard attainment tracker	29
WQHS review by Wales Audit Office	30
Planned improvements in 2021/2022	32
Programmes of work spend 2021/2022	34
Teaming up to clean up	36
Neighbourhood regeneration	37
Asset and regeneration schemes	38
Helping residents live independently	
Community Living (sheltered housing)	42
Older persons housing development	44
Developing older persons housing	46
Listening to tenants	
Tenant participation	50
Helping communities and individuals	
Helping communities and individuals	56
Helping tenants	60
Managing antisocial behaviour	62
Tenancy sustainment	64
Rapid rehousing	66
Helping single and vulnerable people	68
Further development of the Multi-disciplinary Team	70
Innovative housing solutions	72
Supported living schemes	74
YHA purchase	75
Improved accommodation & support	76
Covid-19 heroes	
Caretaking teams working through the pandemic	80
Giving something back to support homeless clients	81
Covid-19 heroes	82
Working together addressing climate change	
One Planet Cardiff - a strategic response to the climate emergency	86
Moving towards zero carbon homes	88
Decarbonising and retrofit	90
Finance	
Financial resources & planning	94

Foreword

Housing need is increasing year-on-year so it's essential that we have plans in place to deliver new homes for people who need them. We're setting high standards for ourselves to deliver new homes in volume and at pace and as well as helping to tackle housing pressures in the city, we want to ensure that the new homes we deliver are high-quality builds, designed to regenerate existing estates and create well-connected, sustainable communities across Cardiff.

The Council remains committed to delivering 1,000 council homes by 2022 with an additional 1,000 programmed to be built in the following years.

The Council is extremely pleased to provide innovative and sustainable solutions to help tackle housing need in the city. Our proposals will create a more attractive local environment for everyone with impressive architecture, a strong emphasis on place-making and incorporating innovative, green infrastructure.

Councillor Lynda Thorne

Cabinet Member for Housing and Communities



The HRA business plan outlines the very wide range of housing and community services delivered in and for the communities of Cardiff.

This year we will focus to make sure that the significant investment in new homes, improvements and services described in the plan also deliver real employment opportunities through training and apprenticeships.

Our "Into Work" service will continue to be available either face to face or virtually and more generally all services will continue change and develop to meet the emerging needs of our tenants as we understand the longer term impacts of the pandemic.

In a year hopefully like no other, I would like to express my gratitude to the staff of the Communities and Housing Directorate. Their flexibility, dedication and determination to support our service users has been inspiring with real innovation shown to adapt our essential services to the new "Covid safe" ways of working.

In the coming year we will ensure that, where appropriate, these new ways of working will be adopted as part of our service delivery with innovation such as "virtual property viewing" for prospective tenants and click and collect for library users.

I hope that you will find the plan interesting and informative and that you enjoy reading it.

Sarah McGill

Corporate Director People and Communities





Capital ambition

Cardiff Council published its Capital Ambition in 2020, making clear its ambitions for a greener, fairer and stronger capital city that plays a leading role in creating a better future for Wales.

In delivering its Capital Ambition, the Council will focus on four main areas:

Working for Cardiff – Making sure that everyone who lives here can contribute to and benefit from the city’s success.

Working for Wales – A successful Wales needs a successful capital city.

Working for the Future – Managing the city’s growth in a sustainable way.

Working for Public Services – Making sure public services are delivered efficiently, effectively and sustainably in the face of rising demand and reducing budgets.

Capital Ambition makes clear that working to end the city’s housing crisis, tackling homelessness and investing in safe communities will represent major priorities for the Council.



Housing & Communities will play an important role in delivering a number of the commitments included within Capital Ambition, with the service area leading on four key priorities:

- **Working to end the city's housing crisis:**

To tackle the city's housing crisis, we are building new council houses at scale for the first time in a generation, and reducing the number of people on the waiting list through improving the offer in the private rented sector.

Our new housing strategy represents the largest council house-building programme in Wales and a £280m investment into building affordable, high-quality, sustainable and energy efficient homes across the city.

- **Tackle homelessness and end rough sleeping**

Like all major British cities, Cardiff has experienced a dramatic rise in the number of people homeless or sleeping rough. Working with partners we have put support in place so that nobody has to spend a night out on the streets.

We have made significant progress in reducing the number of individuals sleeping rough, which is now at its lowest level for six years. The next step is to review our services for single homeless and vulnerable people to improve prevention, assessment of need and to ensure we have the right accommodation pathways in place.

- **Invest in local communities**

Access to services and a healthy local economy is essential for strong and safe communities, so we are working with our partners to design and deliver a wide range of regeneration schemes across the city.

Major projects include leading on the regeneration of the Channel View Estate and South Riverside Business Corridor, the second phase of the Maelfa scheme, new youth hubs in Butetown and the city centre.

Our ambitions for the coming year

Next year we will spend £60m building new homes for the city. Including £35m for Innovative housing schemes.

We will spend over £19m on improving our existing homes.

Develop a Rehousing team which can meet the challenge of rapid rehousing and address overcrowding.

Develop an onsite construction training hub to train up to 750 people a year and offer employment or apprenticeships to over 200 .

Roll out innovative decarbonisation projects across the city.

Complete the modernisation of our community living (sheltered housing) complexes.

Upgrade roofs to over 700 homes across the city.

Deliver 3 new family homeless centres, a single homeless assessment centre and 2 large projects for clients with complex needs.

Set up Local Teams under the banner, “Teaming up to clean up” to improve neighbourhoods and help residents take pride in where they live.

Deliver a zero carbon housing development at the old Eastern High School site.

Deliver estate regeneration works in Trowbridge Green, Rumney & Lincoln Court, Llanedeyrn.

Continue to assist tenants impacted by Covid-19. Helping with budgeting, re-skilling, emergency assistance and foodbanks.

Further develop the HUB website to help alleviate social isolation and loneliness, recommencing face to face events as soon as Covid-19 restrictions allow.



New homes for Cardiff

Cardiff Council has set a target of building at least 1,000 new council homes by 2022 and at least 2,000 new council homes in the longer term to meet the increasing demand for high quality, sustainable and affordable social housing.

Our award winning development programme currently represents one of the largest council housing building programmes in Wales and will see around £450 million invested into delivering new council homes in volume and at pace. There are currently 59 development sites across Cardiff in the programme.

Our programme will deliver a wide range of new homes for all types of tenants including older people, families, specialist housing and homelessness & supported housing schemes. We will deliver homes that are very much needed in the right areas close to services and facilities.



Programme Core Data – January 2021



Projected Programme

	2019/20	2020/21	2021/22	Dec-22
In year	230	246	201	446
Total	316	562	763	1008

Our programme utilises a number of delivery routes and includes the Cardiff Living Programme, our additional build programme, partnerships with Housing Associations, market buy-backs and developer package deals.

We want to be at the forefront of innovation and test new technologies. We have already delivered schemes that use modular buildings, repurposed shipping containers, Passivhaus energy standards, renewable energy sources and we are on site building our very first zero carbon certified development.

By January 2021 we had delivered 400 new council homes and have over 1,100 going through the development process from planning to completion. Our programme is capable of delivering over 2,700 new homes in total and 1,000 by the end of 2022.

Our standards.

The new homes that we build meet very high standards of design, they are highly energy efficient helping to tackle fuel poverty and enabling us to move towards the council's aspiration to build to a zero carbon standard. The new homes have good storage, are more accessible, have dedicated home working space and access to private outdoor areas. Our homes are homes for life that reduce the need for future adaptations.

Our larger developments also deliver a high quality urban design and place-making to ensure we create attractive and pleasant places to live. We have developed our own 'Cardiff Design Standard' which our schemes need to meet.



Silvervale, St. Mellons – Completed 2021



Captain's View, Braunton Crescent, Llanrumney. Completed

Why build new homes?

There is a high demand for social housing in Cardiff and a limited number of properties become available to let each year. The housing need is increasing year on year with just under 8,000 people on our waiting list, and only an average of 142 properties available to let per month. In addition we receive on average 450 new applications each month adding to the demand and strain on what is available.

Now is the time for action.

The Local Housing Market Assessment identified that at least 2,024 new homes are required per year to meet current demand. In the last five years the social housing sector has completed on average 250 new homes each year - leaving a significant gap between demand and supply.

Cardiff Living

Cardiff Living is an innovative 10 year development partnership between Cardiff Council and Wates Residential. The scheme will deliver around 1,600 new homes, 700 of which will be affordable housing for Cardiff Council, the remainder will be for private sale. All the properties built will achieve very high design standards and high levels of energy efficiency so that the homes are affordable to heat and power.

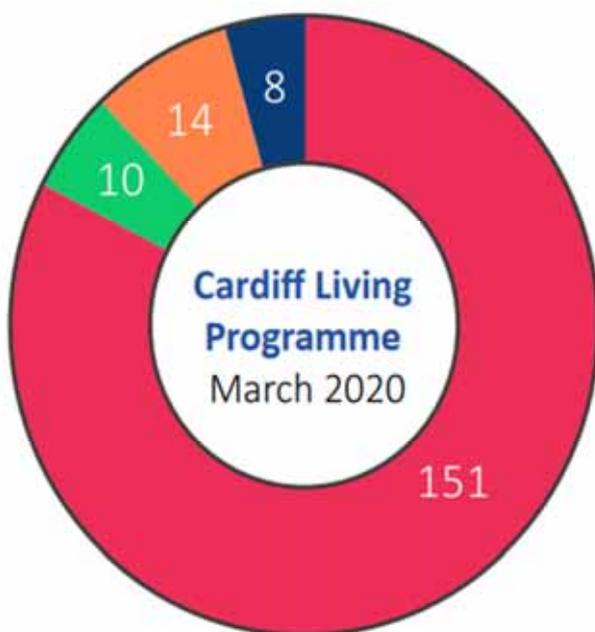
As well as providing council homes, the Cardiff Living Scheme is providing excellent options for first time buyers. To date 157 families have moved into Wates properties bought on the open market through the scheme, many of whom are local to the area.

At Captain's View in Llanrumney, which was completed in 2019, around 90% of buyers were from the local area. 70% were first-time buyers, while 63% of the homes were bought using the Government's Help to Buy Scheme.

All the properties across the Cardiff Living sites are being built to high energy efficiency and design standards and are tenure-blind, creating an environment which enhances the existing community and creates a great place to live.



Walker Mews, Llanishen – completed 2019



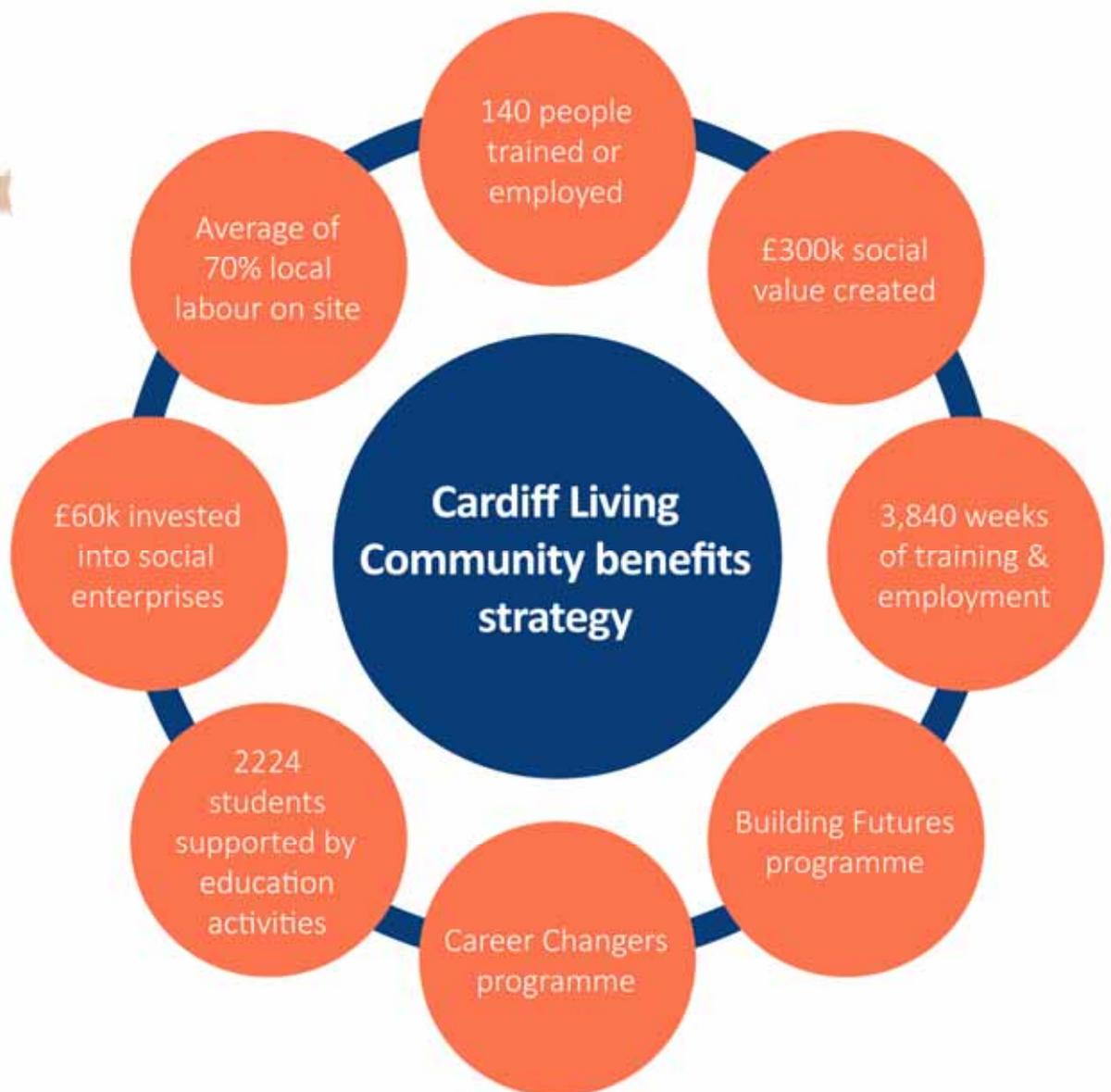
-  No of schemes on site
-  No of sites with planning permission approved
-  No of schemes with pre-planning completed
-  No of council homes completed onsite

The Council's Cardiff Living partners

As well as delivering new homes the Cardiff Living Scheme is delivering much wider community benefits.

These include:

- Local employment and training initiatives.
- The 'Building Futures' programme.
- An annual week long community and conservation week – working on local projects.



Flagship schemes

A new development built through Housing Development's flagship housebuilding programme has been crowned 'Best Starter Home Scheme' at the prestigious national 'What House Awards' in London. The Captain's View and Captain's Walk site in Llanrumney won the GOLD Award at the ceremony.

The site, which delivered 106 new homes including 40 new council properties, was the first to reach completion under the Council's Cardiff Living Programme, a ten-year partnership between Cardiff Council and Wates Residential to increase the number of affordable homes for local people.

We won the award due to our quality, value for money and the variety of options and initiatives offered to help first time buyers onto the first rung of the housing ladder. At Captain's View, around 90% of buyers were from a four mile radius of Cardiff, 70% were first-time buyers, while 63% of the homes were bought using the Government's Help to Buy Scheme. Judges said the Llanrumney site is a 'shining example' of what partnerships can achieve.



'What House Awards' in London



Highly Commended;
best large development



2019 Integration & Collaboration
Award winners (Cardiff Living)



2019 Gold winners for best
starter home scheme



Winners for residential
(Silverdale)

Affordable first homes for first time buyers

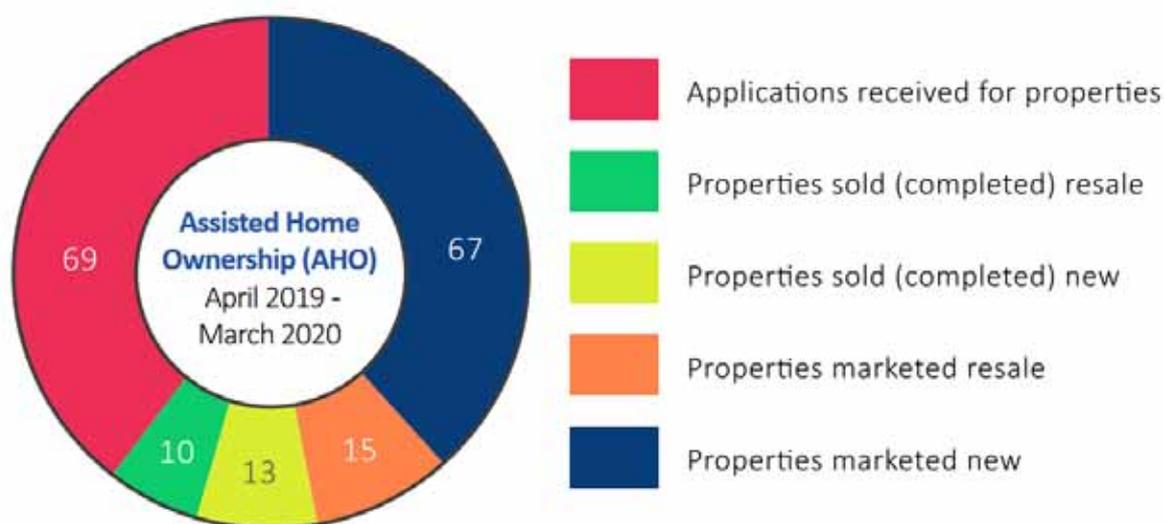
Assisted home ownership

The scheme offers newly built properties to first time buyers registered with us on a shared equity or shared ownership basis.

This usually means that the applicant will finance 70% of the property purchase and the council will finance the remaining 30%. There is no rent to pay on the councils share. This helps to make home ownership affordable for first time buyers who are unable to buy in their own right.

The properties are made available by private sector house builders on sites in Cardiff as well as on our own development schemes.

You will repay the share you don't own when you sell the property or you can buy it outright when you can afford to do so. This will be based on the market value at the time.

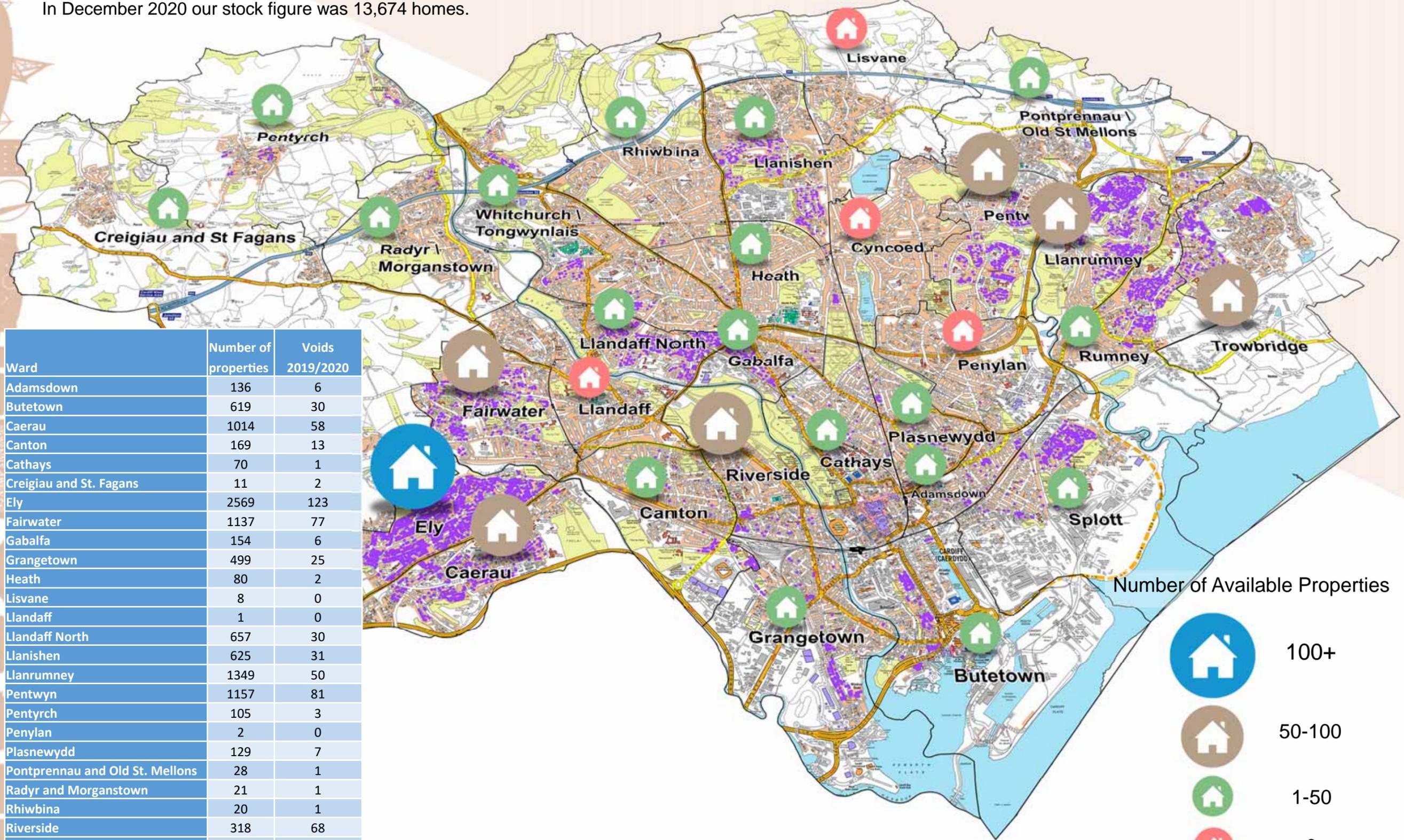




Silvervale, St. Mellons – Completed 2021

Number of properties and availability during 2019 - 2020

In December 2020 our stock figure was 13,674 homes.



Ward	Number of properties	Voids 2019/2020
Adamsdown	136	6
Butetown	619	30
Caerau	1014	58
Canton	169	13
Cathays	70	1
Creigiau and St. Fagans	11	2
Ely	2569	123
Fairwater	1137	77
Gabalfa	154	6
Grangetown	499	25
Heath	80	2
Lisvane	8	0
Llandaff	1	0
Llandaff North	657	30
Llanishen	625	31
Llanrumney	1349	50
Pentwyn	1157	81
Pentyrch	105	3
Penylan	2	0
Plasnewydd	129	7
Pontprennau and Old St. Mellons	28	1
Radyr and Morganstown	21	1
Rhiwbina	20	1
Riverside	318	68
Rumney	483	21
Splott	716	39
Trowbridge	1082	71
Whitchurch and Tongwynlais	515	27
Grand Total	13,674	774

Number of Available Properties



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Ordnance Survey 100023376

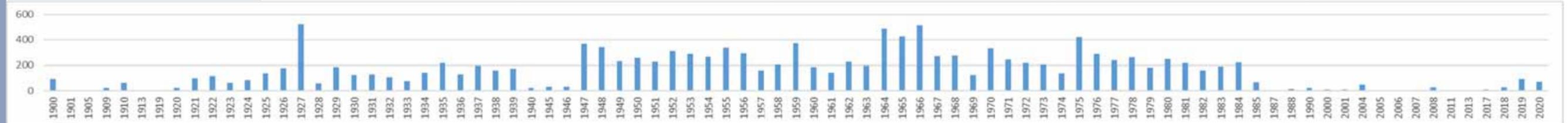
Improving homes & neighbourhoods

Page 499



Typology of the housing stock

Building Type	1900-1944 (3,130)	1945-1964 (4,964)	1965-1989 (5,257)	1990-Date (323)	By 2022 (Target of 1,000)
Detached (19)					
Semi-Detached (3,377)					
Terraced (4,593)					
Flats and Maisonettes (5,685)					



The Welsh Housing Quality Standard and beyond

The Welsh Housing Quality Standard, (WHQS) arose from the National Housing Strategy for Wales ‘Better Homes for People in Wales’. The Standard was developed by the Welsh Government to provide a common target standard for the condition of all housing in Wales. The WHQS states that all households should have the opportunity to live in good quality homes that are:

- In a good state of repair.
- Safe and secure.
- Adequately heated, fuel efficient and well insulated.
- Contain up-to-date kitchens and bathrooms.
- Well managed.
- Located in attractive and safe environments.
- As far as possible suit the specific requirements of the household, (e.g. specific disabilities).

In September 2012 Cardiff was the first council in Wales to achieve full 100% WHQS accreditation.

The Welsh Government has recognised that the standard cannot always be reached because of issues outside of the control of the council. It has therefore introduced the concept of “Acceptable Fails” into the Welsh Housing Quality Standard revised guidance in order to recognise legitimate areas which would restrict a council from reaching the required standard. We have a number of acceptable fails, (largely due to resident’s choice) and have implemented measures in order to re-visit and maximise achievement of the Standard.

There are four elements:

- | | | | |
|---------------------|---|-----------------------|---|
| • Cost of remedy |  | • Timing of remedy |  |
| • Resident’s choice |  | • Physical constraint |  |

We review the standard when properties become vacant and are working closely with the Tenant Participation Team to enable tenants that have not received WHQS works or have changed their minds to contact us.

In 2018 the Council engaged independent surveying consultants to carry out WHQS audit checks, 98.7% of properties inspected were found to be compliant.

Welsh Housing Quality Standard Attainment tracker

WHQS Standard achieved	2008	2009	2010	2011	2012	2013-Date
Roofs						
Windows	97%	99%	99%	100%		
External Doors	93%	98%	100%			
Door Entry Systems	99%	100%				
Kitchens	23%	26%	43%	71%	100%	
Bathrooms	24%	28%	44%	72%	100%	
Energy Efficiency Pass	0%	0%	48%	52%	100%	
Central Heating	100%					
Electrical Systems	0%	0%	50%	73%	100%	
Smoke Detectors	99%	99%	98%	100%		
Environmental Works	51%	52%	67%	79%	100%	

WQHS review by Wales Audit Office

As part of their performance audit programme the Welsh Audit Office (WAO) reviewed the Council's arrangements to maintain the WHQS in 2018.

The review sought to determine whether the Council has effective arrangements in place to enable it to maintain the WHQS and address the number of acceptable fails.

The auditors carried out fieldwork and undertook document reviews, interviewed a number of key officers and members, and ran focus groups with a sample of frontline staff. The auditor concluded that the Council met the WHQS in 2012, and its arrangements to maintain compliance with the WHQS are effective and making a positive difference to residents' lives. WAO came to this conclusion because:

- ✓ The Council's approach to the WHQS is well-integrated into its strategic housing function.
- ✓ The Council has comprehensive information on the condition of the whole of the housing stock to direct investment priorities.
- ✓ A financed and deliverable programme is in place for the repair and improvement of the housing stock, including addressing acceptable fails.
- ✓ The Council has effective arrangements to monitor and scrutinise its progress to maintain the WHQS and has learnt from its progress to date.
- ✓ The Council has a strong customer care focus to the way it interacts with its tenants.
- ✓ The Council's integrated approach to the WHQS is making a positive difference to the lives of its housing tenants.

The Council has robust, comprehensive and wide-ranging plans in place to support its ambitions in maintaining its achievements against the WHQS. These include the Cardiff Housing Strategy 2016-2021, annual Housing Revenue Account (HRA) business plans, and annual WHQS Compliance Policies. There is clear evidence in these plans of the position and compliance against the Standard.



WALES AUDIT OFFICE
SWYDDFA ARCHWILIO CYMRU

Archwilydd Cyffredinol Cymru
Auditor General for Wales

Welsh Housing Quality Standard review including tenants' views – **Cardiff Council**

Audit year: 2017-18

Date issued: October 2018

Document reference: 807A2018-19

Planned improvements in 2021/2022



Now that Cardiff has met the WHQS it is important to ensure it is maintained and investments are planned accordingly. The level of actual investment required will vary annually and consequently detailed programmes of work require adjustment on a yearly basis.

The Business Plan includes a provision for kitchens and bathrooms that are deemed as acceptable fails, e.g. tenant refusal. These will be improved as properties become vacant or tenants change their minds.

30 Year Plan

The 30 year plan incorporates life cycles of property elements such as roof upgrades and budgetary commitments. Due to the high amount of work completed on properties in the run up becoming WHQS compliant a large number of elements become due for renewal in a short space of time. To ease the impact on budget and improve efficiency of renewal the 30 year plan goes through a smoothing process.



Component Lifespan

The Council's stock condition database provides details of the improvements carried out to each property or blocks of flats/ maisonettes. This provides more accurate forecasts and will allow for the programmed works to be planned, costed and tendered accordingly. The Council will seek to achieve value for money in all respects.

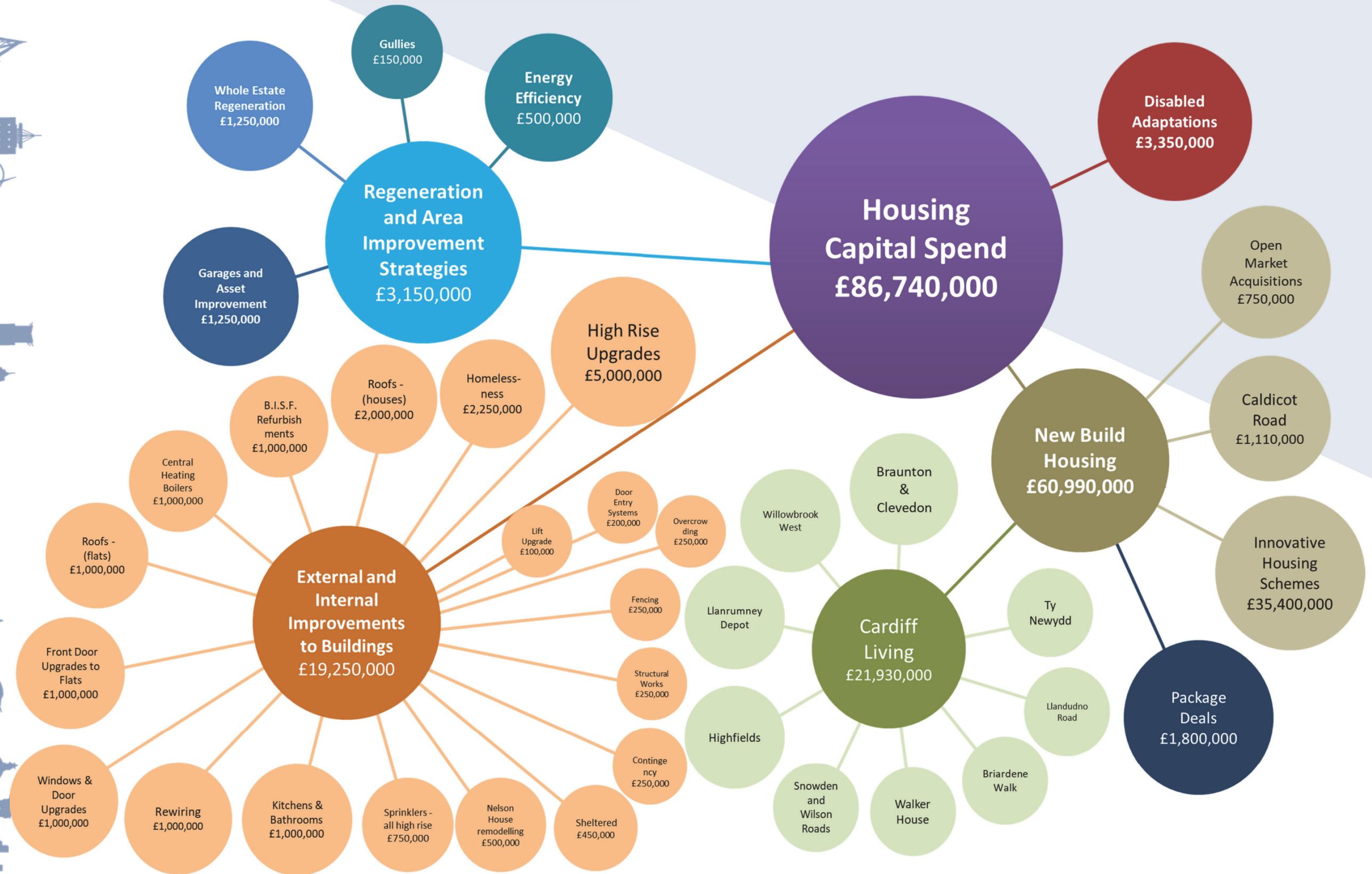
Sustainability

The Council works in partnership with suppliers and contractors to acquire the best quality materials for the best value. We ensure that environmental criteria are used in the awarding of contracts. When assessing value we consider the whole life cycle of a material, including installation, maintenance and final disposal. The Council will source green energy wherever possible and consider suppliers' environmental credentials. This means that the cheapest product does not necessarily deliver the best value.



Winning choice for Lydstep Plus Cladding, Gabalfa

Programmes of work spend 2021-2022



Teaming up to clean up

The new Local Teams will work to improve neighbourhoods by working with residents and encouraging them to take pride in where they live. The teams will bring together resources to provide a comprehensive estate management service.

The Local Teams will focus on former council estates in the areas below:-

- Caerau/Ely
- Fairwater/Gabalfa estate, Llandaff North
- Llanrumney/Trowbridge
- Butetown/Tremorfa



The new teams

Each of the four areas will have a Local Estate Co-ordinator, working within the community to:

- Identify hot spots, plan and co-ordinate activities.
- Bring residents and services together to address the issues.
- Work with other services to develop solutions and take enforcement action when required.
- When Covid-19 restrictions allow they will also develop “street champions” and co-ordinate street action days.
- **A Local Action Team**, will proactively check problem areas, remove rubbish and respond to any issues or complaints on both housing and private land.
- **A Local Garden Team** will address issues with overgrown areas, remove smaller trees, problem branches and bushes. They will also help residents to get their gardens under control and work with third sector and voluntary groups to develop schemes to help older residents to continue to maintain their gardens.

Asking the community to identify the issues and hotspots in the area

A resident survey will be undertaken in each ward to identify and respond to issues.

Estate Regeneration

The Estate regeneration programme aims to create better and safer places to live. Consultation with tenants and residents is undertaken to identify priorities and to agree plans before delivery starts.

These could include defensible space improvements, boundary walls, on-plot parking, better lighting, improved footpaths and gully closures.

- Estate regeneration schemes are ongoing in Bronte Crescent / Arnold Avenue in Llanrumney and Roundwood in Llanedeyrn.
- Residents are also being consulted on schemes in Trowbridge Green, Rumney and Lincoln Court, Llanedeyrn with work due to start in 2021.
- In Ely, environmental improvements to the public realm of a number of road end closures are being designed and rolled out from early 2021.
- In Plasnewydd, a scheme to introduce defensible space improvements is also being designed and consulted on.
- One-off improvements to address specific environmental issues are also undertaken in response to requests from residents and councillors.



Regeneration schemes

Courtyard and Defensible Space Improvement Programme

The Courtyard and Defensible Space Programme focuses on identifying and delivering schemes that enhance the external fixtures and boundaries to houses, flats and land. The programme aims to tackle community safety issues, lack of defensible space and waste storage areas for flats. The overall aim is to provide estates that are safe and attractive places to live in, as social housing has a unique and positive part to play in housing people and helping communities thrive.

Improvements include:

- Work to make homes more secure.
- Improving access by removing trip hazards and providing level access.
- Upgrading front & rear defensible space.
- Improving courtyard surface condition.
- Installing purpose built bin stores to comply with the waste strategy to provide sufficient waste and recycling storage capacity between bin collections.



High Corner, Pentrich defensible space upgrades



We are developing the use of secure waste bin storage. This will eliminate unscheduled waste collections due to “fly tipping”, increase recycling participation and facilitate recycling segregation. This will make waste and recycling storage more hygienic and accessible.

Fire safety and usability are a key factor when designing bin stores. The aim is to reduce fire risk by providing secure storage for waste and recycling and positioned away from the property to ensure that fire is contained in the event of bins being set alight. Improvements to bin stores will increase recycling rates and limit cross contamination. Cleaner courtyards and separate bin areas will improve the appearance of our communities, reducing fly-tipping and anti-social behaviour.

Garage Improvement

The garage improvement programme is continuing to be rolled out across the city. The works for the sites include:

- Improving the security of the garage site.
- Refurbishment of individual garage units.
 - new doors.
 - new roofs.
 - new guttering.



Helping residents live independently



Community Living (Sheltered housing)

2020 was a challenging year with Covid-19. The Community Living Team continued to provide much needed support and advice to all its residents.

This included extra welfare calls to more vulnerable residents to ensure that they are well. Welfare calls have also been provided to tenants who previously did not have them. Over 500 extra welfare calls have taken place since the beginning of the pandemic.

The Scheme Managers provide residents with a familiar face and reassurance. Where needed, meals on wheels have been organised for those tenants who were struggling with cooking for themselves, food boxes have been delivered and over 100 shopping requests, pharmacy visits and liaising with GP's and other health providers.

The team continue to work with other departments and external providers to support residents with any issues, concerns or requirements they may have.

Whilst events and activities have not been possible during the pandemic, the team are now working towards helping residents to get involved via digital platforms, there is funding



Community Living Team Page 513

to purchase tablets which we are hoping to distribute to schemes, and begin virtual activities.

Partnership Work

Partnership work with Public Health Wales has continued. Stay Steady—Virtual Clinics offer consultations with a falls specialist physiotherapist which can be carried out over the phone or a secure video link.

- Further Health information resources including Public Health Wales 'Stay Well Whilst Staying at Home – A Wellbeing Guide for Older Adults' have been distributed to all schemes.



- Rubicon Dance are providing digital sessions.
- Working with Digital Communities Wales to help provide training and equipment for those residents who require it.
- Exploring the use of technology including welfare call system to help alleviate social isolation and loneliness.

Supporting Older People living with vision loss

We are working with the RNIB to develop Vision Friends, still in its infancy – similar to Dementia Friends.

This will involve staff being trained in using a toolkit, helping them to recognise sight issues residents may be facing, providing a range of useful resources to help support residents.

Improving our older persons homes

The community living refurbishment schemes programme focuses on upgrading communal rooms, other communal areas and creating flexible rooms which can be used for various activities.

This will enable the residents living within the complex and the older residents living in the wider local community to share activities in a safe, secure and welcoming environment. New technology is also being installed within the properties, including improved CCTV, upgraded Telecare, power assisted doors and scooter charging rooms.

The residents have been involved in the refurbishment process from the concept, right through to the construction and completion.

There have been many consultation events which have included coffee mornings, meet and greets with the contractors and progress meetings. The residents have had the opportunity to choose the colour schemes for the communal areas and they have also had the opportunity to



Clos y Nant, Fairwater communal room upgrade



Clos y Nant, Fairwater corridor improvements

try out the new furniture before choosing which tables and chairs they would like.

The improved schemes are completed to the RNIB Visibly Better Standards, enabling residents with sight loss and dementia to navigate independently around the building.

We are also working towards receiving RNIB Standard Award for all schemes. Sandown Court has achieved the highest accreditation of Platinum Standard, and other schemes going through this process include Brentwood Court and Minton Court.

The refurbishments to the communal facilities have provided a modern and welcoming environment that has enhanced the resident experience and improved the community living feeling.

Events and activities are not currently taking place within communal rooms due to current Covid-19 restrictions. We hope however to restart these as soon as possible.

Developing older persons housing

A new standard of older person focused housing known as 'Community Living' is being built through our programme. The first scheme, called Addison House, is currently being built on the site of the former Rumney High School site and will deliver 44 accessible and flexible flats for older people.

The scheme also includes a roof garden and residents lounge and will have a wide range of communal spaces on the ground floor. This is intended to deliver a hub of services for the wider older person community. These spaces will play a key roll in helping to tackle social isolation and helping people to live independently for longer.

Two more schemes at St. Mellons and Maelfa have planning consent and are out to tender for a contractor to build them. Between them they will deliver over 100 older person flats as well as the communal spaces. A further three community living schemes for Butetown, Grangetown and Riverside/Canton are being designed.



Artist impression of Addison House, Rumney

Artist impression of Maelfa Older Persons Community Living, Llanedeyrn





Tenant participation

Tenant participation

The Tenant Participation Team is dedicated to engaging with the tenants and leaseholders of Cardiff Council, and the wider community, on any issues affecting them. The team have a dedicated website informing of upcoming events and issues that impact on tenants: www.cardifftenants.co.uk.

The pandemic has brought many challenges for the Tenant Participation Team with lockdowns and social distancing guidelines hindering the usual planned activities that they would arrange.

However, this did not stop the team who adapted their ways of working to ensure that they were able to communicate with tenants through these times.



Good Neighbour Award

£100 PRIZE FOR THE WINNER!

Do you live near someone who makes a positive difference in their community?

Please send all entries to tenantparticipation@cardiff.gov.uk

Show your appreciation for a good neighbour

Page 520

TEFENIAID WYBODA
TENANTS VOICED
CARDIFF
CAERDYDD

The poster features a diverse group of people, including a woman in a hijab, an elderly man with a cane, and a young girl, standing in front of a colorful cityscape. A speech bubble from the woman in the hijab contains the text 'Show your appreciation for a good neighbour'. The background shows stylized buildings in shades of blue, purple, and green.

The team ran competitions throughout lockdown to keep up engagement. The 'Good Neighbour Award' gave the opportunity to nominate someone who has made a positive difference in their community and a competition for the best window display also took place.

Digital Blooming Marvellous

This year's Blooming Marvellous

competition looked a little different than previous ones and went digital.

Participants sent their own pictures in of their gardens, encouraging tenants to take care of their garden and get outdoors during times of lockdown.

Future Plans

In 2021, it is planned to join up the Tenant Participation Team with Hubs & Community Services.

This will serve to strengthen the community links. Having Tenant Participation Officers and Community Inclusion Officers all anchored within Hubs & Libraries will allow for the enhancement of community reach, with all officers working together towards relieving social isolation and delivering events following the return to a 'new' normal. It will allow for a united presence and ensure best use of resources.



Tenant participation

Tenants Conference 2021

The Tenants Conference in 2021 will be a celebration for all the community. The Rainbow Event will celebrate the hard work of the care workers, NHS and key workers that have helped us through the pandemic. The hope is to bring all communities together in one big celebration.

Other Future Activities

The uncertainty of changing restrictions has meant that planning future activities has been difficult for the Tenant Participation Team, however communication will continue with tenants and our residents until restrictions are lifted.

Drop in Sessions

There are plans to introduce loneliness 'drop ins' in an outdoor space where older people or those isolated will be able to visit for a chat, where all safety measures will be enforced.



Do you have the best window display showing appreciation to our NHS & care workers?

Enter the competition now by sending us a picture of your displays for a chance to win a £30 gift voucher!



Please send all entries to TENANTPARTICIPATION@CARDIFF.GOV.UK
Deadlines for entries is 20th June 2020



Tenant Participation staff members at community event. *pre Covid-19

Online Games

The team also plan to set up online games on residents' phones so that mini competitions can be held, and residents can interact with one another digitally.

Meet & greet days & focus groups

When restrictions allow, meet & greet days will be organised so residents can meet the Tenant Participation Team. This will be a chance for residents to see what Tenant Participation can do for them.

Focus groups are also planned, residents will be able to voice opinions on the issues that are affecting them and on what they would like to see in the community. Tenants can attend a meeting in person (if guidelines in place at the time are adhered to) or contact the team via telephone or email.

The team are also hoping to engage more with schools and parents in the upcoming year to hear what the issues are affecting them and how they can help.



Helping communities and individuals



Helping communities and individuals

Into Work Advice Service

The Into Work Advice Service is Cardiff Council's employment and skills team, which supports council tenants and Cardiff citizens into employment or to upskill, regardless of circumstance or location in the city. The team provides informal job club sessions and one to one, specialist employment help in Hubs and other community locations and has recently adapted to deliver services virtually.

As well as direct help to support council tenants into employment, the service also consists of specialist teams that provide work skills and digital training, volunteering opportunities, and self-employment advice.





Hub staff member assisting customers. *Pre Covid-19

Adult Learning

Council tenants are able to access free pre-employment and accredited training through Adult Learning (which has recently joined the Into Work Advice service), to prepare for their return to work or further enhance their career. The team adapt training programmes to mirror the local labour market, giving learners the best chance of success at interviews, and create bespoke training programmes for employers that are looking to recruit local workers.

The Into Work Mentors are also able to access additional funding for council tenants, this funding can be used to procure specialised work related training, such as teaching assistants, SIA security guard training, and forklift training.

As well as running regular sessions for basic digital skills, the Digital Team also provide cutting edge digital courses including coding, web design and animation. With it being more important than ever to be digitally included, the team also runs a tablet gifting scheme (with 4G if

required) for council tenants, who do not have access to a digital device or internet (subject to eligibility criteria).

Cardiff Works

Another recent addition to the Into Work Advice Service, is Cardiff Works – the Council’s in-house temporary recruitment service. This means that customers supported through job clubs and mentoring, will be able to access these temporary opportunities that can lead to more sustainable employment. Cardiff Works has recently had success in recruiting for track & trace staff, home carers, cleaners and clerical workers.

Employer Liaison team

The Employer Liaison Team work with employers to access job opportunities and work experience placements (social value/community benefits) for Into Work customers, specifically for those who are from under-represented groups, such as care experienced young people, BAME, and people who are affected by poverty. During the last financial year, the team worked with over 190 employers.

As well as organising city wide, local and now digital jobs fairs, the team also delivers multi-agency redundancy packages to support people back in to work, in partnership with Careers Wales.

Impacts of Covid-19

The Gateway Team have recently adapted their services to provide digital job clubs as a response to the Covid-19 pandemic. The team has scaled up its operations to help to meet the needs of council tenants and other Cardiff citizens who have seen their jobs adversely affected by Covid-19. This will mean the team can support at least another 8,000 individuals and an additional 50 employers each year.



Adult learning at local Hub

Ongoing monitoring of the service will continue to ensure the service can meet demands.

Future plans

with the anticipated economic downturn as the fallout of Covid-19 is realised, it will be more important than ever the Into Work Service continues to scale up to meet the ongoing demand in Cardiff. It is vital the service helps mitigate the impact so that the most vulnerable in society are not disproportionately affected.

The future will see more partnership working, reskilling clients into areas of growth (construction, driving, care, IT) and closer work with employer and businesses to support clients into work.

Helping tenants

The Welfare Liaison Team assists council tenants with income maximisation and budgeting help. It provides a holistic Money Advice Service and acts impartially to work out affordable repayment plans for rent and other household bills.

The team visits tenants in their homes and in local Hubs to assist with any financial issues. Due to current Covid-19 restrictions, most appointments are carried out over the phone, with staff visiting the doorstep in emergencies to ensure tenants have the help they need.

The team helps with:

- Advice and assistance to downsize to a suitable home.
- Advice about the Benefit Cap and the schemes available to help tenants get back to work.
- Budgeting and basic debt advice.
- Digital and budgeting support to assist tenants on their Universal Credit journey.
- Establishing affordable repayment arrangements towards rent, utilities and debts.

Since starting in August 2015, the team has grown in line with demand from five officers helping 400 tenants between August 2015 to December 2015, to 14 officers helping 1,280 tenants between August 2020 and December 2020.

Two senior officers are in place to support the team and help deal with cases that are more complex.

The Welfare Liaison Team ensures vital support is available to tenants struggling to meet their rent and payment of arrears.

Through joint working between the Finance Team and Welfare Liaison Team, there is now much greater emphasis on:

- Early intervention and prevention
- Having an open conversation with the tenant to



Socially distanced Welfare liaison team helping tenants

- understand underlying causes of arrears.
- Targeting support towards tenants facing change / crisis.

Despite the affects of Covid-19, the team continues to adapt and assist the growing number tenants affected financially.

The number of tenants needing assistance is growing with more tenants asking for help with applying for benefits, budgeting due to furlough and decreased wages, emergency cash for gas and electricity, as well as food bank assistance.

Between April 2020 and January 2021 the team has achieved:

Affordable
rent
repayment
plans
exceeding
£19k

Applications
for other
benefits
exceeding
£1.4m

Applications
for rent
related
benefits
exceeding
£16k

Budgeting
support and
savings on
household
bills of over
£123k

Managing anti-social behaviour (ASB)

As a landlord we will take firm action to eliminate ASB. We have a dedicated Anti-social Behaviour Team that use a victim led approach in dealing with anti-social behaviour, focusing on what really matters to tenants.

Our ASB teams:

- Provide support to victims.
- Work with perpetrators to help them change their behaviour.
- Act against perpetrators who continue to be anti-social.

We also recognise that some of our tenants are vulnerable and need support to maintain their tenancies and avoid ASB.



Council action - April 2020 to December 2020:

- Over 600 police referrals.
- 233 new referrals received in December.
- 100% of urgent cases tenants were contacted within 24 hours. (Target 95%).
- 98% of non-urgent cases tenants were contacted within 7 working days. (Target 95%).

During the pandemic the ASB, Tenancy and Sustainment Teams have maintained a service for tenants, working closely with agencies such as the Police and the Mental Health Services to deal with issues within the constraints of the pandemic.

The ASB Team has gained 14 injunctions over the period March to October 2020 to limit behaviour where other enforcement action has not been possible.

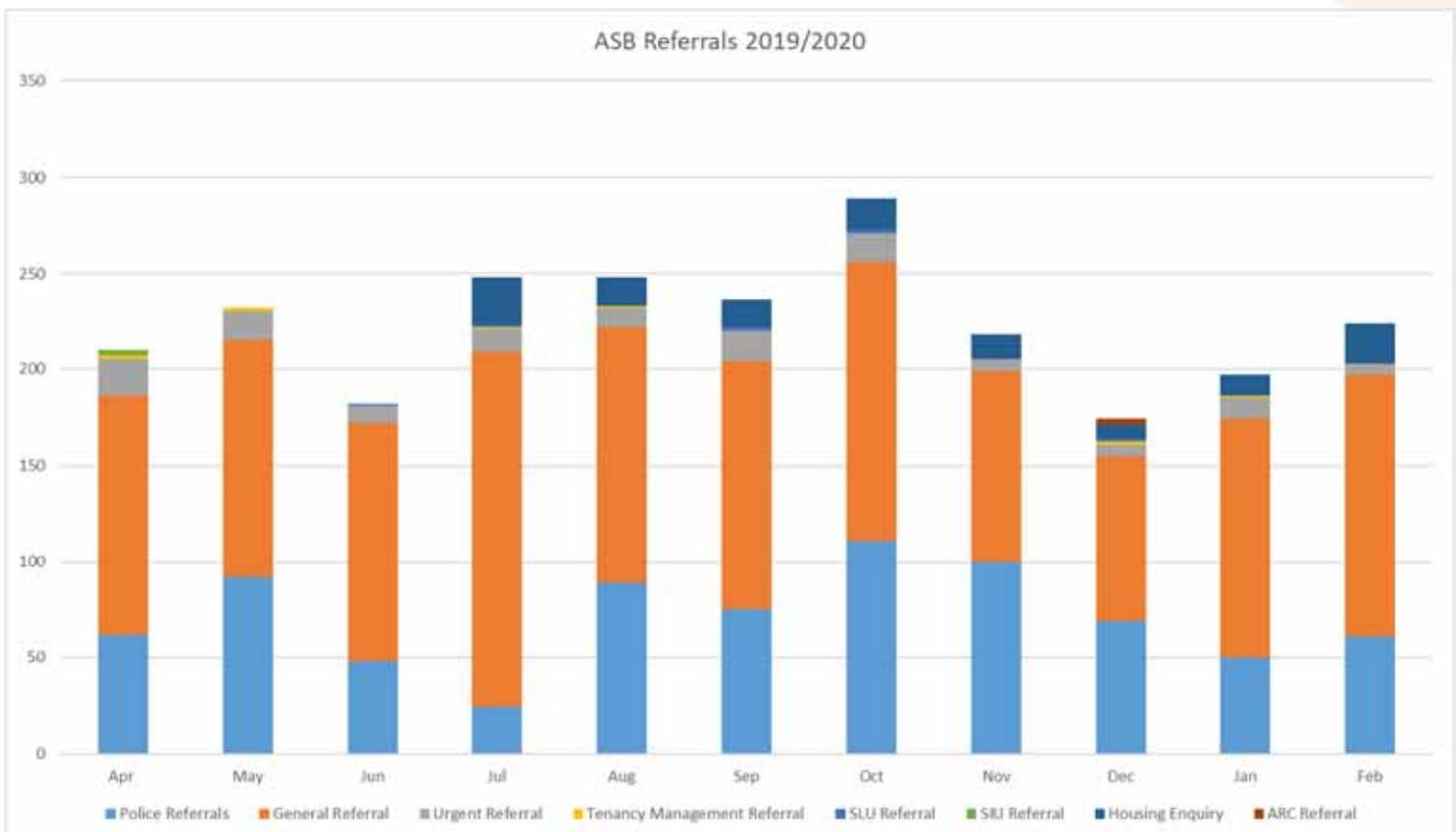
The teams have also been kept busy with 7 Officers being redeployed to work shifts in the hostels for 5 months.

Community safety partnership

The area based working pilot in Butetown was a success, work continuing includes:

- Reviewing hotspots for CCTV and moving locations as needed.
- Joint working with Police and other agencies.

Area based work is also being developed in Tremorfa, with joint work being carried out in hotspots with the Police. This has included proactive visits to new build blocks and will be developed further as Covid-19 restrictions are lifted.



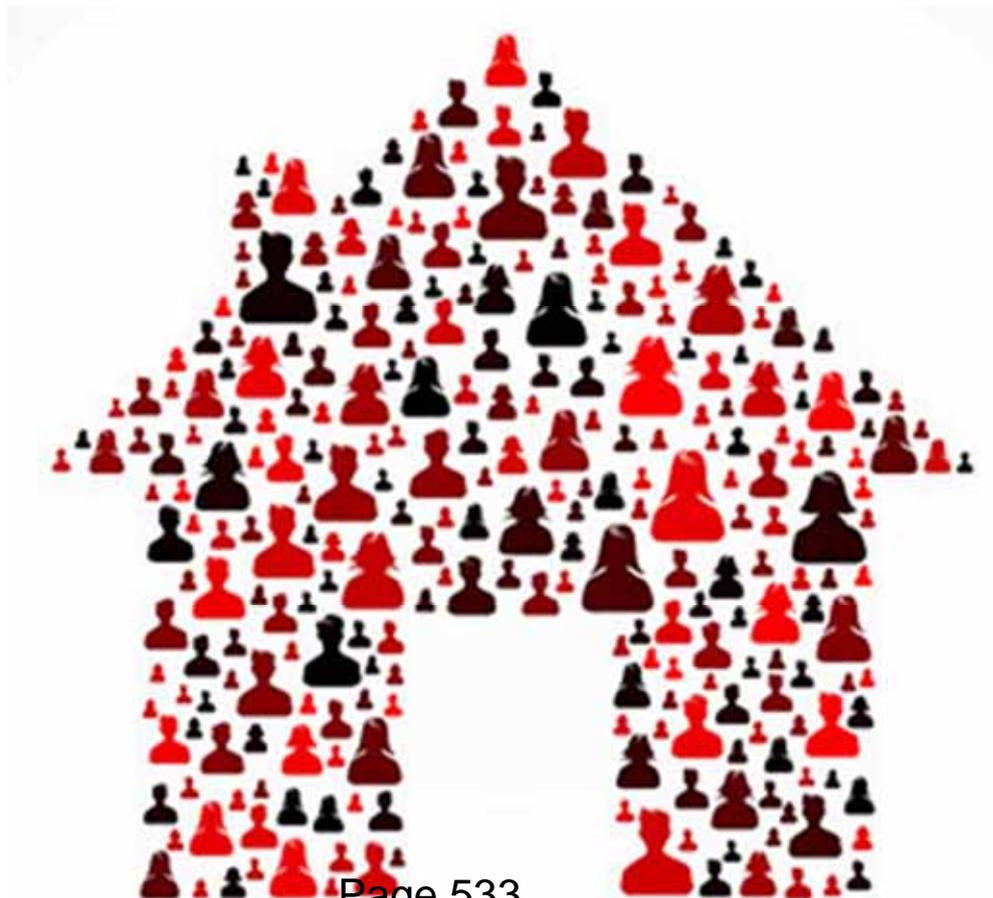
Tenancy sustainment

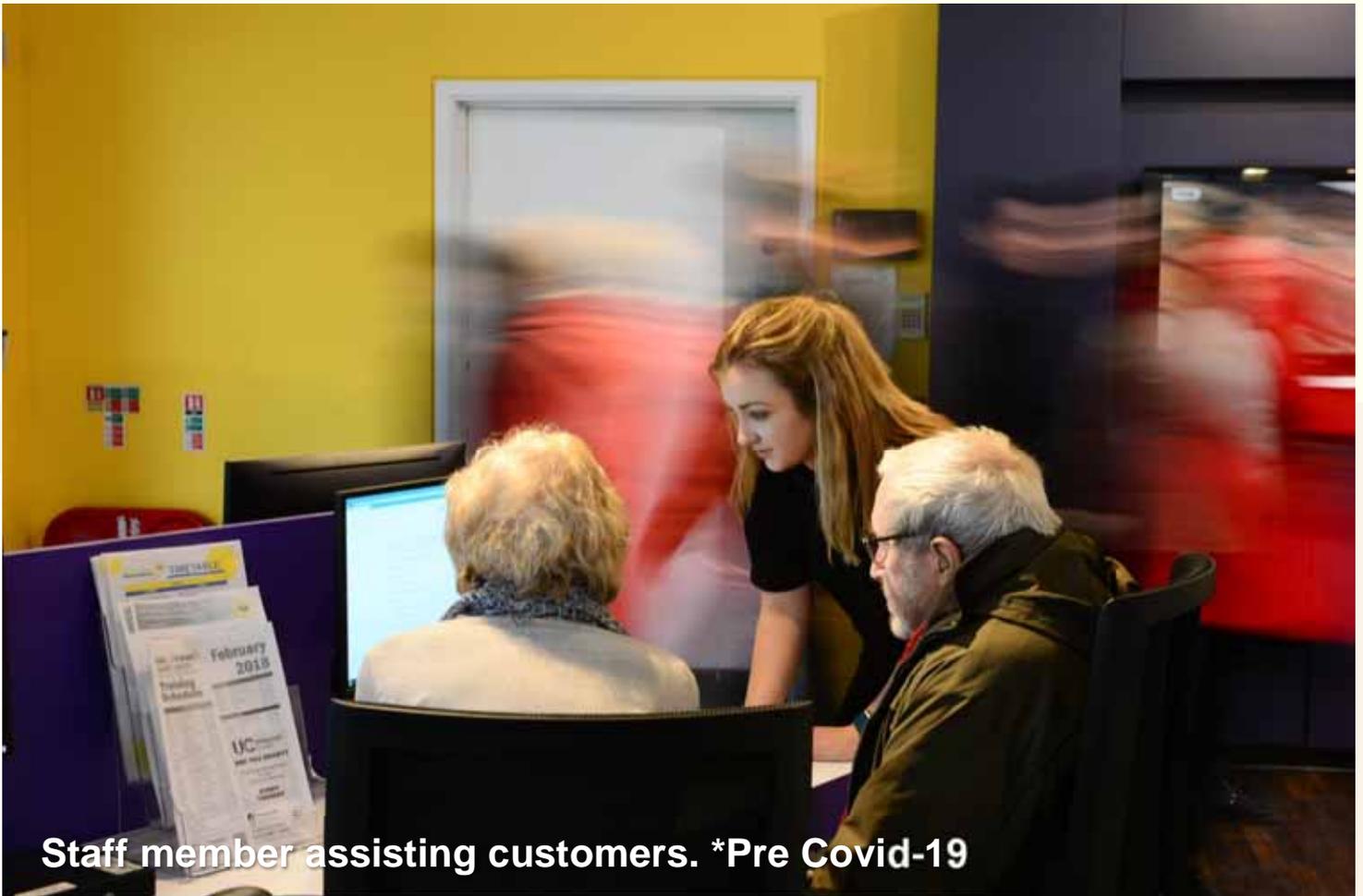
The Tenancy Sustainment Team provides a more intensive service to tenants that are struggling to sustain their tenancies and are at risk of tenancy enforcement action.

The team work closely with the Tenancy Management and Anti-social Behaviour Teams, to identify tenants most at risk of tenancy failure. The Tenancy Sustainment Officers work with tenants who are likely to disengage with internal services and external agencies. The team also look at early intervention, to stop tenancy issues from escalating.

The team work with tenants using a person-centred and a needs led approach, helping tenants to look at what issues may be affecting their tenancy; they also help them to access services to improve their health, wellbeing and lifestyle.

The team offers practical solutions to the issues that tenants identify and work in a multi-disciplinary way with mental health services, social services, Police and various 3rd sector agencies.





A large portion of the team's work is working with tenants who are hoarders. They provide practical, hands on assistance to support tenants in de-cluttering their homes.

This is carried out at the tenant's own pace by providing regular support, whilst other teams are kept updated on tenant's progress. The progress of reducing the tenant's hoard often has a direct impact on housing management functions and repairs.

The team deliver the service in a way that recognises the impact of Adverse Childhood Experiences upon our tenants and work in a trauma informed way. They do this by being empathetic to the individual experiences of tenants and working in a strengths based way, to develop the resilience and wellbeing of tenants.

The Tenancy Sustainment Team also develop the Personal Emergency Evacuation Plans for all tenants in high rise blocks. This is also extended to any tenant that has been identified by the Compliance Team, or other internal departments as requiring a Personal Evacuation Plan.

Rapid rehousing

A Rapid Rehousing approach to homelessness - making homelessness rare, brief and non-recurrent.

Prevention

Early intervention has been identified as key to successfully tackling homelessness. Cardiff Council has a good record of preventing homelessness where people seek help in time. In 2019/20, 78% of all households who sought help had their homelessness prevented.

Early intervention and advice have produced successful outcomes where clients have engaged with the service, however in many cases there is not the opportunity to work with clients before they become homeless.

We will be addressing this by promoting the services available and making help more readily available to people in local hubs and community settings.

Rapid Rehousing

Wherever possible we work to prevent someone from becoming homeless. If this cannot be achieved, we want to ensure that homelessness is brief and does not reoccur. Central to this is a rapid rehousing approach.

By providing accessible prevention advice and assistance, expert multi-agency assessment and integrated, dynamic allocation of housing, we will transform the rehousing service and embed a rapid rehousing approach so that homelessness is rare, brief and non-recurrent.

Within the new rapid rehousing approach, the allocation of social housing, private rented and temporary accommodation will be integrated and aligned, providing a dynamic system that responds to changing need.

Cardiff has a good range of temporary accommodation, however the length of stay within that accommodation can be long and move on to permanent accommodation can be too slow. Spending long periods in temporary accommodation is unsettling for homeless households and can affect children's

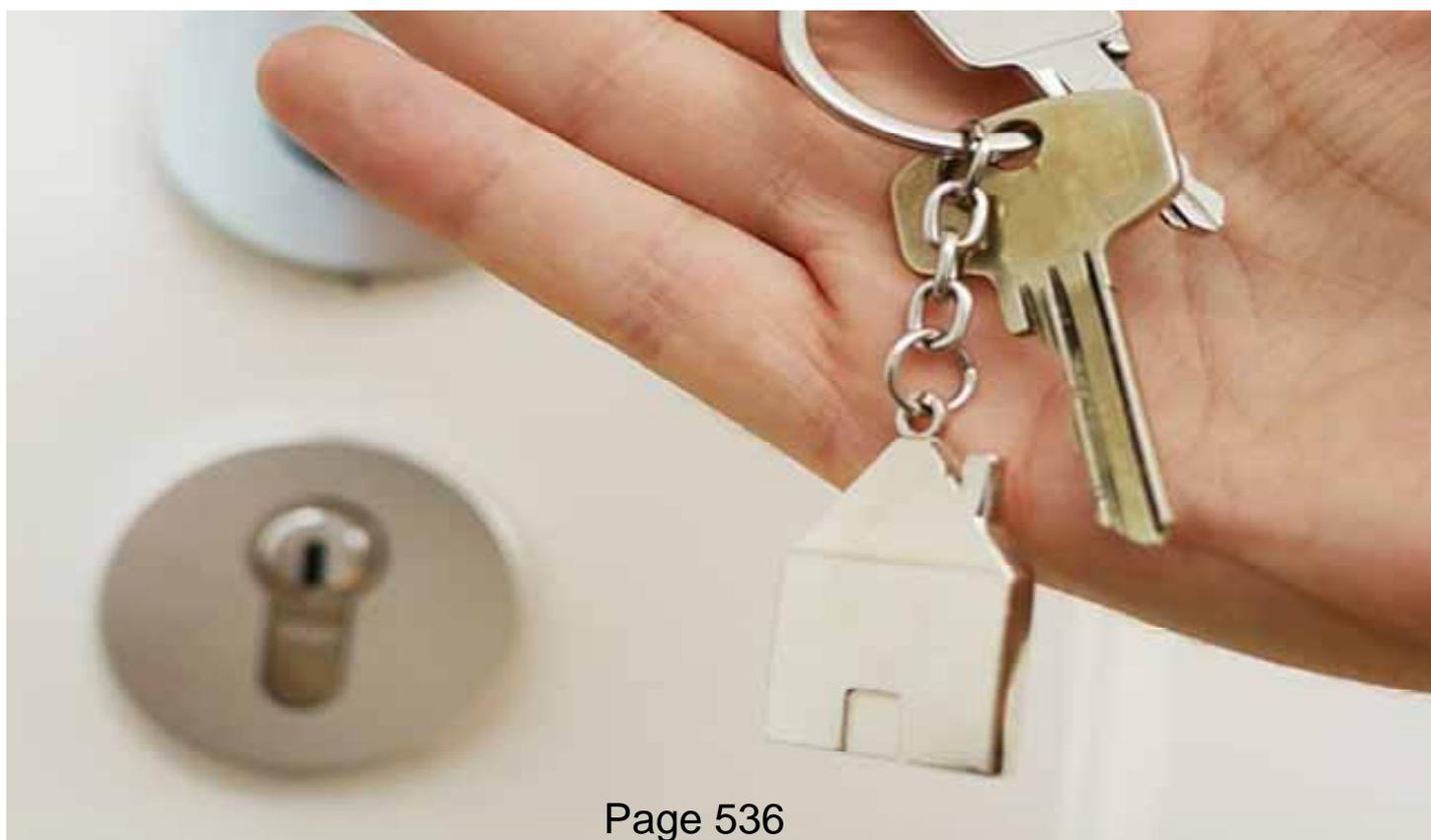
education. We will repurpose some of our temporary accommodation pathways to provide clear, rapid move-on routes.

We will provide a tailored package of assistance to permanently house people before they become homeless, and for those clients who do become homeless, we will ensure that they quickly exit homelessness and return to permanent housing by prioritising social housing lets to homeless clients.

We will take a multi-agency and holistic approach, ensuring solutions are found for those with multiple or complex housing needs, including those overcrowded or with a medical need.

This new rapid rehousing approach will be achieved by working strategically with our social housing partners. We will ensure that quotas and targets are set and will make changes to the Allocations Policy as required to ensure we are prioritising lets on the Cardiff Housing Waiting List to those most in need.

We will monitor properties that become available for letting closely, ensuring that they are offered swiftly and ensuring that our own housing stock is utilised for those most in need.



Helping single and vulnerable people

Tackling the housing crisis and addressing rough sleeping was a priority for the Council, prior to the Covid-19 pandemic. A strategic approach has been adopted with partners, with significant progress made in reducing the number of rough sleepers in the city.

The Council's Hostel and Outreach Team

have taken a leading role in addressing rough sleeping and addressing the complex needs of many single homeless people, working with statutory and third sector partners to put in place a range of services for homeless clients.

At the start of the Covid-19 pandemic, 30 people were sleeping rough and 140 clients were in emergency accommodation. In total 182 additional units of supported accommodation were established, where clients could shield or self-isolate. This was made up of 20 isolation units, 2 large hotels, and re-purposed accommodation. The accommodation was set up by the Councils Hostel and Outreach Team but the services provided within the facilities were delivered by a wide range of organisations.

This included therapeutic interventions and counselling



Nurse led substance misuse services in the hotels

sessions delivered on site. The pandemic highlighted that good quality accommodation with support on site can make a real difference in helping chaotic individuals and lessons learned throughout the pandemic will be taken forward into future service delivery.

Assessment Centre

Creation of a new Assessment Centre for single and vulnerable homeless people will help us to better understand the needs of people presenting with complex needs.

The main building will provide health and homeless services and a base for the expanded Homeless Outreach and Multi-disciplinary Team. There will also be 19 self-contained units on site to provide emergency accommodation for immediate overnight need.

Developing this self contained accommodation ensures we are meeting the Welsh Government's aim to move away from a shared floor space model as emergency accommodation.



Beatie Passive units - Assessment Centre, Hayes Place

Further development of the Multi-disciplinary Team

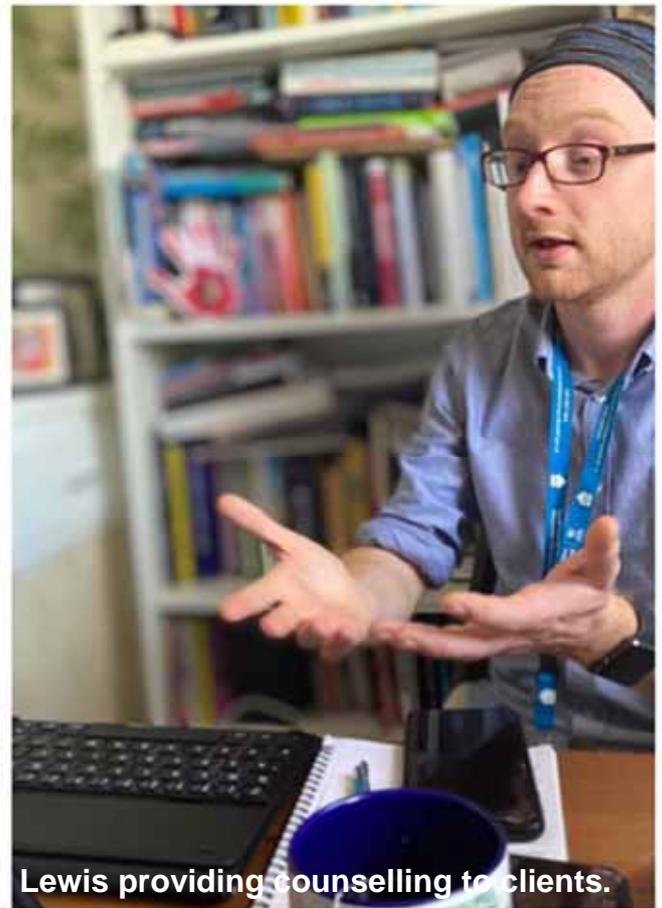
The Multi-disciplinary Team (MDT) works to assertively target service users caught in the 'revolving door' of homelessness and prolonged periods of rough sleeping. The team will be based at the new assessment centre and will allow individuals to have immediate access to assessment, advice, support and harm reduction services.

The team has been expanded this year in order to offer consistent health care and case management approaches. An additional three therapeutic workers will be recruited, raising the total to six. A probation officer has also been recruited and is now working within the team.

Expansion of the Housing First Scheme
Housing First offers direct placement into council, housing association and private rented sector tenancies with intensive wraparound support. There are currently two Housing First schemes in Cardiff, one operated by the Council and one by the Salvation Army.

This year the total number of units has been expanded from 40 to 55. We also plan to increase the current Supported Accommodation Independent Living Team (SAIL) to work with complex high need clients using critical time intervention approaches.

The team will provide more intensive support to clients that are in supported accommodation and ready to transition into independent living. Page 539



Lewis providing counselling to clients.

Kevin's story

Before the Covid-19 crisis, Kevin was sleeping rough on the steps of Cardiff Crown Court following a difficult period in his life. Kevin describes himself as being in a “state of despair” and feeling like there was no hope. Kevin said “when you are in despair and can't see a way out, it is difficult to say no to drugs”. Kevin was using substances heavily and felt his mental health and well-being were on a downward spiral.



Kevin getting the keys to his new flat

Cardiff Council's Outreach Team engaged with Kevin and secured accommodation for him at the OYO Hotel. Kevin engaged well with support at the hotel and was referred to the Homeless Multi-Disciplinary Team and began accessing telephone counselling. Kevin felt having a private room, 24 hour staff support and food provision gave him the space he needed to focus on himself. Kevin began to feel positive about the future and with support and advice from staff, he felt motivated to stop using substances.

Kevin was keen to move on to independent living. A personalised

housing plan was completed with Kevin and he was referred to Housing First.

Kevin met regularly with his Housing First key-worker for pre-tenancy support before a property was sourced in his preferred area of Cardiff. Kevin viewed the property and did not hesitate to say how much he liked it and wanted to accept! Kevin went shopping in local charity shops with his key-worker to find affordable second-hand furniture and used his Housing First individual budget to buy a TV and a rug to “make his flat feel homely”.

Kevin beams with pride when showing people his new home and hopes to one day volunteer as a peer mentor to help others achieve their potential. Kevin hopes to re-home a Jack Russell from a local shelter (with permission from his landlord) once he has settled in and enjoys taking long walks in his local park. Kevin says, **“the support I received has saved me from a life of drug abuse and misery and I cannot thank the staff enough for their help”**.

Innovative housing solutions

A new Cardiff Council scheme delivered in partnership with Cadwyn Housing Association is the meanwhile use of land at the former PDSA site on Bute Street.

This has delivered 13 new homes constructed from refurbished shipping containers.

The scheme consists of seven two-bed units comprising a 40ft and 20ft container and six one-bed units made from 40ft containers and is a truly innovative housing solution.

It was supported by Welsh Government's Innovative Housing Grant and intended to provide temporary accommodation for homeless families until more permanent housing can be found.

During Covid-19 the units have been repurposed for use as isolation units for homeless people.



Pipeline innovative solutions



CGI of Ferry Pods – due for completion

The council is working with Beattie Passive to quickly increase the city's supply of temporary accommodation with new high quality, high performance homes to cater for homeless families.

Beattie Passive are creating 48 new modular homes for the city, with their state of the art Haus4 builds at the Gasworks site in Grangetown. The scheme will deliver 48 modular-build one, two and three-bedroom flats that will provide temporary homes for families while a more permanent housing solution is found. The first block will be handed over in June 2021 and the entire scheme will be completed by November 2021.

The timber-framed units, built for a 60+ year lifespan, are manufactured off-site using sustainable materials with a low carbon footprint, and delivered to site for installation. The homes deliver high levels of sound, fire, flood and radon protection.

The 29 acre former gas works on Ferry Road in Grangetown was acquired by the council earlier this year for inclusion in its ambitious housing development programme. The council intends to deliver a mixed tenure development of up to 500 new homes on the site.

Welsh Government is providing £4.5 million in funding for the Gasworks scheme, as part of a multi-million pound package announced over the summer to tackle homelessness across Wales.

Supported living schemes

Cardiff Council have a number of supported living properties throughout the city. Some of these house adults with learning difficulties, who require live in support, others house young adults between the ages of 16 and 21 who also require live in support.

A number of these properties require refurbishment, however it is important to manage this process carefully due the complex needs of many of the residents.

We have developed a programme refurbishing these properties and we are working with our colleagues in adult services to ensure suitable arrangements are made to allow us to complete these refurbishments.

- We are currently working on Ty Danescourt, which is a property that houses six young adults and their support workers.
- Works being undertaken include fitting a new kitchen, new bathrooms, upgrading the electrics, refurbishing all bedrooms and upgrading all communal living space.
- The refurbished property will allow the young adults to live in a safe, welcoming and comfortable property. This will allow them to develop their independent living skills and in the near future, be able to move into their own homes.



Good quality homeless accommodation



The purchase of the YHA Hotel

During March 2020 as a response to the pandemic it was crucial that significant levels of additional self-contained accommodation was sourced quickly in order to ensure that no-one remained on the street and specifically that individuals could self-isolate and be protected from the virus. The YHA was originally secured to provide the additional space needed on a short term basis. The accommodation provided is in the form of 80 rooms with en-suite facilities. The site is staffed 24/7 with a wide range of support and health services on site.

The scheme's location and facilities have proved to be invaluable to Cardiff in responding to Covid-19 and the plan is to now purchase the site to be able to continue to offer high quality self-contained accommodation with support on a longer-term basis.

Improved Accommodation & Support

Working in partnership to address homelessness the Councils Hostel & Outreach teams have lead in developing new schemes to address homelessness.

Ty Casnewydd supported accommodation

The Council is currently developing a range of permanent schemes to replace the hotels that were used in the early stages of the Covid-19 pandemic. The first of these, Ty Casnewydd opened in September based in former student accommodation, owned by Pobl Group. The learning from the pandemic in terms of offering the full range of health and therapeutic services on site has been taken forward. The project houses 42 individuals within en-suite units. It is a place where those with medium to low needs can obtain security and stability, and continue to address their support needs until they are ready to move on to independent living. The project is staffed over a 24 hour period every day and clients are able to access support whenever they need it.

Adams Court

Adams Court, a United Welsh owned building, which has been a family hostel is being refocussed to provide 103 self-contained apartments for single people. The properties will be let using Housing First principles and a trauma-informed approach, with a focus being on individuals with complex or high support needs. Single people housed here will be able



Adams Court, City Centre
Page 545

to access support and health services with substance misuse and harm reduction facilities being delivered at the facility. Support around accessing education, work and training will also be available.

Baileys Court

Again working in partnership with United Welsh, 47 self-contained flats will be developed at Baileys Court. The aim is to provide stable accommodation for individuals with complex or high support needs. Improved homeless centres for temporary accommodation outside the city centre are being developed to ensure there is a sufficient supply of temporary accommodation for families.

Family homeless centres are being delivered at United Welsh owned Briardene in Gabalfa, Harrison Drive in Trowbridge and the Gas Works site in Grangetown, and will be completed by Spring/Summer 2021. All three centres will offer



good quality, family accommodation with staff on site during the day and other provision such as Early Help family services, health visiting and parenting support.

Welsh Government private rented sectors leasing scheme

As part of the Welsh Government's PRS Leasing Scheme, Cardiff Council will manage up to 67 properties on behalf of private landlords for up to five years. These properties will be held alongside council housing stock to ensure effective and efficient management. Any landlord wanting to participate in the scheme can access a grant to carry out any necessary repairs that may be required at the property.

Those involved in the scheme will receive a guaranteed minimum rental income at the Local Housing Allowance rate for these five years. Any damage when a tenant leaves that is above usual wear and tear will be repaired by the Council. The properties will be leased to homeless clients and anyone accessing these properties will be able to access housing-related support and other support as needed.



Covid-19 Heroes

Giving something back to support homeless clients

Officers from the Council's housing service have been doing their bit to support vulnerable individuals throughout the pandemic, by working at one of the hotels acquired by the Council to help homeless people stay safe. On top of their 'day' jobs as Finance and ASB Officers, Sandra, Tina, Kelly and Anna have been working evening shifts and weekends at the YHA hostel, which the Council took over in March 2020 as a rapid response to supporting individuals off the streets and to provide self-contained accommodation for clients during the crisis.

Sandra said:
"When the country went into lockdown and the Council opened the YHA, they asked for volunteers to help out. We put our names forward for extra shifts on top of our normal roles and the rest is history."



Council staff helping out at the hostels

Kelly said: "Covid-19 has given people a new perspective. I felt like during this time, I needed to be able to give something back. None of us needed to shield so we were capable of helping out. Over a period of time, through a consistency in our approach to residents, relationships improve and it's great to see people progressing. Those small wins are actually massive. I go home and have a sense of achievement."

Anna has been able to use her native Polish language skills to help some clients overcome a language barrier that has previously prevented them from accessing the support they needed.

Now, 11 months later, the four Housing Officers are determined to carry on working at the temporary hostel until they're no longer needed, as their way of giving back during these challenging times.

Caretaking teams working through the pandemic

At the start of lockdown two mobile operatives and a caretaker were redeployed to Dominions Way where they supported the warehousing and delivery of important Personal Protective Equipment and food parcels around the city, to council Premises and schools alike.

Block cleaning in the low-rise flats was suspended while attention was focussed on hostels, high-rise and sheltered accommodation sites. The team supported all these sites around Cardiff with constant sanitisation of buildings. This included cleaning vacant rooms in sheltered complexes and hostels, to enable the Allocations Team to re-allocate them quickly where needed. The team also cleaned rooms when people were hospitalised with suspected cases of Covid-19 to ensure the safety of other residents. In hostels, the team took on the greater challenge of sanitising the new sites used constantly seven days a week. A difficult task given the issues and needs of many of the hostel residents.

- Mobile caretakers have completed over 1500 Covid-19 related cleans since April.
- Clean and clears have completed over 500 Covid-19 related clearance jobs since April.
- Jet spray operatives are still supporting sanitisation work in the hostels and sheltered sites.



Housing Services team picking up 1000 parcels from a local Hub

Covid-19 heroes

Jorge and his partner Ana have been cleaners at Llandaff North and Gabalfa Hub over recent years and helped support the phased reopening of hubs, when additional cleaning measures were introduced to keep staff and customers safe.

Throughout the temporary closure of the hubs during the recent firebreak, Jorge was redeployed, like many other staff, to fill roles elsewhere in the Council and on the front line.

Jorge was sent to support Meadowbank Primary School, with the plan of returning to his hub duties after the firebreak. However his methodical and reliable approach and friendly manner towards school staff and pupils meant that they didn't want to let him go.

Meadowbank requested that Jorge could stay as a lunchtime cleaner, supporting enhanced health and safety measures and so he has continued helping the school as well as returning to hub duties with Ana.

Headteacher of Meadowbank Primary, Claire Hardy said, "When we found out that Jorge was being re-located we were really disappointed as we didn't want to lose him.

The pupils were used to Jorge and looked forward to seeing him every day and staff were confident that he was continuing to keep the environment clean and safe. We're all really pleased that he is able to stay part of the Meadowbank family as we successfully continue to keep schools open."

Senior Hub Officer at Llandaff North and Gabalfa Hub, Lucien Wise, said: "We are all immensely pleased and proud of Jorge, as much as we would like him to ourselves! He is talented, good willed and hardworking. I know full well what an asset he will be for Meadowbank, while still keeping his normal duties here at the hub."



Jorge & Ana in Llandaff North Hub



One Planet Cardiff - a strategic response to the climate emergency.

The effects of climate change are already shaping our lives. As greenhouse gas emissions have increased, Cardiff has experienced all of the key symptoms of man-made climate change, including erratic weather patterns, air pollution, heatwaves and changes in biodiversity. This has also come with associated economic and social costs as businesses and citizens have struggled with issues like flood damage, poor air quality and other interruptions to their daily lives.



In 2019, Cardiff Council declared a Climate Emergency. This means we as an organisation recognise the challenge and are prepared to play our part. Alongside other cities around the world, we are committed to taking the action needed to prevent climate change becoming much worse.

Largescale housing retrofit

Under-insulated housing is a major source of community (fuel) poverty, poor air quality and energy wastage across the city. Upscaling and accelerating work to make existing homes more energy efficient and comfortable not only addresses this but could also stimulate new areas for skills development and employment. We will be developing our ideas and funding proposals on this to present to potential delivery partners who could assist us in realising this ambition, possibly at a regional or national scale.

Since 2013, we've installed around almost 10,000 energy efficiency measures in homes across Cardiff, reducing

energy demand by improving building standards.
These measures include:

- 1,200+ External Wall Insulation.
- 8,500+ Internal insulation and boiler upgrades.

We've been working on a series of energy efficiency improvements and retrofits to our stock which has helped to reduce our energy consumption and consequent carbon emissions ahead of the targets set in our 2015 Carbon Reduction Strategy of a 5% per year annual carbon reduction.

Planned actions

Our immediate plans to respond to the Climate Emergency and become Carbon Neutral by 2030 include:

- Updating our property strategy to support achievement of a carbon neutral 2030 target for the Council, including accelerated asset consolidation, retrofit and utilising renewable energy generation.
- Delivering 1,500 high quality sustainable homes through the Council's Cardiff Living Scheme, including quick build and energy efficient modular housing, and Passivhaus homes.
- Delivering a zero carbon pilot housing estate project at the former Eastern High School site.
- Improving energy efficiency measures to existing housing stock. E.g. installing loft insulation top ups to properties with less than 200mm.



Moving towards zero carbon homes

An exciting low-carbon council development has begun on the site of the former Rumney High School site.

This scheme is the largest development in the Cardiff Living Programme delivering 214 low carbon mixed tenure homes (70% market sale and 30% council). The scheme includes Addison House and the entire development will meet a low-carbon standard, hugely reducing fuel bills for residents and massively reducing carbon emissions. The innovative technology includes;

- Ground source heat pumps.
- Heat storage.
- Solar PV panels and batteries for every home.
- Car charging for every homes.
- Average 95% improvement against Building Regulations.
- SAP rating 'A'.
- Projects heating/power bills of £398 per year.
- No gas at all on the site.

The entire scheme will act as an 'energy store' with batteries, heat storage and car charging. Surplus energy from the grid can be stored, and our surplus energy from site sold to the grid. This will not only reduce our carbon output but reduce bills.





CGI Eastern High houses, Rumney – handing over from 2022

We have received additional grant funding from the Welsh Government, (Innovative Housing Partnership Grant of £3.8 million) and the council is working in partnership with Wates and Sero Energy to manage the energy supply for the site once built. This additional management will enable the entire scheme to benefit from free excess energy in the grid to charge batteries.

This development is our first of many that will help move us to our goal of building net zero carbon homes. Net zero carbon homes mean:

- Minimise energy demand – make the building as thermally efficient as possible.
- Only use renewable Energy – no gas & only use sources of renewable electricity.
- Ensure the construction has very high quality control on site.
- Low energy use.
- Minimise embodied carbon in the construction.
- Off set carbon by using timber construction.

Decarbonising and retrofit

The Council has worked to continually improve Energy Performance Certificate, (SAP) levels in all its stock with only 4% now below the Welsh Government required standard. The average SAP value for our properties is 71.5, the Wales national average is 61. Our intention is to raise this to 75 on average. Our goal is in line with the Welsh Government's strategy to get homes to SAP 92+ net zero carbon by 2050.

Every effort is being made to improve energy efficiency, including increasing the amount of loft and wall insulation. There are ongoing programmes of work rolling out loft and cavity wall insulation across the city.

"A" rated energy efficient boilers have already been fitted to 98% of all council properties, in the future we will start to use alternative energy heating such as ground or air source heat pumps.

Moving forward, the service intends to pilot the retrofitting of renewable energy sources such as solar panels.

A 'Cardiff Standard' has been set for all council new builds. This requires a fabric first approach to delivering energy efficient homes. This means that the external fabric of the building is as effective as possible in reducing heat loss thereby reducing bills and helping to tackle fuel poverty.

A 2021 Wales national survey of social tenants found that 78% would be happy to have substantial works carried out on their properties for the purpose of improving fuel efficiency.

An initial pilot project that is being investigated and costed is heating upgrades to the sheltered schemes. Previous heating upgrades on communal boilers resulted in an energy use reduction of 54%.

Proposal for external wall insulation and renewables to council owned dwellings

Over cladding and solar panels fitted to date:-

- 354 houses and 145 blocks have been thermally over clad.
- 59 houses have received solar water heating Panels.
- 107 houses and 1 block have received Solar PV (electric) Panels.

Blocks of flats

Thermal over cladding to blocks of flats has been ongoing for a number of years using both Capital funding, and Welsh Government funding under the “ARBED” schemes.

The proposal to over clad all of our low rise blocks of flats is currently being investigated and evaluated. Wherever possible the inclusion of renewables will be considered within the scheme, solar panels for example.

Any programme of works would be subject to full resident consultation and cost analysis, the works would be prioritised by need for energy efficiency improvements. Priorities would include blocks that are half timber clad, ‘no fines’ blocks and sheet metal clad blocks, where insulation is particularly poor.

Completion of works would project an average SAP value of 90 per property.



Over clad properties in Llanedeyrn



Managing our finances responsibly



Financial Resources & Planning

Introduction

The Housing Revenue Account (HRA) records income and expenditure in relation to Council Housing. This is required to be 'ring fenced' in accordance with the Local Government and Housing Act 1989. The ring fencing of the account means that local authorities must not subsidise costs relating to Council Housing from the General Fund (i.e. from Council Tax or from the RSG) or subsidise General Fund costs from the HRA.

The main expenditure items within the account include repairs and maintenance costs, supervision and management costs (including tenant consultation, rent collection, housing allocations and property and estate management) and capital financing charges on the HRA's outstanding loan debt (interest and provision for repayment). The major income streams include rents and income from service charges.

The above items are in accordance with legislation and guidance.

Financial model

The HRA Business Plan has a prescribed format and content which is a requirement of application for the Major Repairs Allowance grant from Welsh Government.

The Business Plan is underpinned by a thirty year financial model which sets out estimates of planned Capital and Revenue income and expenditure over the period. This model is intended to be used as a planning and modelling document forming the basis of the HRA business, to safeguard the interests of current and future tenants and other service users and to demonstrate the long term value for money and sustainability of the HRA.

Given the period the Business plan covers, uncertainty remains over the medium to longer term, particularly in relation to capital expenditure commitments, rental income and ongoing investment requirements linked to stock condition.

Rent Policy

The Council sets the level of rents within a policy framework set by the Welsh Government (WG). A five year Social Housing Rent policy was introduced by the WG from 2020/21 to 2024/25 which allows for a maximum 1% rent increase above the rate of the consumer price index (CPI). There is no confirmation of approach beyond this period and this represents a significant risk when business planning.

In line with the new policy, an increase of 1.5% for 2021/22 for all tenants was approved by Council as part of its annual budget in March. This provides for a maximum annual uplift of CPI +1% each year from 2021/22 to 2024/25 using the level of CPI from the previous September. The September 2020 CPI was 0.5%.

Future modelling has been based on incremental increases in CPI up to 2% by 2024/25 in line with WG guidelines and taking account of forward indicators for inflation factors.

It is considered that the rent uplifts proposed above will allow for obligations to tenants and lenders to be met and help to support the financial viability of the HRA whilst ensuring that rents remain affordable for current and future tenants. This level of increase will also allow for the continuation of the Council's ambitious new build plans.

Value for Money and Affordability

The WG Rent Policy recognises the need to balance the needs of landlords and the interest of tenants and therefore the policy includes a requirement that social landlords make an annual assessment of affordability, cost efficiencies and demonstrate that their homes and services represent value for money.

The WG have made clear that affordability should include all costs of living in a property including rent, service charges and energy costs. A review has therefore been carried out of the affordability of living in a Council property in Cardiff.

The review used the Joseph Rowntree Living Rent Model which states that a rent should be affordable for a household with someone in full-time employment and earning around the minimum wage. The model uses the earnings of the lower quartile of earners resident in Cardiff and assumes that 28% of income is available to pay rent and is adjusted for the size of the household.

Financial Resources & Planning

The review indicated that Council rents are affordable when compared to the Joseph Roundtree Living Rents.

Value for Money is achieved by focusing on key priorities in the pursuit of social objectives that benefit a range of stakeholders/service users and delivering these priorities in an effective and efficient way. Cardiff aims to achieve this in the following ways:

- Maintaining homes to a high standard.
- Building new homes.
- Delivering a high standard of tenancy services.
- Community investment such as work to increase employability, financial and social inclusion.
- Meeting the housing needs of the most vulnerable.
- Preventing evictions.
- Supporting people to live independently.
- Supporting national and local policy objectives.

In order to continue to demonstrate value for money, during 2021/22 and in future years, the Council will undertake the following:

- Review all costs to reflect activity and value for money
- Seek opportunities to undertake external benchmarking and self-assessment with peers
- Continue to follow the Council's best practice in relation to procurement of goods and services
- Secure maximum value from assets through an understanding of stock and making intelligent (social) business decisions based on that understanding. This will necessitate:
 - Understanding condition of stock
 - Maintenance costs and investment needs
 - Demand within our communities
 - Performance of the stock at an appropriate and proportionate level of detail
 - Variation in performance across the stock
 - Priorities for improvement

In 2019/20 the service commenced a review of spend and costs, to ensure that good value for money is being achieved. The review indicated a number of areas where efficiencies could be made, including the level of repairs carried out on void properties and recharges from other services.

Additional opportunities for efficiencies include a proposed review of office accommodation in line with increased home working and office rationalisation. Also there are plans for a further review of responsive repairs.

It is planned that this work will be continued into 2021/22 with a full review of all costs and overheads.

Rent and Other Assumptions 2021/22 to 2025/26

The table below sets out the rent uplifts referred to above and other assumptions within the model over the period.

	2021/ 22	2022 /23	2023/ 24	2024 /25	2025/ 26	2026/27 Onwards
	%	%	%	%	%	%
CPI	0.50	1.50	1.75	2.00	2.00	2.00
RPI	1.10	2.10	2.35	2.60	2.60	2.60
Rent Uplifts (inclusive of CPI)	1.50	2.50	2.75	3.00	2.75	2.75
Bad debts	1.45	1.60	1.73	1.88	2.02	2.20
Void rents	1.68	1.83	1.95	2.09	2.23	2.50

In addition, service charges are assumed to increase in line with inflation for full cost recovery.

Revenue expenditure and income

The model details the planned revenue budget and the resources, with the first five years is shown on the next page.

Financial Resources & Planning

Revenue Estimates	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
Employees	23,822	24,952	25,651	26,420	27,371
Premises - Council House Repairs	20,632	21,319	22,022	22,661	23,319
Premises - Other Repairs & Maintenance	1,495	1,533	1,569	1,610	1,652
Premises - Other Premises Costs	4,213	4,426	4,557	4,692	4,831
Transport	180	186	193	200	208
Supplies & Services	4,454	4,799	5,056	5,377	5,699
Support Services	6,638	6,836	7,050	7,247	7,449
Capital Financing	30,148	31,234	35,538	38,580	40,702
Contribution to reserves/General	250	250	0	0	0
Total Expenditure	91,832	95,535	101,636	106,787	111,231
Rents and Service Charges	(85,923)	(89,563)	(95,428)	(100,475)	(104,814)
Fees & Charges	(644)	(651)	(659)	(668)	(676)
Other Income	(5,265)	(5,321)	(5,549)	(5,644)	(5,741)
Total Resources	(91,832)	(95,535)	(101,636)	(106,787)	(111,231)

Capital Investment Programme and Funding

Planned capital investment and resources assumed to pay for the investment are also identified within the model, with the first five years shown on the next page.

Expenditure commitments proposed over the next 5 years include:

- Regeneration and area improvement projects - to create better and safer places to live by undertaking environmental works including defensible space, demolition, conversion and road/footpath realignment; energy efficiency schemes; garages, gullies and open spaces.
- Planned maintenance projects - to enhance the standard and safety of existing dwellings including central heating, fencing, roofing, high rise upgrades, door entry systems, window and door upgrades, kitchens and bathrooms and energy efficiency measures.

Capital Programme	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000	Total £000
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Regeneration and	3,150	4,150	5,150	5,150	5,150	22,750
External and Internal	19,250	21,100	13,600	11,100	9,950	75,000
New Build and	60,990	89,085	69,250	50,750	32,790	302,865
Disabled Facilities	3,350	3,350	3,350	3,350	3,350	16,750
Total Expenditure	86,740	117,685	91,350	70,350	51,240	417,365

Major Repairs	(9,500)	(9,500)	(9,500)	(9,500)	(9,500)	(47,500)	12
Additional	(63,706)	(95,320)	(66,750)	(50,350)	(34,340)	(310,466)	74
Direct Revenue	(2,400)	(2,400)	(2,400)	(2,400)	(2,400)	(12,000)	3
Grant estimates and	(10,734)	(6,565)	(7,700)	(3,900)	0	(28,899)	7
Capital Receipts	(400)	(3,900)	(5,000)	(4,200)	(5,000)	(18,500)	4
Total Resources	(86,740)	(117,685)	(91,350)	(70,350)	(51,240)	(417,365)	100

- Meeting demand for new, affordable housing via a number of routes such as construction by the Council and working together with developers to acquire completed sites.
- Disabled adaptations - to enable eligible tenants to live independently and improve their movement in and around the home.

Expenditure commitments beyond the very short term are assumed based on existing asset condition data and will therefore be subject to a level of risk and uncertainty.

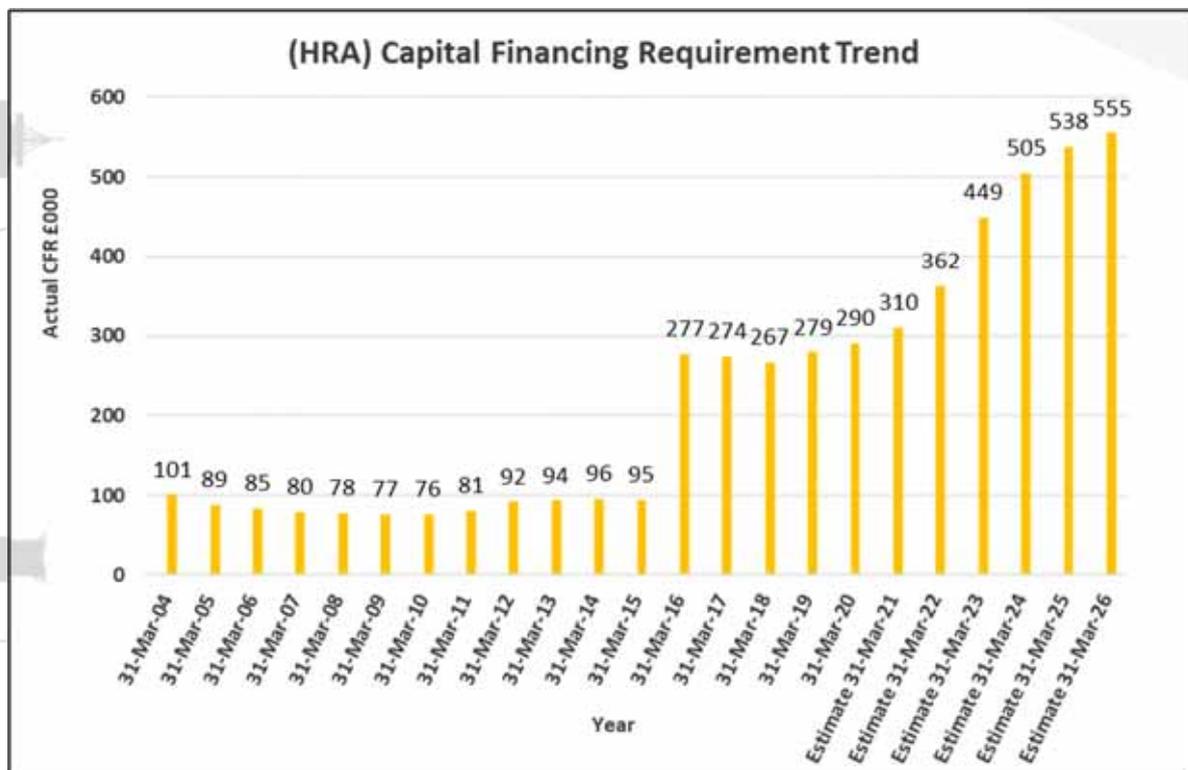
The financial model assumes that the Council continues to receive the Major Repairs Allowance (MRA) grant from the WG at existing levels of £9.5 million per annum. The plan also assumes a significant level of additional borrowing to pay for investment in the existing stock and to create new affordable housing.

HRA debt is measured through the Capital Financing Requirement (CFR). This is the underlying need to borrow for capital expenditure purposes.

Financial Resources & Planning

The chart above shows an increasing trend, with borrowing resulting in additional financing costs including:

- Interest payable and



- Prudent revenue provision for the repayment of capital expenditure paid for by borrowing.

These financial commitments arising from borrowing must be paid over future generations and are long term financial commitments for the rent payer. As such, expenditure creating such liabilities should be reviewed regularly to ensure that expenditure remains prudent, affordable and sustainable and considers the future asset management requirements of the housing stock.

Sensitivity Analysis

The table below sets out a number of scenarios for key variables within the plan and measures the potential impact on those variables over the first ten year period as compared to the base model.

This is on the assumption that all other factors remain constant and no mitigation/offsetting actions are in place. In reality, as set out within the Risk Matrix table on page 103,

mitigation would need to take the form of numerous and varied measures to bring the model back into a viable financial position.

- - negative impact on the HRA + positive impact on the HRA

CPI and Rent increases

Key Variables	Base Plan	£m	Scenario 1	£m	Impact on HRA over 10 years	Scenario 2	£m	Impact on HRA over 10 years
CPI and rental income due	1.5% to 3%	984.9	1% to 2.5%	961.9	-23.00	2.5% to 4%	1030.9	+46.01
Assumed pay award and staffing growth	2% to 4%	254.5	1.5% to 3.5%	248.5	+5.99	3% to 5%	266.5	-11.98
Construction price inflation and revenue repairs and maintenance costs	3% to 4%	250.8	2.5% to 3.5%	245.5	+5.94	4% to 5%	261.7	-11.87
Percentage empty (void) properties and rental loss	1.68% to 2.5%	29.4	1.18% to 2%	24.0	+0.69	2.68% to 3.5%	40.3	-1.38

Rent uplifts are assumed to increase incrementally over the ten year period from 1.5% to 3% in line with Welsh Government guidelines for forward indicators for inflation factors.

A reduction in CPI of 0.5% would reduce rental income due by circa £23 million over the ten year period which would have a significant impact on planned development and new build aspirations, unless mitigating actions were taken.

Conversely, an increase of 1% over the period is estimated to generate an additional £46 million. Rent increases/decreases via the rent policy impacts on the affordability of new housing. In very broad terms, for every £1m extra income in rent after all additional costs are met, circa 100 properties can be built through additional borrowing. The Council will continue to maximise its ambition to deliver new affordable housing but will also ensure any plans are financially viable.

Financial Resources & Planning

Employers' pay award

In the absence of an Employers agreed pay award, a 2% uplift has been assumed for 2021/22 reducing to 1.5% from 2022/23 onwards. Provision is also made for employers' National Insurance and Superannuation contributions, employee incremental pay progression as well as other full year impacts of the costed establishment including Apprenticeship levies and the Voluntary Living Wage. This results in a range of uplifts between 2% to 4% over the ten year period.

A pay award increase 1% higher than budgeted would result in an increased funding requirement estimated at £11.98 million.

Conversely, a reduction in the Employers pay award of 0.5% would result in additional resources available estimated at £5.99 million.

Construction Price Inflation for revenue repairs and maintenance.

CPI as related to the costs of materials and labour for revenue repairs and maintenance is assumed within a range of 3% to 4% within the model over the initial ten year period. An increase in CPI of 1% would require additional funding estimated at £11.87 million. A reduction of 0.5% in construction price inflation would release resources of £5.94 million.

Void property percentage

The level of void properties is budgeted within a range of 1.68% and 2.5% over the ten year period with an estimated rental loss of £29.4 million.

A 1% deterioration in this position to a range of 2.68% to 3.5% void rent loss would result in additional rent loss of £1.38 million whilst an improvement in this position by 0.5% over the period would increase available revenue resources by £690,000.

HRA business plan risk matrix

Due to the long term nature of the Business Plan, many variables and assumptions are included which are subject to a high degree of risk and uncertainty.

The Risk Matrix below details a number of key risks and sets out the potential impact, pre and post mitigation and appropriate mitigating controls.

Risk Description	Impact	Pre Mitigation Risk Analysis	Mitigating Controls	Post Mitigation
Governance Arrangements	Ineffective governance leads to non-compliance with regulatory requirements, inappropriate decision making and a failure to deliver expected outcomes.	Amber	Effective control measures are in place to ensure compliance via specific targets. Increased transparency ensures outcomes are met in a timely manner consistent with policies and procedures.	Green
Asset Management	Inadequate asset management leads to a decline in stock condition and/or a failure to maximise income from assets.	Amber	Business plan resources and property improvement plans are based on periodically reviewed and tested stock condition data.	Green
Business Continuity	Failure to prevent or recover quickly from significant loss of service.	Amber	Robust facilities management and health and safety regimes are in place. Data protection policies and procedures to ensure safety and security with robust cyber security arrangements.	Green
Disaster Recovery	Failure to prevent or respond appropriately to a major incident affecting our assets.	Red	Emergency contact arrangements are in place for key staff and partners. Robust emergency plans including fire safety assessments and clear evacuation guidance.	Green
Impact of Welfare Reform and Universal Credit	Impact on tenants' ability to pay rent, resulting in increased rent arrears, requirement for bad debt provision and increased debt collection and recovery costs.	Amber	Understanding of the Welfare Reform regime and risks. Information and advice to tenants, for example through Into Work Services. Maximisation of funding for promotion of available benefits and specific support e.g. the Hardship Fund and Discretionary Housing Payments grant. Regular review of bad debts provision.	Amber/Green

HRA business plan risk matrix

Risk Description	Impact	Pre Mitigation Risk Analysis	Mitigating Controls	Post Mitigation
Contractor availability and capacity	Failure to carry out planned revenue repairs and planned capital programmes and to bring vacant properties back into use.	Amber	Upskilling of existing internal workforce through staff development programme with additional recruitment to specialist posts. Allocation of works to other contractors within existing frameworks.	Amber/Green
Health and Safety requirements	Regulations resulting in additional works / cost. Examples include sprinkler systems for new build, statutory maintenance programmes e.g. gas safety works and scaffolding.	Amber	Ensure awareness of and compliance with new and updated regulations and standards. Training and development of staff.	Amber
Restricted rent uplift for 2021/22 and future years due to the impact of lower CPI and potential changes to the rent policy beyond 2024/25	Significant reduction in available revenue resources to support the HRA budget and key commitments impacting on level and quality of service provision to tenants and capital schemes that can be taken forward. Affordability, prudence and sustainability of additional borrowing. Impact on local and national affordable housing targets.	Red	<p>Ongoing multivariate sensitivity and stress testing to determine potential impact. Identify operational efficiencies and savings. Revise budget and avoid over commitment of new build programme.</p> <p>Planned build-up of reserves and general balance to support financial resilience.</p>	Green
Cost inflation increase above rent uplifts	Increase in costs of supervision, management and repairs and maintenance.	Amber	Review and reprioritise revenue operating costs and consider reductions in any planned expenditure proposed to be funded by borrowing.	Green
A reduction in the (£9.5m p.a.) WG Major Repairs Allowance (MRA) grant	Impact on the achievability of the Capital Programme.	Red	Review and reprioritisation of the Capital Programme allowing for committed spend but realigning future spend plans.	Amber
Treasury Management	Increased costs of interest and prudent repayment of any borrowing undertaken to pay for capital expenditure proposed in the HRA capital programme.	Red	Integrated Council wide Treasury Management policies and strategy. Regular reporting in line with best practice and independent treasury advice. Review of programme in line with affordability and government policy changes such as rent. Commitment to Wellbeing and Future Generations (Wales) Act. This all allows the Council to respond to issues quickly and appropriately.	Amber

Risk Description	Impact	Pre Mitigation Risk Analysis	Mitigating Controls	Post Mitigation
Financial Viability	Failure to react to adverse financial events resulting in significant increases in costs arising from Capital Programme schemes or other projects undertaken.	Red	Robust approach to business cases and viability assessments to inform decision making prior to implementation. Review of Earmarked / general reserve balances.	Amber
Challenge of Decarbonisation	Failure to plan and invest strategically in order to meet carbon reduction targets could result in failure to meet WG target and will impact on tenants energy costs.	Red/Amber	Work closely with WG to understand key requirements, targets, delivery methods and costs.	Amber
	This will impact on tenants' energy costs.		Plans in place to pilot renewable technology in order to meet the challenge.	
	The requirement to meet the cost of decarbonisation without additional funding will impact on other spend – could reduce borrowing capacity and reduce funds available for new build.			
Impact of Covid 19	Increase in unemployment impacting on tenants' ability to pay rent, resulting in increased rent arrears, and requirement for bad debt provision and increased debt collection and recovery costs.	Red	Information and advice to tenants, for example through Into Work Services. Maximisation of funding for promotion of available benefits and specific support e.g. the Hardship Fund and Discretionary Housing Payments grant. Regular review of bad debts provision.	Amber
Impact of Brexit	Shortage of supply and cost inflation of materials due to increased bureaucracy and uncertainty.	Amber	Maintain communication channels with suppliers and contractors including seeking alternative sources of supply. Embrace post-Brexit procurement opportunities to ensure regime is simple, efficient and delivers greater value for money.	Amber/Green

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**CARDIFF COUNCIL
CYNGOR CAERDYDD**



CABINET MEETING: 18 MARCH 2021

ACQUISITION OF NEW BUILD HOUSING THROUGH A PACKAGE DEAL ARRANGEMENT ON LAND AT WYNDHAM CRESCENT, CARDIFF.

**HOUSING AND COMMUNITIES (COUNCILLOR LYNDA THORNE)
AGENDA ITEM: 12**

The Appendices to this report are not for publication as they contain exempt information of the description contained in paragraph 14 and 16 of Part 4 and paragraph 21 of Part 5 of Schedule 12A to the Local Government Act

Reason for this Report

1. To approve the Council entering into a legal agreement with Ventura properties (Cardiff) Ltd for the acquisition of land comprising new flats to be built at Wyndham Crescent, Riverside for an agreed contract sum detailed in appendix 1, subject to the satisfactory completion of due diligence, financial viability and the proposed scheme achieving a planning consent

Background

2. Through Capital Ambition the Council has set a target of delivering at least 1,000 new council homes by 2022 and to have a development programme capable of delivering over 2,000 new council homes in the longer term. These targets have been set in direct response to the increasing demand we face for affordable housing in our city.
3. A Cabinet report approved in November 2020 gave an update on the development programme and detailed the delivery routes being utilised in order to meet our targets and deliver new council homes. These routes included the continuation of the Cardiff Living programme, entering into developer lead Package Deals, the development of new homes through the Additional Build programme and the purchase of property from the open market.
4. The council has been approached by a developer Ventura properties (Cardiff) Ltd to consider an acquisition of new flats once built on the former Seal & Co building site on Wyndham Crescent, Cardiff. The

scheme will deliver new flats suitable for older people that will meet a strategic housing need in an area of the city in which we have a very high demand for new council housing but scarce existing stock and extremely limited opportunities to build ourselves.

5. The site is very well located in terms of access to the city centre and to nearby amenities along Cowbridge Road. A bus stop is located directly outside of the site and a doctor's surgery adjoins the site.
6. The proposed scheme will deliver 31 x 1 bed older person apartments, all with access to private outdoor space. Indicative elevations of the proposed scheme are provided in appendix 3.
7. Pre-application planning advice has been sought by the contractor. This initial advice has led to the scheme being scaled back from the original proposal of 35 apartments. The design process is on-going and entering into an agreement to purchase the property is conditional on the developer obtaining a planning consent.
8. The properties will be designed to be fully compliant with Welsh Government's Design Quality Requirements (DQR).

Issues

9. Costs – the scheme is being offered to the Council under a 'package deal' arrangement. 'Package deals' are where a contractor takes the lead in procuring the acquisition, design and construction of a project. In such arrangements this must be an opportunity that only the developer can deliver to the council and this is case as the developer owns the land.
10. The Council will enter into an appropriate form of agreement to purchase the development only once the total schemes costs have been independently reviewed by Chartered Quantity Surveyors on behalf of Cardiff Council and confirmed to be consistent with current build costs.
11. The current estimated costs are detailed in Appendix 1.
12. Procurement due diligence is being undertaken to ensure the council proposed acquisition/is compliant with the Public Contracts Regulations (2015). External Legal advice has been sought on this and contained in Exempt Appendix [4].
13. **Conditions of the deal** – there are a number of conditions that must be discharged by the developer before the council can enter into a legal agreement. These are listed below:
 - A satisfactory planning permission being granted for a 31 unit scheme including for any Section 106 Agreement;
 - A satisfactory valuation of the proposed scheme
 - A satisfactory review of the proposed scheme costs
 - A positive financial viability assessment of the total scheme costs using the Proval viability tool.

- Formal approval of the SAB proposal for the scheme
 - Completion of due diligence of the developer to ensure ability to deliver the project
 - Satisfactory completion of the procurement due diligence as detailed in legal advice at Appendix [4]
14. The conditions relating to formal planning approval and SAB approval must be satisfied before completion of the acquisition but may not prevent an exchange of contract.
15. A viability assessment of the current indicative scheme costs has been undertaken using the ProVal viability Toolkit, with the baseline viability indicating that the scheme would achieve a payback of **41 years**, with an allocation of subsidy. The amount of subsidy required represents the same as the rate (58%) a Registered Social Landlord (RSL) would use when applying to Welsh Government for funding. The viability report is provided in appendix 2.
16. The scheme is accounted for within the current HRA Business Plan and within the current Housing development programme.

Consultation

Scrutiny Committee

17. The report has been discussed at the CASSC Committee held on 10th March 2021. A full review of the proposal and the decision was undertaken and the letter from the Chair will be circulated once received.

Local Member consultation

18. The Riverside Ward Members have been consulted and whilst not unanimously supporting the scheme, they do welcome the additional homes the scheme will provide. Concerns were raised regarding the impact of the scheme on the existing street trees and the pedestrian and cycling links through the car park.

Reason for Recommendations

19. To progress the acquisition of new council homes in order to meet the Council's aspirations of delivering 1,000 new council homes in line with housing need by March 2022.

Financial Implications

20. The report proposes the purchase of Housing units to make available for Social Housing. Funding is available in the Housing Revenue Account Capital Programme approved in March 2021 as part of the budget proposals.

21. The report appendices suggests, the development of the site will attract a subsidy in the form of grant or a planning obligation, however the specific details of this are not confirmed at the time of drafting this report.
22. In advance of entering into a legal agreement, and subject to a separate officer decision report, part of the land on which the development will take place is to be sold to the developer, which will generate a capital receipt for the Council.
23. In the event that the Council does not enter into a legal agreement with the developer to acquire the units after entering into a heads of terms agreement, the council will be required to pay abortive costs to the developer.

Legal Implications

Property

24. Section 120 of the Local Government Act 1972 enables the Council to acquire land for either (a) the benefit, improvement or development of its area or (b) for any of its functions under any enactment. The Council's Disposal and Acquisition of Land Procedure Rules requires the decision maker to have regard to advice from a qualified valuer, to ensure value for money.
25. Section 17 Housing Act 1985 enables the Council as local housing authority to acquire properties or land for housing accommodation.
26. External procurement legal advice has been obtained in connection with this proposals contained in this report and contained in Confidential Appendix [4].
27. The Cabinet needs to take account of the Council's fiduciary duties to the local residents and taxpayers. As such, proper consideration needs to be given to the risks, rewards and potential future liabilities of the proposals which are the subject of this report. The issue concerns whether the potential risks and liabilities described in the report and in Confidential Appendix 15 are proportionate to securing housing accommodation in this locality and thereby in the best interests of the local taxpayers and residents.

Equalities & Welsh Language

28. In considering this matter the decision maker must have regard to the Council's duties under the Equality Act 2010 (including specific Welsh public sector duties) . Pursuant to these legal duties Councils must, in making decisions, have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: (a). Age, (b) Gender reassignment(c) Sex (d) Race – including ethnic or national origin, colour or nationality, (e) Disability, (f)

Pregnancy and maternity, (g) Marriage and civil partnership, (h)Sexual orientation (i)Religion or belief –including lack of belief.

29. An equalities impact assessment is attached to this report and the decision maker should have regard to the same in reaching its decision.
30. The decision maker should be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.

The Well-being of Future Generations (Wales) Act 2015

31. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well being goals. The well being objectives are set out in Cardiff's Corporate Plan 2020 -23
32. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
33. The well being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
 - Look to the long term
 - Focus on prevention by understanding the root causes of problems
 - Deliver an integrated approach to achieving the 7 national well-being goals
 - Work in collaboration with others to find shared sustainable solutions
 - Involve people from all sections of the community in the decisions which affect them
34. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible on line using the link below: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

HR Implications

35. There are no HR implications for this report.

Property Implications

36. As part of a land disposal linked to this acquisition, the Strategic Estates Department have procured an independent valuation of the proposed development which confirms the acquisition price reflects Market Value for the completed development.

RECOMMENDATIONS

Cabinet is recommended to delegate authority to the Corporate Director for People & Communities, in consultation with the Cabinet Member for Housing & Communities and Head of Estates to enter into a legal agreement (following satisfaction of the conditions highlighted in this report) with Ventura properties (Cardiff) Ltd for the acquisition of 31 new apartments on land at Wyndham Crescent, Cardiff in accordance with the Heads of Terms substantially in the form contained in at Appendix 1.

SENIOR RESPONSIBLE OFFICER	SARAH MCGILL
	12 March 2021

The following confidential appendices are attached:

Appendix 1 – Draft Heads of terms (including total scheme costs)

Appendix 2 - Proval Viability Assessment

Appendix 3 – Scheme plans & elevations

Appendix 4 – External Legal Advice

By virtue of paragraph(s) 14, 16 of Part(s) 4 and 5 of Schedule 12A of the Local Government Act 1972.

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CABINET MEETING: 18 MARCH 2021

**VELODROME & INTERNATIONAL SPORTS VILLAGE
DEVELOPMENT STRATEGY**

**INVESTMENT & DEVELOPMENT (COUNCILLOR RUSSELL
GOODWAY)**

AGENDA ITEM: 13

Appendices 2 to 6 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14, 16 and 21 of Schedule 12A of the Local Government Act 1972.

Reason for this Report

1. To seek approval of a revised masterplan for the leisure component of the International Sports Village (ISV) development in Cardiff Bay.
2. To seek authority to develop a detailed delivery strategy including consideration of the long-term operation of the various leisure facilities at ISV.
3. To set out a plan for delivery of a new Velodrome facility at ISV.

Background

4. The Council commenced the redevelopment of the peninsula site known as the International Sports Village in Cardiff Bay, in 1999. The site has proven to be a complex long-term project involving extensive land reclamation and remediation works and significant infrastructure investment. The Cardiff Pointe residential site was sold by the Council to fund the replacement for the Empire Pool, which needed to be demolished to make way for the construction of the Principality Stadium, and was later acquired by Greenbank Partnerships Ltd in 2010.
5. The Council completed construction of the new Cardiff International Pool in 2008 and the Cardiff International White Water (CIWW) attraction in 2010. CIWW has subsequently enhanced with a Flowrider surfing attraction, a High-Ropes experience, and an outdoor climbing wall. The Council also disposed of its leasehold interest in circa 4 acres of land off Olympian Drive to enable construction of a new 40,000 sq ft retail warehouse building to enable the relocation of Toys R Us out of the city centre to make way for delivery of the St David's 2 shopping centre. Appendix 1 provides a plan of the site and an illustration of the development that has been delivered to date.

6. In 2012, the Council entered into a long-term Development Agreement with Greenbank Partnership Limited (GPL) following a market procurement exercise. GPL put forward an exciting and comprehensive strategy for the redevelopment of the peninsula site covering their own Cardiff Pointe site and the Council's Waterfront site. The Council's principle priority at the time was to construct a new Ice Arena to replace the one demolished to make way for the St David's 2 shopping centre, and to deliver a Snow-Dome attraction.
7. The Development Agreement involved the transfer of land from the Council to GPL on a 999 year lease in two phases as illustrated by the plan at Appendix 1: Phase One on committing to the Ice Arena development; and Phase Two on committing to the delivery of the Snow-Dome facility.
8. The cost of delivering the new Ice Arena far outweighed its anticipated commercial value. To ensure delivery of a state-of-the-art facility, the Council agreed to commute a proportion of s106 contributions and affordable housing contributions generated by the planning permission for residential development on the adjacent Cardiff Pointe site. To meet the Council's aspirations, GPL decided to forward fund early delivery of the new Ice Rink in advance of residential sales on Cardiff Pointe.
9. GPL completed the Ice Arena development in 2016. They have also delivered 100 private residential properties on Cardiff Pointe and c150 units of affordable housing on adjacent sites. However, since 2018 further development has stalled.
10. The Council retains a significant land holding at the International Sports Village site illustrated by the ownership plan attached at Appendix 1. In March 2018, Cabinet provided authority to secure the freehold reversion of the former Toys R Us building including a large service yard and circa 300 car parking spaces. The rationale for the acquisition was to improve the development potential of the Council's adjoining land holding known as Retail 3, as the former Toys R Us lease contained several covenants that affected the development potential of the Retail 3 site.
11. In October 2019, Cabinet approved a new strategic plan for completing the ISV development which involved repositioning the proposed leisure development on to lower value land to the rear of the site (former Toys R Us and Retail 3). This would help to establish a critical mass of leisure attractions by positioning new leisure facilities adjacent to the existing leisure facilities and would free up the Waterfront site for higher value residential-led mixed use development. Delivery of the plan was subject to reaching agreement with Greenbank regarding land interests in the area.

Issues

12. The Council and Greenbank have been engaged in dialogue over an extended period of time regarding their respective land interests, including the land subject to the Development Agreement. The Cardiff Pointe residential scheme is an important development in its own right, planned to deliver circa 850 new homes in the Local Development Plan. The Council remains keen for the next phase of construction to commence as soon as possible, not least to provide

existing residents with certainty regarding the future of the site. The Council is in the process of negotiating a land transaction with Greenbank that will enable further development on the site to be accelerated and will return to Cabinet in the spring/early summer for authority to proceed, once draft terms are ready for approval.

Velodrome

13. In December 2020, Cabinet gave authority to begin the consultation process relating to the proposed expansion of Cathays High School. The Council has been keen to modernise the city's Velodrome facility for some time. The delivery of a new Velodrome facility on an alternative site would allow the land currently occupied by the Maindy Velodrome to be used to support the school expansion should it be required.
14. The current Velodrome benefits from having access to Maindy Leisure Centre for storage of circa 400 cycles, workshop space, welfare facilities and studio space to ensure sessions can continue in poor weather and also to allow for meetings and off-bike training.
15. The proposal is to deliver a new purpose built Velodrome facility at the International Sports Village. The relocation of the track element is to be funded by a capital contribution from the Council. The balance of development - the Performance Hub - including storage, workshop space and welfare facilities will be delivered through revenue income. The current program set out in Confidential Appendix 2 anticipates the Velodrome could be operational within the International Sports Village by the end of 2022.
16. The Council has engaged with local cycling clubs and governing /representative bodies to ensure the design of the facility will (as far as is possible within the existing budget constraints) meet their expectations. These discussions will continue whilst the detailed designs are developed for submission to the Local Planning Authority. The existing facility at Maindy Leisure Centre will remain open until the new facility is completed and open for business to maintain continuity of provision. The Maindy Leisure Centre will continue to operate without the Velodrome facility thereafter.
17. Estimated costs associated with the relocation of the Velodrome are set-out in Confidential Appendix 3 and the strategy for meeting these costs is set out in Confidential Appendix 4. At this stage authority is being sought to progress the development of a detailed business plan. This will include the development of detailed designs to a stage where they are ready for submission for planning approval. Given that an element of the cost of delivering this facility is based on income a final approval from Cabinet is required once detailed costs and projected income are fully understood and can be presented in a final business case.
18. The business case will also set out the proposal for operating the Velodrome facility. It is not intended for the Council to operate the facility. At this point in the process it is envisaged that the facility will be operated via a management agreement or lease with a third party. The various options and wider considerations will need to be considered in detail at a future date.

New Development Strategy

19. The relocation of the Velodrome to the International Sports Village site has presented an opportunity to further refine the development strategy presented to Cabinet in October 2019. The strategic plan to deliver residential-led mixed use development on the waterfront land and leisure development clustered around existing facilities to the rear of the site remains in place. The Velodrome presents an opportunity to amend the strategy for development of the leisure destination.
20. A new indicative masterplan is attached as Appendix 5. The scheme accommodates the new Velodrome facility and a small number of additional leisure assets to complete the scheme. The key features of the leisure development strategy are as follows:
 - A new 333m dedicated Velodrome facility with associated bicycle storage, workshop space, clubhouse and spectator stand.
 - A new 1km closed-loop circuit for cyclists, runners and other activity uses. Currently specified at 3m wide, this facility has the potential to be upgraded to 6m wide to enable use as a competition facility subject to attracting additional funding from relevant bodies. The intention is to provide free to use access for local residents. If the track is extended to 6m, dedicated access will also need to be provided for competitive sport purposes.
 - The former Toys R Us building (circa 40k sq ft) will be retained and refurbished to create an attractive and valuable commercial retail asset. The intention is to attract a large format bicycle retail store to complement the Velodrome and the closed-loop circuit. There will also be adequate space within the building to accommodate an additional leisure attraction.
 - Over the longer-term there is the potential to extend the CIWW to position the entrance of the facility in direct alignment with the current alignment of Olympian Drive to provide a focal point for the new public realm and improved visibility of the facility from the main entrance to the site.
 - The existing Ice Rink has the potential to be extended at the rear to complete the development. A new attraction could be provided as part of a review of the facility to improve its overall commercial viability and long-term sustainability. Ideally, the attraction would make use of the plant and machinery already available within the Ice Arena. This will be brought forward on a commercial basis.
 - Olympian Drive to be reduced, and subsequently eliminated once an adequate alternative access has been provided across the rear of the waterfront land to create an enhanced pedestrian environment at the heart of the leisure development. In particular, removal of the road will improve safe pedestrian connection between key facilities and establish a new all year-round external event space. Opportunities to improve biodiversity will be delivered through the proposed public realm

improvement including the planting of trees, the introduction of pocket parks and the general greening of the area as appropriate.

- As an initial step, undeveloped land will be set out as surface car parking to meet the on-site contractual requirements and to provide additional spaces to avoid visitors parking in adjacent residential areas. The long-term strategy is to consolidate parking to release further land for leisure development and for the site to become established as a Park & Ride destination. The intention is for the Council to retain full control of all on-site car parking to generate income to support delivery of the masterplan and the long-term upkeep of the leisure destination.
 - Highways improvements including the removal of the round-a-bout on Watkiss Way to make way for a new shared surface crossing to provide better connections between the new leisure facilities and CIWW.
 - A new road to be provided by the developers of the residential scheme on the waterfront land linking the Cardiff Pointe residential scheme to the existing round-a-bout joining International Drive with Ferry Road eliminating the need for Olympian Drive.
 - There is also the potential to accommodate a hotel on-site.
21. The Bay edge walkway will be fully retained and maintained for public use with public access protected. The proposed residential-led development of the waterfront land has potential to deliver a new 'destination' food & beverage promenade at ground level along the water's edge with views across Cardiff Bay fully open to the public. Above this active ground floor will be a series of relatively high-density residential-led mixed-use blocks, medium height (10-14 stories) to create a new district befitting of its unique, high quality waterfront aspect.
22. As the plans develop, the Council will consider utilisation of s106 contributions generated from the waterfront land to support completion of the ISV leisure destination.

Transport Strategy

23. Transport connectivity will become an increasingly important factor in the long-term success of the project. The site is within walking distance of Cogan Station via the Pont-y-Werin Bridge and this important link will need to be promoted as a primary link to increase usage. There is potential to improve access to the Station and to improve signage.
24. There are regular bus services which connect the site to the city centre in circa 15 minutes. As the site matures and additional car parking provision is provided, the Council will explore its use as a Park & Ride destination. The potential establishment of a Park & Ride could help to increase the regularity of bus services from the ISV to the Inner Harbour and the City Centre.
25. Cycling access to the site will be improved significantly by the plans to deliver a bridge across the River Taff as part of the Channel View redevelopment. This will help to link the site to the existing cycle superhighway in Cardiff Bay. This is an important development given the nature of the leisure destination being

proposed, and the focus on delivering cycling facilities on-site, where users will need to access the site via bicycle.

26. There is an opportunity to make better use of the Bay itself and the River Taff to link the site to the Inner Harbour and the City Centre via water-taxi. As part of the development of the waterfront promenade, a new water taxi landing bay will be explored.
27. Whilst the Council is keen to improve public transport access to the site, there will also need to be an adequate number of parking spaces provided in order to meet existing contractual/planning obligations relating to the International Pool and the Ice Arena as well as the proposed new leisure development and to ensure local residents are not adversely impacted.

Delivery Strategy

28. It is anticipated that completion of the leisure destination, including parking provision, landscaping, public realm improvements and highways adaptations will cost in the region of £20m. Initial appraisal of potential income streams associated with the various facilities proposed, including parking income and rental income suggests that the development could be funded on a commercial basis.
29. At this stage the Council is only committing to delivery of the Velodrome track facility and is not seeking authority to deliver any other aspect of the masterplan through this report. Authority is being sought to develop a business case setting out detailed costs, income streams and a proposed investment programme for completion of the development to be presented back to a future meeting of Cabinet for authority to proceed.
30. A key aspect of the business plan will be the future operation of the facilities on-site and the ongoing maintenance of landscaping and public realm. Prior to the pandemic a number of operators/providers showed interest in developing a destination experience at the ISV. Most of these discussions were around developing a wider offer bringing in further adventure experiences such as rock climbing, sky-diving, indoor skiing (conveyor belt), zip-wire alongside new e-sport experiences. New facilities could be managed in conjunction with the International Pool, Ice Arena and CIWW under a singular brand giving customers easier access to a wider range of activities. As part of the development of the business case it is proposed to undertake a soft-marketing exercise to determine the level of interest in operating the site as a destination and to confirm the level of income/rent that could be generated to support the business plan.
31. The car parking strategy will also be central to the business plan given the level of income that can potentially be generated. The site will initially need to provide a minimum of 800 spaces on-site for use by the International Pool, Ice Arena, CIWW and the new Velodrome. These spaces are already available on site but will need to be relocated around the site to align with the masterplan. It is proposed that leisure users will receive a concession for a number of hours (to be agreed).

Waterfront Land

32. The Council has been engaged in discussions with Greenbank regarding the Development Agreement entered into in 2012 and the need to reset arrangements to enable the wider development to progress. The discussions have progressed amicably and have involved potential asset swaps as well as various disposal/acquisition proposals. It is intended to return to Cabinet in spring/early summer with a final proposal that will conclude the 2012 Development Agreement and enable future development to progress.

Reasons for Recommendation

33. To set out a plan for completion of the International Sports Village development in Cardiff Bay including the new Velodrome facility.

Financial Implications

34. This report sets out and seeks Cabinet approval of a revised development strategy for the completion of the International Sports Village (ISV). Whilst approval is being sought at this stage for the wider development strategy, it is anticipated that further detailed proposals will be brought to Cabinet on some of the specific elements of the wider masterplan as set out in paragraph 20 in due course. More detailed financial implications will be provided as and when these detailed proposals are brought forward, with clear funding strategies identified to implement these proposals.
35. At present, there is no specific funding available within the budgetary framework for the redevelopment of the International Sports Village. Any proposals brought forward must therefore be on a self-financing basis utilising capital receipts and s106 contributions generated.
36. This report seeks approval in principal to relocate the Velodrome to International Sports Village, as well as delegated authority to progress a Final Business Case including a planning application to be presented back to a future meeting of Cabinet for final approval. The proposed cost plans for delivery of the Velodrome and wider development are set out in **Confidential Appendix 4**, with the majority of these costs supported by an independent development appraisal attached in **Confidential Appendix 3**. It is anticipated that the capital costs of relocating the Velodrome will be funded by a capital contribution from the Council, whilst the delivery of the Performance Hub is expected to be funded on an Invest to Save basis by future revenues it will generate.
37. The operational business plan costs and revenues for the Velodrome are included within **Confidential Appendix 4**. These remain high level at this stage and will be further tested within a Final Business Case which will be brought back to Cabinet for a final decision in due course, along with final costs and funding solutions for approval.
38. The sensitivities regarding the delivery of the Velodrome by May 2023 are covered in the main body of the report, with the proposed timescales for delivery set out in **Confidential Appendix 2**. This delivery programme will

need to be proactively managed, reviewed and closely monitored to minimise the risk of financial implications, as well as potential downtime for the velodrome or delays to the construction of the school.

39. The final recommendation within the report seeks delegated authority to prepare a business case and conduct a soft market testing exercise for potential operating partners of leisure components within International Sports Village ahead of returning to Cabinet for a final decision. Proposed costs for this are allocated and shown with **Confidential Appendix 4**, although at this stage no suitable funding source has been identified to cover these costs.
40. Careful consideration must be given to the VAT implications of these proposals due to the tax status of the International Sports Village sites. The Council opted to tax this land as part of the original International Sports Village development, with specific VAT advice provided at the time setting out a range of potential uses and categories of suitable partner organisations for these sites, as well as some restrictions in order to protect the Council's VAT partial exemption position. Restrictions on future operational arrangements of velodrome are likely to include the Council being unable to bring operation of the facility in-house at any point, instead granting an operating lease to a third party with VAT chargeable on the lease in order to protect Council's partial exemption position. Further detailed VAT advice will be required on specific proposals for the future operation of the Velodrome, as well as vacation of existing leases with GLL, which must be taken into account in a timely manner during the decision making process. Initial advice can found at Confidential Appendix 6.
41. This report proposes that the Council will bring forward a long-term car parking strategy in a phased approach subject to development/operational interest within the wider ISV Development. In the interim, the Council will need to retain a minimum of 800 spaces within the Sports Village for the use of the International Pool, Ice Arena, CIWW, Toys'R'Us and the new Velodrome. The Council intends to retain full control over the car parking arrangements, with the income generated being utilised to maintain the car parking, associated public space and to service debt.
42. The Council previously acquired the Toys R Us site in March 2018 to consolidate its land ownership in the area, with the cost of this acquisition funded initially from forthcoming capital receipts with the intention to recover these through disposals at a later date. Incorporated within this report are a range of proposals, including retaining the Toys R Us site and pursuing a land exchange deal with Greenbank. The financial implications of this revised development proposal will include the non-recovery of the original capital receipt utilised to acquire the Toys R Us site in March 2018, therefore reducing the amount of capital receipts available to be used in other regeneration projects.

Legal Implications

43. This report proposes a masterplan for the future development of the International Sports Village and the provision of a new velodrome facility, which will require the Council to enter into contractual arrangements for works and services, as well as property transactions

44. With regard to the intended property transactions, the Council will need to comply with its rules and procedures for the acquisition of and disposal of land and seek advice where appropriate from its qualified valuer. With regard to the intended procurement of works and services, the Council is required to follow its internal Contract Standing Orders and Procurement Rules internal together with the relevant statutory procurement requirements. This ensure the terms of the transactions represent best value.
45. It is expected that further reports will prepared relating to the proposals arising from this report upon which detailed legal and financial consideration, including taxation, and any wider consideration such as Equality duties, will need to be provided in relation to these matters at the relevant time.
46. The Cabinet needs to take account of the Council's fiduciary duties to the local residents and taxpayers. As such, proper consideration needs to be given to the risks, rewards and potential future liabilities of the proposals which are the subject of this report.
47. The decision about these recommendations has to be made in the context of the Council's public sector equality duties. The Council also has to satisfy its public sector duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Protected characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief. If the recommendations in the report are accepted and when any alternative options are considered, the Council will have to consider further the equalities implication and an Equality Impact Assessment may need to be completed.
48. The Well-Being of Future Generations (Wales) Act 2015 ("the Act") places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales – a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
49. In discharging its duties under the Act, the Council has set and published wellbeing objectives designed to maximise its contribution to achieving the national wellbeing goals. The wellbeing objectives are set out in Cardiff's Corporate Plan 2018-21:
<http://cmsprd.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202018-21.pdf>
50. The wellbeing duty also requires the Council to act in accordance with 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without comprising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the

impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:

- Look to the long term
- Focus on prevention by understanding the root causes of problems. Deliver an integrates approach to achieving the 7 national well-being goals
- Work in collaboration with others to find shared sustainable solutions
- Involve people from all sections of the community in the decisions which affect them

51. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below:
<http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>
52. The Council has to be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact upon the Welsh language, the report and Equality Impact Assessment deals with all these obligations. The Council has to consider the Well-being of Future Guidance (Wales) Act 2015 and how this strategy may improve the social, economic, environmental and cultural well-being of Wales.
53. The decision maker must be satisfied that the proposal is within the Policy and Budget Framework, if it is not then the matter must be referred to Council.

Property Implications

54. At this stage, as the Council is only committing to delivery of the Velodrome track facility and is not seeking authority to deliver any other aspect of the masterplan, there are no specific property implications in respect of this report. The Strategic Estates team will liaise where necessary with Major Projects, Finance and other relevant departments on any property related elements are required to deliver any proposals. Where there are Valuation, Estate Management or Transactional elements necessary to deliver the Velodrome and wider International Sports Village proposals, these should be done so in accordance with the Council's Asset Management process and in consultation with Strategic Estates and relevant service areas.

HR Implications

55. There are no HR implications arising from this report.

RECOMMENDATIONS

Cabinet is recommended to:

- (i) Approve the new masterplan to complete the leisure attraction at the International Sports Village attached at Appendix 5.
- (ii) Approve in principle the plans for the new Velodrome at the International Sports Village and delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Investment & Development and

statutory officers to prepare a detailed business case including the appointment of professional advisors, procurement of a contractor and the development of a planning application to be presented back to a future meeting of Cabinet for final approval before entering contracts.

- (iii) Delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Investment & Development and statutory officers to prepare a detailed business case for completing the leisure attraction at the International Sports Village as set out in the masterplan at Appendix 5 and the development appraisal at Confidential Appendix 4, including undertaking a soft-market testing exercise relating to the future operation of the site, and to return to a future meeting of Cabinet for final approval.

SENIOR RESPONSIBLE OFFICER	Neil Hanratty Director of Economic Development
	12 March 2021

The following appendices are attached:

- Appendix 1 - Site Plan
- Confidential Appendix 2 - Velodrome Programme
- Confidential Appendix 3 - ISV Stage 1-2 Feasibility Study
- Confidential Appendix 4 - Financial Summary
- Confidential Appendix 5 - ISV Master-plan
- Confidential Appendix 6 – Tax Advice (March 21)

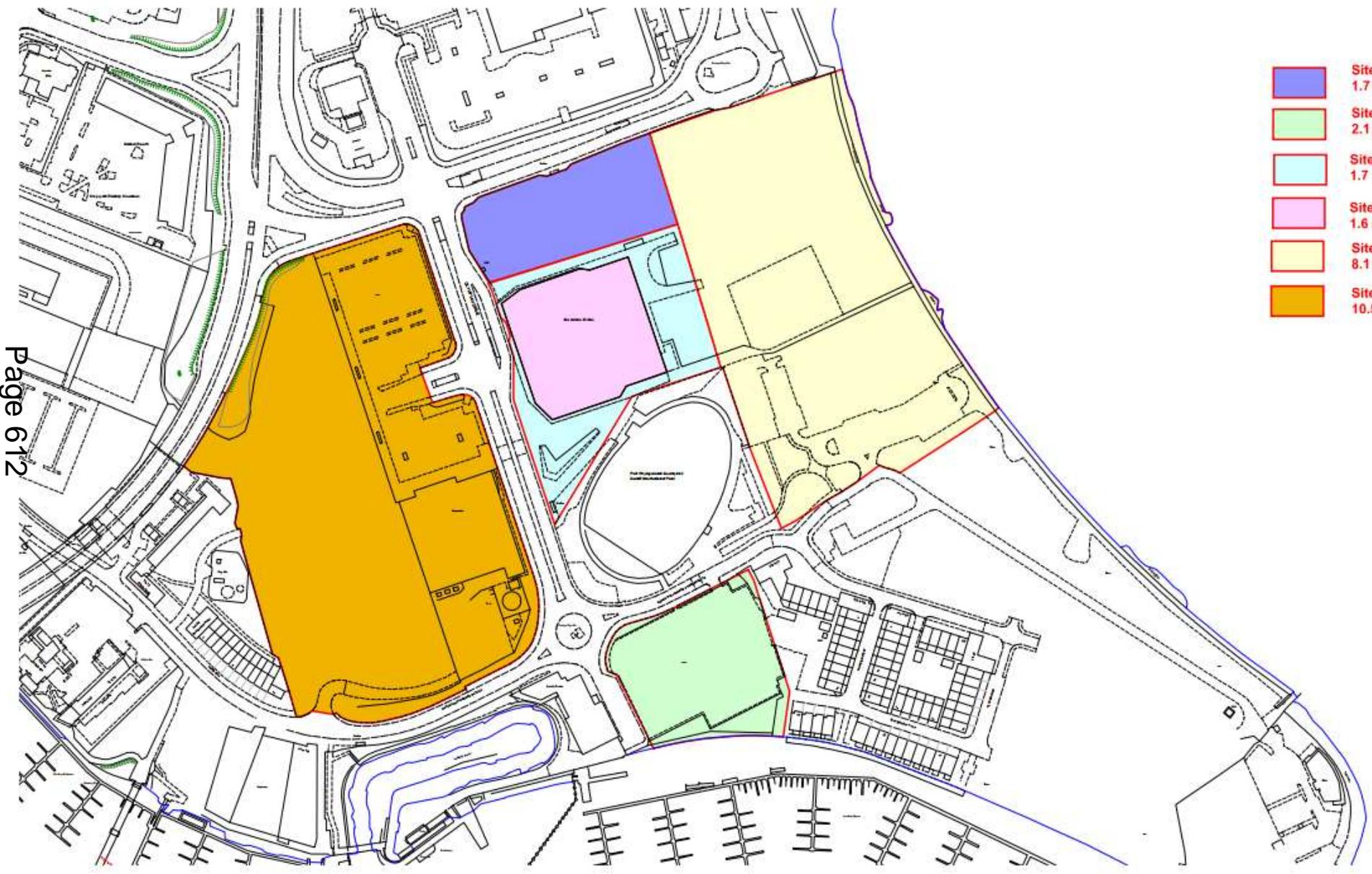
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APPENDIX 1

International Sports Village

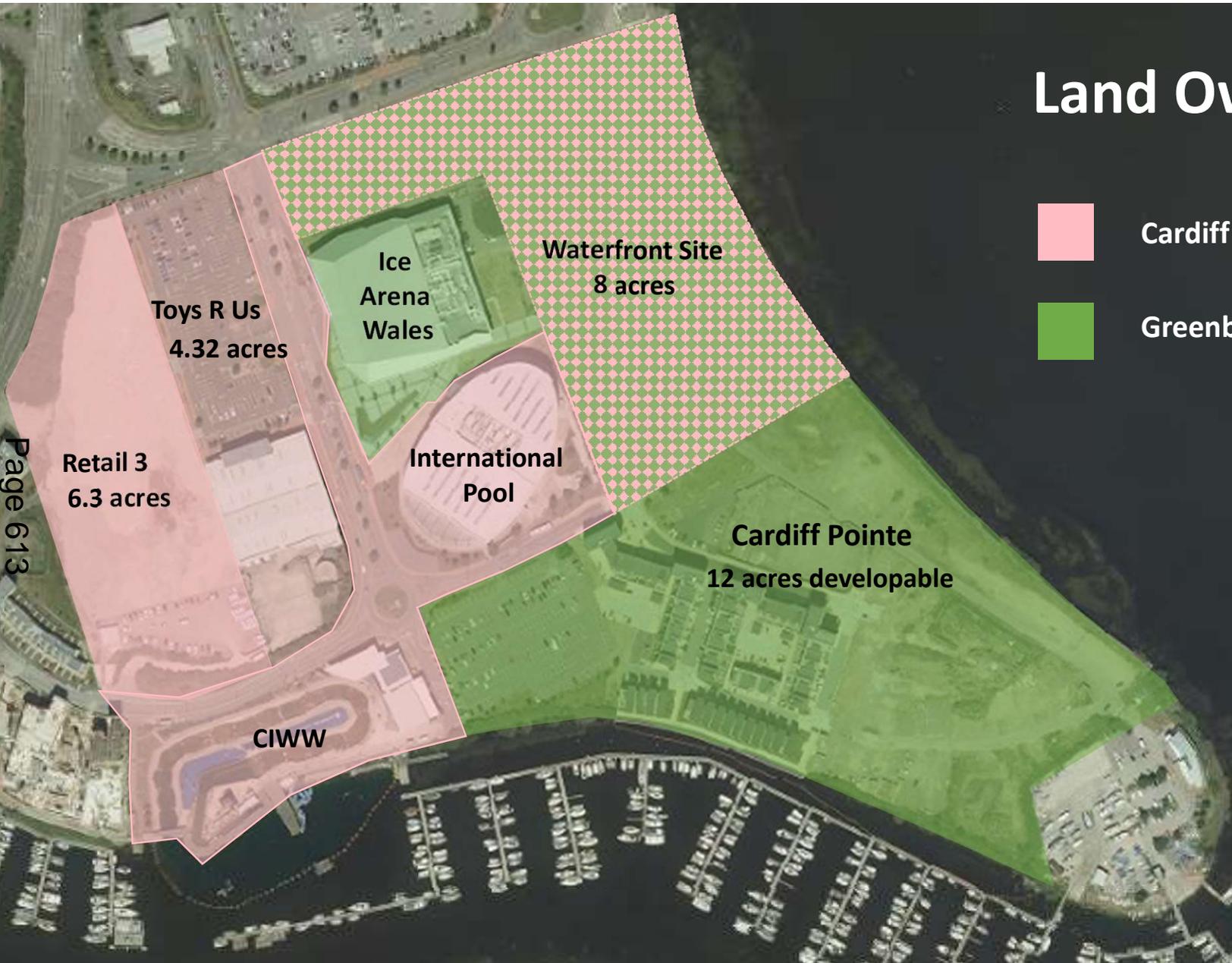
Site Plans



- Site A
1.7 acres
- Site B
2.1 acres
- Site C
1.7 acres
- Site D
1.6 acres
- Site E
8.1 acres
- Site F
10.52 acres

Land Ownership

- Cardiff Council
- Greenbank



Existing Development

Ice Arena Wales

International Pool

Toys R Us

Housing Development

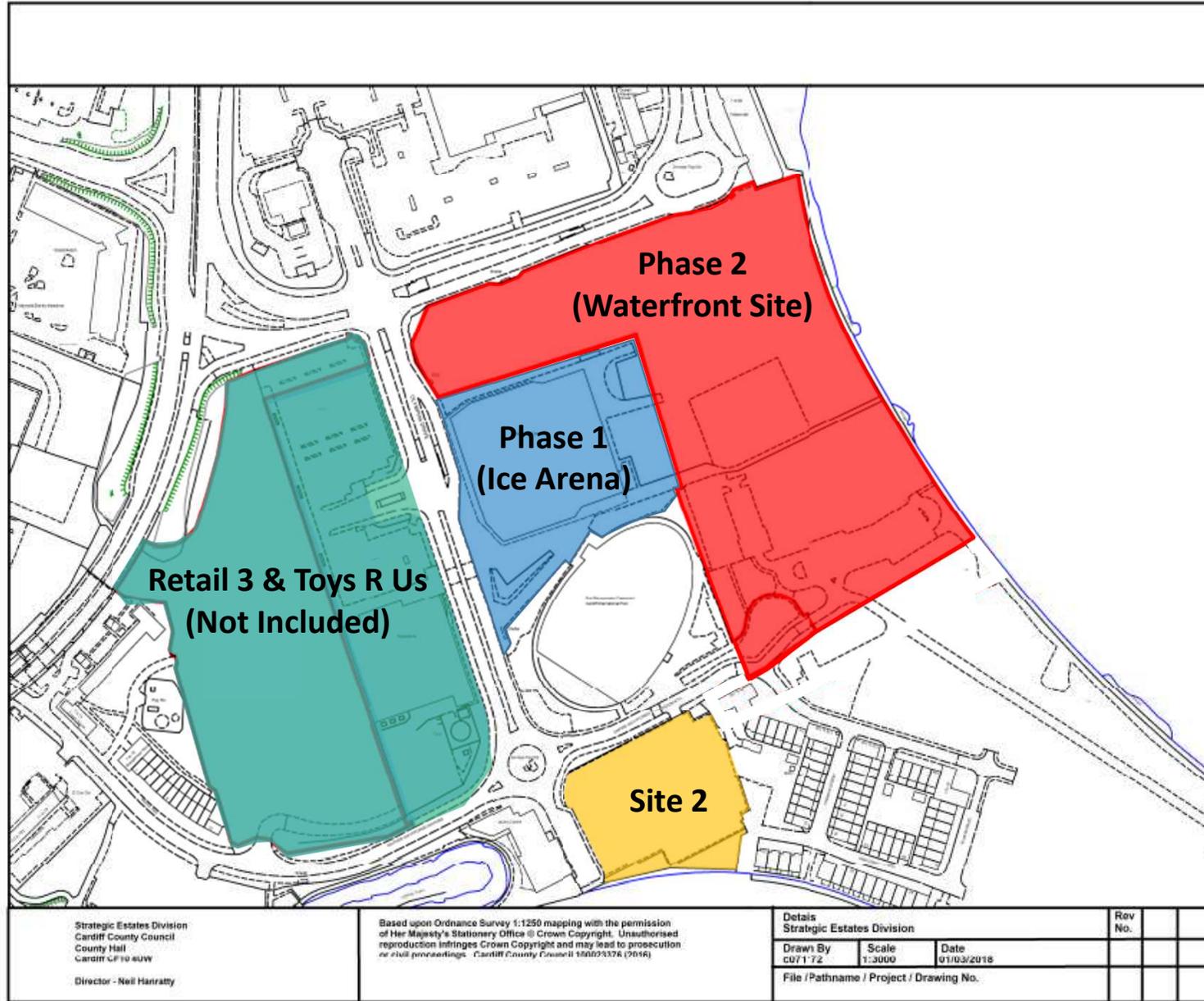
Cardiff International White Water

Page 614



Development Agreement

Page 615



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**CARDIFF COUNCIL
CYNGOR CAERDYDD****CABINET: 18 MARCH 2021**

CARDIFF LOCAL DEVELOPMENT PLAN FULL REVIEW**STRATEGIC PLANNING & TRANSPORT (COUNCILLOR CARO WILD)****AGENDA ITEM: 14**

Reason for this Report

1. To report back to Council the findings of the consultation exercise undertaken on the draft Cardiff Local Development Plan (LDP) Review Report and draft Delivery Agreement and seek Council's approval to submit the Final Review Report (Appendix 1) and Final Delivery Agreement (Appendix 2) to the Welsh Government.

Background

2. The Cardiff Local Development Plan (LDP) was adopted by the Council on 28th January 2016 and sets out the Council's planning framework for the development and use of land in the city over the period 2006 to 2026.
3. An up-to-date LDP is an essential part of the plan-led planning system in Wales and statutory measures are in place to manage the Plan review process. In this respect, the Council is required under Section 69 of the Planning and Compulsory Purchase Act 2004 to undertake a full review of the adopted LDP at intervals not longer than every 4 years from the date of adoption. As such, this report directly responds to this requirement given the LDP adoption date.
4. The first stage in the review process is the publication of the draft Review Report and draft Delivery Agreement. A draft Review Report and Delivery Agreement were originally considered by Cabinet and Council in November 2019 and were issued for public consultation in January and February 2020. The findings of this consultation exercise and a Final version of the documents were due to be considered by Cabinet and Council in March 2020 with a view to formally commencing the review of the LDP in May 2020. However, this meeting was cancelled as a result of the pandemic.
5. Welsh Government guidance issued in July 2020 stated that Local Planning Authorities must reflect on the implications of the pandemic and consider consequences for LDPs under review. Given this, the original draft Review Report and Delivery Agreement were revised to take into account the implications of Covid-19 together with other relevant

contextual changes that have occurred over the last 12 months. These revised reports were approved for consultation by Council on 26th November 2020.

6. Public consultation on both documents took place between 7th January and 4th February 2021. A total of 382 consultees were notified and invited to make comments on the draft documents. These consultees included Community Councils, planning consultants, house builders, housing associations and other relevant external organisations. In addition all Members were informed of the consultation and the draft documents were advertised on the Council's website, together with details on how to comment.
7. A total of 34 responses were received during the public consultation period which are summarised in Appendix 3 along with the Council's response. –Overall, the majority of responses did not object to the approach and contents of both documents and recognise the need to prepare a Replacement LDP. A large number of responses raised wider issues relating to plan content beyond the current scope of the review process and these will be considered as part of the Replacement Plan preparation process as the plan progresses. However, some changes to the documents are considered appropriate to further clarify and respond to matters raised. These include:

Review Report

8. Updating the document to take account of contextual changes since the report was drafted in autumn 2020 so references are included to the latest position with the Council's One Planet Strategy and Welsh Government's National Development Framework.

Delivery Agreement

9. Updating the document to provide greater clarity regarding the LDP preparation stages referenced throughout the document to ensure they are consistent and in particular making the engagement and consultation stages and their duration clear in the text, tables and flow chart. Other changes include:
 - Providing further clarification that the evidence base work will help inform the strategic options stage which will be subject to consultation and engagement next winter;
 - Providing further detail regarding the Council's commitment to inclusiveness through providing user friendly documentation and using user friendly consultation techniques in order to engage with the wider community, including children and young people;
 - Clarifying further the role Elected Members can play in raising awareness and supporting engagement of local communities in the plan preparation process;
 - Providing more clarity on the two phases of pre-deposit participation consultation planned at the launch of the preparation process in May 2021 and winter 2021 setting out what is involved and timescales;

- Additional text explaining in more detail the groups we will seek to involve in plan preparation; and
- Addition of further bodies requested in responses to consultation to the general consultation body list in Appendix A and in order to broaden the engagement and reach out to a wider range of group addition of contacts in Council's equalities network, local community groups and the Councils social media channels.

Final Review Report

10. Regulations state that the full review process must be informed by a Review Report (RR) which must determine the revision procedure to be followed- specifically, whether to undertake a full or short form revision. A full revision would require the preparation of a Replacement LDP, whereas a short form revision would involve revising limited parts of the existing LDP. Guidance makes it clear that should a Local Planning Authority decide to employ the short form revision, it must be sure it can fully justify its approach as there are significant risks that this approach may be considered inappropriate and challenged since the issues involved may warrant the full revision procedure.
11. The Final RR is contained in Appendix 1 and concludes that the full revision procedure is considered the most appropriate option and that a replacement LDP is prepared for the period 2021-2036. In this respect, it is recognised that the significant scale, complexity and over-lapping nature of issues to be addressed in a Replacement LDP, together with the need to respond to the issues arising out of the Covid-19 pandemic, cannot justify the short form revision procedure. This approach will ensure that the Council will have up-to-date Plan coverage beyond 2026 and supports the Plan-led approach in Wales.
12. Importantly, the preparation of a Replacement LDP provides an opportunity to aid the recovery of the city from the impacts of the pandemic and positively respond to a national policy framework which has evolved significantly since the evidence base was collated underpinning the existing LDP. Furthermore, it enables other matters identified in the Final RR to be more fully assessed as part of a comprehensive review process which will then represent a new and updated evidence base to inform the Replacement Plan.
13. The existing LDP benefitted from a bespoke regional collaborative exercise to help inform the Plan strategy involving all Local Authorities and other key stakeholders in South East Wales. This process worked well and a similar approach is proposed again to help inform the Replacement LDP. Should work commence on a SDP for South East Wales, information gathered through the LDP process can be used to inform the SDP and vice versa. Ongoing dialogue with other Local Authorities will help maximise efficiencies and consistency with regard to gathering/sharing evidence and agreeing methodologies where possible.
14. In line with national guidance, consideration must be given to the scope for preparing a Joint LDP. However, it is noted that 8 of the 9 other Local

Authorities in South East Wales are already in the process of preparing, or have already completed their own Replacement LDPs with no examples of a joint approach. The remaining Local Authority (the Vale of Glamorgan) have not yet reached the Plan Review stage due to a later Plan adoption date and it is not considered that there are sufficient synergies to warrant the preparation of a Joint LDP. The proposed regional collaborative working approach referenced in the paragraph above is considered the most effective way of addressing cross-boundary matters.

Final Delivery Agreement

15. In addition to the preparation of a Review Report, a Delivery Agreement will also need to be submitted to Welsh Government demonstrating that plan preparation can be achieved in within 3.5 years from the formal commencement of the Plan-making process. The Final Delivery Agreement consists of a timetable for preparation of the Replacement LDP and a Community Involvement Scheme. The summary timetable below sets out the key dates including statutory consultation periods, for each of the different stages of Plan preparation and publication. It also includes key stages for the Sustainability Appraisal, which is an iterative process undertaken as an integral part of the Plan preparation process.

Key Stage			
Definitive		From	To
1	Draft Review Report and Delivery Agreement consultation and submission of Final Review Report to Welsh Government	Jan 2021	March 2021
2	Evidence Base Preparation <ul style="list-style-type: none"> • Call for candidate sites - 12 weeks • Consultation on ISA Scoping Report – 8 weeks 	Dec 2020 May 2021 May 2021	June 2023 Aug 2021 July 2021
3	Pre-Deposit Participation <ul style="list-style-type: none"> • Consultation on draft vision/issues/objectives - 8 weeks • Consultation on strategic options -10 weeks 	March 2021 May 2021 Nov 2021	Sept 2022 July 2021 Feb 2022
4	Consultation on Preferred Strategy and ISA Initial Report – 8 weeks statutory	Oct 2022	Nov 2022

	consultation		
5	Consultation on Deposit Plan and Final ISA Report – 8 weeks statutory consultation	Oct 2023	Nov 2023
Indicative		From	To
6	Submission	March 2024	
7	Examination	March 2024	Sept 2024
8	Inspectors Report	Sept 2024	
9	Adoption by Council	October 2024	
10	Monitoring and production of 1 st AMR	October 2025	

16. The timetable of Plan preparation has Definitive and Indicative stages. Definitive stages are up to the Deposit of the Plan and are under the control of the Council. The Council has less control over the progress of the Plan after the statutory Deposit stage, as subsequent stages associated with Examination, Receipt of the Inspector’s Report and Adoption is more dependent on external factors from Welsh Government and the Planning Inspectorate (PINS). As such these stages are indicative only.
17. The Community Involvement Scheme (CIS) outlines the LPA’s principles of community engagement, its approach in relation to who, how and when it intends to engage with the community and stakeholders; how it will respond to representations and how these representations will inform later stages of plan preparation.
18. The pandemic has resulted in the need to revisit the consultation and engagement principles set out in the CIS. Welsh Government guidance issued in July 2020 outlines a range of different engagement options including the use of larger venues, longer consultation periods, appointments, increased use of web-based technology and other electronic means. The CIS incorporated in the Final DA takes into account this guidance and includes measures to respond to potential future waves of infection and the need to maintain social distancing. These include longer consultation periods, use of virtual drop in exhibitions, podcasts, on-line surveys and other electronic means aimed at accessing hard to reach groups.
19. The Final DA also sets out the resources that will be required to prepare the Replacement LDP together with a Risk Assessment identifying areas of uncertainty that may impact on the timetable for Plan preparation and mitigation measures required to keep the Plan on track.

Next Steps

20. The Council must formally submit the Final Review Report and Delivery Agreement to Welsh Government for approval before the process can commence. It is anticipated that formal preparation of the Replacement Plan will commence with a formal launch of the process in late May 2021. Further reports will be brought before Cabinet and Council for consideration at key stages in the plan preparation process. The first of these is due to be the consideration of the Integrated Sustainability Appraisal Report in September 2021 following consultation in summer 2021 along with reporting the 4th and 5th Annual Monitoring Reports for the current LDP.

Reason for the Recommendation

21. The Planning and Compulsory Purchase Act 2004 and regulation 41 of the Town and Country Planning (Local Development Plan) (Wales) Regulation 2005 (as amended) 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 (2020) also advises that the Review Report should be formally approved by the LPA, published on its web-site and sent to Welsh Government.

Legal Implications

22. Reference has been made within paragraphs 3 to 19 of this report to in the statutory requirements for a full review of the Council's Local Development Plan.
23. The Council has to be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact upon the Welsh language, The Council has to consider the Well-being of Future Generations (Wales) Act 2015 and how this strategy may improve the social, economic, environmental and cultural well-being of Wales.
24. The Well-Being of Future Generations (Wales) Act 2015 'the Act' places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
25. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well being goals. The well being objectives are set out in Cardiff's Corporate Plan 2019-22: <http://cmsprd.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202018-21.pdf>
26. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the

decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.

27. The well being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- Deliver an integrated approach to achieving the 7 national well-being goals
 - Work in collaboration with others to find shared sustainable solutions
 - Involve people from all sections of the community in the decisions which affect them
 - Look to the long term
 - Focus on prevention by understanding the root causes of problems
28. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>
29. Equality Duty. The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties) – the Public Sector Equality Duties (PSED). These duties require the Council to have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of 'protected characteristics'. The 'Protected characteristics' are:
- Age
 - Gender reassignment
 - Sex
 - Race – including ethnic or national origin, colour or nationality
 - Disability
 - Pregnancy and maternity
 - Marriage and civil partnership
 - Sexual orientation
 - Religion or belief – including lack of belief.

Financial Implications

30. Although there will be no additional financial implications from the submission of the Final Review Report and Delivery Agreement to the Welsh Government, the costs of undertaking the suggested full review of the LDP will be significant. These costs are expected to be incurred over a number of years, with projected costs of c£1m over a 4 year period. The 2020/21 Budget included a single year allocation of £300,000 from the Financial Resilience Mechanism (FRM) to fund additional LDP costs in that financial year as well as additional budget of £137,000 to fund the preparation of the SDP or LDP as appropriate. The first call on costs is the £300,000 single year allocation which is in a reserve and there needs to be careful monitoring of the planned spend as the year progresses and work required is clearer for future years. The future costs of which will

need to be considered in the context of the Council's medium term financial plan competing against other priorities.

Human Resources Implications

31. There are no HR implications for this report.

Property Implications

32. There are no property implications for this report

RECOMMENDATION

Cabinet is recommended to recommend that Council approve the Final Review Report and Final Delivery Agreement and authorise their submission to Welsh Government.

SENIOR RESPONSIBLE OFFICER	Andrew Gregory Director of Planning, Transport & Environment
	11 March 2021

The following Appendices are attached:

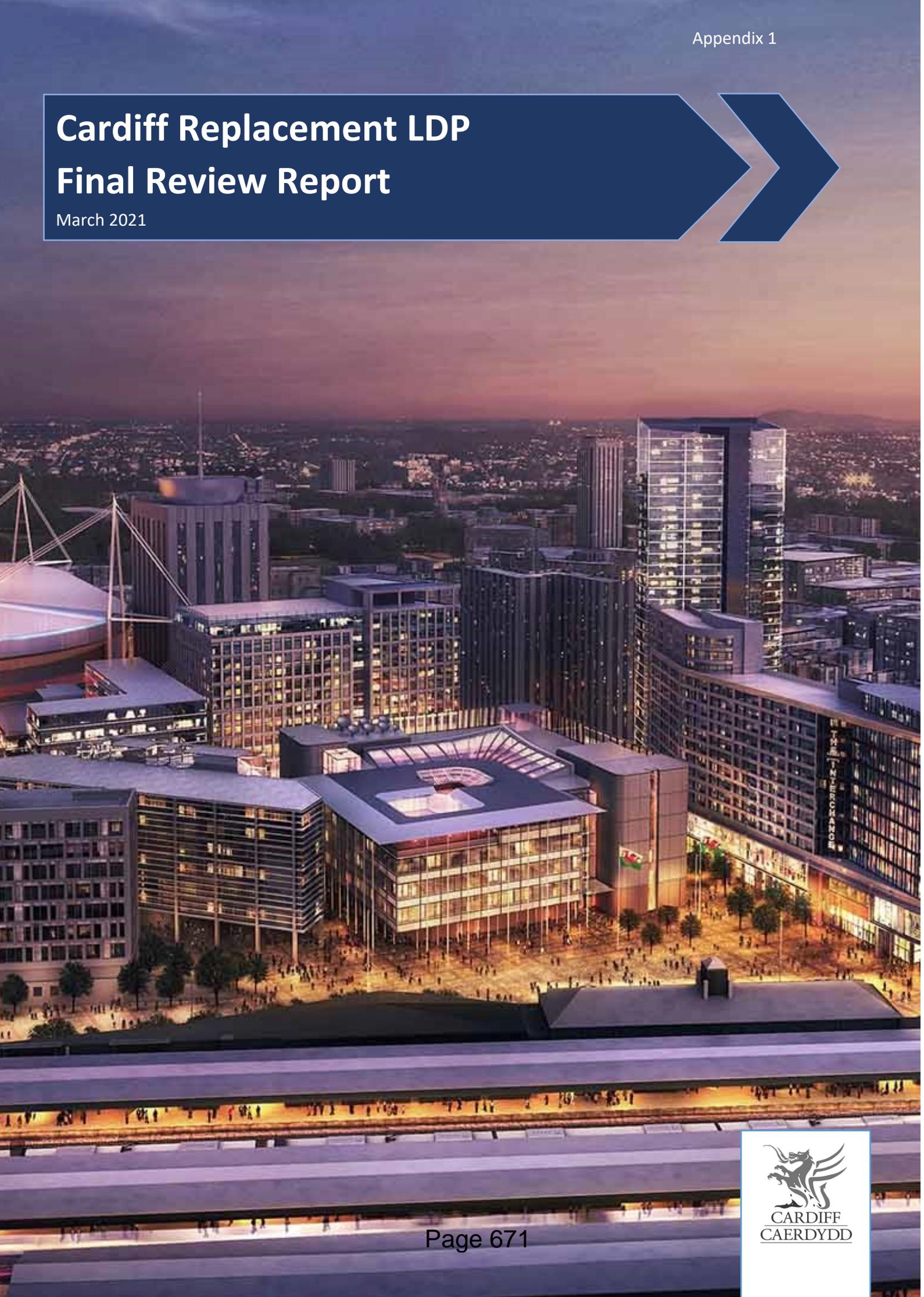
Appendix 1 – Final Review Report, March 2021

Appendix 2 – Final Delivery Agreement, March 2021

Appendix 3 – Summary of comments received and Council responses and Recommendations

Cardiff Replacement LDP Final Review Report

March 2021



Contents

	Page
1 Introduction	3
2 Information and Issues informing the LDP Review	4
Contextual changes and evidence base changes	4
Findings of the LDP Annual Monitoring Reports (AMRs)	16
Implications arising from Covid Pandemic	19
3 Review of LDP and potential changes required	21
Review of LDP Vision & Objectives	21
Review of LDP Strategy & Policies	26
4 Future evidence base requirements	43
5 The LDP Review options	45
6 Conclusions and next steps	46

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

1. Introduction

Background

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

Purpose of this Report

- 1.2. The draft Review Report sets out the proposed extent of likely changes to the existing LDP (2006-2026) and seeks to confirm the revision procedure to be followed in preparing a replacement LDP. It is proposed that the Replacement LDP will cover a plan period up to 2036, which is the end of a 15 year plan period that will commence in 2021.

Structure of the Report

- 1.3. The draft Review Report is structured as recommended in national guidance and contains the following sections:
- 1.4. **Section 2** details the key legislative, national and local policy changes and evidence base that have occurred since the adoption of the LDP in 2016 which are important considerations to inform the review of the LDP and a summary of the main findings of the 2019 (3rd) and 2020 (4th) Annual Monitoring Report, taking into account the previous 2 AMR's and associated implications for review of the LDP.
- 1.5. **Section 3** provides an assessment of the current LDP and sets out the potential changes required in terms of the Vision and Objectives, Development Strategy and Policies to inform the review process.
- 1.6. **Section 4** considers the areas of evidence base that would need to be reviewed/ updated in preparing a revised LDP
- 1.7. **Section 5** considers the potential options for review of the LDP and opportunities for collaboration.
- 1.8. **Section 6** provides a conclusion on the appropriate form of plan revision.

2. Information and Issues informing the LDP Review

Contextual Changes

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

Legislative Changes

Planning (Wales) Act 2015

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

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

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

2.4. The amended Regulations:

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

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

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

Well-being of Future Generations (Wales) Act 2015

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

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

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

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

Environment (Wales) Act 2016

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

Historic Environment (Wales) Act 2016

2.10. The Historic Environment (Wales) Act 2016 received Royal Assent in March 2016. The Act makes important changes to the two main UK laws that provide the legislative framework for the protection and management of the historic environment: the Ancient Monuments and Archaeological Areas Act 1979 and the Planning (Listed Buildings and Conservation Areas) Act 1990. The Act will give more effective protection to listed buildings and scheduled ancient monuments; improve the sustainable management of the historic environment; and introduce greater transparency and accountability into decisions taken on the historic environment.

Public Health (Wales) Act 2017

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

National Planning Policy Amendments

Planning Policy Wales (PPW) and Technical Advice Notes

2.12. Since the LDP was adopted in January 2016 Welsh Government have issued a completely revised version of Planning Policy Wales (Edition 10) in December 2018. This has been re-drafted so that the seven well-being goals and five ways of working of the Well Being of Future Generations Act 2015 is fully integrated into policy. It also puts the concept of placemaking into the heart of national planning policy in order to ensure that planning decisions consider all aspects of well-being and deliver new development which is sustainable and provides for the needs of all people. A factual update to this was published in February 2021 (Edition 11) in order to align it with the publication of Future Wales and reflect wider legislative, policy and guidance updates since publication of Edition 10 in December 2018. In addition the following new or amended Technical Advice Notes have been issued since the LDP was adopted in January 2016:-

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

Natural Resources Policy

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

National Development Framework – Future Wales the National Plan 2040

2.14. The Welsh Government published the final version of Future Wales on 24th February 2021. This document replaces the Wales Spatial Plan and sets out a 20 year spatial framework for land use in Wales. Future Wales is a key part of the development plan system in Wales and sits at the top of the development plan hierarchy. It provides a framework for the provision of new infrastructure/growth and seeks to address key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and wellbeing of our communities. The

Replacement LDP will need to be in conformity with Future Wales and the spatial framework and key national priorities will need to be considered through the LDP revision process.

Building Better Places

- 2.15 This guidance sets out the Welsh Government's planning policy priorities to assist in taking action in the recovery period after the Covid-19 pandemic crisis. The guidance places the planning system at centre stage when considering built and natural environment issues that have arisen from the pandemic. The guidance should be read in parallel with PPW and seeks to signpost the key planning policies and tools in PPW which should be used to aid the recovery from the pandemic in Wales.
- 2.16 Essentially the guidance looks to lock in the benefits that have occurred as a result of the pandemic. It seeks to achieve this through building on the Placemaking approach set out in PPW and identify the key existing planning policies and tools which should be used by all sectors in the environmental, social, cultural and economic recovery of Wales.
- 2.17 Importantly the guidance states that the policy direction towards better places and Placemaking has not changed and the need for economic recovery should not be at the expense of quality, both in terms of health and well-being and in response to the climate and nature emergencies. The guidance therefore promotes a people-focused and environment-led recovery.
- 2.18 The guidance states that taking a Placemaking approach has multiple benefits which not only helps improve quality of life, but also helps us to tackle climate change, reduce our carbon footprint and improve biodiversity and ecological resilience for the future.
- 2.19 A summary is listed below of the **8 areas of policy** which should be the focus of consideration and action, in order to act as a catalyst for a recovery. These fall into one of three categories:
1. How we experienced the direct impacts of the Covid-19 lockdown period and the permanent positive changes we need to see in places and as part of new development.
 2. The lessons we have learned over this time and how we can help to make places more resilient and adaptable to future pandemics, should they happen again.
 3. Aiding the recovery after the pandemic has passed and restrictions are eased to ensure that it benefits all parts of society and helps us to decarbonise, tackle climate change, reverse biodiversity decline and improve health and general wellbeing.

1 Staying local: creating neighbourhoods

- Identifying land for community gardens and protecting the best and most versatile land (BMV)
- Energy efficient housing
- Social housing

- Emphasis on Placemaking principles
- New housing sites to integrate with existing communities, services and infrastructure
- Reference made to the use of Local Development Orders

2 Active travel: exercise and rediscovered transport methods

- Build on positive modal shift of lockdown
- Siting development in the right locations easily accessed by active and sustainable travel modes
- New development should be well served by walking, cycling and public transport
- Re-emphasises sustainable transport hierarchy

3 Revitalising our town centres

- Recognise renaissance of local independents service sector
- Enable retail and commercial centres to operate flexibly
- Realistic and sensible boundaries
- Role and function of established centres should be reassessed
- Use of outside space
- Traditional centres should be home to variety of uses – flexible co-working spaces, residential, community, health, leisure etc.
- Primary retail space should be urgently reviewed
- Retail Assessments in LDP replaced by town centre assessments encapsulating wider array of uses than just retail
- Retain Town Centre First principle outlined PPW – based on a vision for each centre
- Retain sequential test alongside careful management of out-of-centre locations to avoid unsustainable travel patterns.

4 Digital places – the lockdown lifeline

- Importance of high quality digital infrastructure in new development

5 Changing working practices: our future need for employment land

- Re-examine economic forecasts to ensure employment land supply is adequate & fit for the future
- Review employment allocations in light of the above – deallocate surplus unsustainable sites, reallocate well located sites for mixed use
- Re assess need for strategic employment allocations; Work collaboratively to identify cross boundary sites
- Flexible workplaces for remote workers – in town and city centres, potential use of surplus sites and buildings, creation of hubs etc.

6 Reawakening Wales' tourism and cultural sectors

- Consider use of outdoor space around tourism and cultural assets

7 Green infrastructure, health and well-being and ecological resilience

- Renewed importance of access to green spaces
- Opportunity to reverse biodiversity decline and enhance resilience of ecosystems
- Chance to re-look at traditional and current use of space in towns and cities

8 Improving air quality and soundscapes for better health and well-being

- Placing good acoustic design and air quality at forefront of planning decisions

2.20. This guidance has significant implications for the review of the LDP and reinforces the need to begin the review of the LDP as soon as possible and ensure that these 8 priorities and actions are fully considered when preparing the Replacement LDP in order to provide a catalyst for recovery of the city. The guidance also reinforces the need for robust evidence base and evidence base studies relating to population growth, economic forecasts, employment land supply, retailing and Green Infrastructure which will need careful consideration to ensure the impacts of Covid are fully considered.

Overview

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

Welsh National Marine Plan (WNMP)

2.22. Welsh Government issued the first marine plan for Wales in November 2019. It sets out national policy for the next 20 years for the sustainable use of inshore and offshore Welsh marine plan regions. It has been prepared and adopted under the Marine and Coastal Access Act (MCAA) 2009 for the purposes of Section 51 of the MCAA and in accordance with Schedule 6 of the MCAA and in conformity with the UK Marine Policy Statement (MPS) 2. The Plan and supporting material should be used by applicants to shape proposals and licence applications, public authorities to guide decision making, and other users to understand Welsh Government's policy for the sustainable development of the Plan area.

Prosperity for all: A Low Carbon Wales

2.23. This Plan was issued in March 2019 and sets the foundations for Wales to transition to a low carbon nation. Cutting our emissions and the moving towards a low carbon

economy bring opportunities around clean growth for business, as well as wider benefits for people and our environment. The Plan sets out the actions that are required to cut emissions and support the growth of a low carbon economy in a way that maximises the wider benefits for Wales, ensuring a fairer and healthier society. The Plan also shows how Wales is leading on the international stage with other States and Regions, contributing to the challenge of global climate change and sharing learning with others.

Regional Context

Cardiff Capital Region and City Deal

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

Neighbouring LDPS

2.25 In line with national guidance, consideration must be given to the scope for preparing a Joint LDP. However, it is noted that 8 of the 9 other Local Authorities in South East Wales are already preparing their own Replacement LDPS with no examples of a joint approach. The remaining Local Authority (the Vale of Glamorgan) have not yet reached the Plan Review stage due to a later adoption date and it is not considered that there are sufficient synergies to warrant the preparation of a Joint LDP.

2.26 The existing LDP benefitted from a bespoke regional collaborative exercise to help inform the Plan strategy involving all Local Authorities and other key stakeholders in South East Wales. This process worked well and a similar approach is proposed again to help inform the Replacement LDP.

Local Context

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

Capital Ambition – Our continuing commitments to Cardiff

2.28. This sets out the Administration's five-year policy agenda for the city. The plan focuses on four main areas: Working for Cardiff - making sure everyone who lives and works here can contribute to, and benefit from, the city's success. Working for Wales - A successful Wales needs a successful capital city. Working for the future - Managing the city's growth in a sustainable way. Working for public services - Making sure public services are delivered efficiently, effectively and sustainably in the face of rising demands and reduced budgets. The Corporate Plan (2020-2023) and the Well-Being Plan 2018-2023 are the key documents in delivering Capital Ambition.

Cardiff Well-Being Plan 2018-2023

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

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

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

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

Bilingual Cardiff 5 Year Welsh Language Strategy

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

Strategic Equality Plan

2.34 In March 2016 the Council adopted a new plan to set out the Council's equality priorities for the next four years. Seven new Equality Objectives were agreed in conjunction with local citizens and third sector organisations. These new Equality Objectives are shaping the Council's policy, service delivery, and support to employees – eliminating discrimination, advancing equality of opportunity, and fostering good relations between different groups.

Transport White Paper

2.35 The Council's transport White Paper, lays out an ambitious 10-year plan to tackle the climate emergency, reduce congestion and improve air quality in the Welsh capital. The White Paper lists a series of projects which could revolutionise public transport options in Cardiff and the region, including:

- Expanding current Metro plans to deliver more new tram/train routes and stations in Cardiff and the region
- Introducing new Bus Rapid Transit services and Park & Ride sites;
- Lowering the cost of bus travel significantly
- Delivering safer walking and cycling routes
- Offering real travel options designed to get people out of their cars and onto public transport.

Clean Air Plan

2.36 The Council is very aware of the concerns for air quality impacts and recognise that there is no defined "safe level" when describing levels of air quality. Recent public health concerns have focussed on elevated nitrogen dioxide (NO₂) levels. The Council is committed to achieving levels as low as reasonably practicable by demonstrating levels beyond the annual objective set for NO₂ set as 40µg/m³.

2.37 In order to improve the air quality in Cardiff, action needs to be taken across the city as a whole. As a result The Council has developed and published a Clean Air Plan which was undertaken in order to comply with a legal direction which was issued by Welsh Government in 2018. This direction required the Council to develop a Plan to address air quality concerns as a number of road links in Cardiff were forecasted to exceed the legal limits for NO₂ beyond 2021 if no additional action was taken.

2.38 The Councils plan and funding for approximately £20M was fully approved by Welsh Ministers at the end of December 2019, and this Plan will implement a number of measures to reduce NO₂ levels across Cardiff and these include:

- Implementation of Electric Buses – 36 Electric Buses to be implemented on a number of routes across Cardiff;
- Bus Retro Fitting Programme to clean up older polluting buses;
- Taxi Licensing Policy to only grant new licenses to vehicles which comply with the latest emission standards;
- City Centre Transportation Improvements ; and
- Further Active Travel Measures

2.39 These measures have been assessed to not only ensure compliance with the legal levels for NO₂ are achieved by the end of 2021, but also ensure that levels across the City are further reduced in order to protect and improve the health of residents.

Cardiff Older Persons' Housing Strategy 2019 - 2023

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

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

2.41 The Economic Strategy contains 3 parts – a spatial strategy, an industrial strategy and underpinning themes to support the strategy and sets out a number of priorities and projects aimed at delivering the Council's aims for the economy over the next 10 years including: generating 20,000 additional jobs for the city –region; creating Wales first significant commercial business cluster in Central Square, Central Quay and Callaghan Square; establishing Cardiff Bay as a leading UK urban visitor destination in its own right; putting Cardiff at the heart of the UK's Creative and Digital sector; positioning Cardiff as a national centre for Reg-Tech as part of its fin-tech and cyber security cluster; strengthening Cardiff city-region's place as the focal point for advanced manufacturing in Wales, focusing on compound semi-conductors and life sciences; supporting the city's communities and districts to take advantage of the city's growth and; establishing stronger city-region governance that delivers for Wales.

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

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

Cardiff Recovery Strategy

2.43 In response to the issues raised by the pandemic the Council have prepared a strategy which outlines what is required during the Covid-19 recovery period to ensure that the city centre, and wider local and district centres, fully support local businesses, retailing, and the wider range of positive social and leisure activity associated with Cardiff city centre.

2.44 The strategy identifies essential interventions for creating a safe city centre and sets out key actions at a city-wide level which will enable an integrated strategic approach across the city, based on social distancing and ensuring people's safety while social distancing is required. The roll out of these interventions will be accompanied by targeted information and publicity.

2.45 The strategy comprises the following elements:

A Safe City Centre – In order to support three key strands of activity – employment retail and hospitality the strategy includes an operational management plan for the city centre which identifies measures to facilitate social distancing requirements, including queuing, routes for circulation/movement, spill-out space and information, including signage and street ambassadors. It outlines an approach to facilitating events and activities, which will attract users back to the city centre.

A Safe Connected City - Measures include a package of safety and greening in local and district centres such as pavement widening, cycle routes, speed restrictions and more significant measures where appropriate, with a pilot scheme in Wellfield Road. Other key locations such as parks and universities will be identified and schemes developed to ensure social distancing and effective access.

In addition urgently required measures to mitigate the loss of public transport capacity will include walking and cycling schemes, safety measures (for example, pavement widening), bus priority schemes and ongoing engagement with operators, such as Transport for Wales and Cardiff Bus. Additional car parking capacity and ‘park and pedal/stride’ schemes will also be explored.

A systematic ‘pop up’ cycle network will encourage additional use of the mode and provide connectivity into the city centre, local centres and transport/demand hubs. Additional cycle parking will be delivered.

One Planet Cardiff

2.46 The One Planet Cardiff Strategy provides a response to the climate emergency declared by the Council in 2019. The strategy contains a vision that:

- Sets out the Council’s 10 year ambition to be Carbon Neutral in its own activities;
- Calls on the whole city, all citizens, young and old, schools, key partners, employers and stakeholders to positively work with us to develop a City-Wide road map and action plan for a carbon neutral City by 2030;
- Identifies opportunities that could reframe the Cardiff economy in a way that is resilient, robust and long-term, ensuring that Cardiff is one of the leading UK green cities; and
- Defines the immediate programmes and opportunities that we urgently need to address.

2.47 The strategy analyses the scope and scale of the challenge facing the Council and the City, and also highlights the opportunities that could arise from positive action to address this challenge. It outlines the significant progress that we’ve made to date to address our carbon footprint and then proposes a wide range of immediate and potential actions that will form the basis of our longer term response to the climate emergency. The Council have consulted widely on the draft strategy and this will inform a detailed committed action plan that will be approved in spring 2021.

Welsh Government Population and Household Projections

2.48 Since the LDP was adopted the Welsh Government has released population and household projections based on mid-year population estimates for 2018 (published in August 2020 and mid-year population estimates (published annually). The key changes for Cardiff are as follows:

- The 2018 based population projections indicate that population levels will increase from 364,248 to 372,944 between 2018 and 2026. This is 8% lower level of increase to that projected in the LDP which showed an increase to 403,684.
- The 2018 based household projections indicate that household levels will increase from 153,204 to 160,052 between 2018 and 2026. This is a 10% lower level of increase to that projected in the LDP which showed an increase to 177,845.
- The Mid Year Estimates for the period 2011 to 2019 identify a steady increase from 345,442 to 366,903, which equates to an increase of 0.73% per year over the last 8 years.

2.49 Together with previously issued projections since LDP adoption, this important source of evidence will clearly be of significance in the Plan review process where the level of growth over the Plan period will need to be assessed.

LDP Annual Monitoring Report – Key Findings

2.50 Due to implications arising from the Covid pandemic Welsh Government have confirmed that there is no requirement this year to formally submit the AMR. However, where possible data has been collected for the 4th AMR to inform the review of the Plan and this has been included in the section below on key findings. It has not been possible however to collect indicator data relating to housing completion rates for the 4th AMR and given this data from the 3rd AMR has been used referenced in the relevant section below.

2.51. Given this when considering the review of the LDP it is necessary to both consider the overall the findings of both the 3rd and 4th AMRs. Overall the findings of the 3rd and 4th AMRs are positive with the majority of the indicators shown as green indicating that most LDP policies are being implemented effectively. A summary of performance against the main Plan topics are set out below with Appendix 1 setting out the data and conclusions in more detail.

2.52. **Employment** – Monitoring data from the 4th AMR shows continuing strong performance. Of particular importance is data regarding net job creation - There is a requirement for 40,000 new jobs over the plan period 2006-2026. 20,900 jobs were created between 2006 and 2015 and therefore the target for the remaining plan period is 19,100 jobs or 1,750 jobs annually. Since the first AMR (16/17) the number of jobs has been steadily increasing with an additional 8,000 jobs provided over the last 4 years.

- 2.53. **Housing** – Monitoring data from the 3rd AMR shows new homes have now started to be completed on many of the LDP Strategic Sites. Specifically, there are new completions on 3 of the Strategic Sites.
- 511 completions have been achieved at St Ederyns Village (just short of the 515 target included in the AMR);
 - 167 completions have been achieved on the North West Cardiff Strategic site, which has three separate outlets underway with more planned in the near future
 - 51 completions have been recorded on the North East Cardiff Strategic site and construction is underway at Churchlands.
- 2.54. Although these rates are below targets set out in the AMR it is now evident that the Plan-led approach is now starting to successfully drive the delivery of new homes at a level not seen for the last 10 years. The 1,444 completions in 2018/19 (43% higher than 2017/18) contrast with the previous 9 years where completions averaged 725 units per annum, with no year above 1,000 units for this period.
- 2.55. The data on housing delivery demonstrates the ‘lag’ between Plan adoption and homes being completed on new sites allocated in the Plan. Due to a combination of site assembly, legal and logistical factors experienced by landowners/developers along with the time required to secure the necessary planning and adoption consents, trajectories of delivery are slower than originally anticipated. This includes time spent securing the accompanying Section 106 Agreements which fully deliver the Council’s aspirations as set out in the LDP. Overall, over the 13 years between 2006 and 2019 a total of 16,521 new dwellings were built in Cardiff which represents 40% of the overall dwelling requirement.
- 2.56. However, construction has now started or is about to start on most of the strategic housing sites following the master planning and infrastructure plans approach as set out in the plan and it is therefore expected that housing completions over the remaining 6 years of the Plan period will increase significantly.
- 2.57. **Affordable Housing** - In terms of the delivery of affordable housing, the plan sets a target for the delivery of 6,646 affordable units to be provided for the 12 years between 2014 and 2026, with an interim target in the AMR to provide 1,942 affordable dwellings by 2019.
- 2.58. Monitoring data from the 3rd AMR indicates that at 2019, 1,082 affordable units had been delivered which represents 25% of overall completions. Whilst this is less than the numerical target, as highlighted above it reflects the slower than anticipated progress in the strategic housing allocations being delivered. Given the low overall completion rates over previous years, it would be unrealistic in these circumstances to expect any significantly higher affordable housing contribution which inevitably reflects a percentage of the overall number of completions. As set out above, construction has now started or is about to start on most of the strategic housing sites following the master planning and infrastructure plans approach as set out in the plan and it is

therefore expected that affordable housing completions over the remaining 6 years of the Plan period will increase significantly. Affordable housing completions are also gathering pace in the Council's new build programme with 170 units currently under construction and a further 1,700 in the confirmed pipeline of schemes.

- 2.59 **Transportation** - Data collected for the 4th AMR in relation to travel by sustainable modes is reflecting the fluctuations as shown in past trends over the last 10 years. This demonstrates that sustainable travel trends have continued to increase over the last 10 years for work, shopping and leisure, although for education the trends show a slight decrease.
- 2.60 There has been a positive outturn in sustainable travel over the past year, with the target 1% increase having been achieved for each of the journey purposes, with significant growth in particular evident for journeys to Work (+7.2% mode-shift). In terms of sustainable travel modes, significant progress has been made this year in meeting bus use targets with the first recorded increase in the percentage of people travelling by bus for all journey purposes, with bus use for work and shopping (city centre) in particular having experienced substantial growth in the past one year period (+5.3%). Long term trends for cycling, train use show significant increases for all journey purposes. Walking has increased over the last year for all journey purposes, with the exception of education and overall displays a fluctuating longer term trend.
- 2.61 At this juncture, without the significant roll-out of new houses and provision of supporting sustainable transportation infrastructure, the early stage of Metro delivery together with the ongoing implementation of wider Council initiatives, it is too early to draw any firm conclusions with regard to policy delivery, particularly given that the 50:50 modal split target relates to 2026. Future AMR's will provide formal regular annual updates. However, the masterplanning approach together with section 106 Agreements already secured will enhance the phased future provision of supporting transportation infrastructure along with other measures such as increased frequency of public transport services and provision of bus passes to new residents.
- 2.62 **Gypsy and Traveller Sites** - work previously undertaken on the identification of sites to meet the evidenced need for permanent and transit Gypsy and Traveller sites will be taken forward in the review of the LDP and will be informed by the preparation of a revised Gypsy and Traveller Needs Assessment. In terms of transit sites, it is considered that these would best be considered on a regional basis, requiring collaboration with neighbouring local authorities through the LDP revision process.
- 2.63 Supplementary Planning Guidance – Significant progress has been made in producing a programme of new Supplementary Planning Guidance (SPG) and since adoption of the LDP 18 SPGs have been approved by Council to support the policies in the adopted Plan and the Cardiff Infrastructure Plan is currently being updated.
- 2.64 Changes – the contextual review highlights significant changes in the national planning policy framework which has evolved significantly over the last four monitoring periods.

In particular, Planning Policy Wales (PPW, Edition 10, December 2018) which in turn responds to the Well-being of Future Generations Act, 2015 have made significant changes to the high-level policy framework. And in order to aid the city's recovery from the Covid pandemic it will be necessary to ensure the plan responds to the 8 priorities and actions set out in Building Better Places.

Implications Arising from Covid Pandemic

2.65 The Council started the process to review the LDP in November 2019 and published a draft Review Report for consultation in January 2020. However it was not possible to report back to Council on the consultation findings due to the Covid pandemic in March 2020 and although the impacts of the COVID-19 pandemic are still being understood, it is clear that this crisis will have a significant impact on the city looking ahead.

2.66 Given this there is clearly a need to re-visit the findings set out in the Review Report to take account of the likely significant impacts of COVID-19. This work will directly inform the review of the plan and identify what additional evidence base the Council requires to respond to these impacts and ensure the plan strategy is robust and can meet the challenges raised by the current crisis.

2.67 As set out above the impacts of the pandemic are still being fully understood but the following list provides a useful assessment of the issues that will need to consider and be considered in the forthcoming review of the LDP

- Impact on the economy and rising unemployment
- Less demand for traditional office space and increased demand for logistics sector floorspace
- Increased need for affordable housing
- Impact on high street retailing
- Impact on the role of the city centre
- Impact on leisure, experience-led uses and community facilities
- Impact on the use of the road network and public transport from long term changes in commuting and travel patterns
- Long term changes to travel modes such as increased walking and cycling
- Increased importance of access to open spaces
- Impact on the viability of schemes and potential to secure planning obligations.
- Need to maintain the Improved air quality
- Need to aid a green recovery and deliver the climate emergency zero-carbon targets
- Need to deliver a SMART city to take advantage of technological advancement
- Need to deliver 'critical infrastructure' in a consistent and joined-up manner.
- Need to ensure LDP review takes into account the Council's ongoing work on the 'City Recovery Plan' and 'City Visioning'

Conclusions

2.68 The Replacement LDP process will assess the implications of these issues more fully and it would be inappropriate to reach conclusions on how we take them forward at this juncture. It does however highlight the urgent need to review the plan in order to respond to these issues and the 8 priorities and actions set out in Building Better Places and help provide a catalyst for the recovery of the city from the pandemic.

3. Review of LDP and potential changes required

LDP Vision

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

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

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

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

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

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

LDP Objectives

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

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

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

Assessment of the existing LDP Objectives against the Well Being Goals

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

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

Seven Well Being Goals

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

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

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

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

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

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

LDP Strategy and Policies

- 3.8. The LDP strategy and policies have been reviewed having regard to the following:
- Findings of LDP Annual Monitoring Reports;
 - Significant contextual changes that have occurred since the Plan’s adoption, including changes in national policy and legislation and updates to the evidence base;
 - Significant implications arising out of the Covid pandemic; and
 - Internal consultation with relevant specialist officers.

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

3.10. The revision of the Plan will also need to consider the implications of an extended Plan period. The current Plan runs to 2026, with the Replacement Plan likely to extend to 2036 (plan period 2021-2036). Extending the Plan period will result in a revised dwelling need and a requirement for new sites for both market and affordable dwellings. It will need to take account of the revised version of Planning Policy Wales, latest population and household projections and a revised Local Housing Market Assessment, as well as other updates to the evidence base. Furthermore, the review process can also explore the ways that a new plan could respond to current challenges such as the Covid pandemic, climate emergency, obesity crises and other issues identified below. These updates and issues will need to be thoroughly considered and addressed in a comprehensive manner.

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

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

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

reduced levels of growth, with the latest 2018 based population and household projections showing a 8% lower level of increase in population and 10% lower level of increase in households.

- 3.13. Whilst the level of growth in the latest WG projections has reduced, Cardiff is still projected to experience growth over future years. This is illustrated by the fact that even using these latest WG projections Cardiff's population is still expected to grow by 8% up to 2036. This growth is driven by both natural change – the difference between births and deaths and net migration levels – the difference between in and out migration. Whilst growth due to natural change is easier to predict growth as a result of migration is more volatile and difficult to predict.
- 3.14. The Council will commission expert consultants to provide advice on the most appropriate level of growth for a Plan period beyond the end date of the existing LDP. This work will also need to take into account the impact of Covid pandemic for future housing growth in the city.
- 3.15. In terms of spatial distribution, the LDP recognises that brownfield sites will continue to play an important role in delivering windfall sites and proposes that brownfield sites contribute over half of the provision. However, the LDP also recognises that there is a limited supply of brownfield land. Therefore, in order to provide a catalyst to the local housing market and recognise the role greenfield sites can play in bringing forward high levels of affordable and family housing and wider provision of strategic infrastructure the LDP proposes 5 strategic greenfield housing allocations around the edge of the city, to deliver a total of 13,450 homes by 2026 (Policies KP2 (C) to KP2 (G)).
- 3.16. Future considerations as part of the review process can also be usefully informed by evidence regarding the delivery of growth. In this respect it is clear that the Plan-led approach is now starting to successfully drive the delivery of new homes at a level not seen for the last 10 years. The 1,444 completions in 2018/19 (43% higher than 2017/18) contrast with the previous 9 years where completions averaged 725 units per annum, with no year above 1,000 units for this period.
- 3.17. The data on housing delivery demonstrates the 'lag' between Plan adoption and homes being completed on new sites allocated in the Plan. Due to a combination of site assembly, legal and logistical factors experienced by landowners/developers along with the time required to secure the necessary planning and adoption consents, trajectories of delivery are slower than originally anticipated. This includes time spent securing the accompanying Section 106 Agreements which fully deliver the Council's aspirations as set out in the LDP. Overall, over the 13 years between 2006 and 2019 a total of 16,521 new dwellings were built in Cardiff which represents 40% of the overall dwelling requirement.

3.18. However, construction has now started or is about to start on most of the strategic housing sites following the master planning and infrastructure plans approach as set out in the plan and it is therefore expected that housing completions over the remaining 6 years of the Plan period will increase significantly after allowing for an additional lag as a result of Covid.

3.19. Evidence gained from the Housing Land Availability Study can also inform the plan review process. Data from the last 11 years is shown below and shows that Cardiff has not achieved a 5 year housing land supply over this period. However, since the adoption of the plan in 2016, the overall land bank, including dwellings estimated to be completed beyond 5 years, has significantly increased to around 14,363. Despite the housing land supply currently standing at 2.9 years, Cardiff has therefore has a large overall landbank of 24,009 dwellings with such data providing an important source of information to inform the review process.

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

Year	Number of Years Supply
2009	4.5
2010	3.4
2011	2.3
2012	2.9
2013	3.2
2014	3.6
2015*	No adopted Plan in place
2016	3.8
2017	3.6
2018	3.5
2019	2.9

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

3.21. However, the review process provides an opportunity to revisit the most appropriate future levels of growth for an extended Plan period and allows a thorough analysis of all other relevant factors such as delivery, urban capacity, spatial approach and how the level of growth would form a key element of the overall Plan strategy. As set out above this process will clearly need to take into account the implications of the Covid pandemic for levels of housing growth over the extended Plan period.

Affordable Housing (H3)

3.22. In terms of the delivery of affordable housing, Policy KP13: Responding to Evidenced Social Needs sets a target for the delivery of 6,646 affordable units to be provided for

the 12 years between 2014 and 2026, with an interim target in the AMR to provide 1,942 affordable dwellings by 2019.

- 3.23. Monitoring data indicates that at 2019, 1,082 affordable units had been delivered which represents 25% of overall completions. Whilst this is less than the numerical target, as highlighted above it reflects the slower than anticipated progress in the strategic housing allocations being delivered. Given the low overall completion rates over previous years, it would be unrealistic in these circumstances to expect any significantly higher affordable housing contribution which inevitably reflects a percentage of the overall number of completions.
- 3.24. Encouragingly, the allocated strategic sites are securing the required 30% affordable housing through the issuing of planning consents. This accords with the policy set in the LDP but the physical completions are yet to be fully implemented on the ground.
- 3.25. Construction has now started or is about to start on most of the strategic housing sites so affordable housing completions over the remaining 6 years are expected to increase significantly. This conclusion is supported by the fact there are an additional 4,790 affordable homes in the landbank, which are due to come forward over the next 7 years.
- 3.26. In addition, the Council has a target of delivering 2,000 Council homes, with 1,000 of these programmed to be delivered by May 2022. Part of this target will be delivered through the Cardiff Partnership Programme, which has a target of delivering 1,500 homes in the next 10 years (600 of these will be council homes). To date 109 Council homes have been completed and a further 191 are currently under construction.
- 3.27. Away from the Strategic Sites, a wide range of percentages of affordable housing has been achieved on brownfield sites. Examples include Former Highfields Road Centre, Allensbank Road (24%), Briardene, North Road (23%), Former Wharf Pub, Atlantic Wharf (17%), Capital Quarter (20%) and Avenue Industrial Park (20%).
- 3.28. An issue which can be further assessed as part of the review process relates to the impact of viability factors undermining the ability of some sites/proposals to deliver either on-site provision or off-site contributions. Whilst the greenfield strategic sites allocated in the LDP with a clear Plan-led requirement to deliver provision have successfully met expectations, some brownfield windfall proposals are using viability evidence to justify a limited or zero provision (given the policy requirement is subject to viability considerations).
- 3.29. The review process will therefore allow a further analysis on need data, the most appropriate policy response, a thorough consideration of viability aspects and wider analysis of potentially suitable sites to meet the demand. This analysis will clearly need to take into account the implications of the Covid pandemic for affordable housing supply.

Gypsy & Traveller accommodation (H7)

- 3.30. The Housing (Wales) Act 2014 requires each local authority in Wales to undertake a Gypsy and Traveller Accommodation Assessment to ensure that needs are properly assessed and planned for. An assessment was required to be submitted to Welsh Government by February 2016 with a statutory duty placed on local authorities to make provision for site(s) where an assessment identifies an unmet need.
- 3.31. The Cardiff Gypsy and Traveller Accommodation Assessment was formally approved by Welsh Government in 2016. In summary, the GTAA covers the period 2016-2026 and estimates the additional pitch provision needed for Gypsies and Travellers in Cardiff. For the first 5 years of the GTAA plan period, there is a requirement for 48 additional pitches, and for the remainder of the GTAA plan period, a further 24 additional pitch is required. This gives a total need for the whole GTAA plan period of 72 additional pitches.
- 3.32. Work previously undertaken on the identification of sites to meet the evidenced need for permanent and transit Gypsy and Traveller sites will be taken forward in the review of the LDP and will be informed by the preparation of a revised Gypsy and Traveller Needs Assessment. In terms of transit sites, it is considered that these would best be considered on a regional basis, requiring collaboration with neighbouring local authorities through the LDP revision process.
- 3.33. This issue will need to be given further consideration in the LDP revision process with a clear need for the process to demonstrate the ability to identify an appropriate level of need and how this will be met in terms of site allocation(s).

Detailed housing policies (H2, H4-6)

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

Employment (KP9, EC1-7)

- 3.37. Local Development Plan Policy KP9: Responding to Evidence Economic Needs responds to Cardiff's role as the main economic driver in South East Wales and deliver the strategic aspirations for economic development in Cardiff and meet the demand for 40,000 new jobs over the plan period through the identification and protection of employment land and premises and opportunities to deliver the key economic growth sectors.
- 3.38. The Local Development Plan's employment land is safeguarded for employment purposes, with Policies EC1, EC3 and EC4 and the future prosperity of the local economy is facilitated by ensuring that Cardiff can offer a range and choice of employment sites and premises for employment uses with the allocation of Cardiff Central Enterprise Zone (Policy KP2 (A)) and South of St Mellons Business Park (Policy KP2 (H)). In addition policy EC7 allows for employment proposals on land not identified for employment uses which provides an element of flexibility, should there be an additional demand for employment land over the plan period and which will satisfactorily enable businesses to locate within the County.
- 3.39. An analysis of monitoring indicators during the period 1st April 2019 to 31st March 2020 shows continuing strong performance. Of particular importance is data regarding net job creation - There is a requirement for 40,000 new jobs over the plan period 2006-2026. 20,900 jobs were created between 2006 and 2015 and therefore the target for the remaining plan period is 19,100 jobs or 1,750 jobs annually. Since the first AMR (16/17) the number of jobs has been steadily increasing with an additional 8,000 jobs provided over the last 4 years which demonstrates that Policy KP1 is functioning effectively.
- The employment land permitted (hectares) on allocated sites as a percentage of all employment allocations is 2.4%, slightly higher than the previous 12 months. While the take up in terms of hectares would appear low, the schemes permitted are high density, high rise offices which have smaller land requirements.
 - Office completions amounted to 39,726sq m largely attributable to completions within the Central Enterprise Zone. A further 42,652sq m of office floorspace is under construction and 49,328sq with planning permission which is not yet started.
 - Although falling short of the annual target there have been a number of significant industrial completions, which includes 0.6ha for a new brewery production facility/head office at Pacific Business Park.
 - There are a number of current planning permissions for industrial use including 16.5ha of land for a biomass power plant with industrial accommodation.

- The employment land lost to alternative uses has largely been as a result of uses which are considered complementary uses such as day nursery, gyms and small scale food and drink uses to cater for the needs of the workforce.
- Planning permissions have been granted on strategic sites at North West Cardiff, part of north east Cardiff and North West Cardiff, however, the employment elements of these residential led schemes are yet to be started. Pre application dialogue is continuing with regard to the strategic employment site at St. Mellons Business Park which will inform a submission for consent in the near future.

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

Retail (Policies KP10, R1 to R8)

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

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

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

3.43. A new Retail Study will be undertaken in order to inform the revised LDP. This study will provide an update of the retail expenditure forecasts for comparison and convenience retail for the County. The purpose of a new retail study will be to provide

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

Transport (KP8, T1-T9)

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

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

3.49. Consideration will also be given to the policy/land use implications of the Cardiff Capital City Region South East Wales Metro proposals in the Plan revision process. The Metro proposals seek to improve transport connectivity across the region which is integral to achieving wider economic and social outcomes for South East Wales.

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

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

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

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

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

of the implications of the Covid pandemic, changes in national planning policy, contextual changes and any changes in the LDP evidence base.

- 3.54. The effectiveness of policies regarding climate change (KP15, EN10, EN12, EN14) have been monitored by the 4 AMR's produced to date and they have shown the policies are functioning effectively.
- 3.55. Monitoring for the flood risk policies shows that no applications for highly vulnerable development have been permitted in flood zone C2 and only 4 applications for highly vulnerable development have been permitted in flood zone C1, which didn't meet the flood risk criteria set out in TAN15. These applications related to the conversion and extension of existing properties in the Canton and Riverside area of the city to flats and Natural Resources Wales had objected stating the depth of flooding at ground floor level would be greater than 600 metres and therefore did not meet the tolerable limits set out in TAN15 (Section A1.14). In determining these applications the Council considered that it would be unreasonable to refuse planning permission on this issue as the properties were already in residential use and surrounded by other residential properties with the same finished floor level. In addition it was noted that each flat unit has access to a first floor refuge and in both cases the applicant was made aware of the risk of flooding at the premises. Given this it is considered these four applications raise particular issues that need separate consideration and are not related to the performance of Policy EN14 which is functioning effectively as evidenced by the fact that flood risk has been considered.
- 3.56. However, as part of the review of the plan a review of these policies will take place to ensure it takes account of the implications of the Covid pandemic, changes in national planning policy and the evolving evidence base relating to the links between climate change and flood risk in order to ensure the plan review responds to the climate change emergency.
- 3.57. In relation to Policy EN12: Renewable Energy and Low Carbon Technologies the LDP review found that since the adoption of the LDP a total of 6 schemes have been permitted.
- 3.58. In many respects, it is considered that there is relatively limited scope for renewable energy in Cardiff. Unlike some other local authorities in Wales, Cardiff has no Strategic Search Areas (TAN8) thereby restricting the potential for harnessing large-scale onshore wind power. With regards to other technologies, Cardiff is a relatively small area with much of its land already developed. Outside the urban areas, topography, environmental constraints plus relatively high land values constrain opportunities for medium-large renewable energy generation. There are however exceptions, within the former docklands two notable schemes are already in operation including an Energy Recovery Facility in Splott (30MW) and more recently a biomass plant in Tremorfa (2MW). Planning permission was also granted in June 2018 for a biomass plant at Rover Way (9.5MW) and just outside the current monitoring period in May 2019 for a

8.7 MW Solar Farm on the former Lamby Way tip. Also during the year 9 applications were granted planning permission which incorporated solar energy amounting to 0.52 MW in total.

- 3.59. However, significant contextual changes have occurred in relation to renewable and low carbon energy since LDP adoption which will need to be considered/addressed through the LDP review process. In addition, the Cardiff Renewable Energy Assessment (September 2013) informed the policies set out within the LDP. The new LDP will need to consider the revised Toolkit and address the additional requirements set out within it to produce a revised REA as evidence to support carbon reduction targets and mitigate the effect of climate change.
- 3.60. Overall, the plan review process will need to look beyond AMR reporting and the analysis of existing policy in response to the current Covid pandemic and declared Climate Emergency and wider evidence regarding the extent and magnitude of issues faced. The review process can explore the most appropriate policy response to this changed context.

Built Heritage (KP17, EN9)

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

Masterplanning, design and infrastructure (KP4-7)

- 3.62. The Materplanning Approach set out in KP4 (and delivered in a site-specific manner through Policies KP2 (A) to (H)) has proved very effective in providing an over-arching framework to ensure that Strategic Sites are delivered in a comprehensive manner; putting placemaking principles at the heart of new developments, and delivering necessary infrastructure in a timely manner. Policy KP5, alongside a series of new design supplementary planning guidance, has also proved effective in setting detailed criteria to secure high quality and sustainable design.
- 3.63. Changes to Planning Policy Wales (Edition 10) in 2018 are broadly consistent with this policy approach. The review process will provide the opportunity to further embed placemaking principles through good design, preservation of heritage assets, biodiversity and community infrastructure delivery within the planning policy framework. This emphasis on placemaking principles is consistent with Welsh Government guidance set out in "Building Better Places" and will aid the recovery of the city from the impacts of the Covid pandemic.

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

3.65. Since 2009, the Council has secured £165 million in financial contributions from planning applications (see table 2 below). This figure does not include on-site works such as affordable housing, green infrastructure, active travel and highway improvements. A significant proportion of these contributions are from the LDP strategic sites where detailed policies and the masterplanning approach have assisted in negotiating, securing and phasing infrastructure delivery in a comprehensive and timely manner.

Table 2: Section 106 Financial Contributions secured 2009 to 2019

Year	Section 106 financial contributions secured (£)
2009	2,057,283
2010	3,488,465
2011	8,331,659
2012	1,459,561
2013	5,779,325
2014	31,304,088
2015	12,555,008
2016	14,248,428
2017	77,470,070
2018	4,223,307
2019	3,204,329
2020	1,147,744
Total	165,269,268

3.66. Contributions are secured through the use of planning obligations as set out in Section 106 of the Town and Country Planning Act 1990. Agreements can also be entered into under Sections 278 and 38 of the 1980 Highways Act. These prescribe the highway works required as a result of proposed developments.

3.67. The Council resolved on 18 September 2014 to commence work on a Community Infrastructure Levy (CIL) for Cardiff and consult on a Preliminary Draft Charging Schedule (PDCS). Following consultation on the PDCS in November/December 2014, a consultation on the Draft Charging Schedule (DCS) took place in September/October

2016. The next stage would have been to submit the DCS for Examination by an independent inspector. However, further stages in the preparation of a CIL for Cardiff were not actioned given impending changes to CIL governance outlined below.

3.68. In 2017, the Department for Communities and Local Government (DCLG) published a review of the Community Infrastructure Levy, entitled 'CIL Review: Report to Government', which recommended a series of changes to the process. CIL has now been devolved to the Welsh Government through the Wales Act 2017. The *Welsh Ministers (Transfer of Functions) Order 2018* also transferred the necessary executive functions to the Welsh Ministers to accompany devolution of the CIL. This came into force in May 2018.

3.69. The review process will provide a timely opportunity to consider if there is merit in progressing a CIL for Cardiff given the changes in context. For example, this could examine if there is scope for the CIL to secure monies from the type of sites and uses which are sometimes proving challenging to secure Section 106 monies due to viability factors or policy thresholds. The CIL can apply to residential and non-residential developments, and may include smaller brownfield and non-strategic sites.

3.70. The extended plan period allows for a review of infrastructure requirements associated with growth, along with a parallel consideration of infrastructure requirements to respond to the impacts of the Covid Pandemic, realistic policy expectations, development viability and alternative infrastructure delivery mechanisms.

3.71. Supplementary Planning Guidance on Planning Obligations to supplement Policies KP6 and KP7 has been prepared to ensure that developments contribute toward the provision of the necessary infrastructure and measures required to mitigate their impact and to provide clarity to developers, agents and other stakeholders regarding the basis on which planning obligations will be secured.

3.72. In addition the Cardiff Infrastructure Plan (IP) is updated on an annual basis and is a 'living document' which sits alongside Cardiff's Local Development Plan (LDP). It covers the plan period to 2026 and identifies the infrastructure required to facilitate and sustain the city's projected level of growth. The Infrastructure Plan is directly linked to the LDP Monitoring Framework and updated annually in order to effectively respond to changes in baseline information, procedures and legislation.

3.73. As part of the monitoring of LDP sites, a series of bespoke Strategic Monitoring Documents have been produced to monitor ongoing progress in terms of planning consents and infrastructure provision within each of the strategic sites.

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

3.74. It is considered that in general the Plan's open space policies are functioning effectively in safeguarding existing recreation facilities and public open space and in securing provision of new facilities in connection with new residential development in

accordance with the adopted standards. However, as part of the revision process the implications of the Covid pandemic for open space provision and other community facilities in the city will need to be considered taking into account the findings of the latest open space survey, undertaken in July 2020.

3.75. In addition the implications of Covid and the contextual changes to national planning policy set out in Planning Policy Wales (Edition 10, December 2018) will need to be considered together with new guidance produced by Fields in Trust in 2017, 'Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard.' This guidance, while retaining the same headline rates of provision as the original "Six Acre Standard", draws out new recommendations for accessibility, for flexible application of standards and the minimum dimensions of formal outdoor space. The revision of the guidelines also introduces benchmarking for informal open space not involving organised sport and play and includes parks and gardens and natural and semi-natural habitats. The amendments to the guidance do not result in a requirement to make modifications to current LDP standards as the TAN16 promotes evidence based locally generated standards. However, the revised recommended benchmark guidelines for both formal and informal outdoor space will be taken into account in the LDP revision process. The Council is also moving away from an approach to recreation and open space provision based on strict compliance with predetermined standards. This is in accordance with LDP Green Infrastructure policies that encourage the multifunctional use of open space.

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

3.77. It is considered that policies regarding the community (C1 to C3, C7) are functioning effectively. However, as part of the review of the plan a review of these policies will take place to ensure it takes account of implications arising from the current Covid pandemic, changes in national planning policy and the evolving evidence base setting out links between obesity and the built environment.

Waste (KP12, W1-2)

3.78. The LDP Waste policies were prepared in the context of the South East Wales Regional Waste Plan (RWP) – First Review 2008. This set out land requirements for new waste management facilities, which were taken on board in the Policy W1: Sites for Waste

Management Facilities, which identified sites that had potential for the location of waste management facilities – class B2 industrial sites and existing waste management sites. The monitoring report results for the last three years show that this policy is functioning effectively and there is sufficient land available to meet Cardiff’s waste management needs.

3.79. RWPs, however, no longer have effect after a re-write of national planning policy on waste was needed to reflect the new waste policy context introduced through the EU Directive on Waste (2008/98/EC), the Waste Strategy for Wales, ‘Towards Zero Waste’, June 2010 and the underpinning suite of waste sector plans, in particular the Collections, Infrastructure and Markets Sector (CIMS) Plan. The general approach of the CIMS Plan has been to move away from land-take based calculations to an approach where the need for waste management facilities is expressed by future capacity in tonnes. As stated in Welsh Government Policy Clarification Letter CL-01-12, technology development has led to the potential for smaller, more dispersed facilities to be developed (more flexible, able to take advantage of niche opportunities). It has also led to the possibility of larger facilities being developed to reflect economies of scale and reduce expenditure by businesses and local authorities on the management of their residual waste. The end result of this is that it is now more difficult to ascribe a value to an ‘average facility’ – and as such, area-based land-take calculations have become less applicable.

3.80. The CIMS Plan describes the waste management framework considered to provide the best solutions to meet environmental, social and economic needs in Wales to 2050. Waste assessments contained within the CIMS Plan do not have to be repeated by local planning authorities at a regional or local level. However, monitoring needs to be carried out through voluntary co-operation at a regional level to inform decision making in future LDPs and in dealing with planning applications for waste. The regional monitoring work has resulted in the first Waste Planning Monitoring Report (WPMR) for South East Wales (April 2016). This concluded that the regional position was:

- There is no further need for landfill capacity within the South East region.
- Any proposals for further residual waste treatment should be carefully assessed to ensure that the facility would not result in overprovision.

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

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

and the need for additional waste management recycling facilities over the extended plan period up to 2035.

Minerals (KP11, M1-8)

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

Supplementary Planning Guidance (SPG)

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

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

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

Proposals Map and Constraints Map

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

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

4. Future LDP Evidence Base Requirements

4.1. To inform the review of the Replacement LDP there will be a need to update various elements of the evidence base that informed the current Local Development Plan which is out-of-date and needs to be updated and/or replaced in order to fully understand the land use requirements of the City up to 2036 as well as taking into account the implications of the Covid pandemic and any contextual or policy changes that have occurred since adoption of the existing plan. Stakeholders should be aware that this information will help inform the strategic options stage, which will be consulted on in autumn 2021. A sample of potential evidence base studies which may be required to inform the Replacement LDP include:

1. **Population and household forecasts** – to inform the Replacement LDP's dwelling requirement up to 2036.
2. **Local Housing Needs Assessment** – to inform the housing requirement tenure type and size of dwelling to match future household type and age profile of the population.
3. **Gypsy and Traveller Accommodation Assessment** - to identify the need for permanent and transit pitches up to 2036.
4. **Transport Assessment** – to assess the impact of the scale and distribution of development detailed in the emerging Replacement LDP.
5. **Employment Land Review Update** – to assess the future need of employment land suitable for all employment sectors and regional employment aspirations.
6. **Retail Needs Assessment** – to identify if there is a requirement for additional floorspace to help inform the Council's approach to manage the vitality and viability of our city, district and local centres.
7. **Urban Capacity Study** – to quantify the amount of brownfield land which could contribute to the housing need in the city up to 2036.
8. **Settlement Boundary Review** – to define, clear, defensible boundaries around settlements in the form settlement boundaries.
9. **Affordable Housing Viability Assessment** – to provide advice on achievable and viable targets and thresholds for affordable housing.
10. **Infrastructure Requirements over the plan period** – to build upon existing Cardiff Infrastructure Plan and extend to cover proposed Replacement Plan period.

11. **Renewable Energy Assessment** – evidence to support carbon reduction targets and mitigate the effect of climate change.
12. **Strategic Flood Risk Assessment** – to identify areas at risk of flooding.
13. **Green Infrastructure Assessment** – to identify relevant data regarding Cardiff's natural environment.
14. **2nd Review of South Wales Regional Technical Statement for Aggregates** – identifies aggregates needs up to 2036.

4.2. The above is not a definitive list and additional evidence base update requirements may emerge as plan revision progresses. Ongoing dialogue with other Local Authorities will help maximise efficiencies and consistency with regard to gathering/sharing evidence and agreeing methodologies where possible.

Sustainability Appraisal including Strategic Environment Assessment

- 4.3 A requirement of the LDP process is that Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) informs preparation of the LDP. The SA/SEA process is integral to the development of the LDP to ensure the policies in the LDP promote Sustainable Development through integration of the key economic, environmental, social and cultural objectives in the development of the LDP policies and proposals and take account of any significant effects on the Environment. The SA/SEA has been an iterative process throughout preparation of the LDP and policies and proposals in the LDP reflect this.
- 4.4 SA monitoring of the Sustainability Appraisal Objectives is undertaken on an annual basis and reported through the LDP Annual Monitoring Report. This enables the Council to assess the extent to which the LDP is contributing to the achievement of sustainable development and to identify any concerns. To inform the review of the LDP it will be necessary to revisit and update the environmental, social and economic baseline information, along with the review of relevant plans policies and program. The SA Monitoring Framework including the SA Objectives will need to be reviewed to ensure this remains up to date, and this will include considering whether the methodologies need revising due to changes in legislation.

Habitats Regulations Assessment

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

5. The LDP Review options

Joint LDPs and Joint Working

- 5.1 In line with national guidance, consideration must be given to the scope for preparing a Joint LDP. However, it is noted that 8 of the 9 other Local Authorities in South East Wales are already preparing their own Replacement LDPs with no examples of a joint approach. The remaining Local Authority (the Vale of Glamorgan) have not yet reached the Plan Review stage due to a later adoption date and it is not considered that there are sufficient synergies to warrant the preparation of a Joint LDP.
- 5.2 The existing LDP benefitted from a bespoke regional collaborative exercise to help inform the Plan strategy involving all Local Authorities and other key stakeholders in South East Wales. This process worked well and a similar approach is proposed again to help inform the Replacement LDP.
- 5.3 Should work commence on a Strategic Development Plan (SDP) for South East Wales, information gathered through the LDP process can be used to inform the SDP and vice versa. Ongoing dialogue with other Local Authorities will help maximise efficiencies and consistency with regard to gathering/sharing evidence and agreeing methodologies where possible.

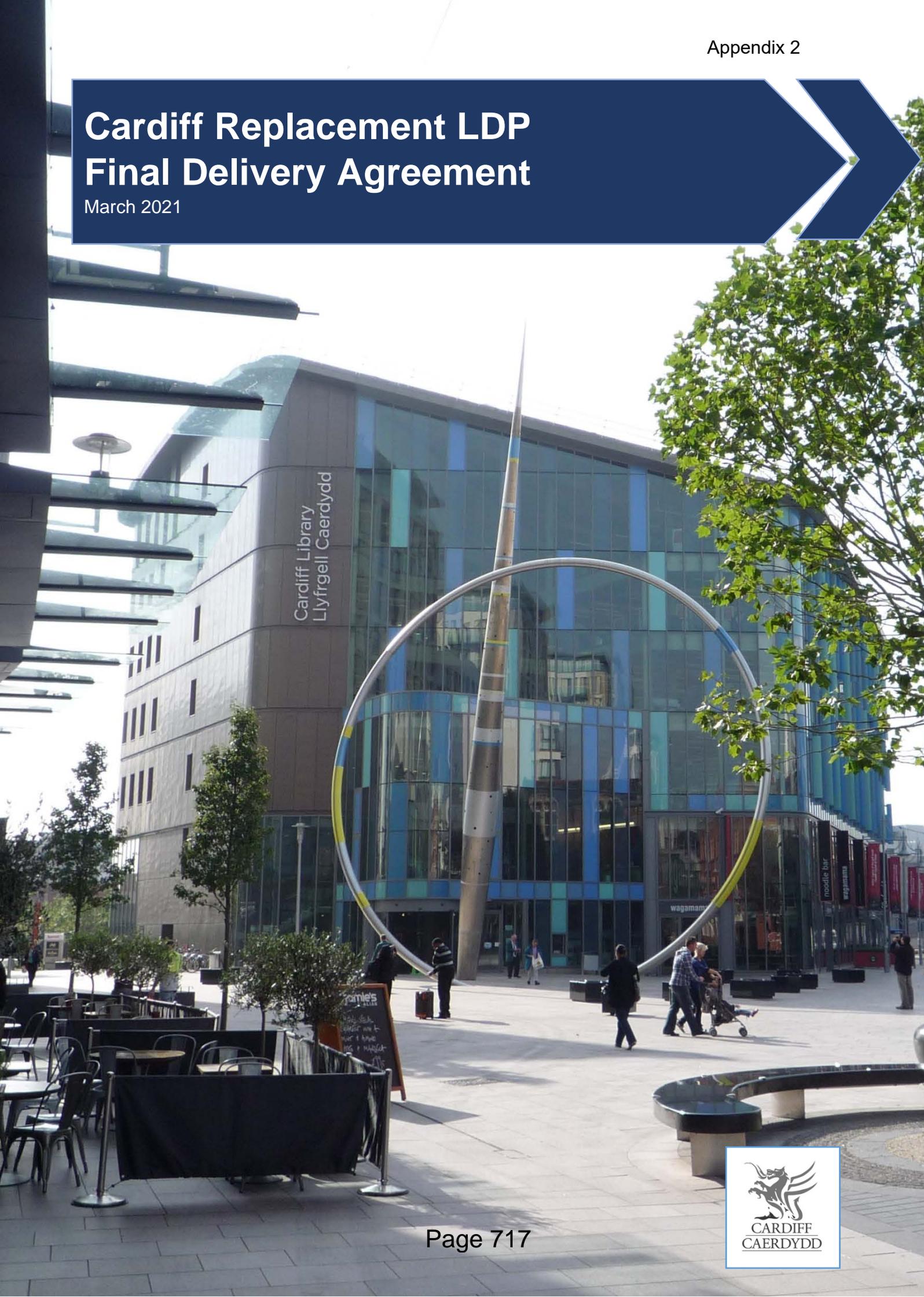
6 Conclusions and next steps

Recommendation

- 6.1 This report concludes that the full revision procedure is considered the most appropriate form of review and that a Replacement LDP is prepared for the period 2021 to 2036. In this respect, it is recognised that the issues raised by the current Covid pandemic and the strategic nature of issues to be addressed in a replacement LDP cannot justify the short form revision procedure. This will ensure the Council can respond to the issues raised by the current Covid pandemic and has up-to-date Plan coverage beyond 2026 and supports the Plan-led approach in Wales.

Cardiff Replacement LDP Final Delivery Agreement

March 2021



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

Content

1: Introduction	3
2: The Community Involvement Scheme (CIS)	11
3: The Timetable	19
4: Monitoring and Review	22
Appendix A: Consultation Bodies	23
Appendix B: Flow Chart Summarising Replacement LDP Preparation	28
Appendix C: Table Summarising Involvement In Replacement LDP Stages.....	29
Appendix D: Risk Management.....	33
Appendix E: Copy of Letter of Agreement to this document from the Welsh Government (Date to be confirmed).....	35

Part 1: Introduction

The purpose of this Delivery Agreement

- 1.1 The Cardiff Local Development Plan (LDP) was adopted by the Council on the 28th January 2016. An up to date LDP is an essential part of the plan-led planning system in Wales. In this respect the Council is required to undertake a full review of the adopted LDP every four years from the date of adoption.
- 1.2 A full review of the Cardiff Local Development Plan 2006-2026 has been undertaken, the findings of which are set out in the Draft Review Report. The revised LDP will cover the period 2021 to 2036. The preparation of a Delivery Agreement is a key requirement in the preparation of a revised LDP. The Delivery Agreement must include:
 - A **Community Involvement Scheme (CIS)** - indicating how the Council will involve consultation bodies and the public in Replacement LDP preparation; and
 - A **Timetable** for preparing and adopting the Replacement LDP, and for preparing and publishing the sustainability report, the Annual Monitoring Report and supplementary planning guidance (SPG).
- 1.3 The Delivery Agreement is an important part of the Replacement LDP preparation process. It indicates how and when the Council will provide opportunities for consultees and the local community to be involved in the process, as set out in relevant legislation, regulations and Welsh Government guidance. Delivery of the Replacement LDP in accordance with the Agreement will be one of the tests of the plan's soundness examined by the Planning Inspectorate (see paragraph 1.23). Part 3 of this document contains details of the proposed Replacement LDP preparation timetable and Appendix B contains a flow chart summarising the main stages of preparation.
- 1.4. This Agreement has been prepared in accordance with Welsh Government regulations and guidance, including;
 - The Town and Country Planning (Local Development Plan) (Wales) Regulations 2015; and
 - The Local Development Plan Manual (Edition 3, 2020).
- 1.5. The Delivery Agreement was approved by Council on 18th March 2020 and agreed by the Welsh Government (WG) on [Date to be inserted] (see Appendix E). The Agreement is available on the Council's website and for public inspection at County Hall. It will be kept under continual review and, if necessary, amended in line with the LDP Regulations (see Part 4). Copies of the Agreement are available - full contact details are available on page 12.

Preparation of the Replacement LDP

1.6. The 2004 Planning and Compulsory Purchase Act (as amended by the 2015 Planning (Wales) Act) requires the Council to prepare a replacement LDP setting out its objectives for the development and use of land in Cardiff over the Replacement Plan period (2021 to 2036) and its policies to implement them. This period allows 12 years to implement the Replacement Plan following proposed adoption in 2024, thereby according with Welsh Government guidance on the duration of the Replacement Plan. The aims of the Replacement Plan are to:

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

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

- A wide range of legislation, policies and other initiatives, at European, national and local levels of government. Under the Withdrawal Act, EU-derived domestic legislation such as existing environmental regulations that implement EU Directives which were in force immediately prior to the end of the transition period will continue to form part of UK domestic law after 31 December 2020 until amended by new legislation. Given this they remain relevant to the LDP preparation process; and
- Relevant social, economic and environmental considerations.

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

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

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

- Planning Policy Wales (Edition 10, December 2018);
- Technical Advice Notes (Wales) (TANs) (various dates);
- Minerals Technical Advice Note (Wales) 1: MTANS (various dates);
- Local Development Plan Manual (WG, Edition 3, 2020).

Integrated Sustainability Appraisal (ISA) incorporating Strategic Environmental Assessment (SA/SEA) and other related assessments

1.10. The Replacement LDP must be subject to Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) as required European Union Directive 2001/42/EC & Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 and the Planning and Compulsory Purchase Act 2004 (as amended by the by 2015 Act). The SA/SEA will be an Integrated Sustainability Appraisal (ISA) will also include an assessment of health and equality impacts.

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

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

- The Assessment of Plans and Programmes (Wales) Regulations 2004 (“the SEA Regulations”);
- A Practical Guide to the Strategic Environmental Assessment Directive (September 2005);
- Local Development Plan Manual (Edition 3, 2020).

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

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

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

1.15. In addition to the ISA/SEA processes, the Council will also undertake a Habitat Regulation Appraisal (HRA) of the Replacement LDP as it is being prepared.

Habitats Regulations Assessment (HRA)

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

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

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

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

Evidence Base Assessments

1.19. To inform the review of the Replacement LDP there will be a need to update various elements of the evidence base that informed the current Local Development Plan which is out-of-date and needs to be updated and/or

replaced in order to fully understand the land use requirements of the City up to 2036 as well as taking into account any contextual or policy changes that have occurred since adoption of the existing plan. Stakeholders should be aware that this information will help inform the strategic options stage, which will be consulted on in autumn 2021. A sample of potential evidence base studies which may be required to inform the Replacement LDP include:

1. **Population and household forecasts** – to inform the Replacement LDP’s dwelling requirement up to 2036.
 2. **Local Housing Needs Assessment** – to inform the housing requirement tenure type and size of dwelling to match future household type and age profile of the population.
 3. **Gypsy and Traveller Accommodation Assessment** - to identify the need for permanent and transit pitches up to 2036.
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 5. **Employment Land Review Update** – to assess the future need of employment land suitable for all employment sectors and regional employment aspirations.
 6. **Retail Needs Assessment** – to identify if there is a requirement for additional floorspace to help inform the Council’s approach to manage the vitality and viability of our city, district and local centres.
 7. **Urban Capacity Study** – to quantify the amount of brownfield land which could contribute to the housing need in the city up to 2036.
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 11. **Renewable Energy Assessment** – evidence to support carbon reduction targets and mitigate the effect of climate change.
 12. **Strategic Flood Risk Assessment** – to identify areas at risk of flooding.
 13. **Green Infrastructure Assessment** – to identify relevant data regarding Cardiff’s natural environment.
 14. **2nd Review of South Wales Regional Technical Statement for Aggregates** – identifies aggregates needs up to 2036
- 1.20. The above is not a definitive list and additional evidence base update requirements may emerge as plan revision progresses. Ongoing dialogue with other Local Authorities will help maximise efficiencies and consistency with regard to gathering/sharing evidence and agreeing methodologies where possible.

Well-being of Future Generations Act

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

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

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

Independent examination of soundness

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

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

1.24. Following the examination the Inspector will produce a report recommending required changes to the Replacement LDP together with reasons for the changes. The report will focus on the issue of whether the Replacement LDP is sound and if an Inspector considers the plan is fundamentally unsound the Plan will not be recommended for adoption. The conclusions reached by

the Inspector will be binding and unless the Welsh Government intervenes, the Council must accept the changes required by the Inspector and adopt the Replacement LDP as amended.

Supplementary Planning Guidance (SPG)

- 1.25. The replacement LDP will contain sufficient policies to provide the basis for determining planning applications. However, SPG has an important supporting role in providing more detailed or site specific guidance on the way in which Replacement LDP policies will be applied. These are non-statutory documents intended to expand upon the policies and proposals in the Replacement LDP. They cannot introduce new policy and are not the subject of independent examination but will undergo public consultation.
- 1.26. The need for any new or revised SPG (related to existing Local Development Plan policies) as the Replacement LDP is being prepared will be considered on its merits having regard to the need for new guidance together with the adequacy of the existing policy framework as set out in the Local Development Plan and contained in national guidance. In such cases, the SPG will be subject to its own consultation process.
- 1.27. Consultation with stakeholders as the Replacement LDP is prepared may reveal the need for new SPG to be produced that directly relates to the Replacement LDP. In such cases, it is intended that public consultation on the SPG would be undertaken in parallel with wider Replacement LDP engagement. Stakeholders will be kept informed of any such consultations.
- 1.28. SPG relating to proposed policies contained in the Replacement LDP cannot be formally adopted until after the Inspector's binding report has been received on the Replacement LDP and it is clear that there is no change to the policy approach.

Monitoring and Review

- 1.29. The Council will monitor and regularly review progress of the Replacement LDP against the requirements of the Delivery Agreement to ensure the timetable is being kept to and the public engagement as set out in the CIS is being met. Any amendments to the DA will require approval by the Council prior to Welsh Government agreement. The DA may need to be amended if the following circumstances, which are beyond the LPA's control, occur during the preparation of the Replacement LDP:
- Significant change to the resources available to undertake preparation of the Replacement LDP.
 - Preparation of the Replacement LDP falls behind schedule i.e. more than 3 months.
 - Significant changes to European, UK or Welsh legislation directly affecting the Replacement LDP preparation process.

- Any other change in circumstances that will materially affect the delivery of the Replacement LDP in accordance with the DA.
- Significant changes to the Community Involvement Scheme.

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

Part 2: The Community Involvement Scheme (CIS)

Aims of the scheme

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

Principles and methods of community engagement

- 2.3. The following consultation principles will guide the Council's approach to involving the local community and other stakeholders in preparation of the Replacement LDP:
 - **Commitment** – The Council will seek to provide opportunities for the whole community (different age groups, local community groups, hard to reach groups and protected characteristic groups) including businesses, to engage at appropriate stages in the process including 'child-friendly non-technical format' material as part of the process to encourage wider engagement.
 - **Inclusiveness** – The Council will encourage the active participation of everyone who has an interest in, or who may be affected by, the Replacement LDP including producing user friendly documents and using user friendly consultation techniques to encourage wider engagement with the community, including with children and young people.
 - **Appropriateness** – The Council will seek to engage the community through the most appropriate methods as determined through consultation on this document.
 - **Transparency and accessibility** – The Council will make all relevant information available on-line and undertake engagement in a transparent and open way and seek to maximise the use of new technology such as virtual consultation and social media.
 - **Accountability** – The Council will publish on-line the results of community engagement and seek to ensure that all stakeholders are informed of the outcome of their involvement.
 - **Productivity** – The Council will seek to use virtual consultation and community engagement to secure as much consensus as possible on the content of the Replacement LDP.
 - **Realism** – The Council will seek to ensure that all parties involved in the process understand and remain realistic about what can be achieved within the context of relevant legislation, Welsh Government guidance, and resources available.

2.4. The Council intends to build as much consensus as possible during the Replacement LDP preparation process and hopes that all parties will actively engage from the outset. Paragraphs 2.5 to 2.8, give a broad outline of some of the key methods that will be used whilst paragraphs 2.15 to 2.34 outline the main stages of the Replacement LDP preparation process together with a summary of opportunities for involvement at each stage. Appendix C contains a table that summarises how the Council intends to undertake community engagement and consultation up to the deposit stage. The Agreement will be reviewed within 3 months of deposit of the Replacement LDP and appropriate engagement from deposit to adoption will be included in that review.

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

LDP Team Room

Room 219, County Hall,
Atlantic Wharf, Cardiff CF10 4UW Tel. 029 2087 2087
Email: LDP@cardiff.gov.uk
Website Address: www.cardiff.gov.uk

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

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

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

Groups which will be involved in plan preparation

2.7. The Council will seek to involve the following groups in preparation of the Replacement LDP:

- **Members of the public, businesses, landowners, developers and agents** - the Council has a database which is maintained to include details of any parties who have requested to be kept informed of the Replacement LDP process. Efforts will be made to engage with communities, businesses, local organisations, landowners, and developers to ensure a broad range of feedback.
- **Community Councils** – they play a key role in disseminating information within their local area and will be a key link in effective involvement within their local areas. Community Councils will be consulted at every stage of the Replacement LDP process and they are encouraged to take this opportunity to raise awareness of this to their local communities.
- **Partnership groups** - Liaison with Cardiff's Public Service Board (PSB) will be of particular importance to ensure that the Replacement LDP process aligns with the Local Well-Being Plan. The PSB also represents a broad coverage of interested parties and their involvement in the process will aid the Replacement LDP process through the provision of data and evidence base as well as broadening the scope of engagement with parties that have had limited or no contact with the development plan process in the past, but with an interest in Cardiff.
- **Additional Consultation Bodies** - Appendix A provides a list of the specific and general consultation bodies These consultation bodies will be engaged throughout the Replacement LDP process at each of the formal stages and informally, as appropriate.
- **Hard to Reach Groups** - Hard to reach groups and those that are seldom heard are those groups who have not taken part traditionally in the plan preparation process. Additional effort will therefore be required to ensure these groups are engaged in the Replacement LDP process. Engagement with these groups may be achieved by using existing partnerships and groups wherever possible.

Methods of Involvement

2.8. The Council will seek to publicise the Replacement LDP process at every stage and reach as much of the community as possible, as set out in the section above, to inform people about the Replacement LDP process and how they can get involved. This will be done by:

- Direct contact (i.e. by letter or e-mail)
- Via Cardiff Council's Social Media Accounts
- Engagement with Members through specific workshops, Member drop-in sessions and in reports to appropriate Council meetings.
- Making use of existing Council Environmental/Community and Economic networks networks, Cardiff's Citizens Panel and Youth Council;

- All Replacement LDP information and documents will be made available on the Council's website.
- Public information exhibitions, engagement sessions and meetings will be undertaken face to face when possible when taking into account Welsh Government guidance on such matters. Virtual engagement and consultation via web based technological tools such as webinars will also be utilised.

Feedback

- 2.9. The Council will ensure that feedback is provided on-line as soon as possible on the outcome of engagement and consultation throughout the Replacement Plan preparation process.
- 2.10. Feedback from the Council relating to consultation exercises will take the following forms:
- Acknowledgement letter or e-mail providing contact details and detailing how the Council will deal with the representation
 - Details of the next steps in the Replacement Plan preparation process
- 2.11. Petitions received during consultation on the Replacement Plan will be acknowledged by letter or e-mail to the presenter of the petition only. This will include contact details and set out how the Council will deal with the issues raised in the petition. Specific guidance on the scope and procedures when using petitions will be established and made available prior to each formal stage of consultation.

Council decision-making process and local elected member involvement

- 2.12. Decisions on the Replacement Plan and its proposed content will be made by the full Council normally with recommendations from the Cabinet. The Cabinet and Council meet each month. The Council has established a Corporate Officer LDP Working Group to assist preparing the Replacement LDP in accordance with the timetable.
- 2.13. The Council will establish an on-going Scrutiny process that will evidence its findings to the Policy Review and Performance Committee. Training will be arranged for individual Members of Council and they will be consulted throughout the Replacement Plan preparation process and encouraged to raise awareness and support the engagement with their local communities.

Use of Welsh language

Welsh Language and Bilingual engagement

- 2.14. The Welsh Language Standards place a legal duty on Councils to make it easier for people to use services through the medium of Welsh. The Council has published a Welsh Language Strategy for 2017 – 2022, the requirements of both the corporate strategy and Welsh Language Standards will be maintained

at each stage of the Replacement LDP. Bilingual engagement will be carried out in the following ways:

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

Key stages of Replacement Plan preparation and opportunities for involvement

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

Stage 1: The Review Report and Delivery Agreement (Jan 2021 to March 2021) (Reg 9)

2.16. Summary: Determining the revision procedure to be followed in the Review Report and securing wider involvement in preparation of the Delivery Agreement. The Delivery Agreement that sets out the timetable for preparing the Replacement LDP and how stakeholders can become involved in the process. Opportunities for involvement include Consultation on the Draft Review Report and Delivery Agreement during January and February 2021.

Stage 2: Evidence base - (Dec 2020 – June 2023) (Reg 14)

2.17. Summary: Before the Council can develop the strategic objectives that will form the framework of the Replacement LDP it is essential for it to have a clear understanding of the dynamic social, environmental and economic characteristics and issues that exist within Cardiff. Therefore the Council will collect data to review and develop the evidence base. The overall Evidence Base will be an extensive collection of data from across all relevant topics. New studies will be commissioned and new data collected where necessary to ensure that the evidence database is as comprehensive as possible. The

evidence base will inform the Integrated Sustainability Appraisal. New evidence that comes to light at later stages of Replacement Plan preparation will be assessed and appropriate response made.

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

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

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

2.20. Opportunities for involvement (during 2021) include:

- Call for Candidate Site submissions for 12 weeks commencing May 2021
- Consultation on ISA Scoping Report for 8 weeks commencing May 2021

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

Pre- Deposit participation (March 2021- Sept 2022) (Reg. 14)

2.21. Summary: In accordance with Regulation 14 the Council will engage with anyone with an interest including the Specific and General Consultation Bodies (listed in Appendix A) during the preparation of the Preferred Strategy. Opportunities for involvement (during 2021) include:

- Consultation on draft vision/issues/objectives for 8 weeks commencing end of May 2021
- Consultation on strategic options for 10 weeks commencing end of November 2021

2.22. This will provide an early opportunity for dialogue ahead of the Preferred Strategy being prepared.

Stage 4: Pre-Deposit consultation (Oct 2022 – Nov 2022) (Reg. 15)

2.23. Summary: This stage will include statutory consultation on the Preferred Strategy and strategic locations for new development and accompanying ISA Report (statutory 8 week period).

2.24. Opportunities for involvement:

- Consultation on Preferred Strategy
- Consultation on Initial ISA report

Stage 5: Replacement LDP Deposit of proposals (Dec 2022 – Nov 2023) (Reg. 17)

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

2.26. The Deposit Replacement Plan will be subject to statutory consultation for a period of 8 weeks to allow representations to be made by any stakeholder. Any representations received as a result of the consultation exercise will be made available for public inspection and on the Council's web site. The documents to be published at this time will comprise the Deposit Replacement LDP, the ISA Report (incorporating the SEA Environmental Report), a list of supporting documents and the initial consultation report (statutory 8 week period).

2.27. Opportunities for involvement:

- Consultation on Deposit Replacement LDP
- Consultation on Final ISA Report

Stage 6: Submission of Replacement LDP to Welsh Government (March 2024 (Indicative)) (Reg. 22)

2.28. Summary: At this stage the Council is required to submit the Deposit Replacement Plan, Integrated Sustainability Appraisal Report, Community Involvement Scheme, copies of all representations received, key supporting evidence, the Consultation Report, the report on the LPA's suggested changes and a Statement of the main issues to the WG and the Planning Inspectorate. Following this submission an Inspector will be appointed to examine the Deposit Replacement Plan to determine whether it satisfies the preparation requirements of the 2004 Act and whether it is "sound" (section 64(5) of the 2004 Act refers). The examination will also consider representations including objections that have been made in accordance with the LDP Regulations.

2.29. Opportunities for involvement:

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

Representations. Information will be made available on the forthcoming examination process.

Stage 7: Independent examination (March 2024 to Sept 2024 (Indicative)) (Reg 23)

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

2.31. Opportunities for involvement:

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

Stage 8: Inspector's report (Sept 2024 (Indicative)) (Reg. 24)

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

Stage 9: Adoption (Oct 24 (Indicative)) (Reg. 25)

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

Stage 10: Monitoring (Oct 25 Indicative))

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

Part 3: The Timetable

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

Key Stage			
Definitive		From	To
1	Draft Review Report and Delivery Agreement consultation and submission of Final Review Report to Welsh Government	Jan 2021	March 2021
2	Evidence Base Preparation <ul style="list-style-type: none"> • Call for candidate sites - 12 weeks • Consultation on ISA Scoping Report – 8 weeks 	Dec 2020 May 2021 May 2021	June 2023 August 2021 July 2021
3	Pre-Deposit Participation <ul style="list-style-type: none"> • Consultation on draft vision/issues/objectives - 8 weeks • Consultation on strategic options - 10 weeks 	March 2021 May 2021 Nov 2021	Sept 2022 July 2021 Feb 2022
4	Consultation on Preferred Strategy and ISA Initial Report – 8 weeks statutory consultation	Oct 2022	Nov 2022
5	Consultation on Deposit Plan and Final ISA Report – 8 weeks statutory consultation	Oct 2023	Nov 2023
Indicative		From	To
6	Submission	March 2024	

7	Examination	March 2024	Sept 2024
8	Inspectors Report	Sept 2024	
9	Adoption by Council	October 2024	
10	Monitoring and production of 1 st AMR	October 2025	

Definitive and Indicative Stages

- 3.2. Stages 1-5, leading up to and including deposit, are under the direct control of the Council, which will make every effort to adhere to this part of the timetable.
- 3.3. The Council has less control over the process at Stages 6 -9, which are dependent on a range of factors including the number of deposit representations and the requirements of the Independent Examination. The timetable for these stages is, therefore, at present indicative.
- 3.4. The LDP Regulations clarify that, within 3 months of the close of deposit, the timetable (i.e. the indicative stages) will need to be reviewed and resubmitted once the Council has entered into a Service Level Agreement with the Planning Inspectorate.

Achievability and risk management

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

Resources

- 3.7. In terms of staff resources, there is a small team of officers in the Council's Strategic Planning Section dedicated to Replacement LDP preparation. In addition a range of other officers in that section as well as in other Service Areas will also be involved in various aspects of Replacement Plan formulation including ISA and SEA.

- 3.8. If necessary, to supplement its own resources, the Council may employ consultants to undertake appropriate work and advise on the Integrated Sustainability Appraisal and Strategic Environmental Assessment of the Replacement Plan.

Part 4: Monitoring and Review

Delivery Agreement

- 4.1. The Council will monitor progress against the Delivery Agreement throughout preparation of the Replacement LDP, to ensure that the aims and principles of the Community Involvement Scheme (CIS) are met in line with the target timetable. Where necessary reports will be made to the Council's Cabinet.
- 4.2. Circumstances in which the Agreement may need to be reviewed and amended include:
- If the process falls 3 months or more behind schedule;
 - If any significant changes are required to the CIS;
 - If there is significant change in the resources available to the Council;
 - If new UK or Welsh Government legislation, regulations or guidance should require new procedures or tasks to be undertaken; or
 - If any other change of circumstances should materially affect the delivery of the Replacement Plan in accordance with the Agreement.
- 4.3. Should the Agreement require review prior to or after the indicative stage review (outlined below) a revised Agreement will be sent to the Welsh Government for agreement. Once agreed this will be made available on the Council's website.

Replacement LDP Post-adoption

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

Appendix A: Consultation Bodies

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

In addition to this list any individual or groups can register to be consulted.

Internal Consultees

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

- Cardiff County Councillors
- Cardiff Council Service Areas

External Consultees

Specific Consultation Bodies

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

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

- Monmouthshire County Council
- Adjoining Community Councils within other Counties
 - Caerphilly
 - Caerphilly Town Council
 - Rhondda Cynon Taf
 - Llantrisant Community Council
 - Llantwit Fardre Community Council
 - Pontyclun Community Council
 - Taffs Well Community Council
 - Newport
 - Graig Community Council
 - Marshfield Community Council
 - Michaelston-y-Fedw Community Council
 - Wentlooge Community Council
 - Vale of Glamorgan
 - Llandough Community Council
 - Michaelston le Pit and Leckwith Community Council
 - Penarth Town Council
 - Peterston Super Ely Community Council
 - St Georges and St Brides Super Ely
 - Wenvoe Community Council
- BT Group Plc
- EE
- Vodaphone
- Three UK
- O2 UK
- Virgin
- Talk Talk
- British Gas
- EDF Energy
- nPower
- EON UK
- Scottish Power
- SSE
- National Grid
- Western Power Distribution
- Wales & West Utilities
- Dwr Cymru Welsh Water
- Network Rail Infrastructure

General Consultation Bodies

- AMs/MPs for Cardiff West, Cardiff South and Penarth, Cardiff Central and Cardiff North / Four Regional / AMs for South Wales Central
- Aelwyd Housing Association

- Age Concern Cymru
- Age Connects
- Alternatives for Transport
- Arts Council of Wales
- Associated British Ports
- Association of Inland Navigation Authorities
- Black Environment Network
- British Aggregates Association
- British Wind Energy Association
- Business in the Community Cymru
- C3SC Cardiff Third Sector Council
- Cadwyn Housing Association
- Caldicot & Wentlooge Levels Drainage Board
- Campaign for Real Ale
- Campaign for the Protection of Rural Wales
- Carbon Trust
- Cardiff & Vale Parents Federation
- Cardiff and the Vale College
- Cardiff and Vale Action for Mental Health
- Cardiff Chamber of Commerce, Trade and Industry
- Cardiff Civic Society
- Cardiff Cycle City
- Cardiff Community Health Council
- Cardiff Community Housing Association
- Cardiff Cycling Campaign
- Cardiff Friends of the Earth
- Cardiff Heliport
- Cardiff International Airport Ltd
- Cardiff Met Students Union
- Cardiff Metropolitan University
- Cardiff Naturalists
- Cardiff University
- Cardiff University Students Union
- Cardiff Women's Business Club
- Cardiff Bus
- Cardiff YMCA
- Care Inspectorate Wales
- CBI Wales
- Children in Wales
- Children's Commissioner for Wales
- Church in Wales
- Chwarae Teg
- CILT (UK) Cymru Transport
- Citizens Advice Bureau
- Civic Trust for Wales
- Civil Aviation Authority
- Coal Authority
- Coed Cadw (the Woodland Trust)
- Community Energy Wales
- Community Housing Cymru

- Community Land Advice Service
- Confederation of Passenger Transport
- Confederation Of British Industry
- Country Land and Business Association
- Crime Prevention Department
- Cymdeithas yr Iaith Gymraeg
- Danescourt Community Association
- Defence Estates
- Design Circle - RSAW South
- Design Commission for Wales
- Disability Arts Wales
- Disability Wales
- Diverse Cymru
- Energy Savings Trust Ltd
- Equality and Human Rights Commission
- Federation of Master Builders
- Federation of Small Businesses
- Fields In Trust
- First Group Plc
- Friends of the Earth Cymru
- Friends of Nantfawr Community Woodland
- Future Generations Commissioner for Wales
- Garden History Society
- Glamorgan-Gwent Archaeological Trust
- Gypsies Travellers Wales
- Health & Safety Executive
- Home Builders Federation
- Inland Waterways Association
- Institute of Cemetery and Crematorium Management
- Interfaith Council for Wales
- Keep Wales Tidy
- Llandaff Conservation Group
- Landscape Institute Wales
- Linc Cymru
- Lisvane Community Association
- Lisvane Graig Protection Society
- Living Streets Cardiff
- Llamau
- Llandaff Society
- Logistics UK
- Merched y Wawr
- Mineral Products Association
- Mobile Operators Association
- Mudiad Ysgol Meithrin
- National Car Parks Limited
- National Centre for Learning Welsh
- National Eisteddfod Wales
- National Express Ltd
- National Federation of Builders
- National Grid Property Portfolio

- National Museum Wales
- National Youth Arts
- Newydd Housing Association
- NFU Cymru
- Pantmawr Residents Association
- Planning Aid Wales
- Planning Inspectorate
- Pobl
- Radyr and Morganstown Community Association
- Radyr and Morganstown Partnership and Community Trust (PACT)
- Radyr Sidings Residents Association
- Ramblers Cymru
- Ramblers Cymru Cardiff Group
- Rhiwbina Civic Society
- Rhiwbina Garden Village Residents Association
- RICS Wales
- Road Haulage Association Ltd
- Royal Commission on the Ancient & Historical Monuments of Wales
- Royal Mail Group plc
- Royal National Institute for the Blind
- RSPB Cymru
- Scope Cymru
- Social Farms & Gardens
- South East Wales Energy Agency
- South Wales Fire & Rescue Service
- South Wales Police
- Sport Wales
- Stonewall Cymru
- Sustrans Cymru
- Taff Housing Association
- The 20th Century Society
- The Georgian Group
- The Institute of Cemetery and Crematorium Management
- Theatres Trust
- Transport for Wales
- Urdd Gobaith Cymru – Cardiff and Vale
- Victorian Society
- Wales & West Housing Association
- Wales Council for Voluntary Action
- Wales Millennium Centre
- Wales Women's Aid
- Welsh Ambulance Services NHS Trust
- Welsh Historic Gardens Trust
- Welsh Housing Partnership
- Welsh Language Commissioner
- Welsh Language Society
- Welsh Place-Name Society
- Welsh Tenants Federation
- Wildlife Trust for South and West Wales
- Women Connect First

Appendix C: Table Summarising Involvement in Replacement LDP Stages

Consultation Stage	Purpose	Timescale	Summary of Involvement	Reporting Mechanism
Delivery Agreement	Set out timetable for Replacement LDP preparation and process of involvement.	January 2021 to March 2021	<ul style="list-style-type: none"> 4 week consultation on content of Delivery Agreement in Jan/Feb 2021. 	<ul style="list-style-type: none"> All information available on website.
Evidence base	To have a clear understanding of the dynamic social, environmental and economic characteristics and issues that exist within Cardiff. As part of this information gathering the Council will invite developers and landowners to submit candidate development sites for potential inclusion in the Replacement LDP.	Dec 2020 to June 2023 (with necessary updates thereafter)	<ul style="list-style-type: none"> 8 week consultation on ISA Scoping Report Invitation for Candidate Site submissions. Opportunity to engage as part of preparation of Preferred Strategy outlined below. 	<ul style="list-style-type: none"> Updated information on both processes will be available on website.
Preferred Strategy	To develop the Replacement LDP draft vision and objectives for the area, based on an understanding of the relevant issues. From this base, strategic options will be identified and assessed leading to the identification of strategic sites to feed into the Preferred Strategy. In parallel, the ISA and other assessments will be undertaken.	May 2021 to October 2022	<ul style="list-style-type: none"> Virtual 'Launch Event' Involvement in development of the Preferred Strategy focussing engagement upon draft vision/objectives, evidence base/issues and strategic options. 8 week consultation on Preferred Strategy and Initial ISA report consultation. 	<ul style="list-style-type: none"> A report will be prepared setting out the Council's response to all comments made on the Preferred Strategy and Initial ISA Report. All information available on website.

Consultation Stage	Purpose	Timescale	Summary of Involvement	Reporting Mechanism
Deposit	To pay due regard to the foregoing consultation exercises and stakeholder engagements and formulate and consult on a Deposit Replacement LDP.	December 2022 to November 2023	<ul style="list-style-type: none"> • 8 week consultation on Deposit Replacement LDP together and Final ISA Report. 	<ul style="list-style-type: none"> • A final consultation report will be prepared setting out the Council's response to all comments made on the Deposit Replacement Plan and Final ISA Report. • All information available on website.
Submission of Replacement LDP to WG	To submit the Replacement Deposit Plan, Integrated Sustainability Appraisal Report, Community Involvement Scheme, copies of all representations received, key supporting evidence, the Consultation Report, the report on the LPA's suggested changes and a Statement of the main issues to the WG and the Planning Inspectorate.	March 2024 (Indicative)	<ul style="list-style-type: none"> • Once submitted, the examination process will be undertaken by an Independent Inspector. An independent Programme Officer employed by the Council will provide the first point of contact to stakeholders providing a link between the authority and the Inspector. Information will be made available on the forthcoming examination process. 	<ul style="list-style-type: none"> • All information available on examination website and library.

Consultation Stage	Purpose	Timescale	Summary of Involvement	Reporting Mechanism
Independent examination	Following this submission an Inspector will be appointed to examine the Replacement Deposit Plan to determine whether it satisfies the preparation requirements of the 2004 Act and whether it is "sound" The examination will also consider representations including objections that have been made in accordance with the LDP Regulations.	March to September 2024 (Indicative)	<ul style="list-style-type: none"> For those who made Deposit Representations arrangements for public participation in the examination process will be advertised nearer the time (at least 6 weeks before the opening of the examination). 	<ul style="list-style-type: none"> All information available on examination website and library.
Inspectors Report	The Inspector will publish a report outlining the examination's findings, together with any changes to the Deposit Plan and reasons for those recommendations. The Inspector's decisions will be binding upon the Council.	September 2024 (indicative)		

Consultation Stage	Purpose	Timescale	Summary of Involvement	Reporting Mechanism
Adoption	The Council is required to adopt the final Replacement LDP incorporating the Inspector's recommendations within 8 weeks of receiving it, unless the Welsh Government intervenes.	October 2024 (indicative)	<ul style="list-style-type: none"> On or before the day on which the Replacement LDP is adopted, the Council will publish the Inspector's Report and make it available for inspection and to view on Council's web site. The Replacement LDP will become operative on the date it is adopted, and final publication of the Replacement Plan should follow as soon as possible (after the expiry of the six-week legal challenge period). 	

Appendix D: Risk Management

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

Risk	Potential Impact	Mitigation
<ul style="list-style-type: none"> Additional requirements arising from new legislation, national guidance and/or new evidence 	<ul style="list-style-type: none"> Additional work required, causing programme slippage 	<ul style="list-style-type: none"> Monitor emerging legislation/guidance/evidence and respond early to changes
<ul style="list-style-type: none"> Programme/timetable proves too ambitious for resources available due to greater than anticipated workload e.g. number of representations 	<ul style="list-style-type: none"> Programme slippage 	<ul style="list-style-type: none"> Realistic timetable prepared with some flexibility Consider additional resources when required
<ul style="list-style-type: none"> Insufficient information to enable preparation of a sound Replacement Plan (e.g. up to date population projections) to undertake SEA of proposals 	<ul style="list-style-type: none"> Programme slippage 	<ul style="list-style-type: none"> Identify expectations of consultees in Delivery Agreement
<ul style="list-style-type: none"> Delays caused by Council delaying approval of documents 	<ul style="list-style-type: none"> Programme slippage 	<ul style="list-style-type: none"> Undertake Scrutiny process together with wider Member Briefing to raise awareness
<ul style="list-style-type: none"> Delay caused by scheduling of Cabinet Business, Planning or Scrutiny Committee meetings 	<ul style="list-style-type: none"> Programme slippage 	<ul style="list-style-type: none"> Monitor progress against Delivery Agreement Book target meetings in Council's Forward Plan
<ul style="list-style-type: none"> Significant Objections from Statutory Consultation Bodies 	<ul style="list-style-type: none"> Replacement LDP cannot be submitted for examination without significant work 	<ul style="list-style-type: none"> Ensure the views of statutory bodies are sought and considered as early as possible
<ul style="list-style-type: none"> Planning Inspectorate unable to meet the timescale for examination and reporting 	<ul style="list-style-type: none"> Examination and/or report is delayed Key milestone in programme not met 	<ul style="list-style-type: none"> Close liaison with the Planning Inspectorate to ensure early warning of any problems (e.g. Consultation on Replacement LDP)
<ul style="list-style-type: none"> Replacement LDP fails test of soundness 	<ul style="list-style-type: none"> Replacement LDP cannot be adopted without additional work 	<ul style="list-style-type: none"> Ensure Replacement LDP is sound, founded on a robust evidence base with sustainability appraisal and well audited community and stakeholder engagement

<ul style="list-style-type: none"> • Legal challenge 	<ul style="list-style-type: none"> • Adopted Replacement LDP quashed • Significant slippage/ additional work 	<ul style="list-style-type: none"> • Ensure procedures, Act, Regulations etc., are complied with and no undue risks taken
<ul style="list-style-type: none"> • Covid Restrictions 	<ul style="list-style-type: none"> • Delays in consultation • Programme slippage • Resources (particularly staff and finance) being diverted should they be needed to tackle Coronavirus efforts 	<ul style="list-style-type: none"> • Ensure effective use of on-line consultation methods, including virtual consultation technology, effective use of website, social media and wider opportunities to otherwise engage and communicate with the LDP Team. Monitor impacts of pandemic Replacement LDP process and respond early to changes.

Appendix H: Copy of Letter of Agreement to this document from the Welsh Government

[To be inserted]

Appendix 3: Summary of Consultee Comments received on Draft Review Report and Delivery Agreement and Responses

Public consultation on the Draft Delivery Agreement and Review Report took place between 7th January and 4th February 2021. Whilst consultation was undertaken at a time when there were restrictions in place to limit the spread of Covid 19, which prohibited a number of methods of engagement a total of 382 consultees were notified and invited to make comments on the draft documents. These consultees included Community Councils, planning consultants, house builders, housing associations and other relevant external organisations. In addition all Members were informed of the consultation and the draft documents were advertised on the Council's website, together with details on how to comment.

A total of 34 responses were received during the public consultation period. A summary of the responses received is provided in the table below along with the Council's response and recommendations.

	Consultee Name	Consultee comment	Council Response	Council Recommendation
1	Cardiff Civic Society	<p>COMMUNITY INVOLVEMENT SCHEME</p> <ul style="list-style-type: none"> Appendix A appears to be out of date/ the way in which this list has been drawn up introduces biases and could exclude those who may have important views about the future of the city if they were asked. The prosperous suburbs in the north of the city are well represented (either through their Community Councils or recognised local groups) but the poorer inner city is not. The consultee list should be extended to ensure all parts of the city are represented, through inviting contributions from bodies (e.g. Local community centres) which do not usually comment on development matters. In addition, a councillor from each ward should be involved in LDP preparation. Recently formed groups could have important things to say about how the city should change to meet their concerns and priorities. As examples, Extinction Rebellion or Youth Climate Strike have much to say about environmental and climate change challenges, Black Lives Matter could offer a view from young black people. <p>The consultation process</p> <ul style="list-style-type: none"> Consultation questions should be open (e.g. "what would you like to see in your area?") Rather than expecting people to engage with daunting planning documentation The way of working needs to be collaborative, so that the LDP is "owned" by the majority of those involved in its preparation, which will involve the Council working across sectors and age groups to help reconcile differences. Unclear how residents will be engaged in building the Evidence Base. Developers and landowners will be asked to submit candidate sites, but will those be visible for public comment? Consultation is promised on the Integrated Sustainability Appraisal, but it is not explained how. Nothing is said about consulting on other elements of the evidence base. <p>TIMETABLE FOR PREPARING REPLACEMENT LDP</p> <ul style="list-style-type: none"> Point 5 of the Key Stage table allows 6 weeks for the Preferred Strategy Consultation but paragraph 2.21 states this will last 8 weeks.³³ <p>MONITORING AND REVIEW</p> <ul style="list-style-type: none"> Monitoring of the Delivery Agreement should include a mechanism through which residents could raise concerns if they feel they are not being consulted adequately or on time. The preparation of Annual Monitoring Reports should include resident consultation. <p>Replacement LDP preparation</p> <ul style="list-style-type: none"> The flowchart indicates more opportunities for consultation than those shown in the Key Stage timetable. That is welcome, but stakeholders (including residents and community groups) need to be clearly informed, ahead of time, of how and when they will be able to get involved, and where and when material will be published. <p>Involvement in Replacement LDP stages</p> <ul style="list-style-type: none"> As the evidence base aims at "a clear understanding of the dynamic social, environmental and economic characteristics and issues that exist within Cardiff", it is important – as argued above – that efforts are made to bring marginalised residents and groups into consultation. <p>Risk Management</p> <ul style="list-style-type: none"> The risk that "Replacement LDP fails test of soundness" is acknowledged. Mitigation should include "a robust evidence base with sustainability appraisal and well audited community and stakeholder engagement", but it also needs to ensure that stakeholder's views are taken account of, and that residents and community groups do not feel that their opinions have been given less weight than those of developers and landowners. Improving well-being and sustainability must be at the heart of the Replacement LDP. Keen on the principle of staying local and creating neighbourhoods/revitalising town centres should not mean only the city centre but also districts. Green infrastructure and ecological resilience should be priorities 	<p>The comments from the Cardiff Civic Trust are noted.</p> <p>To ensure the preparation of the new plan reaches a wide audience across the city the Council will engage through a wide range of methods. These include reaching out on social media platforms, implementation of a new user friendly website, use of short films to explain the Replacement LDP process and issues the plan needs to consider and user friendly documents and surveys reaching out to a wide audience including children and young people. These are in addition to the traditional methods of notifying consultees on the LDP database and engaging through a range of existing networks.</p> <p>Appendix A is not an exhaustive list. The process is open to any individual/group or organisation to take part. The Council maintains an LDP consultation list whereby any individual/group or organisation with an interest can request inclusion at any time in the process. In addition the Council will be utilising established Environmental, Community and Economic network to promote the LDP consultations.</p> <p>We would urge all stakeholders to support the process by promoting consultation stages to their members and interested contacts as widely as possible.</p> <p>Discrepancies and irregularities in the timetabling to be amended</p> <p>The content and structure of the replacement LDP will be in line with National Planning guidance.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p> <p>The Review of the LDP will be based on updated evidence base including housing and employment. The Evidence base list to inform the preparation of the new plan is not intended to be exhaustive and consideration for the need for the additional studies suggested can be given as the plan progresses. The findings of some of the studies will be used to inform the consultation on strategic options in the autumn and a full list will be</p>	<p>Amend Delivery Agreement to provide further detail regarding the Council's commitment to inclusiveness through providing user friendly documentation and using user friendly consultation techniques in order to engage with the wider community, including children and young people.</p> <p>Amend the Delivery Agreement to provide further detail of who will be involved in plan preparation including using established Council Environmental/Community and Economic networks/social media platforms.</p> <p>Amend Delivery Agreement to provide further clarification that the evidence base work will help inform the strategic options stage which will be subject to consultation and engagement next winter.</p> <p>Amend Review Report to include reference to the latest position with One Planet Cardiff.</p>

Consultee Name	Consultee comment	Council Response	Council Recommendation
	<ul style="list-style-type: none"> • Include reference to One Planet Cardiff • Evidence Base on population and household numbers should be updated as the picture becomes clearer. • The Review Report does not mention the observation in the 3rd AMR that per head open functional space is declining • AMR3 reports that, “during the monitoring period all the relevant applications received on historic environment assets were considered to be policy compliant/policy compliant subject to conditions/recommendations placed on the permission”. Have such applications been monitored to confirm that conditions are subsequently met? • Requires a fundamental rethink of Cardiff’s strengths and weaknesses and the opportunities and threats that we face. • Should set a new direction for the city, ensuring that all residents share a better quality of life in future than they enjoy now, in line with the Well-being of Future Generations Act. CCS’s two key requirements are that the new LDP should be based on ‘15-minute’ neighbourhoods, and on a foundational, green, economy • As population growth is predicted to slow, there should be less need to build on greenfield sites. Regenerating brownfield wasteland should come first, along with empty buildings. • Strategic infrastructure (including health and transport) must be provided in advance of the development it is required to serve. • The Review Report ignores several sizeable developments for which permission has been granted without any affordable provision and with negligible, if any, s106 contribution. The 20/30% affordable housing obligation should be preserved, if not increased, and enforced • If developers are allowed to sidestep obligations through viability claims, enforcement of LDP obligations in areas like affordable housing or environment will be undermined • No mention of the quality of housing • Policy on Purpose-Built Student Accommodation should be reviewed • The foundational economy, providing local jobs to meet local needs, should play a growing role, as should facilities for those working at, or near, home. • Demand for city centre retail space could be expected to fall, but the Evidence Base should be expanded to take full account of the impact of new technologies. • Efforts to encourage the modal shift towards active and sustainable travel, and away from over-reliance on private cars, must continue, • A ‘15- minute city’, in which everyone can access daily requirements within an easy walk or cycle ride from their home, would both improve lives and reduce transport demand. • Policies sufficiently robust to meet the environmental challenges must be a priority for the Replacement LDP. Achieving a carbon neutral city by 2030, as will be required by One Planet Cardiff, requires review of all LDP policies, not only those that are classed as environmental today. • Flooding is a central concern • Policies to manage water should aim to reduce run-off as well as to capture this. • Biodiversity loss is now widely recognised as a global threat • Trees have a special contribution to make to both reaching carbon neutrality and supporting the wider environmental and well-being agendas • The Replacement LDP must treat identifying suitable locations for those trees, including urban forests seriously. CCS has begun to look at some options for this in its Canopy Cardiff work • Environmental obligations, including carbon neutrality and biodiversity, must be built into the LDP and supporting SPGs. • Policies must take a wide view of the environmental impact. This requires a full life-cycle view, including materials, construction, use (such as transport or other infrastructure demands) and demolition, with full compensation measures for any unavoidable damage. The highest energy efficiency standards should be required. • Well-being depends on the built as well as the natural environment. Not convinced that the monitoring reports accurately reflect the impact on historic buildings of planning decisions. • Masterplanning should be viewed from the Placemaking perspective, with community engagement and people having the opportunity to co-design the places they live, work and spend their time in the ideas and creativity of city residents (including our young people), rather than relying on big developers 	<p>published alongside consultation on the Preferred Strategy and Deposit Plan giving residents an opportunity to comment on the findings. These studies will need to consider the impacts of the pandemic and will need to be kept under review as more information on this comes available over the next year or so</p>	

	Consultee Name	Consultee comment	Council Response	Council Recommendation
		<ul style="list-style-type: none"> Open space Covid has emphasised the importance of open space near where people live. Public green space in Cardiff has been estimated at just 8% of the city's area, well below that of many UK cities. The Replacement LDP must identify, protect, extend and enhance the city's network of green infrastructure. FUTURE EVIDENCE BASE REQUIREMENTS - agree that all the identified areas need further investigation to build the Evidence Base, but that list should not be seen as excluding others. Historic Legacy - Key features which make Cardiff such a different and distinctive City are its historic origins and its spatial development - The Evidence Base should identify these varying features as a valued inheritance for managed evolution, with new developments reflecting local character, The LDP should contribute to building a resilient city able to thrive even in difficult times. The current LDP is failing to deliver a sustainable city. As well as striving to become carbon- neutral, with clean air, within the lifespan of the Replacement LDP, we have to adapt to the consequences of climate warming, such as surface water flooding, rising sea levels, health issues, or shifting demand patterns. Areas subject to recent flooding should be mapped, and forecasts prepared of likely future occurrences with the increased intensity and volume of rainfall. Equality of access - Facilities in new suburbs on the edge of Cardiff are not being provided as promised. There is very uneven access to green spaces and to private outdoor space, which particularly affects those in less affluent inner suburbs and/or living in high rise apartments. Affordable housing is excluded from desirable areas. Demolition of older properties has decreased the number of affordable premises for business start-ups Neighbourhoods - Research should be commissioned into how urban neighbourhoods function, with particular emphasis on the concept of the '15-minute city', in which residents can meet their daily needs in their immediate vicinity, while still having easy access, preferably through active or sustainable travel, to central facilities. Ensure that Cardiff's LDP is aligned with those of neighbouring authorities and with the eventual SDP. Welcome Council's recognition that a full Replacement Review is needed, given the extensive contextual changes since the adoption of the current LDP in January 2016. We agree full revision is needed. The Replacement LDP should be no more than 100 pages in length, with a sharpened focus on how the city should develop Policies should be easily readable on devices (including mobiles) with hyperlinks to facilitate access. The LDP and supporting SPGs should be seen as documents for use by residents, not only by planners and developers. Language should be accessible, and jargon and acronyms avoided. Where technical terms have to be used, care should be taken to explain these. Understanding of the LDP would be improved through the use of images and graphics, including a Key Diagram, A single overarching policy should set common criteria that would then be reflected in each individual policy. Individual policies should be kept short and clear. Explanatory commentary on a policy should avoid undermining that policy by providing clauses that could be used to circumvent it. An SDP presents opportunities that could be beneficial to both Cardiff and other authorities, such as offering a wider range of brownfield sites for housing growth. The LDP should not adopt damaging land use policies if the SDP could open the way to better alternatives. 		
2	Cardiff Cycle City	<ul style="list-style-type: none"> Cardiff Cycle City is the largest cycle campaigning organisation in Cardiff regularly responding to the Council's consultations and have a number of representatives on the council's 'Cycling Advisory Group' and the Welsh Assembly 'Cross Party Group on the Active Travel Act'. Add to the list of General Consultation Bodies, please. 	<p>The comments from Cardiff Cycle City are noted.</p> <p>Welcome requests to be added to our Replacement LDP Consultee List</p>	Amend Delivery Agreement to include Cardiff Cycle City in the General Consultation Bodies List.
3	Cardiff Friends of the Earth	<ul style="list-style-type: none"> Heartened by Cardiff Council's recognition of the need for a complete overhaul of the current LDP which reflects the weight of new legislation, guidance and policy introduced since 2016. LDP will have a vital role in Cardiff Council achieving its One Planet strategy. Reservations around the accountability of an LDP intended to run until 2036 Concerned by the inflexibility of the current planning system in recognising the climate emergency and urgency of change required with an ability to adapt to rapidly developing scientific and economic evidence. Some key principles/ideas missing in the current review. 	<p>The comments from Cardiff Friends of the Earth are noted.</p> <p>To ensure the preparation of the new plan reaches a wide audience across the city the Council will engage through a wide range of methods. These include reaching out on social media platforms, implementation of a new user friendly website, use of</p>	Amend Delivery Agreement to provide further detail regarding the Council's commitment to inclusiveness through providing user friendly documentation and using user friendly consultation techniques in order to engage with the wider community, including children and young people.

	Consultee Name	Consultee comment	Council Response	Council Recommendation
		<ul style="list-style-type: none"> ○ Collaboration rather than consultation ○ Little detail provided on the form and scope of consultation. In particular, as highlighted in Appendix C, public consultation will be advertised “at least 6 weeks prior to the opening of the [independent] examination”, which is unlikely until March-September 2024. ○ Precedent set by consultations of this type leaves us with the expectation that any public consultation will be short, document-heavy, highly technical and inaccessible for the majority of Cardiff citizens to engage with. ○ To achieve public support for the LDP, a collaborative approach should be taken through deliberative democratic means such as citizens’ assemblies. ○ Any process taken forward should be resident-friendly with clearly laid out summaries, simplified versions of documentation and public engagement events allowing opportunities for residents to ask questions, share ideas and build consensus. ○ The climate emergency as material consideration should be enshrined in the LDP and evidence base; particularly when considering major energy projects which have conflicts with the climate emergency such as woody biomass and energy from waste where scientific consensus has changed and public policy is shifting. ○ This replacement LDP (in parallel with the One Planet strategy) offers a unique opportunity to take a longer view, challenging received thinking and re-evaluating the economics of local development. ○ Demands on cities such as Cardiff have changed dramatically and the value of biodiversity and the natural environment is more important than ever. There are innumerable opportunities for the LDP to be bold in promoting a regenerative city rather than an extractive one which favours local development and jobs. ○ Strongly advocate the integration of the Doughnut Economic Theory which is referenced in the One Planet Strategy and implemented by cities such as Amsterdam. ○ Robust and independent evidence base ● Concerned how outdated thinking and limited scope may end up being locked into a replacement LDP through to 2036. Particularly when it comes to renewable energy. ● Evidence base for the replacement LDP needs to reflect - and most importantly be able to adapt quickly - to modern technologies and changes in scientific evidence as it emerges. ● LDP needs to be more responsive than it has in the past to climate imperatives 	<p>short films to explain the Replacement LDP process and issues the plan needs to consider and user friendly documents and surveys reaching out to a wide audience including children and young people. These are in addition to the traditional methods of notifying consultees on the LDP database and engaging through a range of existing networks.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p> <p>The Review of the LDP will be based on updated evidence base including housing and employment. The Evidence base list to inform the preparation of the new plan is not intended to be exhaustive and consideration for the need for the additional studies suggested can be given as the plan progresses. The findings of some of the studies will be used to inform the consultation on strategic options in the autumn and a full list will be published alongside consultation on the Preferred Strategy and Deposit Plan giving residents an opportunity to comment on the findings. These studies will need to consider the impacts of the pandemic and will need to be kept under review as more information on this comes available over the next year or so</p>	<p>Amend the Delivery Agreement to provide further detail of who will be involved in plan preparation including using established Council Environmental/Community and Economic networks/social media platforms.</p> <p>Amend Delivery Agreement to provide further clarification that the evidence base work will help inform the strategic options stage which will be subject to consultation and engagement next winter.</p> <p>Amend Review Report to include reference to the latest position with One Planet Cardiff.</p>
4	Cardiff Liberal Democrat Group	<ul style="list-style-type: none"> ● Welcome this opportunity to feed into this process ● New local development plan must form part of the city’s longer-term recovery efforts. An opportunity to innovate and build healthy, sustainable and resilient urban communities, and better lives for everyone. The needs of people, health and wellbeing, labour and human rights must be at the centre of planning and implementation of recovery efforts to rebuild resilient, sustainable communities. ● Encourage the administration to look to the thriving cities approach ● Ensure that the updated plan is subject to a health impact assessment. ● Both the transport 2030 vision and the one planet Cardiff strategy are working towards a goal of achieving objectives by 2030, whereas this proposed replacement LDP will cover 2024 – 2036. Hope to find some synergy between all of the plans, with additional assurances, tools, and mechanisms to ensure that necessary transport infrastructure and environmental adaptations on a cross-city level are in place before the new LDP is published. ● Replacement LDP provides an opportunity to mainstream climate commitments in wider planning and delivery, putting climate mitigation and enhancing biodiversity at the heart of Cardiff’s planning system. ● Ploughing ahead with the objectives of the current LDP could result in a surplus of housing, given that Welsh Government have revised down the estimates in household and population increase that the original LDP was based on. Mindful that the plan’s affordable housing targets are currently behind, which could result in not meeting the actual housing need in the city, particularly for those on low incomes or with experience of homelessness. This could also present as an opportunity to revisit the balance of new development on brownfield sites relative to greenfield. ● Wish to see a commitment to building more social homes for rent, by introducing larger targets for this kind of housing and greater developer contributions. Must recognise the need for more social housing as a result of the pandemic, Provision of social housing must align with wider homelessness policy on a local and national level. 	<p>The comments from the Cardiff Liberal Democrat Group are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p> <p>The Integrated Sustainability Appraisal will incorporate an assessment of the health impacts of the replacement plan.</p>	<p>No changes required to Delivery Agreement or Review Report.</p>

	Consultee Name	Consultee comment	Council Response	Council Recommendation
		<ul style="list-style-type: none"> • Need a growth in public transport usage, not based on numbers during the pandemic, but before then, if we want to keep Cardiff moving while doing the least damage to the air, to the environment, and to the people. This means ensuring that the necessary transport and community services infrastructure is in place, in addition to giving greater priority to public transport and active travel. • Needs to be more tools at our disposal through the LDP and SPG to improve active travel infrastructure as default in new housing developments, rather than 'retro-fitting' active travel around vehicle-orientated infrastructure. • Town centre first' principle must be about enhancing the public realm, public resources, and access to services. The use of city and town centres, and high streets; they were already needing to move away from retail before the pandemic, and now it is even more vital that they become mixed use environments. City centres, high streets and towns need to meet a range of needs – including health, community, and other public services • Would welcome measures to help bolster and create thriving local and district shopping centres, including greater powers to deal with the cumulative impact of increasing numbers of a3 uses. Believe the same to be true of retail vacancy rates. Instead of measuring success through these narrow measures, perhaps targets should be focused on levels of poverty, health and wellbeing. The thriving cities approach would inform this approach. Has implications for the development of office accommodation, the use of which has the potential to radically change as a result of the coronavirus pandemic. • Note the intention by Welsh Government to strengthen regional planning through corporate joint committees, a regional approach is essential. This is important for transport and housing supply, but also for gypsy and traveller communities, for whom it is identified by welsh government as a necessary approach. Improved regional planning is essential to delivering transport infrastructure, sustainable development, and meeting housing need to create communities. • LDP provides an opportunity to better meet the needs of gypsy and traveller communities, who are poorly served by public policy. The overriding principle and purpose of a local development plan should be to provide housing for all who live in Cardiff. • Section 106 contributions must work on a more consistent footing that sets high expectations and standards for developers. These must be enforced. Reiterate calls for the council to reconsider the introduction of community infrastructure levies to strengthen our hand in ensuring that funding for community facilities and social housing are realised. • Ensure that at least 50% of housing on development sites be affordable, • SPG has an important role in realising the principle and approach of the LDP. The replacement LDP provides an opportunity to mainstream these guidance in the new LDP, providing an enhanced framework for planning and delivering on priorities – including around climate mitigation and environmental considerations. • Retail accommodation, and other buildings, provide an opportunity to provide new housing investment in community regeneration however poorly implemented, has the potential to displace existing communities. The effects of this would be contrary to that of the future generations and well-being act • Would welcome the concept of a 20 minute neighbourhood being threaded throughout the LDP and SPG in order to better enable the council to create coherent and sustainable communities, 		
5	Dwr Cymru Welsh Water	<ul style="list-style-type: none"> • No comments to make on the Review Report or Delivery Agreement. We look forward to working with you through the LDP2 process. 	The comments from Welsh Water are noted.	No changes required to Delivery Agreement or Review Report.
6	Glamorgan Gwent Archaeological Trust	<ul style="list-style-type: none"> • The Draft Delivery Agreement is helpful and the charts for key stages allow us to be aware of upcoming consultations, and we note that Glamorgan Gwent Archaeological Trust are on the list of consultees. • The historic environment is an important part of Cardiff Council's area, and includes statutorily designated historic assets of both areas and structures, as well as non-designated historic assets. These should not be seen as any constraint to development, but viewed with the Well-being of Future Generations (Wales) Act, contribute substantially to the well-being goals relating to culture and community, and by understanding and enhancement to the remaining goals. • Legislative changes have occurred since the last LDP, as noted in the Draft Review Report. Policies KP17 and EN9 relating to the built environment are noted (paragraph 3.61) and are considered from three AMRs to be compliant and effective, and a review of these polices will be undertaken to take account of the above changes. 	The comments from Glamorgan Gwent Archaeological Trust are noted.	No changes required to Delivery Agreement or Review Report.

	Consultee Name	Consultee comment	Council Response	Council Recommendation
		<ul style="list-style-type: none"> Should also be noted that the historic environment is not limited to <i>built</i> heritage, and includes buried remains, and remains surviving as low earthworks. 		
7	Home Builders Federation	<ul style="list-style-type: none"> Question is the need for more affordable homes an issue created by the pandemic? Accept there are some specific issues around housing homeless people but do not consider there is a wider direct link. Document overly references the impact of the current pandemic citing as the reason to review all areas of the plan. Requests that the link between housing growth requirements and the Covid-19 pandemic should be explained. Although we aware that there may be a link between the type/size/location of the housing people want in the future because of the pandemic. We are however not aware of any direct link between the pandemic and any likely housing growth requirements. As there is no longer a requirement for a five-year land supply - this data is not relevant to the plans review, so it is not necessary to include. Table 1 is not considered necessary. The viability/delivery of sites is now a far more important consideration in the early stages of plan preparation as identified in the Development Plans Manual 3, so will have to be dealt with earlier in the Plans preparation. Confirm which viability model will be used. Include a section on the impact of Cardiff's position in the NDF as a growth area and its role in the City Region as important factors to consider. Currently only referencing the reduced WG Growth stats, and suggest the plan will look to reduce growth in the future. 	<p>The comments from the Home Builders Federation are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p> <p>Growth levels, population and housing data including the need for affordable homes for the replacement LDP will be determined based on up to date evidence and will be consulted upon at a later stage.</p>	No changes required to Delivery Agreement or Review Report.
8	Hughes, Dr Kelvin	<ul style="list-style-type: none"> Wish there was a simple, easy to understand, in plain English 'executive summary' that would help the average lay person such as myself get to grips with what this lengthy document is actually saying. Question how this is going to be a fair, open and transparent consultation exercise, when we are in the middle of a pandemic? As far as I am aware, no notification of the existence of this consultation and timelines has gone out to the public. As libraries are effectively closed around Cardiff, the many residents without internet access, are unable to view documents relating to this next round of the LDP process. Based on the above, I cannot see how you can realistically conduct such an important review process at the present time and would urge the Council to reconsider the approach being taken and the timing. 	<p>The comments are noted.</p> <p>The current consultation on the draft Review Report and Delivery Agreement is taking place ahead of the formal process for LDP preparation and engagement in May 2021. There will be opportunities for engagement at key stages during the formal preparation process. These are listed in the summary provided on page 27 of the draft Delivery agreement.</p> <p>In terms of notification to wider consultees the current consultation has been uploaded on the Council's website and included on the Council's Live Consultation webpage. In addition, all those who have asked to be included on the LDP Consultation database have been notified of the consultation. This follows the approach undertaken at this stage for the previous LDP and also when the Council sought feedback at this time last year on the previous Review documents which have since been updated. Please also be aware that there is no statutory requirement to undertake more extensive arrangements at this stage and as set out above the Council is planning to engage through a range of means during the formal preparation process.</p>	No changes required to Delivery Agreement or Review Report.
9	Hussain, Atif	<ul style="list-style-type: none"> In light of the recent pandemic and the local to national lockdowns and the possibility that such lockdowns may still recur in the future, it is proving more important to sustain our local green spaces and miniature nature reserves and wildlife Suggest that brownfield sites should be redeveloped first taking priority over building on green field sites. Concerned with the massive business park planned next to Hendre Lake which would concrete over a large section of the existing farmland. As many buildings currently stand empty within Cardiff, it does not make sense to build more empty buildings. I can understand that other methods of transport need to be in place and rail is a much quicker mode of transport and greener. Support the building of commuter train stations in East Cardiff. Built from public funds rather than relying on private initiatives that would seek to destroy much needed green spaces. 	<p>The comments are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p>	No changes required to Delivery Agreement or Review Report.

	Consultee Name	Consultee comment	Council Response	Council Recommendation
		<ul style="list-style-type: none"> Risk of flooding is increasing yearly - maintaining the reens and the Gwent levels will ensure the risks of flooding in East Cardiff remain low. Developing on these greenfield sites will increase water run off to the reens and overwhelm them at a time when they are already full. All 'Protect and enhance' countryside land be protected and further expanded in the LDP recognizing the need for this key habitat and green space. Assume that no further developments will be allowed on this 		
10	Kearsley, Dr R	<ul style="list-style-type: none"> Much of this document is vague and aspirational, making specific comment difficult. More needed about large grassy spaces contributing to slowing climate change and proving invaluable to environment, habitat, essential species and community health 	<p>The comments are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p>	No changes required to Delivery Agreement or Review Report.
11	Lightwood Planning /Wyndham Lewis Trust	<ul style="list-style-type: none"> Lightwood Planning and The Wyndham Lewis Trust are promoting a strategic development and green infrastructure opportunity to the north of Cardiff at Capel Gwilym Road and Thornhill Road. Cardiff LDP Draft Delivery Agreement is being consulted on in a time of flux in the Welsh planning system. DDA is very much a creature of the current planning system. The DDA does not (or cannot yet) fully engage with how the wider context affecting Cardiff's own LDP preview process. The shelf life of the DDA, as a project management tool, would appear to be limited, pending the firming up of the strategic context throughout 2021 and into 2022 Delivery Agreement should explain preparation of the Strategic Development Plan (SDP) and how the preparation of the Replacement LDP and SDP will proceed in parallel; The proposed plan period should align with the National Development Framework (NDF) and forthcoming SDP and run to 2040; The way that the issue of Green Belt is to be dealt with will impact on an essential future update of the DDA. It is important that the mechanics between the forthcoming SDP and the Cardiff LDP review are fully thought out and communicated to landowners. Cardiff cannot unilaterally identify Green Belt. Policy 34 of Future Wales 2040 expects the boundaries of Green Belt to be established in the SDP itself. The SDP will also have a competency in the identification of strategic sites. The demarcation of Green Belt boundaries will also require the identification of strategic sites to be inset to cater for growth. It may also be the case that suitable non-strategic sites are suitable for in-setting. It seems illogical for a new Green Belt to be reviewed and amended, to any degree, immediately. Matters of Housing Need and Supply - in our assessment, the best-case scenario for housing delivery in Cardiff 2006-26 is around 30,000 homes (against the requirement for 40,000+) and we suggest that the City should not seek to dampen its development programme to a lower level for 2020-2040. Future plan-making for Cardiff should also be exploring the continuation of, at least, the delivery performance of the current LDP (2006-2026). The key point is that the evidence base informing the South East Wales SDP and Cardiff LDP should not rely solely on data that projects forward past under delivery. Paragraph 3.14 of the DDA advises that the Council "will commission expert consultants to provide advice on the most appropriate level of growth for a Plan period beyond the end date of the existing LDP". It is essential that plan-making tests and evaluates alternative futures to ensure Cardiff and South East Wales at least maintains, or better, enhances its competitiveness and prosperity vis-a-vis other core British city regions, including the West of England Combined Authority area. Achieving a synergy between economic development (jobs growth) prospects and housing growth is a key consideration, as is the relative growth roles for Cardiff and Newport. 	<p>The comments from Lightwood Planning/Wyndham Lewis Trust are noted.</p> <p>The requirement to review LDPs every 4 years is set out in National Planning Guidance</p> <p>In terms of the relationship with the preparation of the SDP at this stage it is difficult to comment as the Corporate Joint Committees (CJCs) responsible for preparing the SDP have yet to be established and given this procedures and processes are not yet in place for the preparation of the SDP. However, given the likely timescales for preparation of the SDP it is clear the LDP will progress in advance of this process rather than in parallel and will thereby inform the emerging SDP.</p> <p>Welsh Government guidance states that LDPs should have a plan period of 15 years and given this it would not be appropriate to have a 20 year plan period to 2040</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p> <p>Growth levels for the replacement LDP will be determined based on up to date evidence and will be consulted upon at a later stage.</p>	No changes required to Delivery Agreement or Review Report.
12	Lisvane Community Council	<ul style="list-style-type: none"> Very troubled by the disparity in the population figures used in the adopted LDP and latest estimates. Population growth is a key driver for maintaining a robust LDP but the enormity of the variance (i.e. more than 30,000 people) casts doubt on the integrity of the adopted LDP and reinforces the need for correct figures to be used in the review. Number of households are 10% fewer than originally predicted with only 16,521 houses completed between 2006 and 2019 against a target of 45,000. The Report asks for more candidate sites to be brought forward to cover the period to 2036 but given the shortfall in achievement it would seem unnecessary. 	<p>The comments from Lisvane Community Council are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed</p>	No changes required to Delivery Agreement or Review Report.

	Consultee Name	Consultee comment	Council Response	Council Recommendation
		<ul style="list-style-type: none"> 7,500 student flats have been built since 2014 – some are converted commercial/office buildings but the reality is that many of the flats remain empty. Other ways of utilising redundant buildings should be examined. Some of the proposals under the recovery strategy conflict with existing LDP aims e.g the requirement to provide more buses when people will be happier travelling in their own vehicles which will require more and better car parking. Until there is more clarity about the impact of COVID it probably will not be possible to fully identify what measures are appropriate. LCC is committed to the protection of the Green Wedge this review is a key opportunity for Cardiff Council to reaffirm its commitment to the Green Wedge and Settlement Boundary and to ensure that inappropriate developments are not permitted. The Report expects that the current LDP will deliver a modal split of 50:50 by 2026. Given the marginal changes to date that seems unlikely LCC is concerned that any introduction of CIL would result in a reduced level of funds available for local communities. Any adoption of CIL by Cardiff Council should only happen after robust consultation with Community Councils to include assurances as to how funds will be spent as compared with the existing S106 arrangements. The older people housing strategy is welcomed Given the shift in market forces away from retail and towards online sales LCC is wondering whether there needs to be an appraisal of retail needs and whether such space might otherwise be used for new homes. Question whether the Plan needs to take account of European legislation and directives as UK as now left EU; 	<p>issues which will be considered once the review of the LDP begins.</p> <p>Growth levels for the replacement LDP will be determined based on up to date evidence and will be consulted upon at a later stage.</p> <p>The review of existing allocations will be an issue for the LDP Review alongside the call for candidate sites. However, it should be noted that the LDP will remain the Development Plan until 2026. Thus existing allocations can still be brought forward in line with the LDP.</p> <p>A call for Candidate Sites is the first formal stage of the LDP preparation process as set out in guidance, following the approval of the Delivery Agreement.</p> <p>The relevance of EU legislation and directives, Under the Withdrawal Act, EU-derived domestic legislation such as existing environmental regulations that implement EU Directives which were in force immediately prior to the end of the transition period will continue to form part of UK domestic law after 31 December 2020 until amended by new legislation. Given this they remain relevant to the LDP preparation process.</p>	
13	Llandaff Society	<ul style="list-style-type: none"> Request the Llandaff Conservation group is added to list of general consultees in DA. Consensus building is welcomed The RLDP needs to be shorter and sharper, with an improved focus on priorities The evidence base should include the elements of place and heritage which make Cardiff, and areas within it including Llandaff, unique. Much more attention needs to be given to health and well-being in the RLDP, starting with air quality. Impact of Covid and BREXIT on our economy and work patterns means it will be important to ensure a heightened focus on sustainability. With the use and re-use of buildings, spaces and neighbourhoods. The consequences of decline (eg in the City Centre) and regeneration without destroying Cardiff's distinctive character, heritage and spirit of place need to be managed. The strategy underpinning the RLDP needs a complete readjustment. <ul style="list-style-type: none"> Be more citizen-focussed To reflect the heritage of Cardiff To be far more attuned to the need to deal with the climate change To state clearly the design and landscaping standards required inside and outside Conservation Areas and Ensure transport and land-use planning go hand-in-hand and each is more carefully phased to support the Council's policy of moving to sustainable communities, and dominance of sustainable transport modes. <p>Review Report</p> <ul style="list-style-type: none"> Increased priority must be given to historic environment policy to recognise that it is irreplaceable. It is vital that our listed buildings, Conservation Areas and their settings (i.e. KP17 and EN9) are given a higher priority if we are to ensure that Cardiff remains an amalgam of distinctive 'places', Not enough emphasis is being given to the urgent need to provide more sustainable modes of transport. The need for action in the light of the Climate Emergency, as well as to tackle the obesity crisis, make it vital that the Replacement LDP takes a fresh approach urgently need a tram-train to Creigiau, linked to a public transport system for the region fit for the 21st Century. LDP will need to tackle congestion 	<p>The comments from the Llandaff Society are noted.</p> <p>To ensure the preparation of the new plan reaches a wide audience across the city the Council will engage through a wide range of methods. These include reaching out on social media platforms, implementation of a new user friendly website, use of short films to explain the Replacement LDP process and issues the plan needs to consider and user friendly documents and surveys reaching out to a wide audience including children and young people. These are in addition to the traditional methods of notifying consultees on the LDP database and engaging through a range of existing networks.</p> <p>The Evidence base list to inform the preparation of the new plan is not intended to be exhaustive and consideration for the need for the additional studies suggested can be given as the plan progresses. The findings of some of the studies will be used to inform the consultation on strategic options in the autumn and a full list will be published alongside consultation on the Preferred Strategy and Deposit Plan giving residents an opportunity to comment on the findings. These studies will need to consider the impacts of the pandemic and will need to be kept under review as more information on this comes available over the next year or so.</p>	<p>Amend Delivery Agreement to include Llandaff Conservation Group to the General Consultation Bodies List.</p> <p>Amend Delivery Agreement to provide further detail regarding the Council's commitment to inclusiveness through providing user friendly documentation and using user friendly consultation techniques in order to engage with the wider community, including children and young people.</p> <p>Amend the Delivery Agreement to provide further detail of who will be involved in plan preparation including using established Council Environmental/Community and Economic networks/social media platforms.</p> <p>Amend Delivery Agreement to provide further clarification that the evidence base work will help inform the strategic options stage which will be subject to consultation and engagement next winter.</p>

	Consultee Name	Consultee comment	Council Response	Council Recommendation
		<ul style="list-style-type: none"> We urge the Council to introduce charges for workplace parking in Cardiff Delivery Agreement <ul style="list-style-type: none"> Llandaff Society urges the Council to ensure that the evidence base is robust, the assessments (SEA/SA) honest and the Preferred Strategy demonstrably reflects the views of communities. Welcome the commitment of the Council for the Llandaff Conservation Area Appraisal to become SPG, and suggest that the Llandaff Conservation Advisory Group (the only one still operating in Cardiff) is added to the consultation list and invited to the Stakeholder Conference. 	The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.	
14	McEvoy, Cllr	<ul style="list-style-type: none"> As MS on Cardiff's LDP and that of the Propel Cardiff Council Group is that it should be revoked. There should be no further green field development. Measures should be put in place to protect green field sites from being developed. 	<p>The comments from Cllr McEvoy are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p> <p>There will be opportunities for engagement at key stages during the formal preparation process. These are listed in the summary provided on page 27 of the draft Delivery agreement.</p> <p>Growth levels for the replacement LDP will be determined based on up to date evidence and will be consulted upon at a later stage.</p>	No changes required to Delivery Agreement or Review Report.
15	Mineral Products Association	<ul style="list-style-type: none"> The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. We welcome the inclusion of the MPA in the list of consultees Appendix A and will contribute to the process in due course. The 2nd Review of the Regional Technical Statement should form part of the evidence base and be included in the list. 	The comments from the Mineral Products Association are noted.	Add the 2 nd Review of the South Wales Regional Technical Statement for Aggregates to the evidence base list in the Delivery Agreement and Review Report
16	Network Rail	<ul style="list-style-type: none"> Support the approach, and welcome the continued consultee status of Network Rail and look forward to future consultations to Network Rail. Core Valley Lines have now been transferred to Transport for Wales, and therefore they will have increased interests in the development of the LDP. We would therefore request that any consultations impacting the CVL should be directed to tfw directly. 	The comments from Network Rail are noted and support welcomed.	No changes required to Delivery Agreement or Review Report.
17	Newport City Council	<ul style="list-style-type: none"> Due to the Covid-19 pandemic Cardiff's RLDP is now on a similar timescale as Newport. The review report notes that there are not sufficient synergies between the Authorities to warrant the preparation of a Joint LDP (RR paragraph 2.5 & 5.1) which we have also concluded. Each authority has unique factors to consider within their own plan that would not benefit from a strict joint approach. We note the examples of across boundary working already taking place between authorities (RR paragraph 2.24, 2.26, 5.2 & 5.3) and that the "ongoing dialogue with other Local Authorities will help maximise efficiencies and consistency with regard to gathering/sharing evidence and agreeing methodologies where possible" (RR paragraph 4.2). This joint approach towards the evidence base is welcomed. 	The comments from Newport City Council are noted and support welcomed.	No changes required to Delivery Agreement or Review Report.
18	North West Cardiff Group	<ul style="list-style-type: none"> Welcome the opportunity to comment on the proposal to prepare a Replacement LDP - Cardiff's Replacement LDP (RLDP) should take account of the regional context. The Council should confirm the origin of statistics used in plan preparation, to help consultees assess the basis for the policies proposed. The Council must make a judgement based on the latest population and household projections and other relevant factors to produce a new LDP that helps create a more live-able and sustainable City taking into account the current very large housing land bank (24k - para 3.19). The new plan must encourage a wider range of house types and tenures, all with much better energy efficiency, Pleased to note (para 3.59) that renewable energy will get higher priority in the RLDP. Question the optimism of figures relating to job creation since 2006 Question the optimism that housing completions will increase significantly from current levels 	<p>The comments from the North West Cardiff Group are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p> <p>There will be opportunities for engagement at key stages during the formal preparation process. These</p>	No changes required to Delivery Agreement or Review Report.

	Consultee Name	Consultee comment	Council Response	Council Recommendation
		<ul style="list-style-type: none"> • Congestion may have reduced in 2020/21 due to COVID-19 impact on travel and work and shopping, but we suggest that the longer term trend is uncertain. • To need to invest in new cleaner public transport; • The imperative for action in the light of the Climate Emergency, as well as the need to tackle the obesity crisis, make it vital that the Replacement LDP takes a fresh approach. It needs to phase better public transport and much improved provision for cycling before release of any more housing land. • The huge uplift in land values accruing to owners of any greenfield allocations in the RLDP must be subject to a substantial rate of CIL in order to deliver the strategic City-wide infrastructure needed for developing a sustainable City, including Metro. • 50/50 modal split policy is not working now, and sustainable transport infrastructure is not being delivered quickly enough to deliver it in future. This must be addressed in the RLDP. • Welcomes the acknowledgement of the importance to health and well-being of open space, but is dismayed to see the amount that is no longer “public” as its maintenance is to be paid for by new residents and its use is thus semi-private. We suggest that this practice should stop. • Para 2.67 lists the COVID-19 impacts that will need to be considered. The list includes “Need to deliver “critical infrastructure” in a consistent and joined up manner.” This should be essential for any strategic development, not something to be considered as a pandemic impact. The list does not include the impact on housing demand. This is a serious omission. • Para 3.12 talks about ‘revised dwelling needs’ and requirement for new sites. There seems to be an inbuilt assumption that more sites will be required. Yet para 3.19 shows that there is an overall landbank of over 24,000. If dwelling need continues to reduce (WG household projections are 10% lower now than they were when the LDP was adopted) additional sites will not be required if production on the existing strategic sites is speeded up. 	<p>are listed in the summary provided on page 27 of the draft Delivery agreement.</p> <p>Growth levels for the replacement LDP will be determined based on up to date evidence and will be consulted upon at a later stage.</p>	
19	O Shea, Karen	<ul style="list-style-type: none"> • Some parts of the proposal go into great detail, whilst others are too sparse on detail to be meaningful • Not enough protection is afforded to: • Greenfield sites – all developments should first be made to explore fully brownfield regeneration opportunities and the opportunities to utilise vacant space, before any new previously undeveloped land is considered. Location/proximity should not be used as an excuse for not taking these options – sustainable and creative transport solutions should be found. • Residential areas from developments which drive mass inward commuting – examples would include proposals for or extensions of park and ride and parkway style developments; • Greenspaces which are rapidly dwindling due to recent planning development approvals. These are of critical importance for wildlife, biodiversity, amenity, and both physical and mental well-being; • Previously undeveloped land, eg. Woodlands, wetlands, meadows, and waterways which provide important natural habitats for rare and dwindling species; • Biodiversity and promotion of wildlife habitats (not simply protection) • Light pollution • The physical characteristics of areas, to ensure that any schemes proposed are appropriate and in keeping, visually as well as in function and • Flood risk in all areas, in particular lower-lying areas. • Clean air quality – be it from vehicle pollution, industry or waste recycling activities – no microforest references at all; • Public safety – ensuring well designed neighbourhoods, access and lighting schemes, plus protection from antisocial behaviour, neighbourhood crime and danger from activities such as criminal damage, pollution and fly-tipping; • Public footpaths which are vital for people to access outdoor areas and greenspaces • Ensuring that proposals are sufficiently and actively promoted, not simply so that people have the awareness, opportunity and time to respond, but also the digital and physical means and skills to engage in proposals which could affect them, voice their concerns and have them addressed– the process as is too heavily weighted in favour of developers. Feeling one has not been adequately engaged in a process before it is too late can have a serious mental health impact on communities, and of course potentially long term negative impact if inappropriate schemes are granted approval – it is therefore strongly in the area’s interests to engage fully with all those affected • Ensuring that amenities for children, youth, the elderly and those with health issues and disabilities are key parts of all development schemes and that they are actually delivered by developers. Residential 	<p>The comments are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p> <p>Growth levels for the replacement LDP will be determined based on up to date evidence and will be consulted upon at a later stage.</p> <p>To ensure the preparation of the new plan reaches a wide audience across the city the Council will engage through a wide range of methods. These include reaching out on social media platforms, implementation of a new user friendly website, use of short films to explain the Replacement LDP process and issues the plan needs to consider and user friendly documents and surveys reaching out to a wide audience including children and young people. These are in addition to the traditional methods of notifying consultees on the LDP database and engaging through a range of existing networks.</p>	<p>Amend Delivery Agreement to provide further detail regarding the Council’s commitment to inclusiveness through providing user friendly documentation and using user friendly consultation techniques in order to engage with the wider community, including children and young people.</p> <p>Amend the Delivery Agreement to provide further detail of who will be involved in plan preparation including using established Council Environmental/Community and Economic networks/social media platforms.</p> <p>Amend Delivery Agreement to provide further clarification that the evidence base work will help inform the strategic options stage which will be subject to consultation and engagement next winter.</p>

	Consultee Name	Consultee comment	Council Response	Council Recommendation
		<p>schemes in particular are too cramped, roads and pavements too narrow and too lacking in parking provision,</p> <ul style="list-style-type: none"> • Preserving and enhancing the area's historical, archaeological and cultural assets, and those of neighbouring areas which can be directly impacted by Cardiff authority's actions, plans and policies. • Sites of special scientific interest; historic landscapes, archaeologically sensitive areas; sites of importance for nature conservation; conservation areas; Special areas of conservation and Special protection areas; and Scheduled Ancient Monuments. These should be cherished, safeguarded (perhaps even enhanced if appropriate), • Insufficient emphasis is placed on not simply protecting greenspaces and wildlife habitats, but also promoting and planting new woodlands, wildflower meadows, and trees which encourage pollinators and which can provide sustainable healthy food sources • The Capital city should be exemplar in ensuring proactive and timely engagement with members of the public on proposals, putting mechanisms in place to ensure that all people, regardless of age, ability, digital capability/access, wealth, language, etc. Can understand and voice concerns on proposals. • Too little emphasis is placed on digital • The vision for learning, opportunity, culture and sport does not go far enough – education assets should be spaces for the wider community, to promote greater engagement, sustainability and achieve greater community coherence, connectivity and pride. • As a creative capital, creativity does not feature enough in the plan – apart from being important for problem solving and innovation, creativity can give people a voice – in particular those who find themselves in disadvantaged circumstances, . Creativity is critically important • Cultural enrichment does not play enough of a role in the LDP; Not enough emphasis on helping narrow the gap for those in poverty or for those experiencing mental health challenges. There should be greater provision for ensuring banking and access to cash facilities. • Use of acronyms throughout the document. Documents such as this should be free from jargon and accessible to all. 		
20	Price, Michael	<ul style="list-style-type: none"> • Questions how the RLDP will reduce deprivation and provide for more jobs in Cardiff East; increase active travel and; protect open space. 	<p>The comments are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p>	No changes required to Delivery Agreement or Review Report.
21	Public Health Wales	<ul style="list-style-type: none"> • Would have liked to see a stronger reference in the document to the importance of the LDP in protecting and improving the health and wellbeing of the population. • Page 4 there could be an aim that says something like: <ul style="list-style-type: none"> ○ 'guide development which positively impacts health and wellbeing', or possibly include a statement somewhere in the document which reflects this important part of the LDP if it isn't one of the clear aims in itself. I think this is a really good opportunity for Cardiff to do some great work around making the links stronger between health and planning policies and having it upfront in the review aims would give it the importance it needs to ensure as Mark says the policies are core rather than in SPGs. • Page 8, paragraph 1.25 refers to the Wellbeing Plan being produced, but as it has been produced, the wording should say 'this plan looks at' rather than 'this plan will look at'. Though the current plan ends in 2023, which is obviously before the LDP will be published. • https://www.Cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Local-Wellbeing-Assessment/Draft-Local-Well-being-Plan/Pages/default.aspx 	The comments from Public Health Wales are noted.	Suggested references added to final version of the Delivery Agreement and paragraph 1.25 amended as suggested.
22	Radyr & Morganstown Association	<ul style="list-style-type: none"> • The RMA is pleased to be listed as a General Consultation Body in Annex Please note that the formal name of our group should be listed as Radyr & Morganstown Association (RMA) and not the current Radyr and Morganstown Community Association. • Concerned that consultation is limited to "the relevant stages" and not "at all stages" as is stated for other categories within this Annex. 	<p>The comments from Radyr and Morganstown Association are noted.</p> <p>The review period and consultation stages are matters governed by Welsh Government guidance relating to the preparation of the LDP. This guidance requires</p>	Amend Delivery Agreement to amend reference from Radyr and Morganstown Community Association to the now Radyr & Morganstown Association (RMA) in the General Consultation Bodies List.

	Consultee Name	Consultee comment	Council Response	Council Recommendation
		<ul style="list-style-type: none"> Disappointing that so little time has been allowed in a four year plan for active consultation with representatives of the people of Cardiff. In particular, that the Preferred Strategy Consultation and Deposit Plan Consultation are only open for the minimum six weeks statutory consultation period. Such a tight time-limit places limitations on representative groups such as ourselves The assertion at this very early stage that such an important strategic document as the LDP only has a small team of officers available to work on it is concerning both to the level of consideration that the LDP will have internally and the level of support that groups like ours might be able to access when attempting to engage with the LDP revision process effectively. The commitment in the existing LDP is that it is to be reviewed after four years. The current timetable sees an LDP that is due to expire in 2021 not being in a position to be replaced until late 2024, three years after a strategic document on which Council decisions are made should have been reviewed and potentially replaced. Whilst we understand the time it takes for such a document to undergo effective review we must register our disappointment that this process is starting so late and inevitably prolonging the life of the current LDP for decision making without opportunity for short term amendment whilst the full review is undertaken. 	plans to be reviewed at 4 year intervals and sets out a detailed process for LDP preparation, including the number of consultation stages required	
23	Radyr and Morganstown Community Council	<ul style="list-style-type: none"> .Radyr & Morganstown Community Council is pleased to be included as one of the specific consultation bodies. Members are keen to know how Cardiff Council intends to respond to any key issues that are raised by the Community Council during the LDP consultation process. Requests that Cardiff Council agrees to provide specific responses to any key issues that are submitted by R&MCC during the consultation. We would be pleased to discuss with you how such a robust system of feedback could best work 	<p>The comments from Radyr and Morganstown Community Council are noted.</p> <p>In terms of feedback on comments made by consultees a report will be prepared at Preferred Strategy and Deposit stages setting out a response to all comments made at these stages.</p>	No changes required to Delivery Agreement or Review Report.
24	Rees, Cllr Dianne	<ul style="list-style-type: none"> Consider the Town and Country Planning Act (LDP) Amendment Regulations 2015 are out of date. Raise concerns regarding the requirements of the 2015 Act as being subjective and possibly dangerous. The statutory requirement to advertise consultation stages should be re-instated in local press and media platforms. Population and household forecasts are critical to inform the Replacement LDP to determine the number of houses which will be needed up to 2036. <p>DRAFT DELIVERY AGREEMENT.</p> <ul style="list-style-type: none"> Why does the Draft Delivery Agreement have to take into account European legislation, policies and other initiatives at European level? We left the European Union at the end of January 2021. Is this necessary? EVIDENCE BASED ASSESSMENTS. Population and Household forecasts must be better Local Housing Needs Assessment. We should wait until the Pandemic is over to study and understand the needs of individuals and communities of the future. Similarly for Gypsy and Traveller Accommodation Assessment. We have no data as yet to understand the effect of the Pandemic on this community. The Draft Delivery Report does not reflect post EU membership and how society will be in Cardiff when the coronavirus Pandemic has retreated. It is too soon to commence a new LDP. 	<p>The comments from Cllr Rees are noted.</p> <p>The need for press adverts is a matter governed by Welsh Government guidance relating to the preparation of the LDP. This guidance no longer requires press notices to be published at key stages.</p> <p>Growth levels for the replacement LDP will be determined based on up to date evidence and will be consulted upon at a later stage.</p> <p>In terms of the relevance of EU legislation and directives, Under the Withdrawal Act, EU-derived domestic legislation such as existing environmental regulations that implement EU Directives which were in force immediately prior to the end of the transition period will continue to form part of UK domestic law after 31 December 2020 until amended by new legislation. Given this they remain relevant to the LDP preparation process.</p> <p>The review period are matters governed by Welsh Government guidance relating to the preparation of the LDP. This guidance requires plans to be reviewed at 4 year intervals, meaning the plan is now due for review.</p>	Amend Review report to correct the spelling error highlighted by Cllr Rees and update Capital Ambition reference in document.
25	Robson, Cllr Adrian	<ul style="list-style-type: none"> Broadly support the proposal to form a new LDP and the proposed timetable. Pleased to see that rather than reviewing it, a new plan is to be introduced. Appendix D – need to mention risk of resources (particularly staff and finance) being diverted should they be needed to tackle the Coronavirus efforts Seek confirmation that it is recognised that all consultee groups should have a role to play in Cardiff life. 	<p>The comments from Cllr Robson are noted and welcome the support for the proposed approach.</p> <p>To ensure the preparation of the new plan reaches a wide audience across the city the Council will engage through a wide range of methods. These are in addition to the traditional methods of notifying</p>	<p>Amend Delivery Agreement to include Rhiwbina Garden Village Residents Association on the General Consultation Bodies List.</p> <p>Amend Delivery Agreement to provide further detail regarding the Council's</p>

	Consultee Name	Consultee comment	Council Response	Council Recommendation
		<ul style="list-style-type: none"> Request that Rhiwbina Garden Village Residents Association is added to the general consultation bodies list? 	<p>consultees on the LDP database and engaging through a range of existing networks.</p>	<p>commitment to inclusiveness through providing user friendly documentation and using user friendly consultation techniques in order to engage with the wider community, including children and young people.</p> <p>Amend the Delivery Agreement to provide further detail of who will be involved in plan preparation including using established Council Environmental/Community and Economic networks/social media platforms.</p> <p>Amend Appendix D of Delivery Agreement to include reference to risk of resources being diverted should they be needed to tackle Coronavirus efforts.</p>
26	St Fagans Community Council	<p>Comments on Replacement LDP Delivery Agreement</p> <ul style="list-style-type: none"> It is crucial that we and our community have a voice and are listened to. Whilst understand that there are different interests and views; a considered balance needs to be struck. But too often we and the people that we represent feel that the balance is missing, or is weighted heavily in favour of developers. <p>Evidence base</p> <ul style="list-style-type: none"> A critical piece of evidence is whether the current LDP is delivering the councils objectives - is it genuinely perceived to be delivering quality, sustainable communities that promote sustainable transport? Greater consideration must be given to surface water management issues and underground conditions when considering where to build. Underground springs and watercourses should be factored in. Air quality is a serious issue, with road traffic a major contributing factor. We request that Cardiff engages in maximum publicity and consultation. This is the way to gain the support and confidence of residents. Delivery agreement mentions that there are 'resource limitations to the extent of engagement that is possible'. We appreciate this but have 2 comments: Resource must be used in an equitable manner; one group should not receive undue preference. Community councils and other bodies can act as a link between the council and its residents; we can help to make up the resource shortfall, Question why the invitation to submit candidate sites is given prominence, or takes place early in the process. There are major sites still under development from the existing LDP, in many cases development has not yet started, and will certainly not be completed until well into the replacement plan. We are in a very different situation from that when the LDP was approved; demographics and the economy have changed beyond what anyone could have imagined. The replacement plan need to be prepared in the context the WG intention to introduce strategic development plans the issue is not about whether new housing is required, but where it is needed, and what type of housing is needed. . Would like to see more emphasis given to the needs of local businesses. The evidence base includes green infrastructure 'identify relevant data regarding Cardiff's natural environment'. We believe this needs clarification and expansion Cardiff's heritage is missing from the evidence base, yet it is important not just for its residents but as a means to attract visitors and income through tourism. St Fagans Community Council is a member of the NWCG and supports the comments made by the group. <p>Comments on Cardiff Replacement LDP Review Report</p> <ul style="list-style-type: none"> St Fagans CC is a member of the NWCG and we support the comments made by the group. 	<p>The comments from St Fagans Community Council are noted.</p> <p>Comments related to the evidence base. This is not intended to be exhaustive and consideration for the need for the additional studies suggested can be given as the plan progresses. The findings of some of the studies will be used to inform the consultation on strategic options in the autumn and a full list will be published alongside consultation on the Preferred Strategy and Deposit Plan giving residents an opportunity to comment on the findings. These studies will need to consider the impacts of the pandemic and will need to be kept under review as more information on this comes available over the next year or so.</p> <p>The comments regarding maximising publicity and consultation are noted. In order to ensure the preparation of the new plan reaches a wide audience across the city the Council will engage through a wide range of methods. These include reaching out on social media platforms, implementation of a new user friendly website, use of short films to explain the Replacement LDP process and issues the plan needs to consider and user friendly documents and surveys reaching out to a wide audience including children and young people. These are in addition to the traditional methods of notifying consultees on the LDP database and engaging through a range of existing networks.</p> <p>In relation to the timing of the invitation to submit candidate sites. This stage is required at the beginning of the process to build up the evidence base for the plan and is a requirement Welsh Government guidance on the preparation of LDPs.</p> <p>In terms of the relationship with the preparation of the SDP at this stage it is difficult to comment as the Corporate Joint Committees (CJCs) responsible for</p>	<p>Provide further clarification that the evidence base work will help inform the strategic options stage which will be subject to consultation and engagement next winter (para 1.23)</p> <p>Provide further detail regarding the Council's commitment to inclusiveness through providing user friendly documentation and using user friendly consultation techniques in order to engage with the wider community, including children and young people (para 2.3)</p>

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		<ul style="list-style-type: none"> • Vital that the replacement LDP (RLDP) takes account of the regional context. Until the strategic development plan (SDP) is produced LDPs across the region need to be coordinated. • Request that the council provides the origin of all statistics and data used in plan preparation. This will assist consultees to understand and assess the basis for the policies proposed. • Latest household and population projections are 8% lower for population and 10% lower for household formation than in the LDP. These are significant changes equally important will be the type of residences required, and where they are required. • There is a need for more energy efficient housing. so we were pleased to note (para 3.59) that renewable energy will get higher priority in the RLDP. • Question the optimism.of employment is showing 'a continuing strong performance'; para lists covid-19 issues to be considered: impact on the economy and rising unemployment are top of the list. • Strategic allocations are not delivering any facilities which means that new residents have to travel to and from them mainly by car unsustainable and is embedding poor travel choices. • Question the optimism of 'housing completions will increase significantly from current levels'. Suggest this optimism is not justified given the continuing economic uncertainty and potential increasing unemployment due to the impact of covid-19. A reduction in housing completions should not be used to justify further land releases in advance of a clear plan that develops communities rather than housing estates. • Compliance with legal levels of NO2 by the end of 2021. This year is unlikely to be representative in terms of traffic, and consequently, air quality levels. Question whether meeting the target in 2021 will be meaningful, • With interest rates at a historic low it makes sense to invest in new cleaner public transport; we've waited too long and support the plans to do so. • The RLDP must ensure improved public transport and much improved provision for cycling and walking before release of any more housing land. • The huge uplift in land values accruing to owners of any greenfield allocations in the RLDP must be subject to a substantial rate of CIL in order to deliver the strategic city-wide infrastructure needed for developing a sustainable city, including metro. • 50/50 modal split clear to us that that policy is not working now, and sustainable transport infrastructure is not being delivered quickly enough to deliver it in future. This must be addressed in the RLDP. • Covid-19 impacts. The list includes "need to deliver "critical infrastructure" in a consistent and joined up manner." This should be essential for any strategic development. List does not include the impact on overall housing demand. This is a serious omission. • There seems to be an inbuilt assumption that more sites will be required if dwelling need continues to reduce (WG household projections are 10% lower now than they were when the LDP was adopted) additional sites will not be required if production on the existing strategic sites is speeded up and actually completed together with appropriate facilities. • Welcome the statement that there will be a review of the links between climate change and flood risk this is essential because we cannot agree with the statement at 3.54 that climate change policies are working effectively. 	<p>preparing the SDP have yet to be established and given this procedures and processes are not yet in place for the preparation of the SDP. However, given the likely timescales for preparation of the SDP it is clear the LDP will progress in advance of this process rather than in parallel and will thereby inform the emerging SDP.</p> <p>Comments are noted. The Review Report is factual looking at the past performance of the current LDP and highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p>	
27	Stephen, S	<ul style="list-style-type: none"> • The Climate Emergency, and its multiple impacts, does not appear to be as prominent as an emergency of this scale merits. Ecological dimensions of this emergency are lacking. • Other cities are working on initiatives to increase and facilitate citizen participation in these processes. I would also like to see greater attention to depending our democratic processes. • Please add me to any relevant mailing lists 	<p>The comments are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p> <p>There will be opportunities for engagement at key stages during the formal preparation process. These are listed in the summary provided on page 27 of the draft Delivery agreement.</p> <p>To ensure the preparation of the new plan reaches a wide audience across the city the Council will engage</p>	<p>Consultee added to LDP Consultation database.</p> <p>Amend Delivery Agreement to provide further detail regarding the Council's commitment to inclusiveness through providing user friendly documentation and using user friendly consultation techniques in order to engage with the wider community, including children and young people.</p> <p>Amend the Delivery Agreement to provide further detail of who will be involved in plan preparation including using established</p>

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			through a wide range of methods. These include reaching out on social media platforms, implementation of a new user friendly website, use of short films to explain the Replacement LDP process and issues the plan needs to consider and user friendly documents and surveys reaching out to a wide audience including children and young people. These are in addition to the traditional methods of notifying consultees on the LDP database and engaging through a range of existing networks.	Council Environmental/Community and Economic networks/social media platforms
28	Taylor Wimpey/North East Cardiff Landowners Consortium	<ul style="list-style-type: none"> • Taylor Wimpey Ltd and the North East Cardiff Landowner's Consortium, developer/landowners for a substantial part of Strategic Site F (SSF), which is a strategic allocation in the adopted Cardiff Local Plan. • Need to ensure the timely delivery of SSF is aligned to the national, regional and local context identified for the LDP Review. • TW and NECLC support the commitment identified to the continued delivery of the SSF as a significant part of the Council's land supply, a short form revision procedure is not appropriate for a Plan for a replacement LDP for Cardiff. • It is considered that the LDP Vision and LDP Objectives outlined within the Draft Review Report are appropriate and aligned to the opportunities presented by the SSF allocation • Important that the Welsh Government growth projections are supported and informed by robust evidence that includes a revised Local Housing Market Assessment • Note that Cardiff is still projected to experience significant growth over future years and therefore the deliverability of land supply to meet the housing requirement proposed is critical. • Having regard to previous delivery rates which have fallen short in previous years, the LDP review is an opportunity to review the effectiveness of development management policies insofar as they support the delivery of development, in particular strategic sites which comprise a significant part of the Council's committed supply. , it is critical that the policy framework established through the Replacement Plan promotes and protects the timely delivery of strategic site allocations in the interests of addressing established housing need requirements for Cardiff over the short term and to 2035. • The LDP review must consider the effectiveness of policies that guide the planning of strategic sites, where phased implementation is critical, as is striking the right balance of ensuring appropriate and proportionate site wide design and implementation strategies but not frustrating delivery of development through tiers of prescriptive pre-commencement requirements. • Appropriate to review existing SPG as part of the LDP review process. Where elements of SPG are overlapping or out of date, there will be scope for these to be rationalised and bring these up to date to reflect and align with current practice and to help provide certainty to support the effective and timely delivery of the strategic site allocations (e.g. Planning Obligations). • In order to ensure continuity, and an ongoing basis for the delivery of the new homes for Cardiff, it is important that the review process is progressed and brought forward in line with the programme outlined within the Replacement LDP Delivery Agreement. • A full revision procedure is the most appropriate form of review and a replacement LDP should be prepared for the period to 2035. 	<p>The comments from Taylor Wimpey/North East Cardiff Landowners Consortium are noted and support for the approach of a full plan review welcomed</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p> <p>Growth levels for the replacement LDP will be determined based on up to date evidence and will be consulted upon at a later stage.</p> <p>The Plan period covers a 15 year period 2021 to 2036.</p>	No changes required to Delivery Agreement or Review Report.
29	The Coal Authority	<ul style="list-style-type: none"> • Note that the conclusion of the draft review is that the full revision procedure is considered the most appropriate form of review and that a Replacement LDP should be prepared for the period 2021 to 2036. • The Coal Authority has no specific comments to make at this time. 	The comments from the Coal Authority are noted.	No changes required to Delivery Agreement or Review Report.
30	Urban Habitats	<ul style="list-style-type: none"> • Didn't see any reference to public health involvement and wondered how this would best be brought into the LDP review as beyond this current stage it would be valuable to consider how wellbeing and public health are brought into the core policies as much as possible rather than in lower status supplementary guidance. 	<p>The comments from Urban Habitats are noted.</p> <p>The Council will work closely with Public Health Wales on the preparation of the replacement plan.</p>	No changes required to Delivery Agreement or Review Report.

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			The Integrated Sustainability Appraisal will incorporate an assessment of the health impacts of the replacement plan.	
31	Waite, T	<ul style="list-style-type: none"> Assume the new LDP will recognise the changing waste streams given the drive for a circular economy and the building of an incinerator since the last LDP was completed. This incinerator has capacity to cope with the cities current and future waste and this should be recognised in the plan. Assume that no further developments will be allowed on the Wentloog levels SSSI land hope all 'Protect and enhance' countryside land will be protected further expanded in the LDP recognizing the need for this key habitat and green space. Traffic is a growing area and adequate plans should be made to address this. Air pollution is a growing trend and nothing should be done which knowingly adds to emissions within the city in a significant way. Carbon emissions reductions and drive to neutrality should be a relevant topic in any developments. The Mor Hafren proposal is currently going through the DNS Process. This site is currently on 'Protect and enhance' land in the current LDP. Assume there will be no movement of the boundary in the next LDP. Moving this boundary mid process by a key stakeholder could create a clear conflict of interest and legal challenge to the process. 	<p>The comments are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p>	No changes required to Delivery Agreement or Review Report.
32	Wentlooge Community Council	<ul style="list-style-type: none"> In general the logic is clear but there seems to be some areas such as green space and protection of biodiversity without substance and clarity. This is of significant concern, as over recent year's development applications on the protected sites of environmental and historical landscape around the city has increased with more of these areas being eaten away. Any changes to an LDP should take a bold step in the current climate conditions to protect and enhance the green space. It is now proven that the smallest of wildlife needs protection as it has a place within the eco system and without these the chain. Breaks down. Community gardens are not an answer to the problems of open space for wellbeing or wildlife. To downplay employment sites we see as short sighted, especially when there is a need for economic recovery after COVID and a need for the country to be a player on the world stage after Brexit. We see the future as having a need for a hybrid workplace, with an element of working from home but also with people needing a place to work and identify with. This also brings with it face to face interactions that can only be good for wellbeing. 	<p>The comments from Wentlooge Community Council are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p>	No changes required to Delivery Agreement or Review Report.
33	Williams, Cllr Joel	<ul style="list-style-type: none"> Endorse and echo the comments made by Cllr Rees in her submissions 	The comments from Cllr Williams are noted.	No changes required to Delivery Agreement or Review Report.
34	Williams, E	<ul style="list-style-type: none"> UK retail industry suffered some major collapses throughout 2020. There were 177,000 jobs lost in what was a punishing year for the high street, with a string of household names succumbing to administration during Covid-19. Evidence suggests that there is far more to come in 2021 and beyond. This therefore is just the beginning of a painful restructuring of an industry that is a major employer but where fewer and fewer physical stores are going to needed to serve shoppers in the internet age. How does the Rightacres Property Company, in collaboration with Cardiff Council, intend to move forward with their plans for the so-called Central Quay? Surely now is not only the time for a major rethink in terms of their proposed masterplan vis-à-vis retail space but, more importantly, an opportunity for city planners and developers alike to lead the way in green design concepts Many young people come here to study and then stay because they see that Cardiff is different; they discover that Cardiff has a small and accessible heart and a beautiful civic centre, with the river Taff and Bute Park right on their doorstep. Sadly, developments, such as Central Square, now make Cardiff look more and more like Anytown UK. Build for tomorrow. A few more roof gardens and far fewer retail outlets 	<p>The comments are noted.</p> <p>The Review Report is a factual review of the past performance of the current LDP highlighting areas for reconsideration. The comments raised are detailed issues which will be considered once the review of the LDP begins.</p>	No changes required to Delivery Agreement or Review Report.