



DINAS A SIR CAERDYDD  
CITY AND COUNTY OF CARDIFF

**GWYS Y CYNGOR**

DYDD IAU, 27 IONAWR 2022

**COUNCIL SUMMONS**

THURSDAY, 27 JANUARY 2022,

Fe'ch gwysir I fynychu cyfarfod **CYNGOR SIR DINAS A SIR CAERDYDD**, a gynhelir o bell ar Dydd Iau, 27 Ionawr 2022 at 4.30 pm I drafod y materion a nodir yn yr agenda atodedig.

**Davina Fiore**  
Cyfarwyddwr Llywodraethu a Gwasanaethau  
Cyfreithiol

Neuadd y Sir  
Caerdydd  
CF10 4UW

Dydd Gwener, 21 Ionawr  
2022

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

## **RECORDIO CYFARFOD**

Bydd y cyfarfod hwn yn cael ei recordio â'r bwriad o'i ddarlledu ar wefan y Cyngor yn ddiweddarach. Bydd y cyfarfod cyfan yn cael ei recordio, ac eithrio pan fo eitemau cyfrinachol neu eitemau a eithrir. Caiff copi o'r cyfarfod ei gadw yn unol â pholisi cadw data'r Cyngor.

Os ydych yn gwneud sylw yn y cyfarfod hwn, ystyrir eich bod wedi cydsynio i gael eich ffilmio a/neu eich recordio.

Os oes gennych gwestiynau ynghylch gwe-ddarlledu cyfarfodydd, cysylltwch â'r Gwasanaethau Pwyllgorau trwy ffonio 02920 872020 neu e-bostio [Gwasanethau Democrataidd](#)

<i>Eitem</i>		<i>Tua Amser</i>	<i>Max Amser</i>
<b>1</b>	<b>Ymddiheuriadau am Absenoldeb</b>  <i>Derbyn ymddiheuriadau am absenoldeb.</i>	4.30 pm	5 mins
<b>2</b>	<b>Datgan Buddiannau</b>  <i>Derbyn datganiadau buddiannau (i'w gwneud yn unol â Chod Ymddygiad yr Aelodau)</i>		
<b>3</b>	<b>Cofnodion (Tudalennau 9 - 46)</b>  <i>Cymeradwyo cofnodion y cyfarfod a gynhaliwyd ar 25 Tachwedd 2021 fel gwir gofnod.</i>		
<b>4</b>	<b>Cwestiynau Cyhoeddus</b>  <i>Clywed y cwestiynau a gyflwynwyd gan Aelodau'r Cyhoedd o flaen llaw.</i>	4.35 pm	5 mins
<b>5</b>	<b>Deisebau</b>  <i>Derbyn deisebau gan Aelodau Etholedig i'r Cyngor.</i>	4.40 pm	5 mins
<b>6</b>	<b>Cyhoeddiadau'r Arglwydd Faer</b>  <i>Clywed cyhoeddiadau'r Arglwydd Faer gan gynnwys Cydnabyddiaethau a Gwobrau.</i>	4.45 pm	
<b>7</b>	<b>Adroddiad ar Adolygiad Tair Blynedd y Datganiad o'r Polisi Trwydded Gamblo. (Tudalennau 47 - 100)</b>  <i>Adroddiad Pennaeth y Gwasanaethau Rheoliadol a Rennir</i>	4.50 pm	
<b>8</b>	<b>Adroddiad ar Ddatganiad Cyngor Amrywiol (Tudalennau 101 - 142)</b>  <i>Adroddiad Pennaeth y Gwasanaethau Democrataidd.</i>	5.05 pm	
<b>9</b>	<b>Adroddiad Newidiadau i'r Cyfansoddiad (Tudalennau 143 - 148)</b>  <i>Adroddiad y Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol a'r Swyddog Monitro</i>	5.20 pm	
<b>10</b>	<b>Datganiadau Aelodau'r Cabinet (Tudalennau 149 - 184)</b>  <i>Derbyn datganiadau gan yr Arweinydd ac Aelodau'r Cabinet</i>	5.30 pm	

<p><b>11</b></p>	<p><b>Hysbysiad o Gynnig 1</b></p> <p>Cynigiwyd gan y Cynghorydd Mia Rees Eiliwyd gan y Cynghorydd Mike Jones-Pritchard</p> <p><i>Mae'r Cyngor hwn yn nodi:</i></p> <p><i>Ansawdd a gwerth gweithwyr ieuenctid a gwaith ieuenctid sy'n cefnogi pobl ifanc yng Nghaerdydd Bod gweithwyr ieuenctid yn fodolau rôl gwerthfawr i bobl ifanc Y rôl allweddol sydd gan waith ieuenctid wrth gefnogi pobl ifanc i wireddu eu potensial llawn Y gall canolfannau ieuenctid fod yn rhan bwysig o gymunedau Gwaith caled ac ymroddiad y gwirfoddolwyr sy'n gweithio gyda phobl ifanc ledled Caerdydd Y partneriaid sy'n gweithio gyda'r Cyngor i gyflawni gwaith ieuenctid o ansawdd yng Nghaerdydd Nid yw anghenion pobl ifanc wedi'u cyfyngu i un arc benodol yng Nghaerdydd ac er bod amddifadedd yn arwain at fwy o angen, mae angen ym mhob ward Mae'r cysyniad Cymdogaeth 15 munud yn cynnwys pobl ifanc, eu hanghenion a mynediad i gyfleusterau</i></p> <p><i>Mae'r Cyngor hwn yn galw ar y Cabinet i:</i></p> <p><i>Sicrhau bod gweithwyr ieuenctid cymwysedig yn gallu cwmpasu Caerdydd gyfan gan eu galluogi i gyrraedd pobl ifanc lle bynnag y maent a phryd bynnag y bo'u hangen Ymchwilio i'r cydlynu rhwng gweithwyr ieuenctid a'r heddlu a sicrhau bod arferion gorau ar waith ledled Caerdydd gyfan mewn materion sy'n ymwneud â phobl ifanc. Sicrhau bod gan bobl ifanc, waeth ble yn y ddinas y maent yn byw, fynediad i gyfleusterau ieuenctid a gallant gael gfael ar gymorth yn seiliedig ar waith ieuenctid pan fydd ei angen arnynt Dod ag adroddiad sy'n amlinellu sut y gellir gwella'r gefnogaeth ar draws y ddinas o fewn 3 mis</i></p>	<p>6.15 pm</p>	
<p><b>12</b></p>	<p><b>Hysbysiad o Gynnig 2</b></p> <p>Cynigiwyd gan y Cynghorydd Neil McEvoy Eiliwyd gan y Cynghorydd Lisa Ford</p> <p><i>Mae'n ofid i'r Cyngor hwn fod cynifer o ganolfannau ieuenctid a gynhelir gan y Cyngor wedi'u cau ledled y Ddinas o dan y Weinyddiaeth Lafur ac yn galw am</i></p>	<p>6.45 pm</p>	



	<p><i>adroddiad ar</i></p> <p><i>ailadeiladu Gwasanaeth Ieuenctid Caerdydd ac ailagor canolfan ieuenctid newydd ym mhob ardal lle mae un wedi'i chau ers mis Mai 2012, ac</i></p> <p><i>ar ôl llwyddo i ailagor yr holl ganolfannau ieuenctid blaenorol, ceisio cynyddu'r ddarpariaeth ymhellach.</i></p>		
<b>Egwyl</b>			
<b>13</b>	<p><b>Hysbysiad o Gynnig 3</b></p> <p>Cynigiwyd gan y Cynghorydd Norma Mackie Eiliwyd gan y Cynghorydd Ashley Lister</p> <p><i>Argyfwng Ynni Cenedlaethol</i></p> <p><i>Mae'r cyngor hwn yn cydnabod yr argyfwng ynni digynsail sy'n wynebu llawer o aelwydydd ledled Caerdydd, Cymru a'r DU. Yn ystod y misoedd i ddod bydd mwy a mwy o aelwydydd yn gweld cynnydd o faint na welwyd erioed o'r blaen wrth i'r cap ar brisiau ynni gael ei ddileu neu fod cytundebau ynni'n dod i ben.</i></p> <p><i>Daw hyn ar ben argyfwng costau byw a grëwyd gan effeithiau Brexit a'r Pandemig Covid sydd eisoes wedi gweld gwasgfa ddigynsail ar incwm pobl.</i></p> <p><i>Mae chwyddiant yn parhau'n uchel iawn sy'n rhoi pwysau enfawr ar gyllidebau cartrefi gan nad yw enillion wedi cynyddu ar yr un raddfa â phrisiau, gan arwain at dynhau cyllidebau teuluol a phobl yn waeth eu byd.</i></p> <p><i>Mae costau ychwanegol byw o ddydd i ddydd eisoes yn effeithio'n negyddol ar bob cartref ledled Caerdydd ond hyd yn oed yn fwy felly ar deuluoedd sy'n byw'n agos at dlodi – llawer ohonynt yn deuluoedd sy'n gweithio sydd, serch hynny, yn dal i fod angen ymweld â banciau bwyd ac a fydd bellach yn wynebu'r dewis ofnadwy o wresogi eu cartref neu roi bwyd ar y bwrdd. Dyma Brydain y Toriaid.</i></p> <p><i>Fel Cyngor, byddwn yn parhau i wneud popeth o fewn ein gallu i helpu i liniaru costau ynni. Mae hyn yn cynnwys y cymorth targedig sydd ar gael i wella effeithlonrwydd ynni cartrefi a helpu'r rhai sydd mewn tlodi tanwydd, gwaith ein Gwasanaeth Cyngor Ariannol i wneud y mwyaf o hawlio budd-daliadau cymwys, a chyfeirio preswylwyr at yr opsiynau cymorth ariannol sydd ar gael a'n buddsoddiad sylweddol yng nghartrefi presennol y Cyngor, i'w gwneud yn rhatach i'w gwresogi a byw ynddynt.</i></p>	7.30 pm	

	<p><i>Ein rhaglen adeiladu Cartrefi Cyngor, sy'n darparu niferoedd cynyddol o gartrefi carbon isel/di-garbon, sy'n defnyddio ynni'n effeithlon ar gyfer rhent cymdeithasol.</i></p> <p><i>Fodd bynnag, dim ond drwy gamau pendant gan Lywodraeth y DU y gellir pennu'r cymorth sydd ei angen ar deuluoedd i ddelio â'r argyfwng costau byw</i></p>		
<b>14</b>	<p><b>Cwestiynau ar Lafar</b></p> <p><i>Clywed cwestiynau ar lafar i'r Arweinydd, Aelodau'r Cabinet; Cadeiryddion y Pwyllgor a/neu Aelodau enwebedig o'r Awdurdod Tân.</i></p>	8.20 pm	
<b>15</b>	<p><b>Materion Brys</b></p>	9.20 pm	
<b>Materion Cyngor nas Gwrthwynebir (9.20 pm)</b>			
<b>16</b>	<p><b>Pwyllgor Safonau a Moeseg - Ail-Benodi Aelodau Annibynnol</b> <i>(Tudalennau 185 - 188)</i></p> <p><i>Adroddiad y Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol a'r Swyddog Monitro</i></p>		
<b>17</b>	<p><b>Rhaglen o Gyfarfodydd y Cyngor</b> <i>(Tudalennau 189 - 198)</i></p> <p><i>Adroddiad y Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol a'r Swyddog Monitro</i></p>		
<b>18</b>	<p><b>Aelodaeth Pwyllgorau</b> <i>(Tudalennau 199 - 200)</i></p> <p><i>Adroddiad y Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol a'r Swyddog Monitro</i></p>		
<b>19</b>	<p><b>Penodi Llywodraeth Ysgolion yr Awdurod Lleol</b> <i>(Tudalennau 201 - 204)</i></p> <p><i>Adroddiad y Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol a'r Swyddog Monitro</i></p>		
<b>20</b>	<p><b>Cyfansoddiad corff llywodraethu dros dro newydd ar gyfer ysgol gynradd newydd a phenodi llywodraethwyr dros dro</b> <i>(Tudalennau 205 - 208)</i></p> <p><i>Adroddiad y Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol a'r Swyddog Monitro</i></p>		

<b>21</b>	<b>Penderfyniad Brys</b> <i>(Tudalennau 209 - 210)</i>		
<b>22</b>	<b>Cwestiynau Ysgrifenedig</b>  <i>Yn unol â Rheolau Gweithdrefn y Cyngor, Rheol 17(f), caiff Cwestiynau Ysgrifenedig eu hystyried a'r ymateb ei gynnwys fel cofnod yng nghofnodion y cyfarfod.</i>		

Mae'r dudalen hon yn wag yn fwriadol

City Council of the City & County of Cardiff  
25 November 2021

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

The County Council of the City & County of Cardiff met at County Hall, Cardiff on 25 November 2021 to transact the business set out in the Council summons dated Friday, 19 November 2021.

Present: County Councillor McKerlich (Lord Mayor)

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

### 89 : APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Joel Williams and Councillor Sian-Elin Morgan indicated that she would be late in attending the meeting.

### 90 : DECLARATIONS OF INTEREST

The following declarations in accordance with the Members Code of Conduct were received as follows:

Councillor	Item No	Nature of Interest
Oliver Owen	Item 15 – Motion 1	Personal & Prejudicial Interest – Employed by NHS Wales Shared Services Partnership who are hosted by Velindre Health Board

### 91 : MINUTES

The minutes of the 21 October 2021 were approved and signed as a correct record of the meeting.

Subject to an addition to Minute 81:

Councillor Boyle voted AGAINST the approval of the Members Code of Principles on Social Media Use.

### 92 : PUBLIC QUESTIONS

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

It was noted that no public questions were received for this meeting.

93 : PETITIONS

the following Petitions were submitted:

Councillor	No of Relevant Signatures	Nature of Petition
Cllr Gordon	383	Calling on the Council to impose urgent traffic calming measures in Romilly Road and surrounding roads
Cllr Wood	1499	Calling on the Council to save Maindy Velodrome.

94 : LORD MAYOR'S ANNOUNCEMENTS

The Lord Mayor updated the Council on events he had attended recently, to include :

- Opening of the Royal British Legion Field of Remembrance at Cardiff Council;
- Laying a wreath at the Ethnic Minority & Commonwealth Service Men & Women Memorial;
- Laying a wreath at the Merchant Navy Wales Remembrance Service at the Seafarers Memorial in Cardiff Bay;
- Laying a wreath at the Wales National Service of Remembrance on behalf of the citizens of Cardiff;
- Attending Diwali celebrations at the Wales Millennium Centre at the Tamil Sangam Diwali event; and
- inspecting the troops undertaking the 21 gun royal salute at Cardiff Castle to mark the birthday of HRH the Prince of Wales.

Donations to the Lord Mayor's Charity have recently been made by the Durul Isra Mosque, the South Wales Islamic Centre and the royal Masonic Benevolent Institution.

Finally the Lord Mayor referred to the sad passing of Violet Mary Carling, Former lady Mayoress of Cardiff in her 98<sup>th</sup> year and sad passing of Dr Peter Beck, previous Lord Lieutenant for South Glamorgan.

95 : HEATH BY-ELECTION

A warm welcome was extended to Councillor Julia Sangani to her first meeting of the Council as the newly elected Member for Heath Ward following the by-election on 11 November 2021. Councillor Sangani was invited to speak.

Councillor Sangani thanked everyone that had helped with the smooth running of the campaign to appoint a new Councillor for Heath.

Councillor Sangani confirmed that she would work hard with her ward colleagues to support the community and the City of Cardiff.

96 : REVISED POLITICAL BALANCE - ALLOCATION OF COMMITTEE SEATS

The report requested the Council to review and determine the allocation of seats on Committee's to political groups in accordance with the Political Balance Rules.

RESOLVED:

The Council AGREED to approve the revised allocation of seats on Committees as set out in the report and appendix.

97 : STATEMENT OF ACCOUNTS 2020-2021, CARDIFF & VALE OF  
GLAMORGAN PENSION FUND

The Council was advised that the Statement of Accounts for 2020/21 were presented in order to meet the requirement of the Accounts and Audit (Wales) Regulations 2014 (as amended). This provided that the Statement of Accounts be approved by a relevant committee or by the Council meeting as a corporate body. Due to Covid-19, national timescales in respect to the signing of accounts continue to be extended from 31 May to 31 August and those for publication, extended from 31 July to 30 November.

RESOLVED: The Council AGREED to:

1. Approve the audited Statement of Accounts 2020/21 – The Cardiff and Vale of Glamorgan Pension Fund (Appendix 1).
2. Note the Audit of Accounts Reports (ISA 260) from Audit Wales on the Statement of Accounts of Cardiff and Vale of Glamorgan Pension Fund for the year ending 31 March 2021 (Appendix 2).
3. Note the final Letter of Representation for the Cardiff and Vale of Glamorgan Pension Fund included within Appendix 2.
4. Note that the following documents will be signed following the conclusion of the meeting:
  - Statement of Accounts for Cardiff and Vale of Glamorgan Pension Fund – Lord Mayor and Corporate Director Resources;
  - Audit Certificate for the Cardiff and Vale of Glamorgan Pension Fund – Appointed Auditor, Audit Wales;
  - Letter of Representation for the Cardiff and Vale of Glamorgan Pension Fund - Lord Mayor and Chief Executive.

98 : MID-YEAR TREASURY MANAGEMENT REPORT 2021-22

The report informed members of the Council's treasury management activities since 1 April 2021 and the position as at 30 September 2021.

RESOLVED: The Council AGREED to:

Note the Treasury Management Mid-Year Report 2021-22 (Appendix 1).

99 : ELECTED MEMBER LEARNING AND DEVELOPMENT

The purpose of the report was to inform the Council of some of the key documents which will form the framework for the development of the Elected Member Induction Programme following the Local Government Elections in 2022.

RESOLVED: The Council AGREED to:

- a. Approve and adopt the revised Elected Member Learning and Development Strategy at Appendix A;
- b. Approve and adopt the Role Descriptions in Appendix B for use in the 2022 induction programme; and
- c. Note that the role descriptions may be adapted following the 2022 Local Government Elections to better reflect the roles undertaken by Councillors in Cardiff

100 : GOVERNANCE AND AUDIT COMMITTEE ANNUAL REPORT 2020-21

The Council received the Governance and Audit Committee Annual Report 2020-2021 which was presented by the Chairperson, Mr D Hugh Thomas.

101 : RE-APPOINTMENT OF GOVERNANCE & AUDIT INDEPENDENT MEMBERS

The Council was requested to approve the re-appointment of two Independent Members of the Governance and Audit Committee.

RESOLVED: The Council AGREED to:

- Re-appoint Mr David Price with effect from 25 November 2021;
- Re-appoint Mr Gavin McArthur with effect from 1 December 2021.

102 : CABINET MEMBER STATEMENTS

[Leaders Statement - Councillor Huw Thomas](#)

The Leader responded to questions in relation to:

- Cardiff Public Services Board

[Cabinet Member for Clean Streets, Recycling & Environment – Councillor Michael](#)

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



The Cabinet Member responded to questions in relation to:

- Flood Coastal Risk Management
- Electric Vehicle Charging Infrastructure
- Cardiff Dogs Home

[Cabinet Member for Children & Families – Councillor Hinchey](#)

The Cabinet Member responded to question in relation to:

- Welsh Government Funding

[Cabinet Member for Social Care, Health & Well-being – Councillor Elsmore](#)

The Cabinet Member responded to questions in relation to:

- Ethnic Minority Engagement Co-ordinator
- Cardiff Dementia Centre

[Deputy Leader and Cabinet Member for Education, Employment & Skills – Councillor Merry](#)

The Cabinet Member responded to question in relation to:

- COVID-19 Update for Schools
- UNICEF Rights Respecting Schools Awards

[Cabinet Member for Strategic Planning & Transport – Councillor Wild](#)

The Cabinet Member responded to questions in relation to:

- Travel Trends
- Bike Sharing Scheme

[Cabinet Member for Investment & Development – Councillor Goodway](#)

The Cabinet Member responded to questions in relation to:

- Old Library and Norwegian Church Update

[Cabinet Member for Culture & Leisure – Councillor Bradbury](#)

The Cabinet Member responded to questions in relation to:

- Christmas 2021 Programme of Events
- Refurbishment of Playground Facilities

[Cabinet Member for Finance, Modernisation & Performance – Councillor Weaver](#)

The Cabinet Member responded to questions in relation to:

- CardiffGov Mobile App

[Cabinet Member for Housing & Communities – Councillor Thorne](#)

The Cabinet Member responded to questions in relation to:

- Community Safety Update

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

- General Crime/Anti-Social Behaviour (ASB)
- Crime Prevention Infrastructure

103 : NOTICE OF MOTION 1

The Lord Mayor noted that a Notice of Motion proposed by Councillor Derbyshire and seconded by Councillor Henshaw had been received for consideration. Two Amendments had been received from the Conservative Group and Liberal Democrat Group.

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

This Council notes:

That the World is already warming at an alarming rate leading to more extreme weather conditions.

The '*Special Report on Global Warming of At a 1.5°C warmer world, 6% of insects 8% of plants and 8% of vertebrates would be lost; increasing to 18%, 16% and 8% respectively at 2°C warmer.*

- Approximately 4% of the global terrestrial land area is projected to undergo a transformation of ecosystems from one type to another at 1°C of global warming, with 13% at 2°C
- Biodiversity-related factors such as forest fires, extreme weather events and the spread of invasive species, pests and diseases also need to be taken into account. Many of those are already happening.

The latest [State of Nature report](#) published by RSPB and other partners in 2019 found that:

- Of 3,902 species assessed in Wales, 666 (17%) are threatened with extinction from Wales, and another 73 (2%) have gone extinct already.
- The average abundance of butterflies (33 species) has declined in Wales by 52% since 1976.

This Council further notes:

That Biodiversity was raised as an issue within the Council's decision to declare a Climate Emergency and forms a key part of our One Planet strategy.

The recommendations from the Environmental Scrutiny Committees exercise 'Managing Biodiversity in Cardiff', resulted in the Council accepting a wide range of recommendations aimed at protecting, enhancing, and promoting biodiversity.

The wide range of actions being undertaken as part of the council's Biodiversity and Resilience of Ecosystems Duty {BRED} Forward Plan, which will be updated in 2022.

That bold action to protect and enhance the biodiversity of Cardiff can deliver benefits in terms of wellbeing, in new jobs, economic savings and market opportunities.

The exciting new Coed Caerdydd project and that Cardiff Council has committed to working with partners to become a National Park City.

This Council therefore resolves to:

1. Declare a Nature Emergency in Cardiff.
2. Place biodiversity with equal prominence to climate change at the heart of decision making in Cardiff Council.
3. Make representations to the Welsh and UK Governments, as appropriate; to provide the necessary powers, resources and technical support to local authorities in Wales to help them successfully achieve this aim.
4. Continue to work with partners across the county, region and nationally to develop and implement best practice methods that can protect Wales' biodiversity. Including seeking a joint approach with neighbouring authorities.
5. Work with local stakeholders including Councillors, residents, young people, businesses and other relevant parties, to develop a strategy aligned with One Planet and Coed Caerdydd with a target of no net loss of biodiversity. This will also explore ways to maximise the local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy.

The Motion was seconded by Councillor Henshaw.

The first amendment to the Motion was received from the Liberal Democrat Group. The Lord Mayor called Councillor Berman to move the first amendment as follows:

After 'This Council therefore resolves to' add additional bullet point at end, as follows:

6. Having declared a nature emergency, and previously a climate emergency, ensure that all future Council and Cabinet decisions are informed by a prior assessment of their impact on both climate and biodiversity/

**The Amended Motion would read as follows:**

This Council notes:

That the World is already warming at an alarming rate leading to more extreme weather conditions.

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- Approximately 4% of the global terrestrial land area is projected to undergo a transformation of ecosystems from one type to another at 1°C of global warming, with 13% at 2°C
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8. Continue to work with partners across the county, region and nationally to develop and implement best practice methods that can protect Wales' biodiversity. Including seeking a joint approach with neighbouring authorities.

9. Work with local stakeholders including Councillors, residents, young people, businesses and other relevant parties, to develop a strategy aligned with One Planet and Coed Caerdydd with a target of no net loss of biodiversity. This will also explore ways to maximise the local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy.
10. Having declared a nature emergency, and previously a climate emergency, ensure that all future Council and Cabinet decisions are informed by a prior assessment of their impact on both the climate and biodiversity.

The first amendment was formally seconded by Councillor Wood.

The second amendment to the Motion was received from the Conservative Group. The Lord Mayor called upon Councillor Lancaster to move the second amendment as follows:

After 'This Council further notes', add new bullet point:

The current Local Development Plan was approved under a Labour administration. Those opposing the plan pointed out and criticised its aim to eradicate large swathes of the last remaining green open space south of the M4 which was based on the incorrect premise that the city's population would grow by 33% or 113,000 by 2026 with the growth of 40,000 new jobs. The papers recently discussed at Council on the revised LDP reported that these predictions were completely wrong. The mistaken decision to adopt the current LDP has led to the developer's acquisition of large areas of land leading to irreparable damage to Cardiff's green open space and biodiversity. This is spite of warnings, including by the present First Minister for Wales, that the scale of growth predicted could not be justified. This green space now finds itself locked away unprotected in the landbanks of developers who can decide on its future use how and when they think fit.

**The Amended Motion would read as follows:**

This Council notes:

That the World is already warming at an alarming rate leading to more extreme weather conditions.

The '*Special Report on Global Warming of At a 1.5°C warmer world, 6% of insects 8% of plants and 8% of vertebrates would be lost; increasing to 18%, 16% and 8% respectively at 2°C warmer.*

- Approximately 4% of the global terrestrial land area is projected to undergo a transformation of ecosystems from one type to another at 1°C of global warming, with 13% at 2°C
- Biodiversity-related factors such as forest fires, extreme weather events and the spread of invasive species, pests and diseases also need to be taken into account. Many of those are already happening.

The latest [State of Nature report](#) published by RSPB and other partners in 2019 found that:

- Of 3,902 species assessed in Wales, 666 (17%) are threatened with extinction from Wales, and another 73 (2%) have gone extinct already.
- The average abundance of butterflies (33 species) has declined in Wales by 52% since 1976.

This Council further notes:

That Biodiversity was raised as an issue within the Council's decision to declare a Climate Emergency and forms a key part of our One Planet strategy.

The recommendations from the Environmental Scrutiny Committees exercise 'Managing Biodiversity in Cardiff', resulted in the Council accepting a wide range of recommendations aimed at protecting, enhancing, and promoting biodiversity.

The wide range of actions being undertaken as part of the council's Biodiversity and Resilience of Ecosystems Duty {BRED} Forward Plan, which will be updated in 2022.

That bold action to protect and enhance the biodiversity of Cardiff can deliver benefits in terms of wellbeing, in new jobs, economic savings and market opportunities.

The exciting new Coed Caerdydd project and that Cardiff Council has committed to working with partners to become a National Park City.

The current Local Development Plan was approved under a Labour administration. Those opposing the plan pointed out and criticised its aim to eradicate large swathes of the last remaining green open space south of the M4 which was based on the incorrect premise that the city's population would grow by 33% or 113,000 by 2026 with the growth of 40,000 new jobs. The papers recently discussed at Council on the revised LDP reported that these predictions were completely wrong. The mistaken decision to adopt the current LDP has led to the developer's acquisition of large areas of land leading to irreparable damage to Cardiff's green open space and biodiversity. This is spite of warnings, including by the present First Minister for Wales, that the scale of growth predicted could not be justified. This green space now finds itself locked away unprotected in the landbanks of developers who can decide on its future use how and when they think fit.

This Council therefore resolves to:

11. Declare a Nature Emergency in Cardiff.
12. Place biodiversity with equal prominence to climate change at the heart of decision making in Cardiff Council.
13. Make representations to the Welsh and UK Governments, as appropriate; to provide the necessary powers, resources and technical support to local authorities in Wales to help them successfully achieve this aim.

14. Continue to work with partners across the county, region and nationally to develop and implement best practice methods that can protect Wales' biodiversity. Including seeking a joint approach with neighbouring authorities.

15. Work with local stakeholders including Councillors, residents, young people, businesses and other relevant parties, to develop a strategy aligned with One Planet and Coed Caerdydd with a target of no net loss of biodiversity. This will also explore ways to maximise the local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy.

The second amendment was formally seconded by Councillor Walker.

The Lord Mayor invited debate on the motion and amendments.

The Lord Mayor invited Councillor Derbyshire to respond to the issues raised and confirmed that neither of the amendments had been accepted.

The Lord Mayor called for a Vote on Amendment One.

The Vote on Amendment One moved by Councillor Berman and seconded by Councillor Wood was LOST.

The Lord Mayor called for a Vote on Amendment Two.

The Vote on Amendment Two moved by Councillor Lancaster and seconded by Councillor Walker was LOST.

The Lord Mayor called for a vote on the Motion as moved by Councillor Derbyshire and seconded by Councillor Henshaw.

The Vote on the Motion was CARRIED.

#### 104 : NOTICE OF MOTION 2

The Lord Mayor noted that a Notice of Motion proposed by Councillor Molik and seconded by Councillor Sandrey had been received for consideration. One Amendment had been received from the Labour Group.

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

Council notes:

- That the availability of accessible public toilet facilities within communities plays a vital role in supporting the health and wellbeing of people. The inability to satisfy someone's physiological needs due to lack of a public facility can lead to health issues such as urinary tract infections, kidney infections and digestive problems. A lack of adequate, publicly available toilet facilities can have a negative effect on the health, dignity, and lifestyle of a very substantial proportion of the population.

- The World Health Organisation states that toilets should be “suitable, private and safe to use of all intended users”.
- With Cardiff Council operates toilets in various recreational and leisure destinations across the city. However, most facilities are in private business outlets. When these outlets close, such facilities become inaccessible. The Council has a responsibility to assess the community’s need for toilets and to put a plan in place to meet identified needs.
- During the pandemic, many toilets were closed to the public, causing many people to be unable to exercise outdoors confidently and safely or come out of lockdown when restrictions eased, without the fear of being caught short or otherwise unable to access necessary hygiene facilities.
- Cardiff being the home of many diverse communities, Cardiff Council should embrace the mindset of having accessible toilets for all abilities, genders, ages, ethnicities and religions. Public toilets should meet accessibility requirements for a range of disabilities and the principles of providing bidet or other alternative washing facilities (such as lota/ bodna, water jug or hand shower) which serve the toilet etiquette practised by religions such as Islam should be supported.
- Having accessible public toilet facilities has a positive impact on the environment and prevents anti-social behaviour such as fouling of parks, streets, and gardens.

Council resolves to:

- Provide a report on the current state of council toilet provision across the city, including details on when they are open, how often they are cleaned and maintained, and how accessible they are.
- Asks the cabinet member with responsibility for public facilities to produce a toilet strategy that identifies issues raised within this motion to ensure all residents (including people with differing ability, gender, age, ethnicity and religion) can access appropriate facilities when not at home.
- Consider the need for additional female toilet provision to reflect the different ways in which genders use facilities, and consider the need and take forward the implementation of having gender-neutral facilities
- Conduct a regular audit and monitoring of public toilet facilities, with a report presented by the relevant cabinet member on an annual basis.

The Motion was seconded by Councillor Sandrey.



An amendment to the motion had been received from the Labour Group. The Lord Mayor called Councillor Elsmore to move the amendment as follows:

In the first bullet point delete from 'A lack of adequate ....' to the end of that sentence.

Insert an additional bullet point after the first:

- Adequate, publicly available toilet facilities can have positive effects on the health, dignity, and lifestyles of a significant proportion of the population.

Delete the bullet point 'With Cardiff Council operates .....'.

Thereafter insert the following three bullet points:

- That between 2010-2015 numerous Local Authorities across the UK, including Cardiff, rationalised their public toilet provision as a direct result of public sector austerity imposed by the UK Coalition Government'.
- Cardiff Council continues to operate toilets in various recreational and leisure destinations across the city. However, in response to the rationalisation of public toilets, the Council has invested in creating superior facilities within our community hubs and core Council buildings and expanding the provision of publicly accessible facilities within the private sector. The total provision across Cardiff can be viewed here [Lle - National Toilet Map \(gov.wales\)](#).
- Consequently, most current facilities are in private business outlets. When these outlets close, such facilities become inaccessible. The Council has a responsibility to assess the community's need for toilets and to put a plan in place to meet identified needs, albeit it should be recognised that provision of local toilets for public use is not a statutory requirement of local authorities in Wales.

After the final bullet point in that section insert:

The Council further notes that

- Cardiff Council Local Toilets Strategy was published in December 2019 following an extensive consultation that included targeted engagement with vulnerable groups.
- In June Cardiff was the first UK city to launch Accessible Toilet Signage to support people living with hidden illnesses. This signage is used on all Council toilet facilities, and its use is growing among partners.

Delete the four bullet points after 'Council resolves to' and insert the following four in their place:

- As part of the Biennial Review of the Local Toilets Strategy which starts in December, provide an update on the current state of council toilet provision

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across the city, including details on when they are open, how often they are cleaned and maintained, and how accessible they are.

- Ask the cabinet member with responsibility for public facilities to include in the Biennial Review issues identified and raised within this motion to ensure all residents (including people with differing ability, gender, age, ethnicity and religion) can access appropriate facilities when away from home, including the need for additional female provision.
- Ask the Cabinet Member to provide periodical updates to Council by way of inclusion in the Cabinet Member Statement detailing the results of regular audit and monitoring of public toilet facilities, including reporting on the partnerships with other public, private and third sector providers in terms of growing the number of public toilet facilities.
- As part of the recent submission to the World Health Organisation to join the Global Network of Age Friendly Communities and Cities, toilet provision has been identified as an area of focus in the Council's Age Friendly Cities work programme.

**The Amended Motion would read as follows:**

Council notes;

- That the availability of accessible public toilet facilities within communities plays a vital role in supporting the health and wellbeing of people. The inability to satisfy someone's physiological needs due to lack of a public facility can lead to health issues such as urinary tract infections, kidney infections and digestive problems.
- Adequate, publicly available toilet facilities can have positive effects on the health, dignity, and lifestyles of a significant proportion of the population.
- The World Health Organisation states that toilets should be "suitable, private and safe to use of all intended users".
- That between 2010-2015 numerous Local Authorities across the UK, including Cardiff, rationalised their public toilet provision as a direct result of public sector austerity imposed by the UK Coalition Government.
- Cardiff Council continues to operate toilets in various recreational and leisure destinations across the city. However, in response to the rationalisation of public toilets, the Council has invested in creating superior facilities within our community hubs and core Council buildings and expanding the provision of publicly accessible facilities within the private sector. The total provision across Cardiff can be viewed here [Lle - National Toilet Map \(gov.wales\)](#).
- Consequently, most current facilities are in private business outlets. When these outlets close, such facilities become inaccessible. The Council has a responsibility to assess the community's need for toilets and to put a plan in

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place to meet identified needs, albeit it should be recognised that provision of local toilets for public use is not a statutory requirement of local authorities in Wales.

- During the pandemic, many toilets were closed to the public due to public health requirements, causing many people to be unable to exercise outdoors confidently and safely or come out of lockdown when restrictions eased, without the fear of being caught short or otherwise unable to access necessary hygiene facilities.
- Cardiff being the home of many diverse communities, the Council should embrace the mindset of having accessible toilets for all abilities, genders, ages, ethnicities and religions. Public toilets should meet accessibility requirements for a range of disabilities and the principles of providing bidet or other alternative washing facilities (such as lota/bodna, water jug or hand shower) which serve the toilet etiquette practised by religions such as Islam should be supported.
- Having accessible public toilet facilities has a positive impact on the environment and prevents anti-social behaviour such as fouling of parks, streets, and gardens.

The Council further notes that

- Cardiff Council Local Toilets Strategy was published in December 2019 following an extensive consultation that included targeted engagement with vulnerable groups.
- In June Cardiff was the first UK city to launch Accessible Toilet Signage to support people living with hidden illnesses. This signage is used on all Council toilet facilities, and its use is growing among partners.

Council resolves to;

- As part of the Biennial Review of the Local Toilets Strategy which starts in December, provide an update on the current state of council toilet provision across the city, including details on when they are open, how often they are cleaned and maintained, and how accessible they are.
- Ask the cabinet member with responsibility for public facilities to include in the Biennial Review issues identified and raised within this motion to ensure all residents (including people with differing ability, gender, age, ethnicity and religion) can access appropriate facilities when away from home, including the need for additional female provision.
- Ask the Cabinet Member to provide periodical updates to Council by way of inclusion in the Cabinet Member Statement detailing the results of regular audit and monitoring of public toilet facilities, including reporting on the

partnerships with other public, private and third sector providers in terms of growing the number of public toilet facilities.

- As part of the recent submission to the World Health Organisation to join the Global Network of Age Friendly Communities and Cities, toilet provision has been identified as an area of focus in the Council's Age Friendly Cities work programme.

The amendment was formally seconded by Councillor Michael.

The Lord Mayor invited debate on the motion and amendment.

The Lord Mayor invited Councillor Molik to respond to the issues raised during the debate.

Councillor Molik responded to the issues raised and confirmed the Amendment was not accepted.

The Lord Mayor called for a Vote on the Amendment as moved by Councillor Elsmore and seconded by Councillor Michael.

The Vote on the Amendment was CARRIED.

The Lord Mayor called on Councillor Elsmore to speak before a vote on the Substantive Motion as amended by the Labour Group was taken.

The Vote on the Substantive Motion as amended was CARRIED

105 : ORAL QUESTIONS

#### QUESTION FROM COUNCILLOR HUDSON

With more big events being held in Cardiff, have we got a working strategy to allow the safe and timely exodus of people from the city?

#### Reply

Events are a massive part of what makes Cardiff so special. And I would like to praise the work of my colleague Cllr Bradbury and our officials who do so much behind the scenes to enable this to happen.

A transport management plan is a key consideration for every major event that is held in the city but as you will appreciate, each event is very different and takes place with different start and end times, different sizes, different days of the week, and at different times of the year. And we often have more than one event happening on the same day.

This often require bespoke solutions to be developed by the Council, partner organisations, Welsh Government, South Wales Police, Transport for Wales, bus

operators and that's why once again I would praise our officers who understand the city so well and undertake this very difficult work.

#### Supplementary Question

Well the last big event that we had was a shambles according to my residents. We need to plan for even bigger events in the future so can this be a fluid strategy and can we have some kind of exodus plan when there are very big events in Cardiff.

#### Reply

We do have a fluid plan but I absolutely disagree with your comments about the last event. We are in the middle of a Covid crisis all sorts of changes happening in the city and to run massive events going on in the Principality Stadium, all these things kind of things and other things going on the same day. I think our officials do a great job and actually when you consider how many people are coming in and out of the city centre I think it's a remarkable piece of work actually – it happens so smoothly.

#### QUESTION FROM COUNCILLOR BERMAN

Please can you detail what representations you, or your administration, have made to the Welsh Government calling for a change in Welsh planning laws to remove permitted development rights for demolishing any properties that are neither listed nor within a conservation area, and can you please advise when such representations were submitted?

#### Reply

Cllr Berman I am really quite disappointed by this question because it reveals that you know full well that this Council does not have the powers to prevent the demolition of buildings that are not listed or outside a Conservation zone and of course you know and you knew this because it was exactly the same situation when you were Leader when consent was granted for the demolition of amongst other historic buildings the Vulcan pub - subsequently removed to St Fagans, and the former and Roath Steam Laundry which was also demolished. And yet posts and shares from your social media recently have sought to implicate the Labour Council as being responsible for decisions to demolish and in particular the Chair of Planning despite, again as you know full well planning being a quasi-judicial function and the only decision for council planning to take in matter, concerned the method of demolition. So I've got no intention of playing along with what seems to me to be the politicisation of planning and indeed I invite you really to consider apologising to Councillor Jones for the stress and abuse that I know he has suffered in the last week from a misleading Social Media post from another organisation and which you shared.

#### Supplementary Question

Can I make a point of personal explanation first Lord Mayor because I had no point am aware that I attacked the Chair of the Planning Committee in anything that I put

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on Twitter and I am quite aghast that the Leader of the Council is suggesting that I did. The point that I made on Twitter with the fact that that the Labour party, the same party that is in charge of this Council is in charge of the Welsh government who set the Planning laws and that's why I am asking the Leader of the Council what representations he's made to have these planning laws changed and I would ask him again because he hasn't actually answered the question -have you made any representations asking for the planning laws to be changed so that they take away at permitted development rights in the circumstances I described in my original question?

#### Reply

So for the record permitted development rights can be removed on buildings that are not statutorily listed and are outside a conservation areas by serving an Article 4 Direction but currently these have to be issued by Welsh Governments. This Council on a number of occasions over a period of two decades or more has argued for the delegation of those powers. Councillor Berman may be interested in know that there is now an open consultation on on this issue. We intend to be again submitting a response to that consultation asking for those powers to be devolved to Local Government and I have met with the Deputy Minister who's got responsibly for Cadw, already indicating our decision to do so, or our intention is to do so.

#### QUESTION FROM COUNCILLOR KEITH PARRY

What action is being taken to alter or remove the traffic lights at Cowbridge Road East and Cathedral Road junction that cause needless delays and disruption to buses serving West Cardiff from Westgate Street?

#### Reply

With due respect, providing safe time and space for pedestrians, parents and cyclists to get to work or nursery is in no way a needless delay and we have got no plans to remove the traffic signals at the junction. A permanent scheme is currently being designed for this junction and these options will be tested with transport modelling to determine which solution provides the best balance for public transport, cyclists and pedestrians.

#### Supplementary Question

A number of people have approached me about the delays on this bit of road and it is disappointing in my own personal experience to observe a person walking along the road from the end of Westgate Street to St David's Hospital and actually the person gets to St David's Hospital before the bus does so I know you've got problems in fitting in some phases for cyclists and pedestrians but something needs to be done to improve the speed of the buses along this section of road.

#### Reply

I do agree with you in terms of trying to improve the reliability of buses so I met with Cardiff Bus just last week and took a trip with them on exactly that route to look at

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what improvements we could we can make as well as things like the bus gate as well as other improvements in the city centre to get those times and that reliability increased with those kind of changes and also things like bus lanes and bus gates that would bring in extra seconds or extra minutes that they need to make their services attractive.

#### QUESTION FROM COUNCILLOR JACOBSEN

Further to my request of last Thursday, could you advise on any progress by the Council to acquire the woodland near the Hawthorns in Pentwyn, which is currently being sold by a private company?

#### Reply

I know from our recent conversation just how eager the Councillor is to protect this piece of green space in his ward. You will be aware from that conversation that we had last week that I have asked my officials to proactively pursue the acquisition of this piece of land via private treaty in advance of the scheduled auction on 7 December 2021. I am sorry but I am not in a position to provide any further information at this time.

#### Supplementary Question

That is good news and I pleased to hear that the Labour Council are taking positive steps to try and secure and protect this local amenity. When the news of the sale came to light last Thursday there was a lot of confusion and misinformation about what was happening and accusations that it was going to be sold off by the Council. Are you able to clarify exactly what is happening please?

#### Reply

I'm very happy to oblige Councillor. At approximately 13.45 last week Councillor Bradbury received an enquiry from one of the local Liberal Democrat members in Pentwyn enquiring about the land being sold. This was the first thing that any member of the administration knew about the issue. The e-mail was promptly passed to me in my capacity as Cabinet Member with responsibility for strategic estates and within less than two hours of the original inquiry we were able to confirm that the land was being so by a private company. However in the meantime, without waiting for a response from the Council, Liberal Democrat Councillors had posted on multiple social media platforms, including a community Facebook site that they run, accusing and I quote the Labour Council was selling off our woodland. Eventually the Facebook site was updated to reflect reality and having previously accused the council of selling the land it now demanded that the council buy the land, I must confess my disappointment that no apology has been forthcoming from the Liberal Democrat Group either for misleading the public or for falsely accusing the Council – worse, and I do find this extraordinary, posts made by the Leader and Councillor Weaver on that Facebook site correcting the record were summarily deleted even as posts criticising the Council for selling the land had been left in place. Small wonder that their party group did not sign up to the social media code of conduct last month with its focus on honesty – another example of the fake news that is poisoning

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political discourse in this country and I would urge Pentwyn residents to find a more reliable source of news.

#### QUESTION FROM COUNCILLOR ROBSON

There have been recent examples in Cardiff of disabled people unable to access shops as permission has been refused for a ramp, or walked off a bus into a temporary cycle lane. What additional action will the Council take to ensure that disabled residents and visitors can use the city's facilities safely?

#### Reply

I'm not sure that I'd call the number I have seen as many. The policies we have brought forward in Cardiff in providing more space for pedestrians, active travel, and bus travel – in slowing vehicles and adding additional crossings is done very much with the most vulnerable members of our community in mind.

When we are making improvements for pedestrians, cyclists, buses we do need to adhere to Active Travel Design Guidance in addition to undertaking Road Safety Audits and Equality Impact Assessments, we are very grateful to the various user groups that have been working closely with us, including the Cardiff Access Focus Group and organisations such as RNIB and the Guide Dogs, to make these changes work for as many user groups as possible.

In terms of those smaller very localised issues – I am very aware that Cardiff along with the whole country simply isn't as accessible as it should be – and there are probable millions of improvements that need to be made across the whole of the country. I know our officers work hard whenever they get issues raised with them to make those changes and I would encourage Members and members of the public to let us know of improvements that can be made with accessibility in mind.

#### Supplementary Question

I appreciate that there is more to do to make this city accessible and welcome that a comment from you. In relation to some of the newer infrastructure and in particular you'll be aware of the incident where the gentleman from the Guide Dogs, with a guide dog stepped off a bus into a pop up cycle lane. Those sorts of incidents, to my mind, are avoidable if the consultation is there. What went wrong there in terms of that consultation so that Guide Dogs were able to feed into, to point out this potential problem which I presume they identified, bearing in mind, I know it was a couple of years ago, Dog Protection Orders again were an issue was flagged up with by Guide Dogs in my mind there that won't be fully consulted and this raised concerns. I'm just conscious that perhaps with some of these disabled groups, we need to do more to make sure we consult with them properly to avoid some of the problems that we have seen recently.

#### Reply

The group's work were consulted and are kept close but there are differences of opinion about how we share space and how we make changes. I think some of it is

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to do with any change when it comes takes a bit of time for people to get him used to. I think that the bus-stop issue is one that cities across the UK are really struggling with, working out how best to do that. We think the model on Wood Street which will be able to see you know you can see there now is probably the exemplar and I think those groups are very pleased with. I think there are some of the other ones with a pop-up situation maybe we need to work out how we can we can improve slightly there as well. Very much a work in progress, learning all the time and really pleased those groups are staying really close with us on that so we can make sure we get good balanced outcome and do good things for as many people across the city as we can.

### QUESTION FROM COUNCILLOR CARTER

In light of the decision by Nextbike to withdraw their bikes from Cardiff due to the excessive vandalism and intimidation on scale not seen in other city, does the cabinet member now accept that Cardiff has a problem with crime and anti-social behaviour?

### Reply

The Council is working closely with Nextbike, South Wales Police and British Transport Police to renew the bike hire scheme from January.

The scheme brings incredible benefits to the city, and we are fully committed to supporting the operator to getting the bikes back into action as soon as possible.

We will do this by both minimising opportunities for vandalism and strengthening our approach to enforcement of the very small minority of users who disrespect and abuse the scheme. Their behaviour ruins the experience for everyone else.

The issue of vandalism is not unique to Cardiff. Manchester, Reading, Northampton, Edinburgh, Peterborough and many other cities have faced the exact same issue, and we can learn from their experiences and responses to this kind of senseless vandalism.

The suggestion that our city has a particular issue with crime isn't borne out by the data. Following the debate at Council last month, and your question to me the month before, I would emphasise again that Cardiff has the second lowest crime rate of the 11 Core Cities and Anti-Social Behaviour offences are on the decline.

### Supplementary Question

I thank the Cabinet Member for her detailed response and indeed for the statement she's given us today as well.

Since the last meeting where Council voted against the motion that I put forward we've seen Nextbike withdrawn, quite humiliatingly, from our city; we've seen another stabbing on our streets; we've seen consistent problems of anti-social behaviour

across our neighbourhoods so I would ask again whether the Cabinet Member has any regrets for voting down the motion last month?

Reply

I certainly don't have any regrets and it was a real shame that your motion could not be amended because the start of the motion was factually incorrect and I put this statement because you can see from that statement that here is more, much more than what you even asked for in the statement is currently being done, the issue is that not that we believe that there's no crime but you are really scare mongering and this city is a safe place to live, that's not to say that there not crime but the statement shows that we are working in partnership with all the statutory bodies and third sector organisations to address crime in a proper way which is not just about arresting people. It is also about the prevention and it is about working with communities and is not about scaring communities. I am not sorry I voted against.

QUESTION FROM COUNCILLOR KEITH PARRY

Tennis and Bowls have disappeared from Fairwater Park. Residents complain of massive fees to join and access Fairwater Leisure Centre. What is the council doing to keep sports activities from being priced out from ordinary peoples reach?

Reply

It is simply not true that tennis and bowls have disappeared from Fairwater and statements like that do not help when we talk about these issues.

I can only assume that you mean Poplar Park in Fairwater, and not Fairwater Park, where we have been working with the local football club to help them develop and they now have a thriving junior section, including girls' sections. Their Senior Team also made club history by making the First Round of the Welsh Cup this season.

The tennis courts have remained open to the public free of charge and we have run tennis coaching and holiday programmes with some success. Fairwater Ladies Bowls Club sadly has folded; however, the bowling green and pavilion remain available and open for use, and we would encourage any prospective Bowls Clubs to book it if they would like to use it.

At Waterhall Park, we are working with the Rugby Club to invest in facilities to cater for an ever-growing demand for mini and junior rugby in Fairwater. Clubs such as these are the backbone of our sporting communities and offer so much more than just playing opportunities, which is why I'm supporting them in every which way I can.

Fairwater Leisure Centre has received significant investment from this administration in the last five years and the fees charged are in line with the Council's operating contract with Better Leisure, with a membership concession for those on benefits. We are also planning new community sports facilities for the new Cantonian High School, with guaranteed community access, as part of the 21<sup>st</sup> Century Schools Programme,

which would be hugely beneficial to both the local Rugby and Football Clubs. This is all factual information which counters the negative insulation the question poses.

#### Supplementary Question

Confusingly Fairwater Park is also called Poplar Park from which bowls has disappeared and the tennis courts, maybe they have been remodelled as tennis courts - updated but they are actually being used as football practice areas at the moment.

#### Reply

In the winter the tennis courts have always been used as for football practice, for floodlit football facilities and I'll tell you what the tennis courts are available in the summer as it the bulk of ... I'll let Councillor Parry into a little bit of information from me ... I went to watch Caerau Rugby versus Fairwater the other week and there was not one Fairwater rugby supporter who had a good word to say about their local Councillors and all of them were mentioning the lack of support they have had from all three of their local members in Fairwater. The Football Club have received nothing but resistance from the three local councillors in Fairwater whenever they wanted to do anything to improve the facilities at Poplar Park. In order for sport to thrive in Fairwater we need to ensure that better community facilities are available and I'd ask him to get on board and support the measures we have taken in other parts of city so that Fairwater could get the facilities like, for example like the area, like the one I represent have got and have been really really successful across other areas of the city.

#### QUESTION FROM COUNCILLOR GORDON

It is great to see improvements taking place at the Cardiff Riding School, a Council managed amenity located in Pontcanna Fields. The stables, the horses, the yards and the facilities look so well looked after, it is a credit to the staff team. There is a lot going on up there with setting out a new outdoor arena, are there plans to renovate the indoor arena because it is looking very tired and old?

#### Reply

Like you, I'm delighted with the new Outdoor School area and the work that's going on at the Riding School since it reopened after lockdown. I will be sure to pass your kind comments to the staff at the centre.

The outdoor area has recently been completed as part of our Parks Capital Programme with financial support from the Friends of the Riding School via fundraising. The improvements made will enable the increase of our lesson capacity and improve standards at the Riding School.

We are in the process of carrying out a condition survey of the indoor school to ascertain the best way forward and get a sense of the scale of funding required to improve this facility.

I anticipate that the required level of funding will be significant; however, officers are active in exploring funding options and will keep ward members abreast of developments.

QUESTION FROM COUNCILLOR LANCASTER

How large a fine will the Welsh Government impose on Cardiff, as the result of the Council missing its recycling target yet again?

Reply

There is no fine.

Supplementary Question

I was under the impress that the Welsh Government was fining Local Authorities for not meeting their recycling targets, perhaps I'm mistaken. I don't know whether to be relieved or disappointed that the Welsh Government aren't interested in enforcing their own targets but that notwithstanding we've been failing in our targets for a number of years now. What you do propose to do to rectify the situation?

Reply

I would suggest that you would wait just over a week and we will have a nice discussion on this at the next Environment Scrutiny, the new recycling strategy will be going through to Cabinet in December.

QUESTION FROM COUNCILLOR BERMAN

Are you satisfied that, at a time when the overall recycling rate across Wales has risen, the council's recycling rate has dropped for two successive years (from 59.2% to 58.1% to 55.8%) and that Cardiff now has the lowest recycling rate of any local authority in Wales?

Reply

Councillor the actual rate at present is something like 60%. That is the latest figures I have so you can see it is going the right way. We are still the best core city in the UK with recycling, far better than the other core cities like Liverpool, Manchester, Leeds, all of them.

I think you have to accept that over the last couple of years we have had some issues to deal with but overall we changed the management - we've now got one of the best, if not the best, fleet in the UK, twice as many as you had when you were Leader. We also have biggest electric fleet in the UK. We've changed the working practices so we know remove weight (inaudible). There are still a couple of issues to deal with one of them is a new Waste Strategy which will take us a world class level which I'm pretty sure you will actually support and that will be launched in the next few weeks as I just informed Councillor Lancaster.

Supplementary Question

From listening to that answer it sounds as though you happy that we have the lowest recycling rate in Wales. Can you confirm that that is the case?

Reply

I never said that at all. Do you want to watch the film again and have another stab at this question.

QUESTION FROM COUNCILLOR FORD

How much did it cost to close off Castle Street and then reopen it?

Reply

Closing the road last year and maintaining the closure cost £128,000.

This was very much to do with creating a safe and welcoming space for the public and to allow many of our businesses to operate.

More recently we have undertaken the work linked to our clean air plan, including providing new bus and cycle lanes, and I am advised that this cost approximately £550,000.

QUESTION FROM COUNCILLOR GORDON

It is about the East-West network across Cardiff. There is a very healthy debate going on on the next door plat form about the East-West cycle path from Leckwith Road to Newport Road.

Cyclists are very enthusiastic and pleased the Council have put this route in place. I use it every Thursday when I go to Adamsdown and I can really vouch that crossing the city by bike is a hugely better experience than battling in and out of the bus lanes and moving traffic but there is a bit of problem where the cycle lane meets any pedestrian crossings. I think there is three. There are red and white barriers up and 'Cyclists Dismount' signs. When do the team, who are working on this, get this will be sorted out cos it is quite difficult?

Reply

The majority of the East-West route is now open and appears to be getting well-used by a variety of different people at different times of the day. The works at that Newport Road section are very complicated and are currently unfinished as we are still having to undertake modelling and ongoing safety tests. The stretches are now open, but works at the junctions are expected to be completed early in the New Year.

### QUESTION FROM COUNCILLOR DIANNE REES

The Council has decided to declare a Climate Emergency. In the light of this, what advice is being given to developers building thousands of houses on previously green fields in the North and East of Cardiff on putting into those properties gas boilers, ovens and hobs?

#### Reply

From a Building Regulations perspective, developers will not be permitted to install gas fired boilers from 2025. This is part of a progressive approach by Welsh Government and supports our One Planet Cardiff strategy and associated housing retrofit programme for council properties.

Furthermore, national planning policy requires developers of large housing schemes over 100 dwellings to submit to the Council an Energy Masterplan to establish whether there are alternatives to traditional gas boilers that can be used, such as the potential use of local heat networks.

#### Supplementary Question

It's all very well declaring a state of nature emergency and a climate emergency but in a very short time the gas boilers which are being installed in the new properties today, and also in the ones which are planned for up to the next 10 years, will have to be removed long before their useful life is up. So why is the Council granting permission for planning, which you are talking about 2025, well its nearly 2022 that's a 3 year life for a boiler. They are still permitting those boilers to be put into properties that are being built and are they are also going to put into buildings which are planned to be build but may not be built until 10 years' time?

#### Reply

Like I said from a Building Regulations perspective, developers will not be permitted to install gas fired boilers from 2025, but the Council is working closely with a number of developers on things like where we have heat source pumps being put in, a whole team of young people getting trained in how that form of energy, heating of the houses is delivered so there is an awful lot going on. Of course we are pushing developers all the time for more energy efficiency. I think in the main a lot of the new houses are far more efficient than existing houses in those communities and we will continue to push them to do more and of course as you know we have a new replacement LDP coming forward, at that point our climate emergency that we've stated will come into full effect with that policy work as well where as it didn't with the previous LDP.

### QUESTION FROM COUNCILLOR NAUGHTON

Could the council assist local businesses in the Pentwyn community, to apply to take over the post office franchise for Pentwyn from the One Stop shop? When it hands back the franchise to the post office as it stands Pentwyn would be without a post office from next year.

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Reply

I am content to ask my officials to work with interested parties seeking to take over the Post Office franchise. I am sure that they can bring together internal and external expertise that will be able to advise on the approach to applying for the franchise and the preparation of a business plan to establish the overall sustainability of the business.

Supplementary Question

Will you ensure that all Ward Members updated at the same time with any information the Council gets?

Reply

To the best of ability yes, I'm not sure how we will reach out to interested parties but it's a two way process – if you know of any local business that is interested in taking over the franchise I would be grateful if you would inform me and my officials.

QUESTION FROM COUNCILLOR FORD

How much was spent on putting children into care and adopting children in the financial years 2020/21, 2019/20, 2018/19, 2017/18, 2016/17?

Reply

In 2016/17, the Council spent £27.1million on supporting valued children in care and adoption.

We spent £29.3million in 2017/18; £34.1million in 2018/19 and £39.2million in 2019/20

Last year (2020/21), we spent £39.6million.

Supplementary Question

How much has Cardiff paid to adoption agencies in the same period of time, if it could be provided to me in writing I would be grateful.

Reply

Obviously I would not have that kind of detailed information in front of me, but I can tell you that are in terms of fostering placements, adoption and Children's Homes the vast majority is in placements of that £39.6 million I talked about earlier on, just to give you an idea £30.8 million was on placements but as Corporate Parents I do not, I would not sort of be ashamed of the kind of support as Corporate Parents we do and the support that we've given in terms of investment year on year from this Labour administration in support those children for improving outcomes.

QUESTION FROM COUNCILLOR AHMED

This month has been Islamophobia Awareness Month. What can the Council do to help call-out and challenge this unacceptable form of racism?

Reply

Thank you for your question, Councillor Ahmed, and for highlighting this really important issue.

Home Office data that was published last month revealed that nearly half of recorded religious hate crimes across Welsh and English police forces targeted the Muslim Community.

This stark report should concern us all and adds impetus to the essential work of local government in challenging this pervasive form of bigotry and the threat it poses to all our communities.

This administration takes this role seriously and we are actively delivering a programme of extensive partnership work to address racism and to widen opportunities for, and representation of, ethnic minority groups in our capital city.

This includes the work of our Race Equality Taskforce, our school-based programmes to address prejudice-related bullying and behaviours, working quite brilliantly actually with the granddaughter of Betty Campbell on that project and also partnerships with Victim Support and Show Racism the Red Card.

We also work to raise awareness of key campaigns throughout the year, including Islamophobia Awareness Month, which we have shared on the Council's social media platforms and I would encourage all members to do the same.

Supplementary Question

Cardiff is, I think is the best city or one of the best cities in the UK. I am very proud to live in Cardiff, over 300,000 live in Cardiff as one family and 75 members of this Council is the guardian of this very large family and our all faiths of the community. What can you do to make sure that every community and faith is protected?

Reply

Lets be very clear if you targeted because of your religion it is a hate crime and I think the Council is conscious that that it is not enough just to talk about this once a year, so last month, for example, during National Hate Crime awareness week. We also partner with South Wales Police and Victim Support to raise awareness of hate crime reporting, including religiously aggravated hate crime and that work included providing local sports clubs and teams with banners promoting the partnership and anti-hate crime messages as well as encouraging them to show their support for and commitment to tackling this issue. I think in Cardiff we've got this actually quite wonderful tradition of celebrating each other's festivals and particularly at this time of year that is something that we very much get into, harder of course now with Covid

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restrictions and limitations but I think that is something that we absolutely want to get to whether your Christian, Jewish, Muslim, Sikh, Hindu and or any other religion. If you live in Cardiff, you're not only part of your own community but also part of a wider family in the City and that's the ethos we will take forward into next year.

#### QUESTION FROM COUNCILLOR PARKHILL

What is the Council doing to prevent pollution from the former Ferry Road landfill site from entering Cardiff Bay and the River Ely?

#### Reply

We are currently working with Natural Resources Wales and specialist landfill contractors to identify the source of the leak and upgrade the existing infrastructure to ensure that the leachate management system is fully operational moving forward.

#### Supplementary Question

It is of considerable concern to me and some of my residents who had children attending the splash pad over the summer. I would be worried that they would potentially be subject to putting their children into what would be effectively into polluted water in Cardiff Bay. I wonder if you would be able to, in the interest of transparency, be able to bring a full report to the relevant Scrutiny Committee as soon as it is possible so that it can be aired and this matter can be addressed fully

#### Reply

I think that that is a matter for the Chair of the Committee if that's what they would wish to do and I will do my very best to do that. It is part of the old industrial area of the City and we will continue to work with all our other agencies to get to the bottom of this and repair it as soon as possible.

#### QUESTION FROM COUNCILLOR BERMAN

When navigating the new segregated cycle lane through the city centre from east to west or vice versa, cyclists are frequently held up for significant periods of time at the new cycle lights in a way which seems to give them lower priority in comparison to other traffic, meaning that it can now take longer to cycle from one side of the city centre to the other. Does the council therefore have plans to review the phasing of the lights to address this?

#### Reply

In answer to your question, yes, we are constantly reviewing the phasing and timings of junctions to give the best possible balance for as many users as possible.

But I have to say I am somewhat confused by this question given that last month you said virtually the same thing but from a bus point of view, and I quote "I have an issue when cyclists are getting more priority than buses" but now it sounds like you are suggesting you think cyclists should be getting more priority than other forms of

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transport. I am dead keen to learn and to hear what it is you think and take on board a much advice as I can, so if you can clarify what you think is the right balance or your preferred policy position. I can make sure officers take that into consideration.

#### Supplementary Question

I can that obviously my questions are starting to annoy you a little bit but I'll try and be more helpful. I'm referring to the bit of the cycle lane which is actually open at the moment that I'm using whereas I think you're talking about the bit in Newport Road which has yet to open but I am find that in using it I have been particularly held up at the junction of North Road and Park Place and later on at Boulevard de Nantes ad Park Place, you seem to be waiting a long time and seem to be deprioritised compared to other traffic and it just means that the overall journey seems to take longer than it used to do before the segregated cycle was there which partly defeats the object of having it. I am just wondering really, I am just trying to be constructive can you look at those particular issues and see if the phasing could be adjusted so it would mean that the cycle journey is quicker.

#### Reply

The main purpose of the cycle lane is to keep cyclists safe and well away from cars so if it takes a little bit longer I think most people would put up with that, we can't all get exactly where we need to get at breakneck speed so I think that we find that balance about right, but as I say when new junctions going in we will continue to look at the phasing.

#### QUESTION FROM COUNCILLOR DE'ATH

There are plans to consult on a cycle lane to run next to the path at the Ninian Road end of Roath Rec – meaning carparking spaces can be kept. Could you confirm that as part of this project there are also plans to renovate the path running around the park which, I'm sure you will agree, has seen better days?

#### Reply

It has and I'd like to thank you and your ward colleagues for your ongoing support for these schemes and for bringing this one to our attention, and also for the positive involvement of local community groups such as Roath Living Streets.

I can confirm that we are sourcing funding from the Welsh Government's Active Travel Fund for these works as part of our grant process and we have identified finance within various budgets to make sure that this scheme can be delivered in the 2022/23 financial year.

#### Supplementary Question

This is great news for people in Roath, it's something that Ward Members have lobbied for for a number of years, particularly my colleague Councillor Mary McGarry. Could you confirm that as part of the work on the path you would be looking to widen

it and possibly raise it to stop parked vehicles from damaging it and from stopping parts of it from flooding and becoming very muddy during the winter months.

Reply

I think that's the plan and that's why it's most important we work in partnership with Parks and my Cabinet colleague, Councillor Bradbury on trying to do the right thing in that area but I think the other important thing to note on this scheme is that we can bring this forward before some of the other improvements in that wider corridor because I know how important it is to the local community get to get that fixed as you say.

QUESTION FROM COUNCILLOR HUDSON

To protect businesses in Birchgrove, will the council implement a saturation zone to prevent the proliferation of eateries and takeaways and preserve the character of the area?

Reply

Birchgrove is a Local Centre as defined by Policy R5 of the adopted Cardiff Local Development Plan and that policy aims to promote and protect the shopping role of Local Centres, while supporting a range of appropriate uses. Furthermore, Planning Policy Wales acknowledges that a range of uses, as well as shops, are appropriate within centres, including food and drink uses. Whilst not defining a "saturation zone", any proposals that result in or add to a continuous stretch of non-shopping uses (3 or more non-shopping uses in a row) are considered less favourably under this policy framework.

I would say Councillor that surely you would agree that existing businesses also stand to benefit from good quality new establishments that are popping up and they draw customers and increase footfall to the area.

Supplementary Question

Yes they do draw customers to the area, but can you assure me that we will not be faced with a City Road situation where there's a predominance of eateries, were it is so saturated with takeaways and restaurants and cafes that it is excluding any other form of revenue with the shops. What I found is in City Road particularly, there is very little choice of shops and that means it excludes anyone else from coming in and opening a new shop.

Reply

Obviously Councillor I cannot make any assurances it is not my role do so. Planning and Licensing are all based on their merits but again I would argue that it isn't what I see from Birchgrove, having spent a number of evenings there recently with hundreds of other people across Cardiff spending our money in Heath and Birchgrove; the places like the Greek Village, the Organic Café, , the Birchgrove pub, some of these are new places that have absolutely, I think, brought good things to

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the local area and brought more footfall. the place I went to, I must just mention Coffee and Cakes, we met the owner who is investing a lot of his profits in helping the homeless – these are new places popping up in your community and I think we should be absolutely celebrating them.

#### QUESTION FROM COUNCILLOR SANDREY

What is the council planning to do to save a section of woodland in the Hawthorns in Pentwyn which is going to auction on December 7th?

#### Reply

I refer the Councillor to the answer I gave a few moments ago and in doing so I ask her to take the opportunity of using her supplementary question, in her capacity as the acting Liberal Democrat Leader, to ask the Council to accept an apology on behalf of her Liberal Democrat colleges for the way that her party's shared factually incorrect information on their social media platforms and deleting posts that provided the public with the accurate position and to ask the Council to excuse them from potentially bringing the Council and office of Councillor into disrepute. Will she do that?

#### Supplementary Question

I find it curious that the Council has first of all been maintaining the woodland it did not own and is now seeking to buy the woodland despite flogging Woodland elsewhere due to being unable to maintain it. Can you therefore reassure residents that regardless of who is successful in the auction the Council will do all it can to ensure access is maintained and the tree protection orders and conservation status are kept in place to protect this important place and that the area will be maintained as well as it has been so far by the Council.

#### Reply

I am grateful for the Councillor for advising me that the Council has been maintaining land that's not in its ownership. I shall take advice from my officials on what is the appropriate course of action in the future.

#### QUESTION FROM COUNCILLOR MACKIE

Could the Cabinet Member update the council on the activities the Council is undertaking to promote the city during the Christmas period?

#### Reply

Sadly, I'm not going to be able to list everything that we're doing in one minute, but the main highlights this year include Winter Wonderland, which will be split over two sites at Cardiff Castle and City Hall Lawn, providing greater space on both sites for people to enjoy the attractions.

Bute Park is also hosting a new Christmas light trail from today for residents and visitors to enjoy.

Other highlights include the annual Christmas Market, Santa's Grotto and Carousel and The Winter Food offer on Working Street.

In addition, our colleagues at FOR Cardiff have introduced a new light maze and projection attraction into St John's Gardens and a new Pixel Christmas Tree in Central Square. Discussions are already ongoing about collaborative ideas for next year's Christmas.

We launched our 100-day countdown to Christmas on the Visit Cardiff website back on 16<sup>th</sup> September, and I'm grateful to the Visit Cardiff Team and the wider Visit Cardiff network for their support with this year's marketing campaign.

I have every confidence that there will be a great deal for everyone to see and do safely in Cardiff this Christmas which is fantastic news considering the disappointment we had last year.

#### Supplementary Question

I would like to thank the tireless effort of all the officers in putting together such a huge programme in really difficult circumstances and to wish them all a Merry Christmas.

#### QUESTION FROM COUNCILLOR LANCASTER

What support does the Council provide for voluntary groups, who do vital work in helping homeless people all year round?

#### Reply

The Council's Homeless services are in regular contact with a range of voluntary groups and charities that work with the homeless in the city, including local churches and a range of homeless charities including Llamau, the Huggard, the Wallich, Salvation Army and YMCA. The Council also has a grant officer in post that can help community groups look for grant funding or signpost them to more specialist support if needed.

In addition, the Council funds Cardiff Third Sector Council, which is the umbrella organisation for the third sector, including community and volunteer led groups in the city. They provide specialist advice, support, and information to all local third sector organisations and voluntary groups on issues that affect them, including accessing funding, governance, volunteering and participation.

We also have a dedicated website that promotes and supports volunteering in Cardiff, helping to raise awareness of volunteering opportunities across the city and what they can offer. The team that manages the website can provide individuals and community groups with support and training and can also help them to share and recruit to their volunteering opportunities.

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### Supplementary Questions

You mentioned church groups in the list organisations who helped, the reason for my question is that and its members of my own church participate along with other churches in a scheme known as the Paradise Run whereby they go into town and provide food every night of the week for the homeless people, a service which is greatly welcomed by advice services, however, recently they have been told that they are not allowed to provide hot food anymore and nor are they allowed to provide a home cooked food which I find pretty much shows difficult decisions to comprehend who therefore is responsible for such a mean spirited decision and how can you be a local authority was working and to speak to be that the knock on effect for voluntary groups who only seek to help this problem, and do who play such avital role in providing for some of the homeless people in Cardiff.

### Reply

I am not sure who provided that information. I am not aware of it. I have been contacted by somebody about the Paradise Run and former Councillor Fenella Bowden and the advice that I gave was that we were asking organisations not to provide foot in the street because of our new operation in terms of homelessness, but asking them actually to contact the Homeless Manager to discuss the opportunities. I am not sure who has told them that they cannot do it, we are not in a position to tell them they can't but what we would like to do is to work with them. Clearly, we appreciate the support from volunteer organisations but it is better to try and work together to try and reach the same aim together, so that actually we are not encouraging people on to the streets. What we are trying to do is to take the services to the homeless hostels. Please contact me if you have any further information and we will try and sort it out.

### QUESTION FROM COUNCILLOR CUNNAH

We've heard at Full Council in recent months how Cardiff is bucking the trend, with footfall in the city returning to near pre-COVID levels. In previous years in the run up to Christmas, we would inevitably have heavy traffic in the city. What can the Council do to encourage shoppers to use sustainable transport modes?

### Reply

You are right we really are bucking the trend in this regard in terms of footfall boosting back up for a number of different reasons; the City is really buzzing, people enjoying the fabulous city centre and the things going on there.

As you know we have done a lot to improve certain elements of active travel – and the results for walking and cycling are really pleasing and making a big difference how people get in but we are still really concerned about the slow uptake of public transport. We need those numbers to go back up to give people an option other than driving the car in.

We have been working extremely closely with bus operators and rail operators and with the bus operators in particular we are hoping to bring in some form of incentive scheme, although to be frank bus regulations, archaic bus regulations make it very difficult for us to intervene in the market but we are trying to get there on that and I'm hoping we'll be able to announce something on that soon.

#### Supplementary Question

Only to say I'm happy to see the increase in walking and cycling seems to be continuing and if there are any updates on the bus companies and those discussions I would appreciate knowing about that as it needs more people use public travel as well as an active travel,

#### QUESTION FROM COUNCILLOR JACOBSEN

From what I saw of the Council's Summer of Smiles programme, it looked fantastic with kids having a great time. Has the Council done any analysis of the scheme's success, and are there any plans for a similar project over the winter period?

#### Reply

Yes, the Council's Child Friendly Cardiff Team has undertaken a review of the Summer of Smiles programme in order to understand the outcomes and lessons learned.

A report following this review has been produced and is expected to be published shortly. More than 32,000 children took part in the Summer of Smiles activities including the city-wide activities, the main festival site and Churchill Way all delivered with the help of our partners including organisations like Cardiff University, Sherman Theatre, Sport Cardiff and National Museum Wales to name just a few. I can't personally think of a better symbol of our commitment to a Child Friendly Recovery into becoming a Child Friendly City than see our children take over the space in front of City Hall at the heart of our Civic Centre.

As I mentioned in my Council Statement, the [Welsh Government announced last month](#) that it is providing £20million to support a national 'Winter of Well-being' programme, which will deliver more opportunities for children and young people to develop their social, emotional and physical well-being through play and other social activities outside of formal learning.

The Child Friendly City Team will be coordinating the delivery of this programme in Cardiff and will be looking to build on the success of our Summer of Smiles programme. As a City I hope we can all take pride in seeing our City come together to deliver for our children and the values of inclusion underpinned the whole programme.

#### Supplementary Question

That's great news it was well received. If you have any more Summer of Smiles forthcoming in the winter months can you ask for me to join you again because we had great fun last time.

Reply

We did and my favourite picture of the summer was the pair of us on the space hoppers.

QUESTION FROM COUNCILLOR DILWAR ALI

The Cabinet Member mentioned at a recent Environmental Scrutiny Committee that he had suggested pop-up recycling collections may happen in Cardiff. Could you update the council on any progress?

Reply

Thank you for sending me the short video, which I believe was in Birmingham which was indeed one of the cities we have been in contact with.

Our Officers are currently working on, with the Hubs to see what kind of opportunities we've got to recycle materials that are not picked up at kerbside but you will forgive me for not going too far because I don't want to be accused of favouritism with you when I've had a similar questions asked by Councillor Parkhill and Councillor Lancaster, both valuable members of the Environment Scrutiny Committee, and indeed Councillor Berman, so I would suggest that you wait just a little while longer than will unveil our new recycling strategy that is designed to make a huge difference and will take Cardiff to world class recycling levels and I'm sure you will like what you see as will other members of this Council and will support our aims and objectives.

106 : URGENT BUSINESS

None

107 : AMENDMENTS TO THE INTER AUTHORITY AGREEMENT OF THE WALES PENSION PARTNERSHIP

The Committee received and approved the proposed amendments to the Inter Authority Agreement (IAA) as outlined in the report and Appendix 1

108 : LOCAL AUTHORITY GOVERNOR APPOINTMENTS

The Council received a report to appoint Local Authority School Governors to fill vacancies.

RESOLVED: That, in accordance with the recommendations of the Local Authority Governor Panel, the Council approves the new appointments and re-appointments of Local Authority Governors to the school governing bodies as set out in Appendices 1 & 2 of the report, each for a term of 4 years from the date of the appointment.



109 : COMMITTEE MEMBERSHIP

The Committee received and approved further nominations to vacancies in accordance with political group wishes, which were reported on the amendment sheet.

110 : OUTSIDE BODIES

The Committee received and approved a nomination to a Outside Body in accordance with political group wishes, which was reported on the amendment sheet.

111 : WRITTEN QUESTIONS

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

Mae'r dudalen hon yn wag yn fwriadol

**COUNCIL:****27 JANUARY 2022****REPORT OF HEAD OF SHARED REGULATORY SERVICES****LICENSING: TRIENNIAL REVIEW OF STATEMENT OF GAMBLING LICENSING POLICY****Reason for Report**

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

**Background**

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

Under section 349 of the Gambling Act 2005 each licensing authority must publish a Statement of Gambling Licensing Policy (SGLP) which sets out the principles that they propose to apply in exercising their functions under the Gambling Act 2005. Cardiff's first SGLP was published by the Authority on 7 January 2007, with the most recent version being adopted in January 2019.

3. The SGLP lasts for a maximum of three years and must therefore be reviewed on a regular basis. An Order of the Secretary of State means that licensing authorities are required to publish their next Statement by 31 January 2022.

**Issues**

4. The SGLP, which is determined for a three year period, outlines the licensing authority's approach to licence applications and deals with the problems and issues surrounding such applications.
5. The previous policy proved to be robust and effective in providing a framework for dealing with applications under the Gambling Act 2005. In accordance with the legislative requirements the SGLP has been reviewed and amendments proposed in consultation with responsible authorities, licence holders, stakeholders and the citizens of Cardiff. The draft new SGLP was approved by the Licensing Committee at its meeting of 30 November 2021. A copy of it is attached to this Report.

**Legal Implications**

6. The Gambling Act 2005 Act places a statutory requirement on a licensing authority to issue a Statement of Gambling Licensing Policy and to keep its policy under review and to make such revisions to it, at such times, as it considers appropriate. It is a requirement of the Act that the full Council meeting should formally approve the Statement of Gambling Licensing Policy.

### **Financial Implications**

7. There are no additional financial implications arising from this report. The Statement of Gambling Act Policy is to be delivered within the existing budget provision

### **RECOMMENDATIONS**

The Council is recommended to

1. Approve the Statement of Gambling Licensing Policy for publication on 31 January 2022 and adopted for use on that date;
2. Authorise the Head of Shared Regulatory Services to make administrative amendments to the policy should the need arise.

**Dave Holland**  
**Head of Shared Regulatory Services**

21 January 2022

Appendix A Statement of Gambling Licensing Policy

Background papers:  
Report to Licensing Committee 30 November 2021

# City of Cardiff Council

## Statement of Gambling Act Policy



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This Statement of Licensing Principles was approved by Cardiff Council on **DATE**

# 1. The Licensing Objectives

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

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

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

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

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

## 1.1 Introduction

This Statement covers the geographical area of Cardiff.

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

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

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

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

- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area;



- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

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

Our consultation took place between **insert date** and we followed [HM Government Code of Practice on Consultation](#) (published July 2008).

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

The policy was approved at a meeting of the Full Council on and was published via our website on **insert date**.

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

Licensing  
Cardiff Council  
City Hall  
Cardiff  
CF10 3ND  
E-mail: [licensing@cardiff.gov.uk](mailto:licensing@cardiff.gov.uk)

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

## 1.2 Profile of Cardiff

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



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

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

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

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

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

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

## 1.3 Declaration

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

## 1.4 Responsible Authorities

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

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

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

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

## 1.5 Interested parties

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

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

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

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

Each case will be decided upon its merits. This authority will not apply a rigid rule to its

decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities at 8.11 to 8.18 It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups, medical practices and Local Health Board.

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

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

Licensing Service  
Cardiff Council  
City Hall  
Cardiff  
CF10 3ND

Tel: 029 2087 1651

[Licensing@cardiff.gov.uk](mailto:Licensing@cardiff.gov.uk)

## 1.6 Exchange of Information

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

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

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

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

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

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

## 1.7 Enforcement

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

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

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

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

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

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

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

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

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

## 1.8 Licensing Authority functions

Licensing authorities are required under the Act to:

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

It should be noted that licensing authorities are not be involved in licensing remote gambling at all, which is regulated by the Gambling Commission via Operating Licences.



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

## **1.9 Fundamental Rights**

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

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

## **1.10 Integrating Strategies and Avoiding Duplication**

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

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

## **1.11 Sustainable Development Community Strategy**

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

The Wellbeing and Future Generations (Wales) Act 2015 requires all Welsh local authorities to think about the long-term impact of their decisions, to work better with people,

communities and each other, and to prevent persistent problems such as poverty, health inequalities and climate change.

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

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

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

## 2. Premises Licences

### Consideration of applications

#### 2.1 General Principles

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

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

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

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



## 2.2 Definition of “premises”

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

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

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

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

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

- Do the premises have a separate registration for business rates

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

## 2.3 Appropriate Licence Environment

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

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

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

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

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

### Casinos

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

### Adult Gaming Centre

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

### Betting Shops

- Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting Premises Licence.
- No direct access from a betting shop to another premises used for the retail sale of

merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

## Tracks

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

## Bingo Premises

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

## Family Entertainment Centre

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

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

## 2.4 Premises “ready for gambling”

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

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

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

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

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

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

## 2.5 Location

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

## 2.6 Planning

The Gambling Commission Guidance to Licensing Authorities states:

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

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

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

## 2.7 Duplication with other regulatory regimes

This Licensing Authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its

consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

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

## 2.8 Licensing objectives

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

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

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

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

This Licensing Authority is also aware of the Gambling Commission Codes of Practice as

regards this licensing objective, in relation to specific premises.

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

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

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

In particular operators must ensure that;

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

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

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

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

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

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

## 2.9 Bet-Watch

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

## 2.10 Conditions

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

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

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

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

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

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

These considerations will apply to premises including buildings where multiple Premises Licences are applicable.



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

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

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

## 2.11 Door Supervisors

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

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

## 2.12 Adult Gaming Centres

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

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

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



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

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

## 2.13 (Licensed) Family Entertainment Centres

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

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

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

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

This Licensing Authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to Operating Licences covering the way in which the area containing the category C machines should be delineated. This Licensing Authority will also make itself aware of any mandatory or default conditions on these Premises Licences, when they have been published.

## 2.14 Casinos

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

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

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

## 2.15 Betting Premises

### **Betting Machines**

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

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

## 2.16 Bingo premises

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

*18.4 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo*

*premises for which they issue a Premises Licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new Premises Licence, or multiple licences, for that or those excluded areas.*

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

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

## 2.17 Tracks

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

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

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

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

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

## 2.18 Gaming machines

There are many categories of gaming machine permitted at licensed and other premises and the number of such machines that may be permitted in each type of gambling premises are set out in the Act. The Licensing Authority does not have the power to set different limits or further expand or restrict the categories of machine that are permitted. The exception to this is alcohol-licensed premises that hold gaming machine permits, where licensing authorities have discretion to specify the number of permitted gaming machines. In addition, limits are set separately in the Act for certain types of permit issued by licensing authorities. Information on gaming machine entitlement can be found on the [Gambling Commission website](#).

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

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

## 2.19 Betting machines

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

## 2.20 Applications and plans

The Gambling Act (s51) and Regulations requires applicants to submit plans of the premises with their application, in order to ensure that the Licensing Authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the Licensing Authority to plan future premises inspection activity.

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

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

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

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

## 2.21 Travelling Fairs

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

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

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

## 2.22 Provisional Statements

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

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

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

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

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

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

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

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

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

## 3. Permits/Temporary and Occasional use Notice

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

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

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

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

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

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

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

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

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

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

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

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

#### **Permit: 3 or more machines**

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

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



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

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

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

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

### **3.3 Prize Gaming Permits**

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

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

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

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

### **3.4 Club Gaming and Club Machines Permits**

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

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

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

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

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

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

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

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

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

### 3.5 Temporary Use Notices

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

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

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

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

### 3.6 Occasional Use Notices

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

### 3.7 Small Society Lotteries

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

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

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

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

- for charitable purposes, as defined in section 2 of the Charities Act 2006;

- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity;
- for any other non-commercial purpose other than that of private gain.

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

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

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

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

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

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

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

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

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

## 4. Decision making

### 4.1 Administration, Exercise and Delegation of Functions

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

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

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

### 4.2 Appeals Procedure

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

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

On determining an appeal, the Court may:

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

### 4.3 Giving Reasons for Decisions

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

## 4.4 Implementing the Determination of the Magistrates' Court

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

## 4.5 Complaints against Licensed Premises

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

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

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

## 4.6 Reviews

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

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

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

Once a valid application for a review has been received by the Licensing Authority, representations can be made by responsible authorities and interested parties during a 28

day period. This period begins 7 days after the application was received by the Licensing Authority, who will publish notice of the application within 7 days of receipt.

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

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

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

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

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

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

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

## **5. Licensing Conditions and Codes of Practice (LCCP)**

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

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

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

The LCCP contains two types of code provision:

## 5.1 Social responsibility code provisions

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

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

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

## 5.2 Ordinary code provisions

These do not have the status of licence conditions in the case of licensed operators, but set out good practice; these code provisions are in the unshaded boxes in this document. Codes of practice are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the Commission in the exercise of its functions; any departure from code provisions by an operator may be taken into account by the Commission, for example on a licence review (but could not lead to imposition of a financial penalty).

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



## 5.3 Risk Assessments - Gambling Premises

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

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

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

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

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

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

The code requires the Licensing Authority to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this Licensing Authority would recommend that the following general matters are considered by operators when making their risk assessment.

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall

- proximity to accommodation or centres catering for vulnerable people, including those with gambling/alcohol/drug addiction
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.
- Matters relating to children and young persons, including;
- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.
- Any premises where children congregate including bus stops, café's, shops, and any other place where children are attracted,
- Areas that are prone to issues of youths participating in anti social behaviour, including such activities as graffiti/tagging, underage drinking, etc.
- Recorded incidents of attempted underage gambling

Matters relating to vulnerable adults, including;

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

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

**Betting Track Premises** – The Gambling Commission states within it's LCCP code that Operators are required to make a risk assessment. However, Betting Track Premises are not required to seek an Operator's Licence with the Gambling Commission and as such are not required to conduct a risk assessment. However, in the interest of the objectives of the Gambling Act 2003, namely i) preventing gambling being a source of crime or disorder, being associated with crime or disorder or being used to support crime; ii) ensuring that gambling is conducted in a fair and open way; iii) protecting children and other vulnerable persons from being harmed or exploited by gambling, this Licensing Authority would expect a Betting Track Premises to conduct a risk assessment for their premises.

## 5.4 Significant changes to the premises

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

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

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

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

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

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

## 5.5 Variation of the premises licence

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

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

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

## 5.6 Regular review of risk assessment

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

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

## 5.7 Local risks and control measures

There are two specific parts to the risk assessment process:

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

The risks that operators must identify relate to the potential impact a gambling premises and its operation may have on the licensing objectives. Gambling operator should identify and list all of the local risks within the assessment that they have identified. The level of such risks

can range from being low to very high depending on the potential impact that the gambling operator has assessed it to have on the licensing objectives. The level of any given risk will have a direct impact on the type and extent of the control measures that the gambling operators deems as being necessary to mitigate such risk.

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

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

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

## **5.8 Local area risks**

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

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

## **5.9 Gambling operational risks**

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

Gambling operators should identify operational risks in the local area to the licensing

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

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

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

## 5.10 Premises design risks

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

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

## 5.11 Interior design risks

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

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

machines, operators can significantly reduce the risk to the licensing objectives.

## 5.12 Exterior design risks

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

## 5.13 Control measures

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

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

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

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

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

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

**Physical:** Magnetic door locks and ID scans.

### **Step 1: Undertaking a local risk assessment**

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

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

### **Step 2: Gambling operation and physical design**

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

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

### **Step 3: Control measures**

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

### **Step 4: Action Plan**

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



## Completed assessment

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

## 6. Further Information

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

Licensing Section  
Cardiff Council  
City Hall  
Cathays Park  
Cardiff  
CF10 3ND  
Telephone: 029 20871651  
Email: [licensing@cardiff.gov.uk](mailto:licensing@cardiff.gov.uk)  
Website: [www.cardiff.gov.uk](http://www.cardiff.gov.uk)

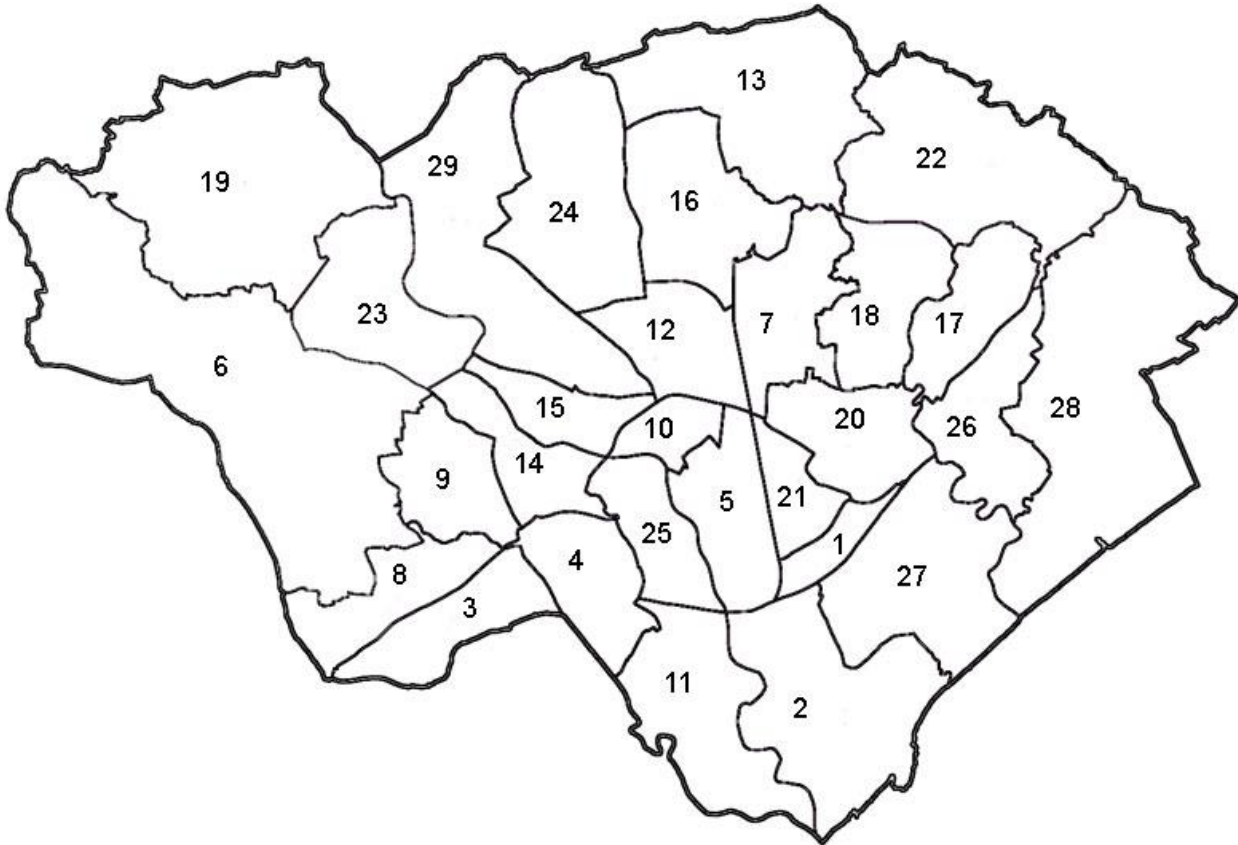
Information is also available from:

The Gambling Commission  
Victoria Square House  
Birmingham  
B2 4BP  
Telephone: 0121 230 6666  
Email: [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)  
Website: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

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

## 7. Appendices

### Appendix A: Map of Cardiff



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

## Appendix B - Responsible Authorities : Contact Details

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

<p>Team Manager (Licensing) Licensing Cardiff Council City Hall Cardiff CF10 3ND 029 20871651 <a href="mailto:licensing@cardiff.gov.uk">licensing@cardiff.gov.uk</a></p>	<p>The Chief Officer of Police South Wales Police Licensing Department, Cardiff Bay Police Station, Eastern B.C.U James Street Cardiff CF10 5EW <a href="mailto:SWPCardiffLicensing@south-wales.pnn.police.uk">SWPCardiffLicensing@south-wales.pnn.police.uk</a></p>
<p>The Gambling Commission Victoria Square House Victoria Square, Birmingham. B2 4BP 0121 230 6500</p>	<p>The Chief Fire Officer South Wales Fire and Rescue Service Forest View Business Park, Llantrisant, Pontyclun CF72 8LX 01443 232000 <a href="mailto:Safety-south@southwales-fire.gov.uk">Safety-south@southwales-fire.gov.uk</a></p>
<p>Operational Manager (Neighbourhood Services) Pollution Control Cardiff Council City Hall, Cardiff. CF10 3ND 029 20871856 or 20871675 <a href="mailto:pollution-cardiff-srswales@valeofglamorgan.gov.uk">pollution-cardiff-srswales@valeofglamorgan.gov.uk</a></p>	<p>The Operational Manager Development Management Cardiff Council County Hall, Cardiff. CF10 4UW 029 20871135 <a href="mailto:development@cardiff.gov.uk">development@cardiff.gov.uk</a></p>
<p>The Operational Manager Children's Services Child Protection Unit Trowbridge Family Centre Greenway Road Trowbridge Cardiff CF3 1QS 029 20774642 <a href="mailto:safeguardingchildren@cardiff.gov.uk">safeguardingchildren@cardiff.gov.uk</a></p>	<p>HM Revenue &amp; Customs Excise Processing Teams Gambling Duties BX9 1GL UK <a href="mailto:Nrubetting&amp;gaming@hmrc.gsi.gov.uk">Nrubetting&amp;gaming@hmrc.gsi.gov.uk</a> 0300 200 3700</p>

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

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

## Appendix D - Schedule of Delegation of Licensing Functions and Decisions

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

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

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



**Council:****27 January 2022**

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**REPORT OF THE HEAD OF DEMOCRATIC SERVICES**

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**DIVERSE COUNCIL DECLARATION****Reason for this Report**

1. To consider the request from the Welsh Local Government Association (WLGA) Council for all Councils in Wales to commit to become a Diverse Council in 2022.

**Background**

2. Achieving a more representative Council is essential for ensuring quality policy development and decision making. Improving the representation of minority groups and those with protected characteristics, in particular, will help the Council to deliver responsive public services and shape our place-making to better reflect the needs of our diverse communities now, and for future generations.
3. As Wales' capital city, Cardiff has a particular responsibility to deliver on this important issue. In recent years, Cardiff Council has completed outreach and engagement through activities such as mentoring schemes and information days which seek to reach new audiences and encourage wider participation within underrepresented groups, such as Cardiff's ethnic minority communities.
4. This work has been supplemented by a programme of internal support for serving councillors, to ensure that they receive appropriate guidance, development opportunities and better working conditions, recognising that many councillors will balance their elected role alongside other employment or study. The Council has also worked to implement best practice in supporting elected members who experience abuse and harassment, following the guidelines and principles set by the Welsh Local Government Association.
5. At a special meeting of the Welsh Local Government Association Council in April 2021, a report entitled Diversity in Democracy was considered and has been attached as **Appendix A**. This was a culmination of the work of a WLGA cross-party working group which built on the action plans and ambitions of councils and partners.
6. A report relating to the Diverse Councils was considered by the Democratic Services Committee at its meeting on 19 July 2021. The Committee report identified that the

Council already has the ability to meet some of the proposed requirements of the Welsh Local Government Association draft declaration including:

- a. **Demonstrate a commitment to a duty of care for Councillors by providing access to counselling services for all councillors**
- b. **Demonstrate a commitment to a duty of care for Councillors by having regard for the safety and wellbeing of councillors whenever they are performing their role as councillors.**

7. Some of the intentions of the Welsh Local Government Association Council in its letter and report fell within the remit of the Democratic Services Committee and the support provided by the Democratic Services Team. Some of the activities that the Committee is developing could be mapped to support these intentions and could include:

- a. Assisting in **“Providing a clear public commitment to improving diversity in democracy”** by:
  - Working in partnership with Carmarthenshire Council, Welsh Government and Welsh Local Government Association to provide a series of awareness videos to promote Local Democracy across Wales
- b. Working with councillors and candidates to **“Ensure that all members and candidates complete the Welsh Government candidates’ and councillors’ survey distributed at election time”** by the promotion of these important surveys by Electoral and Democratic Services.
- c. Supporting the opportunity to **“Set ambitious targets for candidates from under-represented groups at the 2022 local elections”** by identifying the demographic profile of existing Councillors. This data could then be used as a benchmark for any target setting.
- d. **“Work towards the standards for member support and Development set out in the Wales Charter for Member Support and Development”**

8. Many of the intentions contained within the Welsh Local Government Association Council letter and report are not within the remit of the Democratic Services Committee and therefore it would be for Council and the political groups who are currently or hoping to be represented on the Council in the future, to consider how they could support Cardiff to become a Diverse Council. Initial consideration of the WLGA report the Committee identified some of the individuals, committees and political bodies which may have a role within their scope of responsibility to undertake activities and actions to support any commitment made by Cardiff Council:

- a. Political Group Leaders and Whips
- b. Chair of the Constitution Committee
- c. Chair of the Standards and Ethics Committee
- d. Chair of the Race Equalities Task Group
- e. Chief Executive / Returning Officer

- f. Monitoring Officer
- g. Head of Democratic Services
- h. Cohesion and Community Engagement Manager

## Issues

9. The Welsh Local Government Association has committed to making a step change in local government diversity from 2022. The Welsh Local Government Association Council endorsed the Diversity in Democracy report considered at a special meeting of the Welsh Local Government Association Council meeting in April 2021.
10. The Welsh Local Government Association Council unanimously agreed that all Councils should commit to a declaration on becoming 'Diverse Councils' in 2022, to provide a clear, public commitment to improving diversity.
11. The report included an 'outline' Declaration to:
  - Provide a clear, public commitment to improving diversity;
  - Demonstrate an open and welcoming culture to all;
  - Consider staggering council meeting times and agreeing recess periods to support councillors with other commitments; and
  - Set out an action plan of activity ahead of the 2022 local elections.
12. A letter attached at **Appendix B** was sent from the Welsh Local Government Association to all Group Leaders, Chairs of Councils, Chairs of Democratic Services Committees, Chief Executives and Heads of Democratic Services. The letter requests that all Councils in Wales should commit to a declaration by July 2021 to become a 'Diverse Council' in 2022, to provide a clear, public commitment to improving diversity. The letter refers to the outline Declaration included within the Welsh Local Government Association report. However, it notes that Councils may wish to undertake further action or commitments within their Declarations according to local priorities.
13. In preparation for future Local Government elections, it is proposed that Cardiff Council develops a comprehensive action plan to build upon our progress to date and set an ambitious standard for future years. This will include making visible a Wales-wide communications campaign to encourage people from underrepresented groups to vote, engage with local democracy and stand for office. The Council will also partner with an all-Wales national mentoring programme, collaborating with the Womens' Equality Network Wales, Ethnic Minorities and Youth Support Team (EYST) Wales, Stonewall Cymru and Disability Wales, to provide a pipeline of mentors and mentees.
14. Our programme of work would also include working with the Welsh Government and Senedd Commission to encourage youth participation and political engagement. A range of resources will be developed and made available to schools and relevant youth settings, to encourage 16 and 17 year olds to get involved in politics, take action on issues in their community and use their right to vote.
15. In addition, further information will be publicly available for those interested in becoming a councillor via a new Welsh Local Government Association website: "[Be a](#)

Councillor". Work will also be completed to implement the pan-UK Civility in public life campaign in Cardiff and across Wales via the Welsh Local Government Association. This will enable Councils to continue to improve the range of support and development provided to members, particularly those from minority groups who are vulnerable to harassment and unacceptable behaviour online.

16. It is recognised that the Council is not currently representative of our diverse community and further action is required to widen political participation in our city. Cardiff Council has delivered some effective work to improve diversity, which is a source of learning to inform future evidence-based action. As a new phase to this work, developing a comprehensive action plan will provide an opportunity to strengthen our practice in this area and deliver meaningful action on representation for Cardiff residents.
  17. Councils' local diversity work will be supported by a national awareness raising, publicity and support through the Welsh Local Government Association and Welsh Government. Welsh Local Government Association officials will be meeting with Heads of Democratic Services to share ideas and approaches to develop local Diverse Council Declarations.
  18. Additional partners, colleagues or organisations may be subsequently identified who may be able to further enhance the opportunities for Cardiff Council to develop a comprehensive action plan to support a Diverse Council Declaration.
  19. Any action plan is unlikely to have a significant impact on the 2022 Local Government Elections therefore it is anticipated that the timescale for any actions will extend until the Local Government Elections in 2027.
  20. Suitable consultation activities will be undertaken to engage with minority and underrepresented groups particularly those with protected characteristics to ensure that the action plan reflects their experiences and echoes the voices of our communities. This will assist the creation of an action plan which recognises the strengths of our communities and responds effectively to the barriers which reduce participation and political disengagement.
  21. To progress the request of the Welsh Local Government Association it is proposed that Cardiff Council make a Diverse Council Declaration with a commitment to:
    - a. Broaden Local Democratic Representation,
    - b. Support involvement with local decision-making
    - c. Support Councillors to discharge their responsibilities effectively.
    - d. Develop a Diverse Council Action Plan 2022-27 in consultation with representative and community groups, to be submitted for consideration by the Council following the Local Elections in 2022.
- A full version of the Diverse Council Declaration is shown at **Appendix C**.
22. Following Council consideration of the proposed action plan, the initial Diverse Council Declaration could be enhanced to reflect its actual intentions and the Council's ongoing

commitment to support its diverse communities and be seen at the forefront of improving the diversity of Cardiff Council and as an exemplar for the whole of Wales.

## Legal Implications

23. 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.
24. The Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting from socio-economic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010). In considering this, the Council must take into account the statutory guidance issued by the Welsh Ministers (WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 (gov.wales) and must be able to demonstrate how it has discharged its duty.
25. There are no direct legal implications arising from the recommendations of the report. Legal advice will be provided, as necessary, in respect of any specific actions to be taken to support the Council's commitment to become a Diverse Council.

## Financial Implications

26. There are no direct financial implications from this report. The development of an action plan will require consideration and identification of all resources including any financial provision, necessary to deliver the outcomes.

## RECOMMENDATIONS

27. Council is recommended to:
  - a. Note the content of the report and appendices.
  - b. Make a Diverse Council Declaration, as set out in full in **Appendix C**, with a commitment to:
    - Broaden Local Democratic Representation,
    - Support involvement with local decision-making
    - Support Councillors to discharge their responsibilities effectively.
    - Develop a Diverse Council Action Plan 2022-27, in consultation with representative and community groups, to be submitted for consideration by the Council following the Local Elections in 2022.

**GP JONES**  
**HEAD OF DEMOCRATIC SERVICES**  
**21 January 2022**

The following appendices are attached to this report:

Appendix A - Diversity in Local Government Democracy Report for WLGA

Appendix B - Diversity in Democracy WLGA Letter

Appendix C – Diverse Council Declaration

**Background Papers:**

[Diverse Council Report](#) - Democratic Services Committee dated [19 July 2021](#)

# **WLGA SPECIAL COUNCIL**

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## **WLGA WORKING GROUP ON DIVERSITY IN LOCAL DEMOCRACY**

### **Purpose**

1. To report on the work undertaken by the WLGA Cross Party Working Group on Diversity in Local Democracy and seek Council's endorsement of proposals to achieve a 'step change' at the 2022 local elections.

### **Summary**

2. WLGA Council agreed in September 2018 to take steps to advance gender equality and diversity in Councils before the 2022 elections. This was in recognition of the lack of diversity in Welsh Councils. A cross party working group was set up to explore broader underrepresentation in democracy.
3. It is now widely acknowledged that equal representation is not only an issue of representational fairness but essential for the quality of policy development and decision making. Decisions will be better when they are taken by people with lived experience of an issue. The 'right person for the job' of councillor needs to be a member of the community they serve, in order to fully and consistently understand the lives and needs of that community. Councils also need to demonstrate to underrepresented communities that they are valued and included in local democracy.
4. Much work has been undertaken in the last decade in Wales to measure and improve the diversity of councils. More work is in the pipeline in preparation for the 2022 elections. There is a national communications campaign to encourage people from underrepresented groups to vote, engage with local democracy and stand for office. New mentoring programmes are being delivered with the Womens' Equality Network Wales and the Ethnic Minorities and Youth Support Team Wales. Stonewall Cymru and Disability Wales will also soon be offering mentoring programmes. The Welsh Government and Senedd Commission are working with Councils, schools and youth councils and developing resources to encourage 16 and 17 yr olds to get involved and vote. The WLGA has a new Be a Councillor website and, is part of the Pan UK civility in public life campaign and are working with Councils to continue to improve the range of support and development provided to members.
5. In previous elections councils have worked hard to encourage underrepresented groups to stand with their own outreach, mentoring schemes and information days. They have done much to improve the support provided for serving councillors and provide them with guidance, development and better working

conditions. More recently we have worked together as a local government family to support members suffering abuse and harassment.

6. The Working Group found, and national and international research shows, that this comprehensive activity will not be enough to make change at the pace required. This report outlines the additional activities that could make a difference.
7. There are three main areas for action:
  - Encouraging councils to ensure all councillors receive their full entitlement to allowances and salaries, and encouraging the introduction of resettlement grants, so that all members receive fair remuneration for their work and that the role of member is not limited to those who can afford it
  - An agreement by councils to undertake new or developed work in this area and visibly commit to this by signing up to becoming Diverse Councils.
  - To discuss positions and making representation to political parties and acting locally to set quotas and/or voluntary targets for the election of councillors from underrepresented groups.

## **Background**

8. WLGA Council first received this report at its meeting on 27<sup>th</sup> November 2020. Given the significance of the report and the issues considered and due to the congested agenda at the November Council, members agreed to defer the report to a later and dedicated meeting in early 2021.
9. At its meeting on 28<sup>th</sup> September 2018, WLGA Council committed to advance gender equality and diversity in local democracy ahead of the 2022 local elections.
10. WLGA Council agreed to establish a cross party working group to develop an action plan and to identify possible actions for consideration by WLGA Council. The Membership of the Group is at Annex A. Not all members were able to attend all meetings, however, contributed to the work via discussions with officers. The WLGA Equalities Cabinet Members Network has also fed into the work of the group.
11. The working group did not commission additional research or evidence gathering as there have been several reviews in recent years. The working group considered recommendations which have emerged from research undertaken in 2018-19 by the Women's Equalities Network, Chwarae Teg, the Senedd's Equality, Local Government and Communities Committee, the Welsh Government



including the review of its Diversity in Democracy programme, the Fawcett Society, the Electoral Reform Society, and the British Council. Further research and reports, including engagement and research through the Welsh Government's developing Race Equality Action Plan and Race Alliance Wales' 'Do the Right Thing' report (January 2021)<sup>1</sup>, have informed this report.

12. The evidence base, barriers and challenges to attracting more diverse councillors were referenced in the WLGA's submission to the Senedd's Equality, Local Government and Communities Committee Inquiry into diversity in local government in September 2018<sup>2</sup>. The barriers and challenges can broadly be summarised as:

- Time-commitment and meeting times;
- Political and organisational culture;
- Childcare and other caring responsibilities;
- Public criticism and online abuse;
- Remuneration and impact on employment; and
- Lack of diverse role models and incumbency

13. The working group also considered the legislation proposed in the Local Government and Elections (Wales) Act 2021 and considered the views from various groups through the Diversity in Democracy roundtables of stakeholders, convened by the Minister for Housing and Local Government, where the WLGA was previously represented by Cllr Debbie Wilcox and, subsequently, by Cllr Mary Sherwood.

14. The WLGA supported and participated in regional diversity in democracy stakeholder events held by the Welsh Government in the autumn of 2019 which sought views from under-represented groups from across Wales.

15. Senior WLGA and local government members also participated in an Electoral Reform Society 'Equal Power Equal Voice' Roundtable debate in October 2020 which sought to explore some of the barriers around diversity, including quotas.

## **Progress remains slow**

16. Data shows that there remains a significant lack of diversity in Welsh councils. In Wales' local authorities:

- 28% of councillors and 29% of Cabinet members are women.

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<sup>1</sup>Race Alliance Wales 'Do The Right Thing' research report on racialised representation in public and political life (January 2021) - Full research paper (<https://bit.ly/3qpU4Rm>) Executive summary (<https://bit.ly/3bPtfCk>)

<sup>2</sup> <https://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&fileid=1852&mid=665>

- Councillors are proportionately older than the general adult population (47% of councillors were aged 60 years or older) and a higher proportion of councillors were retired (31%).
  - Only about 1.8% of councillors are Black, Asian and Minority Ethnic (BAME) compared to 4.7% for the Welsh population and few hold senior positions.
  - 11% of councillors stated that they had a disability, and there remain a range of challenges for disabled people participating in the democratic process.
17. There has been some small progress, however, the leadership of Welsh local government is more diverse than ever before, though we recognise it is not fully reflective of wider society; there are 6 women leaders (up from 2 in 2017) and 6 women Deputy Leaders, a quarter of leaders are below the age of 45 and 2 leaders and several senior councillors have featured in Pride Cymru's 'Pinc List' in recent years.
18. The Black Lives Matter movement and wider Welsh Government commissioned working groups on the impact of COVID-19 on BAME people has demonstrated the barriers and challenges faced by of a significant proportion of society and highlighted the need to make visible progress in policy, leadership and, in particular, political representation.
19. The Report of the Welsh Government's BAME Covid-19 Socioeconomic Subgroup, chaired by Professor Emmanuel Ogbonna observed:
- "The overall theme that ran through the factors discussed in this report is the impact of longstanding racism and disadvantage and lack of BAME representation within decision making to effect better socio-economic outcomes. Although many of the issues highlighted have been identified and discussed previously, they have not been addressed in any systematic and sustained way. The coronavirus pandemic is, in some respects, revealing the consequences of such inaction on race equality."
20. The Socioeconomic Subgroup recommended that:
- "Welsh Government to encourage the political engagement of BAME communities by raising awareness and understanding of Welsh and UK democratic institutions and processes, with the overall aim of encouraging the increase of political representation of BAME communities by also encouraging voter registration from BAME communities."
21. The Welsh Government is also developing a Race Equality Action Plan, which will be published for consultation in the Spring 2021. This Plan will outline a vision, goals and actions to make Wales an anti-racist nation and will prioritise anti-racism and greater diversity in leadership and representation.
22. In advance of the Race Equality Action Plan, the actions and proposals in this report have been informed by WLGA engagement and participation in the Welsh Government's stakeholder and working groups and other race equality workstreams. Race Alliance Wales' 'Do the Right Thing' report outlines a range of

cultural and institutional barriers around participation of racialised people (it uses this term as it is argued that BAME people are racialised because of their ethnicity) and outlines several recommended actions and commitments for public bodies.

23. Local authorities are also undertaking local reviews or actions in response to the issues raised through Black Lives Matter and COVID-19 work reflecting the issues. The WLGA leadership has committed to building on local authorities' work and the WLGA will respond to the Race Equality Action Plan when it is published for consultation.
24. The lack of diverse representation in local authorities is a problem that has been recognised for decades. A more diverse democracy and elected representatives who are more reflective and understanding of their communities leads to better engagement with individuals and communities, in turn leading to greater levels of confidence and trust and better decision-making informed by a wider range of perspectives and lived experiences.
25. Prominent decision-makers from under-represented groups can be influential role models, empowering and encouraging others to aspire to follow in their footsteps and to contribute to public life. Similarly, more diverse senior political leaders who are more representative of an organisation's workforce can lead to improved workforce engagement, trust in leadership and a more confident organisational culture.

## **Diversity in Democracy 2017**

26. Local authorities, the WLGA, Welsh Government and political parties have employed a range of measures to encourage greater diversity in candidates and councillors. The WLGA supported the Welsh Government-led Diversity in Democracy programme ahead of the 2017 elections.
27. The Diversity in Democracy programme was the biggest and most well-resourced programme of its type and was supported by a range of national partners including the main political parties. The programme included an awareness and promotional campaign, production of literature and online videos for candidates, businesses and mentees, working with employers to encourage them to encourage and support staff to be councillors and the roll-out of a mentoring scheme for people from under-represented groups.
28. A range of online materials were produced to provide information to candidates and councillors, including the WLGA's Be a Councillor guide and Councillor's Guide and the Welsh Government's Diversity in Democracy materials which included specific leaflets to encourage businesses to support staff in becoming councillors.

29. The Welsh Government produced a series of online videos with councillors as part of the Diversity in Democracy programme and several councils, including Gwynedd, Monmouthshire and Powys also produced excellent videos to explain the role of councillors and to encourage candidates to stand.
30. Several councils ran 'open days' ahead of the elections and mentoring and shadowing programmes are widely regarded as being beneficial, particularly in supporting people from under-represented groups to come forward to stand.
31. A mentoring campaign was the central project within the Diversity in Democracy programme and participants received extensive support, advice, training and access to serving councillors who acted as mentors. Of the 51 mentees who participated, only 16 stood for election and only 4 were elected. However, such a 'conversion rate' suggests that, in future, mentoring and support programmes may be a more effective use of resources if they are provided to people who had already committed to standing as a candidate.

## **Diversity in Democracy 2022**

32. The cross party WLGA working group met three times to consider evidence and develop recommendations for consideration by WLGA Council. The working group has reviewed the existing evidence, considered what activities councils and the WLGA could do to improve diversity in democracy and the role of the Welsh Government and political parties.
33. The Minister for Housing and Local Government also convened a Diversity in Democracy roundtable of stakeholders which met twice. During the autumn of 2019, the Welsh Government organised 4 regional stakeholder events with 95 people attending, including councillors and officers from town and community councils and unitary authorities and third sector including charities, support organisations for the disabled, BAME, young people and religious organisations. WLGA Officials facilitated roundtable discussions. Key messages were:
  - There was a general lack of awareness of the role and contribution made by councillors.
  - Social media abuse directed at councillors is getting worse. The abuse is predominately, but not exclusively aimed at women which has a direct effect on diversity in the role. There was increasing concern the abuse could be directed at members of the councillors' family, which was evidenced by some of the experiences of attendees.
  - Training and development are fundamental, but people were not always aware of what is available.
  - Time commitment was a barrier for many people, particularly people with family commitments or jobs.

- Providing help with costs to support individuals stand for election was a recurring theme, particularly for disabled people and other individuals from protected characteristics groups. Childcare costs were also seen as a barrier to campaigning.
- There was confusion about whether and what councillors are paid and on what basis. There were concerns about the determinations made and how individuals were impacted as a result of the interplay between the HMRC, the benefits system and the remuneration levels. Many attendees at the workshops felt remuneration of the councillor role does not cover the costs associated with the role particularly in town and community councils.

## **Action Plan 2020-22**

34. A range of actions emerged from the Ministerial roundtable and the WLGA's working group which are being implemented or planned. These include the following (specific WLGA or local authority activity is included in italics):

### **Awareness/Value of Role**

35. Councils and councillors have played a critical, central and prominent role during the COVID 19 pandemic during 2020. Councils have demonstrated that they are uniquely placed at the heart of their communities and public service delivery and councils and councillors have invariably been the first port of call for the most vulnerable or those in need of support or assurance. The crisis has demonstrated councils' ability to respond irrespective of scale and reaffirmed the importance of subsidiarity and localism, with elected members rooted in their local communities.

36. A broad-based communication campaign is in development with the Welsh Government and Senedd Commission. This will start with messages about the value of democracy and voting aimed at primarily at the newly enfranchised for the 2021 Senedd elections. This will develop to focus on the value and contribution made by councillors and encouraging participation in local democracy.

37. In parallel to the development of the national campaign Welsh Government will work with partners to identify key points/events throughout 2020 to promote positive stories about councillors' contributions and achievements.

*38. Councils and WLGA to develop a consistent and coordinated campaign demonstrating how much councillors are valued, developed and supported.*

*39. WLGA has launched a Be a Councillor website <https://www.beacouncillor.wales/> which will be further developed in 2021 with pen portraits and 'day in the life' case study videos of councillors from a cross-section of characteristics. It will also include an e learning module for people interested in standing to enable them to*

*understand the role in more detail and "hit the ground running" should they be elected.*

- 40. Coordinated activity between authorities, including information and awareness campaigns and open days, linked to key events such as Local Democracy Week, International Women's Day, Black History Month, Disability Awareness Day, LGBT History Month etc.*
- 41. Targeted WLGA promotional work through Welsh political party conferences in 2021*
- 42. Targeted engagement work with third sector organisations to encourage discussion and interest in volunteers translating their informal community role into an elected community role. The COVID 19 Pandemic has increased the levels of voluntary and community-based work. The WLGA will engage with individuals and groups who may now wish to continue this work by standing for office.*

### **Candidate/Councillor Abuse**

- 43. The Local Government and Elections (Wales) Act 2021 will facilitate a change in the requirement to use personal addresses on ballot papers. The Act will also place a duty on political group leaders to promote high standards of conduct. It will also require councils to publish official rather than personal addresses for councillors.*
- 44. The WLGA, in partnership with their colleagues in England, Scotland and Northern Ireland, are involved in developing the Civility in Public Life campaign to promote mutual respect and promote high standards of conduct. The WLGA, working with the LGA, has produced an online Councillors guide for handling intimidation <https://www.local.gov.uk/councillors-guide-handling-intimidation> .*
- 45. The WLGA is working with authorities to encourage an informal but comprehensive duty of care for members.*
- 46. The WLGA is also contacting and providing advice and support to individual councillors who receive online abuse and, where appropriate, issuing supportive messages challenging online abuse via social media.*

### **Training and Development**

- 47. The WLGA, with authorities, will continue to review current and future training provision. This will include a focus on new ways of delivering support and development post COVID 19.*
- 48. Work will be undertaken to identify ways in which ex councillors can use their experience and skills to enhance their CVs or continue to use their skills and experience through involvement with training / support mechanisms.*

49. *The National "curriculum" for member induction is being updated. This overview of what members would find useful to learn is agreed with councils and includes subjects considered mandatory. As well as traditional subjects like Ethics and Standards, The Well-being of Future Generations and Scrutiny skills, this will now include unconscious bias, personal safety and remote working skills.*
50. *A new online Councillors Guide will be developed for Councillors for the 2022 elections.*
51. *The suite of National e Learning modules specifically developed for members which is freely available via the NHS learning@wales website will be updated for the 2022 elections. This work is being undertaken by authorities working together with the WLGA and is particularly important as a result of the changes to working and learning practice as a result of the Pandemic.*
52. *The national Competency framework for elected members is now being developed prior to the 2022 elections to include new requirements such as the understanding of unconscious bias, civility, remote meeting attendance and ICT skills.*
53. *Councils undertake personal development review with members to personalise training support. WLGA offers guidance and training in how to conduct PDRs*
54. *The Leadership programme for elected members developed and delivered with LGA and Academi Wales is being re commissioned and refreshed. There are challenges associated with delivering the programme in the current climate which will be addressed as part of the commission.*

## **Mentoring**

55. *Welsh Government officials are working with disability and equality organisations such as the Ethnic Minorities and Youth Support Team Wales, Disability Wales and Stonewall Cymru to scope the requirement for a Wales wide mentoring scheme which includes all protected characteristics. Several mentoring schemes are already organised by a range of third sector organisations, these will be aligned and coordinated, with resources and learning shared.*
56. *Work will be undertaken to explore work shadowing/apprenticeships and other opportunities to expose individuals to the work of councils which taken together will form a pathway to participation.*
57. *The WLGA has promoted and is supporting mentoring schemes run by EYST and the Women's Equality Network Wales. Several councillors have participated as mentors in these programmes.*
58. *Newly elected members are offered mentors when they join the council (WLGA provides guidance and training for member mentors).*

59. *There are opportunities for individual councils/councillors to provide shadowing and mentoring opportunities for people interested in standing for office ahead of the 2022 local elections.*

## **Flexibility**

60. The Local Government and Elections (Wales) Act 2021 includes a range of provisions to support flexible ways of working including making provision for job sharing and strengthening the remote attendance arrangements.

61. Welsh Government Officials are now working with WLGA and LA officials to consider how the legislation and arrangements made for meetings to be held remotely could be extended to improve flexibility and access for a wider range of councillors.

62. *Local authorities' rapid adoption of virtual meetings via platforms such as Teams, Webex or Zoom during COVID 19 has transformed the way councils do business. Meetings are more accessible for many members, significantly reducing travel commitments and time, allowing members to attend meetings from work and, in the main, from home. Whilst there are potential impacts on 'work-life' balance and setting boundaries between council work and home-life, this approach has provided greater flexibility for members with caring responsibilities. Virtual meetings have also encouraged a less formal and flexible approach to meetings. Councils have bid for WG funding to facilitate digital engagement through the Digital Democracy Fund.*

63. *The LGA have produced a tool to enable women, parents and carers to become councillors and has a range of ideas that could be adopted in councils including a way of assessing the councils support for diverse councillors. <https://www.local.gov.uk/twenty-first-century-councils>*

## **Supporting individuals with protected characteristics**

64. The Welsh Government plans to introduce an Access to Elected Office fund to assist disabled people to stand for elected office in Wales at the 2021 Senedd and 2022 local elections.

65. The Welsh Government recently consulted on this proposal and the WLGA and several authorities were supportive. The Working Group also suggested that learning from this initiative could be used to inform any future access funds such as for childcare for candidates.

## **Education**

66. Welsh Government and Senedd Commission has developed a set of educational resources to accompany the extension of the franchise to 16- and 17-year olds in Wales which will focus on knowledge of and



participation in democracy in Wales. This is freely available to schools and other education settings via an online resource Hwb

67. Work is being undertaken to identify ways in which schools in Wales can use the new curriculum to highlight and promote participation and engagement with local democracy.

*68. Councils will continue to engage with schools, including links with school councils and Youth Councils.*

*69. Councils are also using the Electoral Reform Support Grant to engage with newly enfranchised groups to help them understand the democratic process and encourage them to register and vote.*

## **Remuneration**

70. In response to concerns raised by WLGA Leaders, the Independent Remuneration Panel is identifying the key issues in relation to taxation and benefits applying to members and will prepare a paper for Welsh Government.

71. The Minister for Housing and Local Government has raised the tax issues with the Independent Remuneration Panel for Wales to explore potential solutions.

72. The Welsh Government has committed to explore with the Independent Remuneration Panel for Wales the case for payments in respect of councillors who lose their seats at election and present options to Ministers. This is an issue that has been raised as a concern by leaders, as councillors (and in particular full-time senior councillors), are at significant personal, financial risk if they lose their seat.

## **Making a Step Change in 2022**

73. The above proposed work programme outlines a range of awareness raising, engagement and support activities. Many similar activities were delivered during the Diversity in Democracy programme ahead of the 2017 elections.

74. However, despite some progress, improvement was marginal at the at the 2017 elections:

- the number of candidates increased by 5.6% (3,463 candidates compared to 3,279 in 2012 (including Anglesey candidates in 2013).
- 29% of all candidates were women (up by 1% from 2012).
- 28% of councillors elected were women (up 2% from 2012).
- 32% of all newly elected members were women).

75. Uncontested seats at the 2017 elections remained high at 92 (7%) seats uncontested. This was fewer than in 2012, when there were 99 (8%) seats uncontested, but this continues to undermine local democracy.
76. Compared to the 2017 programme, Diversity in Democracy 2022 will include refinements and more targeted activity based on evaluations and lessons learned, along with some new, additional work such as the Civility in Public Life campaign.
- 77. The WLGA working group has shaped and is supportive of the proposed programme of activities outlined above, however it concluded that the programme on its own is unlikely to see significant improvements, particularly without clear leadership, commitment and coordinated actions from the main political parties.**
- 78. The working group has considered several more significant proposals which might have a more positive impact on diversity and the number of candidates in 2022.**
- 79. The views of Council are therefore sought on the following additional actions.**

### **The Role of Political Parties**

80. The working group recognised that independent councillors were a key feature of Welsh local government. It also recognised that political parties provided the majority of candidates at local elections and therefore play a key role and have significant responsibility in encouraging a more diverse range of candidates.
81. The working group noted that political parties have different policies and views about the introduction of quotas, all women shortlists, selection of diverse candidates in winnable seats or other positive-action initiatives.
82. There are, however, a range of good practice initiatives that political parties could undertake to encourage and support more diverse candidates both locally and nationally:
- Review party selection criteria e.g. reducing the length of membership before members can stand for office.
  - Local parties can establish fora and run events/socials/training sessions for underrepresented groups. Helping these groups understand what the role of councillor is about, that their participation is required and how to stand plus the support that will be available once in office.

- Parties could establish 'Diversity Grants' to support people from underrepresented groups (who will not benefit from the Access to elected office fund) to stand.
- Existing councillors from underrepresented groups can be put forward for public events on panels, as speakers or as chairs to raise the profile of members from underrepresented groups and enable them to be role models for their communities.
- Talent spotting and engaging with communities working with community leaders from underrepresented groups, encouraging people shadow, be mentored and stand for election.
- Promoting and signposting of information and materials, such as those available via parties or national bodies such as the WLGA.
- Establish respect protocols for behaviour within the Group reflecting that required in councils and for the Code of Conduct with sanctions for people not meeting standards or undertaking training in respect.
- Encourage political parties and local groups, including officials those with a responsibility in the selection process to undertake unconscious bias training.
- Encourage political parties to provide by-stander training for candidates and party members, to understand how to provide support to diverse candidates and challenge any abuse, such as disability hate crime or racism, that may be experienced on the doorstep (this was a proposal that emerged from the Electoral Reform Society roundtable in October 2020),

**83. It is recommended that WLGA Council agrees to encourage all political parties, through the WLGA Political Groups, to commit to proactive and coordinated activities such as those listed at paragraph 80 above to improve diversity in local government democracy.**

### **Resettlement grants or 'parachute payments'**

84. Councillors are one of the only paid public roles that do not have financial protection and are not entitled to receive a 'redundancy' payment if they lose office at an election. Members of the Senedd and Members of Parliament receive a significant resettlement grant should they lose office at an election. Redundancy payments are also a protected right for public sector employees.

85. In particular, senior councillors tend to be full-time, often have to give up careers to focus on their councillor role and many have family as well as

other financial commitments; the personal risk of a sudden and significant loss of a salary is inconsistent and unfair compared to other public roles. It is also a disincentive for more diverse people with careers or family responsibilities to consider taking on the most senior roles in local government.

86. The Independent Remuneration Panel has committed to consider this matter and explore whether the Welsh Government would need to introduce any legislative amendment to empower the Panel to introduce any such payments in future.
87. The 'cost of politics' and councillors' remuneration is a controversial matter and is subject to significant media and public scrutiny and political pressure. Any proposals would therefore have to carefully balance equality, fairness and costs and public acceptability.
88. WLGA leaders have previously raised the matter with the Independent Remuneration Panel previously, however the WLGA does not have a formal position on resettlement grants for senior salary holders.
89. **It is recommended that WLGA Council adopts a formal position calling for the introduction of resettlement grants for senior salary holders.**

### **Councillors' allowances and expenses**

90. The Independent Remuneration Panel and some WLGA Leaders have previously expressed concern that many members entitled to receive specific expenses, such as travel allowances, or reimbursements of costs of care do not make claims. Several councillors also decide to forgo parts of their salaries; the Independent Remuneration Panel recently wrote to the WLGA noting "...that it is an individual's right to decide that they can take a lesser amount than that prescribed as long as there is no pressure applied either directly or subliminally", noting concern, however, that 12% of councillors decided to forgo last year's salary increases. There are concerns that this is partly to do with austerity, public and media perception but anecdotally, it is clear that there is also local peer or political group pressure or organisational cultural norms.
91. These allowances are provided to meet councillors' legitimate costs incurred in undertaking their duties and also play a role in encouraging greater diversity; some councillors can be disproportionately affected if they are on low income or have caring responsibilities. The Independent Remuneration Panel and several leaders have expressed concerns about this practice as it

may disadvantage members who cannot afford to forgo expenses and acts as a disincentive to stand/re-stand.

92. As noted above, the 'cost of politics' and councillors' remuneration is subject to significant media and public scrutiny.

**93. It is recommended that the WLGA Council agrees to encourage all councillors to claim any necessary allowances or expenses incurred.**

### **Diverse Councils**

94. The Welsh Government has committed to making Wales a Gender Equal Wales and the Cabinet to becoming a Feminist Government, which is a government that is:

- Committed to equality of outcome for all women, men and nonbinary people and actively works to drive cultural and structural change
- Pro-actively works to advance equality and remove the barriers against all women's participation in the economy, public and social life
- Puts a gender perspective at the heart of decision-making, resource and budget allocation
- Takes an intersectional approach to all of its work and ensures diversity of representation, participation and voice
- Is people-focused and collaborative, ensuring that all communities are meaningfully engaged in its work
- Is open, transparent and accountable and welcomes scrutiny through a gender lens
- Makes use of policy development and analysis tools to embed gender equality into all of its work and actively monitors progress towards equality using a robust evidence base
- Leads by example and supports other public bodies to take action to deliver equality.

95. The Black Lives Matter movement has highlighted global concerns about racism and COVID-19 pandemic has exposed the health and socio-economic impacts of inequality. Increased representation from BAME people on councils is essential to ensure that BAME people are represented and contribute their lived experiences to the decision-making process.

96. Councils' Strategic Equality Plans outline objectives which demonstrate their commitments and planned actions to promote equality and diversity, including as employers and representative bodies. Many councils will also undertake a range of activities in promoting diversity in democracy ahead of the 2022 local elections, as outlined above.
97. The Local Government and Elections (Wales) Act 2021 will introduce a new 'public participation' duty on local authorities which will include encouraging people to participate in decision-making and promoting awareness of how to become a member of the council. Further details of the aspects of the Act 2021 which contribute to diversity can be found in Annex C
98. Council meeting times are regularly highlighted as an issue for many serving councillors and, occasionally, as a disincentive for some people to stand. Councils review their meeting times at least once per term and several allow committees to have more flexibility to suit the committee members.
99. Councillors however have diverse backgrounds and varying personal, caring and professional commitments; it is therefore unlikely that council meeting times are ever going to be convenient for all members. For example, a councillor who has a young child might find it easier to meet during the day, whereas another may prefer to meet in the evening, depending on work commitments, schooling arrangements or childcare availability.
100. An option suggested at the Equality Cabinet Members Network, was that meetings of any one committee should be varied over the year between day and evening so that members were not always having to take the same time off work or arrange childcare. It was also noted that people should be advised before standing that meeting times may vary and could be changed, depending on the views of the newly elected councillors.
101. The potential permanent changes to meeting arrangements so that they can be held remotely may reduce the time required for travelling to meetings, however members with caring responsibilities may still require staggered meeting times as it is still not possible to provide care and attend a meeting simultaneously.
102. The Senedd and Parliament traditionally have recess periods, including a long Summer Recess. Approaches to the scheduling of meetings and official council business vary across authorities. Some councils have an official Summer recess, some do not schedule or scale down council meetings during school holidays. Councillors with children in school may be disadvantaged if council meetings are scheduled in the holidays, which may also prove to be a disincentive to stand.
103. The working group have suggested that Councils might, in addition to their Strategic Equality Plans commit to becoming Diverse Councils, publishing a 'Diversity Declaration' or a Council Motion outlining their

intentions to secure equal outcomes for all by working actively to drive cultural and structural change and pro-actively working to advance equality and remove the barriers to any individual's participation in the economy, public and social life. This commitment would focus on ensuring that under-represented groups are more active participants in engagement and decision making. Demonstrating a public commitment to improving diversity and an open and welcoming culture to all in advance of the 2022 elections.

104. A commitment by each local authority to becoming a Diverse Council could include

- Establishing 'Diversity Ambassadors' for each political group in the council who, working with each other and their local party associations could encourage recruitment of members from underrepresented groups.
- Encouraging and supporting Heads of Democratic Services, Elections officers/ Communications teams and /or Democratic Services Committees to undertake democratic outreach to promote the role of local councillor in, for example, schools or with underrepresented communities.

105. **A draft example of what could be included in a Diverse Council Declaration is included at Annex D. It is proposed a draft Declaration, to be adapted and adopted locally, is developed in consultation with local authorities and partner organisations.**

106. **It is recommended that Council**

107. **Agrees to encourage a declaration by July 2021 from councils in Wales, on becoming 'Diverse Councils'; to commit to:**

- **provide a clear, public commitment to improving diversity;**
- **demonstrate an open and welcoming culture to all;**
- **consider staggering council meeting times and agreeing recess periods to support councillors with other commitments; and**
- **set out an action plan of activity ahead of the 2022 local elections.**

## **Diversity Targets**

108. Political parties were encouraged, through the Diversity in Democracy programme, to commit to gender targets at the 2017 elections and Welsh Labour, for example, committed to fielding women in 40% of winnable seats.

109. Other initiatives, such as 50-50 by 2020 have previously adopted targets and the Welsh Government's recently published 'Diversity and inclusion strategy for public appointments'<sup>3</sup> includes an action for:

'Welsh Government to consult and if desired set overall targets across all Boards in Wales for BAME, disabled, LGBT+ and young people and socioeconomic groups, recognising that individual Boards have varying specific requirements.'

110. Targets could be included in any 'Diversity Declaration' (if such an approach is agreed).

111. There are however mixed views on the value of targets. Targets provide a focus, demonstrate an organisation's ambition and commitment and provide a useful 'hook' for promotional and public relations purposes. However, targets need to be realistic and, as we are starting from a low base in terms of diversity of candidates and councillors, such targets may not appear ambitious enough.

112. Furthermore, whilst councils and the WLGA may seek to set targets to demonstrate ambition and commitment and can deliver a range of activities and reforms to encourage more candidates, other organisations notably political parties have the biggest influence over whether those targets can be achieved. Should councils determine local targets, they could therefore be criticized for not meeting targets which are largely not in their control.

113. At a recent meeting of WLGA Group Leaders it was suggested that whilst targets at Ward level are difficult, due to recruitment challenges, global targets for a whole authority area might be achievable.

114. **It is recommended WLGA Council provides views on the adoption of local or national diversity targets.**

## **Quotas or Reserved Seats**

115. The Local Government Commission in 2017 concluded that "Incumbency in local councils disproportionately benefits men...[and]...the slow pace of change is significantly driven by incumbency." According to the Elections Centre, in Wales' local elections in 2017, 895 incumbents stood for election (across 71% of seats) with 693 or 77% being successfully re-elected. In summary, incumbents are more likely to be re-elected than other candidates due to their profile, reputation, or track-record and, as

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<sup>3</sup> [https://gov.wales/sites/default/files/publications/2020-02/diversity-and-inclusion-strategy-for-public-appointments-action-plan-year1-2020-21\\_0.pdf](https://gov.wales/sites/default/files/publications/2020-02/diversity-and-inclusion-strategy-for-public-appointments-action-plan-year1-2020-21_0.pdf)



most councillors are older, white men, most successful incumbents are therefore older white men. The impact of incumbency has therefore led some campaigners to call for term-limits, quotas, or all-women shortlists.

116. The Welsh Government has previously controversially sought to tackle the issue of incumbency with the Golden Goodbye Scheme in 2002 and the 2015 White Paper proposal to introduce term limits for councillors, a proposal which was roundly rejected by local government.

117. According to the International Institute for Democracy and Electoral Assistance, there are four types of quota in use across the world today. Legal or voluntary candidate quotas and legal or voluntary reserved seats, reserved seats can be used for example to regulate the number of women elected. These can be introduced as a temporary measure and can be used at local and national level.

118. The WLGA has never proposed the adoption of quotas as a formal WLGA policy, although gender quotas were supported by the WLGA's former Leader, Baroness Wilcox of Newport, and the WLGA has previously outlined two 'Reserved Seats' models for discussion:

- a. localised and targeted All Women Reserved Seats for all by-elections during a municipal term. If such vacancies were targeted through a voluntary agreement between the main political parties to field only all women candidate lists, gender balance could improve by up to 5% during a municipal term.
- b. A wider approach, which might require some changes to electoral law regarding the nomination process, could see a similar approach adopted for 'vacant' seats, where councillors had decided to stand down or retire at the election. If such councillors were able to commit to or notify of their intention to stand-down by an early-enough deadline, political parties could agree to voluntarily field all-women candidate lists in such 'vacancies', which could see as much as a 10-15% swing in terms of gender balance at an election. With such an immediate electoral impact, gender balance could potentially be achieved in local government over a 5-year period over the course of 2 elections.

119. Proposals such as quotas are controversial and there remain uncertainties regarding the legal basis for statutory quotas and political appetite for voluntary quotas. The Welsh Government plans to consider whether gender quotas should be introduced in Wales. The Ministerial Round-table has been informed that there may be legal limitations around the Senedd's competence which may prevent statutory quotas being introduced, even if the Welsh Government adopted quotas as a policy. Race Alliance Wales' 'Do the Right Thing' concludes that '...it is illegal to reserve all places for any particular characteristic, with exception made for women, and that quotas can legally only be made in regard to women, not other protected characteristic.'

120. More formal voluntary or statutory quotas have traditionally been recommended as a method of rapidly addressing imbalances in diversity and the effects of incumbency in perpetuating a lack of diversity. The Electoral Reform Society, Fawcett Society and British Council, call for legislation to be introduced for quotas (about 40-45%) for women candidates at elections. Others, such as the Women's Equality Network Wales, Chwarae Teg and the Expert Group on Diversity in Local Government also call for this but do not stipulate that it should be established in legislation.
121. Extensive research undertaken by the above organisations and the Senedd committee, all point to some of the causes of underrepresentation being about how candidates are selected and elected and call for direct action to level the playing field so that women initially can be better represented.
122. The issues they describe are selectorate bias and processes, electorate bias and party group culture. The playing field is not level for some, due to conscious or unconscious bias, fostered by the image of incumbents and the culture of political groups and parties. The image of the *best person for the job* is often, whether consciously or not assumed to be a white middle class, middle aged man because this traditionally has been what a typical councillor looks like. The routes to and process of selection traditionally support this position.
123. Research undertaken by the Women's Equality Network Wales (Annex B indicates that –
- "Among the twenty Organization for Security and Co-operation in Europe (OSCE) countries registering the sharpest growth in the proportion of women in parliament during the last decade...half had introduced legal quotas. By contrast, among the twenty OSCE countries lagging behind in growth...none had implemented legal quotas.
  - 100 Countries world-wide now have some form of gender quotas in place and 40 also use them for intersectional groups such as BAME women."
124. The International Institute for Democracy and Electoral Assistance has outlined several 'pros and cons' of quotas:

**Cons:**

- Quotas are against the principle of equal opportunity for all, since women are given preference over men.
- Quotas are undemocratic, because voters should be able to decide who is elected.
- Quotas imply that politicians are elected because of their gender, not because of their qualifications and that more qualified candidates are pushed aside.

- Many women do not want to get elected just because they are women.
- Introducing quotas creates significant conflicts within the party organization.
- Quotas violate the principles of liberal democracy.

**Pros:**

- Quotas for women do not discriminate but compensate for actual barriers that prevent women from their fair share of the political seats.
- Quotas imply that there are several women together in a committee or assembly, thus minimizing the stress often experienced by the token women.
- Women have the right as citizens to equal representation.
- Women's experiences are needed in political life.
- Election is about representation, not educational qualifications.
- Women are just as qualified as men, but women's qualifications are downgraded and minimized in a male-dominated political system.
- It is in fact the political parties that control the nominations, not primarily the voters who decide who gets elected; therefore, quotas are not violations of voters' rights.
- Introducing quotas may cause conflicts but may be only temporary.
- Quotas can contribute to a process of democratisation by making the nomination process more transparent and formalised.

125. The main arguments for introducing quotas are not just about ensuring equality and to better reflect wider society, but because more diverse life experiences lead to better, more rounded decision-making; it would not just amplify the voice of women but also impact on the nature of debate and the decisions taken. Several organisations argue that quotas are the only way to see a step-change in diversity based on the evidence of impact where they have been introduced, but also the slow progress in changing local government diversity and diversity in UK politics generally. Quotas however remain a contested concept and have not been universally supported when previously considered in a Welsh context. There were mixed views among the working group members and several leaders expressed reservations about the introduction of quotas during the Electoral Reform Society 'Equal Power Equal Voice' Roundtable debate in October 2020.

126. The Equality Cabinet Members network also considered the risk around the language of 'quotas', particularly in terms of public perception as diverse candidates could be perceived as being tokenistic, undermining the credibility of high-caliber candidates.

127. **It is recommended that Council provides views on the introduction of statutory or voluntary quotas for Welsh local elections.**

## **Diversity of the WLGA**

128. Representation on the WLGA Council is one area where local authorities could make a positive difference and signal their commitment to change. It is not possible to state with certainty the percentage of underrepresented groups on the Council as this should be identified by each person themselves and this exercise has not been done, however, although there are more women leaders than ever before, the Council does not have proportionate representation of women or BAME councillors.

129. Some local authorities have delegations of only two or three members to the Council and it will therefore be challenging for them to significantly change their membership, however, members may consider that there is an opportunity for authorities to proactively nominate more diverse members to the WLGA Council. The WLGA Council could also seek to appoint more diverse members as role models in Spokesperson or Deputy Spokesperson roles or involve wider councillors as Champions in the work of the WLGA.

### **130. Recommendations**

#### **It is recommended that WLGA Council:**

**127.1 recognises the work of the WLGA's Cross-Party Working Group on Diversity in Democracy;**

**127.2 agrees to encourage all political parties, through the WLGA Political Groups, to commit to proactive and coordinated activities such as those listed at paragraph 80 above to improve diversity in local government democracy;**

**127.3 Adopts a formal position calling for the introduction of resettlement grants for senior salary holders;**

**127.4 agrees to encourage all councillors to claim any necessary allowances or expenses incurred;**

**127.5 agrees to encourage a declaration by July 2021 from councils in Wales, on becoming 'Diverse Councils'; to:**

**127.5.1 provide a clear, public commitment to improving diversity;**

**127.5.2 demonstrate an open and welcoming culture to all;**

**127.5.3 Consider staggering council meeting times and agreeing recess periods to support councillors with other commitments; and**

**127.5.4 set out an action plan of activity ahead of the 2022 local elections.**

**127.6 provides views on the adoption of local or national diversity targets; and**

**127.7 provides views on the introduction of statutory or voluntary quotas for Welsh local elections.**

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**Report cleared by:**

**Cllr Mary Sherwood**, Joint WLGA Spokesperson for Equalities, Welfare Reform and Anti-Poverty & Co-Chair of Working Group

**Cllr Susan Elsmore**, Joint WLGA Spokesperson for Equalities, Welfare Reform and Anti-poverty & Co-Chair of Working Group

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## **ANNEX A**

### **WLGA working group on Diversity in Local Democracy**

#### **Members who have fed into the working group:**

- Co-Chair - Cllr Mary Sherwood (Labour), WLGA spokesperson for Equalities, Welfare Reform and Anti-Poverty, City and County of Swansea
- Co-Chair - Cllr Susan Elsmore (Labour), WLGA Spokesperson for Equalities, Welfare Reform and Anti-poverty, Cabinet Member for Social Care, Health and Well-being, Cardiff Council
- Cllr Cheryl Green (Liberal Democrat), Chair Corporate Overview Scrutiny Committee, Bridgend CBC
- Cllr Daniel De'Ath (Labour) Lord Mayor, Cardiff Council
- Cllr Lisa Mytton (Independent) Deputy Leader, Merthyr Tydfil CBC
- Cllr Sara Jones (Conservative), Cabinet Member for Social Justice and Community Development, Monmouthshire County Council
- Cllr Cefin Campbell (Plaid Cymru), Executive Board Member for Communities and Rural Affairs, Carmarthenshire County Council
- Cllr Nicola Roberts (Plaid Cymru) Chair Licensing and Planning Committee, Isle of Anglesey Council
- Cllr Dhanisha Patel (Labour) Cabinet Member for Wellbeing and Future Generations, Bridgend County Borough Council
- Cllr Ann McCaffrey (Independent), Conwy County Borough Council
- Cllr Jayne Cowan (Conservative) Cardiff Council
- Cllr Bablin Molik (Liberal Democrat) Cardiff Council
- Baroness Wilcox of Newport (Labour), Newport Council who chaired the working group initially in her capacity as WLGA Leader

Views have also been provided through discussions with members and officers in:

- Equalities Cabinet Members' Network
- Chairs of Democratic Services Network
- Heads of Democratic Services Network

#### **Officer Support**

- Daniel Hurford, Head of Policy (Improvement and Governance) WLGA
- Sarah Titcombe, Policy and Improvement officer (Democratic Services) WLGA
- Dilwyn Jones Communication Officer, WLGA
- Huw Evans, Head of Democratic Services, City and County of Swansea

## ANNEX B

### EXTRACT FROM A WOMENS EQUALITY NETWORK (WEN) WALES BRIEFING PAPER

#### The case for quotas to deliver equal and diverse representation

February 2020

#### Evidence supporting quotas

- Research shows that quotas are the **“single most effective tool for ‘fast tracking’ women’s representation in elected bodies for government.”**<sup>4</sup>
- Among the twenty Organization for Security and Co-operation in Europe (OSCE) countries registering the sharpest growth in the proportion of women in parliament during the last decade...**half had introduced legal quotas. By contrast, among the twenty OSCE countries lagging behind in growth...none had implemented legal quotas.**<sup>5</sup>
- There is international backing for gender quotas. Various international institutions, including the United Nations Committee on the Elimination of Discrimination (**CEDAW**), the Beijing Platform for Action, the EU and the Council of Europe support their use.
- **Ireland** has successfully used quotas requiring that at least 30 per cent of the candidates each party stands nationally are female (rising to 40 per cent after seven years). **The percentage of women candidates increased 90 per cent at the 2016 election** compared to the 2011 election, with a corresponding **40 per cent increase in the number of women elected—35 in 2016 compared with 25 in 2011.**<sup>6</sup>
- **100 Countries** world-wide now have some form of gender quotas in place and 40 also use them for intersectional groups such as BAME women.
- A report published by the United Nations in 2012 found that **out of the 59 countries that held elections in 2011, 17 of them had quotas.** In those countries, women **gained 27% of parliamentary seats compared to 16% in those without.**<sup>7</sup>

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<sup>4</sup> Drude Dahlerup et al., Atlas of Electoral Gender Quotas, International Institute for Democracy and Electoral Assistance [IDEA], IPU and Stockholm University, 2013.

<sup>5</sup> Norris, P. and Krook, M. for OSCE, Gender equality in elected office: a six-step action plan, 2011

<sup>6</sup> Brennan, M. and Buckley, F. ‘The Irish legislative gender quota: the first election’, Administration, vol 65(2), May 2017

<sup>7</sup> <https://www.theguardian.com/politics/2013/aug/20/quotas-women-parliament-authors-edinburgh-book-festival>

## Types of Quota

Different types of gender quota have been used in different countries, depending on the electoral system and local circumstances. The Expert Panel on Electoral reform<sup>8</sup> describes the three main types as:

- **Candidate quotas which introduce a 'floor'** for the proportion of male or female candidates a party stands for election. These could be applied in the form of constituency twinning for First Past The Post (FPTP) seats. They could also be applied to multimember systems such as STV or Flexible List at a constituency or a national level. Parties in Scandinavia, Spain and Austria have voluntarily adopted similar quotas, ranging from 33 per cent to 50 per cent.
- Requirements for **the ordering of candidates on any list** element of the system. Voluntary quotas of this nature have been used by parties in Wales in Assembly elections, for example zipping of regional candidate lists. (I.e. listing candidates alternately according to their gender)
- **'Reserved seats'** to which only female candidates could be elected. This type of quota is widely used in South Asia, the Arab region and sub Saharan Africa.

### Examples of Incentives used:

- **Croatia** has legally binding quotas and uses incentives - for each MP representing an underrepresented gender, political parties receive an **additional 10 per cent of the amount envisaged** per individual MP;
- **Bosnia and Herzegovina**: where 10 per cent of the funding provided to political parties is distributed to parties in proportion to the number of seats held by MPs of the gender which is less represented in the legislature,
- **Two for the price of one deposits** for two candidates of different genders could be used in Wales —this would appear to us to be proportionate in the context of seeking to ensure that the gender balance in the Assembly reflects the gender balance in the communities it serves.<sup>9</sup>

[www.wenwales.org.uk](http://www.wenwales.org.uk) / @wenwales

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<sup>8</sup> A Parliament that works for Wales, Report of the Expert Panel on Assembly Electoral Reform, November 2017

<sup>9</sup> A Parliament that works for Wales, Report of the Expert Panel on Assembly Electoral Reform, November 2017



## **ANNEX C**

### **LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021**

The Local Government and Elections (Wales) Act 2021 includes provisions which will contribute to diversity in local government democracy. These are:

- Entitlement to Job sharing for executive members and committee chairs
- A duty on principal councils to produce a Public Participation Strategy and for it to be reviewed regularly. This will include encouraging people to participate in decision making and promoting awareness of how to become a member of the council.
- A duty on political group leaders to promote and maintain high standards of conduct by members of their group.
- Electronic broadcasting of full Council meetings initially, and other meetings to be announced later, following ongoing consultation by WG with Councils.
- The provision of multi-location attendance at council meetings including physical, hybrid and remote attendance.
- Provisions enabling the maximum period of absence for each type of family absence for members of local authorities to be specified within regulations and for adoptive leave to reflect that which is available to employees.

## **ANNEX D (DRAFT) DIVERSE COUNCIL DECLARATION**

The following provides a draft declaration. It is proposed that this is further developed in consultation with authorities, representative organisations and will be informed by emerging priorities from councils' own diversity and equality action plans and emerging priorities from the Welsh Government's Race Equality Action Plan.

This Council commits to being a Diverse Council. We agree to

- Provide a clear public commitment to improving diversity in democracy
- Demonstrate an open and welcoming culture to all, promoting the highest standards of behaviour and conduct
- Set out a local Diverse Council Action Plan ahead of the 2022 local elections. Including:
  - Appoint Diversity Ambassadors for each political group on the council to work with each other and local party associations to encourage recruitment of candidates from underrepresented groups.
  - Encourage and enable people from underrepresented groups to stand for office through the provision of activities such as mentoring and shadowing programmes and information and learning events for people interested in standing and official candidates.
  - Proactive engagement and involvement with local community groups and partner organisations supporting and representing under-represented groups
  - Ensure that all members and candidates complete the Welsh Government candidates' and councillors' survey distributed at election time.
  - Set ambitious targets for candidates from under-represented groups at the 2022 local elections
- Work towards the standards for member support and Development set out in the *Wales Charter for Member Support and Development*.
- Demonstrate a commitment to a duty of care for Councillors by:
  - providing access to counselling services for all councillors
  - having regard for the safety and wellbeing of councillors whenever they are performing their role as councillors.
  - taking a zero-tolerance approach to bullying and harassment by members including through social networks.
- Provide flexibility in council business by
  - regularly reviewing and staggering meeting times
  - encouraging and supporting remote attendance at meetings and
  - agreeing recess periods to support councillors with caring or work commitments.
- Ensure that all members take up the allowances and salaries to which they are entitled, particularly any reimbursement for costs of care, so that all

members receive fair remuneration for their work and that the role of member is not limited to those who can afford it.

- Ensure that councillors from under-represented groups are represented whenever possible in high profile, high influence roles.

Mae'r dudalen hon yn wag yn fwriadol

Dyddiad /Date:  
Gofynnwch am/Please ask for:  
Llinell uniongyrchol/Direct line:  
Eboest/Email:

15 April 2021  
Daniel Hurford  
029 20468615  
daniel.hurford@wlga.gov.uk



To:  
Group Leaders  
Chairs of Councils  
Chairs of Democratic Services Committees

cc WLGA Council, Chief Executives & Heads of Democratic Services

Dear colleagues,

## Diversity in Democracy

As attention understandably focuses on the Senedd elections in a little over a month's time, it is important we look ahead and begin planning for the local elections in May 2022.

One of the key messages of the WLGA's Leadership Academy is that 'you need to be ordinary enough to be a councillor, but also extraordinary enough to be a councillor'.

There is no doubt that councillors have been extraordinary during the past twelve months of the coronavirus pandemic. But to be 'ordinary', councillors also need to be like the people they represent and reflect the diversity of the communities they serve. Despite previous action and campaigns, progress has been slow and we all recognise there remains a lack of diversity in our councils.

We need more women, more young people, more Black, Asian and Minority Ethnic people, more disabled and LGBTQ+ candidates standing in 2022.

The WLGA has therefore committed to making a step change in local government diversity at the 2022 local elections. The WLGA Council endorsed the enclosed Diversity in Democracy report at a special meeting earlier this month. The report is the culmination of the work of a cross-party working group and builds on the action plans and ambitions of councils and partners.

The WLGA Council debate was passionate and progressive and there was unanimous support for concerted and collective action across the family of local government and within political parties.

Dr Chris Llewelyn  
Prif Weithredwr  
Chief Executive

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Leol Cymru  
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@WelshLGA

**Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.**

**Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.**

We welcome correspondence in Welsh and English and will respond to correspondence in the same language.  
Use of either language will not lead to a delay.

Tudalen 137

The WLGA will take forward several actions nationally and we have already launched a [beacouncillor.wales](http://beacouncillor.wales) website. As Group Leaders, we will make representations to political parties to take action and make progress and we will also make the case to the Welsh Government and the Independent Remuneration Panel that councillors should be entitled to 'resettlement grants' (effectively redundancy payments) should they lose their seat at an election.

The Council recognised the diversity work already under way locally but called for concerted and ambitious local action. We would therefore be grateful if you could work with your political colleagues and prioritise action locally, promoting the take-up of members' allowances and progressing 'Diverse Council' declarations by the summer.

Members' allowances play a critical role in encouraging greater diversity; some councillors can be disproportionately affected if they are on low incomes or have caring responsibilities. Many councillors are dissuaded from claiming their full entitlements to allowances, such as reimbursements of costs of care or travel, due to peer or public pressure. The WLGA Council therefore unanimously agreed that we need to foster a culture where all councillors are encouraged and supported to claim any necessary allowances or expenses to which they are entitled, and we ask that you lead and encourage this culture locally.

The WLGA Council also unanimously agreed that all councils should commit to a declaration by July 2021 on becoming 'Diverse Councils' in 2022, to provide a clear, public commitment to improving diversity. The report includes an 'outline' Declaration to:

- Provide a clear, public commitment to improving diversity;
- Demonstrate an open and welcoming culture to all;
- Consider staggering council meeting times and agreeing recess periods to support councillors with other commitments; and
- Set out an action plan of activity ahead of the 2022 local elections.

Councils may however wish to undertake further action or commitments within their Declarations according to local priorities.

The WLGA Council discussed the merits of positive action and there was support for the use of voluntary quotas in local elections; this is a matter for local groups and parties but where such voluntary approaches have been adopted in the past, there has been significant progress in terms of gender balance. The WLGA Council also unanimously agreed that councils should set targets to be representative of the communities they serve at the next elections.

Councils' local diversity work will be supported by a national awareness raising, publicity and support through the WLGA and Welsh Government. WLGA officials will be meeting with Heads of Democratic Services in April to share ideas and approaches to develop local Diverse Council Declarations.

We are confident you will share the WLGA Council's commitment and look forward to working with you in promoting Diversity in Democracy and achieving our shared ambition

**Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith.**

**Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.**

**We welcome correspondence in Welsh and English and will respond to correspondence in the same language.  
Use of either language will not lead to a delay.**

to ensure our council chambers better reflect the diversity of the communities they serve following the 2022 local elections.

Yours sincerely,



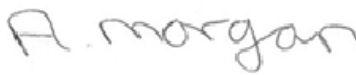
Cllr Huw David  
**WLGA Presiding Officer**



Cllr Mary Sherwood  
**Joint WLGA Spokesperson for Equalities & Co-Chair of Working Group**



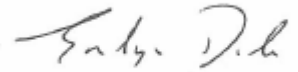
Cllr Susan Elsmore  
**Joint WLGA Spokesperson for Equalities & Co-Chair of Working Group**



Cllr Andrew Morgan,  
**WLGA Leader**



Cllr Hugh Evans  
**WLGA Independent Group Leader**



Cllr Emlyn Dole  
**WLGA Plaid Cymru Group Leader**



Cllr Peter Fox  
**WLGA Conservative Group Leader**

Mae'r dudalen hon yn wag yn fwriadol



## DIVERSE COUNCIL DECLARATION

Cardiff Council is committed to continuing to improve diversity in democracy across the city and become a Diverse Council. This declaration provides a clear public commitment to improving diversity in democracy in our city.

While Cardiff performs better than many councils in terms of councillor diversity, people from Black, Asian and ethnic minority backgrounds, women, younger people and those with a disability are not yet proportionately represented in the Welsh capital's council chambers.

Endorsing this declaration is a key element of Cardiff Council's support for the Diversity in Democracy programme, led by the Welsh Local Government Association (WLGA), which aims to advance equality and diversity in local democracy.

Delivering an ambitious local 'Diversity in Democracy' action plan will contribute to an invigorated local democracy and help to deliver a council which reflects the great diversity of our city's communities.

As a diverse Council, Cardiff Council will:

### Broaden Local Democratic Representation

We will:

- Encourage and enable people from underrepresented groups to stand for office.
- Seek support from all elected members and political groups on the council to work with local party associations to encourage recruitment of candidates from underrepresented groups.
- Ensure residents from all communities understand the role and functions of local councillors and the council

### Support involvement with local decision-making

We will:

- Proactively engage organisations supporting under-represented groups to enhance democratic awareness.
- Support the work of the Race Equalities Task Group in developing proposals to engage our city's diverse neighbourhoods within local democracy.
- Establish a mentoring programme - working with a range of stakeholders to provide a pipeline of mentors and mentees for prospective councillors.

## Support Councillors to discharge their responsibilities effectively

We will:

- Provide flexibility in council business and activities to support Elected Members and allow them to meet their personal, professional, cultural and caring commitments and responsibilities.
- Work in accordance with the standards set out in the Wales Charter for Member Support and Development.
- Continue to demonstrate our duty of care for elected members by supporting their wellbeing and safety needs when performing their role as councillors.
- Achieve the Wales Charter for Member Support and Development to demonstrate the highest possible standards of support and development for our elected members to assist them in meeting the challenges and expectations of their diverse roles ranging from of community leader to their special responsibilities within the Council.
- Ensure that all elected members have the opportunity to take up the allowances and salaries to which they are entitled, particularly any reimbursement for costs of care, so that all elected members receive fair remuneration for their work and that the role of an elected member is not limited to those who can afford it.
- Continuing to promote the highest standards of behaviour and conduct from elected members and those intending to stand for office on the Council.

## Develop a 5-year action plan to delivery our Diverse Council commitment:

- Following the Local Elections in 2022 develop a Diverse Council Action Plan 2022-27 in consultation with representative and community groups, to be submitted for consideration by the Council.

**COUNCIL:**

**27 JANUARY 2022**

**REPORT OF THE DIRECTOR GOVERNANCE & LEGAL SERVICES  
AND MONITORING OFFICER**

**CONSTITUTION AMENDMENTS**

**Reason for this Report**

1. To enable Council to consider recommended changes to the Constitution in respect of the:
  - (i) Council Meeting Procedure Rules on Ordinary Motions; and
  - (ii) Officer delegations for regrading applications submitted by Operational Managers.

**Background**

2. The Council is required to keep its Constitution up to date and fit for purpose.
3. The Constitution Committee's approved Terms of Reference are:

To review the Council's Constitution, and to recommend to Council and/or Executive any changes, except that the Committee will have authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-

- (a) Drafting improvements to enhance clarity and remove minor anomalies.
  - (b) Updating to reflect legislative changes and matters of record.
  - (c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).
4. The Constitution Committee at its meeting on 13<sup>th</sup> December 2021 considered a Constitution Update report and recommended certain changes for approval by full Council.

**Issues**

5. The constitution changes recommended by Constitution Committee at its meeting on 13<sup>th</sup> December 2021 are as follows:

## **Council Meeting Procedure Rules - Ordinary Motions**

6. The Committee considered the rules in relation to:
  - (i) the maximum number of Ordinary Motions which may be considered at each Council meeting;
  - (ii) the scope of Ordinary Motions; and
  - (iii) amendments to Ordinary Motions.

### Maximum Number of Motions

7. Under the rules, the maximum number of Ordinary Motions is limited to a maximum of 2 motions at each Council meeting (with the exception of the Annual Council and Budget Council meetings, and excluding Urgent Ordinary Motions and Ordinary Motions at any Extraordinary Council Meeting) – Rule 22(f).
8. Council Meeting Procedure Rules 22(g) and (h) set out the rules for the allocation of Ordinary Motions amongst the political groups.
9. Rule 22(i) sets out how the Motions for each Council meeting are to be selected:

‘If more than the maximum number of Motions permitted under paragraph (f) above are submitted for a particular Council meeting, the Chair shall decide which Motions are to be taken, following consultation with the party groups.

Factors to be considered in selecting Motions shall include the urgency of the Motion (whether it may reasonably be taken at a later meeting); any policy, budget or other significance to the Council; and the number of Motions from the relevant group which have already been considered by full Council during that municipal year. The Chair’s decision shall be final.’

10. The Committee reviewed the factors to be considered in selecting Motions, and agreed that, in considering the number of Motions previously taken by a relevant group, account should also be taken of the number allocated to that group. The Committee also noted that other factors which are, in practice, considered if more than the maximum number of Motions are submitted, include the order in which the Motions are submitted and whether a Motion has been put back at the previous Council meeting. It was agreed that the rules should be amended accordingly.
11. The Committee was also advised that under the common law and the Council Meeting Procedure Rules (Rule 7(b)), the Chair has a wide discretion in relation to the fair and effective conduct of the meeting and may use this discretion to increase the number of Motions permitted at a particular Council meeting, if the Chair considers it fair and appropriate to do so in all the circumstances, having particular regard to the factors set out in the rules and following consultation with party groups. It was emphasised that this discretion would be used sparingly and only where the Chair considered it fair and reasonable to do so in all the circumstances.

12. In order to clarify the points set out in paragraphs 10 and 11 above, the Committee agreed to recommend the amendment of Rule 22(i), as shown below:

‘If more than the maximum number of Motions permitted under paragraph (f) above are submitted for a particular Council meeting, the Chair shall decide which Motions are to be taken, following consultation with the party groups. Factors to be considered in selecting Motions shall include the urgency of the Motion (whether it may reasonably be taken at a later meeting); the order in which Motions were lodged; whether a Motion has been put back from a previous Council meeting; any policy, budget or other significance to the Council; and the proportion of the allocated number of Motions from the relevant group which have already been considered by full Council during that municipal year. The Chair has the discretion to increase the number of Motions permitted at a particular Council meeting if s/he is satisfied, having regard to all relevant factors, that it is appropriate to do so; and the Chair’s decision shall be final.’

### Scope of Ordinary Motions

13. The Committee considered the current rules on the scope of Ordinary Motions, which state that:

‘Ordinary Motions must be in relation to Relevant Business and must not be Inappropriate Business (as defined in Rule 35)’ – Rule 22(j).

“Relevant Business” means matters for which the Council has a responsibility and which substantially affect the well-being of the administrative area of the Council and/or the citizens (or a significant group of them) of the Council.

“Inappropriate Business” means matters that:

- (i) are not in relation to a matter for which the Council has a responsibility and which affects the administrative area or citizens of the Council;
- (ii) are defamatory, frivolous or offensive;
- (iii) require the disclosure of confidential or exempt information; or
- (iv) relate to the personal circumstances or conduct of any officer and Member or conditions of service of employees; or
- (v) relate to an individual, particular group or business or the questioner’s own particular circumstances; or
- (vi) are ultra vires the Council or unlawful. [Rule 35]

14. The Committee noted that, under the current rules, if a Motion is submitted which relates to a matter for which the Council does not have responsibility, it would fall outside of the permitted scope for a Motion and would not be allowed.

15. The Committee considered whether the scope should be widened, by amending the definition of Relevant Business to mean matters for which the Council has responsibility OR which substantially affect the well-being of Cardiff, so that motions over which the Council has no responsibility would be

allowed if they related to matters which substantially affect the well-being of Cardiff or a significant group of its citizens. However, the Committee was concerned that this was too wide, because valuable Council time may then be taken up discussing matters without a real likelihood of achieving a practical outcome. The Committee acknowledged that the Council does have a legitimate role in lobbying national government and other responsible bodies, and may wish to call for the Council to be given powers in relation to certain matters. The Monitoring Officer was asked to draft amendments to widen the current rules on the scope of Motions accordingly, for consideration and approval by Council.

16. Council is invited to consider and approve the following suggested amendments to the definitions in Rule 35:

“Relevant Business” means:

- (i) ~~matters for which the Council has a responsibility~~ or which call on central government or another responsible body to take, or refrain from, some specific action in relation to the powers or responsibilities of the Council; and
- (ii) which substantially affect the well-being of the administrative area of the Council and/or the citizens (or a significant group of them) of ~~the Council~~ Cardiff.

“Inappropriate Business” means matters that:

- (i) are not ~~in relation to a matter for which the Council has a responsibility and which affects the administrative area or citizens of the Council~~ Relevant Business;
- (ii) are defamatory, frivolous or offensive;
- (iii) require the disclosure of confidential or exempt information; or
- (iv) relate to the personal circumstances or conduct of any officer and Member or conditions of service of employees; or
- (v) relate to an individual, particular group or business or the questioner’s own particular circumstances; or
- (vi) are ultra vires the Council or unlawful.

#### Accepted Amendments to Ordinary Motions

17. The rules on amendments to ordinary motions (set out in Rule 22(r) to (x)) currently make no provision for amendments which may be (submitted in accordance with the rules and) *accepted* by the proposer of a motion. Specifically, it seems unclear whether:

- (i) the amendment, as accepted, should be treated as carried; or
- (ii) the amendment should be put to the vote, irrespective of its acceptance (unless it constitutes an alteration of the proposer’s own Motion, made by the proposer with the consent of the meeting under Rule 22(q)).

18. After some discussion and in line with advice from the Monitoring Officer, the Committee agreed that an accepted amendment would be incorporated into the substantive Motion (unless the amendment is fundamentally inconsistent with the Motion); and that the Chair should draw the meeting’s attention to the

fact they will be voting on the amended substantive Motion before a Motion is voted on, for the avoidance of any doubt. The Committee agreed to recommend no changes to the rules, but to keep this issue under review.

### **Regrading Applications of Operational Managers**

19. Members may recall that in June 2021, full Council approved amendments to the Employment Conditions Committee (ECC) terms of reference to clarify that the ECC's remit in relation to regrading applications of Chief Officers and Deputy Chief Officers (as statutorily defined) does not apply to an Operational Manager who fell within the statutory definition of a Deputy Chief Officer because, exceptionally, they may report directly to a Chief Officer. It was noted that staffing matters in relation to staff below Chief Officer level, including Operational Managers, fall within the statutory responsibility of the Chief Executive, as Head of Paid Service.

20. In accordance with the recommendations agreed by Council in June 2021, further consideration was given by the Constitution Committee to monitoring and oversight of the Chief Executive's use of delegated powers to determine a regrading application of an Operational Manager who falls within the statutory definition of a Deputy Chief Officer. The Committee agreed that this would be achieved by including this within the Pay Policy Statement submitted annually to Cabinet and Council.

21. In order to reflect the approved amendments to the ECC's terms of reference, and clarify and simplify officer delegations in respect of the regrading of Operational Managers, the Committee agreed to recommend that the officer delegations (set out in Section 4E of the Scheme of Delegations) should be amended as follows:

- (i) To insert a new delegation for the Chief Executive, making specific provision for regrading applications of Operational Managers, using the currently unused delegation reference CE8, as follows:

'CE8 ~~[Not used]~~ To determine any application for re-grading of an Operational Manager, within the approved remuneration framework'

- (ii) To amend the Chief HR Officer's delegation reference HR1, to reflect the Chief Executive's delegation in respect of Operational Managers, as follows:

'HR1 Amendments to Establishment – To approve the proposals of Chief Officers to:

- Determine any applications for re-grading at—of staff below Operational Manager Level ~~and below~~ (CIS 4.C.134)
- Vary their establishment by:- (CIS 4.C.238)
  - o Deleting posts
  - o Creating posts (CIS 4.C.217)
  - o Re-designating and redefining existing posts.

## **Legal Implications**

22. The Local Government Act 2000 and the Local Authority Constitution (Wales) Direction 2002 requires the authority to keep its constitution up to date.
23. The recommended Constitution amendments set out in this report require the approval of full Council.
24. Other relevant legal provisions are set out in the body of the report.

## **Financial Implications**

25. There are no direct financial implications arising from the recommendation of this report. When delegations are exercised, they are accompanied by detailed financial and legal advice and are to be contained within the budget framework.

## **Recommendations**

Council is recommended to approve the Constitution amendments set out in paragraphs 12, 16 and 21 of this report, and ask the Monitoring Officer to update the Constitution accordingly.

**Davina Fiore**

**Director Governance and Legal Services & Monitoring Officer**

20 January 2022

### Background papers

Constitution Committee report, 'Constitution Update', 21<sup>st</sup> June 2021

Council report, 'Constitution Amendments', 24<sup>th</sup> June 2021



**CARDIFF COUNCIL  
CYNGOR CAERDYDD****COUNCIL: 27 JANUARY 2022**

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**STATEMENT OF THE LEADER**

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**Covid-19 Update**

After a record-breaking wave in December 2021 and early January 2022 driven by the highly transmissible Omicron variant, Covid-19 cases in Cardiff have decreased significantly from the post-holiday peak, although transmission remains very high. The rate of new cases in Cardiff currently stands at 550.6 per 100,000 over the 7-day period to 15 January 2022, above the Welsh average of 500.8 per 100,000. While the latest data indicates that the worst of the Omicron wave is behind us, the public health situation remains precarious, so it is vital that we continue to act responsibly and follow all guidance over the coming weeks. Furthermore, it is worth noting that the changes that came into effect in Wales on 6 January 2022, which removed the requirement for asymptomatic people with a positive lateral flow test result to take a follow-up PCR test, could also be skewing current case rate figures.

To tackle the Omicron variant, the Welsh Government moved Wales to alert level 2 last month, reintroducing social distancing and restrictions on gatherings. However, due to the recent and rapid decrease in transmission, the First Minister has confirmed that most restrictions in Wales will be removed over the next two weeks if Covid cases continue to fall. This easing of restrictions will allow crowds to return to sporting events – including full capacity crowds at the Principality Stadium for Six Nations matches – nightclubs to reopen, hospitality to operate normally and an unlimited number of people to gather outdoors. Despite this significant step towards normality, Covid passes will still be required for attending large events, cinemas, nightclubs and theatres. Furthermore, from 10 February 2022, Wales will return to alert level zero and three-week review cycles.

I particularly welcome the announcement that Six Nations matches will be held as normal in Cardiff from next month; the case for which I made in a recent letter to the First Minister, which emphasised the importance of these matches to city centre businesses that are struggling with ongoing social distancing and capacity restrictions. The significance of this for the Cardiff economy cannot be underestimated and will deliver a critical lifeline for the events and hospitality sectors, which employ over 16,000 people and face serious challenges keeping staff on payroll without the vital financial support afforded by the furlough scheme. More broadly, given the hardship that recent restrictions have created for city centre businesses, I also called on the Welsh Government to enhance the current Economic Resilience Fund (ERF) support package to better reflect the impact on businesses.

Looking to the difficult weeks and months ahead, the Council will do everything in its power to support the recovery of the city centre economy in line with our City Centre Recovery Action Plan, which was approved in principle by the Cabinet this month.

### **Mass Vaccination Programme**

The rollout of the Mass Vaccination Programme has continued to progress at pace. As of 19 January 2022, Cardiff and Vale University Health Board (UHB) has administered 1,054,169 vaccination doses. In recent weeks, the booster vaccination programme has been a tremendous success, with 279,854 doses given to protect our residents from the Omicron wave. Over 90% of people in 60-and-above age groups have received their booster, and just under 90% of those aged 50-59. The pace and scale of the booster roll-out to the most vulnerable groups has protected our health services from being overwhelmed in recent weeks and put Wales in a position to lift restrictions over the coming weeks.

Strong progress has also been made in younger age groups, with over 80% of 40-49s, nearly 70% of 30-39s and over 55% of 18-29s having now received their booster dose. For those who not yet received their booster vaccine, I would strongly encourage you to come forward when invited for your appointment. As always, the Council will continue working in close partnership with our UHB colleagues to ensure the continued success of the vaccination programme.

### **Race Equality Taskforce**

Last month, the Race Equality Taskforce received and considered the final round of proposals from the Council-led sub-groups on Employment and Representative Workforce, Education and Young People, and Citizen's Voice, as well as the partner-led sub-group on Criminal Justice. The approved proposals from the most recent meeting include a Community Jobs Compact, comprised of a series of inclusive and fair work commitments that the Council will sign up to and encourage local businesses across the city to join; the development of a Recruitment Plan for school governors to improve representation within governing bodies, in partnership with schools and the Education Workforce Council; the embedding of effective community engagement processes in city planning policy and the support of efforts to increase workforce representation within the criminal justice system.

The Taskforce is now coming to an end, with its final meeting to be held in March 2022; however, our work is just beginning. Over the coming months, we will focus on forwarding actions from the approved proposals and scoping possible avenues for future work on race equality and anti-racist practice. Furthermore, a full report on the work of the Race Equality Taskforce is due to be considered by the Policy Review and Performance Scrutiny Committee, Cabinet and Council in March 2022.

### **South East Wales Corporate Joint Committee**

The Cabinet considered an update report on the establishment of the South East Wales Corporate Joint Committee (CJC) on 20 January 2022. In March 2021, the Welsh Government approved the legislation to establish the South East Wales CJC and this came into force subsequently in April 2021. The first statutory duty of the South East Wales CJC is to set its budget before 31 January 2022.

Given the alignment with the current Cardiff Capital Region City Deal (CCRCD) arrangements, the CCRCD Regional Cabinet has agreed to pursue a 'lift and shift' approach to transitioning the current City Deal arrangements into the new CJC, which also adopts the principles that local authorities would not expect to lose any powers, resources, or the ability of councils to determine their own policy as part of these arrangements. However, there are still some fiscal issues to be determined and, therefore, the South East Wales CJC will operate initially on a 'bare minimum' approach until these issues are resolved. As such, the initial meeting of the South East Wales CJC on 31 January 2022 will only consider those issues needed to meet the requirements of the legislation – holding the meeting and establishing a budget. Given the 'bare minimum' approach, a nominal budget will be set that will be covered from the funding envelope that councils have already established for operating costs of the City Deal.

As the arrangements for establishing the full South East Wales CJC evolve, further reports will be considered in future by the Cabinet, which will outline the transition model being adopted, as well as details of the operation of the CJC and its impact on the Council.

### **Llanishen and Lisvane Reservoirs**

On 12 January 2022, the Cabinet Member for Culture & Leisure and I were delighted to attend an event at Llanishen Reservoir with representatives from Dŵr Cymru Welsh Water to view the progress being made in bringing this site, and Lisvane Reservoir, back into recreational use. This is consistent with the Administration's longstanding ambition to enable public access and deliver a new leisure development. This long-unused site will be transformed into a hub for recreation, health and wellbeing and provide an area where people can reconnect with water and the environment, while protecting and enhancing the biodiversity of the site for future generations.

Work to construct a new visitor attraction hub will begin this month, which will include changing rooms, shower & toilet facilities for watersports, training rooms for use by the local community, and a café with spectacular views across both reservoirs. This, together with the creation of circular paths, viewpoints, conservation areas and a site-wide nature trail, will provide opportunities for people of all ages to enjoy the reservoirs. I was also very pleased to hear about the comprehensive plans for increasing tree canopy around the reservoirs, which will see the planting of 500 specimen and woodland trees, together with 370 hedgerow plants and shrubs.

**Councillor Huw Thomas**  
**Leader of the Council**  
**20 January 2022**

Mae'r dudalen hon yn wag yn fwriadol

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## **HOUSING & COMMUNITIES STATEMENT**

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### **Assistance with Increased Costs of Living**

With the ongoing Covid-19 pandemic, rising fuel prices and an increase in the cost of living, many households in the city are sadly facing financial hardship. Funding has been provided for a number of support schemes, which is being administered by the Council's Advice, Assessment and Housing Options Teams. This funding, alongside expert support from our officers, will help to ease the immediate financial pressures being faced by many in the city. Some examples of the schemes available are set out below:

- **Winter Fuel Support Scheme**

The Council welcomes the £51.7m support package to help low-income households meet pressures on living costs this winter, which was announced by the Welsh Government in November 2021. This aims to reduce the impact of the cut to Universal Credit, Working Tax Credit and the rising cost of energy, and includes £38 million for a winter fuel support scheme. Eligible households can claim a one-off payment of £100 to provide support towards paying their winter fuel bills. To date, the Assessment Team has received 16,317 applications for assistance. The team has made it as easy as possible to make a claim. More information on the scheme, including how to make a claim, can be obtained by phoning the Advice Line on (029) 2087 1071 or by emailing: [winterfuelhelp@cardiff.gov.uk](mailto:winterfuelhelp@cardiff.gov.uk)

- **Self-Isolation Payments**

The self-isolation support scheme is aimed at those who cannot work from home and must self-isolate due to Covid-19, and who have seen a reduction in their income because of this. It is also for parents and carers on low incomes with children who are self-isolating. Those eligible and who make a claim will receive a one-off payment of £750. The Assessment Team is currently receiving approximately 1,200 applications per week for the scheme, compared to approximately 200 a week back in September 2021. Again, further information on this scheme can be obtained by phoning the Advice Line or by emailing: [SISP@cardiff.gov.uk](mailto:SISP@cardiff.gov.uk)

- **Rent Arrears Pathway**

The rent arrears pathway has been introduced to ensure that anyone experiencing rent arrears and the threat of homelessness is able to get help using one front door. Practical support, as well as financial help, is provided to help reduce or remove the threat of eviction. There are a number of financial support schemes available to those in rent arrears, all with differing eligibility criteria. A wide-ranging publicity campaign has been conducted, including adverts on radio, bus stops, waste lorries and via social media, to promote the

help available, with a further campaign planned in the near future. So far, 593 households have been prevented from becoming homeless via this pathway. Further information is available by phoning the Advice Line or by emailing: [renthelp@cardiff.gov.uk](mailto:renthelp@cardiff.gov.uk)

### **Housing Support Programme Strategy**

The Council has developed a new Housing Support Programme Strategy, which sets out the strategic direction for homelessness prevention and housing support services in Cardiff for the next four years. The strategy recognises the significant work that is already being done by the Council and partner organisations to prevent homelessness and to support those who become homeless; however, it also acknowledges that there is still more to do. It sets out a new vision for addressing homelessness in the city, aiming to prevent homelessness wherever possible and, where prevention is not possible, seeks to ensure that homelessness is rare, brief and not repeated.

### **First Homes Cardiff**

The Council's assisted home ownership scheme, helping first time buyers in the city get onto the property ladder, has been relaunched as 'First Homes Cardiff'. The scheme aims to help first time buyers living or working in the city who find themselves unable to afford their first home, by offering new-build properties for sale on a shared equity basis within developments across the city. As well as a new name for the scheme, the eligibility criteria for First Homes Cardiff have also been expanded to allow more people to potentially benefit. Applicants who may not work or live in Cardiff currently, but who are moving back to Cardiff for personal or professional reasons and have a strong local connection to the city are now also eligible. To qualify for the scheme, applicants must be aged over 18 and be a first-time buyer or a first-time buyer in their own right. More information about the scheme can be found on the Council's website at: [www.cardiff.gov.uk/firsthomescardiff](http://www.cardiff.gov.uk/firsthomescardiff)

### **Homelessness Update – Preventing Youth Homelessness**

During the Covid-19 pandemic, although overall numbers of those presenting to the Homeless Service has not increased, there has been a noticeable increase in the number of clients presenting as homeless due to family breakdown. The Homeless Service has a dedicated Prevention Officer who works directly with young people and their families to prevent homelessness where possible. So far this year, 80% of young people at risk of losing family accommodation have been prevented from becoming homeless; however, there is still more that can be done to help. We want to help reach people at an earlier stage to help prevent homelessness – this includes enhancing and improving our advice and meditation services for young people.

I am also very pleased to say that our partners Llamau, with our support, have recently been successful in a bid for lottery funding to carry out further work to prevent youth homelessness. This will bring an additional £3million to Cardiff over the next five years. The funding will help Llamau and other partners, including the Salvation Army, Welsh Refugee Council and Cadwyn Housing Association, to focus on early intervention and prevention for young people at risk of becoming homeless, with specialist support for those who need it most.

## **Struggles 2 Smiles**

'Struggles 2 Smiles' train young offenders to cook and prepare meals, which are then provided to the homeless community in the city. Over 600 Christmas lunches were prepared and distributed to those living in hostels across the city over the festive period.

## **Regional Safeguarding Boards Recognition Awards**

The Change Development & Implementation Team within Housing Services was successful at the recent Cardiff and Vale Regional Safeguarding Boards' Recognition Awards. The team won a 'Highly Commended Award' for the work that they carried out in creating a new safeguarding policy and procedure within Housing Services. The new streamlined procedure ensures that staff have a clear understanding of what harm indicators they should be aware of, when and how to report their concerns, and the support they should receive if affected by a safeguarding concern. The team has already trained 100 members of staff in Housing Services on the new procedure.

## **Community Safety Update**

### **Problem Solving Group**

- **New Area Based Cases:**
  - Deliberate Fire Setting and Anti-Social Behaviour (ASB) in St Mellons – alongside target hardening, actions include improved communications (e.g. residents' forums).
  - Lydstep Flats in Gabalfa – actions include building on youth offer, community litter picks and links with local football clubs.
  - Off Road Bikes – this continues to be addressed via regular operations, the results of which are posted via social media to reassure the communities who are impacted and encourage reporting.
- **Safer Streets Fund** – following Ask Cardiff survey responses and community forums where residents said they would feel safer if lighting and CCTV were improved, 20 CCTV cameras have been ordered. Lighting has also been upgraded in two underpasses, alongside the upgrading of street lighting to 'smart' lighting in a number of streets.
- **Crimestoppers** – following a promotional tour in Quarter 2 of 2021/22, Crimestoppers rolled out a 3-week online campaign encouraging residents to report crime and/or pass on intelligence safely and anonymously. Early data suggests that there has been a 9% increase in reporting via Crimestoppers in Cardiff over the campaign period, set against a 29% fall in reporting across the rest of South Wales.

### **Violence Prevention Group**

- The Violence Prevention Group has established three subgroups, which have developed clear priorities and are currently building their understanding and knowledge of the complexities of serious violence in Cardiff.
- The Community Safety Partnership has taken steps to develop an Intelligence Dashboard using predominately police reported information, which provides us with geographical hotspots of emerging issues.

- Immediate Response Groups have met following recent incidents of serious violence. This has led to partners working together to address critical and immediate issues, as well as establishing a Community Impact Assessment, which looks to address any emerging community tension issues.

### **Night Time Economy Group**

- An approach to reports of drink and needle spiking has been agreed and communicated via the various members including FOR Cardiff, South Wales Police, Gender Specific Services and SRS/Licensing.
- Promotion and support of campaigns through the members' networks (e.g. FOR Cardiff's Women's Network and Safe Places), as well as aligning of applications and actions for accreditation (e.g. White Ribbon and Purple Flag).
- Safeguarding audit is progressing, taking account of the training provided by all members to analyse gaps and the most effective methods for further rollout, including businesses that are not traditionally considered as being within the night time economy (e.g. cinemas).
- Members identified an issue with taxis not completing bookings and leaving vulnerable customers stranded, especially those with wheelchairs or guide dogs, people travelling short distances and those with low mobile phone batteries. Local actions have been identified alongside issues for escalation.

### **Street Based Lifestyles & Complex Needs Group**

- **Drug Litter Reporting** – work has been completed to adapt existing reporting streams, such as the CardiffGov App, to differentiate incidents of drug litter reporting into needles and other forms of paraphernalia in order to provide more accurate and valuable intelligence. This has already resulted in new observations regarding emerging hotspot areas for drug taking.
- **Task & Finish Groups** – partners agreed to initiate four task & finish groups in order to take forward group objectives. These groups include:
  - *Operational* – this group is now meeting fortnightly to address ASB complaints and drug litter hotspots associated or linked to street-based lifestyles. Partner reports to date indicate a marked improvement and/or reduction of issues in four of the first eight locations under review by the group.
  - *Resident Engagement & Volunteer Engagement* – these two groups both aim to highlight available services and encourage good practice in the form of donations and volunteering.
  - *Data & Intelligence* – this group has begun to map out the required and available data sets that will be most useful for the Street Based Lifestyles group going forward.

**Councillor Lynda Thorne**  
**Cabinet Member for Housing & Communities**  
 20 January 2022



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## **CLEAN STREETS, RECYCLING & ENVIRONMENT STATEMENT**

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### **Segregated Recycling Collections Pilot Scheme**

We know that most households are already using the recycling service; however, the recycling bags are not always being used correctly and often contain incorrect items. The way that we currently collect recycling also means that we use 24 million single use green bags every year.

We are therefore trialling a new recycling collection scheme with 4,000 properties across the city from the week commencing Monday 24 January 2022. Residents in the trial areas will be provided with:

- 1 red reusable sack for containers (e.g. items such as plastic bottles, tubs and trays, and tins, cans and clean foil);
- 1 blue reusable sack for paper and cardboard; and
- 1 new blue caddy for glass bottles and jars.

The recycling will be collected separately to the other co-mingled recycling and the outcomes, including resident feedback, will be utilised to model our business case for wider city-wide changes. This work will drive improvements to the quality of recyclable materials that we collect from households. It will also help Cardiff to become a carbon neutral city by 2030 and achieve the Welsh Government's recycling target of 70% by 2025.

### **Christmas Memorial Service**

The annual Christmas Memorial Service at Thornhill Crematorium was held on 5 December 2021 and was broadcast live online for the first time because of the Covid-19 pandemic and in order to protect both the staff and public. This was very well received by the public and a recording of the service was made available on the Bereavement Services website, which could be viewed for a month after the event. Believe Organ Donor Support also supported the event and, as Bereavement Services' chosen charity this year, was presented with a total of £10,000 that was raised as part of our metal recycling scheme at the crematorium.

### **Cardiff Dogs Home**

The Cardiff Dogs Home website continues to go from strength to strength and received over 2.5 million views in 2021. This provides a great platform for the development of other online commercial opportunities in the future.

Burns Pet Nutrition Ltd has confirmed sponsorship of the pet food provided to the dogs in our care for another 12 months. South Wales Police has also extended its contract with the Dogs Home for another 12 months to 31 December 2022.

The number of volunteer dog walkers continues to grow with 80-100 new volunteers being inducted each month. The demand for places on the induction sessions is constant and they are booked up at least 2-3 weeks in advance.

### **Flood Risk Management**

Following submission of the Outline Business Cases, we have applied for Welsh Government funding to undertake Full Business Cases for both Rumney and Whitchurch flood alleviation schemes. Business Justification Cases are also being developed for submission to Welsh Government for a further four locations at Heathwood Road, Newport Road, Cyncoed Road and Bryn Celyn.

### **Drainage and Gully Cleansing**

I want to thank members of the Highways Operations Drainage Team who worked tirelessly throughout the Christmas period during prolonged periods of heavy rainfall. The teams were despatched at all hours, including Christmas Day, to manage and maintain trash screens at critical flood risk points on local brooks throughout the city. In addition, our Gully Cleansing Teams were despatched to clear flooding of the highway to ensure safe passage for pedestrians, cyclists and vehicles during periods of prolonged inclement weather.

**Councillor Michael Michael**  
**Cabinet Member for Clean Streets, Recycling & Environment**  
**20 January 2022**

**COUNCIL: 27 JANUARY 2022**

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## **CHILDREN & FAMILIES STATEMENT**

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### **Oakway Update**

I am really pleased to let you know that our emergency residential unit, Oakway, is now registered and plans for the provision to open are in development. These will take account of current staffing issues resulting from the significant increase in Covid-19 cases due to the Omicron variant. This is the latest step in Children's Services' 5-year plan to increase provision for children and young people who need to be looked after in Cardiff.

Oakway has been set up as a 'pop up, pop down' provision for children who need to be looked after at short notice. It will provide both respite and same day placements to ensure that children and young people who are experiencing difficult circumstances and in immediate need are provided with a safe, warm and welcoming place to stay. It is registered to provide accommodation for two children between the ages of 11 and 17 years whilst alternative arrangements are made. The provision will enable us to ensure adequate assessment and planning for reunification at home or a planned transition into an appropriately assessed alternative. Staff will work closely with families and foster carers to support a timely return home where this is assessed as being in the child/young person's best interests.

### **Christmas 2021**

The Children's Services Christmas Presents Appeal resulted in around 1,200 children and young people being gifted Christmas presents last month. This is nearly twice as many as in 2020 and included a wide assortment of gifts for all ages.

The donations were largely gifted by the Mr X Appeal – a charity that appeals for presents for children and young people in need across South Wales. A number of local organisations donate to the appeal every year, which began over 60 years ago and continues to thrive. Alongside the Mr X Appeal, senior staff working in main theatres at the University Hospital of Wales supported the appeal again this year, generously donating a range of gifts. These donations are hugely appreciated as we are all too aware that some of these children don't have big Christmases, and it is lovely to know that they had something to open on Christmas Day.

A great deal of planning goes into the project and I would like to extend my thanks to all staff who were involved. The team has received some really special comments from families expressing their gratitude about how much impact it will have on their family life, with tears being shed by both families and staff alike.

I would also like to extend a big thank you to the Child Friendly Cardiff Team for providing over 500 free tickets for families to experience a range of Christmas activities as part of the Cardiff Winter of Wellbeing programme. The children and young people enjoyed activities including ice-skating at Winter Wonderland, the Christmas at Bute Park light trail and performances of the Aladdin pantomime and A Christmas Carol at the New Theatre and Sherman Theatre respectively. The feedback from families has been overwhelming positive and the comments received have shown that this made a real difference in creating happy Christmas memories for all those involved.

### **Cardiff Family Advice and Support (CFAS)**

Throughout last month calls to the Family Gateway remained at a consistent level in comparison with the previous month and caseloads across the team remained high. There continues to be a strong focus on supporting children and young people's mental and emotional wellbeing. This is being achieved through partnership working with our Primary Mental Health Workers to identify emerging wellbeing concerns and to provide appropriate means of support and intervention.

The 'Supporting Young Cardiffians' campaign, developed in conjunction with ProMo Cymru and young people who have previously accessed the service, was also launched at the end of November 2021. This promoted the support available to other young people via a series of articles and blogs that were published on the Sprout website. As a result of the campaign, social media platforms saw an increase in engagement with more than 40 new followers across Twitter, Facebook and Instagram.

CFAS was also fortunate to be able to work in partnership with the St David's Toy Appeal once again in delivering Christmas presents to children and young people in Cardiff. With the help of the Early Help Police Community Support Officers, the team was able to deliver 250 presents to children and young people from low-income families.

### **Cardiff Parenting**

More than 100 referrals were received for parenting via the Family Gateway in December 2021, and a total of 276 at the close of Quarter 3. This is in comparison to 126 for the same quarter in 2020/21 and 224 in 2019/20, showing an increase in demand for the service. In the lead up to, and over, the Christmas period where schools and professionals have less contact with families, our social media pages were used to promote free-to-access online courses for parents; to share psychologically informed information about children's development and behaviour and parents' well-being; and to re-advertise the parenting offer available to all families in Cardiff.

416 families in Cardiff benefited from 516 Christmas resource packs that were delivered to families to help with gifts at Christmas. 'Make a memory box' kits were delivered to Afghan Nationals in the 7-11 years age group and play resources provided for younger children. Our "Dads behaving Christmassy" group, in partnership with Ely & Caerau Children's Centre, was also a great success, with nine dads coming along with their little ones to share thoughts, experiences and fun. A weekly Saturday dads' group at the centre is due to commence the week beginning 24 January 2022.

### **Childcare and Play Grant**

Through the additional funding provided via the Childcare and Play Grant element of the Children and Communities Grant, the Childcare Business Support Team has, to date, provided a total of £182,019 to 55 settings through the Utilities Grant, which is designed to offset children providers' costs relating to gas, electricity and water rates, thereby supporting their ongoing financial sustainability. To date, four settings have accessed a total of £11,694 to replace lost income due to Covid-19 closures. This grant ensures that parents are not charged where a setting is forced to close, but the setting retains the income from pre-booked childcare places.

**Councillor Graham Hinchey**  
**Cabinet Member for Children & Families**  
**20 January 2022**

Mae'r dudalen hon yn wag yn fwriadol

**COUNCIL: 27 JANUARY 2022**

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## **SOCIAL CARE, HEALTH & WELL-BEING STATEMENT**

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### **Health and Social Care System Pressures**

I am pleased to confirm that our new Local Care Development Contracts have commenced. Contracted care providers will work with the Council's Into Work Advice Service, through the Cardiff Cares Academy, to recruit, train and support new carers to deliver additional care to meet the current shortfall in provision. The scheme will provide new opportunities for the Council to work in partnership with care providers to deliver person-centred, locally based services.

And, these developments are essential at a time when Cardiff isn't alone in facing huge challenges in the provision of care services due to the impact of Covid-19 on the whole system. All sectors of social care are facing issues with reduced staffing due to the Omicron variant, combined with ongoing difficulties in recruiting and retaining staff. Despite these issues, both our internal teams and commissioned care providers continue to deliver care and support, demonstrating huge commitment and resilience during an extremely difficult time.

### **Ageing Well Strategy**

The Cabinet approved a new Ageing Well Strategy on 20 January 2022. Alongside our Age Friendly City action plan, this strategy sets out our proposals for supporting older citizens to live well in their homes and communities. At a time when the care sector is already under severe pressure and workforce retention and recruitment are presenting real issues, there has never been a more important time to reflect on our approach to delivering services and how we can support both our older citizens and the care sector more effectively. The new strategy has six key aims:

- Supporting older people to stay active and connected in an age friendly city
- Supporting older people to live independently at home through strengths based preventative services
- Working in partnership to deliver high quality sustainable care
- Supporting informal carers and valuing their role
- Ensuring our services meet the needs of the most vulnerable
- Proactively modernising our services

Cardiff's population is ageing and, whilst it is positive that many of our citizens are living longer; unfortunately, some older people may live with poor health and with ageing associated disease such as dementia. It is projected that, by 2031, the number of people:

- Aged 65+ will increase by 17.8%
- Aged 85+ will increase by 9.2%
- Aged 90+ will increase by 5.9%
- That struggle with activities of daily living will increase by 17% by 2030 – this will apply to 1 in 4 older people (aged over 65).
- Living with dementia will increase by 30.1% by 2030 and 41.1% for severe dementia.

The Ageing Well Strategy sets out our commitment to work together with our partners to support older people to stay well and to live independently in their own home for as long as possible and, when care is needed, to ensure that this is provided to a very high standard.

Social isolation is a growing issue for older people and carers and this has only been made worse by the Covid-19 pandemic. A key part of this new strategy is a commitment to ensure that even the most vulnerable of our older citizens can stay active and connected to their community, through our network of community hubs, our older persons day centres and our support for a range of community and voluntary activities.

There is also a key focus on prevention in the Ageing Well Strategy and, by providing the right support at the right time, older people can be aided to remain independent at home and long stays in hospital can be prevented. We plan to further strengthen our services to support better outcomes for older people.

### **Day Services**

With the recent reopening of Grand Avenue specialist day centre, all three of our older persons day centres are now open. Last month, Fairwater and Minehead Road day centres collectively were attended by 164 service users. Services are also operating at weekends, providing much needed respite for carers and preventing social isolation among older people. Last month, Fairwater and Minehead Road day centres collectively also had 12 Saturday users. Despite the recent rise in Covid-19 cases due to the spread of the Omicron variant, the Ty Canna day centre for people with a mental health diagnosis has continued to provide support in a mixture of face-to-face direct support, small bubble groups and online group activities.

### **Disabled Adaptations**

The Disabled Facilities Service oversaw the completion of their first “green build extension”. This is a pre-formed unit that is manufactured off-site and delivered by a specialist crane company to a terraced property, where the unit was put in place with minimal disruption. There was no need seek permission from utility companies to carry out the works, thereby further reducing the time taken. The full works were carried out within three weeks, which enabled the client to have access to a ground floor shower facility much more quickly and with much less disruption than through traditional building methods. This use of modular extensions is one of the ways that we are improving our delivery of adaptations, equipment and technology to support older and disabled people to stay independent at home.



## **Supporting People with a Learning Disability**

Partnership working between Adult Social Services and Cardiff and Vale College has enabled young adults with complex learning disabilities to access further education locally. As part of a pilot service, four young people are attending the Towards Independence course delivered at the College's Dumballs Road site, with support from Social Services staff. Feedback shows that the young people are enjoying the experience and their families are pleased that they can continue their education locally.

**Councillor Susan Elsmore**  
**Cabinet Member for Social Care, Health & Well-being**  
**20 January 2022**

Mae'r dudalen hon yn wag yn fwriadol

**COUNCIL: 27 JANUARY 2022**

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## **EDUCATION, EMPLOYMENT & SKILLS STATEMENT**

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### **Estyn**

The local authority's education services underwent a full inspection by Estyn from 29 November to 3 December 2021. The last full inspection was undertaken in 2011. The inspection covered three areas: Outcomes (standards and progress); Education Services; and Leadership & Management, and also included Youth Services. The Inspection Report will be published by Estyn on 9 February 2022.

### **Qualifications Arrangements 2021-22**

At present, all exams planned to take place this year are set to go ahead. Any decision to cancel exams would be made by the Welsh Government. In November 2021, Qualifications Wales shared information with schools and colleges about contingency plans telling them how to award Centre Determined Grades should they be needed. Schools and colleges award Centre Determined Grades by assessing learners' work.

The Welsh Government asked all schools in Wales to have two planning days earlier this month at the start of term. This included time to allow secondary school and college leaders to plan for learners to sit their January exams safely. The Welsh Government has also provided operational advice to support schools and colleges.

If learners are unable to sit any GCSE, AS or A level exams due to take place this month because they are ill or need to self-isolate, they will be able to take them in the summer instead. Vocational qualifications are more diverse in the way that they are assessed. Awarding bodies have already communicated adaptations they have made to their qualifications to schools and colleges.

If exams are cancelled, vocational qualifications similar to GCSE, AS and A level would be awarded using Centre Determined Grades (Teacher Assessed Grades). Awarding bodies will provide further guidance for schools and colleges if exams are cancelled. Ofqual has also published guidance on vocational qualifications for this academic year, with useful information for schools, colleges and learners.

### **Additional Learning Needs (ALN)**

Implementation of the new ALN system in Wales began in September 2021 and will be rolled out over the next three years. From 1 September 2021, the new system applied to any child not previously identified as having special educational needs (SEN) and any young person who is detained.

From 1 January 2022, the ALN system applies to children in Nursery, or in Years 1, 3, 5, 7, and 10 (except those who have a statement of SEN). Schools have therefore begun identifying which pupils in these year groups have ALN and will hold Person Centred Planning meetings to agree an Individual Development Plan (IDP). For those children who are looked after, or are registered EOTAS, the local authority must take responsibility for identifying whether there are ALN and for creating and maintaining the IDP. This process should be completed before the end of the academic year.

Children and young people with statements of SEN will begin to move over to the new ALN system from September 2022. The process is anticipated to be rolled out over two years. The Council and schools are currently updating their websites to include a range of information for children, young people and their families that explains the new system.

### **Cardiff Commitment**

A wide range of activity is being delivered this term with Cardiff Commitment partners, to open up opportunities and develop the skills and talents of our children and young people. This includes a new 'Debatemate' Cup challenge, which will be launched next month at 8 Secondary Schools in Cardiff, with the support of FinTech Wales and the Council's Economic Development Team. This builds upon the recent success of two young people from Willows High School who competed against schools from across the UK to reach the final of the Dubai Expo Factor competition on 2 December 2021, which they won. They will now travel to Dubai with their teachers to represent the UK on 10 February 2022. Cantonian High School and Cardiff West Community High School also competed and made it to the semi-final.

In addition, the 'Project Search' supported employment pathway for young people with learning disabilities launched in September 2021, which is a partnership between Education Inclusion Services and Cardiff and Vale University Health Board (UHB). This month, the young people are commencing their work-based placements in hospital, supported by a teacher and a specialist employment coach. The aim of the programme is to support the transition from school to work and for students to gain full-time employment at the end of the year, either within the UHB or externally. We hope that this will be the beginning of the development of more supported employment pathways for young people with additional learning needs across the city.

### **Youth Service**

Cardiff's Youth Service was notified in December 2021 that it had achieved the Bronze Level Youth Work Quality Mark. Renewal of the Quality Mark was required due to the redesign of the process, which is extensive and comprised of self-evaluation against prescribed criteria, interviews, visits, and examination of evidence. This is all undertaken by external assessors and then approved by Welsh Government.

The assessors had to be satisfied that the service:

- has a clear vision and plan which measures the impact and effectiveness of its work with young people;
- has good quality youth work practice which meets the local needs of young people;

- develops young people's knowledge, skills and understanding and young people help shape the organisation (e.g. personal, social and emotional skills); and
- meets legal requirements (safeguarding and health & safety).

The Youth Service is now well placed to apply for the Silver Level Youth Work Quality Mark.

In addition to securing the Youth Work Quality Mark and inspection of the Youth Service by Estyn, a review of the Youth Service is to be undertaken by an independent lead. The review will seek to build on the excellent work undertaken to date by the Youth Service and will apply an evidence-based approach, including consideration of the capacity of youth work services to support a sustainable and balanced delivery model for both universal and targeted support across the city.

### **Cardiff Winter of Wellbeing Programme**

Building on the excellent work delivered during the Summer of Smiles and utilising new Welsh Government funding, we are currently delivering the Cardiff Winter of Wellbeing programme, which is focused on 0-25 year-olds. Our Child Friendly City Team is coordinating the programme, which is aimed at enhancing the wellbeing of children, young people and their families during this challenging time. This started last month, with thousands of families gaining free access to live Christmas performances and events throughout the city.

The programme is continuing into the New Year, with 24 community organisations across the city successfully applying for wellbeing grants to deliver a wide range of activities throughout the winter months, including sports, crafts, skateboarding, acting and skating to give just a few examples. There will also be a Cardiff Science Festival where the audience will be invited to a host of new experiences, such as watching researchers dissect a jelly brain, seeing footage of the weird lightning effects on the edge of space captured by the International Space Station and even, so I am told, dancing with dinosaurs! We also have a 10-week wellbeing arts programme starting this month that will be delivered by 19 city-wide partners, including Ministry of Life, Opera Sonic, Barnardo's, Community Music Wales, GLL and St David's Hall.

Children, young people and their families can also visit the Child Friendly Cardiff pop-up shop in the city centre as part of a partnership with St David's Centre. The 6-week residency will see a full, free programme of fun and creative activities for 0-25 year olds being delivered by 20 partners. Again, we are very grateful for the contribution of our partners, including Cardiff and Vale College, RSPB, Green Squirrel, Play Wales, Fiery Jacks, Pedal Emporium, Democracy Box, as well as a range of council services.

### **Rights Respecting Schools Award**

The UNICEF Rights Respecting Schools Award forms a significant part of our journey to embed children's rights across the city. I am pleased to announce that the number of schools active within the award goes from strength to strength, with over 60% of schools now at bronze, silver or gold award level.

I want to congratulate the pupils and staff at Coed Glas Primary for gaining the Rights Respecting Schools Gold Award. Last month saw a flurry of assessments by UNICEF, with Trowbridge Primary School, Ysgol Hamadryad, Severn Primary School and Ysgol Y Berllan Deg all submitting the rights-based action plan to receive the Bronze Award.

All schools in Cardiff can be part of the UNICEF award free at the point of access as part of a centrally funded package negotiated by the local authority. I would ask those members who are also school governors to encourage their school to become part of the Rights Respecting Schools Award, as the evidence shows the many positive outcomes for both pupils and staff.

### **Challenging Bullying, Hate Crime/Incidents and Harassment**

Guidance has been issued to Cardiff schools, which aims to set out a clear and consistent message for school communities, with a focus on promoting equality and tackling direct and indirect discrimination against children and young people. The guidance builds upon the advice and guidance issued by Welsh Government and requires schools to develop appropriate priorities and programmes of action to reduce discrimination against excluded, socially marginalised, disadvantaged children and to promote equality for these groups. A series of training sessions have been held with school practitioners and school governors in addition to the issuing of this guidance.

**Councillor Sarah Merry**  
**Cabinet Member for Education, Employment & Skills**  
**20 January 2022**

**COUNCIL: 27 JANUARY 2022**

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## **STRATEGIC PLANNING & TRANSPORT STATEMENT**

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### **Bus Strategy Consultation**

The Council received more than 3,000 responses to the Bus Strategy consultation, which was open for public consultation for 8 weeks from 18 October 2021. 44% of the respondents travel by bus at least once per week and 43% do so once per month or less. Most of the bus journeys are for shopping, leisure or travel to work. Approximately 13% of the respondents never use the bus, but one in three of them intend to start doing so in the next 6-12 months. Preliminary results indicate at least 70% support for all of the 9 'Big Moves'. There is more than 80% support for the City Centre package, Metro Integration and low emission/zero carbon bus fleet 'Big Moves', with almost 90% support for integrated attractive fares. The Council will be assessing the more detailed feedback to inform the drafting of the Bus Strategy and to input into future business cases for investment in specific bus network improvements and interventions and Welsh Government plans for bus reform.

### **£1 Bus Promotion Scheme**

There were approximately 85,000 bus journeys by people that took up the offer of the Council's £1 bus promotion scheme that operated on 3-16 December 2021 through a Voluntary Partnership Agreement with bus operators who participated in the scheme, including Adventure Travel, Cardiff Bus, Edwards Coaches Ltd, First Cymru and Stagecoach South Wales.

Feedback from the promotion through social media generated a lot of positive reactions and conversation and a large number of post shares. The scheme, along with targeted traffic network interventions by the Council's Control Room Team, made an impactful difference in managing the increased demand in travel over the Christmas shopping period.

The online feedback survey generated more than 300 responses, with preliminary results indicating that 54% of respondents had used the £1 discounted fare. 11% were new bus users and 23% were returning to use the bus. Approximately 85% of users confirmed that their experience was good value for money. Overall, 88% of respondents think there should be similar bus fare promotions in the future.

Further assessment on the outcomes of the scheme will be undertaken. This assessment, in combination with the feedback on the Bus Strategy consultation, will help inform future improvements to public transport and Welsh Government plans for bus reform.

## **Cycleway Programme Update**

### **Pop-Up Cycleway Tyndall Street**

Supply issues with lighting infrastructure have held back the opening of this segregated pop-up cycle route linking Splott and Lloyd George Avenue/Callaghan Square via Tyndall Street. The lighting is due to be installed in the coming weeks and it is anticipated that the route will formally open for use next month.

### **Cycleway 1.2**

Contractors are making excellent progress with the construction of the first section of the segregated cycleway along Cathays Terrace between the Woodville pub and the junction of Crwys Road/Fairoak Road/Whitchurch Road. Early stages of the works have included groundworks for sustainable drainage features, including rain gardens, and new trees. The phasing of the works will then move on to construction of the section of the route along Whitchurch Road between the junctions with Crwys Road and Allensbank Road. New permit parking schemes are being introduced in consultation with residents and ward members in the areas along the route.

### **Cycleway 2 / Newport Road**

Whilst much of this route is open, problems with obtaining supplies of essential construction materials have delayed the opening of this much-anticipated extension to the cycle network between Dumfries Place and Four Elms Road in Adamsdown. Additionally, there have been safety concerns that have needed extensive testing. The works on the signalised junctions are currently being completed, so the route will be opened imminently.

Work to investigate options for the alignment and design of a permanent segregated cycle route extending along the Newport Road corridor to connect with the proposed Cardiff Parkway development (and eventually to Newport) is currently being undertaken. Consultation on initial proposals, including possible options, will take place later this year.

### **Cycleway 4**

Design of environmentally sensitive lighting along the completed section of route through Sophia Gardens and along the Pontcanna Fields spine road (Cycleway 4.1) is in progress. Following the public consultation last year on the next stage of the route connecting Pontcanna Fields with Llandaff (Cycleway 4.2), concept designs of route options are being developed that will be subject to further public consultation later in the year.

### **Cycleway 5**

Following the completion of the first section of this route in 'pop-up' form along Cowbridge Road East and Wellington Street, work to investigate design options for establishing a permanent segregated route along Cowbridge Road East, Wellington Street and Leckwith Road is being progressed. Public engagement on these options will take place later this year. The length of route along Leckwith Road will connect to the stretch of route planned along Lawrenny Avenue (that will ultimately be extended to connect into Caerau and Ely). Progress on the Lawrenny Avenue section has had to be advanced more quickly so that it can tie in with the opening of the new Fitzalan High School in 2023. The report of the public consultation on the Lawrenny Avenue scheme will be published shortly and the aim is to commence construction of the scheme in Spring 2022.



## **Roath Park Corridor**

Work to investigate design options for a segregated cycle route extending north-east of the city centre is continuing. Public engagement on initial proposals around Roath Park will be carried out shortly.

## **Cycle Hire Scheme**

The OVO Bikes/nextbike cycle hire scheme returned to operation in Cardiff on 13 January 2022. The period of suspension has been used to repair and refurbish the fleet, source replacement bikes, and improve the security of the system as much as possible. Significant outreach work has been undertaken and continues, with partners including with the Cycle Crime Reduction Partnership led by South Wales Police. The app has been updated to include a "Report a bike" function for the reporting of abandoned bikes and a new campaign encouraging responsible bike use will be launched soon. Fines for the non-return of bikes (i.e. bikes not returned to official stations) have also been significantly increased. A number of high-risk stations have been suspended subject to future review, with equipment being reallocated to high demand stations.

The return to operation is being carefully phased to ensure that the risk to the fleet and its infrastructure is minimised. An initial re-launch has been undertaken with a smaller fleet of 400 bikes, which is focused on the highest usage stations in the city. It is anticipated that the fleet will be back to full strength on the reviewed network within the next two months, and we will continue to monitor the situation.

## **Secure Cycle Storage Facility**

The Development & Regeneration Team within the Adults, Housing & Communities Directorate has been leading on a project, in partnership with Bike Lock Ltd and the Council's Transport Team, to secure funding and support for the provision of Cardiff's first secure cycle storage facility. The much-needed facilities are set to open on Windsor Place in early 2022 and will include secure storage for at least 50 bikes, as well as shower, locker and changing facilities, and a remote workspace and coffee bar. As the first facility of its kind in Wales, the 'Bike Lock' will help the Council and partners gain a better understanding of customer demand and requirements that will help the future development of other similar and possibly larger facilities elsewhere in Cardiff. By providing a fully secure, cycle-parking facility in the heart of Cardiff city centre, the 'Bike Lock' will help to deliver a key Burns Commission report recommendation relating to the provision of cycle storage at public transport interchanges and within urban centres.

## **Resurfacing and Localised Repairs**

Localised footway and carriageway improvements are ongoing throughout the city, along with footway reconstruction works. Further condition assessments are also being undertaken for future programmes of work to be delivered in 2022. A further programme of resurfacing works commenced this month, which are concentrating primarily on key routes throughout the city. A continuation of the micro asphalt surface treatment is anticipated to recommence in March/April 2022, but this will be governed by weather conditions.

In 2021/22, the total area and length of capital carriageway improvements (combined all treatment types) is 214,403m<sup>2</sup>, with an approximate length of 30km. The total area and length of capital footway improvements (combined all treatment types) is 28,218m<sup>2</sup>, with an approximate length of 10km. Patching works have been delivered covering 26,089m<sup>2</sup> (carriageway) and 12,359m<sup>2</sup> (footway). In addition, the total number of highway defects repaired is 16,666 and the number of potholes repaired is 11,932.

### **Residential Street Lighting Improvement/LED Scheme**

The Residential LED Replacement programme continues to be delivered, which will see circa 24,000 standard lighting units upgraded to LED lighting throughout the city. The lighting units will be centrally monitored and controlled so that the Street Lighting Team will be automatically aware of any outages and will also be able to control lighting levels as required. Up until the end of December 2021, approximately 3,000 new units had been installed and four wards have the new streetlights.

**Councillor Caro Wild**  
**Cabinet Member for Strategic Planning & Transport**  
**20 January 2022**

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## **INVESTMENT & DEVELOPMENT STATEMENT**

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### **City Centre Investment**

Councillors will be pleased to learn that, despite the pandemic, investment interest in the city centre remains strong with a number of new operators bringing forward new projects. The Council has been instrumental in a number of new schemes, securing over £2m in Transforming Towns loan funding from Welsh Government to develop new incubation spaces, a golf-themed leisure attraction, and a new boutique hotel. Economic Development officials have also been in discussions with the new owners of the former Howells store, who are seeking to take forward a £100m mixed-use scheme to regenerate the building.

I am also advised that a deal has also been completed recently to deliver 750 new homes at the Central Quay site, kickstarting investment on the Brains site, and providing further investment that will promote sustainable living in the city centre.

### **Indoor Arena and Velodrome**

Councillors will be aware that the submission of the planning application for the Atlantic Wharf masterplan, including a full planning application for the arena was submitted last year and will be considered in the near future with work anticipated to begin later in 2022.

Members will also be aware that we have recently sought views on the proposed new velodrome at the International Sports Village that will provide new facilities for cyclists of all ages and abilities in Wales. The Administration hopes that the proposed new facilities will not only create more elite cyclists, but also get more people in general interested and involved in cycling whether competitively or recreationally. The facilities will provide for a range of different cycling disciplines and compliment existing facilities at the International Sports Village.

### **City Competitiveness**

Again, Councillors will be pleased to learn that Cardiff remains on the map for investors globally, a fact emphasised in the 2021 Global Talent Competitiveness Index produce by INSEAD Business School, which ranked Cardiff as the third placed global city and amongst the top performing global cities in terms of talent attraction and retention. This reflects what official are seeing in terms of investment interest, with businesses in knowledge-based sectors attracted by the supply of talent in the city and the city-region. This includes a major new bio-science manufacturing company and a cyber security business, both key sectors as identified in our economic strategy.

## **Business Support**

Members may be aware that the Council, working with Welsh Government, has launched a number of new grants for businesses impacted by the restrictions introduced towards the end of 2021. The support is provided for those businesses who pay business rates, as well as sole traders, freelancers, the self-employed and other businesses without a premises. The grants range from £1,000 for the self-employed to £6,000 for those occupying businesses with a large rateable value. Grant applications are open until 14 February 2022 and I would encourage all eligible businesses to apply.

**Councillor Russell Goodway**  
**Cabinet Member for Investment & Development**  
**20 January 2022**

**COUNCIL: 27 JANUARY 2022**

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## **CULTURE & LEISURE STATEMENT**

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### **Covid-19 Impact on Culture and Events Sector**

I am sure that councillors will share my sense of devastation that our city's critical culture and events sector was, once again, forced to close its doors temporarily due to the rapid spread of the Covid-19 Omicron variant.

I want to take this opportunity to recognise all our venues, partner attractions and staff who worked so tirelessly to develop and deliver such a rich, varied and inspiring Christmas offer. It goes without saying how disappointed everyone was to have to close our attractions and performances on Christmas Eve. However, public safety was at the forefront of everyone's mind, and I want to thank and commend all of those involved for the speed, efficiency and professionalism with which this exceptional ask was managed and implemented.

Following the First Minister's announcement on 22 December 2021, St David's Hall, Winter Wonderland, Bute Park Ice Walk and the Christmas Craft Fayre all closed their Christmas offer to the public at close of business on Christmas Eve. Officers are currently working with all our Christmas venue and attraction partners to identify and access relevant support packages from the Welsh Government as appropriate.

Whilst once again closed to visitors, the Museum of Cardiff turned its attention to its excellent community programme, with the focus on promoting its new virtual learning packs for primary schools, as well as its My Museum activities on the website. Officers continue to partner with the Council's Independent Living Team to deliver monthly online reminiscence sessions and are also working on digital activities for the February Half-Term school holiday period on the theme of environmental sustainability.

Encouragingly, it appears that we have once again turned a corner with the latest variant. Dependent on our continued commitment to taking the necessary precautions that will continue to help suppress transmission, we can once again look forward to reopening our doors at the end of this month. Officers are working with venues, clients and promoters to reschedule events and performances to facilitate and encourage the sector's swift and sustainable recovery.

### **Christmas at Bute Park Light Trail**

The Covid-19 restrictions in Wales that took effect from Boxing Day meant that the hugely popular light trail in Bute Park was closed early. Notwithstanding this, the event had been open for five weeks and attracted over 120,000 visitors, as

well as proving to be a very popular destination for residents of, and visitors to, the city. I was also pleased to see our event partner rolling out the 'Great Giveaway' initiative, which targeted individuals and families most disadvantaged by the pandemic and providing free entry to the experience. I very much look forward to seeing the return of the event later this year.

### **Sakura Cherry Tree Project**

On 26 January 2021, I will be joining the Lord Mayor and Leader of the Council in attending tree planting ceremonies at both Heath Park and Bute Park to celebrate the friendship and co-operation between Japan and Wales. Children from local primary schools will also be involved in the planting. The Sakura Cherry Tree Project has resulted in the Council benefiting from the donation of 120 Cherry Trees through fundraising undertaken by the Japan-British Society, of which 20 will be planted in Bute Park and 100 in Heath Park. This project contributes to the Council's Coed Caerdydd project and our aim to increase tree canopy in the city. Cherry blossom is the national flower of Japan and the tree planting in both parks will provide striking features for present and future generations to enjoy.

### **National Park City**

I'm pleased to report the progress that is being made in developing a National Park City movement for Cardiff. Following recommendations contained within the report, entitled 'Let's Make Cardiff Greener, Healthier and Wilder', that was considered by the Cabinet in May 2021, the Council supported the facilitation of a stakeholder engagement event that was designed to stimulate interest in the potential for a National Park City movement across a wide and diverse range of organisations. Expressions of interest have been sought in creating a membership and the formation of a management committee, with 80 respondents to date. It is anticipated that the first formal meeting of the management committee will take place next month. I have no doubt that, over time, the movement in Cardiff will go from strength to strength and I will be following developments with great interest.

### **Benches of Hope**

Building on previous member involvement in the project to install three purple 'Happy to Chat' benches in Roath Park, Hailey Park and Bute Park, the Council has been working with Netflix and suicide prevention charity, Campaign Against Living Miserably (CALM) to help raise awareness of mental health issues and to promote the new series of After Life starring Ricky Gervais. The After Life TV series highlights those struggling to cope with bereavement, loneliness and mental health issues.

As a result, Netflix has donated two 'Benches of Hope', with engraved plaques that include the quote "Hope is Everything", which are being installed this month in Victoria Park and Parc Cefn Onn. Those who visit these benches will be able to access resources from CALM via a unique QR code and also online by visiting: [www.thecalmzone.net/afterlife](http://www.thecalmzone.net/afterlife) Both the Benches of Hope and Happy to Chat benches are a great addition to the city's parks and allow people to sit and reflect, and to meet and talk to others, thereby helping to combat isolation and loneliness.

## **Parks Playgrounds and Infrastructure**

I'm delighted with the progress that we have made this year with our investment in play facilities and infrastructure in parks across the city. With a strong emphasis on our efforts to become a Child Friendly City, we will have invested an estimated £3 million of Capital and Section 106 funding in 2021/22 to refurbish and renew children's play areas and essential infrastructure schemes. The following projects have either been completed or are scheduled for completion by the end of March 2022:

- Maindy Park (Gelligaer Street)
- Llandaff Fields Play Area (Phase A)
- Parc Caedelyn Play Area
- Grange Gardens Play Area
- Adamscroft Play Area
- Glenmount Way
- Lascelles Drive Play Area
- Peppermint Drive Play Area
- Adamstown Square
- Anderson Fields
- Howard Gardens
- Pontcanna Riding School
- Parc Treddelerch
- Garth Newydd
- Creigiau Play Area
- Mill Road
- Anti-Motorcycle Fencing (Splott and Trelai Park)
- Allotment Fencing (Ely Farm and Pontcanna)
- Roath Park Log Wall
- Tharsis Close
- Fairwater Steps

The design of play schemes has resulted in the introduction of modern equipment, areas to develop creativity, recycled materials, natural play features and equipment designed for inclusivity for children with disabilities. Plans are now being developed for 2022/23 to make further investment and build upon the positive work undertaken to date.

## **Physical Activity and Sport Strategy**

Through collaboration with Public Health and our Joint Venture Partner, Cardiff Met Sport, a Physical Activity and Sport Strategy for Cardiff has been developed, which has been ratified by the Cardiff Public Services Board and endorsed by the Cabinet this month. The strategy will be launched in Spring 2022 and focuses on improving levels of participation for our citizens, supporting communities where participation is low, and addressing the current health inequalities that exist in our city. I am delighted that this agenda is being driven by both the city's Sport and Health sectors, and there is already evidence of strong engagement with a wide and diverse range of stakeholders.

## **Llanrumney Sports Hub**

I'm pleased to report that planning permission has been granted for the development of a new Football and Rugby Campus, in partnership with Cardiff University and Cardiff City Football Club (CCFC), at Llanrumney. The scheme will provide 4 x 3G pitches, a modern clubhouse, and changing and catering facilities. The development will see a return to Cardiff of the CCFC Academy from Treforest, as well as access to the facilities for local community clubs. The new facilities will serve as a centralised venue for Mini Football and Mini Rugby in the east of the city and have great potential to make a positive impact on the area and raise the aspirations of young people participating in sport.

**Councillor Peter Bradbury**  
**Cabinet Member for Culture & Leisure**  
**20 January 2022**



**COUNCIL: 27 JANUARY 2022**

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**FINANCE, MODERNISATION & PERFORMANCE STATEMENT**

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**Real Living Wage**

Cardiff's Living Wage City Steering Group is continuing to oversee our transformation into a Living Wage City, and 2021 was an incredible year for this initiative in Cardiff. A record 42 employers employing 8,000 residents gained Living Wage accreditation as Living Wage employers last year, meaning that over 64,000 residents now work for 160 accredited Living Wage employers in Cardiff. This work has had a significant impact on our city and residents, with Cardiff University calculating that an additional £39 million has gone into the Cardiff economy as a result of wages being uplifted to the real Living Wage.

Looking to the year ahead, a key focus will be the expansion of the real Living Wage to the social care sector, which has long been a priority of the Administration. On 21 December 2021, the Welsh Government announced an additional £43m in their budget for councils and local health boards to enable the payment of the real Living Wage for social care staff from April 2022, recognising the very important role that they play in supporting our most vulnerable citizens. The Council welcomes this decision, and I am very proud of the role that the Living Wage City Steering Group and Living Wage Leadership Groups, of which both the Leader and I are members, have played in lobbying for this much-needed change.

The Association of Directors of Social Services (ADSS) Cymru is currently working with the Welsh Government to develop initial guidance for local authorities that will set out expectations around implementation of the real Living Wage in the social care sector. This guidance document is due to be discussed at a meeting of ADSS Cymru Directors on 26 January 2022.

The Living Wage City Steering Group also met on 20 January 2022 to discuss its priorities for the next three years. There will be an increased emphasis on Living Wage campaigns around St David's Day, May Day, and Living Wage Week and, in anticipation of these events, I would strongly encourage all councillors to help get the message out that paying the real Living Wage is good for businesses, good for employees and good for Cardiff.

**Covid-19 Business Support Grants**

The Council is working closely with the Welsh Government to deliver a further round of Covid-19 Business Support Grants due to the impact of Covid-19. These grants are application based and available to businesses in the retail, leisure and hospitality sectors. Grants of £2,000, £4,000 and £6,000 are payable depending on the rateable

value of the company. A discretionary scheme is also available with grants of £500 and £2,000. Full details of the January 2022 round of grants available as part of the Economic Resilience Fund, along with the application forms, are available on the Council's website: [COVID-19 Support for Business \(cardiff.gov.uk\)](https://www.cardiff.gov.uk/covid-19-support-for-business)

### **CardiffWorks Update**

The CardiffWorks Ready project is a new employability support project that has been developed to assist potential candidates in overcoming barriers that they face to entering CardiffWorks. The project is focused on supporting under-represented candidates by linking closely with the Into Work Advice Service and community groups.

New Senior Advice Officers are working hard to provide a personal and professional service to members of the public who have been referred through to CardiffWorks from the Into Work Advice Service and who have either been unsuccessful at the CardiffWorks assessment or have contacted the service directly for assistance. Into Work mentors can also refer their own clients directly onto the scheme. A range of services are currently offered such as assessment feedback, digital literacy skills and CardiffWorks Ready courses hosted by the Adult Learning Team, which include modules on skills and qualities required, communication skills, business correspondence, numeracy and a final assessment. The team also works in partnership with other teams and organisations, including the Department for Work and Pensions (DWP), Remploy, Working Wales, Bright Futures, Veteran Support Team, Volunteering Team and the Youth Service.

Whilst the renewed Covid-19 restrictions have led to some of the face-to-face events that were planned for January 2022 being postponed, the CardiffWorks Team is pursuing engagement through new promotional material and encouraging attendance at any future events. These events include a hot desk in the Queen Street Job Centre Plus, a presence at the Council's Job Clubs throughout the Hubs, a bespoke training course in conjunction with the Adult Learning Team and managers in various call centre environments, as well as a new scheme to subsidise placements for those with little work experience. This year will also see the team expand its reach by working in partnership with more community groups thanks to a newly appointed Community Coordinator post, which will provide support with accessing temporary roles within CardiffWorks that can lead to sustainable employment by Cardiff Council.

### **Kickstart Application Support Events**

In partnership with the DWP, the Into Work Gateway Team organised a number of Kickstart Application Support events throughout December 2021. The events highlighted Kickstart opportunities across a variety of sectors. The team assisted young people with tailoring their CVs to match roles and applying for Kickstart positions. Kickstart application support was also offered in a number of Hubs across the city. In addition, a member of the team attended Cardiff's three job centres to provide application support. A total of 27 young people were supported to complete applications.

## **BOBi (Chatbot)**

BOBi finished the year with a total of over 96,000 conversations since it was launched. Feedback from users was positive once again last month, with 89% of feedback received being rated as Very Good, Good or OK. Our corporate trainees have continued their excellent work to investigate any negative feedback and ensure that BOBi is retrained and redesigned to help residents as effectively as possible.

Last month saw the launch of the missed waste collection feature on the bot, which now allows residents to check the status of a waste collection and report it missed without having to leave the bot. The Development Team is currently looking at system upgrades for the bot platform, which will allow us to experiment with new features such as banners. Work to develop graffiti reporting and digital parking permit features is also ongoing.

## **CardiffGov Mobile App**

At the end of December 2021, the total number of downloads of the CardiffGov mobile app since its launch in 2018 reached 53,493. The latest update in November 2021 delivered a link for checking parking permit types by property as the Council moves toward digital parking permits for residents. Other work included updates to the accessibility statements and several technical changes in the background to improve existing services. The next release for the app, which is planned for February 2022, will include a new service for reporting graffiti across the city, which will enable residents to upload photos along with their reports. Further changes and additions planned include additional work to improve accessibility and the development of a new service for reporting problem parking.

## **Website**

The Council's website ([www.cardiff.gov.uk](http://www.cardiff.gov.uk)) had 200,000 visitors in December 2021 who viewed 622,000 pages of information. 70.5% of website visitors chose to access the site using a mobile device, which is the highest ever percentage of mobile users.

In total, the website received 8.5million page views last year, together with an additional 4.9million on other websites created by the Council's Web Team. The most visited pages last year were 'When are my bins collected', 'Recycling centres' and 'School term dates', which accounted for almost 20% of the total page views for the year.

Our compliance of webpage content against the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA and AAA standards remains at 93%. Cardiff is currently third in Wales on the Silktide Index and we are working towards increasing our compliance score.

**Councillor Chris Weaver**  
**Cabinet Member for Finance, Modernisation & Performance**  
**20 January 2022**

Mae'r dudalen hon yn wag yn fwriadol

**CYNGOR CAERDYDD  
CARDIFF COUNCIL****COUNCIL:****27 JANUARY 2022**

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**REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL  
SERVICES AND MONITORING OFFICER**

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**STANDARDS & ETHICS COMMITTEE - INDEPENDENT MEMBER  
APPOINTMENTS****Reason for this Report**

1. To seek Council's approval for the appointment of two independent members of the Standards and Ethics Committee.

**Background**

2. The Constitution provides that the Standards & Ethics Committee shall have five independent members, three county councillors and one community councillor – Constitution Article 9.2(a).
3. One vacancy has arisen for an independent member of the Committee following the expiry of the second term of office of the former Chair, Professor James Downe on 2 November 2021. A further vacancy will arise on the 22 June 2022 when the second term of office of Independent Member and current Chair, Hollie Edwards-Davies, will expire.
4. The Standards and Ethics Committee approved arrangements for a public appointments process to fill both vacancies, in line with the statutory requirements, at its meeting in March 2021.
5. The Standards Committees (Wales) Regulations 2001 provide that the Committee shall elect its Chair and Vice-Chair from amongst the Independent Members of the Committee. The Committee duly elected Hollie Edwards-Davies as Chair, and Chrissie Nicholls as Vice-Chair, with effect from 2 November 2021. When Ms Edwards-Davies' term of office ends in June 2022, a new Chair will need to be elected by the Committee.

**Issues**

6. As the Constitution requires the Standards and Ethics Committee to have five Independent Members, the Council needs to make one new appointment to fill the current vacancy and another appointment to fill the further vacancy which is due to arise in June 2022.

7. The appointment of members of the Standards and Ethics Committee is governed by the Standards Committees (Wales) Regulations 2001 (as amended) (“the Regulations”) and the Council’s Constitution.
8. The Regulations require a public recruitment process to be followed for an Independent Member vacancy, specifically, the Council must:
  - a) advertise the vacancies in at least 2 newspapers circulating in its area, and may additionally advertise the vacancies in its own newspaper;
  - b) set selection criteria and publish those criteria in the advertisement of the vacancies;
  - c) establish an Appointments Panel, comprised of up to five panel members, and including one lay panel member and one Cardiff community councillor; and
  - d) arrange for the Appointments Panel to assess all applications against the published criteria and make recommendations on the appointments to Council for approval.
9. The Regulations provide that an Independent Member’s term of office must be set at between four and six years and that an Independent Member may be reappointed for one further consecutive term of up to a further four years only.
10. In accordance with the arrangements approved by the Standards and Ethics Committee in March 2021 and the requirements of the Regulations, the vacancies have been advertised (in the Western Mail October 2021 and South Wales Echo October 2021). The vacancies have also been published through the Council’s Website, a media brief and social media links; and shared with Elected Members, Community Council Clerks, WLGA and partner networks and in particular minority and disability groups to encourage applications from a more diverse group of candidates.
11. A total of eight applications were received in response to the advertisements. An Appointments Panel comprised of Jackie Griffiths, as lay panel member; Community Councillor Stuart Thomas and Hollie Edwards-Davies, Chair of the Standards & Ethics Committee and Independent Member has assessed all applications received against the published criteria, and shortlisted and interviewed three candidates.
12. The Appointments Panel has recommended the appointment of two new independent members: Mr David Mills (to fill the current vacancy) and Mr Rashpal Singh (to fill the vacancy due to arise in June 2022), subject to satisfactory references, which have been received.

### **Legal Implications**

13. The legal implications are contained within the body of the report.

### **Financial Implications**

14. There are no direct financial implications arising from this report. Independent Member remuneration payments are made in accordance with the rates applicable through the Members’ Schedule of Remuneration, and contained within the allocated budget.

## **RECOMMENDATIONS**

Council is recommended to approve the appointment of (1) Mr David Mills (effective immediately) and (2) Mr Rashpal Singh (with effect from the date that the second vacancy arises), as independent members of the Standards and Ethics Committee, for a term of 4 years in each case.

**Davina Fiore**

**Director of Governance and Legal Services and Monitoring Officer**

21 December 2021

### **Background papers**

Standards and Ethics Committee report, 'Independent Member Appointments', 3 March 2021

Mae'r dudalen hon yn wag yn fwriadol





**CYNGOR CAERDYDD  
CARDIFF COUNCIL**

**COUNCIL:**

**27 JANUARY 2022**

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**REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL SERVICES  
AND MONITORING OFFICER**

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**PROGRAMME OF COUNCIL, CABINET & ORDINARY COMMITTEE MEETINGS  
2021/22**

**Reason for this report**

1. To approve the programme of Full Council meetings for the period January 2022 to June 2022 and
2. note the provisional programme of Cabinet and Committees for the period January 2022 to June 2022, to be finalised in consultation with Chairs of Committees and in line with Forward Work Plans.

**Background**

3. The Annual Council meeting is required to approve a programme of ordinary meetings of Council for the year, and a provisional programme of meetings for Council Committees (Council Meeting Procedure Rules, Rule 2(b)(xvii) and (xviii)).
4. At its Annual meeting on 27 May 2021 Council determined to:
  - a) approve the programme of Council and Committee meeting dates for June 2021 – June 2022, subject to further consultation with Chairs of Committees appointed by Council;
  - b) Note the provisional dates of Cabinet meetings during the period June 2021 – June 2022; and
  - c) delegate authority to the Director of Governance and Legal Services to make any necessary alterations to the programme of Committee meetings and request that the final programme be reported to the ordinary Council meeting on 27 January 2022 for approval.
5. As a result of the pre-election period starting on the 18 March 2022 further changes were needed to the calendar of meetings reflected in Appendix A.

**Issues**

6. **Appendix A** is the proposed Programme of Council, Cabinet and Committee meetings from January 2022 to June 2022.

### Formal Meetings Diary

#### Full Council

7. For the 2021/22 municipal year, there are eight meetings of Full Council including the Annual meeting and Budget setting meeting. There are no meetings of Council in April, August and December. Changes have been made to the dates of the following Council meetings:

- a. 24 March 2022 has been moved to the 17 March 2022, as a result of the pre-election period.

8. It is proposed that Council meetings will take place as follows.

<b>Day</b>	<b>Date</b>	<b>Time</b>	<b>Meeting</b>
Thu	3-Mar-22	16:30	Council (Budget)
<b>Thu</b>	<b>17-Mar-22</b>	<b>16:30</b>	<b>Council</b>
Thu	26-May-22	16:30	Council (Annual Meeting)

#### Cabinet

9. Cabinet meetings are held on a monthly basis with the exception of August. Depending on agenda items, Cabinet is also unlikely to be able to meet in the pre-election period which will start on 18 March 2022, so it is unlikely that there will be a Cabinet meeting in April 2022. The following are the dates that have been provisionally scheduled by Cabinet for their meetings: Cabinet is planning to move its meeting in March to the 10 March 2022

Thu	20-Jan-22	14:00	Cabinet
Thu	24-Feb-22	14:00	Cabinet
<b>Thu</b>	<b>10-Mar-22</b>	<b>14:00</b>	<b>Cabinet</b>

Where the level of business to be determined from the Cabinet Forward Plan is likely to be more than the amount of business that can be dealt with in one meeting, additional meetings may be arranged and publicised.

#### Regulatory Committees

10. Licensing, Planning and Public Protection Committees are held on a monthly basis, subject to there being sufficient business. Licensing Sub Committees convened under the Licensing Act 2003, will be held as and when required. An additional Special Planning Committee is now scheduled to take place on the 16 March 2022.

### Scrutiny Committees

11. Scrutiny Committees meet on a monthly basis with the exception of August and in an election year, April and May. Changes to Scrutiny Committee's will also be reflected at **Appendix A** as a result of pre-decision Scrutiny.

### Corporate Parenting Advisory Committee

12. This Committee agreed to meet quarterly to meet their Work Plan requirements and the dates have been scheduled in the calendar. The next meeting will take place on the 15 March 2022.

### Governance and Audit Committee

13. Five meetings of the Governance and Audit Committee per year have been scheduled in accordance with their Work Plan. The next meeting of the Committee will be on 25 January 2022.

### Democratic Services Committee

14. In accordance with the Local Government (Wales) Measure 2011 requirements (Section 15(2)), the Democratic Services Committee has to meet at least once a year. For 2021/22 Municipal Year it has met on the 24 May 2021, 19 July 2021, 29 November 2021 and 24 January 2022.

### Standards & Ethics Committee

15. The Standards and Ethics Committee will meet as and when necessary in order to deliver its work programme. Provisional dates are included within the draft Calendar and are subject to confirmation with the Chair and in consultation with Committee Members. The next meeting is scheduled to take place on 9th February 2022.

### Constitution Committee

16. It is proposed to meet twice during this municipal year and provisional dates will be included within the draft Calendar and are subject to confirmation with the Chair in consultation with Committee Members. The next meeting is scheduled to take place on 28<sup>th</sup> February 2022.

17. Other Committees

Meetings of the Local Authority Governor Panel and Pension Committee have been scheduled as required.

### Ad-Hoc Meetings

18. Meetings of the Appointments Committee, Appeals Committee, Bilingual Cardiff Member Group, and Pension Panel are only scheduled as and when required.

## **Legal Implications**

19. The Council must have regard to the Welsh Government's statutory guidance (issued under section 6 of the Local Government (Wales) Measure 2011) when considering the times and intervals of its meetings.
20. In summary, the guidance states that:
  - Work and other commitments make setting a programme of meetings that suits all Members difficult;
  - Welsh Government does not wish to prescribe the number/timings of meetings; and
  - it is important that Authorities proactively review their meeting arrangements, by way of example, the guidance states that "What may have been tradition or an arrangement which suited the previous generation of Councillors will not necessarily serve the interests of the new intake."
21. The guidance requires the Council to survey its Members in respect of times and intervals in which meetings of the local authority are held at least once a term and preferably shortly after the new council is elected. A survey of Members was undertaken in May 2017 and the programme of meetings reflects the results of that survey and agreements made by individual Committees around preferred start times.

## **Financial Implications**

22. The costs associated with delivering the programme of meetings are to be contained within the allocated budget.

## **RECOMMENDATIONS**

23. The Council is recommended to
  - (1) approve the programme of Council and Committee meeting dates for January 2022 – June 2022.
  - (2) Note the provisional dates of Cabinet meetings during the period January 2022 – June 2022; and
  - (3) delegate authority to the Director of Governance and Legal Services to make any necessary alterations to the programme of Committee meetings which may be required.

**DAVINA FIORE**

**Director of Governance and Legal Services and Monitoring Officer**

21 January 2022

The following Appendices are attached:

**Appendix A** Programme of Council, Cabinet and Committee meetings from January 2022 – June 2022.

Background papers:

[Agenda for Council on Thursday, 27th May, 2021, 4.30 pm](#)

Mae'r dudalen hon yn wag yn fwriadol

APPENDIX A

PROGRAMME OF MEETINGS

Day	Date	Timings				Committee	Venue	Meeting Type	School Holidays
		Start	Est. Duration (Hours)	Breaks (mins)	Est End				
Mon	24-Jan-22	17:00	2.0	10	19:10	Democratic Services Committee	Remote	Public	
Tue	25-Jan-22	16:30	3.0	10	19:00	Governance and Audit Committee	Remote	Public	
Wed	26-Jan-22								
Thu	27-Jan-22	16:30	4.0	30	21:00	Council	Remote	Public	
Fri	28-Jan-22	10:00	3.0	0	13:00	Licensing Sub-committee	Remote	Public	
Sat	29-Jan-22								
Sun	30-Jan-22								
Mon	31-Jan-22								
Tue	01-Feb-22	10:00	1.0	0	11:00	Public Protection Committee	Remote	Public	
Tue	01-Feb-22	11:00	3.0	30	14:30	Public Protection Sub-Committee	Remote	Public	
Wed	02-Feb-22	13:30	4.0	30	18:00	Planning Committee	Remote	Public	
Thurs	03-Feb-22								
Fri	04-Feb-22								
Sat	05-Feb-22								
Sun	06-Feb-22								
Mon	07-Feb-22								
Wed	09-Feb-22	17:00	1.0		00:00	Standards & Ethics Committee	Remote	Public	
Fri	11-Feb-22								
Sat	12-Feb-22								
Sun	13-Feb-22								
Tue	15-Feb-22								
Thu	17-Feb-22								
Sat	19-Feb-22								
Sun	20-Feb-22								
Mon	21-Feb-22	13:30	2.5	10	19:10	CASSC Scrutiny Committee (Budget)	Remote	Public	School Holidays
Mon	21-Feb-22	16:30	2.5	10	19:10	Economy & Culture Scrutiny Committee (Budget)	Remote	Public	
Tue	22-Feb-22	10:30	2.5	10	13:10	CYP Scrutiny Committee (Budget)	Remote	Public	
Tue	22-Feb-22	16:30	2.5	10	12:40	Environmental Scrutiny Committee (Budget)	Remote	Public	
Wed	23-Feb-22	10:00	2.5	10	19:10	PRAP Scrutiny Committee (Budget)	Remote	Public	
Thu	24-Feb-22	14:00	2.0	10	16:00	Cabinet	Remote	Public	
Fri	25-Feb-22								
Sat	26-Feb-22								
Sun	27-Feb-22								
Mon	28-Feb-22	16:30	2.0	10	18:30	Constitution Committee	Remote	Public	
Tue	01-Mar-22	10:00	1.0	0	11:00	Public Protection Committee	Remote	Public	

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	Tue	01-Mar-22	11:00	3.0	30	14:30	Public Protection Sub-Committee	Remote	Public	
	Tue	01-Mar-22	16:30	3.0	10	19:45	CYP Scrutiny Committee	Remote	Public	
	Wed	02-Mar-22	13:30	4.0	30	18:00	Planning Committee	Remote	Public	
	Thu	03-Mar-22						Remote	Public	
	Thu	03-Mar-22	16:30	4.0	30	21:00	Council (Budget)	Remote	Public	
	Fri	04-Mar-22								
	Sat	05-Mar-22								
	Sun	06-Mar-22								
	Mon	07-Mar-22	16:30	2.5	10	19:10	Environmental Scrutiny Committee	Remote	Public	
	Tues	08-Mar-21	16:30	2.5	10	19:10	CYP Scrutiny Committee	Remote	Public	
	Tue	08-Mar-22	16:30	2.5	10	19:10	PRAP Scrutiny Committee	Remote	Public	
	Wed	09-Mar-21	16:30	2.5	10	19:10	CASSC Scrutiny Committee	Remote	Remote	
	Wed	09-Mar-22	16:30	2.5	10	19:10	Economy & Culture Scrutiny Committee	Remote	Remote	
	Thu	10-Mar-22	14:00	2.0	10	16:00	Cabinet	Remote	Public	
Tudalen 196	Fri	11-Mar-22								
	Sat	12-Mar-22								
	Sun	13-Mar-22								
	Mon	14-Mar-22	17:00	2.0	0	19:00	Local Authority Governor Panel	Remote	Public	
	Tue	15-Mar-22	14:00	2.5	10	16:40	Corporate Parenting Advisory Committee	Remote	Public	
	Tue	15-Mar-22	16:30	3.0	10	19:00	Governance and Audit Committee	Remote	Public	
	Wed	16-Mar-22	10:00	3.0	10	13:00	<b>Provisional: Planning Committee</b>	Remote	Public	
	Wed	16-Mar-22	16:30	1.0	0	17:30	Environmental Scrutiny Committee	Remote	Public	
	Thu	17-Mar-22	16:30	4.0	30	21:00	Council	Remote	Public	
	Fri	18-Mar-22					<b>Pre-election period starts</b>			
	Sat	19-Mar-22								
	Sun	20-Mar-22								
	Mon	21-Mar-22								
	Tue	22-Mar-22								
	Tue	22-Mar-22								
	Wed	23-Mar-22								
	Thu	24-Mar-22								
	Fri	25-Mar-22								
	Sat	26-Mar-22								
	Sun	27-Mar-22								
	Mon	28-Mar-22								
	Tue	29-Mar-22								
	Wed	30-Mar-22								
	Thu	31-Mar-22								
	Fri	01-Apr-22								



Sat	02-Apr-22								
Sun	03-Apr-22								
Mon	04-Apr-22								
Tue	05-Apr-22	10:00	1.0	0	11:00	Public Protection Committee	Remote	Public	
Tue	05-Apr-22	11:00	3.0	30	14:30	Public Protection Sub-Committee	Remote	Public	
Wed	06-Apr-22	13:30	4.0	30	18:00	Planning Committee	Remote	Public	
Thu	07-Apr-22								
Fri	08-Apr-22								
Sat	09-Apr-22								
Sun	10-Apr-22								
Mon	11-Apr-22								
Tue	12-Apr-22								
Wed	13-Apr-22								
Thu	14-Apr-22								
Fri	15-Apr-22					<b>Good Friday</b>			Easter School Holiday
Sat	16-Apr-22								
Sun	17-Apr-22								
Mon	18-Apr-22					<b>Easter Monday</b>			
Tue	19-Apr-22								
Wed	20-Apr-22								
Thu	21-Apr-22								
Fri	22-Apr-22								
Sat	23-Apr-22								
Sun	24-Apr-22								
Mon	25-Apr-22								
Tue	26-Apr-22								
Wed	27-Apr-22								
Thu	28-Apr-22								
Fri	29-Apr-22								
Sat	30-Apr-22								
Sun	01-May-22								
Mon	02-May-22					<b>Early May Bank Holiday</b>			
Tue	03-May-22								
Wed	04-May-22								
Thu	05-May-22					<b>Local Government Elections 2022</b>			
Fri	06-May-22								
Sat	07-May-22								
Sun	08-May-22								
Mon	09-May-22								

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Tue	10-May-22								
Wed	11-May-22								
Thu	12-May-22								
Fri	13-May-22								
Sat	14-May-22								
Sun	15-May-22								
Mon	16-May-22								
Tue	17-May-22								
Wed	18-May-22								
Thu	19-May-22								
Fri	20-May-22								
Sat	21-May-22								
Sun	22-May-22								
Mon	23-May-22								
Tue	24-May-22								
Wed	25-May-22								
Thu	26-May-22	16:30	4.0	30	21:00	Council (Annual Meeting)	Remote	Public	
Fri	27-May-22								School Holidays

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# CYNGOR CAERDYDD CARDIFF COUNCIL

**COUNCIL:**

**27 JANUARY 2022**

## REPORT OF THE DIRECTOR OF GOVERNANCE & LEGAL SERVICES

### COMMITTEE MEMBERSHIP

#### Reason for Report

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

#### Background

2. The Annual Council meeting 27 May 2021 established the Committees and Panels of the Council and their composition. The seats allocated to political groups on each committee were calculated in accordance with the rules on political balance, and nominations were received for each committee from the political groups.
3. Following changes in the political composition of the Council, the allocation of seats on Committees has been revised, in accordance with the rules on political balance, in November 2021 Council meeting.
4. In accordance with the Welsh Audit Office Statement of Action P3b (report March 2016), Membership of Committees is a standing item on monthly Group Whips meetings and Full Council, as appropriate.

#### Issues

5. Current Committee vacancies, in accordance with the approved allocations to political groups, are as follows:

Committee	Vacancy	Group	Nomination Received
Democratic Services Committee	1 vacancy	Labour	
Licensing Committee	1 vacancy	Conservative	
Public Protection Committee	2 vacancies	1 x Independent 1 x Propel	

6. Further nominations to fill existing vacancies received from political groups prior to Full Council on 27 January 2022 will be reported on the amendment sheet.

## **Legal Implications**

7. The Council is under a duty to make appointments to Committees, in accordance with the approved allocation of seats to political groups, so as to give effect to the wishes of the political groups (pursuant to Section 16 of the 1989 Act).
8. The Democratic Services Committee is a statutory committee established under Part 1 of the Local Government (Wales) Measure 2011 ('the 2011 Measure'). Section 12 of the 2011 Measure states that the Democratic Services Committee cannot include more than one member of the Cabinet, who must not be the Leader.

## **Financial Implications**

9. There are no financial implications directly arising from this report.

## **RECOMMENDATION**

The Council is recommended to receive nominations and appoint to the vacancies on Committees, in accordance with the allocation of seats approved under agenda item 8 of this Council meeting and Party Group wishes, as set out on the Amendment Sheet.

## **DAVINA FIORE**

### **Director Governance and Legal Services**

21 January 2022

## **Background Papers**

Annual Council Reports and Minutes 27 May 2021

Council Minutes 24 June 2021

Council Minutes 22 July 2021

Council Minutes 30 September 2021

Council Minutes 21 October 2021

Council Minutes 25 November 2021

**CYNGOR CAERDYDD  
CARDIFF COUNCIL****COUNCIL:****27 January 2022**

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**REPORT OF DIRECTOR GOVERNANCE & LEGAL SERVICES**

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**APPOINTMENT OF LOCAL AUTHORITY GOVERNORS TO SCHOOL GOVERNING BODIES****Reason for this Report**

1. To appoint Local Authority School Governors to fill vacancies.

**Background**

2. Section 19 of the Education Act 2002 makes provision for the governing bodies of maintained schools to include Local Authority appointed governors, with further detail contained in the Government of Maintained Schools (Wales) Regulations 2005. When Local Authority school governor vacancies arise, either by appointees reaching the end of their term of office or resigning, it is the statutory duty of the Council to fill the vacancies as soon as possible.
3. The Local Authority Governor Panel was constituted at the Annual Council in May 2015 to advise the Council on appointments and removal of governors to those places allocated to the Local Authority.

**Issues**

4. The Local Authority Governor Panel met on 10 January 2022 to consider new applications to fill current and future vacancies due to arise by 31 March 2022. The recommendations of the panel, in respect of new appointments are contained in Appendix 1 to this report.

**Legal Implications**

5. As noted in paragraph 2 of the report, the Council is required, pursuant to the Education Act 2002, section 19 and regulations made there under, to appoint local authority governors to the governing bodies of maintained schools, in accordance with those statutory provisions. Appointments are for a fixed term of 4 years from the date of the appointment and governors may be re-appointed for a further 4 year term.

6. Appointments to outside bodies are a local choice function, which is reserved under the Council's Constitution to full Council. Accordingly, the appointment of Local Authority governors to governing bodies requires the approval of full Council.
7. Members will note that this report recommends the appointments of local authority governors, as set out in Appendix 1 for a 4 year term.

### **Financial Implications**

8. There are no financial implications arising from this report.

### **Recommendation**

9. That, in accordance with the recommendations of the Local Authority Governor Panel, the Council approves the new appointments of Local Authority governors to the school governing bodies as set out in Appendix 1, each for a term of 4 years from the date of the appointment.

**Davina Fiore**  
**Director Governance & Legal Services**  
20/01/2022

*The following Appendix is attached:*

Appendix 1            List of Local Authority school governor vacancies and recommendations for appointment by the Local Authority Governor Panel for the period 1 January 2022 to 31 March 2022.

*The following Background Documents have been taken into account: N/A*

**LA Governor Vacancies - Recommendations from LA Governor Panel  
1 January 2022 to 31 March 2022.**

**Appendix 1**

- i. All appointments in the list are recommended by the LA Governor Panel and will have satisfied the required application process.
- ii. All terms of office unless otherwise stated are for 4 years.

**Existing LA Governor Vacancies**

School Name	Ward	Start of Vacancy	Applications Received
Albany Primary School	Plasnewydd	19/05/2021	Saqib Siddique
Baden Powell Primary School	Splott	21/06/2021	
Cantonian High School x 2 vacancies	Fairwater	05/01/2021 11/11/2021	Claire Bowen
Coed Glas Primary School	Llanishen	01/05/2020	
Fairwater Primary School	Fairwater	13/05/2021	
Herbert Thompson Primary School	Ely	29/09/2021	
Lakeside Primary School x 2 vacancies	Cyncoed	04/05/2021 01/09/2021	
Millbank Primary School	Caerau	11/02/2021	
St David's Catholic College	Penylan	07/03/2018	
Pencaerau Primary School	Caerau	15/10/2021	Emma McLoughlin
St Mary The Virgin C.W Primary School	Butetown	29/09/2021	Vanessa Leyshon
St David's C.W Primary School	Pentwyn	01/12/2021	
The Rainbow Federation	Llanrumney	19/12/2020	
Thornhill Primary School	Llanishen	24/06/2021	
Ton-Yr-Ywen Primary School	Heath	06/12/2021	Cllr Julie Sangani
Ysgol Gymraeg Coed-Y-Gof	Fairwater	29/01/2020	
Ysgol Gymraeg Melin Gruffydd	Whitchurch & Tongwynlais	01/08/2021	
Ysgol Glan Morfa	Splott	12/10/2021	

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Ysgol Gymraeg Nant Caerau	Caerau	19/11/2020	
Ysgol Gymraeg Pwll Coch	Canton	30/09/2021	
Ysgol Gynradd Gymraeg Pen-y-Groes	Pentwyn	01/05/2021	
Ysgol Pencae	Llandaff	01/05/2021	
Ysgol Y Berllan Deg	Pentwyn	01/05/2021	
Ysgol Y Wern	Llanishen	19/05/2021	Bethan Proctor

### Future LA Governor Vacancies

School	Ward	Start of Vacancy	Re-appointment requested	New Application Received
Adamsdown Primary School	Adamsdown	26/03/2021		
Coed Glas Primary School	Llanishen	31/01/2022		
Eastern High	Trowbridge	23/03/2022		
Marlborough Primary	Penylan	26/01/2022		
The Western Learning Campus	Caerau	08/01/2022		
Ysgol Gymraeg Coed-Y-Gof	Fairwater	31/01/2022		



**COUNCIL:****27 January 2022**

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**REPORT OF DIRECTOR GOVERNANCE & LEGAL SERVICES**

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**CONSTITUTION OF A NEW TEMPORARY GOVERNING BODY  
FOR A NEW PRIMARY SCHOOL AND APPOINTMENT OF  
TEMPORARY GOVERNORS****Reason for this Report**

1. To constitute a new temporary governing body for a new primary school and appoint its temporary governors.

**Background**

2. Section 34 of the Education Act 2002 (the 2002 Act) requires the local authority to make arrangements for the constitution of a temporary governing body for any new maintained school which is being established. Regulation 5(1) of The New Maintained Schools (Wales) Regulations 2005 (the New Maintained Schools Regulations) enables the local authority to put in place arrangements to establish a temporary governing body for a new maintained school once proposals for the new school have been published via a statutory notice. This includes the appointment of Local Authority, Parent and Staff governors in accordance with the Government of Maintained Schools (Wales) Regulations 2005 and the New Maintained Schools Regulations.
3. A statutory notice was published following consultation on 26 February 2020; and on 24 June 2020 the Council's Cabinet agreed the proposal to establish a two form entry dual stream primary school with nursery provision to serve the early phases of the Plasdŵr development.
4. It was noted by Cabinet that construction of the Plasdŵr development and works to deliver the critical infrastructure including highway infrastructure along Llantrisant Road and strategic services such as drainage, water, gas, electric and telecommunications, were delayed due to Covid-19 lockdown and negotiations were ongoing with the developer in relation to their revised timetable.
5. The Council has been working closely with the developers and an amended timetable of works has been agreed. It is now anticipated that construction of the new school will be completed by August 2023.

6. The new school will admit its first pupils in September 2023, with applications for admission opening in Autumn 2022. Existing primary schools in the local area will have capacity for children living at the development for the academic years 2021/22 and 2022/23.
7. A temporary governing body now needs to be formed to establish the new school.

### **Issues**

8. Where proposals for the establishment of a new maintained school have been approved and are due to be implemented, the Council must make arrangements for the constitution of a temporary governing body and appoint temporary governors, in accordance with the requirements of the New Maintained School Regulations.
9. In accordance with its approved terms of reference, the Local Authority Governor Panel met on 10 January 2022 to consider the applications for the Local Authority and Parent governor positions on the temporary governing body. The Panel's recommendations are set out in Appendix 1 to this report.

### **Legal Implications**

10. As noted in paragraph 2 of the report, Section 34 of the Education Act 2002 Act requires the local authority to make arrangements for the constitution of a temporary governing body for any new maintained school which is being established. The details of the required arrangements, including the appointment of different categories of temporary governors to the new temporary governing body, are set out in the New Maintained Schools (Wales) Regulations 2005 ('the New Maintained Schools Regulations').
11. The number of each category of governor required for a temporary governing body are set out in regulation 21 of the New Maintained Schools Regulations and (in the context of a community school) regulation 13 of the Government of Maintained Schools (Wales) Regulations 2005. Under these Regulations, the local authority must appoint a number of local authority governors and parent governors; and may appoint one temporary staff governor, who works (other than as a teacher) in a maintained school, if the local authority determines it appropriate to do so. If considered appropriate, the appointment of a temporary staff governor will be recommended for approval at a future Council meeting.
12. The Local Authority Governor Panel is responsible for advising the Council on governor appointments to be made by the Local Authority.
13. The recommended appointments require the approval of Council.

## **Financial Implications**

1. There are no financial implications arising from this report.

## **Recommendation**

The Council is recommended to constitute a new Temporary Governing Body for the new primary school to serve the Plasdŵr development, and approve the appointment of temporary Local Authority and Parent school governors to it, as listed in Appendix 1.

**Davina Fiore**  
**Director Governance & Legal Services**

Date: 20 January 2022

*The following Appendix is attached:*

Appendix 1            List of Local Authority and Parent school governors for appointment to the temporary governing bodies, with criteria for appointment

*The following Background Documents have been taken into account:*

The New Maintained Schools (Wales) Regulations 2005  
The Education Act 2002  
The Government of Maintained Schools (Wales) Regulations 2005

## Appointments to Temporary Governing Body Recommendations from LA Governor Panel

## Appendix 1

School	Ward	Start of Vacancy	Applications Received
<b>Local Authority</b> (2 x LA Governor appointments required)	<b>New Primary School</b> serving:	<b>31/01/22</b> <b>31/01/22</b>	Doug Corp David Silver
<b>PARENT</b> (3 x Parent Governor appointments required)	<b>Creigiau &amp; St Fagans Fairwater Radyr &amp; Morganstown</b>	<b>31/01/22</b> <b>31/01/22</b> <b>31/01/22</b>	Kate McDonough Katherine Morris Daniel Tiplady

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### Notes

- Applications are from experienced governors
- Governors can serve on two governing bodies and also a temporary governing body
- The New Maintained Schools (Wales) Regulations 2005 state that “any person responsible for the appointment of a person as a temporary governor must have regard to the desirability of that person being suitably experienced. A person is defined as being suitably experienced if he or she has served as a governor or a temporary governor of a maintained school.
- In the case of parent governor appointments, The New Maintained Schools (Wales) Regulations 2005 state that “no person may be appointed as a temporary parent governor of the new school unless –

(a) he or she is the parent of a child who is to become a registered pupil at the school

(b) where it is not reasonably practical to appoint such a person, he or she is the parent of a child of compulsory school age.”

All applications from parent governors meet these criteria.

CARDIFF COUNCIL  
REGISTER OF DECISIONS TAKEN BY OFFICERS ON  
SENIOR MANAGEMENT TEAM  
2021/2022 No 33

Decision No.	Decision Maker	Decision	Reasons	Consultation Undertaken	Dates			Responsibility for Implementation after date shown
					Decision Made	Publication	Deadline for call-in	
Tudalen 209	Chris Lee, Corporate Director Resources	<p>MILLENNIUM STADIUM PLC – CONSENT OF SPECIAL SHAREHOLDER TO FINANCIAL ARRANGEMENTS</p> <p><i>Appendix A and B of this report are exempt from publication on the basis that they contain information of the description set out in paragraph 14 of Part 4 of Schedule 12A of the Local Government Act 1972.</i></p> <p><b>Agreed:</b> that consent be granted, as Special Shareholder of Millennium Stadium plc, to a proposed refinancing of loan taken out initially as part of the Coronavirus Large Business Interruption Loan Scheme (CLBILS) in response to the impact of the Covid 19 pandemic.</p>	To discharge the Council's responsibilities as the Special Shareholder of Millennium Stadium plc, and to enable the Company to secure revised financial arrangements in response to the impact of the COVID-19 pandemic on the commercial operations of the Welsh Rugby Union (WRU) Group.	The Cabinet Member for Finance, Modernisation and Performance has been consulted on the proposals and has confirmed that he is content with the due diligence undertaken by the Council and the proposed urgent decision.	18.01.2022	20.01.2022	The Monitoring Officer and Chair of Economy & Culture Scrutiny Committee have agreed that this decision should be taken on an urgent basis and is therefore not subject to call-in.	Chris Lee, Corporate Director Resources

Prepared by Cabinet Support Office:	20 January 2022
Submitted to Chief Executive for signature:	20 January 2022

**Approved for Publication:** .....Sarah McGill .....  
Corporate Director  
(For Chief Executive)

**Date:** .....20/01/2022.....