



DINAS A SIR CAERDYDD
CITY AND COUNTY OF CARDIFF

COUNCIL SUMMONS

THURSDAY, 24 NOVEMBER 2022

GWYS Y CYNGOR

DYDD IAU, 24 TACHWEDD 2022,

You are summoned to attend a multi location meeting of the **COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF** which will be held at Council Chamber - City Hall, Cathays Park, Cardiff, CF10 3ND on Thursday, 24 November 2022 at 4.30 pm to transact the business set out in the agenda attached.

Davina Fiore
Director of Governance & Legal Services

County Hall
Cardiff
CF10 4UW

Friday, 18 November 2022

Promotion of equality and respect for others | Objectivity and propriety | Selflessness and stewardship
Integrity | Duty to uphold the law | Accountability and openness

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<i>Item</i>		<i>Approx Time</i>	<i>Max Time Allotted</i>
1	Apologies for Absence <i>To receive apologies for absence.</i>	4.30 pm	
2	Declarations of Interest <i>To receive declarations of interest (such declarations to be made in accordance with the Members Code of Conduct)</i>		
3	Minutes Pages 9 - 34) <i>To approve as a correct record the minutes of the 27 October 2022.</i>		
4	Public Questions <i>To receive previously notified questions from Members of the Public.</i>	4.30 pm	5 mins
5	Petitions <i>To receive petitions from Elected Members to Council.</i>	4.35 pm	5 mins
6	Lord Mayor's Announcements <i>To receive the Lord Mayor's announcements including Recognitions and Awards.</i>	4.40 pm	5 mins
7	Treasury Management Mid Year Report 2022- 2023 <i>(Pages 35 - 64)</i> <i>Cabinet Proposal</i>	4.45 pm	15 mins
8	Statement of Accounts 2021-2022, Cardiff & Vale of Glamorgan Pension Fund <i>(Pages 65 - 122)</i> <i>Report of the Director Corporate Resources</i>	5.00 pm	15 mins
9	Constitution Update Report <i>(Pages 123 - 244)</i> <i>Report of the Director of Governance and Legal Services and Monitoring Officer</i>	5.15 pm	15 mins

10	<p>Members' Use of Council IT for Political Group Meetings (Pages 245 - 252)</p> <p><i>Report of the Director of Governance and Legal Services and Monitoring Officer</i></p>	5.30 pm	15 mins
11	<p>Cabinet Statements (Pages 253 - 294)</p> <p><i>To receive statements from the Leader and Cabinet Members</i></p>	5.45 pm	45 mins
Break (15 mins)			
12	<p>Notice of Motion 1</p> <p><i>PROPOSED BY: Councillor Peter Littlechild</i> <i>SECONDED BY: Councillor Calum Davies</i></p> <ul style="list-style-type: none"> • <i>congratulates the Welsh men's football team on qualifying for the World Cup for the first time since 1958, whilst celebrating the growth and progress in the women's game;</i> • <i>thanks the team for their efforts promoting the Welsh language and culture;</i> • <i>notes the numerous health and well-being benefits of playing football and other team sports;</i> • <i>recognises the incredible community work sports clubs undertake in their communities during and following covid lockdown measures.</i> • <i>acknowledges the inability for community sports clubs to meet and fundraise during lockdowns which depleted their financial resources.</i> • <i>recognises that providing pitches and facilities for football and other sports is critical to the Stronger, Fairer, Greener agenda, and that junior and mini football clubs do not have to pay pitch or changing room fees;</i> • <i>believes an appropriate legacy to celebrate Wales' World Cup qualification would be to extend this policy to all football teams using Council pitches and changing rooms for one year;</i> • <i>calls on the cabinet to bring forward a report to consider this ahead of the 2023/24 Budget; and</i> • <i>wishes the Wales football team every success</i> 	6.45 pm	30 mins

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13	<p>Notice of Motion 2</p> <p><i>PROPOSED BY: Councillor Ali Ahmed</i> <i>SECONDED BY: Councillor Malika Kaaba</i></p> <p><i>Cardiff is a cosmopolitan City. Driven by the growth of the coal industry, which made Cardiff one of the most important ports in the world, the city became home to some of the earliest immigrant communities in Britain.</i></p> <p><i>With a proud history of welcome and sanctuary which continues up the present day, Cardiff celebrates the diversity of its residents, which contributes to our social and economic enrichment.</i></p> <p><i>Sadly, as the work of the Race Equality Taskforce highlighted, racism continues to impact the day to day experiences of many people in the city. November is Islamophobia Awareness Month, so it is particularly appropriate to highlight the challenges faced by Muslims in Cardiff.</i></p> <p><i>The city is home to a large Muslim population of over 23,000. Muslims in Wales also come from a large variety of ethnic backgrounds. Members of the Muslim Community in Cardiff are an integral part of the city's make-up, playing a huge role in all aspects of Cardiff's life including NHS, businesses, education, legal department and in politics but despite this., worryingly our Muslim community is experiencing Islamophobia from some people.</i></p> <p><i>According to the Home Office's latest report into Hate Crime in England and Wales, Muslims were targeted in 50% of all religious hate crime offences recorded in 2019/20 - a figure consistent with previous years' reports - which means that they experience more religiously motivated hate crime than any other religious group.</i></p> <p><i>On the 27th November 2018, the APPG (All Party Parliamentary Group) on British Muslims produced the working definition of Islamophobia following a two-year consultation.</i></p> <p><i>The definition reads as the following:</i></p> <p><i>"Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness."</i></p>	7.15 pm	30 mins
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	<p><i>This motion asks the Council to adopt this definition, and to support Islamophobia Awareness Month, which will focus on the positive contributions Muslims make in our city.</i></p> <p>Motion</p> <p><i>This Council believes that:</i></p> <ul style="list-style-type: none"> • <i>Adopting a definition of Islamophobia is essential to tackling Islamophobia in a targeted and effective manner.</i> • <i>Without a definition of Islamophobia, one cannot identify how Islamophobia manifests itself and functions and therefore, cannot devise meaningful strategies to address it.</i> <p>This Council resolves to:</p> <ul style="list-style-type: none"> • <i>Adopt the APPG definition of Islamophobia, accompanied by the <u>Coalition Against Islamophobia's</u> explanatory guidelines to provide a more holistic understanding of Islamophobia.</i> • <i>Work with Cardiff schools, public transport companies, the South Wales police force, and other public and private bodies to tackle Islamophobia at a local level, in support of the wider work responding to the Race Equality Task Force recommendations.</i> • <i>Take further steps to tackle and raise awareness of Islamophobia, such as organising Islamophobia training, holding local events on the issue of Islamophobia, during Islamophobia Awareness Month (November)</i> • <i>Collaborate with the local Muslim community to challenge Islamophobia and to meet their needs such that they are encouraged to participate in public life.</i> • <i>Work with other local stakeholders such as the local MPs to raise awareness of Islamophobia in parliament and urge the UK Government to adopt the APPG definition of Islamophobia</i> 		
14	<p>Oral Questions</p> <p><i>To receive oral questions to the Leader, Cabinet Members; Chairs of Committee and/or nominated Members of the Fire Authority.</i></p>	7.45 pm	80 mins
15	Urgent Business		

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Unopposed Council Business

16	<p>Committee Membership (<i>Pages 295 - 298</i>)</p> <p><i>Report of the Director of Governance and Legal Services and Monitoring Officer</i></p>	9.10 pm	
17	<p>Appointment of Local Authority Governors to School Governing Bodies (<i>Pages 299 - 302</i>)</p> <p><i>Report of the Director of Governance and Legal Services and Monitoring Officer</i></p>		
18	<p>Millennium Stadium PLC Appointment (<i>Pages 303 - 304</i>)</p> <p><i>Report of the Director of Governance and Legal Services and Monitoring Officer</i></p>		
19	<p>Written Questions</p> <p><i>In accordance with the Council Procedure Rules, Rule 17(f) Written Questions received for consideration and response will be included as a record in the minutes of the meeting.</i></p>		

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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 27 October 2022 to transact the business set out in the Council summons dated Friday, 21 October 2022.

Present: County Councillor Hinchey (Lord Mayor)

County Councillors Ahmed, Ahmed, Dilwar Ali, Ash-Edwards, Berman, Boes, Bowen-Thomson, Bradbury, Bridgeman, Brown-Reckless, Burke-Davies, Carr, Carter, Chowdhury, Cowan, Cunnah, Davies, De'Ath, Derbyshire, Driscoll, Ebrahim, Elsmore, Ferguson-Thorne, Gibson, Green, Gunter, Henshaw, Hopkins, Humphreys, Hunt, Jenkins, Jones, K Jones, Owen Jones, Joyce, Kaaba, Lancaster, Latif, Lay, Lent, Lewis, Lister, Littlechild, Livesy, Lloyd Jones, Mackie, McEvoy, McGarry, Melbourne, Merry, Michael, Molik, Moultrie, Naughton, Owen, Palmer, Jackie Parry, Proctor, Reid-Jones, Robinson, Robson, Sangani, Sattar, Shimmin, Simmons, Singh, Stubbs, Taylor, Huw Thomas, Thomson, Lynda Thorne, Waldron, Weaver, Wild, Williams, Wong and Wood

21 : APOLOGIES FOR ABSENCE

An apology for absence was received for Councillor Goodway

22 : DECLARATIONS OF INTEREST

The following declarations of interest were received in accordance with the Members Code of Conduct.

Name	Item Number	Nature of Interest
Cllr Mackie	Item 8	Personal Interest – Family Member is Head of Integrated Care
Cllr Lister	Item 8	Personal Interest – Family Member employed by Care & Repair
Cllr Stubbs	Item 12	Personal Interest – Chair of Charity in Splott which supports people who are struggling with the costs of living.

23 : MINUTES

The minutes of the 29 September were approved as a correct record and signed by the Chairperson.

The Lord Mayor, called upon Councillor Brown-Reckless who confirmed she wish to make the following statement:

'I would like to apologise to the Director of Governance and Legal, Davina Fiore, for comments I made at our last meeting of Council during my contribution on the setting up of an Advisory Committee regarding the Maindy Trust arrangements, and I would like to emphasise that this apology is sincerely made.

To draw a line under this matter so that we can all move on in a positive way, I formally withdraw all the comments I made on this matter, so that there can be no doubt that my comments are retracted.

It is important to me to have good relations with the Director of Governance and Legal going forward, as with all others, and I would like this to be reciprocal. This apology is given in good spirit and I am very sorry.'

24 : PUBLIC QUESTIONS

There were no public questions

25 : PETITIONS

The following petitions were received:

Name	No. of relevant signatures	Nature of Petition
Mrs Mary Pearce	536	Calling on the Council to provide a reliable and more frequent bus service between the centre of Cardiff and Radyr and Morganstown
Cllr Hunt	32	Requesting the Council to extend the double yellow lines at the entrance to Redwood Court, Cardiff
Cllr Cunnah	27	Calling on the Council to introduce Parking Orders at Anstee Court, Cardiff

26 : LORD MAYOR'S ANNOUNCEMENTS

The Lord Mayor made the following announcements and attended the following events:

- Congratulations to Cllr Bethan Proctor and her partner Tom, on the birth of their baby girl Mali Eluned Stride;
- Attended and started the Cardiff Half Marathon, congratulations to the Leader, Deputy Leader and Cllr Helen Lloyd Jones;
- Pentyrch community council "freedom" awards with local councillors and MS;
- Addressed the Mental Health Conference at Village hotel, and awarded the Trudy Williams award;
- Visited a number of Care Homes and play projects, including the Welsh Refugee Council play project in Elm St;
- Attended the blessings of the new classrooms at St Albans Primary school in Tremorfa with the Archbishop of Cardiff and Cllrs Ed Stubbs and Jane Henshaw;
- Presented around 80 new Lord Mayors Own Scouts with their converted white neckerchief at Cardiff University Halls;
- Met with our new Irish Consul General, Mrs Denise Quade;
- Welcomed over 30 new UK citizens at our British Citizens ceremony at City Hall;

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- Opened a new Community Room at Asda in Cardiff Bay, and ended up being asked to take the Cyclone machine challenge by school children;
- Presented awards to young cricketers from Lisvane Cricket club in Cathays;
- Welcomed a group of international students from Switzerland, Germany and France to the Mansion House and held a Q&A with them;
- Opened a Road Safety Conference in Jurys hotel, where some fantastic and innovative ideas are coming through to make pedestrians, cyclists and road users safer;
- Met staff at City Hospice in Whitchurch with Nicky Piper, fund raising chair Amanda Fenton to better understand the fantastic work they do in Cardiff, supporting those receiving palliative care;
- Attended the 10 year celebration of the Cardiff United Synagogue in Cyncoed with the local and UK Chief Rabbi's;
- Attended and presented at the Wales Care Awards last Friday in City Hall. The testimonies of individuals reminded me of how much we owe to the carers and health organisations who were in the front line during the pandemic;
- Attended some fantastic Diwali celebrations, including a packed hall in Mardy Street, Grangetown this week with Vaughan Gethin and Cllr Ash Lister;
- thanks to Cllr Norma Mackie, for arranging a Quiz Night and Auction at Cardiff Athletic club, which raised over £800 for the Lord Mayors Charity appeal, Guide Dogs Cymru and thanks to Cllr Joel Williams for arranging a coffee morning – he has details circulated; and
- Reminder that our Wales National Remembrance Service will be taking place in Alexandra Gardens, on Sunday 13th Nov 10-12.30 with various other local services taking place in areas such as Canton, Rumney, Whitchurch and Black Service Members service on Nov 5th.

27 : ANNUAL TREASURY MANAGEMENT REPORT 2021 - 2022

The report informed members of the Council's treasury management activities between 1 April 2021 and 31 March 2022.

RESOLVED: Council AGREED to note the Treasury Management Annual Report 2021/2022.

28 : LOCAL AUTHORITY SOCIAL SERVICES ANNUAL REPORT

To enable Cabinet to consider the 13th Annual Social Services Report as required under Part 8 of the Social Services and Well-Being (Wales) Act 2014 (SSWB Act).

The Council is also required by law (Section 144B of the Social Services and Well-being (Wales) Act 2014) to prepare and publish a Market Stability Report (MSR) which includes an assessment of the sufficiency of provision of care and support in respect of both Adults and Children's Service. The first such report for the Cardiff and Vale region is included as part of the documents supporting the Annual Social Services Report.

RESOLVED: Council AGREED to approve the Local Authority's Social Services Annual Report for 2021/22 (including Appendix 5 MSR) respectively) for consideration by Council.

29 : ANNUAL WELLBEING REPORT

This report was the Council's annual performance report, providing an assessment of the progress made in the delivery of the administration's priorities as set out within the Corporate Plan 2021-24. This report also enables the Council to discharge a number of statutory obligations, including a self-assessment of performance as required by the Local Government and Elections (Wales) Act 2021 and the publication of a statutory Annual Well-Being Report, as required by the Well-Being of Future Generations Act (Wales) 2015.

A reference back was proposed by Councillor Bablin Molik and seconded by Councillor Joel Williams.

The Lord Mayor called for a vote on the reference back.

The reference back was LOST.

The Lord Mayor called for a vote on the recommendations in the report.

The report was CARRIED.

RESOLVED: Council AGREED to approve the Annual Well-being Report 2021/22 for consideration by Council.

30 : SIXTH CARDIFF LOCAL DEVELOPMENT PLAN ANNUAL MONITORING REPORT

The report outlined the purpose of the Local Development Plan (LDP) Annual Monitoring Report (AMR) process and to seek the endorsement of the sixth Cardiff LDP AMR for submission to the Welsh Government by 31st October 2022.

RESOLVED: Council AGREED to endorse the sixth AMR for submission to the Welsh Government by 31st October 2022.

31 : CABINET STATEMENTS

Leader's Statement

The Leader responded to questions relating to:

- Cardiff Public Services Board
- Shared Prosperity Fun

Social Services Statement

Councillor Lister responded to questions relation to:

- Cardiff Youth Justice Strategy 2022-24
- National Adoption Week 2022

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Tackling Poverty, Equality and Public Health Statement

Councillor Bradbury responded to questions relating to:

- COVID-19 Autumn Booster Vaccination Programme
- Launch of the Winter Fuel Scheme
- Cost of Living Taskforce
- Warm Places and Food for Young People

Transport & Strategic Planning Statement

Councillor De'Ath responded to questions relating to:

- Transport Projects

Deputy Leader & Education Statement

Councillor Merry responded to questions relating to:

- Free School Meals for Primary School Children

Climate Change Statement

Councillor Wild responded to question relating to:

- Segregated Recycling Expansion
- Monthly Garden Waste Collections
- Small Mechanical Sweeper Fleet

Culture, Parks & Events Statement

Councillor Burke-Davies responded to questions relating to:

- Coed Caerdydd

Finance, Modernisation & Performance Statement

Councillor Weaver responded to questions relating to:

- Financial Update
- Bobi Chatbot

Housing & Communities Statement

Councillor Thorne responded to questions relating to:

- Tenants Conference 2022
- Modular Home Extensions
- Homelessness Prevention

Investment & Development Statement

In Councillor Goodway's absence the Leader responded to questions relating to:

- Llanrumney Regeneration Scheme Update

Cardiff Economic Outlook

32 : NOTICE OF MOTION - 1

The Lord Mayor noted that a Notice of Motion proposed by Councillor Thomson and seconded by Councillor Moultrie had been received for consideration. One Amendment had been received from the Liberal Democrat Group.

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

This Council deplores the economic chaos wrought by the Chancellor's September 'mini-budget' which resulted in

- *Sterling crashing to its lowest ever value against the dollar, pushing up the cost of imports*
- *Interest rate rises and the withdrawal of hundreds of mortgage products*
- *Liquidity threats to several major pension schemes, prompting a multi-billion, taxpayer-backed, Bond buy by the Bank of England to "restore market functioning"*

all of which directly worsened the already significant impact of the Cost of Living Crisis on Cardiff residents.

The Council notes with concern that the 'mini-budget' provided no new support for public services, and further notes that the subsequent decision to postpone the Spending Review will result in a significant real-terms cut to Council budgets, at a time when we are dealing with both unprecedented inflationary pressures and a surge in demand for services, noting as well that £300 million has already been cut from this Council's budget as a result of a decade of austerity.

In particular, the Council expresses extreme concern that the budget gap facing the Council in the next financial year now stands at £53 million, and will result in deep cuts unless the UK Government commits to properly funding public services in all 4 nations.

The Council welcomes the work Cardiff Council is undertaking to best support residents at this challenging time - including establishing warm spaces in our hubs, strengthening money advice and into work services, expanding support to help homelessness, and the establishment of a Cost of Living Taskforce to co-ordinate help with other partners - but also recognises that even more help will be needed if the UK Government fails (as threatened) to increase benefits in line with inflation.

The Council resolves

- *To declare a Cost of Living emergency in recognition of the unprecedented financial pressures facing residents and Council services*
- *To promote and publicise the support the Council and partners are offering in response to the crisis*
- *To condemn the Government's recent mishandling of the UK economy, and to call on the Prime Minister and Chancellor to properly fund Public Services including Councils*
- *To support the principle that those most able to pay – whether individuals or corporations - should shoulder the greatest burden in responding to the Cost of Living Crisis and balancing the nations' finances*
- *To request Cabinet provide the Council with a regular updates as to the impact of the Cost of Living crisis on the delivery of Council services, and on our work to help the most vulnerable in our City*

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Councillor Thomson confirmed that the amendment as proposed by Councillor Carter and seconded by Councillor Taylor was accepted in part.

The Amended Motion to read:

This Council deplores the economic chaos wrought by Brexit and the Chancellor's September 'mini-budget' which resulted in

- Sterling crashing to its lowest ever value against the dollar, pushing up the cost of imports
- Interest rate rises and the withdrawal of hundreds of mortgage products
- Liquidity threats to several major pension schemes, prompting a multi-billion, taxpayer-backed, Bond buy by the Bank of England to "restore market functioning" all of which directly worsened the already significant impact of the Cost of Living Crisis on Cardiff residents.

The Council notes with concern that the 'mini-budget' provided no new support for public services, and further notes that the subsequent decision to postpone the Spending Review will result in a significant real-terms cut to Council budgets, at a time when we are dealing with both unprecedented inflationary pressures and a surge in demand for services, noting as well that £300 million has already been cut from this Council's budget as a result of a decade of austerity.

In particular, the Council expresses extreme concern that the budget gap facing the Council in the next financial year now stands at £53 million, and will result in deep cuts unless the UK and Welsh Governments commit to properly funding public services.

The Council welcomes the work Cardiff Council is undertaking to best support residents at this challenging time - including establishing warm spaces in our hubs, strengthening money advice and into work services, expanding support to help homelessness, and the establishment of a Cost of Living Taskforce to co-ordinate help with other partners - but also recognises that even more help will be needed if the UK Government fails (as threatened) to increase benefits in line with inflation.

The Council resolves

- To declare a Cost of Living emergency in recognition of the unprecedented financial pressures facing residents and Council services
- To promote and publicise the support the Council and partners are offering in response to the crisis
- To condemn the UK Government's recent mishandling of the UK economy and the disastrous hard Brexit and to call on the Prime Minister and Chancellor to properly fund Public Services including Councils

- To support the principle that those most able to pay – whether individuals or corporations - should shoulder the greatest burden in responding to the Cost of Living Crisis and balancing the nations' finances
- To request Cabinet provide the Council with a regular updates as to the impact of the Cost of Living crisis on the delivery of Council services, and on our work to help the most vulnerable in our City

The motion was formally seconded by Councillor Moultire

The Lord Mayor invited debate on the amended Motion.

The Lord Mayor called Councillor Thomson to respond to the debate.

The Lord Mayor called for a vote on the Substantive Motion.

The Vote on the Substantive Motion was CARRIED.

33 : NOTICE OF MOTION - 2

The Lord Mayor noted that a Notice of Motion proposed by Councillor Lewis and seconded by Councillor Jackie Jones had been received for consideration.

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

Since the arrival of SS Empire Windrush at Tilbury Docks on 22nd June 1948, the people, now affectionately known as the Windrush Generation, are those who answered the call of the UK to help rebuild a war torn and battle-weary country.

Many of the Windrush Generation settled and were welcomed in Cardiff, with the expectation of being in Cardiff for generations. Despite being settled for decades, many have been negatively impacted by the new Nationalities and Borders Act 2022.

Council notes Cllr Ebrahim's motion passed by Cardiff Council in October 2018 calling upon the Council's Cabinet to explore how best the Council can provide advice, help and support to those individuals and their families affected by the negative impact of the 2014 Immigration Act, which encouraged them to come forward so that the Council can help secure their right to remain in the UK and allow them to live here in Cardiff, confident of their immigration status.

Cardiff Council supports the passing of a Windrush Act at Westminster which:

- Places a duty on public bodies to reduce race disparities for outcomes in their work as exposed by the*
- UK Government's Race Disparity Audit and the Cardiff Race Equality Task Force Report.*

- c. *Establishes a Commonwealth community cohesion fund, which will come from existing budgets, for the development of projects for the residents of UK and the Commonwealth to tackle disparities and rebuild social and economic ties of communities damaged by the Windrush scandal such as those communities in Cardiff.*

Since the Cardiff Race Equality Task Force Report marks ‘the beginning of our city’s efforts to end long-standing racial injustices for good’ and provides a road map to implementing the goal of (inter alia) ‘creating a more equal capital city across our public services, voluntary sector and within our communities’, in line with the Welsh Government’s Anti-Racist Nation by 2030 policy:

The Council RESOLVES:

To support the passing of a UK Windrush Act that supports Cardiff residents.

To appoint a Windrush Lead Member on the Council who will:

- a. *Advocate for families impacted by Windrush and current legislation.*
- b. *Provide a first point of support for Cardiff victims of the Windrush scandal and those negatively affected by the Nationalities and Borders Act 2022.*
- c. *To promote and support a network of legal, social and voluntary sector organisations to provide an effective service for Cardiff residents affected by the Windrush Scandal and the Nationalities and Borders Act.*

To raise our awareness of the impact of the new Nationalities and Borders Act 2022 on communities.

The motion was formally seconded by Councillor Jackie Jones

The Lord Mayor invited debate on the amended Motion.

The Lord Mayor called Councillor Lewis to respond to the debate.

The Lord Mayor called for a vote on the Motion.

The Vote on the Motion was CARRIED

34 : ORAL QUESTIONS

Councillor Driscoll to Councillor De’Ath

I welcome the announcement regarding funding for additional electric buses. Will these electric buses be using the new bus station and the proposed Waungron Station Interchange and will these sites have charging terminals located on-site; if not, where will the charging of the electric buses take place?

Reply – Councillor De’Ath

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This is great news for the city, we are hoping this money will buy between 40 and 50 buses, inflation permitting. We have not distributed the grants yet so we don't know precisely which companies will get the buses. I would strongly suspect we will be using both the stations you've mentioned. The average electric bus takes 8 hours to charge but once it's charged it can go for 160 miles; so it won't need to top up at stations in the way you are suggesting. At the depot is the most appropriate for buses to be charged rather than points around the city.

Supplementary Question – Councillor Driscoll

Can you confirm how much the contribution towards the buses was from the UK Government; and in the event there was to be a power cut, which could possibly happen we are told in the future, are there contingencies plans in place to charge the electric buses, and will this involve diesel-powered generators?

Reply – Councillor De'Ath

The money is £8 million we have got from the Welsh Government, that's where it's been issued from. Again, we don't know precisely which companies will get this money for electric buses so I can't comment on any particular contingencies they will have, but how the buses are powered is something we're taking a great interest in; we're currently engaging with operators to see where they source their electricity because obviously we want them to use the most sustainable methods possible.

Councillor Molik to Councillor Wild

Should one night of rainfall lead to significant flooding and closure of roads in a capital city like Cardiff?

Reply – Councillor Wild

We discussed it in the chamber last time; the impacts of climate change feel very real on cities like Cardiff. Flash flooding is very extreme and our drains often can't cope with the speed of downfall, which in turn leads to ponding, and that is exacerbated in autumn when we have a lot of leaf fall around. Whilst we can't control the weather, we can't control where the rain falls, we are working hard to put in place mitigations on drainage. Various sustainable drainage schemes you will have seen around the city centre; new developments have them, you've seen them in Wood Street, Cathays Place, places like Canton. So things we can do around sustainable drainage we are, but it's the realities of flash flooding, it will cause disruption.

Supplementary Question – Councillor Molik

Residents in wards like Cyncoed and Lakeside certainly take pride in their surroundings and do play their part, and would certainly support removing leaves. However, my concern is, is it safe for residents to do that. My supplementary question is, are we now asking residents to be clearing drain ways, and how often are drains checked throughout the year, in particular as you mentioned during leaf fall season?

Reply – Councillor Wild

In terms of collecting leaf fall, I've been part of schemes in my ward for 7 years where residents have gone out and swept leaves, and I've never known of any safety issues in all of that time, and they do it all weekends throughout the autumn. In terms of clearing leaves, I don't think it's anything new; I think people have swept around their

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drains for years, and it's a good bit of community work. And if people could do that it's really going to help them; I don't really care about publicity and the politics of it if it's going to stop people's homes from flooding. But the idea that our services can get to every drain when the leaves come down one night in the whole of Cardiff; it's not going to happen, it's not a realistic expectation. So absolutely, if people can help uncover drains I would very much encourage them to do so, and I'd ask if you could do the same because I don't want people's houses flooded.

Councillor Ali to Councillor Thomas

Can the Leader make a statement on the rationale to lease a parcel of land at Hailey Park to Welsh Water?

Reply – Councillor Thomas

I'm aware that both you and Councillor Burke-Davies have been working hard to represent the concerns held by some of your residents on this matter. I know that you are also aware that a judicial review application has been issued relating to the planning application associated with this development, so I will naturally not be committing on those matters. However, I do think it's right to clarify that Welsh Water Dwr Cymru has served a statutory notice on the Council that it intends to carry out essential pipe laying work to include a pumping station in Hailey Park, and requires access for ground surveys. Facilities like these are commonplace, and indeed there are several parks in Cardiff which already house such facilities. The particular proposal I understand will strengthen the resilience of the sewage system in the area, and in particular mitigate the risk of sewage spilling out into the environment. Welsh Water has got statutory powers to undertake works for the laying of pipes and ancillary work in third party land, and these are contained in the Water Industry Act 1991. However, relevant Council departments have been in dialogue with Welsh Water to mitigate the impact of the works on local residents and the users of Hailey Park. Whilst a negotiated lease is not a requirement for Welsh Water to exercise their statutory power of entry and carry out works, formalising the statutory occupation via a lease could allow the Council to have greater input into aspects such as ongoing access to the works and to the impact on the Council's adjoining or neighbouring land. To reiterate and clarify, Welsh Water do not need a lease to access the land in question to carry out the planned work, but the Council believe using such a lease could allow us to better mitigate the impact on the wider park. I can confirm that we will not conclude such an agreement until the matter of the judicial review is settled.

Supplementary Question – Councillor Ali

Can you clarify the position for the local ward councillors during the legal proceeding.

Reply – Councillor Thomas

I think it's best for me to do so probably via the Monitoring Officer and in writing so that it's absolutely clear what you're able to say and do on the matter.

Councillor Robson to Councillor Burke-Davies

Grassroots football teams in Cardiff, and South Wales FA registered match officials, continue to express concerns about the standard of pitch maintenance including a lack of good quality pitch markings and pitch defects that compromise the safety of participants at various venues. Some parks are temporarily losing a pitch. Does the Cabinet Member agree that this is a serious and ongoing problem in Cardiff?

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Reply – Councillor Burke-Davies

I disagree with your assessment of the situation. The service the Council continues to deliver is discretionary, and the maintenance of the pitch stock are not insignificant. Notwithstanding this we strive to deliver the best possible playing surfaces within the budget envelope. The Council also works in partnership with local leagues and governing bodies and has mechanisms in place for liaison through which such issues can be raised. Given the current and future financial challenges faced by the Council partnership working is becoming increasingly important and the Council has over time worked with clubs to achieve pitch and facilities improvements through asset transfer processes and grant awards. I suggest that any specific clubs who experience issues should report those to the Council. We would be happy to continue to work in partnership and if they bring those reports to us they would be pushing on an open door.

Councillor Hopkins to Councillor Merry

Data on percentage attendance in primary and secondary schools outlined the Annual Wellbeing Report 2021/2022 indicate that attendance has yet to return to the levels recorded pre-pandemic. How is the Council working with schools to address this challenge?

Reply – Councillor Merry

Last year school attendance was affected by Covid for a range of reasons. For example, attendance reviews carried out by the Education Welfare Service found anxiety to be a considerable barrier to attendance. Subsequent lockdowns during the pandemic resulted in heightening of previous anxiety and mental health issues, together with further entrenched attitudes to poor attendance and the emergence of a more casual approach to attendance by some families. To address these challenges, the Council has been working with schools to conduct persistent absence reviews in every school to identify and prioritise those pupils with poor attendance under 50% or who have failed to return to school. Fixed Penalty Notices for non-school attendance have also been reinstated from the start of the Autumn term. We have deployed additional Education Welfare Officer resources until March 2023 using Welsh Government funding and have developed a communications campaign brief, in consultation with headteachers, that emphasises and reinforces the importance of good school attendance. All this work will be further reinforced by the reinstatement of statutory attendance returns by the Welsh Government this year.

Supplementary Question – Councillor Hopkins

I think we all can recall that during the worst of the pandemic, concerns were expressed in all corners of the chamber about the impact on our most vulnerable learners of the pandemic. The attendance data in the Annual Wellbeing Report is overall attendance data, but it's highly likely that the attendance of our more vulnerable groups is likely to be an even greater cause for concern, you can see that to a degree in the figures relating to the attendance of Children Looked After in secondary schools. Can you confirm that this element of the data is also being looked at in particular, and is being given a high priority in discussions with schools leaders?

Reply – Councillor Merry

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I'm sure you will understand that non-attendance will be very individual to pupils but it will also follow certain trends and patterns as well, both of which will be explored with the schools. The aim is to have personalised plans but still to pick up that data that cuts across.

Councillor Lewis to Councillor Lister

Can the Cabinet Member outline what work is being done to recruit and retain staff in Children's Services?

Reply – Councillor Lister

We have a workforce strategy in Children's Services which is designed to support the recruitment and retention of social workers and social work assistants which is based on prudent social work, so we're making sure that only social workers are doing what social workers should be doing, and looking to other posts to support those as much as possible. In addition to that we've got a market supplement that we use, we've got a range of initiatives such as Practice Development Week which is taking place this week to support learning and development across the service area, as well as using practice leads to support that development throughout the year. We've relaunched the newsletter to make sure that we're celebrating good news throughout Children's Services, and we're working with universities to attract student social workers as much as possible so we can bring them into Cardiff to do their training where they're more likely to stay on.

Supplementary Question – Councillor Lewis

As we are social care staff are under phenomenal pressure with increasing demand and heightened media scrutiny. What can the Council do to support them?

Reply – Cllr Lister

Thank you for highlighting the immense pressure that staff are under, as I mentioned earlier on during the debate on the Local Authority Social Services Annual Report, the staff are under immense pressure but they are doing fantastic things, and I think one thing we can all do as politicians and members in this chamber is actually celebrate that work, celebrate the good things that are being done to support children and young people and their families to stay together where it's possible, where it's safe to do so, and really shout about that good work from the roof tops. I make sure I'm doing that every month in my statements, and I just appreciate if members can support me in that and share good practice and good news stories whenever we can.

Councillor Driscoll to Councillor Goodway

What were the annual bills for utilities at County Hall and Wilcox House in the two years prior to lockdown, and how do these compare to the years during the periods of lockdown?

Reply – Cllr Thomas on behalf of Cllr Goodway

The costs for gas, electricity and water for 2018/19 and 2019/20, prior to the pandemic, were £455k and £510k respectively for County Hall. Staff use of County Hall through the pandemic was significantly reduced; however, due to ventilation requirements and limitations on the ability to zone heating and lighting, this meant that savings during the pandemic were limited for County Hall. This is demonstrated by costs for 2020/21 being £454k. 2021/22 saw an increase in staff use of County

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Hall as restrictions were relaxed; however, the rising cost of utilities has meant that costs have returned close to the pre-pandemic level with utilities for 2021/22 costing £484k. For Wilcox House the costs for gas, electricity and water for 2018/19 and 2019/20, prior to the pandemic, were £125k and £137k respectively. The office building was largely vacated in 2020/21 due to the pandemic and was only occupied by the Alarm Receiving Centre. The utilities costs for 2020/21 and 2021/22 were £150k and £111k respectively. Water consumption and charges reduced across both sites during the pandemic and have not returned to pre-pandemic levels.

Supplementary Question – Cllr Driscoll

I wanted to make the point that a lot of our staff are working from home and there's concern that somebody's going to be paying their bills and they're transferring what they would have used in electricity to their home. I just wanted to be certain that - I know there is some consumption from government to them from working from home - but I just wanted to see if we're doing everything we can to support those workers with their energy bills while they're working from home.

Reply - Cllr Thomas

We engage regularly with trade union colleagues on such matters, clearly central to that will be a fair pay deal, and all the indications are from the two main trade unions that we are moving in that direction across a nationally negotiated pay settlement. There is clearly the tax refund that can be claimed via HMRC, and I'd obviously encourage all our staff who are eligible to do so. Of course, there are benefits and savings from working from home not just costs, for example the cost of commuting, and savings sometimes related to childcare as well. I think there's a degree of balancing out, but we're very much closely engaged with the trade unions to continue to monitor the situation.

Councillor Molik to Councillor De'Ath

Is our city centre becoming out of bounds for our buses?

Reply – Cllr De'Ath

Thank you Councillor, this week I myself have personally caught a bus from the city centre, I think Cllr Bradbury has caught one almost every day for the past month or so, a very regular public transport user, so I have to say evidently not.

Supplementary Question – Cllr Molik

Forty minutes on a Saturday for a bus to get from Albany Road aiming to get to town, people dropped off on Richmond Road because the bus simply could not get onto Newport Road. Despite this delay, the reduced bus service into the city centre will have a knock-on impact on the footfall of our city centre, and thereby on the businesses. Do you think that have some of the decisions taken regarding the transport infrastructure in our city centre need to be reversed, i.e. removal of bus lanes forcing buses to be stuck amongst motorists.

Reply – Cllr De'Ath

Do I think we should remove bus lanes, make it easier for buses? No, no. At the moment there's obviously a lot of work going on in the city centre isn't there, there's £25m of infrastructure going in as I said in my statement, there's lots of changes that will ultimately make it easier, when they're finished, for buses to traverse around our

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city centre, along with our brilliant new bus station. So things are going in the right direction; it will get better and better to use a bus in Cardiff.

Councillor Owen Jones to Councillor Lister

What support does the Council provide to new parents across Cardiff?

Reply – Cllr Lister

I do think you need to declare an interest on this one. All parents expecting a baby in Cardiff can access a number of support programmes from Cardiff Parenting. Programmes available range from GoBrain and GoBrain Toddler, which support emotional development and the experiences for both parents and baby between 0 and 3 years; there's also Mellow Dads-to-be project which supports dads-to-be in terms of what it means to actually become a parent, how babies communicate and the role that dads have to play to make sure that we've got positive role models in their lives. We've also got a Circle of Security programme which is a relationship-based programme which has recently started. It lasts over 8 weeks for parents of 4-month-old to 8 years old, to make sure the parents can develop that understanding of their relationship with their child.

Supplementary Question – Cllr Jones

The fact that some of that is news to me probably should mean that we should advertise it more because I'm invested. Probably in my position, possibly slightly outside your portfolio, free coffee around the city might go down very well with new parents, but thank you.

Reply – Cllr Lister

Definitely I've recently extended an invite to the Leader to come and view some of the parenting programmes which we do offer, just to make sure that we are talking about them as much as possible, and making sure they tie in as much as possible with the Flying Start expansion, and just making sure that parents across the city know what support is available to them, and I hope your little son is doing well too.

Councillor McEvoy to Councillor De'Ath

Could the Cabinet member give an update on Cardiff Council's cycling policy?

Reply – Cllr De'Ath

Really pleased you're asking me about cycling, I hope it's something I can engage with you positively on. Our policy on cycling is essentially set out in the White Paper which is to deliver an integrated network of cycle lanes. We're also doing loads of stuff around schools and that kind of thing which I shall be reading out in the form of a list in answer to the next question which I'm being asked.

Supplementary Question – Cllr McEvoy

My question is quite specific, it's one aspect of policy which really does concern me a lot. Talking of children earlier, my son is 3, he loves walking, obviously we try to keep them as close as possible when they're walking with us; but I'm really concerned walking in town, to the point of in fear. My boy is 3, there are elderly people walking, and there are bikes cycling at 20mph down Queen Street, down St Mary Street, down High Street, and I really fear that somebody's going to get.. I should have said at the beginning - will you undertake to do something about it, please.

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Reply – Cllr De’Ath

I think to be fair that’s a fair point Neil, I don’t know if you follow South Wales Police on Twitter, literally I think in the past 5 days they’ve launched a series of patrols, trying to crack down precisely on this kind of extremely antisocial behaviour, so I certainly support anything we can do to support them tackle this.

Councillor Lancaster to Councillor De’Ath

What is the Council doing to promote walking to and from schools?

Reply – Cllr De’Ath

The Council’s Active Travel Schools Team offers support to all schools in Cardiff on the development and implementation of School Active Travel Plans. This includes:

- Support with the promotion of active travel through the school curriculum.
- Walk to school initiatives including the Living Streets WoW Tracker scheme.
- Provision of covered bike shelters and scooter parking.
- Provision of bespoke bicycle fleets for cycle training and curricula-based activities, through the Cardiff Schools Bike Fleet initiative – 105 schools and other education settings have taken up Bike Fleet so far.
- Our annual programme of cycle training and pedestrian training delivered by the school’s Road Safety Education team.
- Delivery of the School Streets programme with schemes now in place serving 16 schools.
- Improving the highway environment within the vicinity of schools to make active journeys to school easier and safer – this includes the introduction of additional parking restrictions and using CCTV camera enforcement of School Keep Clear and zebra crossing zig-zag markings.

Supplementary Question – Cllr Lancaster

As a governor of Llanishen High, we want to encourage pupils to walk if possible, using the Council’s prescribed Safe Walking Routes. However, neither my fellow governors nor the teachers have been able to find out what these safe routes are. I have made enquiries of the Council and have also drawn a blank. Will the Cabinet Member commit to publishing all safe walking routes to all Cardiff schools, in a manner which is easily accessible for pupils and parents?

Reply – Cllr De’Ath

I will absolutely look into this and see how we can engage on it to give you the information you need.

Councillor Berman to Councillor Burke-Davies

What level of consultation with local residents do you consider is sufficient prior to the introduction of a park locking scheme where a volunteer group of local residents takes on responsibility for locking and unlocking a park, particularly where that could lead to the loss of an established through pedestrian route at certain times of the day?

Reply – Cllr Burke-Davies

I don't there's a precise model that's used, broadly speaking I think it's specific to the circumstances. I know that you've had recent correspondence with officers in regard to Scholars Way in your ward, and it's not uncommon for such an arrangement to be trialled first and then base a consultation off the results of that trial. The trial itself is to test the arrangements and has generated responses from within the local community. Historically there have been a number of trials in your ward dating back to 2010, and other wards have had such arrangements that have led to a permanent locking regime or the continuation of a non-locked regime, but that again is dependent on the result of a trial as it comes forward. My expectation would be that the arrangements for any locking trail regime is communicated using signage on the entrances to the site prior to the trial commencing, which was the case in this instance. Off the back of the trial that's happening at the moment, you and your ward colleagues would be engaged to let you know what the outcome was and where we go from there.

Supplementary Question – Cllr Berman

I'm just really interested Cllr Burke-Davies if you could perhaps look at the process because I think there is an element of consultation that is lacking from it at the moment in that before the scheme was put in on a trial basis, there was no notification to residents, there was no consultation with the residents in the wider area as to whether they were happy with this going ahead, there was no proposal that came to us as local councillors before that trial took place; albeit I have lobbied on behalf of a resident who wanted to see it taken forward, but I'd anticipated that there would be a consultation first. So could you just look at the whole process because it's made it difficult for some residents who now find they have a longer walking route for instance to get to bus stops, to get to the local supermarket, and I think they would have liked to have had their say before they suddenly found that the gates were locked and they couldn't get through at certain times. So as I say could we look again at the whole process, because I think we need to do far more consultation when we're talking proposals like this forward.

Reply – Cllr Burke-Davies

I take your point to a degree but I think what we'd end up in a situation of doing then is consulting on the consultation. This process here is to inform what's going to come forward off the back of it. I do think communication could be better and I'll hold my hands up to that. That's broadly in every aspect of life, I don't think we communicate particularly well these days because of digital and what not. I think there's conversations you could have face to face and I would endeavour to do that with you off the back of the consultation that takes place. In particular this is a different beast to what's happening in consultations with other parks, for example there was quite an extensive consultation in regard to locking regimes at Roath Pleasure Gardens and Parc Cefn On and we engaged with a third party and it was very extensive, and obviously we discussed the outcome of that consultation. This for me is different, because the results of this consultation process and how it works will then be brought forward to you and members of the public to see if we want to take it forward. But I do take your point about better communication.

Councillor Lay to Councillor Thorne

Can the member please advise me if the Local Neighbourhood Regeneration scheme is still running and available for members to bid for?

Reply – Cllr Thorne

The Neighbourhood Renewal Schemes Programme is a member-led city-wide regeneration programme, which delivers a wide range of improvements in local communities. We are currently in the final year of a 3-year programme and five agreed schemes are being delivered. There is a small amount of funding in 2023/24 within the capital programme to launch a new programme to gather project ideas and design a small number of schemes, and it is our intention to launch a new competitive round next month. Ideas put forward for consideration will be assessed against programme criteria and the highest scoring schemes will be prioritised in line with available funding. The assessment criteria will focus on regeneration benefits, environmental impact, community involvement and match funding.

Supplementary Question – Cllr Lay

Can the member please tell us when will members be informed about the launch?

Reply – Cllr Thorne

Funnily enough I was talking to officers this week about it and members will be informed by email very shortly, and I know that officers are looking to set up a drop-in session where members can come in and find out all about the schemes and how they work and how they can put forward a bid; and I've asked them to do that, perhaps late Monday afternoon when most groups hold their group meetings prior to Council so a lot of councillors will be around.

Councillor Williams to Councillor De'Ath

The Council wants to see at least 50% of journeys undertaken by 'sustainable' means such as by bus. However, in order for this to happen there must be buses available for residents to use. In Old St Mellons bus routes have been cut, with Cardiff Bus routes 30 and 45 scaled back, including at peak times and in evenings. As a consequence, buses are not a viable alternative for many residents. What plans do the Council have to improve bus provision for residents and organisations in Old St Mellons and surrounding areas.

Reply – Cllr De'Ath

As I said before, I am genuinely sympathetic to people who live on the edge of the city in terms of the bus services; it needs to be better, needs to be regular, etc. But I must say to you, I'm sorry to break this to you as a proud capitalist, but this is what happens though when you leave things to the vagaries of the market. The reason we can't intervene and regulate the bus service in the way we'd like is because of Margaret Thatcher's 1985 Transport Act. I get asked this question every month Joel, and I give very similar answers; Welsh Government are planning a series of interventions, none of which are at all Thatcherite.

Supplementary Question – Cllr Williams

Oh my gosh, it's Margaret Thatcher's fault is it, that's why there aren't buses in Old St Mellons, oh my gosh. You know my supplementary question is: we give planning permission for the St Ederyn's development, and our Supplementary Planning Guidance doesn't allow us to have sufficient off-road parking because we say residents are going to be made to use the bus, yet the buses just aren't there for them to use. Therefore they have no other option than to own a car, and that causes antisocial parking. So I'll put the question to you again: how can we have a Local

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Development Plan predicated on a 50-50 modal split when the buses just aren't there for new developments let alone existing communities?

Reply – Cllr De'Ath

Obviously Welsh Government are working on franchising, we ourselves are publishing a bus strategy going forward, so we're trying to clear up the mess the buses have been in for the past 30 years.

Councillor Shimmin to Councillor Burke-Davies

Can the administration clarify the future of the ownership or management of St David's Hall, and whether there are any plans to change either of these away from the council?

Reply – Cllr Burke-Davies

It's really important to secure a sustainable future for St David's hall as the national concert hall for Wales, and it remains a commitment for this administration. We need to consider all options if we are to address the significant maintenance works and investments required, which need to be addressed at St David's Hall. Any future decision, as detailed in our Stronger, Fairer, Greener policy statement, will ensure that St David's Hall retains its position as a world-class auditorium that can continue to play a pivotal role in Cardiff's musical ecology.

Supplementary Question – Cllr Shimmin

Can the administration commit right now to ensuring that all interested groups, users and organisations are properly and fully identified, and directly consulted on any change to ownership or management of St David's Hall?

Reply – Cllr Burke-Davies

I think that's an absolutely fair question, I don't think you've spoken out of turn at all, and I think in continuing to ensure this is a world-class venue that we have to do that and we have to make that commitment.

Councillor Ebrahim to Councillor Thorne

Can the cabinet member provide an explanation outlining how Cardiff Council are working with partner organisations to remove all drug paraphernalia around the city?

Reply – Cllr Thorne

I know you agree with me that drug litter is a serious concern and extremely alarming and distressing for the public. Operationally, Cleansing Service staff are trained to safely collect needles. They respond quickly to drug litter reports, proactively cleanse hotspots and work closely with other organisations with a maintenance function, such as FOR Cardiff in the city centre and the Welsh Government in Butetown. Strategically, prevention and addressing the root causes of drug use in public spaces is a better long-term approach. Drug users often present with traumatic backgrounds and embedded dependencies, but can be supported by our multi-disciplinary approach in Cardiff involving the Council, University Health Board, Police and third sector. Representatives from partner organisations also meet regularly via the Street Based Lifestyle and Complex Needs group, which ensures joint working and currently supports new outreach work by the Cardiff & Vale Drugs and Alcohol

Service to engage directly with drug users and encourage engagement with the services available.

Supplementary Question – Cllr Ebrahim

Can the cabinet member explain how the partnership is working to remove paraphernalia from public land not owned by Cardiff Council?

Reply – Cllr Thorne

If we details of concerns about drug litter on Council or private land, Cleansing Service staff will remove the drug litter, and then advise the landowner to secure the area or employ a suitable contractor to remove the items if there is any re-occurrence. If you have any instances please do get in touch and we can make sure it's dealt with.

Councillor Williams to Councillor Wild

It was recently reported to me and seen in the press that residents in Old St Mellons complained about a mountain of uncollected rubbish which had been building up outside their houses for the last seven weeks. Some locals spoke about the “nauseating stench” and the fact that “huge rats” have been seen “having the time of their lives” amongst the flytipped broken bin bags. It was reported the pile of refuse became so big that it completely blocked the nearby pavement on Drawlings Close in Old St Mellons, forcing passers-by with both prams and wheelchairs to walk into the road to get around it. Does the Cabinet Member agree with me that instead of pursuing large vanity projects, such as the Cardiff Indoor Arena (partly funded through millions of pounds in borrowing), this Council should instead focus on the bread and butter issues residents face, like ensuring their rubbish is collected frequently and on time?

Reply – Cllr Wild

Members, nothing makes me more angry and all of us angry than when people dump rubbish in their communities, bags and flytipping, and I believe in this instance the flytipping, once it was reported, it was collected within 24 hours. I would remind all of the importance of that reporting; get it on the app, we can get it picked up with our hardworking staff. In terms of the second part of the question, and your opposition to the Arena, I'm genuinely shocked. I understand it may have been a tough week for the member in terms of his political allegiances, but I didn't realise he had now joined the Anti-growth Coalition. But in all seriousness, and I think it's only fair, it's confusing enough for us all sometimes in politics Cllr Williams; but I wonder whether you'd confirm, it seems you're now opposed to the Arena, is this the position of your party, have you had conversations with the leader of your party who's been a strong supporter of the Arena for a number of years and has worked well with us on that? Cllr Driscoll, I wondered whether he's confirmed with you the position of your party, given your spokesperson for culture and the arts Cllr Jayne Cowan, and finances. So Cllr Williams I wonder if you'd confirm for us all, tough times but I wonder if you'd set the record straight?

Supplementary Question – Cllr Williams

Well, I'll have to take soundings from my group on the Arena. From my new group maybe. But quite frankly my supplementary question is this: it stinks that the national press to get involved to get a huge amount of flytipping outside people's homes

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collected in Cardiff. My question to the Cabinet Member is this: does he think it is acceptable for flytipping to go on for 7 weeks in a residential area, and then only be collected once the national press are informed? I've been advised it was reported long before that by local residents and no action was taken.

Reply – Cllr Wild

It was telling with the member that he chose to look around to his group; didn't ask to speak to his leader about his position on the Arena which is, and I've heard him speak before about his respect for all people in the Chamber, I'm not sure he has respect for his own group to be frank. In terms of the national press, what I'm interested in Cllr is, did you report this or were you more interested in Twitter, national press; you seem so excited about the mess and I'm wondering whether you actually reported this at the same time, that's what we'd be interested to know. We need to get it reported, but absolutely do I not think it is acceptable for flytipping, for this kind of waste. Our staff work really hard to get it cleaned on time; we'll keep reporting it and we'll keep supporting our staff as we get these problems dealt with.

Councillor Taylor to Councillor Thorne

Can the Cabinet Member provide an update on the operation of the begging protocol agreed with South Wales Police?

Reply – Cllr Thorne

Cllr Taylor, I refer you to the answer already provided to your Written Question.

Supplementary Question – Cllr Taylor

I wonder if you would clarify what the Written Response actually says though, because the first sentence says that South Wales Police are developing an initiative called Operation Luscombe, and then the second sentence says South Wales Police aren't introducing Operation Luscombe; because when you made the statement in July to Council, it was said categorically that Operation Luscombe was being introduced, and then I received a call from South Wales Police days after to say that was not true. I raised my concerns last time about the impact of compounding trauma on people who are experiencing homelessness, and punitive measures to tackle homelessness. So you can just clarify: is Operation Luscombe being introduced; if it's not Operation Luscombe, is a new begging protocol being introduced in the city?

Reply – Cllr Thorne

I think there's probably a difference between South Wales Police looking at it and what's happening in Cardiff, and what I said in my statement is correct; we have a different approach, and South Wales Police are working with our outreach team. We want to make sure that we provide all the support we can and understand why people are begging, and work with the multi-disciplinary team to try and address that. So I apologise if there's been any confusion.

Councillor Humphreys for Councillor Kaaba to Councillor Thomas

Could the Leader update the Council on what policy decisions the administration have taken over the last 49 days?

Reply – Cllr Thomas

It has been a very busy 7 weeks has it not? Notwithstanding the national period of mourning for the death of Her Majesty the Queen, we have been very busy, taking for example in September decisions on the new Recycling Strategy, the Annual Property Plan, as well as the revised procurement of a construction contract to deliver our Coastal Risk Management Programme. We also approved SOP provision for children and young people with Additional Learning Needs, Complex Learning Needs and Autism Spectrum Condition Provision for Primary and Secondary Aged Pupils. Last week Cabinet considered the Annual Wellbeing Report, the Local Authority Social Services Annual Report and the Sixth Cardiff LDP Annual Monitoring Report, all of which we considered today at Council also. We've also taken decisions in relation to:

- The review of the Leisure Services contract with GLL;
- Our Socially Responsible Procurement Strategy 2022-27;
- The redeclaration of the Cathays Additional Licensing Scheme;
- The implementation of the Renting Homes Wales Act 2016;
- The Llanrumney Regeneration Scheme;
- Commitments to Unpaid Carers;
- The Cardiff Electric Bus Scheme;
- And of course, preliminary work for what is anticipated to be an extremely difficult Budget settlement.

So others may have been, I won't say partying, they were doing partying before weren't they; but certainly in local government here in Cardiff it's been a very busy 7 weeks.

Supplementary Question – Cllr Humphreys

It's good to hear that our Stronger, Fairer, Greener is being delivered at such a pace. Does the Leader agree with me and however share my frustration in contrast with the chaos we have witnessed from the Conservative Government, at a time when people in my ward of Ely and across the country are crying out for decisive action and support in this cost of living crisis?

Reply – Cllr Thomas

I absolutely do Cllr Humphreys, and I think it's really important for us to keep in mind; we may joke in this Chamber and we may look at the antics and theatre in Westminster, but it is our constituents in ward like Ely, like in my ward of Splott, who are at the sharp end of the economic carnage that has been unleashed over the last 7 weeks by the Tory Government. But I think we also need to remember it's not just the last 7 weeks is it? We had that carousel over the summer, an election, a leadership contest that provided the worst possible outcome; and even before that we had a prime minister Boris Johnson more interested in covering himself and his actions during Partygate, rather than responding to what most normal people could see as an emerging crisis. I look at how other countries in Western Europe have responded to this crisis - and there are some global factors at play - none of them are facing the type of austerity, the type of cuts, and indeed the cost of living pressures that we are now facing in this country.

Councillor McGarry to Councillor Michael

Firework Night and the days surrounding it cause great stress to pets, other animals and people. What current powers does the Council have to restrict the use of or ban fireworks?

Reply – Cllr Michael

The legal controls on the supply of fireworks fall under UK Government consumer protection law. Retailers are only permitted to sell consumer fireworks to the public and not professional grade ones, and unless the business has a special licence to supply fireworks all year round, supply is restricted to just four periods during the year, including the run up to Bonfire Night and New Year. In addition, regulations prohibit the supply of fireworks to consumers where the noise level is greater than 120 decibels. Shared Regulatory Services carries out checks annually to ensure that suppliers are complying with the relevant firework safety legislation, including age controls. There is no requirement for organised firework displays to be licensed by the Council; however, there is an expectation that the necessary risk assessments will be in place to enable the event to take place safely.

Councillor Boes to Councillor Wild

Is there currently any presence of Keep Wales Tidy within schools, to encourage local children to litter pick and address the amount of litter in streets adjacent to schools and draw attention to the impact of littering?

Reply – Cllr Wild

There is an Eco-Schools programme run by Keep Wales Tidy; it's designed to empower and inspire young people to make positive environmental changes in their school and in the wider community, and it also builds on their skills, numeracy and literacy, encompassing Education for Sustainable Development and Global Citizenship. There are a number of Eco-Schools already in Cardiff; I'd suggest it would be worth getting in touch with them. The project is part of a number of exciting projects in this field across Cardiff. We hope that every school in Cardiff will be signing the One Planet Pledge, where they will have their own plan. This pledge has been designed with young people. I was in the Chamber a couple of weeks ago, taking part in a debate with the Youth Council, and Cllr Merry and myself are really looking forward to seeing the progress of the schools, and I'm sure all of you with schools in your wards will be in touch with them about those One Planet Pledges and see how it can link in with the local community.

Councillor Moultrie to Councillor Wild

I understand St Phillip Evans Primary have been part of the circular economy innovation project. Could you tell me more about how the school and pupils are getting involved in the circular economy?

Reply – Cllr Wild

The really impressive school, St Phillip Evans Primary School, signed up via Cardiff Commitment's Curriculum Team to participate in this project, the Circular Economy Network, a network of projects linked to Cardiff Metropolitan University, Celsa Steel, and our One Planet Cardiff team. I heard those teachers really passionate about climate change, they were saying how passionate the pupils were, and I've also agreed to meet them again to hear more about their ideas. The biggest role the Council can play with circular economy is to do with our recycling strategy, what we

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

do with our materials; it's really exciting to see young people realise and actually these communities helping them because they'll be the future green jobs, and if we can collect all that waste and get this stuff sorted by the time these young people are through and they've learnt these skills, green jobs, then we'll hope there'll be a repurposing remanufacturing industry, and again it's really good Cllr that you've got involved in this and really trying to push this with the school.

Councillor Humphreys to Councillor De'Ath

Could the Cabinet Member update the Council on the process being discussed regarding illegal parking on Michaelston Road outside the Western Cemetery and the grass verge that goes through the whole of Grand Avenue? I also understand from colleagues that this is a city-wide issue.

Reply – Cllr De'Ath

I imagine this is really irritating for your residents. Officers have been out, I understand it's a particular group of cars that have been parking at these locations which have now gone, which is good news. But the problem we have is that there aren't actually Traffic Regulation Orders prohibiting people parking so we're looking to put those in as soon as it's feasible and hopefully that should stop the problem.

35 : URGENT BUSINESS

There was no urgent business.

36 : COMMITTEE MEMBERSHIP

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

RESOLVED: The Council AGREED to receive nominations and appoint to the vacancies on Committees, in accordance with the Party Group wishes, as set out in Table A and on the Amendment Sheet.

37 : APPOINTMENT OF PARENT GOVERNOR REPRESENTATIVES TO CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE

The Council was requested to appoint parent governor representatives to the Children and Young People's Scrutiny Committee to fill two vacancies.

RESOLVED: The Council AGREED to approve the appointments of Bridgid Corr and Celeste Lewis as parent governor representatives on the Children and Young People's Scrutiny Committee, each for a two year term commencing on 27 October 2022.

38 : WRITTEN QUESTIONS

In accordance with Council Procedure Rule 17 (f) received for consideration together with the responses as a record in the minutes of the meeting

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**CYNGOR CAERDYDD
CARDIFF COUNCIL**



COUNCIL :

24 NOVEMBER 2022

CABINET PROPOSAL

TREASURY MANAGEMENT MID-YEAR REPORT 2022-23

Annexes B & C to Appendix 1 to this report are not for publication as they contain exempt information of the description in Paragraphs 14 and 21 of Schedule 12A of the Local Government Act 1972.

Reason for this Report

1. To inform members of the Council's Treasury Management activities since 1 April 2022 and the position as at 30 September 2022.

Background

2. The Council's treasury management activities are governed by legislation and a Code of Practice developed by the Chartered Institute of Public Finance and Accountancy (CIPFA) updated in 2021.

Issues

3. In the budget report of February 2010, Council adopted CIPFA's Treasury Management Code by formal acceptance of the Four Clauses of Treasury Management and Treasury Management Policy Statement as Council policy.
4. In accordance with these policies, this report provides members with a mid-year update of Treasury Management activities as at 30 September 2022. This includes its borrowing and investments at a point in time.
5. Council approved the Treasury Management Strategy for 2022/23 in March 2022. The Treasury Strategy is driven primarily by the Council's overall financial position and approved investment strategy. Whilst there have been significant variations in economic forecasts and variables, no policy changes or changes to limits are deemed required at this stage.
6. Council requires the scrutiny of the accounting, audit and commercial issues of its Treasury Management Strategy and Practices to be undertaken by the

Council's Governance and Audit Committee. The Governance and Audit Committee has received, this mid-year report in relation to 2022/23 treasury management activities.

7. The mid-year report and supporting Annexes are attached at Appendix 1, with an updated Treasury Management Strategy to be considered as part of the budget proposals for 2023/24, consistent with updated capital investment priorities approved for the medium term.

Reasons for Recommendations

8. Council policy requires the Treasury Management Mid-Year Report 2022-23 update to be submitted to Council.

Legal Implications

9. No direct legal implications arise from this report.

HR Implications

10. There are no HR implications that arise directly from this report.

Property Implications

11. There are no property implications that arise directly from this report.

Financial Implications

12. The Council's treasury management activities are undertaken in accordance with the policies adopted by Council and under professional codes of conduct established by CIPFA, the Welsh Government and the Corporate Director Resources as part of Treasury Management Practices. This report is part of a suite of reports that members receive on the Council's treasury management activities during the course of a year. Whilst there are no direct financial implications arising from this report, the risks involved with treasury management are continuously reviewed in conjunction with the Council's treasury management advisors and forms part of the Council's Medium term Financial Planning process.

CABINET PROPOSAL

Council is recommended to note the Treasury Management Mid-Year Report 2022-23 (Appendix 1).

THE CABINET 17 NOVEMBER 2022

The following Appendix is attached:-

Appendix 1: Treasury Management Mid-Year Report 2022-23
Annexe A – Treasury Management Policy Extract
Annexe B – Investments at 30 September 2022 (Confidential)

Annexe C – Investment Charts at 30 September 2022 (Confidential)
Annexe D – Maturity Analysis of borrowing as at 30 September 2022
Annexe E – Glossary of Treasury Management terms

The following Background Papers have been taken into account

Treasury Management Strategy 2022/23. Council Budget Proposals March 2022 –
Annexe 4

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Treasury Management Mid-Year Report

2022-23



Introduction

- 1.1 Treasury management activities are the management of an organisation's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.
- 1.2 The Council carries out its treasury management activities in accordance with a Treasury Management Code of Practice for public services, updated by CIPFA in 2021. This requires the Council to set out the policies and objectives of its treasury management activities and adopt four Clauses of Treasury Management (replicated in **Annexe A**).
- 1.3 Treasury Management is an integral part of the Council's Strategic and Financial planning framework, with borrowing activities primarily because of historic and future capital expenditure approved by Council as part of the Council's Capital Investment programme.



- 1.4 Council received a report in March 2022 on the Council's Treasury Management and Capital Strategy for 2022/23. Governance and Audit Committee has received periodic updates on the position and performance of treasury management and the issues included in the report below. In addition, Council received in October 2022 the Annual Outturn Report for Treasury Management for 2021/22.
- 1.5 In accordance with Council policy, this report provides members with a 2022/23 mid-year update as at 30 September 2022 and covers:-
 - the economic background to treasury activities
 - investments
 - borrowing
 - debt rescheduling
 - compliance with treasury limits and prudential indicators
 - Treasury Strategy update for remainder of the year.

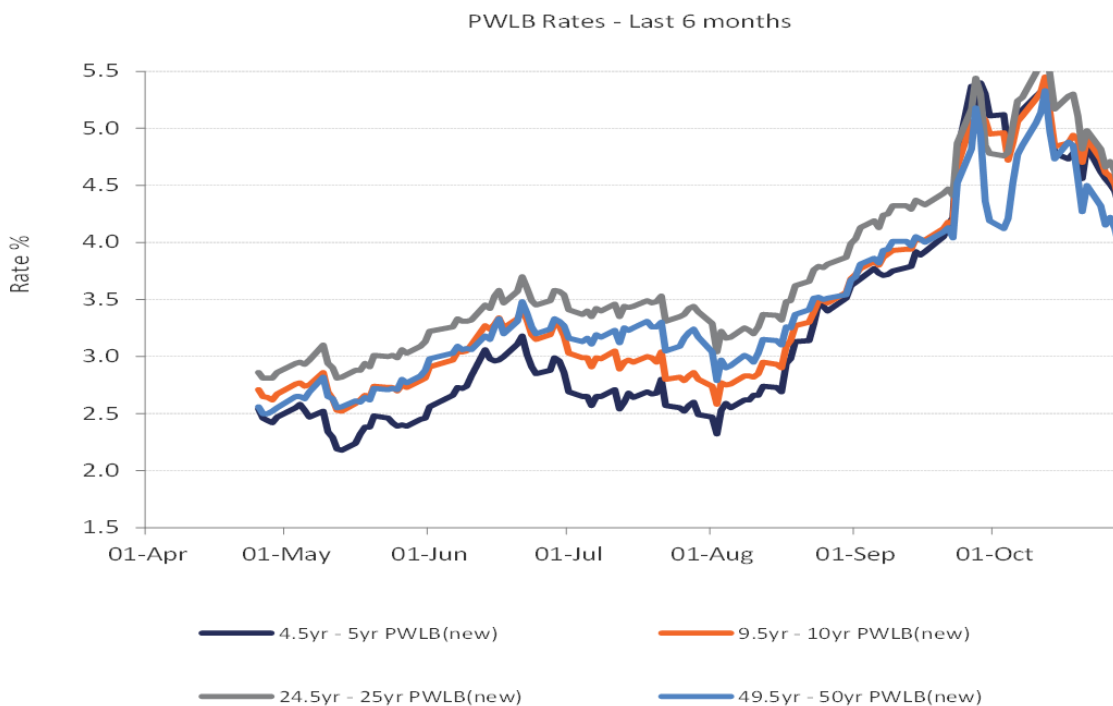
1.6 Annexe E includes a glossary which defines key terms used in this report.

Economic Background

- 2.1 Whilst the UK economy has avoided recession for the time being, there are signs of economic activity losing momentum. Higher energy prices creating more persistent downward effects in economic activity. Both industrial production (-0.3% m/m) and construction output (-0.8% m/m) fell in July 2022 for a second month in a row. Manufacturing output fell in some of the most energy intensive sectors (e.g., chemicals), pointing to signs of higher energy prices weighing on production. With the drag on real activity from high inflation having grown in recent months, GDP is at risk of contracting through the autumn and winter months. CPI inflation was 10.1% year on year in September, with domestic price pressures showing little sign of abating in the near-term.
- 2.2 Labour Force Survey (LFS) employment rose by 40,000 in the three months to July (the smallest rise since February). But a renewed rise in inactivity of 154,000 over the same period meant that the unemployment rate fell from 3.8% in June to a new 48-year low of 3.6%. The number of vacancies has started to level off from recent record highs but there have been few signs of a slowing in the upward momentum on wage growth with the July three month year on year rate of average earnings growth being 5.5%.
- 2.3 The above factors together with increased prices of imports are likely to see CPI inflation peak close to 10.4% in November. With domestic price pressures showing little sign of abating, this is likely to impact on household real incomes. However, with the government having frozen utility prices until April 2023 at least, subject to the approach beyond this, energy price inflation could fall sharply after October and have a big downward influence on CPI inflation.
- 2.4 The Bank of England increased base rate for the seventh consecutive meeting in September 2022, with an increase of 50 basis points to 2.25%. Following the 'Mini Budget' and various measures announced on 23 September 2022 gilt yields increased and sterling fell based on market views that the government's fiscal loosening from its proposed significant tax cuts will add to existing domestic inflationary pressures and will potentially leave a legacy of higher interest rates and public debt. Both sterling and gilt yields have stabilised over the last few weeks due to expectations that the Bank of England will deliver a significant rise in interest rates at the policy meeting on 3rd November and the government will lay out an acceptable medium-term plan in the near term. Forecasts are that the Monetary Policy Committee will raise interest rates by 75bps at the policy meetings in November (to 3.00%) and 75 basis points in December (to 4%) followed by further 50 basis point increases in February and March (to 5.00%). These forecasts may change following the banks November meeting. With concerns over a global recession growing, there are significant risks to economic variables.
- 2.5 Throughout 2022/23, gilt yields, on which Public Works Loan Board lending rates are based, have been on an upward trend due to inflation expectations.

However, the upward trend increased sharply at the end of September as investors demanded a higher risk premium and expected faster and higher interest rate rises to offset fiscal stimulus plans. The 30-year gilt yield rose from 3.60% to 5.10% following the “Mini Budget”, which threatened financial stability by forcing pension funds to sell assets into a falling market to meet cash collateral requirements. Amongst its actions to secure financial stability, the bank of England postponed its plans to start selling some of its quantitative easing (QE) gilt holdings. Since the Bank’s announcement on 28th September, the 30-year gilt yield has fallen back from 5.10% to 3.83%. The 2-year gilt yield dropped from 4.70% to 4.30% and the 10-year yield fell back from 4.55% to 4.09%.

- 2.6 There is significant volatility in gilt yields and in turn borrowing rates as markets digest daily developments in the financial markets, release of economic data both domestically and internationally.
- 2.7 The Public Works Loan Board is one source of local authority borrowing and subject to annual review of eligibility. PWLB rates are based on gilt (UK Government bonds) yields, however HM Treasury determine a specified margin to add to gilt yields for any local authority borrowing. Most local authorities can undertake loan at the PWLB Certainty Rate, which is gilt rate plus 80 basis points (G+80 bps).



- 2.8 The chart above highlights the volatility in PWLB borrowing rates, with long term rates at the end of October 2022 being circa 4%. Having regard to various uncertain factors, the table below shows the Council’s treasury management advisors last forecasts for bank rate and Public Works Loan Board (PWLB) certainty borrowing rates, based on their current lending policy. The forecasts

are updated periodically. This shows a gradual decrease in bank rate and PWLB lending rates over the forecast horizon ending on 31st March 2025, albeit with rates higher than previous lows.

	Actual 30/09/22	Mar-23	Mar-24	Mar-25
Bank Rate	2.25	5.00	4.00	2.75
5yr PWLB rate	5.11	4.90	3.90	3.30
10yr PWLB rate	4.95	4.70	3.80	3.30
25yr PWLB rate	4.78	4.90	4.10	3.60
50yr PWLB rate	4.19	4.60	3.80	3.30

Investment

- 3.1 The management of the Council's cash flows may involve temporary lending of surplus funds to low-risk counterparties or short-term temporary borrowing to manage cash flows, pending receipt of income. This takes place in the wider financial markets or the established inter-local authority market.
- 3.2 The Council's investment priorities remain the security and then liquidity of its Treasury investments. The Council also aims to achieve the optimum return appropriate to these priorities.
- 3.3 The Council invests with financial institutions in accordance with criteria approved in its Treasury Strategy. The categories, names, periods and size limits on this list can be extended, varied or restricted at any time by the Corporate Director Resources under delegated powers. Based primarily on Fitch credit criteria and a number of other factors which the Council takes into account, lending to these institutions is subject to time and size limits and credit worthiness continues to be carefully monitored.
- 3.4 No changes have been made or are deemed required to be made as part of this report to the list of eligible counterparties or credit worthiness policy included as part of the 2022/23 Treasury Management Strategy approved by Council. This will continue to be reviewed using data from Treasury advisors and will be updated in the 2023/24 Strategy.
- 3.5 Following the introduction of The Markets in Financial Instruments Directive (MiFID) in January 2018, the Council opts to be classified as a professional client rather than a retail client by financial institutions.
- 3.6 Since the strategy was set, investment rates offered on deposits have increased significantly from the position in previous years when investment rates were barely above zero. With gradual increases in bank rate, currently 2.25% and forecast to be increase the level of interest receivable on deposits is forecast to increase as part of the 2022/23 revenue budget monitoring position.

3.7 At the 30 September 2022, Net Temporary investments stood at £230.9 million. These temporary funds will fluctuate daily and arise for a number of reasons, including the timing differences between the receipt of grant and other income and the utilisation of these funds on salaries and other operating costs. They also include the level of reserves, provisions, and balances held on behalf of Joint Committees such as City Deal where the Council is Accountable Body (Circa £58 million). When approved to do so, any funds held for the latter as accountable body are expected to be transferred to the Corporate Joint Committee, This will improve the reporting of the Council's own treasury management activities.

Subject to the actual timing of cash inflows and outflows, the Council may need to borrow funds temporarily for working capital cash flow management. **Annexe B** shows with whom these investments were held as at 30 September 2022. All investments are deemed recoverable.

3.8 A selection of performance indicators and benchmarking charts, is included in **Annexe C** as follows:-

- **Counterparty exposure** displays actual investment against the maximum permitted directly with an organisation. This demonstrates that we are not exceeding any exposure limits. It should be noted that the Debt Management and Deposit Facility, is effectively placing investments with the Government. The exposure limit is set to match the level of investments held.
- **Remaining maturity profile of investments.** This shows the duration of investments over time.
- **Investments by institution.** This expresses the investments held with different institutions as a percentage of the total and shows diversification is sought where possible.
- **Geographic spread of investments** as determined by the country of origin of relevant organisations. All countries are rated AA and above as per our approved criteria and are licensed to take UK deposits. It should be noted that two credit ranges agencies have placed the UK rating on a negative outlook. Investments are in Sterling only.
- **Investments by Financial Sector.** Most investments continue to be with banks.

3.9 The approach of deferring external borrowing by using temporary cash balances will continue to be used as part of the borrowing strategy.

3.10 Whilst a difficult figure to forecast due to the uncertainty of the markets, cash flows and the number of variables that impact on the figure, the forecast level of overall interest receivable from treasury investments for 2022/23 is £3.4 million. At 30 September 2022 the average rate on investments held is just over 2%. The return achieved since the start of the year is 1.12% compared to the average of the benchmark rate since the 1 April 2022 for the Sterling Overnight Index Average rate (SONIA) 7day / 3month of 1.22% / 1.70%. This is expected in a rising interest rate environment, until fixed term deposits mature, to be re-invested at higher rates.

Borrowing

- 4.1 Long term borrowing is undertaken to finance the Council’s Capital Programme. The Council’s strategy Greener, Stronger and Fairer identifies the opportunities facing the city and sets out the response to challenges. This is not just a consideration of how challenges are responded to, but it is also about investing in future economic growth and development, prioritising investment in schools, affordable housing, tackling homelessness, and protecting the city’s most vulnerable people. All these capital projects play an important role in supporting and accelerating the Council’s work post pandemic and leading the recovery. The budget report and its capital strategy considered by Council in March 2022 set out the capital investment strategy including major long term development projects such as affordable Council housing; the Indoor Arena; Atlantic Wharf Masterplan; Core Office Strategy and 21st Century Schools. Budget monitoring reports have provided updates of the 2022/23 Capital Programme during the year, with the Capital Strategy, timing and priorities to be updated along with indicators of Affordability, Prudence and Sustainability in the 2023/24 budget proposals. This will inform the updated Treasury Management Strategy for that year.

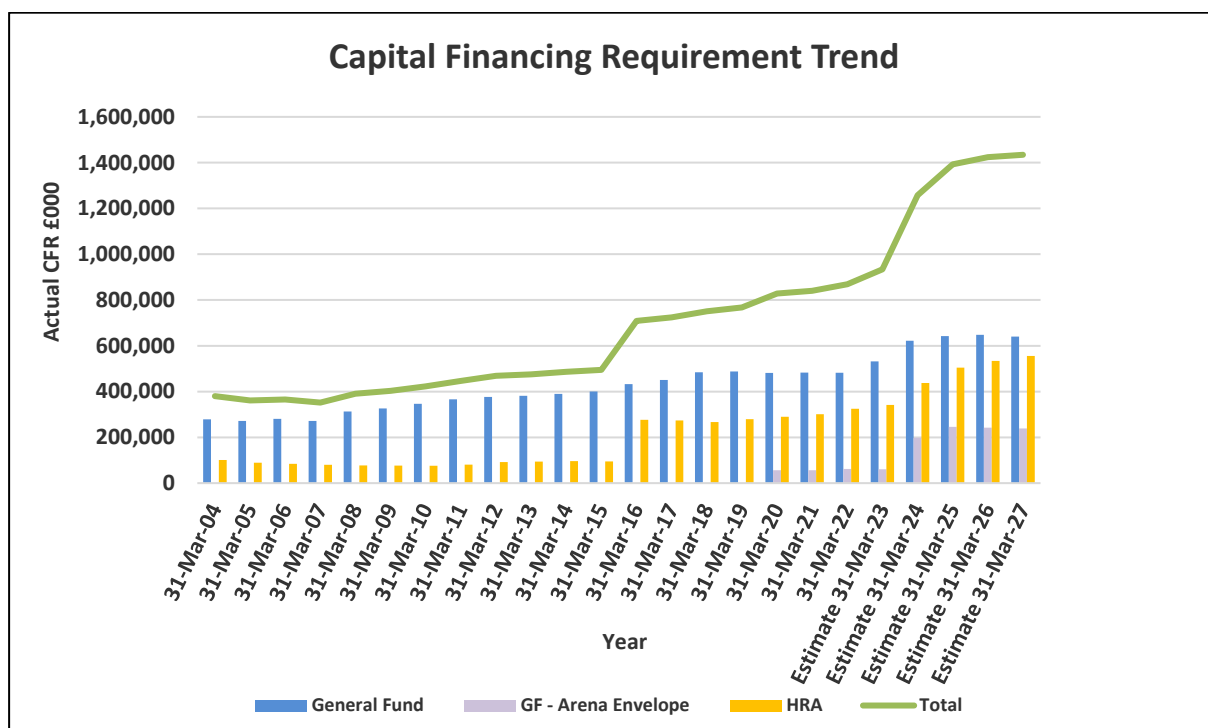
- 4.2 The main sources of external borrowing currently are the PWLB and the Money Markets, although recent years has seen an increase in repayable loans received from Welsh Government. The Council does not separate General Fund and Housing Revenue Account borrowing as all borrowing is the liability of the Council i.e. borrowing is ‘pooled’.

- 4.3 Where capital expenditure has been incurred without a resource to pay for it i.e. when proposed to be paid for by supported or unsupported borrowing, this will increase what is termed the Council’s Capital Financing Requirement (CFR) which is the Council’s underlying need to borrow. The Council is required to make a prudent provision for the repayment of historic capital expenditure from its revenue budget in line with its agreed policy which reduces the CFR. Calculation of the CFR is summarised in the table below and results in the need to borrow money.

Movement	Opening Capital Financing Requirement (CFR)
+	Capital expenditure incurred in year
-	Grants, contributions, reserves and receipts used for capital expenditure
-	Prudent Minimum Revenue Provision and Voluntary Repayment
=	Closing Capital Financing Requirement (CFR)

- 4.4 The CFR forecast is subject to the timing of capital expenditure, capital receipts and new schemes that may be considered for approval in future years. It can be seen that the Council’s underlying need to borrow is increasing and will need to be repaid from future revenue budgets either from savings, revenue income or Council Tax and Housing Rents.

4.5 The chart below shows the trend in the CFR including the Housing Revenue Account. The latter includes the £187 million payment made from the HRA to HM Treasury to exit the subsidy system in 2015/16 and also future expenditure to create new Council owned affordable housing in accordance with the Housing 30 Year Business Plan, which will be updated in March 2023. The increase for the General Fund relates to previous commitments and new expenditure commitments primarily those assumed to pay for themselves from future income or savings such as the indoor arena, City Deal and the 21st Century School's financial model. Future projections of the CFR are those included in the budget report of March 2022. These projections will be updated in the Capital Strategy for 2023/24 in March 2023 based on updated timing of the Capital investment programme and resources deemed available to fund it.



4.6 At 30 September 2022, the Council had £852.1 million of external borrowing predominantly made up of fixed interest rate borrowing payable on maturity.

31 March 2022			30 September 2022	
£m	Rate (%)		£m	Rate (%)
763.1		Public Works Loan Board	759.7	
51.0		Market (Lender Option Borrower Option)	51.0	
23.2		Welsh Government	23.1	
18.3		Local Authorities and other	18.3	
855.6	4.01	Total External Debt	852.1	4.01

The estimated total interest payable on borrowing for 2022/23 is £34.1 million which includes an estimate of interest payable by the Housing Revenue Account of circa £13.4 million.

New borrowing undertaken during the first half of the year

- 4.7 During the first half of the year an Interest free loan of £273,000 was received from Welsh Government in respect of Refit Phase 2. Further loans from Welsh Government totalling £4 million are also expected to be drawn down by the end of the financial year in respect to projects including LED lighting implementation on residential streets and for Cardiff Heat Network Limited.

Maturing Loans in year to date

- 4.8 **Annexe D** shows the maturity profile of the Council's borrowing as at 30 September 2022. Maturing loans of £3.8 million have been repaid in the first half of this year with a further £19 million due to be repaid by 31 March 2023.
- 4.9 Lender Option Borrower Option (LOBO) products are loans to the Council where the lender can request a change in the rate of interest payable by the Council on pre-determined dates. The Council at this point has the option to repay the loan without penalty.
- 4.10 The Council has six such loans totalling £51 million. Apart from the option to increase rates, these loans are comparable to PWLB and have no other complications such as variation in interest rates or complex terms.
- 4.11 Interest rates on these loans range between 3.81% and 4.35% and details of the loans are shown in the table below.

£m	Rate	Potential Repayment Date	Option Frequency	Full Term Maturity
6	4.28%	21/11/2022	6 months	21/11/2041
6	4.35%	21/11/2022	6 months	21/11/2041
6	4.06%	21/11/2022	6 months	23/05/2067
5	4.10%	17/01/2023	6 months	23/05/2067
6	4.08%	02/03/2023	5 years	17/01/2078
22	3.81%	21/11/2025	5 years	23/11/2065

- 4.12 LOBOs to the value of £29 million are subject to the lender potentially requesting a change in the rate of interest payable in the remainder of the year. This is deemed unlikely, and any risk is a manageable refinancing risk as LOBOs in total, form a relatively low proportion of the Council's current overall borrowing at 6%.

Borrowing Strategy

- 4.13 As shown in the report above, the interest rates on borrowing, whilst currently elevated and volatile, they are forecast to reduce. This and the fact that borrowing rates are higher than investment rates means that the cost of undertaking and locking into new fixed rate borrowing would have a negative impact on the revenue budget. External borrowing may be deferred to minimise short term costs by using temporary cash balances to meet the Capital Financing Requirement rather than placing in an investment. This is termed 'internal borrowing'. However deferring borrowing is only a short-term measure and could expose the Council to higher borrowing rates and costs in the future. For 2022/23, opportunities for short term external borrowing will be considered in the last quarter of the year where required, however any borrowing requirement for 2022/23 is expected to be managed by internal borrowing, i.e. using temporary cash balances held as investments. This is deemed manageable for the year. For future years as the borrowing requirement increases and interest rate volatility stabilises, further short or long term external borrowing will be required to ensure there is certainty of interest costs for future years and mitigate risks. The strategy will be updated in March 2023, with updated economic forecasts and in line with an updated capital strategy.
- 4.14 If no further borrowing is undertaken, the value of external loans at 31 March 2023 will be £837 million. At the same point, the Council's need to borrow for capital expenditure purposes, its Capital Financing Requirement (CFR), is currently forecast to be circa £933 million (General Fund £592 million and HRA £341 million). Without any further borrowing this financial year internal borrowing would be £96 million. It is expected that the level of internal borrowing will reduce due to receipt of additional external grants towards capital expenditure commitments and also as a result of unforeseen delay in projects assumed to be paid for by borrowing.
- 4.15 The Council is undertaking a number of projects that involve the Welsh Government providing interest free loans to the Council or an income stream to undertake specified projects such as town centre loans, energy projects and coastal erosion. Welsh Government take no risk in such projects and expect all loans to be repaid. Where the Council is taking on specific loans for the delivery of specified projects, robust business case processes and legal charges if appropriate should be in place to ensure any loans can be repaid following implementation of projects.

Debt Rescheduling

- 5.1 No debt rescheduling, or early repayment of debt has been undertaken to date in 2022/23. The main obstacle remains the level of premium (penalty) that would be chargeable on early repayment by the PWLB. Of the existing PWLB loans of £759.7 million, £683.7 million are eligible for early repayment. However, this would incur a premium of £106.1 million as at 30 September 2022. This premium is payable primarily because:

- Interest rates on loans of equivalent maturities compared to those held are currently lower
- A penalty rate or lower early repayment rate was introduced by HM Treasury in November 2007, which increased the cost of premiums and reduced the flexibility of Local Authorities to make savings. This remains an obstacle in the ability of local authorities to manage debt more effectively.

5.2 Whilst the cost of Premiums can be spread over future years, options for restructuring that have been considered result in an adverse Net Present Value (NPV). Whilst there may have been short terms savings, these were outweighed by potentially longer-term costs and not deemed cost effective.

Compliance with treasury limits and prudential indicators

6.1 During the financial year to date, the Council has operated within the treasury limits and prudential indicators set out in the annual Treasury Management Strategy in March 2022. The treasury and capital prudential indicators will be updated as part of the 2023/24 Capital and Treasury Strategies in the Budget Report to Council in March 2023. Affordability of additional investment will need to be monitored closely as part of the Medium-Term Financial Plan and Housing Revenue Account Business Planning process.

Treasury strategy for the remainder of 2022/23

7.1 The Treasury Strategy approved in March 2022 remains valid despite the impact of uncertainty in financial markets and no change is required to indicators or affordability limits approved for the year. The use of temporary cash balances instead of long term fixed borrowing to pay for capital expenditure in the short term will result in short term savings, however there is a significant borrowing requirement in this and future years. The approach will be reviewed as part of the update of the Treasury Management Strategy for 2023/24.

7.2 As set out in the annual report considered by Council in October 2022, key issues to consider for the remainder of 2022/23 include:

- The balance of internal borrowing and timing of external borrowing to pay for the Council's longer term need to borrow.
- Ongoing financial market uncertainty.
- Inclusion of Environmental, Social and Governance (ESG) issues within Treasury Management Practices.
- Ensuring compliance with HM Treasury revised lending policies and processes aimed to prevent borrowing undertaken to fund investment purely for financial gain. It should be noted that any such expenditure would preclude any borrowing from the PWLB.
- A requirement for the Council to adopt a debt liability benchmark to add to the existing suite of treasury indicators.
- Review of knowledge and skills register for individuals involved in the Treasury management function.

- Development of investment management practices for expenditure classified as investments which are not specifically held for treasury management purposes.
- Updating the Treasury Management Strategy for the 2023/24 budget in line with any updates to the Capital Investment Programme forecasts and scheme delivery including the impact of major regeneration projects.

Annexes

Annexe A – Treasury Management Policy and Four Clauses of Treasury Management

Annexe B – Investments at 30 September 2022

Annexe C – Investment Charts at 30 September 2022

Annexe D – Maturity Analysis of Borrowing as at 30 September 2022

Annexe E – Glossary of Treasury Management terms

Treasury Management Policy and Four Clauses of Treasury Management adopted by Council 25/02/2010

Council's treasury management Policy / Activities

1. This Council defines its treasury management activities as: the management of its investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.
2. This Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications.
3. This Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable comprehensive performance measurement techniques, within the context of effective risk management.

Four Clauses of Treasury Management

4. In compliance with the First Clause, this Council will create and maintain, as the cornerstones for effective treasury management:-
 - A treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities
 - Suitable Treasury Management Practices (TMPs), setting out the way the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities
5. In compliance with the Second Clause, this Council will receive reports on its treasury management policies, practices and activities, including, as a minimum, an annual strategy in advance of the year, a mid-year review and an annual report after the year's close, in the form prescribed in its TMPs.
6. In compliance with the Third Clause, this Council delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to the Executive, and for the execution and administration of treasury management decisions to the Corporate Director Resources in accordance with existing delegations, who will act in accordance with the Policy Statement, TMPs and CIPFA's Standard of Professional Practice on Treasury Management.
7. In compliance with the Fourth Clause, this Council requires the scrutiny of the accounting, audit and commercial issues of its Treasury Management Strategy

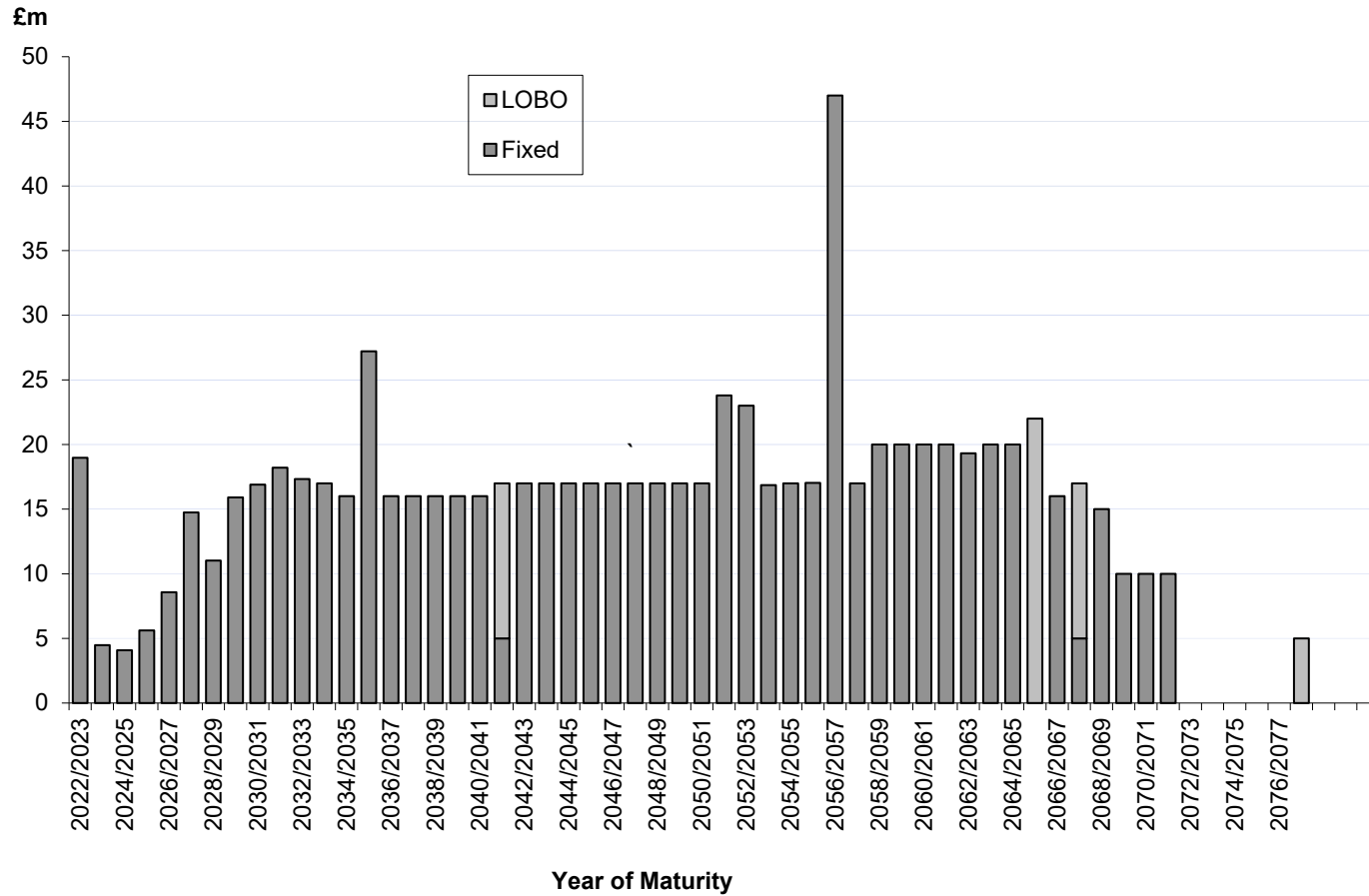
and Practices to be undertaken by the Council's Audit Panel due to the technical nature of the documents.

By virtue of paragraph(s) 14, 21 of Part(s) 4 and 5 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

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Maturity Profile of Debt at 30 September 2022



Glossary of Terms - Treasury

Bank Rate

The rate of interest set by the Bank of England as a benchmark rate for British banks.

Bonds

A long-term debt security issued by a company, a financial institution, a local authority, national government or its affiliated agencies. It represents an undertaking to repay the holder the fixed amount of the principal on the maturity date plus a specified rate of interest payable either on a regular basis during the bond's life (coupon) or at maturity.

Borrowing

Loans taken out by the authority to pay for capital expenditure or for the prudent management of the Council's financial affairs, which are repayable with interest.

Capital Expenditure

Capital expenditure pays for improvements to existing and new assets used in the delivery of Council services as well as other items determined by Regulation. Capital resources are scarce, costly and also have long term revenue implications over many years and even generations where capital expenditure is funded by borrowing. Hence the requirement of the Prudential Code to ensure what is charged as Capital Expenditure is Prudent, Sustainable and Affordable.

The statutory definition of capital expenditure is given in the Local Government Act 2003, the Local Authorities (Capital Finance) Regulations 2003 and 2004 as amended. Statute relies on the accounting measurement of cost in International Accounting Standard (IAS) 16 to determine whether expenditure is eligible to be capitalised or whether it should be treated as revenue expenditure. Key to what is eligible as capital spend are the following words in IAS 16 - 'Costs directly attributable to bringing the specific asset into working condition for its intended use'.

Capital Financing Requirement (CFR)

An authority's underlying need to borrow for a capital purpose. It measures capital expenditure incurred but not yet financed by the receipt of grants, contributions and charges to the revenue account.

Capital Market

A market for securities (debt or equity), where companies and governments can raise long-term funds (periods greater than one year). The raising of short-term funds takes place on other markets (e.g. the money market).

Capital Programme

The Capital Programme sets out the Council's capital expenditure plans for the forthcoming financial year as well as for the medium term. It is approved annually at Council and identifies the estimated cost of those schemes, their

projected phasing over financial years as well as the method of funding such expenditure.

Certificates of Deposits (CDs)

A certificate issued for deposits made at a deposit-taking institution (generally a bank). The bank agrees to pay a fixed interest rate for the specified period and repays the principal at maturity. CDs can be purchased directly from the banking institution or through a securities broker. An active interbank secondary market exists to buy and sell CDs.

Chartered Institute of Public Finance & Accountancy (CIPFA)

CIPFA is the professional body for accountants in public finance. As a specialised public services body, it provides information, guidance, and determines accounting standards and reporting standards to be followed by Local Government.

Collective Investment Scheme Structures

Schemes whereby monies from a number of investors are pooled and invested as one portfolio in accordance with pre-determined objectives.

Corporate Bonds

Bonds that are issued by a company or other non-government issuers. They represent a form of corporate debt finance and are an alternative means of raising new capital other than equity finance or bank lending.

Counterparty

One of the parties involved in a financial transaction with whom the Council may place investments.

Counterparty / Credit Risk

Risk that a counterparty fails to meet its contractual obligations to the Council to repay sums invested.

Credit Criteria

The parameters used as a starting point in considering with whom the Council may place investments, aimed at ensuring the security of the sums invested.

Credit Default Swaps

A financial transaction which the buyer transfers the credit risk related to a debt security to the seller, who receives a series of fees for assuming this risk. The levels of fees reflect the perceived level of risk.

Credit Rating

A credit rating assesses the credit worthiness of an individual, corporation, or even a country. Credit ratings are calculated from financial history and current assets and liabilities. Typically, a credit rating tells a lender or investor the probability of the subject being able to pay back a loan. Ratings usually consist of a long-term, short term, viability and support indicators. The Fitch credit rating

of F1 used by the Council is designated as “Highest Credit Quality” and indicates the strongest capacity for timely payment of financial commitments.

Debt Management Account Deposit Facility (DMADF)

The Debt Management Office provides this service as part of its cash management operations and of a wider series of measures designed to improve local and central government’s investment framework and cash management. The key objective of the DMADF is to provide users with a flexible and secure facility to supplement their existing range of investment options while saving interest costs for central government.

Debt Restructuring

Debt restructuring is a process that allows an organisation to reduce, renegotiate and undertake replacement debt.

Diversification of Investments

The process of creating a portfolio of different types of financial instruments with regard to type, price, risk issuer, location, maturity, etc. to reduce the overall risk of the portfolio as a whole.

Duration (Maturity)

The length of time between the issue of a security and the date on which it becomes payable.

External Borrowing

Money borrowed from outside of the Council.

Financial Instrument

Any contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another. Typical financial liabilities are borrowing and financial guarantees. Typical financial assets include bank deposits, amounts owed by customers, loans receivable and investments.

Fitch Credit Ratings

A commercial organisation providing an opinion on the relative ability of an entity to meet financial commitments, such as interest, preferred dividends, repayment of principal, insurance claims or counterparty obligations. The opinion is usually provided in the form of a credit rating.

Fixed Rate

An interest rate that does not change over the life of a loan or other form of credit.

Floating Rate Notes

A money market security paying a floating or variable interest rate, which may incorporate a minimum or floor.

Fraud / Error Risk

Risk of losses being incurred as a result of fraud, error or corruption in treasury management and failure to institute adequate systems, procedures and other arrangements to prevent irregularities.

Housing Revenue Account (HRA)

The HRA is an account of expenditure and income that every local authority housing department must keep in accordance with the Local Government & Housing Act 1989. The account is kept separate, or ring fenced from other Council activities. Income is primarily generated by the rents and service charges paid by tenants, while expenditure is on the management and maintenance of the housing stock, and capital financing charges on the HRA's outstanding loan debt.

Interest Rate Risk

Risk that fluctuations in interest rates could impose extra costs against which the Council has failed to protect itself adequately.

Internal Borrowing

Money borrowed from within the Council, sourced from temporary internal cash balances.

Investments

The purchase of financial assets to receive income and/or make capital gain at a future time, however with the prime concern being security of the initial sum invested.

Lender Option Borrower Option Loans (LOBOs)

Loans to the Council where the lender can request a change in the rate of interest payable by the Council at pre-defined dates and intervals. The council at this point has the option to repay the loan.

Liquidity

The ability of the Council to meet its financial obligations as they fall due.

Market Loans

Borrowing that is sourced from the market i.e. organisations other than the Public Works Loan Board or a Public Body.

Medium Term Financial Plan

Plan outlining the financial strategies and actions that are envisaged by the Council in the medium term regarding the budget.

Markets in Financial Instruments Directive (MiFID)

EU legislation that regulates firms who provide financial instrument services. MiFID was applied in the UK from November 2007 but was revised with changes taking effect from 3 January 2018 (MiFID II).

The aim is to ensure financial institutions undertake more extensive checks on their client's suitability for investment products. Organisations undertaking investments will be either classified as 'retail' or 'professional'.

MiFID II requires all Local Authorities to be initially treated as "retail clients" unless they "opt up" to a "professional client". The assumption being that retail clients require a greater level of due diligence and support for investment decision making. Financial institutions will owe a greater duty of care to retail clients, however, they will have no greater financial protection than professional clients.

Minimum Revenue Provision (MRP)

This is the amount which must be charged to the authority's revenue account each year and set aside as provision for repaying external loans and meeting other credit liabilities. The prudent amount is determined having regard to guidance issued by WG. This has the effect of reducing the Capital Financing Requirement (CFR).

Money Market

The market for short-term securities or investments, such as certificates of deposit, commercial paper or treasury bills, with maturities of up to one year.

Money Market Funds

An investment fund which pools the investments of numerous depositors, spreading those investments over a number of different financial instruments and counterparties. Funds with a Constant Net Asset Value (CNAV) are those where the sum invested is the same on maturity, Low Volatility Net Asset Value (LVNAV) are those where any sum invested is likely to be the same on maturity. Funds with a Variable Net Asset Value (VNAV) are those where the sum on maturity could be higher or lower due to movements in the value of the underlying investments.

Net Asset Value (NAV)

The market value of an investment fund's portfolio of securities as measured by the price at which an investor will sell a fund's shares or units.

Pooling

The process whereby investments or loans are held corporately rather than for specific projects or parts of the Council, with recharges to those areas for their share of the relevant income and expenditure using an agreed methodology, where such a recharge is required to be made.

Prudential Code for Capital Finance

The system introduced on 1 April 2004 by Part 1 of the Local Government Act 2003 which allows local authorities to borrow without Government consent, provided that they can afford to service the debt from their own resources and that any such borrowing is prudent and sustainable. This requires the preparation and approval of various indicators.

Public Works Loans Board (PWLB)

The Public Works Loans Board is a statutory body operating within the United Kingdom Debt Management Office, an Executive Agency of HM Treasury. PWLB's function is to lend money from the National Loans Fund to local authorities and other prescribed bodies, and to collect the repayments.

Refinancing Risk

Risk that maturing borrowing or other financing of capital projects cannot be renewed on terms that reflect existing assumptions and that the Council will suffer extra costs as a result.

Regulatory Risk

Risk that actions by the Council or by any person outside of it are in breach of legal powers or regulatory requirements resulting in losses to the Council, or the imposition of extra costs.

Security

Protecting investments from the risk of significant loss, either from a fall in value or from default of a counterparty.

Sovereign Credit Ratings

The credit rating of a country. It indicates the risk level of the investing environment of a country, taking into account political risk and other factors.

Sterling

The monetary unit of the United Kingdom (the British pound).

Term Deposits

A term deposit is a money deposit at a banking institution that cannot be withdrawn for a certain "term" or period of time.

Treasury Management

The management of the organisation's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.

Treasury Bills

Debt securities issued by a government with a short-term maturity of up to 6 months.

UK Government Gilts

Fixed-interest debt securities issued or secured by the British Government. Gilts are always denominated in sterling though the Government occasionally also issues instruments in other currencies in the Eurobond market or elsewhere.

Variable Rate

An interest rate that changes in line with market rates.

Yield

The annual rate of return paid out on an investment, expressed as a percentage of the current market price of the relevant investment.



CYNGOR CAERDYDD CARDIFF COUNCIL

COUNCIL:

24 NOVEMBER 2022

REPORT OF THE CORPORATE DIRECTOR RESOURCES

STATEMENT OF ACCOUNTS 2021/22– CARDIFF AND VALE OF GLAMORGAN PENSION FUND

Reason for this Report

1. The Statement of Accounts for 2021/22 are presented in order to meet the requirement of the Accounts and Audit (Wales) Regulations 2014 (as amended). This provides 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 2022 to 31 January 2023.
2. The International Standard on Auditing (ISA) 260 requires the Appointed Auditor to report to those charged with governance, on the key matters arising from the audit examination of the Statement of Accounts for the year ending 31 March 2022.

Background

3. The draft accounts were presented electronically to the Governance and Audit Committee on 12 July 2022. Prior to this, they were presented to Audit Wales on 22 June 2022.
4. The draft accounts were available for public inspection between 20 July 2022 and 16 August 2022 as required by the Public Audit (Wales) Act 2004 and Accounts and Audit (Wales) Regulations, 2014 (as amended).
5. Following the external audit, the Governance and Audit Committee meeting on 15 November 2022 received the “Draft Audit of Accounts Report (ISA 260)” for the Cardiff and Vale of Glamorgan Pension Fund which was presented by Audit Wales.

The Cardiff and Vale of Glamorgan Pension Fund Accounts

6. The audited Statement of Accounts for Cardiff and Vale of Glamorgan Pension Fund are shown in Appendix 1.
7. The auditor’s “Audit of Accounts Report (ISA 260)” for the Council is attached as Appendix 2, along with corrected and uncorrected misstatements.

8. Audit Wales intend to issue an unqualified audit report on the financial statements once they have been provided with the Letter of Representation, which is included in Appendix 2.

Legal Implications

9. The report is presented to Council to meet statutory, regulatory and codified requirements to do so.

Financial Implications

10. This report is presented to Council in discharge of its duty to approve the audited accounts. These audited accounts form part of the Pension Fund Annual Report which is required to be published by 1 December 2022.

RECOMMENDATIONS

Council is requested to:

1. Approve the audited Statement of Accounts 2021/22 – 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 2022 (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.

CHRISTOPHER LEE
Corporate Director Resources

The following appendices are attached:

Appendix 1 – Statement of Accounts 2021/22 – Cardiff and Vale of Glamorgan Pension Fund

Appendix 2 – Audit Wales - Audit of Accounts Report 2021/22 (ISA 260) and Letter of Representation – Cardiff and Vale of Glamorgan Pension Fund



Cardiff & Vale of Glamorgan
Pension Fund

Statement of Accounts 2021/22

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

Narrative Report

Cardiff Council is the Administering Authority for the Cardiff and Vale of Glamorgan Pension Fund (the Fund) which is part of the national Local Government Pension Scheme (LGPS) for England & Wales. The LGPS is the statutory occupational pension scheme for all local government employees (except teachers) and the regulations are determined by the UK Government.

The Council's responsibilities as manager of the Fund are discharged through the Pensions Committee which has oversight of the Fund's strategies and policies. Operational management of the Fund has been delegated to the Corporate Director Resources. The Local Pension Board assists the Council to secure compliance with the LGPS regulations and the requirements of the Pensions Regulator and to ensure the effective and efficient administration of the scheme.

Membership was largely static during the year with just under 16,900 contributing employees and a small increase in Pensioners to just over 12,500 receiving benefits from the Fund.

The Pension Fund's net assets rose by 7.2% during 2021/22, from £2.518 billion to £2.699 billion. Investment markets globally continued the post-Covid recovery growth experienced during 2020/21 into the first half of 2021/22. During the second half of 2021/22 however, a much slower period of growth was experienced with increased market volatility as a result of concerns around new Covid variants, the increases in inflation and the Russian invasion of Ukraine in February 2022. With regard to this last event the Wales Pension Partnership (WPP), on behalf of the 8 LGPS funds in Wales, was quick to announce its intention to divest its holdings in Russian stocks as soon as practically possible.

The transfer of the Fund's legacy Regional Equity holdings into the two WPP Global Equity Funds which commenced in 2020/21 was completed in July 2021, at the same time as the additional investment into the BlackRock Low Carbon Tracker Fund. The total value of these transfers were over £1 billion. October 2021 saw the Fund move its Emerging Markets (EM) Equity investments into the new WPP EM fund.

At 31 March 2022 the value of the Fund's assets held in WPP sub-funds was 63% of the Fund's total value which increases to 86% of Fund value if the jointly procured BlackRock fund is included. The WPP, on behalf of the eight LGPS Pension Funds in Wales, were quick to condemn the Russian invasion of Ukraine and announce the divestment of Russian holdings in their Funds. This Fund's holding in Russian investments across 4 WPP sub-funds were just under £2.5 million which represented less than 1% of the total fund value. There were no material holdings in Russian investments in the rest of the Fund's portfolio.

The consequences of the UK Government mini-budget in September 2022 saw news reports of a "liquidity crisis" facing Pension Funds which required the intervention of the Bank of England to buy UK Government Bonds (Gilts) to provide reassurance to the Markets. This issue has arisen where Pension Funds, typically Corporate Defined Benefit (DB) schemes, have assets in Liability Driven Investments (LDI). With the price of Gilts falling these Funds have been forced to sell assets to maintain leverage levels, which resulted in a further decrease in Gilt prices resulting in the intervention by the Bank of England to maintain Market stability. The Fund has no exposure to LDI assets and very limited exposure to UK Gilts. At the end of September 2022, the WPP Global Government Bond sub-fund's holding in UK Gilts was only 0.6% (£1.237 million) of that sub-fund's value. The equivalent position at the end of June 2022 was 2.2% (£5.350 million).

The eight LGPS fund authorities in Wales continued to make progress during the year with the development of the Wales Pension Partnership (WPP). In addition to the new EM Fund referred to in the above paragraph the establishment of WPP Private Market sub-funds is progressing well. Sub-funds for Private Credit and

Infrastructure, Phase 1 of Private Markets, are expected to be launched in 2022/23 with WPP Private Equity sub-fund following later in the year.

2021/22 saw the WPP complete the process to welcome a non-voting Scheme Member Representative onto its Joint Governance Committee. During March 2022 the WPP was informed that its application to become a signatory to the UK 2020 Stewardship Code had been approved by the Financial Reporting Council (FRC). This demonstrates the commitment of the Welsh LGPS Funds, including this Fund, to Responsible Investment (RI), which will build on the good work undertaken in 2021/22 as investment products develop in future years.

On the eve of the next tri-annual valuation, the Fund's key objective continues to be to deliver an effective and efficient service to its contributing employees, pensioners and deferred members, and to minimise the financial burden on contributing employers over the long term.

Christopher Lee
Corporate Director Resources

Actuarial Statement

Introduction

The Scheme Regulations require that a full actuarial valuation is carried out every third year. The purpose of this is to establish that the Cardiff and Vale of Glamorgan Pension Fund (the Fund) is able to meet its liabilities to past and present contributors and to review employer contribution rates. The last full actuarial investigation into the financial position of the Fund was completed as at 31 March 2019 by Aon, in accordance with Regulation 62 of the Local Government Pension Scheme Regulations 2013.

Actuarial Position

1. The valuation as at 31 March 2019 showed that the funding level of the Fund had increased since the previous valuation with the market value of the Fund's assets as at 31 March 2019 (of £2.178 billion) covering 96% of the liabilities allowing, in the case of pre- 1 April 2014 membership for current contributors to the Fund, for future increases in pensionable pay.

2. The valuation also showed that the aggregate level of contributions required to be paid by participating employers with effect from 1 April 2020 was:

- 18.8% of pensionable pay. This is the rate calculated as being sufficient, together with contributions paid by members, to meet the liabilities arising in respect of service after the valuation date (the primary rate),

Plus

- an allowance of 0.9% of pay for McCloud and cost management – see paragraph 9 below,

Plus

- Monetary amounts to restore the assets to 100% of the liabilities in respect of service prior to the valuation date over a recovery period of 17 years from 1 April 2020, equivalent to 1.8% of pensionable pay (or £5.7 million in 2020/21, and increasing by 3.1% p.a. thereafter), which together with the allowance above comprises the secondary rate.

3. In practice, each individual employer's or group of employers' position is assessed separately and contributions are set out in Aon's report dated 30 March 2020 (the "actuarial valuation report"). In addition to the contributions certified, payments to cover additional liabilities arising from early retirements (other than ill-health retirements) will be made to the Fund by the employers.

Total contributions payable by all employers over the three years to 31 March 2023 are estimated to be:

Year from 1 April	% of pensionable pay	Plus total contribution amount (£M)
2020	20.9%	1.6
2021	20.9%	1.8
2022	20.9%	2.0

4. The funding plan adopted in assessing the contributions for each employer is in accordance with the Funding Strategy Statement. Different approaches were adopted in relation to the calculation of the primary contribution rate, stepping of contribution increases and individual employers' recovery

periods as agreed with the Administering Authority and reflected in the Funding Strategy Statement, reflecting the employers' circumstances.

5. The valuation was carried out using the projected unit actuarial method for most employers and the main financial actuarial assumptions used for assessing the funding target and the contribution rates were as follows.

Discount rate for periods in service	
Scheduled body employers *	4.3% p.a.
Ongoing Orphan employers	4.3% p.a.
Low risk funding target	1.3% p.a.
Discount rate for periods after leaving service	
Scheduled body employers *	4.3% p.a.
Ongoing Orphan employers	1.6% p.a.
Low risk funding target	1.3% p.a.
Rate of pay increases	3.1% p.a.
Rate of increase to pension accounts	2.1% p.a.
Rate of increases in pensions in payment (in excess of Guaranteed Minimum Pension)	2.1% p.a.

* The scheduled body discount rate was also used for employers whose liabilities will be subsumed after exit by a scheduled body.

In addition, the discount rate for already orphaned liabilities (i.e. where there is no scheme employer responsible for funding those liabilities and employer has exited the Fund) was 1.3% p.a.

The assets were valued at market value.

Further details of the assumptions adopted for the valuation, including the demographic assumptions, are set out in the actuarial valuation report.

6. The key demographic assumption was the allowance made for longevity. The post retirement mortality assumption adopted for the actuarial valuation was in line with standard self-administered pension scheme (SAPS) S2 mortality tables with appropriate scaling factors applied based on an analysis of the Fund's pensioner mortality experience and a Fund membership postcode analysis using Aon's Demographic Horizons™ longevity model, and included an allowance for improvements based on the 2018 Continuous Mortality Investigation (CMI) Projections Model (CMI2018) with s_k of 7.5 and parameter A of 0.0 assuming a long term annual rate of improvement in mortality rates of 1.5% p.a. The resulting average future life expectancies at age 65 (for normal health retirements) were:

	Men	Women
Current pensioners aged 65 at the valuation date	22.1	24.5
Future pensioners aged 45 at the valuation date	23.1	25.9

7. The valuation results summarised in paragraphs 1 and 2 above are based on the financial position and market levels at the valuation date, 31 March 2019. As such the results do not make allowance for changes which have occurred subsequent to the valuation date. The Administering Authority, in conjunction with the Actuary, monitors the funding position on a regular basis.

8. The formal actuarial valuation report and the Rates and Adjustments Certificate setting out the employer contribution rates for the period from 1 April 2020 to 31 March 2023 were signed on 30 March 2020. Other than as agreed or otherwise permitted or required by the Regulations and reflected in the Funding Strategy Statement as appropriate, employer contribution rates will be reviewed at the next actuarial valuation of the Fund as at 31 March 2022 in accordance with Regulation 62 of the Local Government Pension Scheme Regulations 2013.

9. There are a number of uncertainties regarding the Scheme benefits and hence liabilities:

▪ **Increases to Guaranteed Minimum Pensions (GMPs):**

The 2019 valuation allows for the extension of the 'interim solution' for public service schemes to pay full inflationary increases on GMPs for those reaching State Pension Age (SPA) between 6 April 2016 and 5 April 2021. On 23 March 2021, the Government published a response to its consultation on the longer term solution to achieve equalisation for GMPs as required by the High Court judgement in the Lloyds Bank case. The response sets out its proposed longer term solution, which is to extend the interim solution further to those reaching SPA after 5 April 2021.

The results of the 2019 valuation do not allow for the impact of this proposed longer term solution. Based on approximate calculations, at a whole of fund level, the impact of providing full pension increases on GMPs for those members reaching State Pension Age after 5 April 2021 is an increase in past service liabilities of between 0.1% to 0.2% across the Fund as a whole.

● **Cost Management Process and McCloud judgement:**

Initial results from the Scheme Advisory Board (SAB) 2016 cost management process indicated that benefit improvements / member contribution reductions equivalent to 0.9% of pay would be required. However, the cost management process was paused following the Court of Appeal ruling that the transitional arrangements in both the Judges' Pension Scheme (McCloud) and Firefighters' Pension Scheme (Sargeant) constituted illegal age discrimination. Government confirmed that the judgement would be treated as applying to all public service schemes including the LGPS (where the transitional arrangements were in the form of a final salary underpin) and a consultation on changes to the LGPS due to this judgement was issued in July 2020.

On 13 May 2021 Government confirmed the key elements of the expected changes to the LGPS to implement the McCloud judgement in a Written Ministerial Statement, although final Regulations are not expected to be come into force until 2023. After incorporating the potential costs of the McCloud remedy, the 2016 SAB cost management process has concluded, with no benefit improvements or member contribution changes being recommended under that process. However some uncertainty remains as the inclusion of McCloud costs in the cost management process is the subject of a Judicial Review.

The employer contributions certified from 1 April 2020 as part of the 2019 valuation include an allowance of 0.9% of pay in relation to the potential additional costs following the McCloud judgement / cost management process. This was a simplified approach which didn't take account of different employer membership profiles or funding targets and may be more or less than the assessed cost once the details of the LGPS changes arising from the McCloud judgement and the 2016 cost management process have been finalised.

● **Goodwin:**

An Employment Tribunal ruling relating to the Teachers' Pension Scheme concluded that provisions for survivor's benefits of a female member in an opposite sex marriage are less favourable than for a female in a same sex marriage or civil partnership, and that treatment

amounts to direct discrimination on grounds of sexual orientation. The chief secretary to the Treasury announced in a written ministerial statement on 20 July 2020 that he believed that changes would be required to other public service pension schemes with similar arrangements, although these changes are yet to be reflected in LGPS regulations. We expect the average additional liability to be less than 0.1%, however the impact will vary by employer depending on their membership profile.

10. This Statement has been prepared by the Actuary to the Fund, Aon, for inclusion in the accounts of the Fund. It provides a summary of the results of the actuarial valuation which was carried out as at 31 March 2019. The valuation provides a snapshot of the funding position at the valuation date and is used to assess the future level of contributions required.

This Statement must not be considered without reference to the formal actuarial valuation report which details fully the context and limitations of the actuarial valuation.

Aon does not accept any responsibility or liability to any party other than our client, the County Council of the City and County of Cardiff, the Administering Authority of the Fund, in respect of this Statement.

11. The report on the actuarial valuation as at 31 March 2019 is available on the Fund's website at the following address:

<https://www.cardiffandvalepensionfund.org.uk/wp-content/uploads/Cardiff-2019-actuarial-valuation-report-FINAL.pdf>

Aon Solutions UK Limited

May 2022

Statement of Responsibilities for the Financial Statements

The Council's responsibilities

As administering authority of the Cardiff and Vale of Glamorgan Pension Fund, Cardiff Council is required to:

- make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of those affairs. In 2021/22 that officer was Christopher Lee, Corporate Director Resources;
- manage its affairs to secure economic, efficient and effective use of resources and safeguard its assets;
- approve the statement of accounts.

Councillor Graham Hinchey
Lord Mayor

Date:

The Corporate Director Resources responsibilities

The Corporate Director Resources (who holds the statutory post of Section 151 Officer) is responsible for the preparation of the Council's financial statements in accordance with proper practices as set out in the CIPFA Code of Practice on Local Authority Accounting in the United Kingdom 2021/22 (the Code).

In preparing these financial statements, the Corporate Director Resources has:

- selected suitable accounting policies and then applied them consistently, except where policy changes have been noted in these accounts;
- made judgements and estimates that were reasonable and prudent; and
- complied with the Code.

The Corporate Director Resources has also:

- kept proper accounting records which were up to date; and
- taken reasonable steps for the prevention and detection of fraud and other irregularities.

Corporate Director Resources Certificate

The financial statements for the Cardiff and Vale of Glamorgan Pension Fund give a true and fair view of its income and expenditure for the financial year 2021/22 and financial position at 31 March 2022.

Christopher Lee
Corporate Director Resources

Date:

The Independent Auditor's Report of the Auditor General for Wales to the Members of the County Council of the City and County of Cardiff as administering authority for Cardiff & Vale of Glamorgan Pension Fund

Opinion on financial statements

I have audited the financial statements of Cardiff & Vale of Glamorgan Pension Fund for the year ended 31 March 2022 under the Public Audit (Wales) Act 2004. Cardiff & Vale of Glamorgan Pension Fund's financial statements comprise the fund account, the net assets statement and the related notes, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and international accounting standards as interpreted and adapted by the Code of Practice on Local Authority Accounting in the United Kingdom 2021-22.

In my opinion the financial statements:

- give a true and fair view of the financial transactions of the pension fund during the year ended 31 March 2021, and of the amount and disposition at that date of its assets and liabilities;
- have been properly prepared in accordance with legislative requirements and UK adopted accounting standards as interpreted and adapted by the Code of Practice on Local Authority Accounting in the United Kingdom 2021-22.

Basis of opinion

I conducted my audit in accordance with applicable law and International Standards on Auditing in the UK (ISAs (UK)) and Practice Note 10 'Audit of Financial Statements of Public Sector Entities in the United Kingdom'. My responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of my report. I am independent of the pension fund in accordance with the ethical requirements that are relevant to my audit of the financial statements in the UK including the Financial Reporting Council's Ethical Standard, and I have fulfilled my other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Conclusions relating to going concern

In auditing the financial statements, I have concluded that the use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work I have performed, I have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the pension fund's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from when the financial statements are authorised for issue.

My responsibilities and the responsibilities of the responsible financial officer with respect to going concern are described in the relevant sections of this report.

Other information

The other information comprises the information included in the Narrative Report other than the financial statements and my auditor's report thereon. The Responsible Financial Officer is responsible for the other information contained within the Narrative report. My opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in my report, I do not express any form of assurance conclusion thereon.

My responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or knowledge obtained in the course of the audit, or otherwise appears to be materially misstated. If I identify such material inconsistencies or apparent material misstatements, I am required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

I have nothing to report in this regard.

Report on other requirements

Opinion on other matters

In my opinion, based on the work undertaken in the course of my audit:

- the information contained in the Narrative Report for the financial year for which the financial statements are prepared is consistent with the financial statements and has been prepared in accordance with the Local Government Pension Scheme Regulations 2013.

Matters on which I report by exception

In the light of the knowledge and understanding of the pension fund and its environment obtained in the course of the audit, I have not identified material misstatements in the Narrative Report.

I have nothing to report in respect of the following matters, which I report to you, if, in my opinion:

- adequate accounting records have not been kept, or returns adequate for my audit have not been received from branches not visited by my team;
- the financial statements are not in agreement with the accounting records and returns; or
- I have not received all the information and explanations I require for my audit.

Responsibilities

Responsibilities of the responsible financial officer for the financial statements

As explained more fully in the Statement of Responsibilities for the financial statements set out on page 8, the responsible financial officer is responsible for the preparation of the financial statements, which give a true and fair view, and for such internal control as the responsible financial officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the responsible financial officer is responsible for assessing the pension fund's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless deemed inappropriate.

Auditor's responsibilities for the audit of the financial statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

Irregularities, including fraud, are instances of non-compliance with laws and regulations. I design procedures in line with my responsibilities, outlined above, to detect material misstatements in respect of irregularities, including fraud.

My procedures included the following:

- Enquiring of management and those charged with governance, including obtaining and reviewing supporting documentation relating to Cardiff & Vale of Glamorgan Pension Fund's policies and procedures concerned with:
 - identifying, evaluating and complying with laws and regulations and whether they were aware of any instances of non-compliance;
 - detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected or alleged fraud; and
 - the internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations.
- Considering as an audit team how and where fraud might occur in the financial statements and any potential indicators of fraud.
- Obtaining an understanding of Cardiff & Vale of Glamorgan Pension Fund's framework of authority as well as other legal and regulatory frameworks that Cardiff & Vale of Glamorgan Pension Fund operates in, focusing on those laws and regulations that had a direct effect on the financial statements or that had a fundamental effect on the operations of Cardiff & Vale of Glamorgan Pension Fund.

In addition to the above, my procedures to respond to identified risks included the following:

- reviewing the financial statement disclosures and testing to supporting documentation to assess compliance with relevant laws and regulations discussed above;
- enquiring of management and the Governance and Audit Committee about actual and potential litigation and claims;
- reading minutes of meetings of those charged with governance and the administering authority; and
- in addressing the risk of fraud through management override of controls, testing the appropriateness of journal entries and other adjustments; assessing whether the judgements made in making accounting estimates are indicative of a potential bias; and evaluating the business rationale of any significant transactions that are unusual or outside the normal course of business.

I also communicated relevant identified laws and regulations and potential fraud risks to all audit team and remained alert to any indications of fraud or non-compliance with laws and regulations throughout the audit. The extent to which my procedures are capable of detecting irregularities, including fraud, is affected by the inherent difficulty in detecting irregularities, the effectiveness of the Cardiff & Vale of Glamorgan Pension Fund's controls, and the nature, timing and extent of the audit procedures performed.

A further description of the auditor's responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website www.frc.org.uk/auditorsresponsibilities. This description forms part of my auditor's report.

Certificate of completion of audit

I certify that I have completed the audit of the accounts of Cardiff & Vale of Glamorgan Pension Fund in accordance with the requirements of the Public Audit (Wales) Act 2004 and the Auditor General for Wales' Code of Audit Practice.

Adrian Crompton
Auditor General for Wales
29 November 2022

24 Cathedral Road
Cardiff
CF11 9LJ

Fund Account

2020/21		Note	2021/22
£000			£000
	Dealings with members, employers and others directly involved in the fund		
	Contributions		
(69,615)	From employers	8	(75,155)
(21,174)	From employees	8	(22,307)
0	Group transfers from other schemes or funds		0
(3,510)	Individual transfers from other schemes or funds		(4,577)
(269)	Other income (capitalised payments and interest on deficit funding)		(2,603)
(94,568)			(104,642)
	Benefits Payable		
71,463	Pensions	9	72,694
12,941	Lump sums, grants and other payments	9	14,745
	Payments to and on account of leavers		
86	Refunds of contributions		135
0	Group transfers to other schemes or funds		0
3,817	Individual transfers to other schemes or funds		5,030
88,307			92,604
(6,261)	Net (additions)/withdrawals from dealings with members of the Fund		(12,038)
8,189	Management expenses	10	8,295
1,928	Net (additions)/withdrawals including fund management expenses		(3,743)
	Returns on Investment		
(9,810)	Investment income	11	(26,156)
(482,650)	Change in market value of investments	12a	(150,846)
(492,460)	Net returns on investments		(177,002)
(490,532)	Net (increase)/decrease in the Fund during year		(180,745)
(2,027,605)	Opening net assets of the scheme		(2,518,137)
(2,518,137)	Closing net assets of the scheme		(2,698,882)

Net Assets Statement

2020/21		Note	2021/22
£000			£000
2,464,573	Investments at market value	12	2,620,864
45,502	Cash (including derivatives) and investment proceeds due	12	72,253
2,510,075	Total investments		2,693,117
78	UK & overseas tax		74
4,499	Contributions due from employers and deficit funding		5,509
633	Sundry debtors		327
1,380	Pension strain costs due within one year		1,153
6,590	Total current assets		7,063
2,359	Deficit funding (former employers)		68
2,327	Pension strain costs due after one year		1,296
4,686	Total non-current assets		1,364
(267)	Unpaid benefits		(69)
(1,893)	Sundry creditors		(1,478)
(320)	Provision - death grants	20	(217)
(2,480)	Total current liabilities		(1,764)
(734)	Provision - death grants	20	(898)
(734)	Total non-current liabilities		(898)
2,518,137	Net assets of the scheme		2,698,882

Notes to the Accounts

1. Description of Fund

The Cardiff and Vale of Glamorgan Pension Fund (the Fund) is part of the LGPS and is administered by Cardiff Council.

General

The scheme is governed by the Public Service Pensions Act 2013. The Fund is administered in accordance with the following secondary legislation:

- The Local Government Pension Scheme Regulations 2013 (as amended)
- The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 (as amended)
- The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016

It is a contributory defined benefit pension scheme administered by Cardiff Council to provide pensions and other benefits for pensionable employees of Cardiff Council and Vale of Glamorgan Council, except for teachers who have a separate scheme. Employees of a range of other scheduled and admitted bodies within the area are also permitted to join the Fund. The Fund is overseen by the Pension Fund Committee, which is a committee of Cardiff Council.

Membership

Membership of the LGPS is automatic for all employees, who can then choose to remain in the scheme or make their own personal arrangements outside the scheme.

Organisations participating in the Cardiff and Vale of Glamorgan Pension Fund include the following:

- Scheduled bodies, which are automatically entitled to be members of the Fund
- Admitted bodies, which participate in the Fund by virtue of an admission agreement made between the Fund and the employer. Admitted bodies include, voluntary, charitable and similar not-for-profit organisations, or private contractors undertaking a local authority function following outsourcing to the private sector.

Funding

Benefits are funded by contributions and investment earnings. Contributions are made by active members of the fund in accordance with the Local Government Pension Scheme Regulations 2013 and ranged from 5.5% to 12.5% of pensionable pay for the financial year ending 31 March 2022. Employers' contributions are set based on triennial actuarial funding valuations. The last such valuation was at 31 March 2019. Currently, employer contribution rates range from 17.6% to 37.7% of pensionable pay with effect from 1st April 2020.

Benefits

Prior to 1 April 2014, pension benefits under the LGPS were based on final pensionable pay and length of pensionable service. From 1 April 2014, the scheme became a career average scheme, whereby members accrue benefits based on their pensionable pay in that year at an accrual rate of 1/49th. Accrued pension is updated annually in line with the Consumer Prices Index. A range of other benefits are also provided including early retirement, disability pensions and death benefits. For more details, please refer to the Cardiff and Vale of Glamorgan Pension Fund website <https://www.cardiffandvalepensionfund.org.uk/>

2. Basis of Preparation

The Statement of Accounts summarises the funds transactions for the 2021/22 financial year and its financial position at 31 March 2022. The accounts have been prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom 2021/22, which is based upon International Financial Reporting Standards (IFRS), as amended for the UK public sector.

The accounts summarise the transactions of the Fund and report on the net assets available to pay pension benefits. They do not take account of obligations to pay pensions and benefits which fall due after the end of the financial year.

The accounts have been prepared on a going concern basis.

3. Significant Accounting Policies

Accounting standards that have been issued but not yet adopted

At the balance sheet date, no accounting standards issued but not yet adopted have been identified.

Income and Expenditure

Bond and dividend income has been taken into account on the contractual payment date. Property and private equity income is credited on receipt.

The Fund does not account for any benefits payable or receivable in respect of members wishing to transfer from one scheme to another until assets (either cash investments or other form) have been received by the receiving scheme.

All other income and expenditure has been accounted for on an accruals basis, except the liability to pay pensions and benefits in the future, which has been separately disclosed within the notes to the accounts.

Acquisition costs of Investments

Acquisition costs are included with the original book cost at the time of purchase. At the year end, however, investments on the balance sheet are valued at market value. The difference is recorded in the Accounts as "Change in Market Value of Investments".

Valuation of Investments

Investments are included in the financial statements on a fair value basis as at the reporting date. The values of investments as shown in the net assets statement have been determined in accordance with the requirements of the Code and IFRS 13. Valuation methods employed by the fund are detailed within Note 14c.

Cash and Cash Equivalents

Cash is represented by cash in hand, the net balance on all of the Council's bank accounts. It includes deposits with financial institutions, including investment managers and the custodian, that are repayable on notice of not more than 24 hours without significant penalty. It also includes investments maturing and interest received on the first working day of April.

Foreign Currency Transactions

Overseas investments in foreign currencies have been converted at WM/Reuters closing spot rates of exchange at the end of the reporting period.

Taxation

Taxation	Treatment
UK Income Tax	The fund is an exempt approved fund able to recover UK Income Tax.
UK Capital Gains Tax	No Capital Gains Tax is Chargeable.
Value Added Tax	Accounts are shown exclusive of VAT. As the Council is the administering Authority, VAT is recoverable on all Fund activities.
Overseas Withholding Tax	Foreign investment income usually suffers withholding tax in the country of origin, some of which may be recoverable. Irrecoverable tax is netted off against income.

4. Critical judgements in applying accounting policies

Unquoted private equity investments

These are inherently based on forward looking estimates and judgements valued by the investment managers using two main sets of valuation guidelines that apply to private equity; the Private Equity Valuation Guidelines (PEVG) in the US and the International Private Equity and Venture Capital Valuation Guidelines (IPEVCG) outside the US.

Pension fund liability

This is calculated in accordance with IAS19 every three years by the actuary, with an annual statement in the intervening years. This estimate is subject to significant variances based on changes to the underlying assumptions which are agreed with the actuary.

5. Assumptions made about the future and other major sources of estimation uncertainty

The Statement of Accounts contains estimated figures based on assumptions made taking into account historical experience, current trends and other factors. As balances cannot be determined with certainty, actual results could be materially different from the assumptions and estimates.

Item	Uncertainties	Effect if actual results differ from assumptions
Actual present value of promised retirement benefits	Estimations of the liability to pay pensions depends on a number of complex judgements relating to the discount rate used, the rate at which salaries increase, changes in mortality rates and expected returns on pension fund assets. The actuary provides the fund with advice regarding the assumptions to be used.	The effects on the net pension liability of changes in individual assumptions can be measured. For instance, an increase in the discount rate assumption would result in a decrease in the pension liability. An increase in assumed earnings inflation or assumed life expectancy would increase the value of the liabilities.
Private Equity Valuations	Private equity investments are valued at fair value in accordance with international accounting standards. These investments are not publicly listed and as such there is a degree of estimation involved in the valuation.	The total private equity investments in the financial statements are £103 million. There is a risk that this investment may be under, or overstated in the accounts. Further information is provided on the sensitivity of these assets within the accounts.
Pooled Property Funds	Valuation techniques are used to determine the carrying amount of pooled property funds.	The total pooled property fund investments in the financial statements are £202 million. Changes in the valuation assumptions used, together with significant changes in rental

		growth could affect (increase or decrease) the fair value of property-based investments. Further information is provided on the sensitivity of these assets within the accounts.
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6. Titles of Ownership

Evidences of ownership for the property unit trusts (excluding Blackrock which is held by The Northern Trust Company) and private equity holdings are held by Cardiff Council. All other evidences of ownership were held at 31 March 2022 by The Northern Trust Company for the benefit of the Council and the WPP. Statements of holdings have been provided by Northern Trust.

7. Membership

Fund membership at 31 March 2022 is as follows:

2020/21		2021/22
43	Contributing employers	44
43	Total contributing employers	44
16,936	Contributors	16,876
12,190	Pensioners	12,515
13,755	Deferred pensioners	13,515
42,881	Total membership	42,906

In addition to the above, there are also members who at year end were not yet categorised as to whether they would be deferring their pension, transferring it to another scheme or requesting a refund of their contributions and accordingly are not actively contributing to the Pension Fund. The number of members not yet categorised at 31 March 2022 was 7,269 (6,010 for March 2021).

8. Employing Bodies – Contributions

2021/22	No. of contributors at 31/03/2022	Employers	Deficit Funding Received	Total Employers	Employees	Total
		£000	£000	£000	£000	£000
Administering Body:						
Cardiff Council	10,472	(45,067)	0	(45,067)	(13,617)	(58,684)
Scheduled Bodies:						
Vale of Glamorgan Council	4,052	(15,421)	0	(15,421)	(4,570)	(19,991)
Town and Community Councils	58	(247)	0	(247)	(76)	(323)
Education Bodies	1,476	(7,459)	0	(7,459)	(2,809)	(10,268)
Other Scheduled Bodies	6	(41)	0	(41)	(14)	(55)
Admitted Bodies:						
Admitted Bodies	812	(4,966)	(1,954)	(6,920)	(1,221)	(8,141)
Total	16,876	(73,201)	(1,954)	(75,155)	(22,307)	(97,462)

2020/21	No. of contributors at 31/03/2021	Employers	Deficit Funding Received	Total Employers	Employees	Total
		£000	£000	£000	£000	£000
Administering Body:						
Cardiff Council	10,334	(42,186)	0	(42,186)	(12,702)	(54,888)
Scheduled Bodies:						
Vale of Glamorgan Council	4,116	(14,631)	0	(14,631)	(4,644)	(19,275)
Town and Community Councils	56	(239)	0	(239)	(70)	(309)
Education Bodies	1,654	(6,831)	0	(6,831)	(2,537)	(9,368)
Other Scheduled Bodies	6	922	0	922	(17)	905
Admitted Bodies:						
Admitted Bodies *	770	(4,789)	(1,861)	(6,650)	(1,204)	(7,854)
Total	16,936	(67,754)	(1,861)	(69,615)	(21,174)	(90,789)

*2020/21 Figures have been restated in line with 2021/22 presentation. Deficit previously included in Additional lump sum.

Additional deficit funding

There has been no additional deficit funding agreed in 2021/22 on top of that agreed in previous years (no additional deficit funding in 2020/21).

9. Employing Bodies - Benefits Payable

2021/22	Retirement Pensions	Lump Sums, Grants and Other Payments		
		Lump Sums on Retirement	Death Grants	Commutation Payments
	£000	£000	£000	£000
Administering Body:				
Cardiff Council	46,093	7,156	1,882	414
Scheduled Bodies:				
Vale of Glamorgan Council	14,149	2,326	348	119
Town and Community Councils	240	0	0	0
Education Bodies	3,522	613	308	23
Other Scheduled Bodies	2,633	128	47	0
Admitted Bodies:				
Admitted Bodies	6,057	1,175	154	52
Total	72,694	11,398	2,739	608

2020/21	Retirement Pensions	Lump Sums, Grants and Other Payments		
		Lump Sums on Retirement	Death Grants	Commutation Payments
	£000	£000	£000	£000
Administering Body:				
Cardiff Council	45,380	6,386	1,724	340
Scheduled Bodies:				
Vale of Glamorgan Council	13,923	2,235	381	102
Town and Community Councils	235	10	0	0
Education Bodies	3,387	400	89	61
Other Scheduled Bodies	2,667	165	34	1
Admitted Bodies:				
Admitted Bodies	5,871	818	185	10
Total	71,463	10,014	2,413	514

10. Management Expenses

2020/21		2021/22
£000		£000
1,485	Administration costs	1,730
29	Audit fees	73
1,514	Total administration costs	1,803
243	Fixed Interest Securities	0
1,062	Equities	430
797	WPP UK equity fund *	155
393	WPP government bond fund *	241
318	WPP credit fund *	199
410	WPP multi asset credit fund *	124
0	WPP global growth fund	661
0	WPP global opportunities fund	529
0	WPP emerging markets fund	139
1,929	Equity pooled fund	944
113	Pooled property investments	179
1,123	Private equity **	2,354
6,388	Total management fees	5,955
182	Custody fees	272
6,570	Total investment management expenses	6,227
105	Oversight and governance costs	265
8,189	Total	8,295

*2020/21 WPP includes underlying fund managers fees totalling £1.235 million which should have been excluded from this table and included within adjustments feeding through Note 12a, the Change in Market Value. The equivalent value correctly excluded for 2021/22 was £2.279 million.

**2020/21 Private equity excludes performance fees totalling £0.853 million which should have been included in this table but were included within adjustments feeding through Note 12a, the Change in Market Value. The equivalent value correctly included for 2021/22 was £0.757 million.

2020/21	WPP Management Expenses	2021/22
£000		£000
1,246	Fund manager fees *	163
672	Transaction costs	1,550
0	Transition costs	335
64	Custody fees	231
1,982	Total WPP investment management expenses	2,279
88	Host authority costs	135
88	Total WPP oversight and governance costs	135
2,070	Total	2,414

*2020/21 WPP includes underlying fund managers fees totalling £1.235 million which should have been excluded from this table and included within adjustments feeding through Note 12a, the Change in Market Value. The equivalent value correctly excluded for 2021/22 was £2.279 million.

Included in Management Expenses in the first table of this note is the cost of the Fund's involvement in the Wales Pension Partnership (WPP) collective investment pooling arrangement. These are further analysed in the table above. The Oversight and Governance costs are the annual running costs of the pool which includes the host authority costs and other external advisor costs. These costs are funded equally by all eight of the local authority pension funds in Wales. Fund Management Fees are payable to Link Fund Solutions (the WPP

operator) and include the operator fee and other associated costs. These costs are based on each Fund's percentage share of WPP pooled assets and are deducted from the Net Asset Value (NAV). Underlying manager fees are not included in this table for 2021/22.

11. Investment Income

2020/21		2021/22
£000		£000
(1,901)	UK fixed interest securities	0
(3,845)	Overseas equities	(2,428)
(1,192)	Overseas fixed interest securities	0
(910)	UK equities and private equity funds	0
(1,202)	Pooled investments	(22,148)
(482)	Pooled Property Unit Trust Income	(1,177)
(230)	Interest on UK cash	(200)
(48)	Securities lending	(203)
(9,810)	Total	(26,156)

During 2021/22 Link Asset Services paid distributions in respect of the income earned since inception on all Wales Pension partnership sub-funds in which the Fund invests. This was automatically reinvested into the pooled funds to increase the market value of our holding. Income is only distributed when there is a sufficient amount to do so but will always be automatically reinvested after the deduction of any costs. The increase in investment income in 2021/22 is due to correction of the value deemed to be investment income as opposed to a change in market value, the additional value for 2020/21 would have been (£8.657 million). This has no impact on the overall fund value.

12. Investments at Market Value

2020/21		2021/22
£000		£000
238,549	Total equities	0
230,285	WPP UK equity fund	232,958
252,534	WPP government bond fund	243,194
226,063	WPP credit fund	216,400
154,266	WPP multi asset credit fund	150,309
0	WPP global growth	211,609
0	WPP global opportunities	530,428
0	WPP emerging markets	115,003
863,148	Total WPP pooled funds	1,699,901
1,105,648	Equity pooled	616,030
1,968,796	Total pooled funds (incl WPP)	2,315,931
166,559	Pooled property investments	201,606
90,669	Private equity	103,327
2,464,573	Subtotal	2,620,864
5,372	Fund manager's cash	2,194
39,563	Internal/custodian cash	70,059
567	Net investment proceeds due	0
45,502	Total cash	72,253
2,510,075	Total investment assets	2,693,117

In 2020/21 the investments in fixed interest securities were transferred to the WPP government bond fund, WPP credit fund and WPP multi asset credit fund. During 2021/22 further transfers were made to WPP global opportunities, WPP global growth, WPP emerging markets from equities and equity pooled.

12a. Reconciliation in movement in investments

2021/22	Value at 31/03/21	Purchase at cost	Sale proceeds	Change in market value	Value at 31/03/22
	£000	£000	£000	£000	£000
Equities	238,549	2,242	(249,929)	9,138	0
Pooled funds	1,968,796	1,159,234	(892,119)	80,020	2,315,931
Pooled property unit trusts	166,559	904	0	34,143	201,606
Private equity	90,669	8,971	(24,436)	28,122	103,327
Sub-total	2,464,573	1,171,351	(1,166,484)	151,423	2,620,864
Managers' cash	5,372				2,194
Internal/custodian cash	39,563				70,059
Net investment proceeds due	567				0
Total cash	45,502				72,253
Sub-total	2,510,075			151,423	2,693,117
Net realised movement in cash				(577)	
Total	2,510,075			150,846	2,693,117

2020/21	Value at 31/03/20	Purchase at cost	Sale proceeds	Change in market value	Value at 31/03/21
	£000	£000	£000	£000	£000
Fixed interest securities	586,078	161,316	(720,282)	(27,112)	0
Equities	164,067	32,814	(28,340)	70,008	238,549
Pooled funds	971,709	628,700	0	368,387	1,968,796
Pooled property unit trusts	165,246	730	0	583	166,559
Private equity	88,669	8,810	(14,269)	7,459	90,669
Sub-total	1,975,769	832,370	(762,891)	419,325	2,464,573
Derivatives	3,212	0	0	(3,212)	0
Total derivatives	3,212	0	0	(3,212)	0
Managers' cash	6,730				5,372
Internal/custodian cash	26,051				39,563
Debtors	2,464				567
Total cash	35,245				45,502
Sub-total	2,014,226			416,113	2,510,075
Net realised movement in cash				66,537	
Total	2,014,226			482,650	2,510,075

Analysis of derivatives

Objectives and policies for holding derivatives

The holding in derivatives is to hedge liabilities or hedge exposures to reduce risk in the fund. The use of derivatives is managed in line with the investment management agreement between the fund and the

various investment managers. Derivatives listed at 31/03/2020 formed part of the Aberdeen investment that transferred to WPP, bringing the value to nil in the 2020/2021 accounts. No derivatives were held in 2021/22.

13. Summary of manager's portfolio values

2020/21		Fund Manager	2021/22	
£000	% of Fund		£000	% of Fund
126,759	5.0	Aberdeen Emerging Markets	0	0.0
675,933	26.9	Blackrock Investment Management	616,030	22.9
81,320	3.2	Invesco Perpetual	0	0.0
119,533	4.8	Nikko	0	0.0
124,955	5.0	Schroder Investment Managers	0	0.0
221,637	8.8	State Street Global Advisers (SSGA)	0	0.0
863,148	34.4	Wales Pension Partnership	1,699,901	63.1
56,154	2.2	CBRE - Global Property	65,292	2.4
25,282	1.0	Blackrock - BPF - UK Property	30,711	1.1
29,357	1.2	Schroder UK Real Estate	34,922	1.3
30,784	1.2	Standard Life Property	39,249	1.5
24,982	1.0	UBS Triton Property Fund	31,433	1.2
21,737	0.9	Capital Dynamics	21,908	0.8
32,022	1.3	Harbourvest	34,499	1.3
36,910	1.5	Pantheon	46,920	1.7
2,678	0.1	Cash with custodian	5,088	0.2
36,884	1.5	Internally managed (Cash)	67,164	2.5
2,510,075	100.0	Total	2,693,117	100.00

13a. Investments exceeding 5% of net assets

The following investments represent more than 5% of the net assets available to pay benefits (in either 2020/21, 2021/22 or both years).

2020/21		Fund Manager	2021/22	
£000	% of net assets		£000	% of net assets
126,759	5.0	Aberdeen Emerging Markets Equity Fund	0	0.0
265,805	10.6	BlackRock Aquila Life UK Equities Indexed Fund	0	0.0
141,454	5.6	BlackRock Aquila Life US Equities Indexed Fund	0	0.0
268,675	10.7	BlackRock Low Carbon Tracker Fund	616,030	22.8
221,637	8.8	SSGA MPF Europe ex UK Equities Active Fund	0	0.0
226,063	9.0	Wales Pension Partnership - Credit Fund	216,400	8.0
0	0.0	Wales Pension Partnership - Global Growth	211,609	7.8
0	0.0	Wales Pension Partnership - Global Opportunities	530,428	19.7
252,534	10.0	Wales Pension Partnership - Government Bond Fund	243,194	9.0
154,266	6.1	Wales Pension Partnership - Multi Asset Credit Fund	150,309	5.6
230,285	9.1	Wales Pension Partnership - UK Opportunities	232,958	8.6

14. Financial Instruments

14a. Classification of financial instruments

Value at 31/03/21				Value at 31/03/22		
Fair value through profit and loss	Amortised Cost	Financial liabilities at amortised costs		Fair value through profit and loss	Amortised Cost	Financial liabilities at amortised costs
£000	£000	£000		£000	£000	£000
238,549	0	0	Equities	0	0	0
1,968,796	0	0	Pooled funds	2,315,931	0	0
166,559	0	0	Pooled property trusts	201,606	0	0
90,669	0	0	Private equity	103,327	0	0
0	0	0	Derivatives	0	0	0
0	45,502	0	Cash	0	72,253	0
0	11,276	0	Debtors	0	8,427	0
2,464,573	56,778	0	Total financial assets	2,620,864	80,680	0
0	0	0	Derivatives	0	0	0
0	0	(2,160)	Creditors	0	0	(1,547)
0	0	(2,160)	Total financial liabilities	0	0	(1,547)
2,464,573	56,778	(2,160)	Net financial assets	2,620,864	80,680	(1,547)

14b. Net gains and losses on financial instruments

31/03/21		31/03/22
£000		£000
355,652	Fair value through profit and loss	150,233
355,652	Total financial assets	150,233
127,781	Fair value through profit and loss	0
(783)	Amortised cost	613
126,998	Total financial liabilities	613
482,650	Net financial assets	150,846

14c. Fair Value – Basis of Valuation

Investment	Valuation Method	Observable and unobservable inputs	Key sensitivities affecting the valuations provided
Level 1 Quoted prices for similar instruments.			
Quoted Bonds (Fixed Interest Securities)	Market value based on current yields	Not required	Not required
Market Quoted Investments	Published bid market price at close of business on the final working day of the accounting period	Not required	Not required
Cash and cash equivalents	Carrying value is deemed to be fair value because of the short-term nature of these financial instruments	Not required	Not required
Level 2 Traded in a market which is not considered to be active, or where valuation techniques are used to determine fair value which use inputs that are based significantly on observable market data.			
Pooled Investments - Quoted Equity	Closing bid price where bid and offer prices are published. Closing single price where single price published	Net Asset Value (NAV) based pricing set on a forward pricing basis	Not required
Derivatives - Forward Currency Contracts	Market forward exchange rates at the year-end date	Exchange rate risk	Not required
Level 3 Inputs not based on observable market data			
Private Equity Funds	Valuations provided by the general partners to the private equity funds in accordance with International Private Equity and Venture Capital Valuation Guidelines (2012)	Earnings before interest, tax, depreciation and amortisation (EBITDA) multiple, revenue multiple, discount for lack of marketability and control premium	Valuations may be affected by material events occurring between the date of the financial statements provided and the pension fund's own reporting date (although updated to reflect calls/distributions made during this period), changes to expected cash flows and any differences between unaudited and audited accounts
Pooled Investments - Property Funds	Closing bid price where bid and offer prices are published. Closing single price where single price published	NAV-based pricing set on a forward pricing basis	Valuations may be affected by post balance sheet events, changes to expected cash flows and any differences between unaudited and audited accounts

14d. Fair Value Hierarchy

As detailed above, investments have been classified into three levels according to the quality and reliability of the information used to determine fair values. The following table provides an analysis of the assets and liabilities of the pension fund based on the level at which the fair value is observable.

Value at 31/03/22	Quoted market price	Using observable inputs	With significant unobservable inputs	Total
	Level 1	Level 2	Level 3	
	£000	£000	£000	£000
Financial assets at fair value	0	2,315,931	304,933	2,620,864
Amortised Cost	80,680	0	0	80,680
Total financial assets	80,680	2,315,931	304,933	2,701,544
Financial liabilities at fair value	0	0	0	0
Financial liabilities at amortised cost	(1,547)	0	0	(1,547)
Total financial liabilities	(1,547)	0	0	(1,547)
Net financial assets	79,133	2,315,931	304,933	2,699,997

Value at 31/03/21	Quoted market price	Using observable inputs	With significant unobservable inputs	Total
	Level 1	Level 2	Level 3	
	£000	£000	£000	£000
Financial assets at fair value	238,549	1,968,796	257,228	2,464,573
Loans and receivables	56,778	0	0	56,778
Total financial assets	295,327	1,968,796	257,228	2,521,351
Financial liabilities at fair value	0	0	0	0
Financial liabilities at amortised cost	(2,160)	0	0	(2,160)
Total financial liabilities	(2,160)	0	0	(2,160)
Net financial assets	293,167	1,968,796	257,228	2,519,191

Reconciliation of fair value measurements within Level 3

2021/22	Market Value at 31/03/21	Transfers into level 3	Transfers out of level 3	Purchases	Sales	Unrealised gains/(losses)	Realised gains/(losses)	Market Value at 31/03/22
	£000	£000	£000	£000	£000	£000	£000	£000
Private equity	90,669	0	0	8,971	(24,436)	28,123	0	103,327
Pooled property unit trusts	166,559	0	0	904	0	34,143	0	201,606
Total	257,228	0	0	9,875	(24,436)	62,266	0	304,933

14e. Sensitivity of Assets Valued at Level 3

Having analysed historical data, current market trends, and consulted with independent investment advisors (Pensions and Investments Research Consultants Ltd (PIRC)), the fund has determined that the valuations methods described above for Level 3 investments are likely to be accurate to within the following ranges, and has set out the consequential impact below:

	Assessed valuation range	Value at 31/03/22	Value on increase	Value on decrease
	(%)	£000	£000	£000
Private Equity	10.8	103,327	114,486	92,168
Pooled Property Trusts	4.9	201,606	211,485	191,727
Total		304,933	325,971	283,895

15. Nature and extent of risks arising from financial instruments

The Fund maintains positions in a variety of instruments, as dictated by the Investment Strategy Statement (ISS), and is consequently exposed to credit and liquidity risk, as well as market risk including foreign exchange and interest rate risks.

The Fund's primary long-term risk is that the Fund's assets will fall short of its liabilities and will be unable to pay the promised benefits to members. The aim of investment risk management is to minimise the risk of an overall reduction in the value of the Fund and to maximise the opportunity for gains across the whole fund portfolio. The Fund achieves this through asset diversification to reduce exposure to market risk and credit risk to an acceptable level. In addition, the fund manages monitor its liquidity risk to ensure there is sufficient liquidity to meet the Fund's forecast cash flows.

The management of risk is a key objective of the Pension Fund. A policy of diversification of its asset classes and investment managers helps the Pension Fund to lower risk arising from financial instruments. Benchmarks for asset allocation and targets against which investment managers are expected to perform are further measures which are put in place in order to manage risk.

Market risk is the risk that the fair value or future cash flows of an institution will fluctuate because of a change in market price.

In order to manage risk, the Fund invests in a diversified pool of assets, split between a number of managers with different performance targets and investment strategies. In order to mitigate risk, the Fund regularly reviews the pension fund investment strategy together with regular monitoring of asset allocation and investment performance.

Interest rate risk is the risk to which the Pension Fund is exposed to fluctuations in interest rates and mainly relates to changes in bonds.

To mitigate the risk and diversify, the Fund holds three fixed income sub funds managed by WPP.

Interest Rates can vary and can affect both income to the fund and the value of the net assets available to pay benefits. The analysis below shows the effect of a 100 basis point (1%) movement in interest rates on the net assets available to pay benefits:

Asset Type	Carrying Amount as at 31/03/22	Change to the net assets available to pay benefits	
		+ 100bps	- 100bps
	£000	£000	£000
Cash and cash equivalents	72,253	723	(723)
Total	72,253	723	(723)

Asset Type	Carrying Amount as at 31/03/21	Change to the net assets available to pay benefits	
		+ 100bps	- 100bps
	£000	£000	£000
Cash and cash equivalents	45,502	455	(455)
Total	45,502	455	(455)

Currency risk is the risk to which the Pension Fund is exposed to fluctuations in foreign currency exchange rates. Fund managers will also take account of currency risk in their investment decisions.

Following analysis of historical data and consulted with independent investment advisors Pensions and Investments Research Consultants Ltd (PIRC), the fund's aggregate currency change has been calculated as 7.30%. An 7.30% strengthening/weakening of the pound against the various currencies in which the fund holds investments would increase/decrease the net assets available to pay benefits as follows:

Currency exposure – asset type	Asset Value as at 31/03/22	Change to net assets available to pay benefits	
		+ 7.30%	- 7.30%
	£000	£000	£000
Overseas pooled funds	1,473,070	107,534	(107,534)
Overseas pooled property	65,292	4,766	(4,766)
Total change in assets available	1,538,362	112,300	(112,300)

Currency exposure – asset type	Asset Value as at 31/03/21	Change to net assets available to pay benefits	
		+ 8.36%	- 8.36%
	£000	£000	£000
Overseas quoted equities	238,648	19,951	(19,951)
Overseas pooled funds	758,524	63,413	(63,413)
Overseas pooled property	56,155	4,695	(4,695)
Total change in assets available	1,053,327	88,059	(88,059)

Price risk is the risk of losses associated with the movement in prices of the underlying assets. By diversifying investments across asset classes and managers, the Pension Fund aims to reduce the exposure to price risk. Diversification of asset classes seeks to reduce correlation of price movements, whilst employing specialist managers enables the Fund to benefit from investment expertise.

Potential price changes are determined based on the observed historical volatility of asset class returns. The potential volatilities are consistent with movement in the change in value of assets over the last three years, applied to the period end asset mix. The total volatility shown below for total assets incorporates the impact of correlation across currencies, which dampens volatility, therefore the value on increase and value on decrease figures for the currencies will not sum to the total figure.

Asset type	Value at 31/03/22	Percentage change	Value on increase	Value on Decrease
	£000	%	£000	£000
UK Equities	232,958	18.30	275,589	190,327
Overseas Equities	2,082,973	14.90	2,393,336	1,772,610
Fixed Interest (Bonds)	0	4.90	0	0
Cash and Cash Equivalents	72,253	1.30	73,192	71,314
Private Equity	103,327	10.80	114,486	92,168
Property	201,606	4.90	211,485	191,727
Total Assets	2,693,117		3,068,088	2,318,146

Asset type	Value at 31/03/21	Percentage change	Value on increase	Value on Decrease
	£000	%	£000	£000
UK Equities	577,410	18.86	686,310	468,510
Overseas Equities	1,629,935	14.05	1,858,941	1,400,929
Fixed Interest (Bonds)	0	4.59	0	0
Cash and Cash Equivalents	45,502	0.20	45,593	45,411
Private Equity	90,669	9.35	99,147	82,191
Property	166,559	4.16	173,488	159,630
Total Assets	2,510,075		2,863,479	2,156,671

Credit risk is the risk that a counterparty to a financial instrument will fail to discharge an obligation and cause the fund to incur a financial loss. The Fund reviews its exposure to credit and counterparty risk through its external investment managers. The Fund is also exposed to credit risk through its securities lending programme run by the Fund's custodian, Northern Trust who manages and monitors the counterparty risk, collateral risk and the overall lending programme.

The Pension Fund's bank account is held with NatWest. Surplus cash is not invested with NatWest but is placed with a selection of AAA Money Market institutions. The Fund's internally managed cash holding under its treasury management arrangements is held with the following institutions:

	Fitch Rating	31/03/21	31/03/22
		£000	£000
Money market funds			
Aberdeen Standard Liquidity - Sterling Fund	AAA	18,800	20,350
Blackrock ICS Sterling Liquidity Fund	AAA	18,120	22,830
Deutsche Global Liquidity - Sterling Fund	AAA	0	21,840
Bank current account			
NatWest	A	(40)	2,144
Total		36,880	67,164

The Pension Fund has experienced no defaults from fund managers, brokers or bank accounts over the past ten years, therefore no expected credit loss provision is required.

Liquidity risk represents the possibility that the Fund may not have resources available to meet its financial obligations. The current position of the Fund is that it is cash positive, which reflects the fact that contributions into the Fund exceed benefits being paid out. The Fund's cash is kept in a separate bank account and the cash position is monitored on a daily basis. Surplus funds are deposited in money market funds on a short term basis. At an investment level, the Funds' investments are substantially made up of listed securities which are considered readily realisable.

16. Actuarial Present Value of Promised Retirement Benefits

CIPFA's Code of Practice requires the disclosure of the actuarial present value of promised retirement benefits calculated on an IAS 19 basis, as set out in IAS 26.

Therefore, in addition to the triennial funding valuation, the Fund's actuary undertakes a valuation of the pension fund liabilities on an IAS 19 basis at the same date. The IAS 19 valuation is carried out using updated actuarial assumptions from those used for setting fund contribution rates and the Fund accounts do not take account of liabilities to pay pensions and other benefits in the future.

The most recent actuarial valuation based on IAS 19 is shown below:

31/03/2016		31/03/2019
£000		£000
2,274	Actuarial Present Value of Promised Retirement Benefits	3,168

The estimated future Pension Fund liabilities will also be subject to the consideration of the McCloud judgement and GMP equalisation. The impact was considered by the actuary within the triennial valuation, which took place in 2019/20. The actuary confirmed that no further adjustments were made to the valuation at this stage and any further adjustments will be made at the next triennial valuation (see Actuarial Statement on pages 3-6 of this document).

17. Additional Voluntary Contributions (AVC)

Scheme members may elect to make additional voluntary contributions to enhance their pension benefits. Contributions are made directly from scheme members to the AVC provider and are therefore not represented in these accounts in accordance with section 4(2)b of the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009 (SI 2009/3093). However, as the administering authority, we oversee the following AVC arrangements:

2020/21		2021/22
£000		£000
303	AVC paid in by members during the year	643
4,670	Market Value of separately invested AVC's	6,003

18. Contractual Commitments

As of 31 March 2022 the Fund had outstanding private equity commitments of a maximum of £78.086 million (£38.683 million at 31 March 2021). The increase in 2021/22 is due to investment in four new funds with outstanding commitments at 31st March 2022 of £46.592 million.

19. Securities Lending

At the year end the value of quoted equities on loan was £94.992 million (£37.355 million at March 2021). The increase is due to transfers within 2021/22 to WPP. For the year ending 31 March 2022, the Fund received income of £203,000 from the lending of stock (£65,000 in 2020/21).

20. Provisions and Contingent Liabilities

A number of death grants have been identified where the Fund has been unable to trace the next of kin meaning no payment has been made to date. In all of the outstanding cases, there has been difficulty in making contact, meaning that the payments are not likely to be settled within the next financial year.

Due to the uncertainty surrounding the timing of these payments and final amounts payable, a provision for £1.115 million has been included in the accounts (£1.054 million in 2020/21), which consists of £217,000 short term (£320,000 in 2020/21), £742,000 long term and £156,000 of estimated interest (£591,000 long term and £143,000 of estimated interest in 2020/21).

The Guaranteed Minimum Pension (GMP) reconciliation is the process used to ensure the scheme records agree with those of the National Insurance Contribution Office (NICO, part of HMRC). This enables a scheme to consider its data as clean and entirely reliable.

GMP rectification involves calculating and correcting data (and for pensioners, benefits in payment) for those members where the GMP reconciliation process resulted in a change in the GMP held by the scheme administrator. The GMP reconciliation is currently being progressed and Cardiff and Vale of Glamorgan Pension Fund have appointed Mercer to carry out this exercise, we are therefore unable to provide a reliable estimate of the liability at present.

21. Related Party Transactions

Cardiff Council is the administering authority for Cardiff & Vale of Glamorgan Pension Fund. The Pensions Committee includes members of the Council. At 31 March 2022 there were two members of the Pension Fund Committee that were active members of the Pension Fund. Each member of the pension fund committee is required to declare their interests at each meeting. No other declarations were made during the year.

Examples of related party transactions with the Council are:

- The Council is the largest employer of members of the pension fund. All monies owing to and due from the fund are generally paid in year with the following balances outstanding at year end
 - Intercompany cash balance £1.928 million owed to Cardiff and Vale of Glamorgan Pension Fund included in Note 12 Internal/custodian cash (2020/21 £0.239 million owed to Cardiff Council)

- Pension strain of £2.331 million included in the Fund Account - Other Income (2020/21 £3.521 million)
- Cash invested internally by the Council (for working capital purposes) – see Note 13 Summary of manager’s portfolio values – Internally managed (Cash) £67.164 million (2020/21 £68.884 million), earning interest of £19,737 (2020/21 £47,698)
- Administration expenses charged to the Fund by the Council are included in Note 10 Management Expenses. During the reporting period, the council incurred costs of £0.95 million (2020/21 £0.61 million) in relation to the administration and management of the fund and was reimbursed by the fund for these expenses.
- Paragraph 3.9.4.4 of the Code of Practice exempts Local Authorities from the key management personnel disclosure requirements of IAS24 on the basis that requirements for officer remuneration and members’ allowances are detailed in section 3.4 of the Code. Total remuneration for Chris Lee Corporate Director of Resources can be found in the Cardiff Council Statement of Accounts Remuneration Note.
- The Cardiff and Vale of Glamorgan Pension Fund have invested £1,700 million in funds within WPP. 2021/22 saw the WPP complete the process to welcome a non-voting Scheme Member Representative onto its Joint Governance Committee. The Cabinet Member for Finance, Modernisation & Performance represents the Cardiff and Vale of Glamorgan Pension Fund on the WPP Joint Governance Committee by virtue of being Chair of the Cardiff and Vale of Glamorgan Pension Committee.

In addition to the related parties, the Pensions Board provide advisory support to the Pensions Committee. Three members of the Pension Fund Committee are also members of the advisory Investment Panel alongside two independent advisors who are not members of the Cardiff and Vale of Glamorgan Pension Fund or receiving pensions benefits from it. The Pensions Board includes representatives from participating employers and employees including two officers from Cardiff Council. Five members of the Pension Fund Board are active members of the Pension Fund. One of the active members on the Pension Fund Board was also in receipt of pension fund benefits from the Cardiff and Vale of Glamorgan Pension Fund.

22. Contributing Employers

The active contributing employers as at 31 March 2022, highlighting changes since 31 March 2021 are detailed below:

Administering Body	
Cardiff Council	
Scheduled Bodies	
Councils	Town and Community Councils
Vale of Glamorgan Council	Barry Town Council
Education Bodies	Cowbridge Town Council
Cardiff And Vale College	Lisvane Community Council
Cardiff Metropolitan University	Llantwit Major Council
St David's Sixth Form College	Penarth Town Council
Stanwell Comprehensive	Penllyn Community Council
Other Scheduled Bodies	Pentyrch Community Council
Cardiff Bus	Radyr & Morganstown Community Council
	St Fagans Community Council**
	Wenvoe Community Council
Admitted Bodies	
A and R Cleaning Greenway*	Eisteddfod Genedlaethol Cymru
A and R Cleaning Lansdowne	Glen Cleaning (Barry Comprehensive)
A and R Cleaning Trowbridge*	Glen Cleaning (Eastern High)
A and R Cleaning Whitchurch	Glen Cleaning (Llandough)
Adult Learning Wales	Greenwich Leisure Limited (GLL)
Big Fresh Cleaning	Grangetown Primary Cleaning (APP)
Cardiff Business Technology Centre	Mirus Wales
Cardiff University	National Trust (Dyffryn)
Careers Wales (Cardiff And Vale)	New Theatre**
Children In Wales	One Voice Wales
Circle IT (Cowbridge Comprehensive)	Play Wales
Circle IT (Eastern High)	Sports Council for Wales
Colegau Cymru - Colleges Wales	St Teilo's Cleaning (APP)
Design Commission For Wales	Wales Council For Voluntary Action
Ecommercial**	

* Employers contributing to the Fund in 2020/21 that were not contributing to the Fund in 2021/22.

** Employers contributing to the Fund in 2021/22 that were not contributing to the Fund in 2020/21

23. Events after the Reporting Period

There are no events after the reporting period to report.

24. Date of Authorisation of the Accounts for Issue

This Statement of Accounts was authorised for issue on 24th November 2022 by the Corporate Director Resources. Post balance sheet events have been considered up to this date.

Glossary

Knowledge of basic accountancy terminology is assumed. However, there are certain specialist terms related to local government finance, pensions and investments, which are described below:

Accruals Basis

The accruals principle is that income is recorded when it is earned rather than when it is received, and expenses are recorded when goods or services are received rather than when the payment is made.

Active / Passive Management

Active management is the traditional form of investment management involving a series of individual investment decisions that seek to maximise returns by exploiting price inefficiencies i.e. 'beat the market'. Passive management is a low cost alternative where managers normally hold stocks in line with a published index, such as the FTSE All-Share, not seeking to outperform but to keep pace with the index being tracked.

Actuary

An independent consultant who advises on the long-term viability of the Fund. Every three years the Fund actuaries review the assets and liabilities of the Fund and report to the Council on the financial position and recommended employer contribution rates. This is known as the actuarial valuation.

Actuarial Gains and Losses

For a defined benefit pensions scheme, the changes in actuarial deficits or surpluses that arise because events have not coincided with the actuarial assumptions made for the last valuation, or the actuarial assumptions have changed.

Active Member

Current employee who is contributing to a pension scheme.

Admitted Body

An organisation, whose staff can become members of the Fund by virtue of an admission agreement made between the Council and the organisation. It enables contractors who take on the Council's services with employees transferring, to offer those staff continued membership of the Fund.

Asset Allocation

Apportionment of investment funds among categories of assets, such as Bonds, Equities, Cash, Property, Derivatives, and Private Equity. Asset allocation affects both risk and return.

Benchmark

A measure against which the investment policy or performance of an investment manager can be compared.

Bonds

Investments, mainly in government stocks, which guarantee a fixed rate of interest. The securities represent loans which are repayable at a future date but which can be traded on a recognised stock exchange in the meantime.

Cash and Cash Equivalents

Sums of money available for immediate use and deposits with financial institutions repayable without penalty on notice of not more than 24 hours.

Chartered Institute of Public Finance & Accountancy (CIPFA)

CIPFA is the leading professional accountancy body which determines accounting standards and reporting standards to be followed by Local Government.

Contingent Liabilities or Assets

These are amounts potentially due to or from individuals or organisations which may arise in the future but which at this time cannot be determined accurately, and for which provision has not been made in the Council's accounts.

Creditors

Amounts owed by the Council for work done, goods received or services rendered, for which payment has not been made at the date of the balance sheet.

Custodian

Bank or other financial institution that keeps custody of stock certificates and other assets of a client, collects dividends and tax refunds due, and settles any purchases and sales.

Debtors

These are sums of money due to the Council that have not been received at the date of the Balance Sheet.

Deferred Pensioner

A member who has stopped paying into the scheme but is not yet retired.

Defined Benefit Scheme (Pensions)

This is a pension or other retirement benefit scheme other than a defined contribution scheme. Usually, the scheme rules define the benefits independently of the contributions payable and the benefits are not directly related to the investments of the scheme. The scheme may be funded or unfunded (including notionally funded).

Defined Contribution Scheme (Pensions)

A Defined Contribution Scheme is a pension or other retirement benefit scheme into which an employer pays regular contributions as an amount or as a percentage of pay and will have no legal or constructive obligation to pay further contributions if the scheme does not have sufficient assets to pay all employee benefits relating to employee service in the current and prior periods.

Derivative

A derivative instrument is a contract whose value is based on the performance of an underlying financial asset, index, or other investment.

Emerging Markets

Relatively new and immature stock markets for equities or bonds. Settlement and liquidity can be less reliable than in the more established 'developed' markets, and they tend to be more volatile.

Employer Contribution Rates

The percentage of the salary of employees that employers pay as a contribution towards the employees' pension.

Equities

Ordinary shares in UK and overseas companies traded on a recognised stock exchange. Shareholders have an interest in the profits of the company and may normally vote at shareholders' meetings.

Fair Value

Fair Value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.

Financial Assets

Financial assets are cash, equity instruments within another entity (e.g. shares) or a contractual right to receive cash or another asset from another entity (e.g. debtors) or exchange financial assets or financial liabilities under potentially favourable conditions (e.g. derivatives).

Financial Instruments

A financial instrument is any contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another. The term 'financial instrument' covers both financial assets and financial liabilities and includes both the most straightforward financial assets and liabilities such as trade receivables and trade payables and the most complex ones such as derivatives and embedded derivatives.

Financial Liabilities

Financial liabilities are contractual obligations to deliver cash or another financial asset (e.g. creditors) or exchange financial assets or financial liabilities under potentially unfavourable conditions (e.g. derivatives).

Fixed Interest Securities/Bonds

Investments, especially in government stocks, with a guaranteed rate of interest. Conventional bonds have fixed rates, whilst Index Linked vary with inflation. They represent loans repayable at a stated future date, and which can be traded on a stock exchange in the meantime.

Fund Manager

A fund that handles investments on behalf of the pension fund according to an agreed investment mandate.

Fund of Funds

A pooled fund that invests in other pooled funds. They are able to move money between the best funds in the industry, and thereby aim to lower stakeholder risk with greater diversification than is offered by a single fund.

Impairment

A reduction in the value of assets below its value brought forward in the Balance Sheet. Examples of factors which may cause such a reduction in value include general price decreases, a significant decline in an asset's market value.

Index

A calculation of the average price of shares, bonds, or other assets in a specified market to provide an indication of the average performance and general trends in the market.

ISS

The Investment Strategy Statement which each LGPS fund is required to prepare and keep under review.

Liabilities

These are amounts due to individuals or organisations which will have to be paid at some time in the future. Current liabilities are usually payable within one year of the Balance Sheet date.

LGPS

The Local Government Pension Scheme, governed by regulations issued by the Department for Communities and Local Government.

Materiality

Information is material if omitting it or misstating it could influence the decisions that users make on the basis of financial information about a specific reporting authority.

Pension Fund

A fund built up from deductions from employees' pay, contributions from employers and investment income from which pension benefits are paid.

Pensioner

A scheme member who received a pension from the Fund.

Pooled Funds

Pooled investment vehicles issue units to a range of investors. Unit's prices move in response to changes in the value of the underlying portfolio, and investors do not own directly the assets in the fund. The main types are: unit trusts, open-ended investment companies (OEICs), insurance linked vehicles and investment trusts.

Portfolio

A collective term for all the investments held in a fund, market or sector. A segregated portfolio is a portfolio of investments of a specific type held directly in the name of the investor e.g. Global Bonds, or a specific market e.g. UK Equities, Far East Equities.

Prior Period Adjustments

These are material adjustments which are applicable to an earlier period arising from changes in accounting policies or for the correction of fundamental errors.

Private Equity

Investments made by specialist managers in all types of unlisted companies rather than through publicly tradable shares.

Provisions

Amounts set aside in respect of liabilities or losses which are likely or certain to be incurred, but in relation to which the exact amount and date of settlement may be uncertain.

Related Parties

Related parties are Central Government, other local authorities, precepting and levying bodies, subsidiary and associated companies, Elected Members, all senior officers from Director and above. For individuals identified as related parties, the following are also presumed to be related parties:

- members of the close family, or the same household; and
- partnerships, companies, trusts or other entities in which the individual, or member of their close family or the same household, has a controlling interest.

Return

The total gain from holding an investment, including both income and any increase or decrease in market value. Returns over periods longer than a year are usually expressed as an average annual return.

Scheme Employers

Local authorities and bodies specified in the LGPS Regulations, whose employees are entitled automatically to be members of the Fund, and Admission Bodies including voluntary, charitable and similar bodies, carrying out work of a public nature, whose staff can become members of the Fund by virtue of an admission agreement with the Council.

Scheduled Body

An organisation that has the right to become a member the Local Government Pension Scheme under the scheme regulations. Such an organisation does not need to be admitted, as its right to membership is automatic.

Unit Trust

A collective investment fund that is priced, bought and sold in units that represent a mixture of the securities underlying the fund.

Unrealised Gains / Losses

The increase or decrease in the market value of investments held by the fund since the date of their purchase. Note: values throughout these accounts are presented rounded to whole numbers.

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Audit of Accounts Report – Cardiff and Vale of Glamorgan Pension Fund

Audit year: 2021-22

Date issued: November 2022

Document reference: 3239A2022

This document has been prepared as part of work performed in accordance with statutory functions.

In the event of receiving a request for information to which this document may be relevant, attention is drawn to the Code of Practice issued under section 45 of the Freedom of Information Act 2000. The section 45 code sets out the practice in the handling of requests that is expected of public authorities, including consultation with relevant third parties. In relation to this document, the Auditor General for Wales and the Wales Audit Office are relevant third parties. Any enquiries regarding disclosure or re-use of this document should be sent to the Wales Audit Office at infoofficer@audit.wales.

We welcome correspondence and telephone calls in Welsh and English. Corresponding in Welsh will not lead to delay. Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg a Saesneg. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

Contents

We intend to issue an unqualified audit report on your Accounts. There are some issues to report to you prior to their approval.

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Audit of Accounts Report

Introduction

- 1 We summarise the main findings from our audit of your 2021-22 accounts in this report.
- 2 We have already discussed these issues with the Group Accountant.
- 3 Auditors can never give complete assurance that accounts are correctly stated. Instead, we work to a level of 'materiality'. This level of materiality is set to try to identify and correct misstatements that might otherwise cause a user of the accounts into being misled.
- 4 We set this level at £27 million for this year's audit. There are some areas of the accounts that may be of more importance to the reader and we have set a lower materiality level for these, for example related party transactions and senior officer remuneration.
- 5 At the date of this report, our audit is substantially complete, subject to completion of the following:
 - checking all audit amendments agreed have been correctly reflected in the final draft;
 - director and manager review of audit files and clearance of any review points;
 - receipt and review of the of the signed Letter of Representation;
 - completing final checks on the signed financial statements after the Council have agreed them; and
 - a review of events after the reporting period up to signing date.
- 6 In our professional view, we have complied with the ethical standards that apply to our work; remain independent of yourselves; and, our objectivity has not been compromised in any way. There are no relationships between ourselves and yourselves that we believe could undermine our objectivity and independence.

Proposed audit opinion

- 7 We intend to issue an unqualified audit opinion on this year's accounts once you have provided us with a Letter of Representation based on that set out in **Appendix 1**.
- 8 We issue a 'qualified' audit opinion where we have material concerns about some aspects of your accounts; otherwise we issue an unqualified opinion.
- 9 The Letter of Representation contains certain confirmations we are required to obtain from you under auditing standards along with confirmation of other specific information you have provided to us during our audit.
- 10 Our proposed audit report is set out in **Appendix 2**.

Significant issues arising from the audit

Uncorrected misstatements

11 There are no misstatements identified in the accounts which remain uncorrected.

Corrected misstatements

12 There were initially misstatements in the accounts that have now been corrected by management. We believe that these should be drawn to your attention and they are set out with explanations in **Appendix 3**.

Other significant issues arising from the audit

13 In the course of the audit, we consider a number of matters relating to the accounts and report any significant issues arising to you. There are no issues arising to report to you.

Recommendations

14 Once we have concluded the audit, we will include any recommendations arising from our audit in a Management Letter to be presented to those charged with management.

Appendix 1

Final Letter of Representation

[Audited body's letterhead]

Auditor General for Wales
Wales Audit Office
24 Cathedral Road
Cardiff
CF11 9LJ

[Date]

Representations regarding the 2021-22 financial statements

This letter is provided in connection with your audit of the financial statements (including that part of the Remuneration Report that is subject to audit) of Cardiff and Vale of Glamorgan Pension Fund for the year ended 31 March 2022 for the purpose of expressing an opinion on their truth and fairness and their proper preparation.

We confirm that to the best of our knowledge and belief, having made enquiries as we consider sufficient, we can make the following representations to you.

Management representations

Responsibilities

We have fulfilled our responsibilities for:

- The preparation of the financial statements in accordance with legislative requirements and CIPFA Code of Practice on Local Authority Accounting; in particular the financial statements give a true and fair view in accordance therewith.
- The design, implementation, maintenance and review of internal control to prevent and detect fraud and error.

Information provided

We have provided you with:

- Full access to:
 - all information of which we are aware that is relevant to the preparation of the financial statements such as books of account and supporting documentation, minutes of meetings and other matters;

- additional information that you have requested from us for the purpose of the audit; and
- unrestricted access to staff from whom you determined it necessary to obtain audit evidence.
- The results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
- Our knowledge of fraud or suspected fraud that we are aware of and that affects Cardiff and Vale of Glamorgan Pension Fund and involves:
 - management;
 - employees who have significant roles in internal control; or
 - others where the fraud could have a material effect on the financial statements.
- Our knowledge of any allegations of fraud, or suspected fraud, affecting the financial statements communicated by employees, former employees, regulators or others.
- Our knowledge of all known instances of non-compliance or suspected non-compliance with laws and regulations whose effects should be considered when preparing the financial statements.
- The identity of all related parties and all the related party relationships and transactions of which we are aware.

Financial statement representations

All transactions, assets and liabilities have been recorded in the accounting records and are reflected in the financial statements.

The methods, the data and the significant assumptions used in making accounting estimates, and their related disclosures are appropriate to achieve recognition, measurement or disclosure that is reasonable in the context of the applicable financial reporting framework.

Related party relationships and transactions have been appropriately accounted for and disclosed.

All events occurring subsequent to the reporting date which require adjustment or disclosure have been adjusted for or disclosed.

All known actual or possible litigation and claims whose effects should be considered when preparing the financial statements have been disclosed to the auditor and accounted for and disclosed in accordance with the applicable financial reporting framework.

The financial statements are free of material misstatements, including omissions.

Representations by those charged with governance

We acknowledge that the representations made by management, above, have been discussed with us.

We acknowledge our responsibility for the preparation of true and fair financial statements in accordance with the applicable financial reporting framework. The financial statements were approved by full Council on XX November 2022.

We confirm that we have taken all the steps that we ought to have taken in order to make ourselves aware of any relevant audit information and to establish that it has been communicated to you. We confirm that, as far as we are aware, there is no relevant audit information of which you are unaware.

Signed by:

[Officer who signs on behalf of management]

Date:

Signed by:

[Officer or Member who signs on behalf of those charged with governance]

Date:

Appendix 2

Proposed Audit Report

The independent auditor's report of the Auditor General for Wales to the members of County Council of the City and County of Cardiff as administering authority for Cardiff & Vale of Glamorgan Pension Fund

Opinion on financial statements

I have audited the financial statements of Cardiff & Vale of Glamorgan Pension Fund for the year ended 31 March 2022 under the Public Audit (Wales) Act 2004. Cardiff & Vale of Glamorgan Pension Fund's financial statements comprise the fund account, the net assets statement and the related notes, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and international accounting standards as interpreted and adapted by the Code of Practice on Local Authority Accounting in the United Kingdom 2021-22.

In my opinion the financial statements:

- give a true and fair view of the financial transactions of the pension fund during the year ended 31 March 2022, and of the amount and disposition at that date of its assets and liabilities;
- have been properly prepared in accordance with legislative requirements and UK adopted accounting standards as interpreted and adapted by the Code of Practice on Local Authority Accounting in the United Kingdom 2021-22.

Basis of opinion

I conducted my audit in accordance with applicable law and International Standards on Auditing in the UK (ISAs (UK)) and Practice Note 10 'Audit of Financial Statements of Public Sector Entities in the United Kingdom'. My responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of my report. I am independent of the pension fund in accordance with the ethical requirements that are relevant to my audit of the financial statements in the UK including the Financial Reporting Council's Ethical Standard, and I have fulfilled my other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Conclusions relating to going concern

In auditing the financial statements, I have concluded that the use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work I have performed, I have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the pension fund's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from when the financial statements are authorised for issue.

My responsibilities and the responsibilities of the responsible financial officer with respect to going concern are described in the relevant sections of this report.

Other information

The other information comprises the information included in the Narrative Report other than the financial statements and my auditor's report thereon. The Responsible Financial Officer is responsible for the other information contained within the Narrative report. My opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in my report, I do not express any form of assurance conclusion thereon.

My responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or knowledge obtained in the course of the audit, or otherwise appears to be materially misstated. If I identify such material inconsistencies or apparent material misstatements, I am required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

I have nothing to report in this regard.

Report on other requirements

Opinion on other matters

In my opinion, based on the work undertaken in the course of my audit:

- the information contained in the Narrative Report for the financial year for which the financial statements are prepared is consistent with the financial statements and has been prepared in accordance with the Local Government Pension Scheme Regulations 2013.

Matters on which I report by exception

In the light of the knowledge and understanding of the pension fund and its environment obtained in the course of the audit, I have not identified material misstatements in the Narrative Report.

I have nothing to report in respect of the following matters, which I report to you, if, in my opinion:

- adequate accounting records have not been kept, or returns adequate for my audit have not been received from branches not visited by my team;
- the financial statements are not in agreement with the accounting records and returns; or
- I have not received all the information and explanations I require for my audit.

Responsibilities

Responsibilities of the responsible financial officer for the financial statements

As explained more fully in the Statement of Responsibilities for the financial statements set out on [page X](#), the responsible financial officer is responsible for the preparation of the financial statements, which give a true and fair view, and for such internal control as the responsible financial officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the responsible financial officer is responsible for assessing the pension fund's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless deemed inappropriate.

Auditor's responsibilities for the audit of the financial statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

Irregularities, including fraud, are instances of non-compliance with laws and regulations. I design procedures in line with my responsibilities, outlined above, to detect material misstatements in respect of irregularities, including fraud.

My procedures included the following:

- Enquiring of management and those charged with governance, including obtaining and reviewing supporting documentation relating to Cardiff & Vale of Glamorgan Pension Fund's policies and procedures concerned with:
 - identifying, evaluating and complying with laws and regulations and whether they were aware of any instances of non-compliance;
 - detecting and responding to the risks of fraud and whether they have knowledge of any actual, suspected or alleged fraud; and
 - the internal controls established to mitigate risks related to fraud or non-compliance with laws and regulations.
- Considering as an audit team how and where fraud might occur in the financial statements and any potential indicators of fraud.
- Obtaining an understanding of Cardiff & Vale of Glamorgan Pension Fund's framework of authority as well as other legal and regulatory frameworks that Cardiff & Vale of Glamorgan Pension Fund operates in, focusing on those laws and regulations that had a direct effect on the financial statements or that had a fundamental effect on the operations of Cardiff & Vale of Glamorgan Pension Fund.

In addition to the above, my procedures to respond to identified risks included the following:

- reviewing the financial statement disclosures and testing to supporting documentation to assess compliance with relevant laws and regulations discussed above;
- enquiring of management and the Governance and Audit Committee about actual and potential litigation and claims;
- reading minutes of meetings of those charged with governance and the administering authority; and
- in addressing the risk of fraud through management override of controls, testing the appropriateness of journal entries and other adjustments; assessing whether the judgements made in making accounting estimates are indicative of a potential bias; and evaluating the business rationale of any significant transactions that are unusual or outside the normal course of business.

I also communicated relevant identified laws and regulations and potential fraud risks to all audit team and remained alert to any indications of fraud or non-compliance with laws and regulations throughout the audit.

The extent to which my procedures are capable of detecting irregularities, including fraud, is affected by the inherent difficulty in detecting irregularities, the effectiveness of the

Cardiff & Vale of Glamorgan Pension Fund's controls, and the nature, timing and extent of the audit procedures performed.

A further description of the auditor's responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website www.frc.org.uk/auditorsresponsibilities. This description forms part of my auditor's report.

Certificate of completion of audit

I certify that I have completed the audit of the accounts of Cardiff & Vale of Glamorgan Pension Fund in accordance with the requirements of the Public Audit (Wales) Act 2004 and the Auditor General for Wales' Code of Audit Practice.

Adrian Crompton
Auditor General for Wales
[Date]

24 Cathedral Road
Cardiff
CF11 9LJ

Appendix 3

Summary of Corrections Made

During our audit we identified the following misstatements that have been corrected by management, but which we consider should be drawn to your attention due to their relevance to your responsibilities over the financial reporting process.

Exhibit 1: summary of corrections made

Value of correction	Nature of correction	Reason for correction
N/A	Note 7 Membership 3,915 members removed from the deferred pensioners line and referred instead in the footnote, ie as members who are pending categorisation.	To ensure the correct classification of members.
£86m	Note 12a Reconciliation in movement in investments A pooled fund sale had not been correctly classified. It was classified as a change in Market Value rather than as Sales.	To ensure the in-year movements in investments are accurately disclosed.
£1.814m (disclosure note only)	Note 18 Contractual Commitments Adjustment to the value of the commitments disclosed.	To ensure the completeness and accuracy of the contractual commitments note.
N/A	Note 20 Provisions and Contingent Liabilities The Guaranteed Minimum Pension (GMP) rectification added as a contingent liability.	To ensure the completeness of the contingent liabilities disclosed.

Various minor corrections.

There were a number of narrative, transposition, disclosure and cross-reference amendments required to the accounts. These corrections have not been identified separately within this table as they are not regarded as material to the financial statements.

To ensure completeness, clarity, accuracy and consistency throughout the financial statements.



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We welcome correspondence and telephone calls in Welsh and English.
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg a Saesneg.

**CARDIFF COUNCIL
CYNGOR CAERDYDD**



COUNCIL:

24 NOVEMBER 2022

**REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL
SERVICES AND MONITORING OFFICER**

CONSTITUTION AMENDMENTS

Reason for this Report

1. To seek the approval of Council to various constitution changes which have been recommended by the Constitution Committee, specifically in relation to:
 - (a) Cabinet Job Sharing;
 - (b) Governance and Audit Committee, Chair and Vice-Chair;
 - (c) Electronic signing and sealing of documents;
 - (d) Cardiff Bus Pension Scheme, delegated authority
 - (e) Strategic Estates delegations;
 - (f) Register of Members (Home addresses);
 - (g) All Party Council Groups, Officer support;
 - (h) Group Leaders rights to speak at Cabinet meetings; and
 - (i) The Community Councils Charter.

Background

2. 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).

3. The Monitoring Officer has delegated authority to make minor amendments to the Constitution, to include:
 - (a) amending typographical and minor drafting errors;
 - (b) updating to reflect legislative changes and matter of record; and
 - (c) drafting improvements to enhance clarity and remove minor anomalies

(Scheme of Delegations, Section 4E reference LD16A).

4. The Council is required to keep its Constitution up to date and fit for purpose, and the Constitution Committee has responsibility for considering any necessary amendments in line with its terms of reference, set out in paragraph 2 above.
5. At the Constitution Committee's last meeting, on 9th November 2022, the Committee considered reports setting out a number of potential changes to the Constitution ('Review of the Rules Relation to Council and Cabinet Meetings and the Constitution'; and 'Constitution Update'). The Committee decided to give further consideration to the rules governing full Council meetings; and agreed to recommend the changes set out in this report to full Council for approval.

Issues

Cabinet Job Sharing

6. Members will note that new statutory provisions (introduced under section 58 and Schedule 7 to the 2021 Act, with effect from 5th May 2022) enable two or more councillors to share an office on an executive, including the office of executive leader, referred to as 'Cabinet Job-Sharers'.
7. The new statutory provisions are reflected in the Constitution, Article 7 (The Cabinet) and the Cabinet Procedure Rules (in Part 4 of the Constitution), by virtue of amendments approved by full Council in March 2022, with effect from 5th May 2022.
8. The Council must have regard to any statutory guidance issued by the Welsh Government on this matter. However, at the time when the Council was last considering this matter, the Welsh Government had only made draft guidance available on an informal basis.
9. The Welsh Government has since formally issued draft guidance on job-sharing arrangements, within the draft Statutory Guidance: *Local Government Guidance for Principal Council Consultation document - (Final version), paragraphs 4.6 to 4.18 inclusive.
10. Whilst the draft Guidance is yet to be finalised, it is recommended that certain, mostly minor, amendments should be made to Article 7 and the Cabinet Procedure Rules to better reflect the draft Statutory Guidance; and also, to provide clear rules to deal with the scenario where one Cabinet Job Sharer may have a conflict of

interests, to clarify that the non-conflicted Job Sharer may cast their vote, but without having any preparatory discussions with their conflicted Job Sharing Partner (Cabinet Procedure Rules, new draft Rule 2.7(e)). The recommended amendments are shown in **Appendices A1 and A2**.

Governance and Audit Committee, Chair and Vice-Chair

11. Under the new statutory provisions of Chapter 2 of Part 6 of the Local Government and Elections (Wales) Act 2021, with effect from 5th May 2022:

- a) The Chair of the Governance and Audit Committee must be a lay person, ie. an independent member of the Committee; and
- b) The Deputy / Vice-Chair must not be a member of the Cabinet or an Assistant to the Cabinet.

12. Although the new legislation does not specifically require that the Deputy / Vice Chair must be an independent member, it is considered that this is best practice, as it can help to develop a potential future Chair. (Members may also wish to note that the Regulations governing Standards Committees require that both the Chairperson and Vice-Chairperson must be independent members of that Committee, and this is reflected in the Constitution, Article 9.2(f)). In line with best practice, the current Deputy / Vice Chair of the Governance and Audit Committee is an independent member.

13. The Constitution Committee noted that the Chair of Governance and Audit must be elected by the Committee and there is no automatic entitlement for the Deputy / Vice-Chair to become the Chair. However, the Committee agreed it would be best practice for the Deputy / Vice-Chair to be an independent member, and therefore to recommend the insertion of a rule in the Constitution to require this. At the same time, it was agreed that amendments should be made to reflect the statutory rule which requires the Chair to be an independent member; and for consistency, to reflect the same rule which is applicable to the Standards and Ethics Committee by amending Article 8.1 as shown in **Appendix B**.

Electronic Signing and Sealing of Documents;

14. In line with the Council's new hybrid working arrangements and general move towards digitalisation of processes to improve efficiency, the Council's Legal Services department has procured specialist software to enable the electronic signing and sealing of legal documents. The software is used by a number of other local authorities and private practice solicitors firms and incorporates appropriate security and authorisation requirements. Its reported benefits include increased efficiency, quicker execution, lower costs and a reduced carbon footprint.

15. In order to reflect the new arrangements being introduced for electronic signing and sealing of legal documents, the Committee agreed to recommend that express reference should be made within the Constitution, for the avoidance of any doubt. Recommended amendments to Article 13.4 (Authentication of documents); Article

13.5 (Common Seal of the Council); and the Contract Standing Orders and Procurement Rules, Rule 24.8 are set out in **Appendices C1 and C2**.

Cardiff Bus Pension Scheme – Delegated Authority

16. Members will be aware that Cardiff Bus is a private company limited by shares (Company Ref 02001229), constituted as a Public Transport company within the meaning of Section 72 of the Transport Act 1985, and is wholly owned by the Council.
17. Cardiff Bus is the Statutory and Principal employer in a defined benefit pension scheme. This means it is legally responsible under legislation to meet the funding objectives and to fund the liabilities of the Scheme (Statutory Employer) and is the “main” employer for the purposes of the Scheme rules, having certain decision making powers relating to the running of the Scheme (Principal Employer).
18. In October 2020, the Council approved certain interventions proposed to achieve the key principles of resolving immediate risks to the viability of the company and protecting the current and future entitlement of members of the Cardiff Bus Pension Scheme, including a delegation to the Corporate Director Resources in respect of discharging the responsibilities of the Statutory and Principal Employer under the Cardiff Bus Pension Scheme: Ag. Item 9 Cardiff Bus Cover Report.pdf (modern.gov.co.uk)
19. On the basis that the Corporate Director Resources has advised that this delegation is to be exercised on an ongoing and permanent basis, the Constitution Committee agreed to recommend that the Corporate Director’s delegation should be incorporated in Section 4E of the Scheme of Delegations in the Constitution, in the interests of clarity and transparency. The proposed new delegation is shown marked up in **Appendix D**.

Strategic Estates delegations

20. Officer delegations for property matters are set out in the Scheme of Delegations, Section 4F, and reflected in the Land Procedure Rules, Rule 2. The current delegations authorise the Director of Economic Development to acquire or dispose of interests in land, subject to various conditions designed to secure best value and compliance with the Land Procedure Rules, up to a threshold of £1 million. Any proposal which does not satisfy all of the conditions or exceeds £1 million requires Cabinet approval. Delegated authority is also granted to the Corporate Property and Estates Manager for transactions up to a threshold value of £100,000, again subject to compliance with various conditions designed to secure best value.
21. Following the restructure of the Council’s Strategic Estates service area, certain changes are recommended to update the officer delegations, reflect the new management structure, which now includes an Assistant Director for County Estates and a Head of Property (OM1), and ensure decision making is efficient and effective.

22. The proposed changes include:

- a) delegated authority for the Assistant Director to approve transactions up to a threshold of £500,000, subject to all the same conditions in relation to securing best value and compliance with the Land Procedure Rules; and
- b) assigning the delegations of the former Corporate Property and Estates Manager to the Head of Property, with an increase in the financial threshold from £100,000 to £250,000.

23. No substantive change is proposed to the delegated authority of the Director of Economic Development or the type of transactions which require Cabinet approval.

24. The Constitution Committee agreed to recommend amendments to the officer delegations in the Scheme of Delegations Section 4F (and corresponding amendments to the Land Procedure Rules, Rule 2) to reflect the changes set out in paragraph 22 above, as shown in **Appendices E1 and E2**.

Register of Members (Home addresses)

25. Under the statutory rules on public access to information, Councils have been required to maintain a public Register of Members, showing certain specified information including each Member's name, address and ward (Local Government Act 1972, section 100G and the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001, Regulation 12). (It should be noted that this is a separate register to the Members' Register of Interests, maintained under the Local Government Act 2000, section 81, for which the Ombudsman's guidance confirms that Members' home addresses are not required and that a street name or postcode is sufficient for describing a Members' home address.)

26. The Welsh Government has indicated that it considers the protection of Members addresses should be a priority for councils to support their members' well-being and promote diversity of membership (draft Statutory Guidance for Principal Councils, paragraph 2.31). It has therefore introduced legislation (the Local Authorities (Amendments Relating to Publication of Information) (Wales) Regulations 2022) to amend the public access to information rules by removing the requirement to make Members addresses within the register of Members available for public inspection.

27. The Constitution Committee noted that the Access to Information Procedure Rules, Rule 19, requires amendment to reflect the legislative changes referred to in paragraph 26 above, to make clear that Members' home addresses are now not to be open to public inspection. The recommended amendments are shown in **Appendix F**.

All Party Council Groups – Officer Support

28. The Council has agreed arrangements for All Party Council Groups (APCG), to provide opportunities for debate and promote specific issues within the Council's corporate and service priorities and increase opportunities for non-Executive Members to contribute towards policy development. A Protocol for All Party Council Groups, setting out the purpose, subject matter, powers and functions, membership and procedure for an All Party Council Group, was adopted by full Council in March 2018 and is incorporated within Part 5 of the Constitution.
29. Officer support for APCG meetings is limited due to resource constraints, and this is addressed within the Protocol, paragraph 5(vi) as follows:
- ‘Officer support for APCG meetings shall be limited, due to resource constraints, to booking rooms for meetings, and will not cover clerking or other administrative support (such as agenda planning or minute taking).’
30. The Constitution Committee considered a suggestion that the position regarding officer support should be clarified further in relation to questions raised by APCG members, and officers' attendance at APCG meetings. It was agreed that APCG members should use normal channels for raising enquiries, such as the members' enquiry system or by submitting policy related questions to the relevant Cabinet member; and that officers should not be required to attend APCG meetings.
31. The Committee also discussed the issue of membership of APCG's and agreed to clarify that membership should be restricted to Members of the Council, although other organisation representatives and individuals may attend APCG meetings as witnesses or speakers.
32. The recommended amendments are shown marked up in **Appendix G**.

Cabinet Meetings

33. The Committee noted the provision made for group leaders to speak at Cabinet meetings (set out in the Cabinet Procedure Rules, Rule 1.6(e)), and agreed to recommend an amendment to clarify that their speaking rights are on 'related policy matters', so ward issues are not to be raised, by amending Cabinet Procedure Rule 1.6(e) as follows:
- ‘A Councillor being the Leader of a political group in accordance with the Local Government (Committees and Political Groups) Regulations 1990 shall have the right (such right to be exercised reasonably and not so as to interfere with the proper conduct of business) to speak on a related policy matter at any meeting of the Cabinet or a committee of the Cabinet even though he/she is not a member of the Cabinet or Cabinet committee as the case may be. In the absence of the Leader of such political group the Councillor designated as the Leader's deputy may exercise this right. This right may not be exercised in the following cases:

(i) where the Councillor is required to declare an interest and withdraw from the meeting under the Members' Code of Conduct;

(ii) where the Cabinet or any committee of the Cabinet exercising a quasi judicial function have asked the members of the public and the parties to withdraw whilst they deliberate before reaching a decision;

(iii) where the Monitoring Officer or his/her representative advises that as a matter of law or to protect the Council's interest non-members of the Cabinet or the committee of the Cabinet (as the case may be) should withdraw;'

Community Councils Charter

34. The Committee noted that the Welsh Government draft Statutory Guidance for Principal Councils: Local Government Guidance for Principal Council Consultation document - (Final version), includes revised guidance on constitutions and a draft revised Constitution Direction setting out the prescribed contents of council constitutions (Guidance Annex 3).

35. The Committee was pleased to note that the Council's Constitution largely complies with the draft revised Guidance and Constitution Direction. However, it was noted that, within the list of matters which Councils should consider including in their constitution (draft Guidance, Annex 3 paragraph 1.11) there is reference to 'The working arrangements and relationship with community and town councils in the council's area'.

36. The Council has, in accordance with Welsh Government guidance, agreed 'A Shared Community: Charter between Cardiff Council and Community Councils in Cardiff', January 2019 (**Appendix H**), setting out how the councils would work together for the benefit of their communities. The Constitution Committee agreed to recommend that, in order to comply with the draft revised Guidance, the Community Councils Charter should be incorporated within the Constitution.

Legal Implications

37. The Local Government Act 2000 and the Local Authority Constitution (Wales) Direction 2002 requires the authority to keep its constitution up to date.

38. Minor legislative updates and drafting improvements may be approved by the Constitution Committee under its approved terms of reference or under the Monitoring Officer's delegated authority. All other substantive Constitution amendments require the approval of full Council.

39. Other relevant legal provisions are set out in the body of the report.

Financial Implications

40. There are no direct financial implications arising from the recommendations 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 recommended Constitution amendments set out in this report and its appendices, and ask the Monitoring Officer to update the Constitution accordingly.

Davina Fiore

Director Governance and Legal Services & Monitoring Officer

16 November 2022

Appendices

Appendix A1	Article 7, Cabinet, draft amendments
Appendix A2	Cabinet Procedure Rules, draft amendments
Appendix B	Article 8, Regulatory and Other Committees, draft amendments
Appendix C1	Article 13, draft amendments
Appendix C2	Contract Standing Orders and Procurement Rules, draft amendments
Appendix D	Scheme of Delegations, Section 4E, draft amendments
Appendix E1	Scheme of Delegations, Section 4F, draft amendments
Appendix E2	Land Procedure Rules, draft amendments
Appendix F	Access to Information Procedure Rules, draft amendments
Appendix G	Protocol for All Party Council Groups, draft amendments
Appendix H	Community Councils Charter, January 2019

Background papers

Constitution Committee reports, 'Review of the Rules Relation to Council and Cabinet Meetings and the Constitution'; and 'Constitution Update', 9th November 2022

Council report, 'Constitution Update', 17 March 2022

Welsh Government, Consultation on draft Statutory Guidance for Principal Councils, March 2022:
*Local Government Guidance for Principal Council Consultation document - (Final version)

Council report, 'Cardiff City Transport Services Limited (trading as Cardiff Bus)', 22 October 2020

Council report, 'Constitution Amendments', 22 March 2018

Cabinet report, 'Community Councils Charter', 13 December 2018

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PART 2 – ARTICLES OF THE CONSTITUTION

Article 7 – The Cabinet (Executive)

7.1 Role

The Cabinet will arrange for the discharge of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution.

7.2 Form and composition

Cabinet

- (a) Subject to paragraph (b) below, the Cabinet will consist of the Leader together with no more than nine other Councillors (the total number of members of the Cabinet may not exceed 10).
- (b) If two or more Councillors are elected to share office as Leader or are appointed to share the office of Cabinet member ('Cabinet Job Sharers'), the total number of members of the Cabinet may be increased to:
 - (i) 11 or 12, if at least 2 of the members have been elected or appointed to share office; or
 - (ii) 13, if at least 3 of the members have been elected or appointed to share office.
- (c) The Council elected the Leader
- (d) The Leader appoints the other members of the Cabinet.

7.3 Leader

- (i) The Leader will be a Councillor elected to the position of Leader by the Council. Two or more Councillors may be elected by the Council to share the office of Leader, if they mutually make an arrangement to stand for election as Leader on the basis of a job sharing arrangement.
- (ii) The Leader will hold office until:
 - (a) he/she resigns from the office; or
 - (b) he/she is suspended from being a Councillor or from being Leader or from being a member of the Cabinet under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or
 - (c) he/she is no longer a Councillor; or

- (d) he/she is removed from office by resolution of the Council; or
- (e) the day of the next regular election.

7.4 Other Cabinet Members

- (i) Cabinet members (other than the Leader) will be Councillors appointed by the Leader. Two or more Councillors may be appointed [by the Leader](#) to share the office of Cabinet member, [having regard to statutory guidance](#).
- (ii) There may be no co-optees and no deputies or substitutes for members of the Cabinet (other than the Leader). Neither the Lord Mayor nor Deputy-Lord Mayor may be appointed to the Cabinet, and Cabinet Members (including the Leader) may not be members of a Scrutiny Committee.
- (iii) A Councillor appointed as a Cabinet Member shall hold office until:
 - (a) he or she resigns from office; or
 - (b) he or she is suspended from being a councillor or from being a member of the Cabinet under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or
 - (c) he or she is no longer a councillor; or
 - (d) he/she is removed from office by resolution of the Council; or
 - (e) the day of the next regular election.

7.5 Assistants to the Cabinet

The Leader may appoint Councillors to act as Assistants to the Cabinet as he/she considers reasonably necessary and appropriate. Neither the Lord Mayor nor Deputy Lord Mayor may be appointed as Assistants to the Cabinet.

An Assistant to the Cabinet is not a member of the Cabinet. Their role will be:

- (a) to assist the Cabinet collectively; and
- (b) to liaise with the Chairs and members of relevant Scrutiny Committees;

in accordance with the detailed Role Description set out in Appendix A.

Assistants to the Cabinet may attend, and speak at, any meeting of the Cabinet or a committee of the Cabinet, but may not vote on any matters before the Cabinet, neither may they substitute for a Cabinet Member at a

meeting of the Cabinet nor in any decision-making role.

7.6 Proceedings of the Cabinet

Proceedings of the Cabinet shall take place in accordance with the Cabinet Procedure Rules, as set out in Part 4 of this Constitution.

7.7 Responsibility for functions

Part 3 of the Constitution sets out the provisions made with respect to the allocation of any functions which are the responsibility of the Cabinet among the following persons:-

- (a) the Cabinet;
- (b) any member of the Cabinet;
- (c) any committee of the Cabinet; and
- (d) any officers of the authority.

Where such allocation has been made the body to which or the person to whom a function has been allocated in accordance with that provision may discharge that function or may be authorised to make arrangements for the discharge of those functions, as set out in the Cabinet Procedure Rules.

To the extent that the functions which are the responsibility of the Cabinet have not been allocated as set out above (but not further or otherwise) the Leader may discharge any of those functions or may determine the respective responsibilities of Cabinet, Cabinet Committees, Cabinet Members and officers in respect of the taking of particular Executive Decisions. The Leader shall notify the Proper Officer in writing of any such delegation of responsibilities and the Proper Officer will maintain a list setting out the respective responsibilities as they may be from time to time in accordance with the Cabinet Procedure Rules set out in Part 4 of this Constitution.

- 7.8 During any period when there is no Cabinet, any functions which are the responsibility of the Cabinet shall be allocated to and discharged by the Chief Executive or in his/her absence the Corporate Directors acting singularly or collectively provided that in discharging such functions the Chief Executive or the Corporate Directors shall have regard to and comply with any protocol applying to the exercise of delegated powers in so far as that is reasonably practicable, and in consultation with any Councillor being the Leader of a political group in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

APPENDIX A – ASSISTANTS TO THE CABINET – ROLE DESCRIPTION

- 1 Assistants to the Cabinet are Members appointed by the Leader to work with a Cabinet Member or Cabinet Members and assist in the discharge of the Cabinet's functions.
- 2 This includes taking forward particular projects or programmes. Most Assistant posts will range across the functions of a Cabinet Member/s but it is a matter for each individual Cabinet Member/s, after discussion with the Leader of the Council, to establish any limits or conditions on the ways in which the Assistant will operate. Any limitations on the role of Assistant which a Cabinet Member wishes to impose should be agreed with the Leader, recorded and copied to the Monitoring Officer.
- 3 The role of Assistant to the Cabinet does not attract a senior salary under the Members' Remuneration Schedule.
- 4 Assistants to the Cabinet may:
 - (a) Undertake specific task, research and investigations and attend conferences, seminars and meetings, as requested by the Cabinet Member/s, so as to keep abreast of current policy and development initiatives.
 - (b) Attend Cabinet Briefings on behalf of a Cabinet Member.
 - (c) Attend and speak (but not vote) at Cabinet meetings.
 - (d) Attend formal and informal functions on behalf of a Cabinet Member, except for official openings or ceremonies or events where a formal speech is required, in which case, in the event of the absence of the Cabinet Member, the Lord Mayor or another Cabinet Member will normally represent the Council.
 - (e) Formally speak at events and functions on issues within his or her area of responsibility, where the Assistant has received a specific named invitation to speak.
 - (f) Liaise with non-executive members in order to ensure that the Cabinet Member is fully aware of issues which are of concern to Members.
 - (g) Appear before a Scrutiny Committee where the Cabinet Member cannot attend or where the Assistant has focused on the particular project or programme. (However, the Scrutiny Committee may also request the Cabinet Member to attend on a further occasions).
- 5 However, an Assistant to the Cabinet cannot:

- (a) Take decisions
- (b) Deputise for a Cabinet Member at Council Meetings
- (c) Be a member of any Scrutiny Committee

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PART 4 – RULES OF PROCEDURE

CABINET PROCEDURE RULES

1 EXECUTIVE FUNCTIONS

1.1 Executive Decisions

Part 3 of the Constitution sets out the provision made with respect to the allocation of any functions which are the responsibility of the executive among the following persons: (a) the Cabinet, (b) any member of the Cabinet, (c) any committee of the Cabinet, and (d) any officers of the authority.

Where such allocation has been made the body to which or the person to whom a function has been allocated in accordance with that provision may discharge that function or may be authorised to make arrangements for the discharge of those functions.

1.2 Delegation of Executive Functions

To the extent the Leader, the Cabinet, a Cabinet committee or a member of the Cabinet has authority to make arrangements for the exercise of Executive Functions, in any case that person or body will take advice from the Chief Executive, Monitoring Officer and Section 151 Officer before discharging his/her/its authority. Any arrangements made by the Cabinet, a committee of the Cabinet or a member of the Cabinet for the discharge of Executive Functions which may be discharged by him/her or it must be made in writing and set out the name of the person who may discharge of the function, the nature and extent of any delegation and any limitation on its exercise. A copy of the document containing such arrangements must be delivered by or on behalf of the person or body making such arrangements to the proper officer before the arrangements take effect. Any document containing such arrangements which is delivered to the proper officer shall be open to public inspection.

1.3 Changes to the arrangements for the delegation of Executive Functions

(a) A person who or a body which has made arrangements for the discharge of any Executive Functions in accordance with paragraph 1.2 above may amend the arrangements at any time . To do so, person or body must give written notice to the proper officer and to the person, or body authorised by such arrangements to discharge the relevant Executive Functions. The notice must set out the extent of the amendment to the arrangements, and whether it entails the withdrawal of delegation from any person, or body. Any notice given to the proper officer under this paragraph will be open to public inspection.

- (b) Where a person or body seeks to withdraw delegation from a committee, notice will be deemed to be served on that committee when he/she has served it on its chairperson.

1.4 Conflicts of Interest

- (a) Any body which or person who has a power to discharge an Executive Function and has a personal interest in a matter for decision will act in accordance with the relevant Code of Conduct set out in Part 5 of this Constitution.
- (b) If an Executive Function cannot be discharged under any arrangements made pursuant to paragraph 1.2 above as a result of a personal interest, the person or body which delegated the function will take the decision, or the matter will be referred to Cabinet for decision.

1.5 Decisions of the Cabinet

- (a) Executive Decisions which have been allocated or delegated to the Cabinet will be taken at a meeting convened in accordance with the Access to Information Procedure Rules.
- (b) Where Executive Decisions are allocated or delegated to a Cabinet committee, the rules shall be the same as those applying to decisions taken by the Cabinet.
- (c) Executive Decisions which have been allocated or delegated to individual Cabinet Members will be taken in accordance with Cabinet Procedure Rules.

1.6 Cabinet meetings

- (a) The Cabinet will meet at times, dates and places to be agreed by the Cabinet. The place of a meeting shall include provision enabling meetings to be attended remotely by persons who are not in the same physical place, in accordance with the Council's Multi-Location Meetings Policy.
- (b) Those listed below may ask the proper officer to call Cabinet meetings in addition to those agreed by the Cabinet:
 - (i) the Leader;
 - (ii) the Chief Executive;
 - (iii) the Monitoring Officer;
 - (iv) the section 151 Officer;
 - (v) any three members of the Cabinet.

- (c) Any request presented in accordance with this paragraph must be in writing, must specify the business to be transacted at the meeting and must be accompanied by a copy of any report for the meeting.
- (d) Cabinet meetings will generally be held in public in accordance with the provisions of the Access to Information Procedure Rules.
- (e) A Councillor being the Leader of a political group in accordance with the Local Government (Committees and Political Groups) Regulations 1990 shall have the right (such right to be exercised reasonably and not so as to interfere with the proper conduct of business) to speak at any meeting of the Cabinet or a committee of the Cabinet even though he/she is not a member of the Cabinet or Cabinet committee as the case may be. In the absence of the Leader of such political group the Councillor designated as the Leader's deputy may exercise this right. This right may not be exercised in the following cases:
 - (i) where the Councillor is required to declare an interest and withdraw from the meeting under the Members' Code of Conduct;
 - (ii) where the Cabinet or any committee of the Cabinet exercising a quasi judicial function have asked the members of the public and the parties to withdraw whilst they deliberate before reaching a decision;
 - (iii) where the Monitoring Officer or his/her representative advises that as a matter of law or to protect the Council's interest non-members of the Cabinet or the committee of the Cabinet (as the case may be) should withdraw;
- (f) Provided that nothing in this rule shall prevent the Chair of the meeting exercising his/her powers to ensure the orderly conduct of the proceedings

1.7 **Quorum**

- (a) The quorum for a meeting of the Cabinet shall be three.
- (b) Where any meeting is attended by more than one Cabinet Job Sharer (members of the Cabinet who have been elected or appointed to share the same office) in their capacity as a member of the executive, they together count only as one person for the purpose of determining whether the meeting is quorate.

2 **CONDUCT OF CABINET MEETINGS**

2.1 **Chairing the Meeting**

If the Leader is present he/she will chair the meeting of the Cabinet. In his/her absence, then the Cabinet Member appointed by the Leader to chair Cabinet

meetings in his/her absence shall preside. In his/her absence, a person chosen by those present shall preside.

2.2 Attendance

- (a) Members will be regarded as present at a meeting where they attend that meeting either physically at the place specified on the meeting agenda or by remote means, which enables persons who are not in the same place to speak to and be heard by each other.
- (b) Meetings of the Cabinet are generally open to any person who wishes to attend in accordance with the Access to Information Procedure Rules.
- (c) Subject to paragraph (d) below only Cabinet Members (including Cabinet Job Sharers), Assistants to the Cabinet, employees or persons asked to, or with a duty to advise Cabinet or other persons asked by the Cabinet to do so may speak at a Cabinet meeting.
- (c) A Councillor may attend any meeting of the Cabinet or a Cabinet committee (whether or not they are a member of the Cabinet or of the Cabinet committee) and with the permission of the chairperson may speak but may not vote except in the following cases:
 - (i) where the Councillor is required to declare an interest and withdraw from the meeting under the Code of Conduct;
 - (ii) where the Cabinet or a committee of the Cabinet (as the case may be) is exercising functions of a quasi-judicial nature and have asked the members of the public and the parties to withdraw whilst they deliberate before reaching a decision;
 - (iii) where the Director of Governance and Legal Services or his/her representative advises that as a matter of law non-members of the Cabinet or Cabinet committee (as the case may be) should withdraw.

2.3 Business

- (a) At each meeting of the Cabinet the following business will be conducted:
 - (i) consideration of the minutes of the last meeting;
 - (ii) declarations of interest, if any;
 - (iii) matters referred to the Cabinet (whether by a Scrutiny Committee or by the Council) for reconsideration by the Cabinet in accordance with the provisions contained in the Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules;
 - (iv) consideration of reports from Scrutiny Committees;

- (v) other matters set out in the agenda for the meeting;
 - (vi) to exclude the public for the consideration of any item in accordance with the Access to Information Procedure Rules; and
 - (vii) and any matter which the chairperson considers should be considered at the meeting as a matter of urgency by reason of special circumstances or legal requirement.
- (c) The future business of the Cabinet will be set out in the Forward Plan to be published on a monthly basis.

2.4 Consultation

All reports regarding issues for an Executive Decision will contain information on the nature and extent of any consultation with stakeholders (including Councillors) and relevant Scrutiny Committees, and the outcome of that consultation. The level of consultation will be appropriate to the nature of the matter under consideration.

2.5 Agenda

- (a) Any member of the Cabinet may give notice to the Proper Officer that he/she wishes a matter or an item of business relevant to the functions of the executive to be included on the agenda for a meeting of the Cabinet. On receipt of such request the proper officer will include such matter or item on the next suitable agenda.
- (b) The Chief Executive, Monitoring Officer and/or the Section 151 Officer may, in pursuance of their statutory duties, require an item to be included on the agenda of a Cabinet meeting and to have the item discussed. In other circumstances, where any two of the Chief Executive, Section 151 Officer and Monitoring Officer are of the opinion that a meeting of the Cabinet needs to consider a matter that requires a decision, they may in pursuance of their statutory duties, jointly require an item to be included on the agenda of a Cabinet meeting and to have the item discussed.
- (c) There will be a standing item on the agenda of each meeting of the Cabinet for matters referred by Scrutiny Committees.

The agenda for any relevant meeting will include items determined under the above, unless otherwise required by law.

2.6 Voting

- (a) Subject to Rule 2.7 below, Cabinet decisions will be decided by a simple majority of those present and voting at the meeting.
- (b) If there are equal numbers of votes for and against, the person presiding at the meeting shall have a second or casting vote.

2.7 Cabinet Job Sharers

- (a) Cabinet Job Sharers (two or more members of the Cabinet who have been elected or appointed to share the same Cabinet office) will have one vote between them in respect of any matter on which they have a right to vote because they are a member of the Cabinet. The vote is allocated to the job sharing arrangement and not to an individual Job Sharer, so Job Sharers should have appropriate preparatory discussions (subject to subparagraph (e) below).
- (b) If two or more Cabinet Job Sharers who share the same office ('Job Sharing Partners') attend a Cabinet meeting, in their capacity as a member of the Cabinet they should both be recorded as having attended the meeting and they both may speak at the meeting. However, where a vote is required ~~in~~ respect of a Cabinet decision, they must decide between them in advance who will cast their vote and inform the Chair of the meeting. ~~each Member must agree their vote with their Job Sharing Partner/s and agree which one of them is to cast their agreed vote at the meeting. When casting the vote at the meeting, the Cabinet Job Sharer must confirm to the Chair of the meeting that their vote has been agreed with their Job Sharing Partner/s. If there is no agreement between the Job Sharing Partners, their vote shall not be counted.~~
- (c) If one Cabinet Job Sharer attends a Cabinet meeting, in their capacity as a Member of the Cabinet, where a vote is required in respect of a Cabinet decision, then the attending Cabinet Job Sharer must cast their vote taking into account preparatory discussions with their Job-Sharing Partner. ~~confirm to the Chair that their Job Sharing Partner/s has agreed to them casting the vote on behalf of all Job Sharing Partners.~~
- (d) In the absence of ~~such confirmation, agreement between~~ the Cabinet Job Sharers', their vote shall not be counted.
- ~~(c)~~(e) If one Cabinet Job Sharer has a personal and prejudicial interest in a matter ('a Conflicted Job Sharer'), their non-conflicted Job-Sharing Partner should cast the job sharers' vote without having had any preparatory discussions about the matter with the Conflicted Job Sharer.

3 CABINET COMMITTEES

3.1 Chairperson of Cabinet Committees

The chairperson of a Cabinet Committee shall be such member of the Cabinet Committee as the Cabinet shall appoint. In the absence of the chairperson a person chosen by those present shall preside

3.2 **Quorum**

The quorum of a Cabinet committee shall be one quarter of the membership of the committee or three (whichever is larger).

3.3 **Conduct of business of Cabinet Committees**

The rules for the calling and conduct of meetings of the Cabinet shall (save to the extent they are inconsistent with paragraphs 3.1 and 3.2) apply to the calling and conduct of meetings of a Cabinet committee provided that any reference in the rules to the Leader shall in the case of a Cabinet Committee be construed as a reference to the chairperson of the Cabinet Committee

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PART 2 – ARTICLES OF THE CONSTITUTION

Article 8 – Regulatory & other committees

8.1 Regulatory and other committees

The Council will appoint the following committees with the terms of reference set out in Appendix 2 of Part 3 of the Constitution.

COMMITTEE	SIZE
Appointments Committee <i>(convened as and when required)</i>	To comprise 5 Members from those appointed to serve in accordance with the rule on political balance
Constitution Committee	12
Corporate Parenting Advisory Committee	9
Council Appeals Committee	9
Democratic Services Committee	12
Disciplinary & Grievance Appeals Committee <i>(Convened as and when required)</i>	To comprise not less than 3 and not more than 5 Members from those appointed to serve in accordance with the rule on political balance.
Employment Conditions Committee	8
Family Absence Appeals Panel <i>(Called as and when required)</i>	3
Governance & Audit Committee	12 (8 Elected Members and 4 Independent Members) Chair and Vice-Chair must be Independent Members
Licensing Committee	12
Pensions Committee	5
Planning Committee	12
Public Protection Committee	12
Standards & Ethics Committee	9 (3 Elected Members, 5 Independent Members & 1 Community Council member) Chair and Vice-Chair must be Independent

	Members
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PART 2 – ARTICLES OF THE CONSTITUTION

Article 13 – Finance, Contracts and Legal Matters

13.1 Financial management

The management of the Authority's financial affairs will be conducted in accordance with the Financial Procedure Rules.

13.2 Contracts

Every contract made by the Authority will comply with the Contracts Procedure Rules.

13.3 Legal proceedings

The Director of Governance and Legal Services is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Authority or in any case where the Director of Governance and Legal Services considers that such action is necessary to protect the Council's interests.

13.4 Authentication of documents

(a) Where any document is necessary ~~to-for~~ any legal agreement, procedure or proceedings on behalf of the Council, it will be signed by the Director of Governance and Legal Services or other employee authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

(b) With the exception of any contract formed using an electronic procurement system or with a value of less than twenty-five thousand pounds [£25,000], any contract entered into on behalf of the Authority shall be made in writing and signed under arrangements set out in the Contracts Procedure Rules. Any contract entered into on behalf of the Authority shall comply with the requirements of the Contract Procedure rules and the Financial Procedure Rules.

(b)(c) Any references within this Article to signing a document shall include a signature produced electronically through the use of an electronic signature system.

13.5 Common Seal of the Council

The Common Seal of the Authority will be kept ~~in a safe place~~securely in the custody of the Director of Governance and Legal Services and may be applied through the use of a secure electronic sealing system. A decision of the Authority, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be

affixed to those documents which in the opinion of the Director of Governance and Legal Services should be sealed. The affixing of the Common Seal will be attested by the Director of Governance and Legal Services or some other employee authorised by him/her.

PART 4 – RULES OF PROCEDURE

CONTRACT STANDING ORDERS AND PROCEDURE RULES ('CPR')

1. Introduction

- 1.1 These Contract Standing Orders and Procurement Rules (CPR) provide a corporate framework for the procurement of all Goods, Services and Works for the Council, including concession contracts.
- 1.2 Procurement is *“the process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment”*¹.
- 1.3 Procurement includes the identification of need, consideration of options, the actual procurement process and the subsequent management and review of the contracts.
- 1.4 The Council spends in the region of £390 million per annum on the external procurement of Goods, Services and Works. It is therefore important that the Council strategically manages this spend to ensure that it:
 - (i) obtains value for money and the required level of quality and performance in all contracts let;
 - (ii) conducts its procurement activity openly, transparently and, where practicable, based on standard approaches and use of common systems that appropriately minimise complexity, cost, timescales and requirements for suppliers;
 - (iii) complies with all European, UK and Welsh law that governs and/or relates to the procurement of goods, services and works and the letting of concession contracts;
 - (iv) meets the principles of the Welsh Government’s Wales Procurement Policy Statement (WPPS);
 - (v) considers all relevant guidance issued by Welsh Government including Procurement Advice Notes and the Code of Practice on Ethical Employment in Supply Chains;
 - (vi) supports the achievement of the seven well-being goals for Wales as set out in the Well-being of Future Generations (Wales) Act (2015);
 - (vii) has procurement procedures which, when followed, should protect members and officers of the Council from any allegation of acting unfairly or unlawfully in connection with any procurement by the Council;

¹ [Wales Procurement Policy Statement 2015](#)

- (viii) subject to compliance with (iii), has considered, assessed and where practicable mitigated any risks associated with a particular procurement processes and subsequently entering into contracts; and
- (ix) achieves the organisational outcomes of the [Council's Procurement Strategy \(2017-20\)](#):

- 1.5 Contracts, which involve the receipt of income by the Council or the disposal of an asset or an undertaking by the Council, may often require competitive tender. The reason for this, for instance, is because they amount to a “concession”, or confer a competitive advantage on the contractor as against its competitors, or the Council needs to be able to demonstrate that it has received an appropriate market value. Therefore, all references to competitive tenders and quotations within these CPRs shall apply (with such changes as are appropriate) equally to circumstances where the contract involves the receipt of income by the Council or the disposal of any asset or undertaking by the Council, as they do to purchases to be made by the Council, unless specifically stated otherwise.
- 1.6 These rules are not intended as detailed guidance for implementation. Any procurement guidance issued by the Council's Procurement Manager must be taken into account.
- 1.7 These CPRs govern organisational behaviour in the conduct of procurement. It is a given that such behaviour is undertaken in support and delivery of the wider policies and objectives of the council and in respect of officers, this includes the Employees' Code of Conduct.
- 1.8 In conducting any procurement, utmost probity must be demonstrated at all times.

2. Definitions and Interpretations

- 2.1 In these Rules the following definitions apply:

Community Benefits	means the delivery of social, economic and environmental benefit, through effective application of Community Benefits clauses in public contracts. Mandatory on all contracts with a value greater than £1m and optional, but encouraged, on contracts below £1m.
Concession Contracts	means a contract between the Council and Contractor, where the consideration in the contract consists of the Contractor's right to exploit the work or services, that are the subject of the contract, or that right to exploit together with a payment.

Contract means any form of agreement (including, without limitation, purchase orders produced on the Council's Proactis P2P system or any replacement of such system) for the supply of Goods, provision of Services or carrying out of Works and or concession contracts.

Contractor means any contractor, supplier or provider with whom the Council enters into a Contract for the carrying out of Works, provision of Services or the supply of Goods.

Contracts register means the register maintained (in such form as determine from time to time) by the Procurement Manager, which lists all contracts (except arrangements in respect of Land) concluded by the Council with a value in excess of £25,000. (See clause 28 of the CPR).

CPRs These Contract Standing Orders and Procurement Rules as may be amended from time to time.

Electronic procurement The procurement of all goods, services and works conducted using the Council's approved electronic procurement system, as specified from time to time by the Procurement Manager.

EU The European Union.

EU Thresholds The thresholds prescribed in regulation 5 of the Public Contracts Regulations 2015. The current thresholds, net of VAT and as at 1st Jan 2020 are: -

Services	£189,330
Light Touch Regime for Services	£663,540
Supplies	£189,330
Works	£4,733,252
Concession Contracts	£4,733,252

The thresholds change every two years and are due to change again on 1st January 2022.

Framework Agreement	An agreement with one or more Contractors, the purpose of which is to establish the terms (in particular with regard to price and quantity) governing a contract or contracts to be awarded during the period for which the framework agreement applies.
Goods	covers all products, goods, supplies, substances and materials that the Council purchases, hires or otherwise obtains.
Grant(s)	a sum of money paid or to be paid by the Council to a third party, and in respect of which the Council does not require the grantee to provide the Council with any Services, or Goods or carry out any Works for the Council's direct benefit. The Grant(s) may be conditional (i.e. obligation to spend the Grant(s) in a particular manner, to account for that spend and repay the Grant(s) if the Grant(s) conditions are breached).
Legal Requirements	means all European, UK and Welsh law that governs and or relates to the procurement of goods, services and works and the letting of concession contracts.
Monitoring Officer	The officer designated by the Council as its Statutory Monitoring Officer as required under Section 5 of the Local Government and Housing Act 1989.
Most economically advantageous tender (MEAT)	A tender evaluated on the basis of qualitative, technical and sustainable aspects of the tender submission as well as price when reaching an award decision.
OJEU	The Official Journal of the European Union.
OJEU threshold	The values that are determined by the European Union every two years (see definition above EU Thresholds).
Prior Information Notice (PIN)	A notice placed by the Council on Sell2Wales and/or OJEU alerting the market of upcoming requirements and allowing suppliers to respond, expressing an interest in bidding for the contract. This supplier feedback can be used to inform the development of the specification as well as the selection process prior to the invitation to tender stage.

Procurement Means, for the purposes of these rules, the process by which the Council manages the acquisition of all its Goods, Services and Works, in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the Council, but also to society and the economy, whilst minimising damage to the environment. It includes the identification of need, consideration of options, the actual procurement process and the subsequent management and review of the contracts.

Procurement Guidance means the Guidance issued/to be issued from time to time by the Procurement Manager, in consultation with the Council's S151 and Monitoring Officers.

Procurement Manager means the Operational Manager – Commissioning and Procurement Services or any officers under his/her supervision or management to whom he/she delegates authority to carry out any of the obligations, duties or activities required to be performed by him/her under these Rules or to act in his/her absence.

Procurement Process means the process, which spans the whole life cycle of the procurement, from identification of needs, options appraisal, supplier selection, award, and contract management through to the end of a contract or the end of the useful life of the asset, or disposal of the asset.

Procurement Routes Means the procurement procedure to be followed in the Procurement. For example;

- The open procedure.
- The restricted procedure.
- The competitive dialogue procedure.
- The competitive procedure with negotiation.
- An innovation partnership

See Appendix 1 for an overview of the procurement procedures available.

The appropriate procedure to use must be considered on a case-by-case basis, as it will depend on factors that are specific to each procurement.

Purchase order	means an electronic order raised and authorised via the Council's Proactis P2P system, or such other electronic system in force for the time being.
Purchase-to-Pay (P2P)	means the Council's electronic method of processing payments. The Council uses the Systems Applications and Products (SAP) software or any such software.
Quotation	means a quotation of price and any other relevant detail submitted to the Council upon the Council's request, without the formal issue of an invitation to tender.
Regulations	means The Public Contracts Regulations 2015, as amended from time to time.
Rules	means these Contract Standing Orders and Procurement Rules.
Section 151 Officer	means the officer designated by the Council as its Statutory Section 151 Officer as required under Section 151 of the Local Government Act 1972
Senior Officer	means the holder for the time being of any post named in the Scheme of Delegations outlined in Part 3, Sections 4A – E of the Constitution or, if such is the case, named in a decision of the Cabinet, Council or one of its committees, as having delegated powers and duties in respect of the procurement concerned.
Services	includes all services, which the Council purchases or otherwise obtains including advice, specialist consultancy work, agency staff and all those activities constituting Services for the purposes of the Public Contracts Regulations 2015.
Single Tender and Reduced Number of Tenders	means where these Rules allow (and for good reason and subject to a proper business case), the Council limits the minimum number of Tenderers to be invited to tender to one or a lesser number than would otherwise normally be required by these Rules given the estimated value of the Contract concerned.

Request for Quotation (RFQ)	Means a request to provide a price and any other relevant detail, without the formal issue of an invitation to tender.
Tenderer(s)	individual, individuals, partnerships, companies or other bodies invited to submit quotes/tenders/prices for providing the Council with Services, supplying Goods or carrying out Works.
Value for Money	should be considered as the optimum combination of whole-of-life costs in terms of not only generating efficiency savings and good quality outcomes for the organisation, but also benefit to society, the economy, and the environment, both now and in the future.
Variant Bid	means an offer/bid, which contains variants on the requirements specified by the Council in its procurement documentation.
Variation and Variations	means any alteration to a Contract, including additions, omissions, substitutions, alterations, or changes of any other nature.
Works	includes all works of new construction and repairs in respect of physical assets (buildings, roads, etc.) including all those activities constituting Works for the purposes of the Public Contracts Regulations 2015.

- 2.2 All values referred to in these Rules are exclusive of VAT.
- 2.3 Any dispute regarding interpretation of these Rules shall be referred to the Director of Governance and Legal Services for resolution in consultation with the Procurement Manager.
- 2.4 These Rules shall be read in conjunction with the Council's Constitution as a whole and, in particular, in respect of Contract payments, including compliance with the Council's Financial Procedure Rules.
- 2.5 The Director of Governance and Legal Services will amend these Rules from time to time, to ensure that they meet all Legal Requirements.
- 2.6 The Director of Governance and Legal Services and the Procurement Manager shall periodically undertake a formal review of these Rules.

3. Compliance with these Rules

3.1 These Rules must be followed when dealing with any Council Procurement except for those Procurements and other matters referred to in Rule 3.5.

3.2 Every Procurement undertaken by the Council or any other party on its behalf

(i) must comply with:

(a) all European, UK and Welsh law that governs and or relates to the procurement of goods, services and works and the letting of concession contracts and to the extent of any conflict between these CPR and any such legal requirements then the provisions of such legal requirements shall prevail;

(b) the Council's Constitution as a whole, and

(c) the Council's strategic objectives and policies including its Procurement Strategy,

and

(ii) must meet the other objectives and requirements listed in clause 1.4 of these rules.

3.3 The Procurement Manager may from time to time issue procurement guidance, following consultation with the Council's Section 151 and Monitoring Officer. Senior Officers in each Council Service Area must ensure that employees in their Service Area are aware of such guidance and must require compliance with such guidance.

3.4 Any failure by officers to comply with any of the provisions of these CPR or associated guidance adopted by the Council may result in disciplinary action. Any procurement carried out on behalf of the Council may only be undertaken by officers with the appropriate delegated authority to carry out such tasks and who have the necessary capability and capacity to undertake the particular procurement.

3.5 Exemptions to the Rules

These Rules do not apply to:-

(i) **the acquisition or disposal of land** (see Procedural Rules for the Acquisition or Disposal of Land. Any land contracts which involve development agreements shall be notified to the Director Governance and Legal Services and legal advice sought on the procurement law implications);

(ii) **contracts of employment** which make an individual a direct employee of the Council;

- (iii) **use of the Council's in-house services;**
- (iv) **Grants** (Grants are not regulated by public procurement law, as they are not public contracts. Grants are, however, regulated by the rules on state aid and by general public law controls relating to fiduciary duty and proper spending of public money. As appropriate, legal and financial advice should be obtained from the relevant Council officers);
- (v) **individual orders placed under a Framework Agreement or a contract** which provide for orders to be placed against an agreed schedule of rates, or under a measured term contract, provided that such contracts or Framework Agreements have been let by the Council in accordance with these Rules. The Procurement Manager must be consulted before any such order is placed;
- (vi) **an individual care contract.** That is a contract for services entered into in pursuance of powers under The Social Services and Well-being (Wales) Act 2014 for the benefit of an individual, where:-
 - (a) the estimated value is below the Light Touch Regime under the Public Contracts Regulations 2015;
 - (b) the Council does not have any existing framework or umbrella arrangements in place in respect of the relevant service;
 - (c) the individual care contract represents value for money and;
 - (d) where the contract is required to honour the preference of the individual service user; or
 - (e) is required as a matter of emergency in the interest of the welfare of the individual service user.
- (vii) **Instructions and briefs to Counsel** issued by or on behalf of the Director Governance and Legal Services to Counsel. The Director will make arrangements to ensure that appropriate record is kept of all such instructions or briefs together with a record of Counsel's fee; or
- (viii) **Goods, Services and Works procured by another public body** on behalf of, or for the joint benefit of the Council and other parties, and provided that, in such case, the other public body's procurement / contract rules, all EU, UK and Welsh procurement law requirements, and the fundamental principles of the EC Treaty have been complied with (that is, a collaborative procurement arrangement such as contracts awarded via the National Procurement Service, Crown Commercial Services etc. The advice of the Procurement Manager must be sought before placing reliance on any such arrangement).

- 3.6 When placing reliance on the exemptions stated above the Senior Officer should ensure that the best possible value for money is obtained for the Council.

4. Declaration of interest

- 4.1 No member, employee or agent of the Council shall improperly use his or her position to obtain any personal or private benefit from any contract entered into by the Council.
- 4.2 Members and employees of the Council shall comply with the requirements of section 117 of the Local Government Act 1972 and, as appropriate, the Officers and Members Code of Conduct set out in the Constitution in respect of the declaration of interests in contracts with the Council.
- 4.3 Such interests must be declared to the Monitoring Officer for inclusion in the appropriate registers.

5. Welsh Language Act

- 5.1 Any invitations to tender for a contract must state that tenders may be submitted in Welsh.
- 5.2 Any invitations to tender for a contract must be published in Welsh, where the:
- (i) subject matter of the tender for a contract suggests that it should be produced in Welsh, or
 - (ii) anticipated audience, and their expectations, suggests that the document should be produced in Welsh.
- 5.3 Where a tender or quote has been submitted in Welsh, this must be treated no less favourably than a submission in English (including, amongst other matters, in relation to the closing date for receiving submissions, and in relation to time-scale for informing bidders of decisions).
- 5.4 If a tender has been submitted in Welsh, and it is necessary to interview the bidder as part of the assessment process, you must:
- (a) Offer to provide a translation service from Welsh to English to enable the bidder to use the Welsh language at the interview; and
 - (b) If the bidder wishes to use the Welsh language at interview, provide a simultaneous translation service for that purpose (unless you conduct the interview in Welsh without a translation service).
- 5.5 When informing a bidder of the decision in relation to a quotation or tender, you must do so in Welsh if the quotation or tender was submitted in Welsh.

5.6 Where relevant to the subject matter of the contract, contracts must contain provision requiring the Contractor to comply with all applicable requirements of:

- (i) the Authority's Welsh Language Scheme,
- (ii) the Welsh Language (Wales) Measure 2011, and
- (iii) the Welsh language standards issued to the City of Cardiff Council (Compliance Notice – Section 44 Welsh Language (Wales) Measure).

6. Procurement Planning

6.1 Before commencing any procurement, the Senior Officer responsible for the proposed procurement, must undertake (or ensure that it is undertaken) the appropriate level of preparation and planning, proportionate to the proposed value and nature of the project. Depending upon the value and nature of the procurement proposed this should include; consideration of those matters referred to in clause 6.2 and the timely taking of finance, legal and procurement advice as appropriate.

6.2 The preparation and planning stage of the process is critical. It will influence all future activity on the contract. If this part of the process is done correctly then the rest should flow without difficulty, but the reverse is also true. It is common to underestimate the planning stage or not carry it out at all. The key tasks at the planning stage include:

- engagement with key stakeholders in order to identify and assess needs – what is being procured and why? What is the key driver for the procurement? What are the critical success factors? What outcomes are being sought?
- checking that no existing in-house provision exists for the Goods, Services or Works required (see rule 9)
- carrying out of options appraisal to look at different ways of meeting, the identified needs (e.g. buy, lease or rent?)
- determining budget and funding, to define a realistic budget for the contract to achieve the desired results and then securing the funds to finance and manage the contract
- selection of the appropriate Procurement Procedure (see Appendix 1)
- preparing the specification (setting out the requirements)
- where a tender is to be awarded on both price and quality, determining the criteria and evaluation methodology.

6.3 The results of this planning stage must be properly documented by the Senior Officer responsible for the proposed procurement (or his nominated deputy) and, if used recorded in the Council's electronic procurement system. A Procurement Plan is encouraged for all values of procurement.

7. Advice and Risk Assessment

- 7.1 At the outset of a procurement process, the Senior Officer (or his nominated officer) must refer to the Procurement Manager all proposed procurements with an estimated value in excess of £25,000 for goods and services and £75,000 for works. In addition to these Rules, the Senior Officer must follow all guidance issued by the Procurement Manager in respect of the procurement.
- 7.2 The advice of the Director of Governance and Legal Services must be sought on all procurements with an estimated value in excess of £100,000 and for lower value requirements where the complexity of the procurement requires, for example the inclusion of bespoke clauses. If there is any doubt, legal advice should be sought.
- 7.3 For Procurements with an estimated value in excess of £25,000 for goods and services and £75,000 for works, the Senior Officers shall carry out a risk assessment (proportionate to the nature and value of the proposed contract). The risk assessment shall be prepared at the outset and thereafter maintained and updated throughout the Procurement Process. The decision maker must be informed of any risks identified and of the contingency measures in place.
- 7.4 When carrying out any risk assessment in respect of a proposed procurement, regard must be had to the requirements to comply with the whole of these Rules.

7.5 Personal Data

In carrying out any Procurement, the Senior Officer responsible for the procurement must take all reasonable steps, including incorporation of appropriate provision into tender documentation and Contracts, to ensure that the personal data of individuals is protected in accordance with all legal requirements (including the General Data Protection Regulation) and Codes of Practice from the Information Commissioner's Office (ICO) and as set out in the Council's Information Governance Policies. The Senior Officer must ensure the Councils' obligations and risks, in respect of personal data, are considered and indemnities are sought where appropriate. More information and guidance can be obtained from the Operational Manager Governance and Risk and Director of Governance and Legal Services (or their nominated officers).

8. Community Benefits

- 8.1 Community benefits clauses within contracts are used to build a range of economic, social or environmental conditions into the delivery of a contract.
- 8.2 All contracts exceeding £1,000,000 in value must include a contractual obligation on the successful bidder to deliver community benefits.

Examples of community benefits that can be included in contractual clauses include:

- Targeted Recruitment and Training Initiatives
- Supply Chain Initiatives
- Community Initiatives
- Educational Initiatives
- Environmental Initiatives
- Equality and Diversity Initiatives

8.3 For all contracts below £1,000,000 in value, the inclusion of community benefits as a contractual obligation is optional but shall be considered.

8.4 In all cases where community benefits are being delivered, there must be a contractual requirement for the successful contractor to provide monitoring information on the community benefits as determined by the Procurement Manager. More generally, the named contract manager as part of the normal contract management process should monitor the delivery of community benefits.

8.5 Regard must be had to the Welsh Government guidance on Community Benefits and such other guidance as the Procurement Manager may issue from time to time on the approaches to delivering community benefits through Council contracts.

9 . Use of In-house service

9.1 Before any external procurement is considered, it is important to check that no existing in-house provision exists for the Goods, Services or Works required.

9.2. In-house services must be used unless the Senior Officers of the procuring service area and the in-house service provider agree otherwise, evidenced in writing.

10. Framework Arrangements

10.1 The Council has entered into a number of contracts or framework agreements types of goods, services and works.

10.2 Commissioning and Procurement Services maintain a register of such contracts and framework agreements in the Cardiff Council Supply Directory and can provide advice on their use and any exceptions granted.

10.3 It is the responsibility of the service area requiring the procurement to ascertain whether there is a framework or other corporate purchasing agreement in place by checking the Council Supply Directory. If such a framework or corporate purchasing arrangement exists then Service

areas must use the same or otherwise obtain the prior agreement of the Procurement Manager or his/her nominated deputy.

- 10.4 The use of frameworks not listed in the Council Supply Directory is only permissible once the Procurement Team has approved its use (including checking that the framework agreement concerned may be relied upon by the Council).
- 10.5 When using framework agreements, all guidance issued in relation to the use of the Framework concerned must be considered by the service area and followed. The award criteria, weightings and the terms and conditions of contract specified in the framework agreement must be used. It is the responsibility of the service area requiring the procurement to ensure that all supporting documentation necessary is assembled and completed, before placing reliance on a framework agreement. Whilst Procurement and Legal Services can provide advice and support, it will be expected that this provision will be complied with by the service area before seeking such advice.
- 10.6 Where Goods, Services or Works are regularly required, and arrangements described in Rule 10 are not available, consideration must be given to awarding a framework arrangement and the advice of the Procurement Manager must be obtained.
- 10.7 **Collaborative and Joint working arrangements**
 - (i) Any consortia procurement arrangements must be approved for use by the Procurement Manager before reliance is placed on the same.
 - (ii) Before proceeding with any proposed joint working arrangements, legal advice should be sought from the Director Governance and Legal Services.

11. Estimating the Contract Value

- 11.1 The estimated value of a Contract/procurement exercise shall be the value of the total consideration, net of value added tax, which the Council expects to be payable under the Contract over its full duration (not the annual value).
- 11.2 Where the duration of a contract is indeterminate, the value should be taken to be the estimated value of the contract over a period of four years (the value of the monthly consideration multiplied by 48).
- 11.3 In determining the value of the total consideration, which the Council expects to pay, the Senior Officer shall take account, where relevant, of;
 - (i) the term/period of the proposed Contract
 - (ii) any rights to renew the Contract/extend the Contract period

- (iii) any prize, payment, premium, fees, commission, interest or other form of remuneration payable under the proposed Contract or in respect of the proposed procurement
- 11.4 If there is uncertainty over calculating the estimated value of the proposed Contract then the advice of Legal and Procurement Services should be sought.
- 11.5 No Works or requirements for Goods or Services may be artificially split to avoid consulting with the Procurement Manager or avoid compliance with EU procurement law or these Rules.
- 11.6 Where the Council has requirements over a period of time for Goods and Services where the contracts have similar characteristics and the Goods and Services are of the same type, and enters into a series of contracts or a contract which is renewable, then the estimated value shall be calculated by the total spend on such matters over the last 12 months or projected estimated spend for next 12 months, whichever is the greater. In estimating this value the advice of the Procurement Manager must be sought.
- 11.7 In considering if the Public Contracts Regulations 2015 apply, the Council must have regard to the 'methods for calculating the estimated value of a procurement' set out in the Public Contracts Regulations 2015 and advice of the Procurement Manager sought.

12. Goods (supplies) and Services

- 12.1 Where possible, Goods and/or Services must be obtained via existing approved arrangements including:
 - (i) firstly, in-house services provision (see Rule 9), and
 - (ii) secondly, Framework Agreements and consortia arrangements approved for use by the Council's Procurement Manager (See Rule 10).

12.2 Goods and Services - Value up to £10,000

For procurements with an estimated value of up to £10,000 (ten thousand pounds):

- (i) the minimum requirement is that one written quote is obtained although, where practical, competition is encouraged. It is, however, still necessary for the Service Area to be satisfied and able to demonstrate that it has obtained value for money;
- (ii) the Service Area must keep an appropriate file record evidencing matters; and
- (iii) this rule 12.2 is subject to the requirements set out in the previous sections of the CPR, including Rule 10 (use of frameworks), rule 11.5 (artificially dividing procurements) and rule 11 (repeat requirements)

12.3 Goods and Services – Value £10,000 to £25,000

For procurements with a value of £10,000 up to £25,000 then:

- (i) where practicable the requirement should be openly advertised on the Council's electronic procurement system or on Sell2Wales website, or
- (ii) if it is not practicable to comply with Rule 12.3 then:
 - (1) a minimum of 3 written quotes must be requested from suitable providers using the Council's approved electronic procurement system; or
 - (2) the prior consent of the Procurement Manager must be obtained to the use of an alternative Procurement Procedure or reliance being placed on Rule 14 ('Exceptions').
- (iii) The Council's Quotation Record Form must be used to record the procurement actions taken.

12.4 Goods and Services – Value £25,000 to EU Threshold for Goods (supplies) and Services

For procurements with an estimated value of £25,000 up to the EU thresholds for public supply and public service contracts (Goods and Services), then:

- (a) all requirements must be openly advertised on the Council's electronic procurement system or on Sell2Wales the national procurement website and tenders invited using either the open or restricted procedure, unless the Procurement Manager otherwise directs.
- (b) if the restricted procedure is used the minimum number of tenderers to be invited to tender, subject to meeting the selection criteria, shall be 4 tenderers, and
- (c) the Council's Pre Tender Report Form and Contract Award Form must be used to record the procurement actions taken for goods and services over £25,000.

12.5 Goods and Services covered by the Public Contracts Regulations 2015.

In the case of procurements that fall to be dealt with under the European Union procurement directives and the Public Contracts Regulations 2015 ('The Regulations') that implement them in the UK, then:

- (i) the advice of the Procurement Manager and the Director of Governance and Legal Services must be sought at the outset to determine the Procurement Procedure to be followed and at all subsequent stages of the procurement process;

- (ii) the procurement process will be in accordance with the advice received and where applicable will in any event be in accordance with the requirements of the said Directives and Regulations for the time being in force; and
- (iii) the requirements of such Directives and Regulations will take precedence over any requirements set out in these Rules.

13. Works

13.1 Where possible, works must be obtained via existing approved arrangements including:

- (i) Firstly, in-house services provision (see Rule 9) and
- (ii) Secondly, Framework Agreements and consortia arrangements approved for use by the Council's Procurement Manager (See Rule 10).

13.2 Works Value up to £10,000

- (i) For procurements with an estimated value of up to £10,000 (ten thousand pounds) the minimum requirement is the one written quote is obtained, although where practical competition is encouraged. It is, however, necessary for the service area to be satisfied and able to demonstrate that it has obtained value for money.
- (ii) The service area must keep an appropriate file record (Quotation Record Form) evidencing matters, including that relevant competency and capability assessments have been undertaken.
- (iii) This rule 13.2 is subject to the requirements set out in the previous sections of the CPR, including Rule 10 (use of frameworks), Rule 11.5 (artificially dividing procurements) and Rule 11.6 (repeat requirements).

13.3 Works Value £10,000 to £75,000

- (i) For procurements with a value of £10,000 up to £75,000 then:
 - (a) where practicable the requirement should be openly advertised on the Council's e-procurement system or on the national procurement website,
- (ii) if it is not practicable to comply with Rule 13.3 then:
 - (a) a minimum of 3 written quotes must be requested from suitable providers; or
 - (b) the prior consent of the Procurement Manager must be obtained to the use of an alternative Procurement Procedure or reliance being placed on Rule 14 ('Exceptions').
- (iii) The Council's Quotation Record Form must be used to record the procurement actions taken and recorded on the Council's electronic procurement system.

13.4 Works Value £75,000 to EU Threshold for Works contracts (£4,551,413)

For procurements with a value of £75,000 up to EU Threshold for Works contracts, then:

- (i) all requirements must be openly advertised on the Council's e-procurement system or on the national procurement website and tenders invited using either the open or restricted procedure, unless the Procurement Manager otherwise directs.
- (ii) if the restricted procedure is used, the minimum number of tenderers to be invited to tender, subject to meeting the selection criteria, shall be 4 tenderers.
- (iii) the Council's Pre Tender Report Form and Contract Award Report Form must be used to record the procurement actions taken on all works procurements above £75,000 and recorded on the Council's electronic procurement system.

13.5 Works covered by the Public Contracts Regulations 2015

In the case of procurements that fall to be dealt with under the European Union procurement directives and the Public Contracts Regulations 2015 ('The Regulations') that implement them in the UK:

- (i) the advice of the Procurement Manager and the Director of Governance and Legal Services must be sought at the outset to determine the Procurement Procedure to be followed and at all subsequent stages of the procurement process;
- (ii) the procurement process will be conducted in accordance with the advice received and where applicable will in any event be in accordance with the requirements of the said Directives and Regulations for the time being in force; and
- (iii) the requirements of such Directives and Regulations will take precedence over any requirements set out in these Rules.

14. Exceptions - Single or reduced number of tenders

14.1 In exceptional circumstances and subject to the following requirements the rules set out in sections 12.3 to 12.5 and 13.3 to 13.5 shall not apply and reduced number of tenders or a single tender may be invited.

- (i) This provision (Exceptions) does not apply to procurements above the EU Thresholds, in which case compliance with the provisions of the Regulations is mandatory.
- (ii) Before proceeding to let any contract the service area must in the Pre Tender Report and Contract Award Report set out the reasons why a single or reduced number of tenders is proposed, why the proposed way forward (reduced number of tenders or single tender) represents value for money and is in the Council's best interest. The Procurement Manager will issue guidance on

potential scenarios where a reduced number of tenders or a single tender may be permissible ('exceptions').

- (iii) Before proceeding with a reduced number of tenders or a single tender, the consent of the Procurement Manager must be obtained. The Procurement Manager reserves the right not to sign and approve any request for a single or reduced number of tenderers, which in his reasonable opinion do not warrant approval, in which case the proposed procurement should not proceed. It must be appreciated that the Procurement Manager cannot authorise any exceptions, (and Council Service Areas should not proceed with any proposed procurement) that would be in breach of the requirements of the Regulations or any other Legal Requirement. The Procurement Manager will set out his justification for not approving requests in the Non-Signature Justification section on the Pre Tender Report and Contract Award Form, in which case the procurement will not have approval to proceed.

14.2 The Procurement Manager will maintain a register listing all decisions made pursuant to rule 14.1 (referred to as the 'Exceptions Register').

14.3 The following situation should not arise and provision is inserted purely for completeness. If the Procurement Manager is presented with any Pre Tender Report or Contract Award Report, which contains proposals that are in breach of the Regulations or any Legal Requirements and following advice the relevant service area does not withdraw the proposal, then the matter shall be reported by the Procurement Manager to the Director with responsibility for the Service area concerned, the Council's Chief Financial Officer (S151 officer) and Monitoring Officer for consideration and determination as to the way forward (including the presentations of any reports required to Cabinet and or Council). It must be appreciated that Statutory Officers cannot be expected to authorise any proposed procurements which would be in breach of the requirements of the Regulations or any other legal requirements.

15. Electronic Tendering

15.1 From October 1st 2018 (or such latter date as the Procurement Manager may direct), all procurement with a value of £10,000 or above (including requests for quotations) must be conducted using the Council's approved electronic system. It is the responsibility of the Senior Officer of each service to ensure that their staff comply with this rule.

15.2 Any officer required to use the Council's electronic procurement must notify the [Council's Sourcing Team](#) so that they can be registered on the system. Similarly, it is the responsibility of the relevant Senior Officer to notify the Sourcing Team of changes to any officer's eligibility to use the system (e.g. staff leaving or disciplinary measures) at the earliest opportunity so that the user access can be deactivated.

- 15.3 Where rule 15.1 applies, all requests for quotations and invitations to tender, along with all associated procurement documentation, must be issued via the Council's approved electronic procurement system.
- 15.4 Where rule 15.1 applies, all quotes and tender submissions from bidding organisations, including all supporting documentation, must be received via the Council's approved electronic procurement system.
- 15.5 In exceptional circumstances, and only with the prior agreement of the Senior Officer of the service area requiring the procurement and the Procurement Manager, hard copy quotations or tenders may be accepted. In this event the procedures detailed in Rule (19.2) must be followed.

16. Pre-Qualification (Applies to all)

- 16.1 The Council shall only enter into a Contract with a Contractor if it is satisfied as to the Contractor's competencies. The criteria for selecting Tenderers may include, but need not be limited to:
- (a) Technical or professional competence and experience including qualifications;
 - (b) Health and Safety;
 - (c) Quality including certification by official quality control institutes or agencies of recognised competence and or attesting conformity to quality assurance standards and or measures;
 - (d) Financial and economic standing including appropriate insurance provisions;
 - (e) Sustainability, including environmental management measures;
 - (f) Evidence as to whether they are unsuitable on grounds, e.g. of bankruptcy, criminal conviction or failure to pay taxes; and
 - (g) Data Protection and Cloud Impact Assessment implications.

17 The Quotation Process

17.1 Quotes (below £10,000) – Low value procurements, where use of the Council's e-procurement system is not mandatory

17.1.1 Where these Rules allow for use of Quotes and the estimated value of the procurement is below £10,000 then officers in the Council Service Areas undertaking the procurement concerned must comply with the following requirements:

- (i) Wherever practicable the Council's Electronic Procurement system must be used and all quotes submitted by electronic arrangements via the Council's electronic procurement system. If this is not practicable then the following arrangements shall apply.

- (ii) When Quotes are sought these should be requested in writing (including email).
- (iii) Where only one quote is requested, the relevant Senior Officer still has the responsibility to ensure (and be able to demonstrate) that value for money has been obtained.
- (iv) There is no prescribed timescale but a reasonable timescale should be given for parties to submit quotes.
- (v) Quotes should only be accepted, in writing (including email) or via the Council's approved electronic procurement system. If accepted in writing the acceptance should make clear that the [Council's standard terms and conditions](#) referred to in the Council's purchase order apply. On acceptance of the quotation (written or electronic), a purchase order must be sent via the Purchase-to-Pay (P2P) system, which contains reference to the Council's standard terms and conditions.

17.2 Quotes for goods and services with value between £10,000 and £25,000 and works with value between £10,000 and £75,000.

Where these Rules allow for use of Quotes and the estimated value of the procurement is for Goods and/or Services between £10,000 and £25,000 and for Works between £10,000 and £75,000, then officers in the Council Service Area undertaking the procurement concerned must comply with the following:

- 17.2.1 At least three quotations must be requested using the Council's electronic procurement system.
- 17.2.2 In the circumstance where not all suppliers respond to the request for quotation with a submission, it is acceptable to evaluate and award the contract based on whatever submissions have been made, even where there is only one submission, provided Value For Money is achieved.
- 17.2.3 Where there are less than three suppliers (but more than one) of the requested goods, services or works on the Council's electronic procurement system, it is acceptable to request quotations from the number (less than three) of the suppliers registered.
- 17.2.4 Where there is only one supplier of the requested goods, services or works on the Council's electronic procurement system, it is a requirement to follow the exception authorisation procedures set out in CPR 14.

- 17.2.5 Any request for quotation (RFQ) shall include as a minimum a technical specification, pricing schedule and terms and conditions.
- 17.2.6 These CPR do not set out minimum timescales that bidders should be given for submitting a response to a request for quotation. Consideration should be given to the complexity of the quote being requested and sufficient time allowed for tenderers to provide suitable quotes.
- 17.2.7 The quotation must be received electronically using the Council's approved system, and will automatically be endorsed with the time and date of receipt and "locked" by the system until the closing time and date prescribed in the request for quotation has elapsed.
- 17.2.8 All quotations received will be automatically "unlocked" and available for evaluation in the electronic system after the closing time and date prescribed in the request for quotation. The officer in the Service Area running the quotation will open quotations; the electronic procurement system will automatically record all quotation prices. There is no requirement for legal services officers to be present
- 17.2.9 Following evaluation of the submissions and acceptance of the quotation on the electronic system, a purchase order must be sent via the Purchase-to-Pay (P2P) system or the provision of CPR 24 complied with.

18. The Tender Process

- 18.1 The invitation to tender must include details of the Council's requirements for the particular contract including:
- (i) a specification of the Services, Goods or Works being procured and instructions on whether any variants are permissible;
 - (ii) the procurement timetable including the tender return date and time, which shall allow a reasonable period for the applicants to prepare their tenders;
 - (iii) the Council's terms and conditions of contract;
 - (iv) the evaluation criteria including attached weightings;
 - (v) the Form of Tender;
 - (vi) pricing mechanism and instructions for completion;
 - (vii) whether the Council is of the view that TUPE will apply;
 - (viii) form and content of method statements to be provided;
 - (ix) rules for submitting of tenders;
 - (x) any further information, which will inform or assist Tenderer(s) in preparing tenders.

- 18.2 Every Tenderer submitting a tender will be required to sign a declaration to the effect that:
- (i) they have not and will not inform any other person of the amount of their tender;
 - (ii) they have not fixed the amount of any tender in accordance with a price fixing arrangement;
 - (iii) they accept that the Council is entitled to cancel the contract and to recover from them the amount of any loss resulting from such cancellation if it is discovered that there has been any corrupt or fraudulent act or omission by them which in any way induced the Council to enter into the contract;
 - (iv) acknowledging that the Council is not bound to accept the lowest or any tender submitted, that the tender exercise may be aborted at any stage during the tender process and that they tender at their own cost and expense.
- 18.3 In respect of proposed procurements with an estimated value in excess £25,000 for Goods and Services and over £75,000 for Works, the Service Areas must obtain the prior approval of the Procurement Manager to the invitation to tender documentation, including specification, evaluation criteria and weightings.
- 18.4 Prior disclosure to Tenderers of the award criteria and weightings is a fundamental requirement that must be complied with for all the Council's procurements. In respect of all quotes/tenders, where the main quote/tender criterion is the most economically advantageous tender, the Senior Officer must ensure that evaluation criteria or sub-criteria is listed in the Request for Quote or Invitation to Tender documentation, in order of importance. Any particular scoring or weighting attributable to any criteria or sub criteria must be clearly stated.

19. Receipt, Custody and Opening of electronic and Hard Copy Tenders

- 19.1 Where these rules require and even when the rules do not require but it is practicable the Council's electronic procurement system must be used and all tenders submitted by electronic arrangements via the Council's electronic procurement system. After the tender submission deadline has passed tenders submitted electronically must be opened in accordance with guidance issued by the Procurement Manager, and the electronic record kept shall, as a minimum meet the requirements set out in the guidance document issued by the Procurement Manager on the opening and recording of electronic tender submissions.
- 19.2. In exceptional circumstances where the Council's e-procurement system is not being used (with the prior agreement of the Procurement Manager) then the following procedure must be adhered to for the submission of hard copy tenders.
- (i) The ITT should provide that Tenders with an estimated value below £100,000 should be submitted by post (or hand delivered)

in the official envelope or using the official tender return label provided and should be addressed to a senior officer (who is not the Senior Officer responsible for the procurement of the relevant service). After the tender submission deadline has passed Tenders will be opened consecutively at the same session in the presence of two employees one designated by the Procurement Manager and one by the Senior Officer of the relevant service area. Both employees must be independent to the letting of the Contract. When opened, all tenders will be recorded in a tender register and the tenders and register will be initialled and dated by designated officers present at the time. A copy of such record shall be sent to the Procurement Manager.

- (ii) The ITT should provide that Tenders with an estimated value above £100,000 should be submitted by post, addressed to the Director Governance and Legal Services, enclosed in the official envelope or using the official tender return label provided by the Council. The Director Governance and Legal Services will be responsible for the receipt, custody and opening of such tenders. After the tender submission deadline has passed Tenders for the same procurement will be opened consecutively at the same session in the presence of two employees designated for the purpose. The Director Governance and Legal Services will nominate one employee and the Procurement Manager will nominate the other employee. Both employees must be independent to the letting of the Contract. When opened, all tenders will be recorded in a tender register and the tenders and register will be initialled and dated by designated employees present at the time. The opened tenders will then be sent to the evaluation team.

20. Late Tenders

Tenders received after the date and time for receipt of tenders may only be opened and considered with the agreement of Procurement Manager and Director of Governance and Legal Services (or their nominated officer, who should be at Operational Manager level or above). Any such decisions must demonstrate good reason why it is considered appropriate to accept the late tender and the decision recorded by the Procurement Manager.

21. Tender Evaluation

- 21.1 Evaluation Team - For each Contract with an estimated value above £25,000 in respect of Goods and or Services and £75,000 in respect of Works, the Senior Officer of the Service Area requiring the procurement shall form an evaluation team ('Evaluation Team') with responsibility for evaluating tenders. Written records of the membership of the evaluation team and evaluation undertaken must be kept.
- 21.2 Where the Contract estimated value exceeds £100,000, the Director of Governance and Legal Services and the Corporate Director, Resources

shall be consulted and, where they consider it appropriate, representatives of those officers shall be included on the Evaluation Team. Consideration should also be given to including service users on the Evaluation Team.

21.3 The Evaluation Team shall examine tenders in accordance with the predetermined evaluation criteria for the quotes/tenders and identify quotes/tenders that best meet the criteria. The evaluation criteria shall be strictly observed (and remain unchanged) at all times throughout the contract award procedure.

21.4 As a general rule, no adjustment or qualification to any quote or tender(s) submitted is permitted. Errors found during the examination of quotes or tenders shall be dealt with in one of the following ways:

(i) If the error is not arithmetical the tenderer shall be given details of the error(s) and shall be given the opportunity of confirming without amendment or withdrawing the quote or tender; or

(ii) If an arithmetical error is found, the responsible officer shall correct the error(s) provided that, apart from these genuine arithmetic error(s), no other adjustment revision or qualification is permitted. An appropriate record shall be kept.

22. Post Tender clarification

22.1 Where the Procurement is conducted pursuant to the EU Procurement Directives and UK Regulations that implement them, there are restrictions on the use of post tender clarification and legal advice must be sought before determining whether any clarification would be appropriate.

22.2 The Senior Officer, following consultation with the Procurement Manager and in accordance with any requirements set by the Procurement Manager (regarding records to be kept) may seek clarification from Tenderers in respect of their tenders provided this does not involve discrimination. A record of all clarifications needs to be maintained on the Council's electronic procurement system including minutes of any clarification interviews.

22.3 At all times during any such negotiation or clarification process the Council shall consider and comply with the EU Treaty based principles of non-discrimination, equal treatment, transparency, mutual recognition and proportionality, principles that shall apply to all the Council's Procurements.

23. Awarding Contracts and Letters of Intent

23.1 A decision to award a Contract may only be made by (i) an officer with the requisite delegated authority to award contracts in accordance with

the Council's Scheme of Delegations or (ii) otherwise pursuant to a decision of the Council, one of its Committees or Cabinet.

23.2 For all Procurements valued at above £25,000 per annum, the decision to award a Contract shall be made using the Council's pro forma Contract Award report unless the decision is to be made by a Corporate Director or the Cabinet, in which case the Council's standard reporting forms for such decisions shall be used. The Senior Officer must ensure, prior to seeking such a decision, that sufficient funds are in place to meet all contract payments and if any funding is being obtained from third parties that any conditions attaching to such funding have been complied with.

23.3 A Contract shall only be awarded using the pre-determined tender evaluation criteria and weightings.

When a decision is subject to the Council's 'Call in Procedure' (See the Council's Scrutiny Procedure Rules) the decision must not be acted upon until the call in period has expired and provide always the decision has not been called in.

23.4 A letter of intent is not an appropriate substitute for a formal contract but in exceptional circumstances can be issued as an interim measure until a formal contract has been signed. Letters of intent shall only be used with the prior agreement of, and in a form approved by, the Director Governance and Legal Services.

23.5 Save for exceptional circumstances, no Contractor should be asked to provide any Services, supply any Goods or carry out any Works (including preliminary Works) until the Contract is concluded or the Services, Goods or Works concerned are covered by a letter of intent. Should the Senior Officer for the service area concerned make any decision to the contrary, such decision shall contain a full risk assessment as to the possible implications to the Council of the Contractor being allowed to start before the contract terms and conditions have been finalised or a letter of intent issued.

24. Placing of Orders/Completion of Contracts and retention of contract documentation

24.1 Frameworks

Orders placed under Framework Agreements must be placed using the order form prescribed in the Framework Agreement and on the terms and conditions set out in the Framework Agreement. (See Rule10.5)

24.2 For all other contracts with a value of up to £25,000, orders should be placed using the Council's electronic Purchase to Pay system (P2P) unless the Procurement Manager otherwise agrees. The P2P system, generates purchase orders outputs in either electronic or paper form, which incorporate by reference the Council's standard terms and conditions of contract.

- 24.3 For Contracts with a value above £25,000 but below £100,000 Service Areas must use the appropriate standard form of contract issued or approved for use by the Director Governance and Legal Services.
- 24.4 For Contracts with a value in excess of £100,000 Service Areas must take the advice of the Director Governance and Legal Services on the form of contract to be used, though wherever appropriate industry standard forms will be used.
- 24.5 It is essential that the Goods, Services or Works are procured on the Council's standard terms and conditions and not those submitted by the Contractor.
- 24.6 Contract documents, along with all associated related documents, must be retained for a minimum of six years from the contract end date and, if the contract is concluded under seal, for a period of twelve years from the contract end date. Where the contract was funded, or partly funded, through some form of external grant then further grant specific conditions, as regard to retention of documents may apply and must be adhered to.
- 24.7 As minimum contracts must set out;
- (i) the work, materials, services or supplies to be carried out or provided and standards required;
 - (ii) the price to be paid (or, as appropriate, the sums to be received) with a statement of discounts, or other deductions, and where not known, the basis upon which the final contract sum is to be calculated;
 - (iii) the time or times within which the contract is to be performed; and
 - (iv) the commencement and termination dates of the contract.

24.8 Execution (completion/signing/sealing) of contracts

- 24.8.1 Subject to Rule 24.8.2 Contracts with a value in excess of £25,000 may only be signed on behalf of the Council by the Director of Governance and Legal Services and or his/her nominated officers. [\(For the avoidance of doubt, an electronic signature system may be used.\)](#)
- 24.8.2 Rule 24.8.1 does not apply to any contract formed by the placing of an order, following compliance with these Rules, using or under:
- (i) the Council's electronic Purchase to Pay system;
 - (ii) a Framework Agreement approved for use; or
 - (iii) a Dynamic Purchasing System put in place by the Council.

- 24.8.3 The Council's seal may only be affixed to a contract in the presence of the Director of Governance and Legal Services or his / her nominated officers [or through the use of a secure electronic sealing system](#).

25. Notification of Results, De-briefing and Standstill Period

- 25.1 Where the Regulations do not apply, the Senior Officer shall ensure that within 10 days of the date on which the Council receives a request from any supplier who was unsuccessful (at either the selection or tender stage) he/she informs that supplier of the reasons for being unsuccessful and, if the supplier was unsuccessful at the tender stage the responsible officer shall also inform it of the characteristics and relative advantages of the successful tender as well as the name of the bidder awarded the contract.
- 25.2 Where the Regulations apply, Service areas must comply with the requirements of the Regulations (including as to standstill, debrief, contract award notices), and the advice of Procurement and Legal Services must be obtained and followed.
- 25.3 If any additional information is to be disclosed to tenderers, this must be agreed in advance with the Procurement Manager, taking into account the requirements of any legislation relating to the disclosure of information.
- 25.4 If the award of a contract is subject to the Regulations, there must be a standstill period between communicating the award decision to all tenders and conclusion of the contract. This standstill period shall be 10 calendar days if sent electronically or 15 days for notices sent by other methods. Where the last day of the standstill period is not a working day, it shall be extended to midnight at the end of the next working day.

26 . Bonds, Securities, Liquidated and other damages

- 26.1 The Senior Officer (of the service area requiring the procurement) is responsible for ensuring that a risk assessment is undertaken, to determine if a performance bond or performance guarantee is required. If appropriate, the advice of the Council's Finance officers should be sought.
- 26.2 Consideration should also be given to the appropriateness of including in the contract a provision for liquidated damages to be paid by the contractor in case the terms of the contract are not duly performed.

27. Parent Company Guarantee

- 27.1 The Senior Officer (of the service area requiring the procurement) is responsible for seeking a Parent Company Guarantee where a contractor is a subsidiary of a parent company and;

- (i) the award is based on evaluation of the parent company;
- (ii) the financial status of the contractor (having regard, inter alia, to the proposed contract) warrants the same and or
- (iii) the S151 Officer recommends.

28. Records

28.1 To ensure appropriate records are maintained the Council's e procurement system must be used wherever practicable or specifically required by these Rules.

28.2 For all Procurements where the Council's electronic procurement system is not used, Service areas must keep appropriate records. As a minimum the records kept must detail:

- (i) which parties were selected to tender;
- (ii) to whom the Contract was awarded and the reasons for so doing (lowest price or offer which represents best value to the Council), so that best value and the integrity of the process can be demonstrated;
- (iii) the value of the contract;
- (iv) the start and expiry date of the contract; and
- (v) details of whether the contract is a one-off or expected to be renewed

28.3 Procurement Services shall maintain a Corporate Contract Register, which will record details of all contracts /contracts (above £25,000) awarded by the Council. Service areas must provide Procurement Services with all required information to facilitate this.

29. Contract Management

29.1 Once the Contract has been awarded, the Senior Officer (of the service area concerned) must identify and nominate an individual (referred to as the 'Contract Manager'), who will manage the day-to-day aspects of the Contract for its term (See rule 34 re Contract End).

29.2 The day-to-day management of the Contract shall be undertaken by the Contract Manager and shall include monitoring and reporting (including making use of the Council's reporting tools on the Council's electronic procurement system) in respect of:-

- (i) performance
- (ii) compliance with specification and contract terms
- (iii) cost
- (iv) any value for money/best value requirements
- (v) user satisfaction and
- (vi) risk management
- (vii) delivery of agreed Community Benefits

- 29.3 For all contracts, it is the responsibility of the Contract Manager to raise any incidents of poor performance immediately with the Contractor and seek rectification. In instances of particularly poor performance, or persistent poor performance, the Contract Manager should consider the appropriate course of action to take under the contract, taking advice as appropriate.
- 29.4 Where the total value of the Contract exceeds £100,000, the Contract Manager must make a written report to the Senior Officer evaluating the extent to which the Contract is meeting the objectives set. This should be done normally when the Contract is completed but for term contracts, such report should be prepared annually.

30. Contract Variation – basic principles

30.1 Contract Variations and Extensions

- 30.2 Depending upon the nature of the variation proposed, the terms of the contract concerned and scope of the original procurement exercise undertaken, contract variations have the potential to amount to a new contract, and thus can constitute a single tender award without advertisement.
- 30.3 In all cases of contract variation, careful consideration must be made of the impact of the increased value of the contract on the procurement threshold levels, particularly whether the increase in value will move a contract from below EU Threshold to above EU Threshold.
- 30.4 The advice of the Procurement Manager and Director of Governance and Legal Services should be obtained, if there is any uncertainty as to whether a variation is permissible.
- 30.5 Contract and framework agreements may be varied without a new procurement procedure where:
- (i) the variations have been provided for in the initial procurement documents in clear, precise and unequivocal terms (i.e. the contract conditions provide for; extension of the contract term, price variation, fluctuation clauses or options, additional works, good and services) and these do not alter the overall nature of the contract;
 - (ii) additional goods, services or works which were not included in the original quotation or tender have become necessary, where a change of contractor (a) cannot be made for economic or technical reasons and (b) where it would cause significant inconvenience or substantial duplication of costs, provided that any increase in the price does not exceed 50% of the value of the original contract (advice of the Procurement Manger must be sought before placing reliance on this rule);
 - (iii) the circumstances causing the need for variation were unforeseen, the variation does not alter the overall nature of the

contract and provided that any increase in the price does not exceed 50 % of the value of the original contract value (advice of the Procurement Manger must be sought before placing reliance on this rule);

- (iv) there is a change in contractor that was provided for in the quotation or tender, or as a result of a merger, acquisition, insolvency or similar of the original contractor, which contractor fulfils the original criteria for qualitative selection, provided this does not lead to other substantial variations or is aimed at circumventing the Regulations; or
- (v) subject to the above provisions, the variations are not substantial within the meaning of the Regulations (see rule 30.6 and Regulation 72 (8)).

30.6 A variation shall be deemed substantial if one or more of the following conditions is met:

- (i) the cost of the variation would exceed 10% of the original contract value for services and supply contracts and 15% of the initial contract value for works ;
- (ii) it makes the contract or framework materially different in character from the one originally let;
- (iii) the variation introduces new conditions which, had they been part of the initial procurement, may have allowed for; the admission of other candidates than those initially accepted; the acceptance of a tender other than that originally accepted; and/or attracted additional participants in the procurement procedure;
- (iv) it materially changes the economic balance in favour of the contractor, in a manner which was not provided for in the original contract;
- (v) It extends the scope of the contract or framework considerably;
- (vi) The revised total contract value requires a different level of authorisation, or different form of procurement than that used for the original contract award.

30.7 A decision to extend the contract period (term) may only be made before the original expiry date, where it is in accordance with the terms and conditions of the original Contract and contemplated by the original procurement exercise.

30.8 **Variations**

In the circumstances detailed in CPR30.5 above (permitted variations) the decision to authorise or not a proposed contract variation shall be made, as appropriate, by Cabinet or the officers listed below, provided that the variation cost can be met within budget and complies with all Legal Requirements. Decisions to authorise variations shall be recorded in writing and at Operational Manager level and above, and as appropriate, a Cabinet report or ODR must be prepared. All variations shall be entered on the Council's electronic procurement system and the

Contracts Register, and an amendment made to the original Purchase Order.

Contract Manager	Variation (or aggregate value of all variations made to the Contract) of up to £30,000 or 10% of the contract price (whichever is deemed lower)
Operational Manager	Variation (or aggregate value of all variations made to the Contract) up to £250,000
Head of Service/ Assistant Director	Variation (or aggregate value of all variations made to the Contract) up to £1,000,000
Director (in discussion with the Council's S151 Officer and liaison with Cabinet Member)	Variation (or aggregate value of all variations made to the Contract) up to £5 million
Cabinet decision	Variation (or aggregate value of all variations made to the Contract) Above £5m

30.9 For variations approved by a Contract Manager, the Senior Officer shall monitor at least monthly the overall level of variations approved to gain assurance that they are correct and appropriate.

30.10 As soon as it becomes known or apparent (whichever is the earlier) to the Contract Manager, that the total cost of a contract, including variations, will or is likely to exceed the contract sum by more than 5%, the Financial Services Group Accountant must be informed for financial monitoring purposes. The Financial Services Group Accountant may inform the Senior Officer and or Contract Manager of any further financial requirements to be complied with. In such circumstances, a report must be prepared, which must address the reasons for increased cost, an analysis of options considered to reduce cost to budget and the funding options considered to meet any budget shortfall, together with an indication of how any additional costs will be paid for. The report shall be submitted to the Senior Officer and the Council's Audit Manager.

30.11 Any variation to the original Contract must be in the best interests of the Council and of continued delivery of services.

31. Assignments and Novations

Any proposals to assign or novate a contract must be referred to the Director of Governance and Legal Services at the earliest possible instance for advice.

32. Termination of Contract

- 32.1 For any Contract exceeding £25,000 in value early termination shall be approved by the appropriate decision maker, provided always that the advice of the Director of Governance and Legal Services and Procurement Manager is first sought. Contracts of a lesser value may be terminated early (prior to the expiry date) by agreement with the Contractor or in accordance with the termination provisions set out in the Contract. Legal advice should be sought as appropriate. The Senior Officer must inform the Procurement Manager when any Contract is terminated and the reasons for the same.
- 32.2 For any Contract exceeding £5,000,000 in value, early termination shall be approved by Cabinet unless the matter relates to a Council function in which case matters shall be reported to Council.

33. Payments on Account and contract payments

- 33.1 Payments on account should only be made upon certification by the person designated under the Contract for that purpose ('the appropriate person'). The appropriate person will keep detailed records of any such payment, which shall be open to inspection by the Corporate Director, Resources.
- 33.2 The Senior Officer of the relevant service area shall make arrangements to retain adequate details relating to all contract payments made to allow for a proper audit of all such payments. All payments made must comply with the process as set out in Financial Procedure Rules.

34. Contract end

- 34.1 For contracts with a duration of more than 12 months, then at an appropriate point but generally at least six months prior to the end of the contract term, the Contract Manager should review the Contractor's performance and consider what, if any, replacement arrangements are required.
- 34.2 Some contracts may require active steps to be taken to end the contract (e.g. serving of notices) and or steps to be taken to decommission the contract arrangements. The Senior Officer of the service area concerned is responsible for ensuring that where appropriate, matters are diarised and appropriate steps taken to bring contracts to an end and sufficient time allowed to put in place any replacement arrangements that may be required.

Appendix 1: Procurement Routes & Procedures

Means the procurement procedure to be followed in the Procurement.

Where the Council carries out a procurement, which is fully regulated by the Public Contracts Regulations 2015 (SI 2015/102) (PCR 2015) then the Council must use one of the following procurement procedures:

- a. The open procedure.
- b. The restricted procedure.

The advice of the Director Governance and Legal Services and the Procurement Manger (or their nominated officers) must be sought prior to commencing the following procurement procedures

- c. The competitive dialogue procedure.
- d. The competitive procedure with negotiation.
- e. An innovation partnership.
- f. The negotiated procedure.

Key features

The open procedure.

Key features - a process where all providers interested in the contract and who have responded to an advertisement may submit tenders. All such tenders must be considered without any prior selection process. The selection and evaluation is carried out after the submission of the tenders.

The restricted procedure.

Key features - a two-stage process where only those providers who have been invited may submit tenders. The selection and shortlisting are usually carried out based on a Pre-Qualification Questionnaire (PQQ).

The advice of the Director Governance and Legal Services and the Procurement Manger (or their nominated officers) must be sought prior to commencing the following procurement procedures:

The competitive dialogue procedure

Key features - The procurement procedure whereby a contracting authority (The Council) enters into a dialogue with bidders about its requirements before inviting them to submit a *final tender*. It is used in complex projects where the Council cannot adequately specify its requirements. It is one of the procedures through which the Council may award a contract under the *Public Contracts Regulations 2015 (SI 2015/102)*

The competitive procedure with negotiation

This procedure has been described as a hybrid procedure because, as with the restricted procedure, it allows the contracting authority to award a contract on the basis of an initial tender. However, like the competitive dialogue procedure, it also enables the authority to negotiate with bidders who submitted an initial tender, and any subsequent tenders, until it decides to conclude those negotiations. There is no limit to the number of tender stages. Final tenders are submitted and evaluated and the contract is awarded. Unlike for the competitive dialogue procedure, the PCR 2015 does not provide for any clarification or negotiation of the final tenders or the winning tender

An innovation partnership

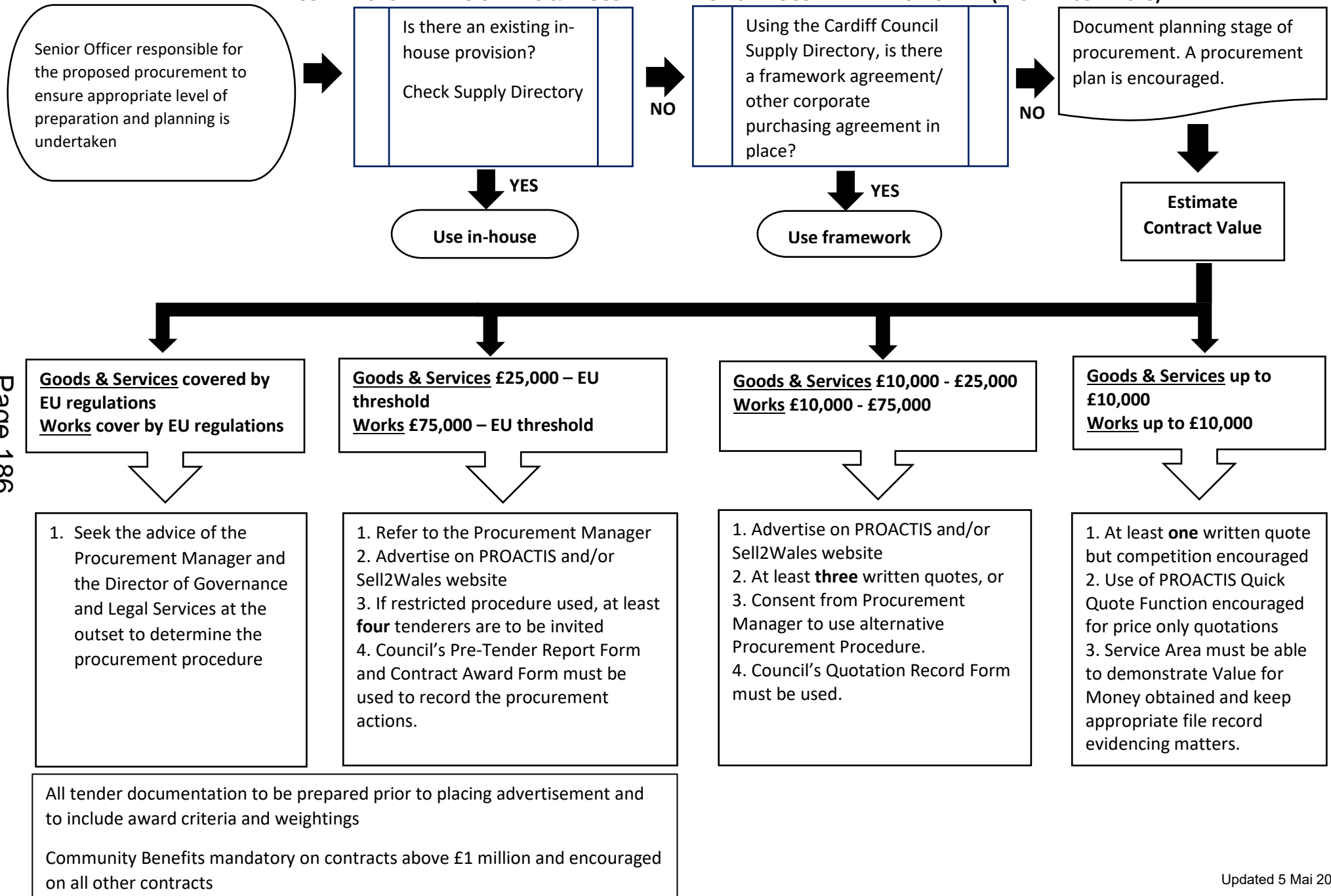
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Final tenders are submitted and evaluated and the contract is awarded. Unlike for the competitive dialogue procedure, the PCR 2015 does not provide for any clarification or negotiation of the final tenders or the winning tender

The negotiated procedure

Whereby the Council negotiates the terms of the Contract with one or more third parties selected by it

APPENDIX 2 - CONTRACT STANDING ORDERS & PROCUREMENT RULES: PROCUREMENT FLOWCHART (FROM 1st JULY 2018)



APPENDIX 2 - CONTRACT STANDING ORDERS & PROCUREMENT RULES: PROCUREMENT FLOWCHART (FROM 1ST JULY 2018)

The Quotation Process

- Quotes should only be accepted in writing (including email) or via the Council's approved electronic system.
- Requests for quotation shall include as a minimum a technical specification, pricing schedule and terms and conditions.
- Consideration should be given to the complexity of the quote being requested and sufficient time allowed from tenderers to provide suitable quotes.
- Quotations received via the Council's e-procurement system will be automatically locked until the closing time and date prescribed for the quotation has lapsed at which point it will be unlocked and available for evaluation.

Pre- Qualification: The Council shall only enter into a contract with a Contractor if it is satisfied as to the Contractors competencies

The Tender Process

- The invitation to tender must include details of the Council's requirements for the particular Contract.
- Proposed procurements with an estimate value in excess of £25,000 for Goods and Services or of £75,000 for Works, the service areas MUST obtain the prior approval of the Procurement Manager to the invitation to tender documentation.
- Every Tenderer submitting a tender will be required to sign a declaration.
- Prior disclosure to Tenderers of the award criteria and weightings is a fundamental requirement that must be complied with.

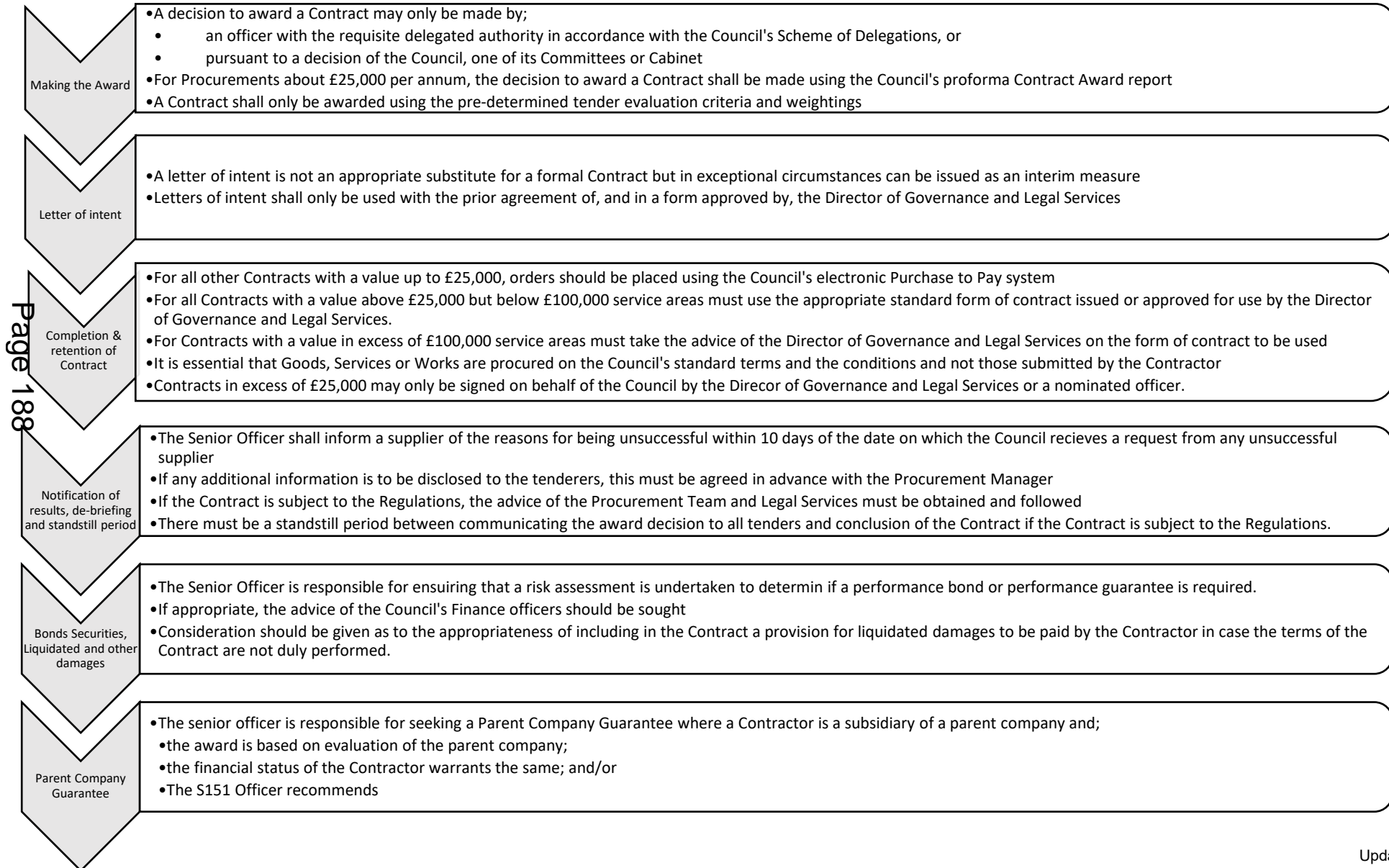
Tender Evaluation

- For each Contract with an estimated value exceeding £25,000 for Goods & Services/ £75,000 for Works, the Senior Officer of the service area must form an Evaluation Team. Membership of the Evaluation Team must be recorded.
- For Contracts exceeding £100,000, the Director of Governance and Legal Services & the Corporate Director of Resources shall be consulted.
- The evaluation criteria shall remain unchanged and must be strictly observed by the Evaluation Team when examining the tenders.
- No adjustment to tender(s) is permitted.
- If an arithmetical error is found, the responsible officer shall correct the error and records shall be kept.
- If a non-arithmetical error is found, the tenderer shall be given an opportunity to confirm without amended or withdraw

Post Tender Clarification

- For Contracts estimated below the EU threshold, the Senior Officer shall consult with the Procurement Manager.
- Seek legal advice before determining whether any clarification would be appropriate to procurements pursuant to EU Procurement Directive.

Awarding Contracts



PART 3 – RESPONSIBILITY FOR FUNCTIONS

Section 4E – SPECIAL DELEGATIONS TO STATUTORY, LEGAL, FINANCIAL & HUMAN RESOURCES OFFICERS

NOTE: The following delegations must be read in conjunction with the foregoing Sub-Sections A, B and C which set out the overall basis, limitations, and further provisions which apply to this Scheme of Delegations and also the general delegations to the Chief Executive, Corporate Directors, Directors, Assistant Directors and Chief Officers.

All Delegated decisions taken in this sub-section by the Chief Executive will be published in the Officer Executive Decision Register.

PROVIDED ALWAYS that the decision is:

- a) within budget;
- b) in accordance with the Council's policy framework;
- c) in accordance with Council's Financial and Land Procedure Rules and Contracts Procedure Rules;
- d) in accordance with their Service Area Business Plan; and
- e) not a matter specifically reserved for Full Council, a Committee of the Council, the Cabinet, a Statutory Officer, the Chief Executive, Corporate Director or a Director.

Chief Executive	
CE1	In cases of urgency or emergency, to exercise any Executive Function (even where such matters are reserved to the Cabinet) or take any decision on behalf of the Council, where this is necessary to protect the Council's interests.
CE2	To be Chief Executive and discharge the functions of appointment and dismissal of, and taking disciplinary action against, any member of staff, in accordance with the Council's HR and financial procedures and subject to appropriate consultation as outlined therein, except where such functions have been reserved to the Appointments Committee.
CE3	To exercise corporate Council functions as appropriate.
CE4	To incur expenditure in the event of a civil emergency.
CE5	To determine any matter which is not a matter specifically reserved for full Council, a committee of the Council, the Cabinet or another Statutory Officer.

CE6	For the purposes of the Local Government (Contracts) act 1997, authority for the Corporate Director, Resources and any one of the following – Chief Executive, Director of Governance & Legal Services and Monitoring Officer to sign each certificate given under the Act.
CE7	To the Chief Executive or Nominee (Chief HR Officer) to make decisions on employee Terms and Conditions, (including procedures for dismissal), except those relating to: <ul style="list-style-type: none"> • Chief Executive, Chief Officers and other JNC for Chief Officer posts; • Changes to the Council’s corporate pay grade structure; • Changes for employee Terms and Conditions which are the subject of contention with the trade unions.
CE8	To determine any application for re-grading of an Operational Manager, within the approved remuneration framework.
CE9	Functions of the Returning Officer
CE9A	Functions of the Electoral Registration Officer
CE10	To appoint proper officers where required at law for the performance of Executive Functions.
CE11	Re-grading applications – To determine applications for re-grading from the Chief HR Officer
CE12	To approve new operational HR employment policies and changes to existing policies as required.
CE13	Receive notice of resignation of office (pursuant to section 84 of the Local Government Act 1972)
Qualification: The above may not be further delegated, save that in the absence of the Chief Executive, they may be exercised by his nominated deputy.	
DIRECTOR OF GOVERNANCE & LEGAL SERVICES and the officers for the time being nominated as Monitoring Officer and Deputy Monitoring Officer, to the extent to which the matters below relate to the statutory functions of the Monitoring Officer and are required to discharge their respective roles.	
LD1	To appoint proper officers or authorise an officer of the Authority for any purpose the performance of which is an Executive Function where statute requires that the officer should be appointed or authorised for that specific purpose or purposes.
LD2	All proper officer functions not allocated to other officers and to act as Solicitor to the Council.
LD3	Authority to affix the Common Seal of the Council.
<u>Local Government Act 1972 Part V – General Provisions as to Members & Proceedings of Local Authorities</u>	
LD4	Section 83(1) to (4) – Witness and Receipt of Declarations of Acceptance of Office.

LD5	[Deleted]
LD6	Section 88(2) – Convening meeting to fill casual vacancy of Chairperson.
LD7	[Deleted]
LD8	[Deleted]
LD9	[Deleted]
LD10	Section 99 and Schedule 12 Paragraph 4(2)(b) – Signature of Summonses to Council Meetings.
LD11	Section 99 and Schedule 12 Paragraph 4(3) – Receipt of Notices regarding Addresses to which Summonses to Meetings to be sent.
LD12	<p><u>Part V A – Access to Information</u></p> <ul style="list-style-type: none"> • Section 100B(2) – Exclusion of exempt items from public access. • Section 100B(7)C – Provision of copies of documents to newspapers. • Section 100C(2) – Provision of written summary of exempt proceedings. • Section 100D(1)(a) – Preparation of lists of background papers. • Section 100D(5) – Identification of background papers to a report. • Section 100F(2) – Identification of exempt information not to be disclosed.
LD13	<p><u>Part XI General Provision – Documents and Notices etc</u></p> <ul style="list-style-type: none"> • Section 228(3) – Inspection of accounts. • Section 229(5) – Certification of official documents. • Section 231(1) – Receipt of Notices served on the Council. • Section 233 – Service of Notices by the Council. • Section 234(1) & (2) – Signing of Documents. • Section 238 – Certification of bylaws.
LD14	<p><u>Local Government Housing Act 1989</u></p> <ul style="list-style-type: none"> • Section 2(4) – Receipt of list of politically restricted posts. • Section 19(1) – Receipt of general notice of pecuniary interests from Members.

LD15	<p><u>Local Government (Committees & Political Groups) Regulations 1990</u></p> <p>Regulation 8 – Receipt of notice of formation of political groups and changes in membership of political groups.</p>
LD16	<p><u>Constitution (including Rules of Procedure)</u></p> <p>To exercise Delegations as set out in the Constitution (including Rules of Procedure)</p>
LD16A	<p>To make minor amendments to the Constitution, to include:</p> <p>(a) Amending typographical and minor drafting errors;</p> <p>(b) Updating to reflect legislative changes and matter of record; and</p> <p>(c) Drafting improvements to enhance clarity and remove minor anomalies.</p>
LD17	<p><u>Appointments</u></p> <p>To appoint councillors or non-councillor members to committee seats allocate to political groups or nominating bodies (or to make changes, fill vacancies or give effect to temporary membership changes – “substitutions”) in accordance with the wishes of political groups or member nominating body.</p>
LD18	<p>To make appointments to outside bodies in accordance with the decision of Council.</p>
LD19	<p>To constitute the membership of appeals and complaints committees and Council Tax/Benefit Revenue Boards from panels of trained members.</p>
LD20	<p><u>Representing the Council in the Courts, Tribunals or at Public Enquiries</u></p> <p>To authorise the institution, defence, withdrawal of compromise of any claims or legal proceedings, and or criminal, in consultation with the relevant Chief Officer, except where power to institute proceedings is delegated to specific officers.</p>
LD21	<p>To appear personally or authorise officers of the Council to appear on the Council’s behalf in court proceedings or at any</p>

	tribunal or public or local inquiry.
LD22	To engage Counsel to represent the Council at any proceedings.
LD23	To defend and settle (subject to consultation with the relevant Director/Chief Officer and the Chief HR Officer any Employment Tribunal proceedings.
LD24	<p><u>Applications under Section 53 of the Wildlife and Countryside Act 1981</u></p> <p>Authority to decide (using the guidelines contained in the legislation and any guidance issued by the authority) whether a claim is supported by sufficient evidence for an order to be made and (subject to circulation of details of such claims to Members of the Planning Committee) to serve notice on applicants who have submitted insufficient evidence or not met the legal requirements that no order be made.</p>
LD25	<p><u>Pastoral Measure 1983</u></p> <p>Authority to determine the Council's response to any proposal received for consultation to alter ecclesiastical boundaries under the Measure, taking into account the views of ward councillors for the area and subject to any of these councillors being able to require the matter to be decided by the Cabinet.</p>
LD26	<p><u>Orders</u></p> <p>To make all Statutory Orders.</p>
LD27	Instituting criminal proceedings in cases of assault against employees where it is considered appropriate to do so in the interest of the County Council and where such proceedings have not been undertaken by the Police.
LD28	To discharge the functions of the authority in respect of cancellation of family absence pursuant to Regulation 34 of the Family Absence for Members of Local Authorities (Wales) Regulations 2013
<p>Corporate Director, Resources; and the officers for the time being nominated as Section 151 Officer and Deputy Section 151 Officer, to the extent to which the matters below relate to the statutory functions of the Section 151 Officer and are required to discharge their respective roles.</p>	
FS1	Delegated Powers conferred on the Corporate Director, Resources under Financial Procedure Rules.

FS2	To be the Officer with responsibility for the proper administration of the Council's financial affairs under Section 151 of the Local Government Act 1972 and meeting the requirement under Section 113 of the Local Government Finance Act 1988 to be a member of one of the recognised accountancy bodies.
FS3	To nominate a properly qualified member of staff to deputise should the Corporate Director, Resources be unable to perform his/her duties under Section 114 of the Local Government Finance Act 1988.
FS4	To facilitate and manage the co-ordination of medium term financial planning, annual budget planning, budget monitoring and the preparation of statutory and other accounts, associated grant claims and supporting records.
FS5	To manage the Council's financial affairs and services, including all matters relating to the Collection Fund, General Fund, Housing Revenue Account, Treasury Management, Reserves and Provisions, Subsidiary Accounts, all other funds established under statutory requirements and trust funds including charitable trust funds where the Council or its officers are trustees.
FS6	For the purpose of the Local Government (Contracts) Act 1997, authority for the Corporate Director, Resources and any one of the following – Chief Executive, Director of Governance and Legal Services and Monitoring Officer, to sign each certificate given under the Act.
FS7	To carry out the functions and exercise the powers of the Authority under Part 1 of the Local Government Finance Act 1988 (Administration and Collection of Community Charges).
FS8	To carry out the functions and exercise the powers of the Authority under Parts I and II of the Local Government Finance Act 1992 (except determinations under Sections 8 (2) or 12 (1) of the 1992 Act) (Administration and Collection of Council Tax).
FS9	To carry out the functions and exercise the powers of the Authority under Part III of the Local Government Finance Act 1988.

FS10	To operate the Authority's bank accounts for the prudent management of financial affairs and arrange for all cheques to bear the signature of the Corporate Director, Resources; to include, without limitation, the authority to establish appropriate overdraft limits on individual accounts to allow the effective processing of transactions and operation of the accounts, and to enter into legal agreements to set-off debit and credit balances on any such accounts.
FS11	To arrange and operate other bank accounts and to nominate authorised signatories to act on behalf of the Council.
FS12	To approve arrangements for bank accounts for cheque book schools.
FS13	To write off of irrecoverable debts and to determine the payment period of debts where debtors offer to pay by instalments where the debt in question does not exceed £100,000.
FS14	To determine the level of security for the due performance of any contract and to approve Contract Guarantee Bonds.
FS15	To accept nominations of admitted bodies to participate in the Superannuation Fund.
FS16	To determine the appropriate rate of interest where chargeable under any statutory power of the Authority.
FS17	To approve deductions from pay in suitable cases when requested by staff.
FS18	To grant extensions of repayment periods under house mortgages granted by the Authority and on the repossession of mortgaged houses, to sell the same by auction or by private treaty or to foreclose in appropriate cases.
FS19	To waive the right to recovery of salaries paid in advance to employees under Section 30 of the Local Government (Miscellaneous Provisions) Act 1976.
FS20	To authorise the invitation of tenders, quotations, offers or bids and agree appropriate tender evaluation criteria for Framework/Call-off arrangements in accordance with the Contracts Procedure Rules and where appropriate for that purpose, approve select lists of contractors, suppliers and tenderers.
FS21	To approve the acceptance of tender bids, quotations or estimates for Framework/Call-off arrangements in accordance with the Contracts Procedure Rules within financial estimates where: (a) Where the value of the contract does not exceed £5,000,000 and the contract is awarded to the lowest tenderer; or (b) even though the tender is not the lowest provided that the value of the contract does not exceed £1,000,000
FS22	To approve the write-off of stocks, stores and other assets where the value of the stocks, stores or other assets does not exceed £50,000.

FS23	<p>To issue legal proceedings (and under Section 223 of the Local Government Act 1972 be authorised to appear on behalf of the County Council at the hearing of any legal proceedings in the Magistrates Court) by way of an application for the issue of a Liability Order in respect of:-</p> <ul style="list-style-type: none"> • unpaid Council Taxes and penalties under Part VI of the Council Tax (Administration and Enforcement) Regulations 1992; by way of an application for the issue of a warrant of commitment to prison under Part VI of the Council Tax (Administration and Enforcement) Regulations 1992; to require financial information, to make an Attachment of Earnings Order; to levy the appropriate amount by distress and sale goods; and to exercise all other enforcement powers of the County Council under the Council Tax (Administration and Enforcement) Regulations 1992 and any subsequent amendments of such Regulations • unpaid rates; by way of an application for the issue of a warrant of commitment; and to exercise all other powers of enforcement of the County Council under the Non-Domestic (Collection and Enforcement) (Local Lists) Regulations 1989 and any amendment thereto.
FS24	<p>To engage the services of bailiffs for the service of summonses and warrants of commitment, obtaining financial information, the levying of distress warrants and the sale of goods and any appropriate action for the recovery of outstanding Community Charges under the Local Government Finance Act 1988 and any regulations made there under and outstanding Council Taxes and penalties under the Local Government Finance Act 1992 and any Regulations made there under.</p>
FS25	<p>To engage the services of bailiffs to serve such summonses, distress warrants, liability orders or warrants of commitment, to levy distress and to sell goods as may be necessary to recover outstanding rates.</p>
FS26	<p>The settlement of claims, in special circumstances (individual claims for loss or damage to employees' personal effects up to a maximum of £100). (CIS 4.F.IN.021A)</p>
FS27	<p>To approve revenue and capital budget virements or any inter-service virements where the purpose of the budget has not been amended.</p>
FS28	<p>In accordance with any policy or strategy decided by the Pensions Committee, to approve decisions relating to the operational management of the Cardiff & Vale of Glamorgan Pension Fund ('the Fund') and the administration of pension benefits.</p>

FS50	<u>(i) Represent Cardiff Council at the Cardiff Bus AGM; and</u> <u>(ii) To discharge the functions of the Statutory and Principal Employer of the Cardiff Bus Pension Scheme, in consultation with the Cabinet Member for Finance Modernisation and Performance.</u>
FS52	[Deleted]
FS53	[Deleted]
FS54	To give public notice of a casual vacancy (pursuant to section 87(2) of the Local Government Act 1972) and receive notice calling for an election (pursuant to s.89(1) and 89(6) of the same Act, and regulations made thereunder).
Chief HR Officer	
HR1	Amendments to Establishment – To approve the proposals of Chief Officers to <ul style="list-style-type: none"> • Determine any applications for re-grading at Operational Manager Level and below (CIS <u>4.C.134</u>) • Vary their establishment by:- (CIS <u>4.C.238</u>) <ul style="list-style-type: none"> ○ Deleting posts ○ Creating posts (CIS <u>4.C.217</u>) ○ Re-designating and redefining existing posts
HR2	Re-grading Appeals – To determine appeals against decisions made on applications for re-grading from officers graded Operational Manager and below.
HR3	Appointment of temporary staff over and above establishment for periods in excess of 12 months where the funding for the post(s) is/are from external sources. (CIS Ref. 4.C.015)
HR4	Market Supplements – To approve the payment of Market supplements of up to a maximum of 30% of salary.
HR5	Determine requests for extension of half sick pay.
HR6	To determine appeals from staff with regard to unsuccessful applications for flexible working.
HR7	Approval of applications for voluntary severance for Operational Manager and below. (CIS <u>4.C.182</u>)

PART 3 – RESPONSIBILITY FOR FUNCTIONS

Section 4F – Delegations to Specific Officers

The officers named below shall be authorised to exercise the following Delegations, provided always that the decision is:

- a) within budget
- b) in accordance with the Council’s policy framework
- c) in accordance with Council’s Financial and Land Procedure Rules and Contracts Procedure Rules
- d) in accordance with their Service Area Business Plan
- e) not a matter specifically reserved for Full Council, a Committee of the Council, the Cabinet, a Statutory Officer, the Chief Executive, Corporate Director or any other Director or Assistant Director.

Ref	Delegation
Head of Shared Regulatory Service	<ul style="list-style-type: none">• To act as the Chief Inspector of Weights and Measures and to exercise the functions assigned to the Council as a weights and measures authority.• To discharge the duties and functions listed in Schedule 1 Part 3 of the Shared Regulatory Service Collaboration Agreement dated 10th April 2015.• To exercise all functional responsibilities delegated by the Licensing Committee and the Public Protection Committee.
Operational Manager, Bereavement and Registration Services	<ul style="list-style-type: none">• To act as the proper officer for the registration service and to exercise the functions assigned to the Council under the Registration Acts.

Director of Social Services	<ul style="list-style-type: none"> • To be the Director of Social Services pursuant to section 6 of the Local Authority Social Services Act 1970 with responsibility for the social services functions of the Council, including the authority to decide on the reception of persons into guardianship of the Authority under sections 7 and 37 of the Mental Health Act 1983, the exercise of functions of nearest relative of persons so suffering and to make appointments of Approved Social Workers. • To be the Council's Lead Officer on Children's Services for the purposes of the Children Act 2004.
Director, Education Director, Education, DEd1	<ul style="list-style-type: none"> • To be the Chief Education Officer of the Authority pursuant to Section 532 of the Education Act. • To exercise the Council's powers of intervention under Part 2 of the School Standards and Organisation (Wales) Act 2013, including for the avoidance of doubt, the powers to serve a Warning Notice; appoint additional governors or an Interim Executive Board.
Head of Planning	<ul style="list-style-type: none"> • To determine all matters which are delegated to the Planning Committee under the Council's constitution and to carry out any functions under Planning legislation, subject to consultation with the Chair of the Planning Committee (or in his or her absence, the Vice Chair) in any case where written objections on valid planning grounds have been submitted and remain unwithdrawn, EXCEPT for the following matters which are reserved for determination by the Planning Committee: <ul style="list-style-type: none"> (i) Planning applications submitted by or on behalf of any current Elected Members of the Council (except when a Member is acting in a professional capacity as an agent for a third party), Directors and Assistant Directors or the Head of Planning. (ii) An Elected Member of the Council has requested in writing to the Chair of Planning Committee within the statutory consultation period (being 21 days from the commencement of the formal public consultation) that an application be referred to Planning Committee for consideration giving valid planning reasons, except in cases where the Head of Planning, in consultation with Chair of Planning Committee (or in his or her absence, the Vice Chair) determines at his discretion that the application should be determined as a delegated decision. (iii) The Director of Planning, Transport and Environment or the Head of Planning considers that the

	<p>application should be determined by Planning Committee by virtue of the application raising significant policy and material considerations/concerns and/or widespread local concerns.</p> <p>(iv) Approval of the application would represent a significant departure from policies contained within the approved Local Development Plan.</p> <p>(v) Cardiff Council is the applicant and the scheme is not of a 'minor' nature in the opinion of the Director of Planning, Transport and Environment or Head of Planning.</p> <p>(vi) Applications where the decision would conflict with an objection received from a statutory consultee and the objection has not been withdrawn or has been unable to be resolved by negotiation or by imposing a planning condition on any consent issued, except in cases where the Head of Planning, in consultation with Chair of Planning Committee (or in his or her absence, the Vice Chair) determines at his discretion that the application should be determined as a delegated decision.</p> <p>(vii) Applications where a valid petition has been submitted in accordance with the Council's Planning Committee Procedure Rules.</p> <p>In the absence of the Head of Planning, this delegation shall be exercisable by either of the Planning Operational Managers. In the case of a senior management re-organisation, any officers with similar duties to the officers and the job titles specified in this scheme will have the powers assigned to the officers and the job titles in this scheme.</p> <p>In the absence of the Chair of Planning Committee, the authority passes to the Vice Chair of Planning Committee.</p>
<p>Corporate Director, People and Communities</p>	<ul style="list-style-type: none"> • To make compulsory purchase orders in respect of single dwellings under Part II of the Housing Act 1985 and or the Acquisition of Land Act 1981.

Corporate Director, Resources	<ul style="list-style-type: none"> To make all necessary arrangements in consultation with the Cabinet Member, Environment and with advice as necessary from the Director Governance and Legal Services, to enable the Council to discharge its functions as a Single Licensing Authority under Part 1 of the Housing (Wales) Act 2014 and the Renting Homes (Fees etc) (Wales) Act 2019
Director of Economic Development	
DE1	<p>To authorise disposals of land or an interest in land where the value is not more than £1,000,000 and where:</p> <ul style="list-style-type: none"> (i) Member consultation and advice from the Section 151 Officer and the Monitoring Officer has agreed to the exercise of the delegation; (ii) The offer represents the best price reasonably obtainable; and (iii) The offer so accepted is on price alone, <p>Subject to compliance with the Procedure Rules for the Acquisition or Disposal of Land, and</p> <p><u>Qualification: This may not be further delegated.</u> Provided that this power may not be sub-delegated other than in accordance with delegation CP1 below.</p>
DE2	<p>To authorise acquisitions of land or an interest in land where the value is not more than £1,000,000 and where:</p> <ul style="list-style-type: none"> (i) Member consultation and advice from the Section 151 Officer and the Monitoring Officer has agreed to the exercise of the delegation; (ii) The Council's offer represents no more than market value as determined by a qualified valuer; and (iii) The amount offered is on price alone, <p>Subject to compliance with the Procedure Rules for the Acquisition or Disposal of Land, and</p> <p><u>Qualification: This may not be further delegated.</u> Provided that this power may not be sub-delegated other than in accordance with delegation CP2 below.</p>

DE2A	To authorise the appropriation of land held by the Council for any purpose or function for which the Council is authorised to acquire land by statute, subject to Member consultation and advice from the Section 151 Officer and the Director of Governance and Legal Services.
DE2AA	To authorise the appropriation of land from the General Fund to the Housing Revenue Account and from the Housing Revenue Account to the General Fund as may be appropriate, where the value of the land is no more than £1,000,000, subject to consultation with the relevant Cabinet member and the Corporate Director, People and Communities, and advice from the Section 151 Officer and the Director of Governance and Legal Services.
DE3	<p>To authorise the grant or taking of a lease at a rent not exceeding £1,000,000 or agreeing the renewal or reconstruction of existing leases at a rent not exceeding £1,000,000, where:</p> <ul style="list-style-type: none"> (i) Member consultation and advice from the Section 151 Officer and the Monitoring Officer has agreed to the exercise of the delegation; and (ii) In the case of a grant, the offer represents the best rent reasonably obtainable by the Council as approved by a qualified valuer; or (iii) In the case of an acquisition, the Council's offer is no more than market value as approved by a qualified valuer, <p>Subject to compliance with the Procedure Rules for the Acquisition or Disposal of Land, and.</p> <p><u>Qualification: This may not be further delegated.</u> Provided that this power may not be sub-delegated other than in accordance with delegation CP3 below.</p>
DE4	<p>To declare Operational Land and Property as surplus to the Council's requirements, subject to consultation with service areas and ward Members, and subject to no objections being received from ward Members. Receipt of a ward Member objection will require the report to be referred to the Cabinet for decision.</p> <p>Qualification: This may not be further delegated.</p>
DE5	To grant grazing licences, easements, leases to utility undertakings for operational purposes, temporary licences and renewals.
DE6	To grant landlord's consent to alterations to land involving change of use (other than A4.8).

DE7	To agree the sale of residential freehold reversions.
DE8	To grant the release or modification of restrictive covenants for alterations to residential premises.
DE9	To settle Part 1 claims under the Land Compensation Act 1973.
DE10	To grant landlord's consent to the assignment of existing tenancies.
DE11	To grant landlord's consent to the subletting of existing tenancies.
DE12	To grant landlord's consent to alterations to land involving no change of use.
DE13	To agree Council House sales under Right to Buy provisions.
<u>Assistant Director, County Estates</u>	
<u>ADE1</u>	<p><u>To authorise disposals of land or an interest in land where the value is not more than £500,000 and where:</u></p> <p>(iv) <u>Member consultation and advice from the Section 151 Officer and the Monitoring Officer has agreed to the exercise of the delegation;</u></p> <p>(v) <u>The offer represents the best price reasonably obtainable; and</u></p> <p>(vi) <u>The offer so accepted is on price alone,</u></p> <p><u>Subject to compliance with the Procedure Rules for the Acquisition or Disposal of Land.</u></p> <p><u>Qualification: This may not be further delegated.</u></p>
<u>ADE2</u>	<p><u>To authorise acquisitions of land or an interest in land where the value is not more than £500,000 and where:</u></p> <p>(iv) <u>Member consultation and advice from the Section 151 Officer and the Monitoring Officer has agreed to the exercise of the delegation;</u></p> <p>(v) <u>The Council's offer represents no more than market value as determined by a qualified valuer; and</u></p> <p>(vi) <u>The amount offered is on price alone,</u></p> <p><u>Subject to compliance with the Procedure Rules for the Acquisition or Disposal of Land, and.</u></p> <p><u>Qualification: This may not be further delegated.</u></p>

ADE3	<p><u>To authorise the grant or taking of a lease at a rent not exceeding £500,000 or agreeing the renewal or reconstruction of existing leases at a rent not exceeding £500,000, where:</u></p> <ul style="list-style-type: none"> <u>(iv) Member consultation and advice from the Section 151 Officer and the Monitoring Officer has agreed to the exercise of the delegation; and</u> <u>(v) In the case of a grant, the offer represents the best rent reasonably obtainable by the Council as approved by a qualified valuer; or</u> <u>(vi) In the case of an acquisition, the Council's offer is no more than market value as approved by a qualified valuer.</u> <p><u>Subject to compliance with the Procedure Rules for the Acquisition or Disposal of Land, and.</u></p> <p><u>Qualification: This may not be further delegated.</u></p>
<p><u>Corporate Property and Estates Manager</u><u>Head of Property</u></p>	
CP1	<p>Subject to sub-delegation of delegation DE1, tTo authorise disposals of land or an interest in land where the value is not more than £100<u>250</u>,000 and where:</p> <ul style="list-style-type: none"> (i) The offer represents the best price reasonably obtainable; (ii) The offer so accepted is on price alone; and (iii) The offer is greater than that estimated by a qualified valuer or no more than 10% below that estimate. <p>Qualification: This may not be<u>be</u> further delegated <u>to officers at Operational Manager level only.</u></p>

CP2	<p>Subject to sub-delegation of delegation DE2, to authorise the acquisition of land or an interest in land where the value is not more than £400<u>250</u>,000 and where:</p> <ul style="list-style-type: none">(i) The Council's offer represents no more than market value; and(ii) The amount offered is on price alone. <p>Qualification: This may not be further delegated <u>to officers at Operational Manager level only.</u></p>
CP3	<p>Subject to sub-delegation of delegation DE3, to authorise the grant or taking of a lease at a rent not exceeding £100,000 or agreeing the renewal or reconstruction of existing leases at a rent not exceeding £100,000, where:</p> <ul style="list-style-type: none">(i) In the case of a grant, the offer represents the best rent reasonably obtainable by the Council as approved by a qualified valuer; or(ii) In the case of an acquisition, the Council's offer is no more than market value as approved by a qualified valuer. <p>Qualification: This may not be further delegated <u>to officers at Operational Manager level only.</u></p>

PART 4 – RULES OF PROCEDURE

PROCEDURE RULES FOR THE ACQUISITION OR DISPOSAL OF LAND

1 GENERAL

1.1 These Rules will be followed when dealing with all acquisitions and disposals of land, whether freehold, leasehold or by grant of a tenancy, except as provided below.

1.2 In the Procedure Rules for the Acquisition or Disposal of Land,

'~~CP&EM~~Head of Property' shall mean the ~~Council's Corporate Property & Estates Manager~~Head of Property or another qualified valuer with similar duties.

'Land' shall mean any interest in land (including buildings), or any right in, on, over or under land.

'Operational Land or Property' shall mean Council land and property held to facilitate the delivery of Council services to include without limitation land and properties such as offices, schools and associated playing fields, nurseries, youth centres, caretakers houses, libraries, community centres and halls, sports/other leisure outdoor centres and pools, residential homes, day and training centres, enterprise centres, housing area offices, depots, civic amenities sites, cemeteries, crematoria, laboratories, animal pounds, public conveniences, theatres and concert halls, historic buildings and civic residences, parks and recreation grounds, sports pitches, play areas and all associated buildings, changing rooms and ancillary residential accommodation, but excluding land held for investment or development purposes. In the case of doubt, the Section 151 Officer and the Monitoring Officer shall determine the issue.

'Non-Operational Land or Property' shall mean any Land not falling within the definition in these Rules of Operational Land or Property.

'Designated Body' shall mean:-

- (a) the Council exercising non-executive functions; or
- (b) an employee to whom powers (being non-executive functions) have been delegated by the Council; or
- (c) the Leader, the Cabinet or an officer exercising Executive Functions in accordance with the Cabinet Procedure Rules.

'Relevant Cabinet Member/s' shall mean the Cabinet Member for Finance as well as any other Cabinet Member with relevant portfolio responsibility.

- 1.3 These Rules apply to:-
- (a) the freehold acquisition or disposal of Land;
 - (b) the grant of a lease or tenancy exceeding 7 years in duration; and
 - (c) the taking of a lease or tenancy of any duration.
- 1.4 The Procedure Rules for the Acquisition or Disposal of Land do not apply:-
- (a) to disposals under the Leasehold Reform Act 1967 or under "Right to Buy" legislation;
 - (b) to the renewal or restructuring of an existing lease or tenancy;
 - (c) to the sub-letting or assignment of an existing lease or tenancy granted by the Authority;
 - (d) where the Cabinet and the Council decides they will not apply in certain cases.
- 1.5 In any dealings with Land, proper regard will be had to the professional advice from a qualified Valuer at all relevant stages during the process.
- 1.6 The Council's ~~Corporate Property and Estates Manager~~[Head of Property](#) (or another qualified valuer with similar duties) shall be designated as the Valuer for the purposes of paragraph 1.5 of the Procedure Rules for the Acquisition or Disposal of Land and no disposal shall be proposed except in consultation with him/her.
- 1.7 Procedures will be followed precisely so that due probity and accountability can be demonstrated and value for money achieved.

2 ACQUISITIONS, DISPOSALS AND LEASES - AUTHORITY

- 2.1 Under the Scheme of Delegations, authority for approving disposals, acquisitions and leases shall be vested in:
- (a) The Director of Economic Development (or the Chief Executive), in the case of disposals where the value is not more than £1,000,000 and where:
 - (i) Member consultation and advice from the Section 151 Officer and the Monitoring Officer has agreed to the exercise of the delegation;
 - (ii) The offer represents the best price reasonably obtainable; and
 - (iii) The offer so accepted is on price alone.

[\(This may not be further delegated.\)](#)

~~Provided that this power may not be sub-delegated other than pursuant to the following paragraph (b).~~

(b) The Assistant Director, County Estates, in the case of disposals of land or an interest in land where the value is not more than £500,000 and where:

- (i) Member consultation and advice from the Section 151 Officer and the Monitoring Officer has agreed to the exercise of the delegation;
- (ii) The offer represents the best price reasonably obtainable; and
- (iii) The offer so accepted is on price alone.

(This may not be further delegated.)

~~(b)(c) The CP&EM Head of Property, (pursuant to sub-delegated powers from the Director of Economic Development), in the case of disposals where the value is not more than £400250,000 and where:~~

- (i) The offer represents the best price reasonably obtainable;
- (ii) The offer so accepted is on price alone; and
- (iii) The offer is greater than that estimated by a qualified valuer or no more than 10% below that estimate.

(This may be further delegated to officers at Operational Manager level only.)

~~(e)(d) The Director of Economic Development (or the Chief Executive), in the case of acquisitions where the value is not more than £1,000,000 and where:~~

- (i) Member consultation and advice from the Section 151 Officer and the Monitoring Officer has agreed to the exercise of the delegation;
- (ii) The Council's offer represents no more than market value as determined by a qualified valuer; and
- (iii) The amount offered is on price alone.

(This may not be further delegated.)

~~Provided that this power may not be sub-delegated other than pursuant to the following paragraph (d).~~

(e) The Assistant Director, County Estates, in the case of acquisitions of land or an interest in land where the value is not more than £500,000 and where:

- (i) Member consultation and advice from the Section 151 Officer and the Monitoring Officer has agreed to the exercise of the delegation;

(ii) The Council's offer represents no more than market value as determined by a qualified valuer; and

(iii) The amount offered is on price alone.

(This may not be further delegated.)

~~(d)(f)~~ The ~~CP&EM (pursuant to sub-delegated powers from the Director of Economic Development)~~Head of Property, in the case of acquisitions where the value is not more than ~~£400~~£250,000 and where:

(i) The Council's offer represents no more than market value; and

(ii) The amount offered is on price alone.

(This may be further delegated to officers at Operational Manager level only.)

(g) The Director of Economic Development (or the Chief Executive), in the case of the grant or taking of a lease at a rent not exceeding £1,000,000 or agreeing the renewal or reconstruction of existing leases at a rent not exceeding £1,000,000, where:

(i) Member consultation and advice from the Section 151 Officer and the Monitoring Officer has agreed to the exercise of the delegation; and

(ii) In the case of a grant, the offer represents the best rent reasonably obtainable by the Council as approved by a qualified valuer; or

(iii) In the case of an acquisition, the Council's offer is no more than market value as approved by a qualified valuer,

(This may not be further delegated.)~~Provided that this power may not be sub-delegated other than pursuant to the following paragraph (f).~~

(h) The Assistant Director, County Estates, in the case of the grant or taking of a lease at a rent not exceeding £500,000 or agreeing the renewal or reconstruction of existing leases at a rent not exceeding £500,000, where:

(i) Member consultation and advice from the Section 151 Officer and the Monitoring Officer has agreed to the exercise of the delegation; and

(ii) In the case of a grant, the offer represents the best rent reasonably obtainable by the Council as approved by a qualified valuer; or

(iii) In the case of an acquisition, the Council's offer is no more than market value as approved by a qualified valuer.

(This may not be further delegated.)

(j) The ~~CP&EM (pursuant to sub-delegated powers from the Director of Economic Development)~~ Head of Property, in the case of the grant or taking of a lease at a rent not exceeding £100,000 or agreeing the renewal or reconstruction of existing leases at a rent not exceeding £100,000, where:

- (i) In the case of a grant, the offer represents the best rent reasonably obtainable by the Council as approved by a qualified valuer; or
- (ii) In the case of an acquisition, the Council's offer is no more than market value as approved by a qualified valuer.

(This may be further delegated to officers at Operational Manager level only.)

(k) The Cabinet, for a disposal, acquisition or lease in any case where arrangements have not been made for discharge of that function by an officer of the Council, pursuant to the Cabinet's reserved powers 16, 17 or 42 or where a reference to Cabinet is appropriate following Member consultation under paragraph 2.2 below.

2.2 The exercise of officer delegations under paragraph 2.1 above shall be subject to the following consultation requirements:

- (i) Relevant Cabinet Member/s and Ward Members shall be consulted on Operational Land disposals valued up to £1,000,000, except for routine transactions valued up to £100,000;
- (ii) Relevant Cabinet Member/s shall be consulted on Non-Operational Land disposals and any land acquisitions, except for routine transactions valued up to £100,000;
- (iii) The Cabinet and Ward Members consulted (under sub-paragraphs (i) and (ii) above) shall be given a 7 working day consultation period, during which they may object and request that the matter be referred to Cabinet; and
- (iv) All land transactions, except for routine transactions valued up to £100,000, shall require advice from the Section 151 Officer and the Monitoring Officer.

3 SURPLUS LAND

The following process shall apply to Operational Land and Property and Non-Operational Land and Property which may be surplus to the Council's requirements:

3.1 Where a service area no longer requires Operational Land or Property, the service area will prepare a report to be approved by the relevant Director in consultation with the relevant Cabinet Member which states that the property or land is surplus to its requirements. Ward Members will be advised that

consideration is being given to declaring the identified property or land as surplus to the service area's requirements.

- 3.2 Alternatively, where the Council's ~~Corporate Property & Estates Manager~~ ("~~CP&EM~~")Head of Property (or another qualified valuer with similar duties) identifies opportunities for development or disposal of Operational Land or Property following a property review or an external enquiry, the CP&EMHead of Property will discuss this with the relevant service area, identify any scope for service area re-provision/relocation if required, and institute consultation as set out in paragraph 3.1 above.
- 3.3 Where the CP&EMHead of Property proposes the disposal of Non-Operational Land or Property, the business case and options for disposal will be discussed at regular frequency with the CP&EMHead of Property and the Cabinet Member for Finance Business & Local Economy (or other Cabinet Member with similar duties) and appropriate actions agreed in individual cases.
- 3.4 A schedule of surplus and potentially surplus land and properties will be maintained by the CP&EMHead of Property and reviewed regularly by the Asset Management Working Group (or other working group or officer with similar duties). Where alternative service area interest arises, this must feature in the relevant service area's property plan, and proposals for a re-use will be considered by the Asset Management Working Group. The relevant Director, and Relevant Cabinet Members will consider the business case for a re-use of land and property for alternative Council purposes.
- 3.5 The schedule of surplus and potentially surplus properties will be circulated to all members of the Council twice a year for information. Where questions or comments arise these will be referred to the CP&EMHead of Property for a response.
- 3.6 At the earliest possible opportunity the ward Members will be advised of the proposed disposal strategy in individual cases, including planning considerations, re-development and disposal timescales. In accordance with delegated power DE4 , if no ward Member objection is received, the Director of Economic Development may declare the land or property as surplus to the Council's requirements; however where a ward Member objection is received the matter will be referred to the Cabinet for a decision.
- 3.7 Where any proposed declaration of a property as surplus (under delegation DE4) relates to a property providing direct services to the public then the decision shall be referred to the Cabinet for its approval under its reserved power 42.
- 3.8 The future of Non-Operational Land will be considered by the Asset Management Working Group (or other working group or officer with similar duties) and the relevant service area who may identify future operational use and, as per the procedure set out in paragraph 3.2, such use will be determined in a similar manner. The sale of Non-Operational Land may

involve freehold reversions, ground leases as initiated by tenants, or sales as an investment subject to a sitting tenancy or to third party investors if it is determined that the Council no longer has a strategic need for the property for social, economic, employment or regeneration purposes.

- 3.9 Marketing arrangements - determining the most appropriate marketing methodology and co-ordinating all negotiations shall be determined by the [CP&EM Head of Property](#) for all property sales and major property related projects taking proper account of the statutory obligation to demonstrate best consideration.

4 INVITATION OF OFFERS - DISPOSALS OF LAND

- 4.1 No offers for the disposal of Land will be invited except with the prior approval of a Designated Body.

- 4.2 Only a Designated Body will determine on the advice of the [Corporate Property & Estates Manager Head of Property](#) (where he/she is not the Designated Body) whether disposals will be by way of sealed offer, private treaty or auction and such determination will be made so as to achieve the best price reasonably obtainable.

- 4.3 There will be no disposal of Land by private treaty or where an offer has been received from only one person except where it is determined by a Designated Body, that there is only one party who could acquire the interest because, for example:-

(a) the physical characteristics of the land so dictate, or

(b) there is only one response following prolonged marketing of the land;

- 4.4 The [Corporate Property & Estates Manager Head of Property](#) will advertise any proposed disposal by public notice in at least one local newspaper and, if appropriate, in specialist journals, setting out a description of the land, the terms and conditions upon which offers are to be submitted, where further particulars may be obtained and the last date and time when offers will be received. It need not be advertised when 2.2 above applies or if it can be demonstrated to the satisfaction of the [Corporate Property & Estates Manager Corporate Services Head of Property](#) that the nature of the demised land is such that to do so would serve no useful purpose.

- 4.5 Offerors will be provided with a Form of Offer based upon a Model prepared by the [Corporate Property & Estates Manager Head of Property](#) and with the official pre-addressed envelope bearing the word "Offer" followed by the subject to which the offer relates and pre-addressed to the [Corporate Property & Estates manager Head of Property](#).

- 4.6 The confidentiality of identity of offerors will be maintained until an offer has been accepted, subject to any legal obligation to disclose.

- 4.7 No offeror will be favoured with information that is not made available to the others.
- 4.8 Every person submitting an offer to the Authority will be required to sign a declaration to the effect that:-
- (a) they have not and will not inform any other person of the amount of their offer; and
 - (b) they have not fixed the amount of any offer in accordance with a price fixing arrangement; and
 - (c) they accept that the Authority is entitled to cancel the contract and to recover from them the amount of any loss arising from such cancellation if it is discovered that there has been any corrupt or fraudulent act or omission by them which in any way induced the Authority to enter into the contract.

5 RECEIPT, CUSTODY AND OPENING OF OFFERS

- 5.1 It will be a condition of every invitation that each offer must be sent in the official envelope provided, which must be sealed.
- 5.2 All offers must be delivered to the address shown on the official envelope.
- 5.3 Delivery by hand will be acceptable only in exchange for an official receipt. The receipt will clearly record the time and date of receipt.
- 5.4 All offers will be kept in safe custody until the appointed time of opening when they will be opened consecutively during the same session.
- 5.5 All offers will be opened by two employees designated for the purpose by the Director of Economic Development, at least one of whom will have had no involvement in the invitation of offers.
- 5.6 When opened, all offers will be recorded in a register and initialled and dated by the designated employees present at the time.
- 5.7 Any offer received after the time and date specified in the invitation will not be considered unless there are exceptional circumstances and it is agreed by the Director of Economic Development and the County Solicitor.

6 EXAMINATION OF OFFERS

- 6.1 If, after the offers have been opened and examined, an error in computation of an offer is detected the offeror will be given details of the error and the opportunity of confirming the total offer sum or withdrawing his/her offer.
- 6.2 An offer, which attempts to qualify certain aspects of the proposals, and which would require the Authority to acquiesce, other than as planning authority, will not be considered. An offeror who submits a qualified offer will be given the

opportunity to withdraw the qualification without amendment to his/her offer and if he/she does so it will be considered but if he/she fails to do so it may be rejected.

- 6.3 An offer which is conditional solely upon the outcome of matters which would not require the Authority to acquiesce, other than as planning authority, will be considered.
- 6.4 No post-offer negotiations will take place with an offeror unless the scope and principles of the negotiations have been approved in writing by an employee of not less than Operational Manager level; and no fewer than two employees are present at all times during the negotiations.
- 6.5 A written record of all verbal communications with an offeror together with the time and date thereof will be made contemporaneously (or as near as possible) and signed by the relevant employee and an employee of not less than Operational Manager level.

7 EVALUATION AND ACCEPTANCE OF OFFERS

- 7.1 The offer that represents the best price reasonably obtainable by the Council will be accepted.
- 7.2 Offers may only be accepted by a Designated Body.
- 7.3 There will be no disposal at less than the best price reasonably obtainable without compliance with relevant statutory provisions, on the advice of the County Solicitor.
- 7.4 Nothing in these Rules binds the Council to accept any offer.

8 NOTIFICATION OF RESULTS

Once an offer has been accepted the unsuccessful offerors will be informed that their offers are no longer being considered.

9 COMPLETION OF CONTRACTS

- 9.1 Contracts and transfers will be in writing and executed in accordance with Article 13 of the Constitution and as may be required in law to give effect to the transaction.
- 9.2 Only the Designated Body may issue instructions to the County Solicitor for the preparation and completion of documentation in respect of any transaction in land, except as authorised in advance by the Cabinet and the Council.
- 9.3 Every contract will comply with the EC Treaty and any Directives of the European Union for the time being in force in the United Kingdom.

10 RETENTION OF DOCUMENTS

- 10.1 Deeds, title documents, leases, charges on land, guarantees and documents of a similar nature may only be destroyed with the consent of the County Solicitor.
- 10.2 Details of all offers will be retained for a period of three years.

PART 4 – RULES OF PROCEDURE

ACCESS TO INFORMATION PROCEDURE RULES

1 Summary of Rights

These rules are a written summary of the rights of the public to attend meetings and the rights of the public and Members of the Council to inspect and copy documents. A copy of these rules will be kept at County Hall and the public shall have the right to inspect them at any reasonable time and to take a copy on payment of a reasonable fee.

2 Scope

These rules apply to all meetings of the Council, Scrutiny committees, the Standards & Ethics Committee and Regulatory Committees (including Planning Committee) and public meetings of the Cabinet (together called meetings), all of which are held in accordance with the Council's Multi Location Meetings Policy, which allows meetings to be attended remotely by persons who are not all in the same physical place, using an online meeting platform.

Each Corporate Director shall be the Proper Officer for the purposes of all statutory and regulatory provisions relating to the identification listing and availability of background papers for any report where such report is within the scope of these Rules and that Corporate Director is the responsible or contributing author.

Each Corporate Director shall be responsible for securing compliance with the requirements of the Data Protection Act 1998 and of the Freedom of Information Act 2000 in relation to the data and information within the purview of those Acts held in his or her Department and shall make all necessary arrangements within the Department for that purpose.

3 Openness Policy

The Authority wishes to be as open as possible in terms of sharing access to information both with Councillors and with the public, as permitted within the law and with respect to the rights of others. These rules seek to complement and supplement and not detract from any statutory rights to information (for example within the Data Protection Acts and the Freedom of Information Act) which Councillors and the public are afforded from time to time. These rules do not affect any more specific rights to information contained elsewhere in this Constitution. In the case of any omission or conflict between these rules or the Constitution and statutory rights, statutory rights will always prevail.

4 Rights of the Public to attend Meetings

Members of the public may attend all meetings subject only to the exceptions in these rules. Where meetings are open to the public and held through remote means, partly or wholly (in accordance with the Council's Multi-Location Meetings Policy and as referred to in Rule 2 above), members of the public will be given details of how to access the meeting remotely. The right to attend meetings is subject to the Council's right to exclude persons if their conduct is disorderly or if they misbehave at the meeting. The Press may attend that part of any meeting open to the public.

4A Broadcast Filming, Recording and Social Media

- (a) Meetings which are open to the public under these rules may be webcast by the Council. The Webcasting Protocol (contained within Part 5 of the Constitution) shall apply to all meetings which are webcast.
- (b) Other filming, recording and use of social media is permitted during meetings which are open to the public under these rules, provided that:
 - (i) The recording or transmission must create no disturbance disruption or distraction to the good order and conduct of the meeting;
 - (ii) Notice has been given (on the meeting agenda and signage outside the meeting) so that everyone attending the meeting is made aware that they may be recorded and that by attending the meeting they are deemed to consent to this;
 - (iii) Any recording must be overt, not covert;
 - (iv) There is to be no recording or transmission of proceedings dealing with any exempt or confidential information;
 - (v) The Chair shall have discretion, subject to proper consideration of any relevant representations and legal advice, to prohibit a recording or exclude anyone reasonably considered to be in breach of these rules; and
 - (vi) The person making the recording or transmission shall be solely responsible for complying with all applicable legal obligations arising from their actions.

5 Notices of Meetings

- (a) The Authority will give at least three clear days notice of any meeting by posting details of the meeting on the Council's website (www.cardiff.gov.uk) and on the public notice board at County Hall, Atlantic Wharf, Cardiff.
- (b) Where the meeting or part of the meeting is open to the public and;
 - (i) If the meeting is held through remote means only, the notice will details of the time of the meeting and how to access it;
 - (ii) If the meeting is held partly through remote means or is not held through remote means, the notice will give details of the time and place of the meeting and how to access it.

- (c) Where the meeting is not open to the public and;
 - (i) If the meeting is held partly through remote means or is not held through remote means, the notice will give details of the time and place of the meeting and the fact that it is not open to the public;
 - (ii) If the meeting is held through remote means only, the notice will give details of the time of the meeting, and the fact that it is being held through remote means only and is not open to the public.
- (d) Special Urgency – if a matter is considered by the Monitoring Officer to be so significantly urgent and unexpected that a decision must be taken and that it is not possible to provide 3 clear days notice of the date of the meeting at which the decision must be taken, then with the agreement of the Chair of the body concerned, the Monitoring Officer is authorised to call such a meeting, subject to the agenda and reports being available to the public at the time at which the meeting is convened.

6 Access to Agenda and Reports before a Meeting

- (a) The Council will make copies of the agenda and reports open to the public available for inspection on the Council's website (www.cardiff.gov.uk) and at the designated office at least three clear days before a meeting. If an item is added to the agenda later the designated officer shall make each such report available to the public as soon as the report is completed and sent to councillors.
- (b) Where a meeting is open to the public and is not held through remote means only, the Council will make available for use by members of the public present at the meeting a reasonable number of copies of the agenda and reports for the meeting.

7 Supply of Copies

The Council will supply to any person, on payment of a charge for postage and other justified costs, copies of:

- (a) any agenda and reports that are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) if the Monitoring Officer thinks fit, copies of any other documents supplied to councillors in connection with an item.

8 Access to Minutes and Other Documents after a Meeting (other than meetings of the Cabinet or a Cabinet Committee)

- (i) Within 7 working days after a meeting, the Council will publish on its website a note setting out:

- (a) the names of the members who attended the meeting, and any apologies for absence;
 - (b) any declarations of interest;
 - (c) any decision taken at the meeting, including the outcomes of any votes, but excluding any exempt information.
- (ii) The Council will publish on its website copies of the following documents for a period of 6 years after a meeting:
- (a) the minutes of the meeting excluding any part of the minutes or proceedings which disclose exempt or confidential information;
 - (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
 - (c) the agenda for the meeting; and
 - (d) reports relating to items when the meeting was open to the public.

9 Background Papers

9.1 List of background papers

The Proper Officer will set out in every report, or part of a report, which is open to public inspection under Rule 6 or 8 above a list of those documents (called “background papers”) relating to the subject matter of the report, or that part of the report, which in his/her opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) that have been relied on to a material extent in preparing the report.

but not including published works or those that disclose exempt or confidential information (as defined in Rule 10) (and in respect of Cabinet reports, the advice of any political advisor).

9.2 Public Inspection of Background papers

The Council will publish background papers on its website, unless it is not reasonably practicable to do so, in which case, a copy will be made available for public inspection at the Council’s principal offices. Background papers shall remain accessible for public inspection for 6 years after the date of the meeting.

10 Confidential and Exempt Information

10.1 Confidential Information – Requirement to Exclude Public

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

10.2 Exempt Information – Discretion to Exclude Public

The public may be excluded from a meeting whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed. Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6. Due regard will be had to the wishes of the individual should they elect that the hearing be held in private where the law so permits.

10.3 Meaning of Confidential Information

Confidential information means information given to the Council by a Government Department (including the Welsh Assembly Government) on terms which forbid its public disclosure or information which cannot be publicly disclosed by virtue of any enactment or Court Order.

10.4 Meaning of Exempt Information

Exempt information is defined in Schedule 12A, Part 4, of the Local Government Act 1972 as information falling within the following 10 categories (subject to any qualification):

CATEGORY	QUALIFICATION	LEGISLATIVE REFERENCE
1. Information relating to a particular individual	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information	Paragraph 12 of Schedule 12A, Part 4 of the Local Government Act 1972
2. Information which is likely to reveal the identity of an individual	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information	Paragraph 13 of Schedule 12A, Part 4 of the Local Government Act 1972

CATEGORY	QUALIFICATION	LEGISLATIVE REFERENCE
<p>3. Information relating to the financial or business affairs of any particular person (including the Council)</p> <p><i>Note : 'financial or business affairs' includes contemplated, as well as past or current, activities</i></p>	<p>Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>Information falling within paragraph 3 is not exempt information by virtue of that paragraph if it is required to be registered under –</p> <ul style="list-style-type: none"> (a) the Companies Acts (as defined in Section 2 of the Companies Act 2006) (b) the Friendly Societies Act 1974 (c) the Friendly Societies Act 1992 (d) the Industrial and Provident Societies Acts 1965 to 1978 (e) the Building Societies Act 1986 (f) the Charities Act 2011 	<p>Paragraph 14 of Schedule 12A, Part 4 of the Local Government Act 1972</p>

CATEGORY	QUALIFICATION	LEGISLATIVE REFERENCE
<p>4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority</p> <p><i>Note: 'Labour relations matters' are as specified in paragraphs (a) to (g) of Section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 i.e. matters which may be the subject of a trade dispute</i></p>	<p>Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p>	<p>Paragraph 15 of Schedule 12A, Part 4 of the Local Government Act 1972</p>
<p>5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings</p>		<p>Paragraph 16 of Schedule 12A, Part 4 of the Local Government Act 1972</p>
<p>6. Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment</p>	<p>Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p>	<p>Paragraph 17 of Schedule 12A, Part 4 of the Local Government Act 1972</p>

CATEGORY	QUALIFICATION	LEGISLATIVE REFERENCE
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information	Paragraph 18 of Schedule 12A, Part 4 of the Local Government Act 1972
In addition to the categories referred to above, the following categories will apply to the proceedings of the Standards and Ethics Committee and its Sub-Committee only in connection with the investigation and consideration of an allegation(s) of a breach of the Council's Member Code of Conduct		
8. Information which is subject to any obligations of confidentiality.	Information is exempt only where a meeting of a Standards and Ethics Committee is convened to consider a matter referred under the provisions of sections 70(4) or (5), or 71(2) of the Local Government Act 2000	Paragraph 18A of Schedule 12A, Part 4 of the Local Government Act 1972 (inserted by the Standards Committees (Wales)(Amendment) Regulations 2007)
9. Information which relates in any way to matters concerning national security.	Information is exempt only where a meeting of a Standards and Ethics Committee is convened to consider a matter referred under the provisions of sections 70(4) or (5), or 71(2) of the Local Government Act 2000	Paragraph 18B of Schedule 12A, Part 4 of the Local Government Act 1972 (inserted by the Standards Committees (Wales)(Amendment) Regulations 2007)
10. The deliberations of the Standards and Ethics Committee or of a Sub-Committee of the Standards and Ethics Committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred to it.		Paragraph 18C of Schedule 12A, Part 4 of the Local Government Act 1972 (inserted by the Standards Committees (Wales)(Amendment) Regulations 2007)

Information falling within any of paragraphs 1 – 7 is not exempt if it relates to proposed development for which the Council may grant itself planning

permission under Regulation 3 of the Town and County Planning General Regulations 1992.

10.5 Disclosure by Members

Members will not make public Confidential or Exempt Information without the consent of the Authority or divulge information given in confidence to anyone other than a Member or Officer entitled to know it unless otherwise authorised by law.

10.6 Public Interest

Information within Categories 1 to 4, 6 and 7 set out in Rule 10.4 may only be treated as exempt if an assessment of the public interest has been made.

The public interest will be assessed on a case by case basis having regard to all relevant factors including but not limited to the following, to ensure a proper balance is achieved between the right to know, the right to personal privacy and the delivery of effective government.

In making such an assessment the proper officer shall have regard to any relevant prejudice which may be caused to the Council or any other party if the information were disclosed, having regard to the full context of any disclosure. Account may be taken of whether disclosure would breach any obligation of confidence not within Rule 10.3, or the rights of any individual under the Data Protection Act 2018 or the Human Rights Act 1998.

Account will be taken of the fact that the public interest test may be served by allowing access to information which would:

- (a) further the understanding of and participation in debating issues of the day;
- (b) facilitate transparency and accountability in and enhance scrutiny of decisions taken by the Council;
- (c) facilitate transparency and accountability in the spending of public money;
- (d) help individuals understand the decisions made by the Council affecting their lives;
- (e) bring to light information affecting public safety or danger to the environment;
- (f) contribute to the administration of justice and enforcement of the law or the prevention or detection of crime or the apprehension or prosecution of offenders;
- (g) protect the public from unsafe products or rogue traders or practices.

In making such an assessment the following factors shall be regarded as irrelevant:

- (a) possible embarrassment to the Council or its Officers;
- (b) possible loss of confidence in the Council or another public body;
- (c) the seniority of persons involved in the subject matter;

(d) the risk of the public misinterpreting the information.

10.7 Exclusion of the Public

A decision to exclude the public from a meeting under this Rule shall be made in accordance with the Council Procedure Rules, the Committee Procedure Rules, or the Cabinet Procedure Rules as appropriate.

11 Exclusion of Access by the Public to Reports

Prior to a meeting, if the Proper Officer thinks fit, the Council may exclude access by the public to the whole or any part of a report which in his or her opinion relate to items of business during which, in accordance with Rule 10, the meeting is likely not to be open to the public. Such reports or parts of reports will be marked "Not for Publication" together with the category of information likely to be disclosed. After the meeting access to the Report is subject to Rule 8.

Where the decision to exclude access has required a determination of the public interest the Proper Officer shall keep a note of his or her reasons for the decision.

12 Application of Rules to the Cabinet

- (a) Rules 12 – 18 apply to the Cabinet.
- (b) The Cabinet will not conduct any formal business or take any Executive Decision in private except as permitted under Rule 10 or the law.
- (c) If the Cabinet meets to take an Executive Decision then it must also comply with Rules 1 – 7 and 9 - 11. For the avoidance of doubt Rules 1 – 7 and 9 - 11 do not apply to meetings of the Cabinet where no Executive Decision is to be taken and the sole purpose of which is:-
 - (i) for employees to brief Councillors, or
 - (ii) for informal deliberations to take place which fall short of formal business or the taking of an Executive Decision, or
 - (iii) to meet with representatives of other bodies to discuss the approach to a particular subject.

13 Record of Executive Decisions

- (a) After any meeting of the Cabinet or a Cabinet Committee, whether held in public or private, the Monitoring Officer, the Monitoring Officer's representative or, where no officer was present, the person presiding at the meeting, will produce a written statement in respect of every Executive Decision taken at that meeting as soon as reasonably practicable. The statement will include:
 - (i) a record of the decision including the date it was made,
 - (ii) the reasons for the decision,
 - (iii) the names of the Cabinet members who attended the meeting and any apologies for absence,

- (iv) details of any declaration of interest and a note of any dispensation granted by the Standards and Ethics Committee, and
 - (v) details of any consultation undertaken or the reasons why no consultation has taken place.
- (b) A record of a decision to exclude the public in accordance with Rule 10 shall identify the category of exempt or confidential information and, where appropriate, any relevant determination of the public interest.
- (c) The written statement referred to in Rule 13(a) above will be published in the Executive Decision Register and will be circulated to all Members by the Cabinet Business Office. The Executive Decision Register and any reports considered at the meeting will be published on the Council's website and available for public inspection at County Hall. Nothing in this Rule shall require the disclosure of any exempt or confidential information.

14 Cabinet Meetings relating to matters which are not Executive Decisions

The Cabinet will decide whether meetings where no Executive Decisions are to be made will be held in public or private. Members of the Cabinet or its committees will be entitled to receive three clear working days notice of a meeting to which they are summoned, unless the meeting is convened at shorter notice as a matter of urgency.

15 The Forward Plan

15.1 Period of Forward Plan

To promote openness and efficiency in decision-making, the Council maintains a Forward Plan of anticipated Executive Decisions. The Forward Plan covers a 12 month period from the date of publication and is updated monthly on a rolling basis.

15.2 Contents of Forward Plan

The Forward Plan seeks to anticipate all decisions to be made by the Cabinet and by the Chief Executive and Corporate Directors under delegated powers. Each Corporate Director, and/or Chief Officer in partnership with the relevant Cabinet Member is responsible for identifying future decision-making needs and for informing the Cabinet Business Office. The Cabinet Office Manager maintains the Forward Plan which is available for public inspection at County Hall and on the Council's internet site.

It will describe the following particulars in so far as the information is available or might reasonably be obtained:

- (a) the matter in respect of which a decision is to be made;
- (b) the identity of the decision maker;
- (c) a brief summary of the issues;
- (d) a brief summary of the reasons for any recommendation

- (e) a draft of the proposed recommendation;
- (f) the date on which, or the period within which, the decision will be taken;
- (g) the identity of the principal groups whom the decision taker proposes to consult before taking the decision;
- (h) the responsible lead officer;
- (i) a contact officer; and
- (j) the status of the decision where:
 - (i) Green = Decisions of a non-contentious, day to day nature, unlikely to be the subject of call-in.
 - (ii) Amber = Decisions of a more sensitive nature, which could be potentially contentious or not of a routine nature. These would generally flow through to the Cabinet for decision, without prior scrutiny, although a judgement will be made in each case regarding scrutiny consideration before decision, and the possibility of call-in.
 - (iii) Red = Decisions relating to high level functions primarily relating to policy formulation within the Policy and Budgetary Framework where the Cabinet would usually make a proposal to Council. For such decisions, the engagement of scrutiny is required before the Cabinet recommendation is made.

Exempt information need not be included in the Forward Plan and confidential information cannot be included.

15.3 Additional Information Relating to Forward Plan Items

Any person who wishes to:

- (a) make representations to the Cabinet or decision taker about a matter in respect of which a decision is to be made;
- (b) request additional information or documents relating to a proposed decision (if any) as they become available

should contact the nominated contact officer. Inclusion of a matter in the Forward Plan does not create any right of access to information which is confidential or exempt as defined in Rule 10.

16 Executive Decisions by individual Members of the Cabinet

Delegated powers may not be exercised by individual Members of the Cabinet in accordance with the Scheme of Delegations.

16.1 Record of individual Decision by employee

Where a decision is taken by an employee under delegated powers, that employee is responsible for retaining a record of such decision and the reason for such decision sufficient for audit and evidential purposes and for ensuring that all those that need to know are informed promptly of the decision and that the decision and the record of it accords with the requirements of the relevant scheme of delegations under which it is made,

and any guidance on decision making issued by the Monitoring Officer. Decisions made by the Chief Executive, a Corporate Director or Director will be included in the published Officer Decision Register.

17 Additional Rights of Access by Members of Scrutiny Committees

17.1 Rights to copies

Subject to Rule 17.2 below, a member of a Scrutiny Committee (including their Sub-Committees and Task groups) will be entitled to copies of any document which is in the possession or control of the Cabinet, or its committees and which contains material relating to:

- (a) any business transacted at a public or private meeting of the Cabinet, or its committees; or
- (b) any decision taken by an individual member of the Cabinet.

17.2 Limit on Rights

No member of a scrutiny committee shall be entitled to any part of a document that contains exempt or confidential information or the advice of a political advisor or assistant unless that information is relevant to:

- (a) an action or decision that is being reviewed or scrutinised or is intended to be scrutinised by that committee or a sub-committee of that committee or;
- (b) is relevant to any review contained in any programme of work of the scrutiny committee or a sub-committee of that committee.

In case of doubt the Monitoring Officer shall determine whether condition (a) or (b) applies.

17.3 Disclosure

Exempt or confidential information supplied to a Member in accordance with Rule 17.1 remains exempt or confidential and is subject to Rule 10.5.

18 Additional Rights of Access for Members

18.1 Material relating to Council and Cabinet Business

All Councillors will be entitled to inspect any document which is in the possession or under the control of:

- (i) the Council relating to business transacted or to be transacted at a meeting of the council, or a committee or a sub-committee; or
- (ii) the Cabinet (or its committees) relating to any business transacted at a decision making meeting following the conclusion of that meeting or relating to any decision made by an individual member of the Cabinet

where allowed by the Scheme of delegations immediately after the decision has been made

unless either (a) or (b) below applies:-

- (a) it contains exempt information falling within paragraphs 1, 2, 4, 5, 7, 8, 9 or 10 of the categories of exempt information in Rule 10; or
- (b) in respect of Cabinet material it contains the advice of a political adviser.
- (c) Provided that the restriction in rule 18.1(a) above shall not apply to a Councillor who is the Leader of a Political Group in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

18.2 Nature of rights

The rights of a Member under Rule 18 are additional to any other right he/she may have, including:

- (a) the common law right to inspect documents where this is necessary for a Member to perform his or her duties. Any Member asserting a 'need to know' in relation to documents not otherwise available under these rules should make application to the Monitoring Officer.
- (b) the statutory rights available to any person under the Freedom of Information Act 2000 and the Environmental Information Regulations 2005.
- (c) Members' right, under Section 228 of the Local Government Act 1972, to inspect the accounts of the Council and of any proper officer of the Council.

In exercising rights of access to information Members shall have regard to any guidance issued by the Monitoring Officer and the Member / Officer and Member Access to Information protocols.

19 Register of Cabinet Members

19.1 An up to date register ~~that will be open to the public~~ will be kept at County Hall ~~and published on the Council's website~~ stating:-

- (a) the name and address of every Councillor who is a member of the Cabinet and the ward the Councillor represents;
- (b) the name and address of every member of each committee of the Cabinet;
- (c) the functions of the Cabinet which for the time being are exercised by individual members of the Cabinet; and
- (d) as respects each function, the name of the member of the Cabinet by whom it is exercisable.

19.2 The register kept under Rule 19.1 above shall be published on the Council's website and made available for public inspection at County Hall, but the information open to public inspection shall not include a Member's address.

20 **Members' Correspondence Address**

The Council will publish an electronic and postal address for each member of the Council to which correspondence for the Member may be sent.

PART 5 – CODES AND PROTOCOLS

PROTOCOL FOR ALL PARTY COUNCIL GROUPS

1. Purpose

The purpose of an All Party Council Group ('an APCG') is to provide opportunities for debate and promote specific issues within the Council's corporate and service priorities and increase opportunities for non-Executive Members to contribute towards policy development.

2. Subject Matter

The subject matter for an APCG must relate to a matter for which the Council has responsibility or to the role of members or member development.

3. Powers / Functions

An APCG is not intended to have any formal decision making powers, but may (if it wishes) make suggestions or recommendations by letter to a relevant Cabinet member or Committee Chair; or seek to secure a debate at Council by way of a Motion promoted by a party group. (Any such Motion would count as one of the Motions allocated to the relevant party group).

4. Membership

- (i) The minimum number of members for an APCG shall be five members.
- (ii) Membership must be open to all members of all party groups, including Independent Members.
- (iii) Each APCG must consist of members from more than one party group.
- (iv) Membership is open to members of Cardiff Council only, although external representatives and individuals may be invited to APCG meetings as witnesses or speakers.

5. Procedure

- (i) The members proposing to establish an APCG must notify the Monitoring Officer so that the Group is included on the Register of APCGs.
- (ii) Each APCG must meet at least three times each year.
- (iii) If the APCG wishes to raise any issues formally, it may do so by writing to the relevant Cabinet portfolio holder or Committee Chair.
- (iv) Each APCG must produce an annual report to be circulated to all members of the Council (but not to be discussed at full Council).
- (v) In all other respects, the procedure and regulation of meetings shall be a matter for Members.
- (vi) Officer support for APCG meetings shall be limited, due to resource constraints, to booking rooms for meetings, and will not cover clerking or other administrative support (such as agenda planning or minute taking). Officers will, if given reasonable notice and resources permit, provide written answers to factual queries raised by an APCG through

the member enquiry system. Policy matters should be raised with the relevant Cabinet member. Officers shall not be required to attend an APCG meeting.

- (vii) The statutory public access rights to meetings and information (under Part VA of the Local Government Act 1972) do not apply to meetings of an APCG.

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‘A Shared Community’

Charter between Cardiff Council and Community Councils in Cardiff

Introduction

The six Community Councils of Lisvane; Old St Mellons; Pentyrch; Radyr & Morganstown; St Fagans and Tongwynlais and the County Council of the City & County of Cardiff (hereby referred to as ‘Cardiff Council’) have agreed to publish a Charter which sets out how we aim to work together for the benefit of local communities whilst recognising our respective responsibilities as autonomous, democratically elected statutory bodies.

The Charter is designed to build on existing good practice and embrace the shared principles of openness, respect for each other’s opinions, honesty and our common priority of putting citizens at the centre. The Charter is based on equality of partnership and is not a top-down arrangement.

The Charter was originally adopted in March 2012 and has been updated and re-affirmed on 14th January 2019.

Partners to the Charter

Unitary Authority

- Cardiff Council

Community Councils

- Lisvane Community Council
- Old St Mellons Community Council
- Pentyrch Community Council
- Radyr & Morganstown Community Council
- St Fagans Community Council
- Tongwynlais Community Council

Recognition

We accept the legitimacy and benefits of partnership working whilst at the same time recognising and respecting each other's roles. We aim to work together as a partnership of equals rather than tiers.

Cardiff Council	Community Councils
Acknowledges and recognises that community councils are the grass roots level of local government. In their role as democratically accountable bodies, community councils offer a means of engaging with local people, of decentralising the provision of certain services, and of revitalising local communities.	Recognise the strategic importance of Cardiff Council and the economy of scale and appropriate distribution of certain services they are able to achieve.
Recognise and respect the diversity of community councils and that their needs vary according to size, and the extent to which they participate varies.	Recognise and respect the functions and responsibilities of Cardiff Council as the unitary authority for Cardiff.

Local Governance

We will be clear about the expectations that we have of each other in order to facilitate a smooth working relationship. In this regard, we will define the way in which we interact with each other. We will be clear about the role of councillors at all levels in the relationship and in community leadership.

Cardiff Council	Community Councils
The Council's Director of Governance and Legal and Monitoring Officer (or her representative) will hold regular meetings with nominated representatives of community councils that wish to take part. Such meetings will be held quarterly at a location to be mutually agreed and which is convenient for all councils.	Will contribute towards the agenda of these meetings and contribute proactively to the attendance and discussion.
Will administer the holding of community council elections.	Will notify the need for community council elections in a timely manner.
	Will facilitate public participation at all relevant meetings of the community council and its committees to encourage community involvement.

Consultation

We appreciate the importance of meaningful consultation and set out a genuine commitment among all parties to consult on matters of mutual concern.

Cardiff Council	Community Councils
Will aim to give community councils the opportunity to comment before making a decision that affects the local community (particularly on matters relating to planning and other environmental proposals).	Will respond to consultation opportunities in a timely manner, addressing the key issues in the consultation document, where applicable.
Will publish dates of public meetings and agendas & reports for Cabinet, Council and other Committee meetings on the Council's website as soon as possible.	Will make full use of the papers available to them to inform local decision-making.
Will, subject to available resources, allow appropriate officers to attend meetings with community councils (or groups of community councils) at a mutually agreed time to discuss matters of common interest when requested to do so and given sufficient notice.	Will provide an opportunity for local county councillors/officers (as appropriate) from Cardiff Council to speak at community council meetings on matters of mutual interest.
Will encourage scrutiny committees to consult with community councils on relevant local issues.	Will respond to requests to input views to scrutiny committees.

Information and Communication

We appreciate the need for timely, clear and relevant information and communication in fostering good relationships and better joint working for the benefit of local people.

Cardiff Council	Community Councils
Will provide community council clerks with access to the Council's Member Enquiry service.	Will utilise the agreed contact systems and respond in the most appropriate and timely method.
Will communicate by providing appropriate consultation documents and other information electronically to community council clerks for distribution to community councillors.	Will ensure that all community councillors have access to the appropriate documents.

Joint Working and Engagement

The Charter defines ‘partnership’ as working together towards a common set of goals, based on equality in terms of ownership, decision-making and recognition of each party’s distinctive contribution. It is recognised that an equal and effective partnership brings benefits and responsibilities to all those involved. Local government at both tiers must work together to promote the economic, social and environmental well being of our area. If doing things differently achieves a better service, we will seriously examine these methods.

Cardiff Council	Community Councils
Will provide the opportunity for community council clerks to meet with the Monitoring Officer or an officer representative from Cardiff Council to discuss common concerns and resolve issues, at the specific request of the clerks.	Will encourage participation by community council clerks in opportunities to network and share common concerns.

Land Use Planning

Community councils know and understand their local area and must be able to comment effectively on planning matters. Cardiff Council is able to take an overview of the needs of the whole local area and make decisions, taking local views into account.

Cardiff Council	Community Councils
Will reaffirm its statutory duty to consult community councils during the preparation of the Local Development Plan and also on related policy documents, including Supplementary Planning Guidance.	Will make appropriate responses to the Council, recognising the parameters imposed by planning law and national planning policy guidance.
Will reaffirm its statutory duty to consult community councils on all planning applications in, or directly affecting, their communities, paying particular attention to the long-term issues for communities affected directly or indirectly by LDP strategic and flexibility sites.	Will make appropriate responses to Cardiff Council, including any suggested community mitigation measures or planning obligations suggested in respect of an application, recognising the parameters imposed by planning law and agreed planning policy.
Will engage with community councils to identify priorities for section 106 (planning obligations) in relation to developments within their community.	Will engage with Cardiff Council to put forward suggested priorities for section 106 (planning obligations) in relation to developments within their community.

Will consider adoption of appropriately prepared community council Place Plans consistent with the LDP as Supplementary Planning Guidance.	Will prepare Place Plans consistent with the LDP as the need arises and statute requires.
Will inform a community council of any site visit by Planning Committee members relating to a planning application in its area.	Will offer community councillors training on planning issues to ensure that they have a sound understanding of how planning law works.
Will provide a community council with a copy of the final report relating to a planning decision in its area within seven days of the decision being made, if the community council has submitted written representations in relation to the planning application.	Will maintain an objective and professional approach to planning matters at all times.
Will publish details of relevant Planning Committee meetings so that community councillors may attend as observers.	Will encourage community councillors to take up the opportunity to attend meetings of Cardiff Council's Planning Committee as observers.
Will provide timely information to a community council about any planning appeals in its area.	

Practical Support

In order to be effective, elected members and officers must be well-trained and have the support they need to carry out their roles.

Cardiff Council	Community Councils
Will endeavour, upon request, to offer community councils access to support services, such as legal advice, IT and purchasing under a service level agreement which allows the Council to recover its costs.	Will follow agreed procedures to access support services from Cardiff Council, but will also have the opportunity to make their own arrangements.

Expertise

We will encourage continuous development of officers and members in both Cardiff Council and the community councils, either in their individual groupings or together. Improved expertise leads to professionalism and more effective joint working.

Cardiff Council	Community Councils
Will offer member induction training to community councillors to enable them to understand the role and function of the unitary authority and the Code of Conduct.	Will provide an induction to newly elected community councillors to enable them to undertake their role effectively.

Ethics

We will encourage links between community council clerks and Cardiff Council's Standards & Ethics Committee.

Cardiff Council	Community Councils
Will, through the appointed Monitoring Officer, support community councils in the timely consideration and provision of advice & training in relation to the application of the Member Code of Conduct.	Community councillors shall attend Code of Conduct training, and try to resolve complaints informally through their Clerk under local resolution procedures, where appropriate. Where local resolution is not possible, the Clerk will refer the complaint to the Monitoring Officer and will provide all such information as required by the Monitoring Officer to enable him/her to carry out his/her function effectively.

Financial Arrangements

Both Cardiff Council and the community councils recognise the need for clarity and transparency in financial arrangements. In developing and implementing financial arrangements, relevant national and local priorities will be taken into account.

Cardiff Council	Community Councils
Will, in setting the level of council tax for the area, have regard to services being delivered by the Council as a whole.	Will, in setting the annual precept, have regard to local priorities and the services provided within the community by Cardiff Council. Will pay a reasonable proportion of election costs where there is a shared election, or all costs when there is a stand alone community council election.

Delegating Responsibility for Service Provision

Services should be delivered in the most appropriate manner, with regard to value for money and added value for local people.

Cardiff Council	Community Councils
Will, on a case-by-case basis and in line with any related policy or guidelines that may be developed by the Council, give due consideration to all reasonably argued formal requests for the delegation of responsibility for local service delivery to community councils, basing its consideration primarily on the improvement of service delivery for citizens whilst ensuring value for money is retained or enhanced.	Will recognise that there are certain instances where it is not appropriate or desirable for Cardiff Council to delegate service delivery.
Will, in the absence of formal delegation, seek ways in which local information from communities might be used to enhance service delivery to better meet the needs of citizens.	Will engage with citizens in the communities they serve to better understand their needs and convey these needs in a coherent and constructive manner to Cardiff Council, such that they can be taken account of in service design and delivery.

Well-Being and Sustainability

We will work in ways that are sustainable towards improving the economic, social, environmental and cultural well-being of Wales, in accordance with our duties under the Well-Being of Future Generations (Wales) Act 2015; reconciling long-term needs with those of the present; and protecting and improving the well-being of current generations without compromising that of future generations.

Cardiff Council	Community Councils
Will assist community councils by responding to requests for information on sustainability and related good practice.	Will proactively assess the sustainability of current practices and processes.
Will act in accordance with the sustainable development principle when setting well-being objectives and taking steps to meet those objectives.	Will investigate projects which contribute to sustainability where beneficial to the community.
Will seek to involve and collaborate with community councils in meeting the local objectives included in the statutory Local Well-Being Plan.	Will consider how they may contribute towards meeting the local objectives included in the statutory Local Well-Being Plan.

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Community Council Elections

Fair and open elections are the bedrock of local democracy. We will ensure that community council elections are freely and fairly contested, and encourage local people to become involved in local democracy.

Cardiff Council	Community Councils
Will keep community councils informed in the planning process for community council elections.	Will encourage participation by members of the local community in the community council election process
Will involve community councils in any awareness raising/publicity undertaken (subject to available resources) to encourage nominations for candidacy at community council elections.	Will ensure wide publicity of vacancies on community councils to maximise community representation.
Will help to publicise forthcoming community council elections on behalf of community councils, using available Council communication channels.	Will publicly display statutory notices for forthcoming community council elections.
Will brief community council clerks on the nomination process so that they are equipped to assist any potential candidates who come forward for community council elections.	
Will provide help and assistance with the administrative processes and procedures for community council elections.	

Monitoring and Review

The Charter will be reviewed as necessary

Conclusion

Cardiff Council and the undersigned community councils are committed to the principles and statements within the Charter, for the benefit of local people.

Leader of Cardiff Council

Chair, Lisvane Community Council

Chair, Old St Mellons Community Council

Chair, Pentyrch Community Council

Chair, Radyr & Morganstown Community Council

Chair, St Fagans Community Council

Chair, Tongwynlais Community Council

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COUNCIL:**24 NOVEMBER 2022**

**REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL
SERVICES AND MONITORING OFFICER**

**AMENDMENT OF THE MEMBERS' CODE OF CONDUCT - USE OF COUNCIL IT
EQUIPMENT FOR POLITICAL GROUP MEETINGS****Reason for this Report**

1. To enable the Council to consider the Standards and Ethics Committee's recommended amendments to the Members' Code of Conduct in relation to the use of Council IT equipment for remote / hybrid political group meetings.

Background

2. The conduct of elected Members is governed by the statutory Members' Code of Conduct adopted by each local authority in Wales under Part 3 of the Local Government Act 2000. The Code of Conduct must incorporate mandatory provisions of the statutory model code of conduct (issued under s.50 Local Government Act 2000, the Local Authorities (Model Code of Conduct)(Wales) Order 2008), and may include other provisions which are consistent with the model code.
3. In considering their duties under the Code of Conduct, Members must have regard to the statutory guidance issued by the Public Services Ombudsman for Wales (under section 68 of the Local Government Act 2000).
4. The Standards and Ethics Committee has responsibility 'To advise the Council on the effective implementation of the Code..' and 'To recommend to Council and the Cabinet any additional guidance on issues of probity' (under its approved terms of reference, paragraphs (c) and (h)).
5. At the Standards and Ethics Committee's last meeting, held on 25th October 2022, the Committee considered a request made by party group whips for consideration to be given to permitting the use of Council IT equipment for Members to hold or join party group meetings, which may be held remotely or on a multi-location (hybrid) basis.

Issues

6. The rules on Members' use of Council resources are set out in the Members' Code of Conduct, paragraph 7(b), which provides that Councillors must not 'use, or authorise others to use, the resources of your authority—
- (i) imprudently;
 - (ii) in breach of your authority's requirements;
 - (iii) unlawfully;
 - (iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;
 - (v) improperly for political purposes; or
 - (vi) improperly for private purposes.'
7. Statutory guidance issued by the Ombudsman [General : 27 FINAL Investigation Report Template s21 casework support only \(ombudsman.wales\)](#) provides the following guidance on this duty (emphasis added):

‘2.55 You must only use or authorise the use of the resources of the authority in accordance with its requirements and the law. These sub-paragraphs also apply at all times. **Where your authority provides you with resources (for example telephone, computer and other IT facilities, transport or support from officers), you must only use these resources or employees for carrying out your local authority business and any other activity which your authority has authorised you to use them for.**

2.56 You must be familiar with the rules applying to the use of these resources made by your authority. Failure to comply with your authority's rules is likely to amount to a breach of the Code. If you authorise someone (for example a member of your family) to use your authority's resources, you must take care to ensure that this is allowed by your authority's rules.

2.57 You must make sure you use the authority's resources for proper purposes only. These sub-paragraphs apply at all times. It is not appropriate to use, or authorise others to use, the resources for private or political purposes, including party political purposes. When using the authority's resources, you must have regard, if applicable, to any guidance issued by your authority, for example, your authority's Information Security Policy.

2.58 You should never use authority resources for purely political purposes, including designing and distributing party political material produced for publicity purposes. **However, your authority may authorise you to use its resources and facilities for political purposes in connection with your authority's business, for example, holding meetings of your political group.** In this case, you must be aware of the limitations placed upon such use for these purposes. Members should also have regard to the fact that periods leading up to local government elections are particularly sensitive in this regard. Using your authority's resources outside of these limitations is likely to amount to a breach of the Code. **Some authorities will permit members to use authority-supplied IT equipment such as laptops for ancillary use. Provided that such usage is in line with the authority's requirements, there would not be a breach,** but sending mass emails as part of an election campaign, for example, would not be appropriate.

2.59 Where, however, there is no policy or the policy is silent you may not use these resources for any political or private purposes.'

8. Members will note that, whilst Council IT equipment may not be used for purely political purposes, the Council may authorise Members to use Council resources and facilities for political purposes *in connection with the authority's business*, such as holding political group meetings.
9. The Standards and Ethics Committee noted that it is established custom and practice in Cardiff for all political groups to be permitted to use Council meeting rooms for their group meetings, on the basis that Members' discussions at their political group meetings relate predominantly to Council business.
10. The Committee agreed that the same approach should apply equally to Council IT equipment, for the same reasons, that is, because discussions at political group meetings relate predominantly to Council business and it is therefore not inappropriate to allow Council IT equipment to be used to hold or join those meetings.
11. Members noted that facilitating remote attendance at group meetings is also consistent with the Council's general approach to its formal decision making meetings, as set out in the Multi-Location Meetings Policy.
12. The Council's IT Security Policy, which applies to all elected Members and employees of the Council, includes the following:

(i) 'Acceptable Use of IT Facilities', paragraph 7.7, which includes:

'The council's IT facilities are provided for business purposes. Any use of the council's IT facilities for non-business or unauthorised purposes may be regarded as improper use of the facilities.' and

(ii) 'General Acceptable Use', paragraph 7.18:

IT systems must not be used for any of the following purposes:

- intentionally or recklessly accessing or transmitting computer Malware and similar software;
- intentionally or recklessly accessing or transmitting information about, or software designed for, breaching security controls or creating computer Malware;
- intentionally or recklessly accessing or transmitting material which is obscene, sexually explicit, pornographic, racist, defamatory, hateful, incites or depicts violence, or describes techniques for criminal or terrorist acts or otherwise represents values which are contrary to council policy and values (except where this is strictly and necessarily required by the job, for example within the social services or consumer protection arenas, where employees are sometimes required to research into illegal activities. An excuse of personal or private research would not be acceptable);
- knowingly doing anything which is illegal under the law as it applies in England and Wales or the law of any other relevant country;
- personal business for financial/commercial gain;
- any activities which could cause congestion and disruption of networks and systems.

13. The Standards and Ethics Committee therefore agreed to recommend that express authorisation should be given for Members to use Council IT equipment to hold or join remote / hybrid political group meetings. However, in order to ensure compliance with the Code of Conduct and in the interests of clarity and transparency, the Committee recommended that the authorisation should be subject to an agreed code of practice (or protocol) setting out any appropriate process, conditions and limitations, and incorporated within the Constitution.
14. Accordingly, it is recommended that the Members' Code of Conduct, paragraph 7(b)(v) should be amended as follows:
- 7 You must not—
- (a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;
 - (b) use, or authorise others to use, the resources of your authority—
 - (i) imprudently;
 - (ii) in breach of your authority's requirements;
 - (iii) unlawfully;
 - (iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;
 - (v) improperly for political purposes, except in accordance with the Council's approved protocol in relation to political group meetings held for the purpose of discussing Council business (Annex 2); or
 - (vi) improperly for private purposes.
15. In line with the Standards and Ethics Committee's recommendation, a draft Protocol (code of practice) has been developed, in consultation with the Council's Head of IT, the Head of Democratic Services, the Chair of the Standards and Ethics Committee and party group whips. The draft Protocol is appended as **Appendix A** and is to be annexed to the Members' Code of Conduct, within Part 5 of the Constitution.
16. Members should note that the draft Protocol (**Appendix A**) includes, amongst other points, the following conditions and limitations:
- a) Democratic services and technical IT support will not be available for group meetings;
 - b) no new equipment can be purchased specifically to facilitate group meetings, eg. to support hybrid meetings; and
 - c) group meetings will need to dovetail with, rather than being prioritised over, Council business, and Council business meetings will have priority for the use of the rooms and IT equipment.

Legal Implications

17. The recommended amendments to the Members' Code of Conduct and the draft protocol which is to be annexed to the Code in relation to the use of Council IT equipment for political group meetings will require the approval of full Council.
18. If any amendments are made to the Members' Code of Conduct, the Council is required (under section 51(6) of the Local Government Act 2000), as soon as reasonably practicable, to publish a newspaper notice informing the public that the Code of Conduct has been revised and is available for inspection, make copies of the revised Code of Conduct available for public inspection and send a copy to the Public Services Ombudsman for Wales. The newspaper notice must be published in any newspaper published by the Council as well as in at least one other newspaper circulating in the Council's area.
19. Other relevant legal provisions are referred to in the body of the report.

Financial Implications

20. There are no direct financial implications arising from this report, with it stated in the report that no new equipment can be purchased specifically to facilitate group meetings. The Democratic Services Reserve is the identified source of funding for Member IT requirements for 2022/23, in which all IT equipment costs are to be contained.

RECOMMENDATION

The Council is recommended to:

1. approve the amendment of the Members' Code of Conduct, as set out in paragraph 14 of this report;
2. approve the draft Protocol for the Use of Council Hybrid Meetings IT Equipment for Political Group Meetings, appended as **Appendix A**;
3. Instruct the Director of Governance and Legal Services and Monitoring Officer to update the Constitution accordingly, and issue the requisite notifications in relation to the amendment of the Members' Code of Conduct, as set out in paragraph 18 of the report; and
4. Delegate authority to the Director of Governance and Legal Services, in consultation with the Chair of the Standards and Ethics Committee and party Group Whips, to make any minor amendments to the Protocol (**Appendix A**), in order to ensure its effective operation.

Davina Fiore

Director of Governance and Legal Services and Monitoring Officer

16 November 2022

Appendices

Appendix A Protocol for the Use of Council Hybrid Meetings IT Equipment for Political Group Meetings (draft)

Background papers

Standards and Ethics Committee report 'Members' Use of Council IT Equipment for Political Group Meetings', 25 October 2022

Guidance from the Public Services Ombudsman for Wales, 'The Code of Conduct for members of local authorities in Wales: [General : 27 FINAL Investigation Report Template s21 casework support only \(ombudsman.wales\)](#)

IT Security Policy:

[https://cityofcardiffcouncil.sharepoint.com/sites/ict/Documents/Forms/AllItems.aspx?id=/sites/ict/Documents/IT Security Policy.pdf&parent=/sites/ict/Documents](https://cityofcardiffcouncil.sharepoint.com/sites/ict/Documents/Forms/AllItems.aspx?id=/sites/ict/Documents/IT%20Security%20Policy.pdf&parent=/sites/ict/Documents)

PROTOCOL FOR THE USE OF COUNCIL HYBRID MEETINGS IT EQUIPMENT FOR POLITICAL GROUP MEETINGS

The use of Council equipment for facilitating hybrid Political Group meetings has been approved by the Standards and Ethics Committee and by full Council and the following criteria will apply:

Locations:

1. Committee Rooms 1, 2 or 3 County Hall are currently the only venues where hybrid meeting equipment (out of hours) is available for political group meetings.
2. Other locations may become available in the future as part of the Council's ongoing development of its hybrid working facilities.
3. No new equipment will be purchased specifically to facilitate political Group meetings, e.g. to support hybrid meetings.

Availability and bookings:

4. Bookings are to be made by a member nominated in advance by the Group Leader, 'the Lead Member', via the appropriate officers
5. Bookings for political group meetings will not take priority over any bookings required for Council business made for Committee Rooms 1/2/3. For the avoidance of doubt, this means that Council business meetings will have priority for the use of Council rooms and IT equipment, and this applies even if the political group meeting was booked first.
6. Room and equipment booking details are as follows:

<To be added>
7. Timing and duration of meeting bookings should be as accurate as possible
8. An estimated number of in-person attendees should be provided.
9. Desired room layouts should be identified at the time of booking.

Support

10. Building Support are able to undertake room set-ups if appropriate notice is given. Building Support will need to complete room layouts by 3 pm on the day of any scheduled meetings
11. Porters are on site 7.00 – 15.30 Monday – Thursday, 07.00 – 15.00 Friday. The building is handed over to Security at 16.00. Security Guards will support any emergency related requirements of the meeting where they can and during times when the building has two Security Guards on-site.
12. Democratic Services will provide initial training to those key representatives of political groups who will be facilitating their hybrid meetings. This will include:

- a. connecting the hybrid equipment ready for use,
 - b. logging onto the relevant hybrid device,
 - c. initiating and facilitating a hybrid meeting with their political group colleagues.
 - d. ending a meeting and
 - e. shutting down the hybrid equipment
13. Democratic Services and Technical IT support will not be available for political group meetings. Any faults identified when using the hybrid equipment should be reported as soon as possible to the:
 - a. ICT Service Desk;
 - b. Facilities Management (FM); and
 - c. The room booking administrator.
14. ICT Faults logged outside of standard ICT Support hours (8am to 5pm) will result in them being picked up the next working day and will be progressed accordingly.

Responsibilities of the Lead Member.

15. The Lead Member should ensure that an attendance list is to be taken of all in-person attendees
16. Current guidance on the County Hall Fire Action Plan [10.PS.050](#) states that individual staff/Elected members are responsible for their own evacuation.
17. In the event of an evacuation the Duty Officer should be notified by the Lead Member of any persons remaining in the building or unaccounted for. Staff and visitors are to remain at their muster point – Bay C, Visitors Car Park and pathways alongside the Bute East Dock until instructed to return to the building by FM staff or the Fire Service.

Review

18. This protocol will be reviewed, as and when required, by the Council's Standards and Ethics Committee, in consultation with all Group Whips and relevant service areas.
19. Minor amendments to this Protocol may be made by the Director of Governance and Legal Services, in consultation with the Chair of the Standards and Ethics Committee and party Group Whips, in order to ensure its effective operation.
20. Any substantive changes to this protocol will need to be agreed by the Standards and Ethics Committee and approved by full Council and published and updated in the Council's Constitution.

COUNCIL:**24 NOVEMBER 2022**

LEADER & CABINET STATEMENTS

1. Leader Statement – Councillor Huw Thomas
2. Investment & Development Statement - Councillor Goodway
3. Social Services Statement - Councillors Mackie and Lister
4. Tackling Poverty, Equality & Public Health Statement - Councillors Bradbury and Sangani
5. Transport & Strategic Planning Statement – Councillor De’Ath
6. Deputy Leader & Education Statement - Councillor Merry
7. Climate Change Statement – Councillor Wild
8. Culture, Parks & Events Statement - Councillor Burke-Davies
9. Finance, Modernisation & Performance Statement – Councillor Weaver
10. Housing & Communities Statement - Councillor Thorne

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COUNCIL: 24 NOVEMBER 2022

LEADER STATEMENT

Pre-COP27 Reception

I was honoured to represent Cardiff at the pre-COP27 reception that was held at Buckingham Palace on 4 November 2022 by King Charles III. I joined colleagues from Core Cities in ensuring that the interests of leading cities in the UK were represented and, in particular, how cities like Cardiff are making a significant contribution to efforts to address the Climate Emergency by reducing carbon emissions and meeting Net Zero targets by 2030.

Living Wage Week

On 14 November 2022, I joined the Cabinet Member for Finance, Modernisation & Performance in attending the celebration event held at Cardiff University's sbarc|spark building to mark the start of this year's Living Wage Week. I was pleased to also speak at the event and to recognise both the efforts and success of the Cardiff Living Wage City Partnership in promoting the real Living Wage in the city and the impact this has had over recent years. There are now 186 accredited Living Wage employers in Cardiff, with around 67,500 people working for an accredited Living Wage employer, of whom over 11,000 have received a pay rise to the real Living Wage. This has put close to an additional £50 million into the Cardiff economy since 2012.

Cardiff Business Awards 2022

I attended and spoke at this year's Cardiff Business Awards at City Hall on 11 November 2022. Cardiff Council was, again, one of the awards sponsors and there was a high number of entries for this year's awards, with an excellent response from SMEs across a wide range of business sectors in the city. I was pleased to present the Outstanding Contribution Award to Alan Peterson OBE for his contribution to business globally, as well as the positive impact that his charitable work has had on the lives of disadvantaged members of the local community in Cardiff and the organisations that serve them. As ever, the evening provided an opportunity to celebrate the strength of Cardiff's businesses and the contributions they make to the local economy.

Armed Forces Community Covenant

On 14 November at Cardiff Castle, I was pleased to re-sign the Armed Forces Community Covenant on behalf of the Council. The re-signing of the Covenant, which was signed originally by the Council in 2013, reaffirms the Council's commitment to supporting our Armed Forces personnel, both serving and veterans.

The Armed Forces Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces, which aims to encourage understanding and awareness of issues affecting the Armed Forces Community. It is also an integral part of helping our Armed Forces community to readjust to civilian life.

The Council's advice service for veterans is delivered in Hubs across the city and can help former and current Armed Forces personnel and their families with a wide range of matters, including employment support, benefits, debt problems and housing. I would encourage all Members to raise awareness of this service. Further information is available at: <https://www.cardiffmoneyadvice.co.uk/advice/veterans-armed-forces-and-their-families/>

UNISON/APSE Report on National Care Service for Wales

I was pleased to attend and speak at an event held on 16 November 2022 to mark the publication of a report by APSE (Association of Public Service Excellence), commissioned by UNISON Cymru Wales, on '[A National Care Service for Wales](#)'. The report found that the private sector is a barrier to social care improvements in Wales, with people who receive care, as well as care workers, being let down by the current system of commissioning, outsourcing and the need to generate a profit, as well as years of underfunding. Cardiff Council supports the view that care services in Wales should be directly and democratically provided by local authorities and should be properly funded.

The Welsh Government set up an Expert Group earlier this year to produce a report and recommendations about the steps towards creating a National Care Service in Wales, which would be free at the point of need, with social care remaining a responsibility of local government and continuing as a public service. The Expert Group has also published its report this month, entitled '[Towards a National Care and Support Service for Wales](#)'. The report's recommendations will now be considered by the Welsh Government and the intention previously was for an implementation plan to be developed, supported by external engagement, by the end of 2023.

European Language Equality Network General Assembly

Cardiff recently welcomed representatives from across Europe for a meeting of the European Language Equality Network (ELEN) General Assembly, which was also attended by the UN Special Rapporteur on Minority Issues, Fernand de Varennes. I welcomed delegates to Cardiff at a reception that was held at the Temple of Peace on 28 October 2022 where I emphasised the importance of Wales – and its capital city – continuing to maintain and develop its relationships with European nations, particularly those where minority languages are spoken, in the face of the challenges resulting from the UK's exit from the European Union. I also made clear the Council's commitment to supporting and growing the Welsh language in the capital city, as well as our proud history of cultural and linguistic diversity within the city's communities.

Parc Cefn Onn

On 2 November, I joined the Cabinet Member for Culture, Parks & Events at an event to celebrate the culmination of the Parc Cefn Onn 'Into the Garden & Beyond' project, which was part-funded from the National Heritage Lottery Fund. The project has seen a total investment of £660k in the park, as well as improvements in infrastructure through the installation of a new boardwalk to improve accessibility, improvements to signage and wayfinding, installation of interpretation boards, upgraded toilets and changing facilities, car park improvements and conservation work to the Summerhouse. A 'tramper' service is also being introduced using electric mobility scooters in partnership with the not-for-profit organisation, Countryside Mobility Network. This will enable improved access to the park by individuals with mobility problems. The investment made at Parc Cefn Onn will result in an enhanced user experience and will add to the value of one of Cardiff's Green Flag award-winning parks.

Councillor Huw Thomas
Leader of the Council
18 November 2022

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INVESTMENT & DEVELOPMENT STATEMENT

Economic Outlook

Councillors will be pleased to learn that the city centre continues to outperform its rivals in terms of footfall, and there remains significant interest from an investment perspective with a number of new premises opening over the last month, including the likes of Proud Mary who have made a substantial investment in the city centre.

Cardiff is also beginning to promote the city centre for Christmas activity and, so far, the number of “hits” that have been received on the Visit Cardiff website has exceeded records. In promoting Cardiff as a Christmas destination, the Council will also work with the likes of Great Western Railway to promote the city as a shopping destination across their network.

I am also pleased to report that much of the hospitality trade is reporting a positive outlook up until Christmas, but concerns remain that the impact of the cost-of-living crisis will become more stark as we move into the New Year if the national economic picture gets worse.

Tech City

Councillors will also welcome the fact that Cardiff continues to see confidence in the city in sectors such as fintech and the creative industries. FinTech Wales’ latest report indicates that the sector has created over 1,000 jobs over the past year, concentrated in Cardiff with the likes of challenger banks like Starling doubling their headcount in the city. Digital challenger bank Tandem has also announced plans to create an additional 100 jobs in the city.

A survey of city centre businesses also suggested that most were looking at expanding their footprint over the next twelve months as most also reported an increasing number of people returning to the workplace.

Cardiff has seen home-grown businesses, like communications agency Freshwater, take up new space in the city centre as they seek to benefit from the emerging cluster that is being established around Central Square. Last month’s launch of Media.Cymru, a Council supported £50m collaboration that will invest in R&D in the media sector, will also help to solidify Cardiff’s creative and media cluster.

Councillors will no doubt share my view that these developments vindicate the Administration’s approach to supporting more and better jobs across the city confirmed by the analysis by the likes of Savills who cite that “Cardiff is home to one of the fastest-growing digital clusters in the UK”.

Supporting Local Business

The Council also continues to support the development of small business infrastructure, which includes recently helping Tramshed Tech to expand its co-working space in the city centre through the Transforming Towns scheme. This will provide additional space for knowledge-based businesses in Cardiff, helping to provide a platform for some of our most innovative and exciting new enterprises in the city to flourish.

Business Roadshows

The Economic Development Team is putting in place a Business Park Roadshow programme aimed at meeting local companies across the city and holding face-to-face sessions with local companies. Our first location of the Business Roadshow programme will be Cardiff Business Park in Llanishen, which will take place in a new electric bus on 22 & 23 November 2022 in the S4C car park on Parc Ty Glas.

Heritage Buildings

Councillors will be pleased to learn that the plans have been submitted for the development of Merchant Place and the Cory's Building in Butetown. This redevelopment will see those buildings, which have been vacant for over two decades, brought back to use and address what has been a blight on Bute Street for some time. The scheme will hopefully spearhead further investment in Bute Street and the James Street area, bringing more footfall and activity to the area.

Major Projects

The Council continues to progress the development of the International Sports Village with the development of the Full Business Case for the new leisure infrastructure, inclusive of the new velodrome and closed loop circuit and public event space, which is due to be brought to Cabinet in early 2023.

In addition, we are currently out to market seeking partners to take forward our wider vision for the ISV to deliver residential and commercial investment for the area. I am pleased to report that there has been significant interest and I remain positive about the prospects for securing the investment that will support our communities, create jobs and provide new public space and facilities for the people of Cardiff.

Councillor Russell Goodway
Cabinet Member for Investment & Development
18 November 2022

SOCIAL SERVICES STATEMENT

ADULT SERVICES

Improving conditions for Care Workers

Private sector care provision is of course vital to the support of many vulnerable people in Cardiff, and we work closely with the sector to promote good practice. We recognise what a challenging time this is for both providers and for care workers, and while provision of care in Cardiff is currently not an issue, I understand the overall fragility of the care market both locally and nationally. I have written to Welsh Government ministers to make clear our concerns about this and to raise the need for more funding to ensure more sustainable care provision into the future.

In the meantime, I would like to set out the progress that has been made to date in improving conditions for care workers. Cardiff, along with all other local authorities in Wales, has implemented the Real Living Wage as it was in April 2022, and funding for this purpose was made available by the Welsh Government. All care providers have been asked to accept a contract variation which includes the commitment to pay the Real Living Wage and have been asked to confirm that they are passing this on to their employees. All domiciliary care providers in Cardiff have agreed to this contract variation. Officers will be checking this is the case during contract monitoring visits. If it is found that providers are not passing this on and this is not rectified, appropriate action will be considered, including ceasing providing future work to those providers and recovering the additional funding they have received.

The new Real Living Wage figure announced on 22 September 2022 will be considered in the next round of increases in April 2023. I fully understand the pressures at present; however, the Council does not have the funding to consider without support from the Welsh Government. Whilst the Living Wage Foundation is calling for employers to implement the increase as soon as possible, it recognised the challenges this may present, and employers have been given until 14 May 2023 to comply.

Our contract monitoring arrangements check that appropriate training and support is provided to staff and ensures that health and safety measures are in place. Direct support is also provided through our Social Care Training Unit. As part of the grant funding received from Social Care Wales to support the training and development needs of the wider social care workforce in Cardiff, a Social Care Workforce Partnership Coordinator and a Registration and Qualification Support Officer have been put in place whose remit is to work closely with commissioned social care providers to ensure their staff have appropriate training opportunities that support their continued professional development.

In addition, the Cardiff Cares Academy continues to support new carers with the training needed to enter employment. To date the Academy has trained 206 potential carers and helped 107 new carers into employment.

Visit to the First Point of Contact Team

I met recently with the Independent Living Services First Point of Contact Team. This is a team of multi-skilled telephony officers who are the first point of contact for new referrals into the Independent Living Service and Social Care. Officers work in partnership with the client to support them to identify and remove barriers which may be preventing them from reaching their well-being goals. They provide valuable information, advice, and assistance to avoid people getting into crisis by identifying “what matters” to them, helping them to remain independent for as long as possible. It was extremely interesting to see how First Point of Contact officers, social workers, and community occupational therapists all work together to support vulnerable citizens in the city. The team also works within the hospital setting, where they are known affectionately as the ‘Pink Army’, finding community solutions to help people leave hospital safely.

Community Resource Team

I was able to see first-hand the excellent work being done by the Community Resource Team on a recent visit. During the visit, I met with Home Care Managers and Home Carers and heard what their hard work entails. It is great to see the tremendous work they do and improvements that have been made, and I look forward to seeing even further development of the service.

Recruitment of home carers has shown to be extremely challenging in recent months, with the Community Resource Team receiving very few applications for advertised positions. However, after partnership working with Cardiff Cares Academy, part of the Council’s Into Work Advice Service, the service is now starting to see a significant increase in the number of applications received in a single month. Whilst this will by no means solve what is a national recruitment issue, it will go a long way to getting the Community Resource Team closer to the staffing resource it needs to deliver a first-class home care service.

Complex Needs Day Service

I was pleased to visit the Complex Needs Day Service earlier this month, which supports people with a learning disability who have complex support requirements. During the visit, I met with staff and people who use the Day Service and had the opportunity to participate in a lively music session, as well as join a sensory room session. I was so impressed by the positive impact that the Day Service is having on the people who use it and their families, as well as the outcomes that we are helping them to achieve, including our work to involve people in valued community-based opportunities, to reduce restrictive practice and to provide daytime respite for carers.

Vision 21

Last month, I visited projects run by Vision 21, which is a social enterprise set up to provide training and day activity opportunities for people with Learning Disabilities. I visited a number of projects across the city where students with learning disabilities are supported by expert tutors in each area. It was a delight to be able to meet individuals taking part in a number of different activities in the projects across Cardiff. In the woodwork project, I met students who are working to refurbish park benches in partnership with the Council's Parks Service, as well as making a range of Christmas crafts that they then sell to support their project. The students taking part in the computing project are also learning to use a wide range of software, enhancing their skills and, clearly, forming close relationships.

In addition, I visited the Oaks Garden Project on Allensbank Road where individuals have opportunities to learn gardening and customer care skills, and the Sbectrwm Centre in Fairwater where I met individuals learning catering skills in the working café. In the pottery and craft projects, students were working very hard on a range of Christmas products. It was interesting to see the wide range of different pieces individuals were working on and how groups were working as an assembly line to produce items together. The products that the Vision 21 projects make to sell have a positive impact both in terms of student self-worth and helping to manage the costs of the service. It was clear that the schemes focused on students' interests and offered a wide range of skills development and social opportunities. More importantly, in addition to meeting individual needs, these services are offering vital respite to unpaid carers in the city.

Community Events

To celebrate Wales' participation in the 2022 World Cup, Independent Living Services and our Community Hubs will be co-hosting an Older Persons Winter World Cup event on 30 November 2022. The day will include activities such as Tai Chi, Low Impact Functional Training, Bowls, Local Walks, Singing, Dancing and Walking Football. Older people and carers will be invited to take part, whilst facilitators and organisations will be invited to provide a range of taster session activities, as well as a range of information stalls promoting the benefits of keeping active. A local school is also being invited to take part in an inter-generational sporting reminiscence session with older guests, which will include a talk from retired Cardiff City footballer, Gary Bell. This is just one of many activities that we are organising in the community to help people stay connected.

Age Friendly Cardiff

Cardiff was accepted by the World Health Organisation (WHO) as a member of the Global Network for Age Friendly Cities and Communities. Key to membership is a dynamic action plan that aims to work towards improvements that will make Cardiff a great place to grow older. I am therefore very pleased to announce the following developments that will aim to improve the lives of unpaid carers and help those affected by Dementia live well within the community:

- **Carers Charter**

I am pleased to announce that Council has recently approved Charters outlining commitments to unpaid carers and young carers. The Regional Partnership Board – made up of Cardiff and Vale of Glamorgan Councils and Cardiff & Vale University Health Board – have worked with carers to develop the Charters. These Charters set out our commitment to work towards improving the support available to carers. The Charters will be officially launched in the New Year, and I am looking forward to delivering on these commitments which will include the development of a Carers Action plan for Cardiff and working towards making Carers in Cardiff feel valued and supported.

- **Respite Consultation**

Based on the 2011 Census, there are approximately 50,580 unpaid carers of all ages in Cardiff and the Vale of Glamorgan. This figure is likely to be far higher when the figures from the 2021 Census become available in the New Year.

Unpaid carers play a vital role in supporting people to live within the community and the challenges they potentially face cannot be overemphasised. They can experience mental health issues, feelings of isolation, and sometimes struggle to cope. It is therefore so important that they become aware of services that help them to take a break and take time for themselves.

I am pleased to therefore announce a 'Respite Mapping' consultation, which is due to be launched on 21 November 2022 and will run until 8 January 2023. The consultation will consist of three elements as we look to capture as much information as possible, targeting organisations providing respite services, organisations signposting to respite services and the most important people of all, the unpaid carers themselves. The consultation will be available online via the Council's website and will also be available in paper form in our Hubs, the Memory Clinic at Llandough Hospital, GP surgeries, and many other community locations. There will also be consultation events taking place to ensure that the voice of carers will be captured. The consultation will aim to provide a valuable resource that can be used to improve the lives of carers in Cardiff.

- **Dementia Listening Engagement**

As part of ongoing work related to the All Wales Dementia Care Pathway of Standards, a listening engagement campaign is currently taking place in Llanrumney. This project working with Public Health Wales and Citizens UK aims to listen to the voice of all ages within the community to find out what their opinions are of what good Dementia Care and support looks like. I am pleased to be able to say that there has been a fantastic response from the Llanrumney community already which includes children and young people from Llanrumney Youth Club and St John Lloyd Primary School, as well as involvement from our community inclusion groups. Opinions are being captured from the community that will potentially influence positive developments in Wales and Cardiff to support people and their families to live well with Dementia in the future.

CHILDREN'S SERVICES

National Safeguarding Week

The annual National Safeguarding Week took place during the week commencing 14 November 2022 with a full calendar of events for practitioners and the wider safeguarding community. The focus of this year's regional theme was "The Fundamentals of Safeguarding Practice – Back to Basics". Topics were wide ranging and included the launch of the digital Practice Review Toolkit (the first of its kind in Wales), a Child Practice Review Workshop to share the learning and recommendations from a recently published historical Child Practice Review and workshops relating to professional curiosity and disguised compliance. One of the guest speakers was Ryan Hart – a White Ribbon Ambassador and Refuge Champion, who talked about his family's story of coercive control and domestic abuse/violence.

I would like to pay tribute and thank all those who are involved in safeguarding children and vulnerable adults on a day-to-day basis – from teachers, health and social care staff, and police officers, to those in the third sector. Safeguarding is everybody's business and it's vital that everyone knows and understands the basics.

Support and Induction for Newly Qualified Social Workers

Children's Services recognise the importance and value of providing high quality support, training, and development opportunities for newly qualified social workers. Over the past year, Cardiff has developed a framework to assist the development of newly qualified social workers as part of the recruitment and retention plan. All newly qualified social workers have a comprehensive induction plan. Along with a framework of mentoring and support, they now benefit from a dedicated practice lead who provides shadowing and learning opportunities. A community of practice has now been developed within Cardiff and this enables our newly qualified social workers to be part of a reflective practice hub, which supports the worker to have access to current research and practice information.

This base set the scene for Children's Services' first Practice Development Week that was held last month. I was pleased to join a variety of sessions during the week where a wide range of professional speakers shared their expertise, experiences and supported the continuous practice development journey. Sessions included hate crime and anti-extremism, giving evidence in court and participation of children, young people, and families. Feedback from the week was incredibly positive with staff sharing that the sessions were interesting, informative and very helpful, and I look forward to seeing practice development grow in the future.

Visits to Children's Services Teams

Over recent weeks, I have been pleased to meet with frontline staff, Team Managers and Operational Managers within Children's Services to understand more about their roles and responsibilities. These visits/meetings have included the Child Health & Disability Team, St Mellons Family Centre (East Locality), the Reviewing Hub, Cardiff Youth Justice Services, the Substitute Family Care Team, Hafan Gobaith (North Locality), the Intake & Assessment Team and the Interventions Hub.

It has been incredibly useful for me to learn about the teams I have visited so far and to hear first-hand about their successes, as well as the challenges they face. I would like to thank all the officers who took the time to meet with me for their honesty and insight into the vital work they do every day. My visits will be continuing as I am keen to understand every aspect of the work that Children's Services does and how that work can support children to achieve the best outcomes in life.

Good Practice in Children's Services

Children's Services have continued to receive compliments and feedback about good practice, including one example from a Child Protection Conference Chair. They noted that the social worker had clearly worked consistently and patiently with the family over the last six months to bring about significant positive progress to the families own commitment and motivation to change. The family also commented on their excellent professional relationship with the social worker and how that has empowered and enabled them to understand cultural differences and expectations. This has now reduced the risk of significant harm to a point where registration is no longer required, and the family will accept a wide range of voluntary services to meet their children's needs.

Care Leavers Christmas Dinner

Christmas Day can be a very challenging time for young people who grew up in care. As Corporate Parents, we want to know that our young people are not alone on Christmas Day. Across the UK, the Gold from the Stone Foundation set up by Lemn Sissay has been supporting the delivery of Christmas Dinners for care leavers. This has never happened in Wales before. I'm proud to say that this is changing this year with local volunteers who have been working all year to set up a Christmas day event in Cardiff with dinner, gifts and entertainment for our young people. It is aimed at care experienced young people 18-25 (with flexibility in the age) who would otherwise be alone at Christmas. I am keen to ensure that we all play our part as Corporate Parents and support the event as much as possible. I would encourage Members to spread the word to organisations in their area or care-experienced young people you may know.

DIY Sessions for Care Leavers

It was great to meet a small cohort of care leavers who have taken part in several sessions with Wates Construction to learn and develop their DIY skills. With support from the Into Work and Care Leaver teams, our young people visited the site at Eastern High School and were provided with a variety of demonstrations and information sessions from skilled tradespeople. This included information on how to rewire a plug and what to do if a fuse box trips, what to be aware of when hanging things on walls, and general health and safety information. The young people also took part in practical sessions such as building flat pack furniture, tiling, painting, and decorating including how to measure correctly, how to cut in and how to paper a wall. The young people were also able to take home with them what they built on the day.

These valuable skills have helped to support our young people to live independently and develop knowledge of the construction sector. From the success of these sessions, two of our young people have registered for work experience with Wates Construction. To recognise and celebrate the achievements of those who took part, a

small certificate and a voucher were given to the young people to purchase items for their home. From the positive feedback provided by young people planning is underway for more regular sessions in the New Year.

Cardiff Family Advice & Support

Calls to the Family Gateway have remained at a consistent level throughout September and into October. However, in addition to the continued increase in the average call time reported last month, there was a 39% increase in the number of referrals made by the team during September. Family Help, Cardiff Parenting and Barnardo's Family Well-being Service remain the most referred to services. In September 2022, the generic Family Help Teams had a 45% increase in referrals and saw the average intervention period increase from 12 to 13 weeks. The waiting time for the team remains at 7 weeks. The Family Help Disability Team had a 20% increase in referrals and the average intervention period increased by 87% from 8 weeks to 15 weeks. This is indicative of the complexity of the issues which families are currently facing. Despite this, additional capacity within the team has led to waiting lists decreasing from 12 to 9 weeks.

Childcare Offer

Alongside my colleague Councillor Lewis, I was pleased to accompany Julie Morgan MS, Deputy Minister for Social Services, in her visit to Darling Buds Nursery in Bute Street on 9 November 2022 to launch the new Childcare Offer Digital Service. I was pleased to hear from a parent about the importance of the Childcare Offer in helping families with childcare costs. Staff from the Early Help service highlighted the benefits to childcare settings of the single Digital Service.

One clear improvement for settings such as Darling Buds, who provide childcare for children within several local authority areas, is that they will be able to submit a single funding claim, as opposed to claiming to each of the local authorities in which the children live. 188 childcare settings in Cardiff have been registered on the new Digital Service. Since 7 November 2022 when the applications opened, thirty parents have applied using the new online portal for funding from January 2023, and six of these have been approved already.

I would encourage all Members to ensure that their residents are aware of the Childcare Offer so that as many children and families as possible can benefit from this fantastic offer.

Flying Start

The Welsh Government has recently released guidance to local authorities on the further expansion of early years provision. This relates to the Welsh Government's commitment to deliver a phased expansion of early years provision delivered to include all 2-year-olds, with a particular emphasis on strengthening Welsh-medium provision. The vehicle for delivering this ambition is through Flying Start. Phase 2 of the expansion will focus specifically and exclusively on a phased roll-out of the part-time, high-quality childcare element of Flying Start to 2-3-year-olds from April 2023. Indicative funding of £1,575,633 will be made available from April 2023 to offer funded childcare places to a further 358 eligible 2-year-old children.

The method instructed for targeting newly eligible children continues to be targeting areas using the Welsh Index of Multiple Deprivation (WIMD) data from the Department of Work and Pensions (DWP) and HM Revenue & Customs (HMRC), broken down by Lower Super Output Areas (LSOAs). This uses income benefit data, a proxy indicator for poverty, to target areas with the highest proportions of children aged 0-3 years living in income benefit households.

Councillors Norma Mackie & Ash Lister
Cabinet Members for Social Services (Job Share)
18 November 2022

TACKLING POVERTY, EQUALITY & PUBLIC HEALTH STATEMENT

PUBLIC HEALTH & EQUALITY

Betty Campbell Annual Lecture & Statue Nomination

I was delighted to be a guest speaker at the very first Annual Betty Campbell Monument Lecture, a new addition to Black History Month celebrations in Cardiff. The lecture took place on 27 October at the Pierhead building in Cardiff Bay. Organised in partnership between the Council, Senedd Cymru and Monumental Welsh Women, the lecture honours the work of Wales's first black headteacher and champion of equality and diversity. I was pleased to be able to reflect on my own journey to Cardiff as well as focus on the work the Council is doing to tackle racial inequality in the city through the recommendations made by the Race Equality Task Force.

Mount Stuart Primary School Year 5 & 6 choirs also sang at the event, with the pupils being very aware of the significance of Betty Campbell as a leader, former headteacher at Mount Stuart Primary School and champion of the children and families of Butetown. The pupils have learnt about 'Mrs Campbell' and her contribution, both as part of a topic on "Inspirational People" and as part of ongoing work on the curriculum.

The lecture also marked the first anniversary of the unveiling of the Betty Campbell Monument in Cardiff. Sculpted by Eve Shepherd, the monument has been shortlisted by the Public Statues and Sculpture Association for the 2022 Marsh Award for Excellence in Public Sculpture. Voting closed on 17 November and the winner will be announced during a ceremony starting at 6pm on 24 November.

Memorial Service For Minority Ethnic & Commonwealth Servicemen And Women

I was honoured to speak and lay a wreath at a memorial service to commemorate minority ethnic and Commonwealth servicemen and women on 5 November at the War Memorial in Alexandra Gardens. Organised by Race Council Cymru, Black History Wales in partnership with the Royal British Legion, Royal Commonwealth Society Wales and the British Armed Forces, the service remembered those individuals from Minority Ethnic backgrounds, who were either living in, or came to Wales, to support the UK in her time of need during the World Wars and past conflicts. Many of these courageous volunteers lost their lives and the service recognised their sacrifice and honoured their memory.

UK Parliament Week 2022

I have been invited to address the Cardiff chapter of the Hindu Swayamsevak Sangh UK, Cardiff Balagokulam, on 20 November as part of their activity to mark UK Parliament Week 2022. Young people from the chapter will first debate selected topics, such as 'Should children be allowed to decide what time they go to bed?', in order to raise awareness about how policies are enacted in parliament following debates and voting. After the debate, I look forward to sharing my observations and thoughts about the event and the role of parliament in enacting policies, as well as how young people can get involved and influence policy at the local or national level.

Diwali Celebrations

Diwali is one of Hinduism's most important festivals and the Indian community's biggest celebration. It is a five-day festival which celebrates the triumph of light over darkness, good over evil and the human ability to overcome adversity.

I was pleased to attend the Diwali Mela, hosted by Amgueddfa Cymru and the Hindu Cultural Association Wales India Centre, on 16 October at the National Museum of History at St Fagans, which was decorated with Indian artifacts, textiles and Rangoli art. In addition to pop-up food stalls, music, and dance performances, there was an opportunity to take part in Dandiya Dance workshops, Indian yoga, Mehndi body art and classical Indian storytelling. Free arts and crafts activities were also available for children, young people and families.

I was also delighted to attend the Wales Celebrates Diwali 2022 event hosted by the First Minister for Wales, Rt Hon Mark Drakeford MS, and the Honorary Consul for India in Wales, Mr Raj Aggarwal, at Sophia Gardens on 26 October. It was a great event which brought the Indian community together to celebrate the Festival of Light and the many shared connections between Wales and India. Highlights of the event can be viewed on YouTube at: <https://youtu.be/8BtfQEEmcqs>

Ask Cardiff 2022

The annual Ask Cardiff survey is currently underway. Residents and anyone who accesses public services in the city are encouraged to share their opinions about their experiences of services as the Council seeks to gather views on what is working well in the city and areas where improvement is needed. The feedback collected from the survey helps the Council and public service partners to better understand how people experience the city and services and to know what is important to residents and the local community. The responses also help inform plans to make changes and improvements to services.

The survey can be completed online [here](#) and closes on 20 November. Paper copies are also available in community buildings including Hubs, libraries, youth centres, schools and community centres. Everyone who takes part in the 20-minute survey will have the opportunity to enter a prize draw to win a family ticket to skate at this year's Winter Wonderland or one of ten £50 FOR Cardiff vouchers, which can be spent in a wide variety of high street shops and restaurants.

Winter Vaccinations

Following on from my Council Statement last month, the Autumn 2022 Covid-19 booster programme is continuing. Two pop-up sessions have already been delivered in Butetown. Cardiff & Vale University Health Board are linking with key community leads and contacts to arrange future pop-up clinics to support and maximise vaccine availability in areas of low take-up. The roll-out of flu vaccinations is also continuing with a particular emphasis on improving uptake for 2- and 3-year-olds. Young children can be seriously affected by flu but can be protected by a vaccine delivered through a painless nasal spray. More information about flu vaccination is available at: www.phw.nhs.wales/flu vaccine

HIV Action Plan for Wales

The draft three-year HIV Action Plan for Wales was published earlier this year for consultation and encompassed five key areas of priority: Prevention, Testing, Clinical Care, Living Well with HIV and Tackling HIV-related Stigma. Cardiff Council submitted a detailed response to the consultation in September, which supported the vision of the action plan. I am looking forward to welcoming the finalised version of the action plan when it is published and working with the Welsh Government on improving the quality of life for people living with HIV in Cardiff. With this in mind, HIV Testing Week will be taking place from 21 to 27 November 2022. The week, which will be co-ordinated by Fast Track Cardiff & Vale, provides an opportunity to raise awareness and educate people about HIV. The Council has collaborated with Fast Track Cardiff & Vale to produce a leaflet entitled “21st Century HIV: What are the facts?”. It includes a series of key facts, presented simply and impactfully, information on HIV testing and prevention, and where to go for support. This useful resource will be available in all Cardiff Hubs and Libraries during the week, as well as other community settings.

Bowel Cancer Screening

The Council works in partnership with Public Health Wales to deliver a targeted health education programme within the south of the city that aims to develop greater awareness within communities of the importance of participating in bowel cancer screening. Bowel screening aims to find cancer at an early stage when treatment is likely to be more effective. Early diagnosis is therefore really important. At least 9 out of 10 people will survive bowel cancer if it is found and treated early. Uptake of all screening programmes in Cardiff and the Vale of Glamorgan are amongst the lowest in Wales and the south of the city is particularly affected. The education programme includes group sessions within our Community Hubs as well as visits to community locations, for example local temples. I'm really pleased to be able to announce a new initiative that the Health Engagement team have been working on with Bowel Cancer UK, Public Health Wales, Wales Interpretation and Translation Service (WITS) and the Council's Film Unit to achieve. The teams have been working on the translation, interpretation and overdubbing of a Bowel Cancer Screening information video into Urdu, Arabic, Somali and Bengali. The finalised videos will shortly become available and will be used to target this prevention programme effectively within Cardiff. We remain committed to providing information in different languages to increase awareness of the screening programme among all communities within the city.

TACKLING POVERTY & SUPPORTING YOUNG PEOPLE

Cost-of-Living Crisis

The Advice Line continues to feel the pressures of the huge demand on advice services. Since April this year, almost 32,000 people have been assisted. The main calls being received by the team relate to Welsh Government support grants such as Winter Fuel Payments, Cost-of-Living Payments, as well as emergency support for those struggling with the cost of living. The team has an average answer time of 9 seconds and an answer rate of 90%. On average, over 81% of queries are resolved at first contact, although the current cost-of-living crisis has also increased the amount of more complex enquiries being received by the team.

The Benefits Assessment Team continues to support those in need with Cost-of-Living Discretionary Scheme payments. Over £250,000 has been paid to date, helping 1,296 people who are struggling with the cost of living. Since its launch in September, over 33,000 applications have been received for the Winter Fuel Scheme, with 24,032 applications approved and paid by the Benefits Team. The demand for this assistance continues, and the Advice Line and Benefits Team continue to work hard to ensure that funds are allocated to those who need it as quickly as possible.

A new section on the Money Advice Team website (www.cardiffmoneyadvice.co.uk), is also being created, which will allow residents to search for various types of Cost-of-Living Support in their area, by list or map view. Initially, this will include information about food banks, food pantries, community fridges and local organisations that can offer support. The page will be easily navigated and promoted via other Council websites. If Members would like any information to be added to the website which they feel would be both relevant and helpful, then please email Advicehub@cardiff.gov.uk

Ukrainian Employment Support

The wraparound Ukrainian Employment Support project continues to help high numbers of Ukrainian guests in accessing employment, volunteering and training opportunities. Since support began in July 2022, the team has assisted 179 people and helped to secure employment for 43 people, with an additional 14 helped with volunteering opportunities. Due to the increase in demand for the service, the Into Work Advice Service has employed one of the Ukrainian guests as an Employment Mentor to assist with translation.

Digital Helpers Scheme

The Digital Helpers Scheme has started and encourages people to attend digital support sessions or training to increase their digital and social skills. It is aimed at those people who do not have access to a suitable device or internet connection at home. The scheme runs on a weekly basis from Hubs where the trainees and officers are able to create a learning plan and assist people in working towards an end goal of their choosing. Once they are engaging regularly (after they have attended at least three sessions), a tablet and necessary data is gifted to them. There has been excellent feedback from customers in Radyr regarding the scheme and it is great to hear excellent feedback about the work that the Digital Support Team is doing in the community.

Employment & Cost-of-Living Events

The Into Work Advice Service's Employer Liaison Team has been busy organising employment events across the city; a Retail & Hospitality Jobs Fair was held at Central Library Hub, which saw 93 people attend. Over half of the attendees applied for job opportunities on the day. A Cost-of-Living and Wellbeing event was also held at the beginning of November, which showcased the support available through the Into Work Advice Service, and Money Advice and Housing Support Teams. Help and support was on hand from the Food & Fuel Champions and Energy Advice from National Energy Action. Alongside advice and assistance, attendees were able to take part in reflexology, massage, and 'cooking on a budget' taster sessions.

Supporting Community Groups

The Into Work Advice Service supported United2Change (U2C) with an autumn youth event that was held on 5 November 2022 at Channel View Leisure Centre. The Into Work Advice Service provided funding to U2C to host a motivational speaker and pay for the awards and other event costs. The aim of the event was to engage young people on Bonfire Night with a range of activities organised, such as empowerment workshops, stall holders promoting services and a football tournament. U2C has worked closely with the Into Work Advice Service with the aim of developing an effective pathway for disengaged young people in Butetown, Riverside and Grangetown to access employment, volunteering and training provision available. The event was well attended with over 200 people attending. The Into Work Advice Service was able to engage attendees, promoting service provision available to individuals looking to upskill, re-enter employment or requiring support with cost-of-living costs.

Alongside activities and engagement, U2C hosted a panel which consisted of local Councillors, the South Wales Police & Crime Commissioner and third sector/voluntary organisations. Panel members were encouraged to raise awareness of local provision and support available. Promotion was varied and focussed on current topics such as the cost of living, mental health and employment opportunities within the police service with the aim of diversifying the workforce.

Cardiff City Football Club Foundation

On 28 October, I visited Cardiff West Community High School to see first-hand the Cardiff City Football Club Foundation's Inspire programme in action. The Inspire programme is a secondary education and training programme that supports children and young people to achieve their full potential as they move through the education system and early adulthood.

Cardiff Influencers Programme 2022

As part of the Power to the People: Cardiff Influencers Programme 2022, 18 students from schools across Cardiff spent a day on site as the new Fitzalan High School is being built. They attended interactive sessions discussing the fundamentals of construction, innovation in the industry and the future of the education system.

The Cardiff Influencers Programme is designed to enable young people to become directly involved in shaping strategy and influence how Cardiff Council will invest millions of pounds in education across the city over the next 10 years. It also aligns with the city's Child Friendly Cardiff Strategy, ensuring that every child and young person has their voice, needs and priorities heard.

Cardiff Youth Service

The Post-16 Team recently attended the Ajuda Mental Health & Wellbeing Awards 2022 as finalists in the 'Outstanding Impact in Education' Category for their Breaking Barriers Course. Breaking Barriers was initially put together due to the rising figures of young people struggling with social isolation and anxiety, only made worse by the impact of Covid-19. The project provided opportunities for young people aged 16-25 to engage in practical activities and wellbeing sessions that encouraged engagement and participation within a group. It also provided techniques to help improve self-confidence and interaction with other young people and gave the young people tools to deal with difficulties they are experiencing and prepare them to move on to other opportunities.

As a reminder the Cardiff Youth Service has been shortlisted for the *Digital Innovation Award* at the Youth Work Excellence Awards 2022. They were shortlisted because of innovation in co-producing an online community for young people aged 13-17, which offers youth worker support, allows young people to meet new people and engage in activities. Special recognition for this shortlist goes to Youth Worker Sarah McCreadie, who has worked on this project to offer a safe and inclusive online community for young people. The winners will be announced at the Youth Work Excellence Awards Ceremony, which will take place in Swansea on 1 December 2022.

Councillors Julie Sangani & Peter Bradbury
Cabinet Members for Tackling Poverty, Equality & Public Health (Job Share)
18 November 2022

TRANSPORT & STRATEGIC PLANNING STATEMENT

The Bike Lock

On 24 October 2022, I was pleased to join the Leader of the Council and Cabinet Member for Climate Change in meeting with the Welsh Government Deputy Minister for Climate Change, Lee Waters MS, at The Bike Lock – the new secure cycle storage facility on Windsor Place in the city centre, which has received funding from the Burns Delivery Unit. The Bike Lock opened on 31 October 2022 and is available Monday to Saturday from 8.30am to 5.30pm. It has shower, changing and locker facilities, storage for up to 50 bikes, e-bike charging points, remote working space with wi-fi and serves roasted coffee. It is being operated as a social enterprise with all profits from The Bike Lock being reinvested to support active travel in and around Cardiff. Further information is available on The Bike Lock website at: www.thebikelock.co.uk

Operation Eilon

The Council's City Centre Warden Team, based within City Centre Management, has been working successfully in partnership with colleagues from South Wales Police over recent weeks as part of Operation Eilon.

Cycling is prohibited on Queen Street and this operation has seen a targeted effort by both our City Centre Wardens and the Police to use their powers to, first of all, inform cyclists of the need to dismount on Queen Street and then take enforcement action, as necessary, against irresponsible bike and e-scooter users who fail to comply with this instruction. Alternative routes for cyclists are available using the cycleways on Dumfries Place and Boulevard de Nantes.

City Centre Wardens operating on Queen Street close to the Capitol Centre will tell cyclists to dismount and, if they refuse, then officers will liaise via radio with their Police colleagues further along Queen Street so that the cyclists are stopped and can be issued with a fixed penalty notice. Officers are also aware of a particular issue with food delivery bikes operating on Queen Street and have raised various issues with the companies involved so that they can assist in addressing this issue, including the use of bikes that have been found to be operating illegally.

In the last month, over 40 cyclists have been issued with a fixed penalty notice after being stopped by the Police for cycling on Queen Street. In addition, a number of warnings have been issued by the Police under Section 59 of the Police Reform Act 2002 to riders of e-scooters that are being used in an anti-social manner and in contravention of the Road Traffic Act 1988. This included three in just one day on 17 November 2022.

Since the start of the operation to tackle this behaviour through the issuing of fixed penalty notices, it seems that the word is definitely getting out that cycling is not allowed on Queen Street and, supported by effective social media messaging about this work, is having a real impact on changing routes and behaviours in the city centre.

Active Travel Schools Programme

It's great to see that 8 of the 10 schools on the Living Streets leaderboard for the most active and engaged schools in Wales are Cardiff schools. This highlights the positive impact of our Active Travel Schools programme in helping schools develop an active travel culture across the city. Tools such as the Living Streets WoW Tracker – now adopted in 58 Cardiff primary schools – are really helping to encourage travel behaviour change. For example, before and after data for Severn Primary School in Riverside, which has recently set up a 'park and stride' walking bus, show an increase in active travel from 52% two years ago to 85% of pupils now walking, cycling or scooting to school.

Cycle Training for Ukrainian Refugees

The Road Safety Team has been working with the Council's Homes for Ukraine Team to provide cycle training for Ukrainian refugees in Cardiff, with 20 people being trained over two sessions. OVO bikes were used for the first session and a third session will be delivered subject to demand. The Homes for Ukraine Team has also arranged free OVO bike membership for Ukrainian refugees to enable them to commute to work and travel around the city.

Christmas Memorial Service

As I confirmed in my Council Statement last month, the annual Christmas Memorial Service will take place at the Wenallt Chapel at Thornhill Crematorium on Sunday 11 December 2022 at 2:00pm. The service is open to anyone who wishes to attend to remember a loved one at what can be a very difficult time of year for some people. This year, Bereavement Services are supporting the City Hospice charity and a collection for this very deserving cause will be made on the day. Proceeds from the sale of memorial tags, which can be purchased for a suggested donation of £2 and then hung on the memorial Christmas trees outside the chapel from 1 December 2022, will also go to City Hospice.

Cardiff Dogs Home

The Dogs Home has appointed a new part-time Kennel Assistant and a new Corporate Trainee Kennel Assistant who is due to start this month. Interest in volunteering remains high and staff at the Dogs Home continue to induct around 40 new volunteers each month to help to walk the dogs and assist in the kennels alongside the staff. This equates to over 1,000 volunteer hours each month at the Dogs Home.

Two young people are starting work at the Dogs Home this month as part of work that is being undertaken with the Youth Justice Service. Staff from the Youth Justice Service have completed induction days at the Dogs Home and will supervise the young people alongside Dogs Home staff. The Dogs Home is also working with the Probation Service to help them to target some offenders in an effort to reduce their continuing involvement in crime.

The Council is currently in the process of drawing up new plans for the Dogs Home to remain at the existing site and to undertake works to modernise the facility. The commercial services that can be provided by the Dogs Home are also being reviewed to boost income and support the operational budget.

The 2023 Cardiff Dogs Home/Rescue Hotel Calendar is currently available at a cost of £10 (plus postage & packing) and can be ordered via the Rescue Hotel charity's website at: <https://store.therescuehotel.com/product/2023-rescue-hotel-calendar/>

Councillor Dan De'Ath
Cabinet Member for Transport & Strategic Planning
18 November 2022

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COUNCIL: 24 NOVEMBER 2022

DEPUTY LEADER & EDUCATION STATEMENT

Free School Meals for Primary School Children

Since the start of the new school term in September 2022, whole classes of Reception aged children have been enjoying free school meals as part of the Welsh Government's Universal Free School Meal scheme. Further year groups are to be provided with free school meals through a phased approach, with the aim of rolling out the scheme to all primary aged children over the next three years. It is hoped that Years 1 and 2 will be catered for from the Summer Term 2023. The Welsh Government has announced that benefits-based free school meals will continue to be provided to children during the school holidays, up until the end of next year's February Half Term holiday. In Cardiff, the provision will be delivered via a supermarket voucher to be emailed to families before the start of the school break.

Passport to the City

Cardiff Council and Cardiff University have formed a partnership to deliver the ambition of Passport to the City as set out in our 'Stronger, Fairer, Greener' policy commitments. A Memorandum of Understanding has been signed by the Leader of the Council and the University's President and Vice-Chancellor, Professor Colin Riordan, to support the delivery of the Passport to the City programme. Cardiff University has made this partnership the flagstone of their 2022/23 civic mission, recognising that a good education is the surest route out of poverty and that the long-term prosperity of the city relies on us supporting our children and young people to reach their potential. It aims to promote social mobility by supporting high quality, exciting and innovative learning activities and experiences to children aged 5 to 16 years. A fundamental principle is that participation is voluntary, enabling children to explore different learning environments and to become independent and confident learners.

Qualification Wales Consultation on New Qualifications

On 6 October 2022, Qualifications Wales launched its "Qualified for the Future" consultation via an online seminar hosted at Llanishen High School. This provided information about what and how learners will be assessed from 2025. Qualifications Wales has been working on a new set of GCSEs that will realise the ambition of the Curriculum for Wales and meet the needs of learners. Between 4 October and 14 December 2022, Qualifications Wales is consulting on proposals for 26 new GCSEs and other related qualifications. More details about how to respond to the consultation can be found at: [Have your say - Qualifications Wales](#).

Debate Mate

The Debate Mate Schools Programme is running for the second year across eight secondary schools in Cardiff, funded by the Cardiff Commitment and delivered by Debate Mate, a charity that aims to tackle social mobility by delivering after-school debate clubs in schools in areas of high deprivation, using a highly effective peer-to-peer mentoring model. This year's programme was launched on 10 November 2022 at City Hall and all eight secondary schools – Cardiff West Community High School, Cantonian High School, Cathays High School, Eastern High School, Fitzalan High School, Ysgol Glantaf, St Teilo's CiW High School and Willows High School – will now embark on a 17-week debating programme, developing key transferable skills whilst also improving a range of higher order thinking skills such as confidence, teamwork and leadership. In addition, this year's Debate Mate programme includes an 'Accelerate Programme', which is an intervention scheme for students that are the most challenging to reach, with the aim of re-engaging the students in their education. Through empowering the pupils with the skills to express themselves and form persuasive arguments, this programme helps give these young people a purpose and self-confidence that can be significant in influencing their behaviour.

Open Your Eyes Week

Children in Years 5 & 6 from across Cardiff Primary Schools have had their eyes opened to the different opportunities available in the world of work this month. Cardiff Commitment's Open Your Eyes Week challenges gender, race and class stereotypes and provides 'lightbulb moments' by bringing a variety of inspiring professionals into the classroom. It enables pupils to discover their passions, develop their dreams, explores their place in the world of work and realises our vision to be a city working in partnership to inspire its children and young people towards a better future. Research by the OECD also suggests that pupils need to learn about career options early to combat ingrained stereotyping that sets in at primary school age.

188 school classes registered for Open Your Eyes Week, which equated to approximately 5,640 pupil engagements with employers from across the city's growth sectors. Pupils were inspired by speakers from PWC, Admiral, BBC Wales, Companies House, Eversheds Sutherland, Cardiff & Vale University Health Board, Andrew Scott, We Care Wales and St David's Shopping Centre.

Compass for Life Programme

The Compass for Life programme is being developed with youth engagement group, United2Change (U2C), and will work with young people and their families to develop their future ambitions and aspirations by identifying their 'North Star'. The Cardiff Commitment will identify sectors that 'North Stars' fall into and provide a programme of employer engagement to be delivered with U2C. The programme is innovative, even using Lego to help stimulate creativity and families express what they would like to achieve, and was delivered using the Serious Play methodology.

Expressive Arts Showcase – Mural at Grangetown Primary School

We are using our work on the Music Strategy as a template for a new Cultural Strategy focused on supporting and celebrating Cardiff's creative talent. A key part of the strategy is to ensure that young people from all backgrounds can access the world class amenities the city has to offer. So, in the first year of the Council supporting schools to realise the new Curriculum for Wales, our partners on the Expressive Arts Industry Forum have delivered 12 exciting projects benefitting over 1,000 pupils in the city. This fantastic collaboration is going from strength to strength to ensure our young people enjoy the vast wealth of creativity within the city, but also have the pathways into the work opportunities that these industries have to offer. I was delighted to visit the showcase at Grange Pavilion and visit Grangetown Primary School for the unveiling of their mural, which was developed in partnership with Unify Creative.

Tredegarville Church in Wales Primary School

Some school children and staff from Tredegarville Church in Wales Primary School in Adamsdown have had the opportunity to be part of a sound and film project about the people who live in the Adamsdown and Splott areas of Cardiff. HOSPES is an immersive, site-specific installation and online portal, which places Cardiff Royal Infirmary in its historical and social context and has been created by artist John Meirion Rea. The film and other short videos from the project can be viewed at: <https://www.hospescardiff.com/>

Corporate Parenting Strategy 2021-2024

Last month, care-experienced young people from the Bright Sparks group participated in a development workshop that spanned two days with Cardiff Youth Service. This workshop was an opportunity for young people to develop a video which shared key messages of what they would like to see from Cardiff Council and professionals as Corporate Parents. The young people developed a script, chose the music, and then recorded messages in their own voices.

At a recent engagement session between children and young people and members of the Council's Corporate Parenting Advisory Committee, I had the pleasure of meeting some of the young people who developed the video. These powerful messages show the importance of working together and highlight how we all have a responsibility to support our children looked after and care leavers to help them be happy, safe and to thrive. This fantastic work can be viewed on YouTube at: [Cardiff Corporate Parenting Strategy 2021-2024 / Strategaeth Rhianta Corfforaethol 2021-2024 - YouTube](#)

Councillor Sarah Merry
Deputy Leader & Cabinet Member for Education
18 November 2022

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CLIMATE CHANGE STATEMENT

Recycling Services Over The Christmas Period

There will be no change to recycling and waste collection dates over the Christmas period this year.

One-off collections of real Christmas trees will take place between 10 and 20 January 2023. These collections will be provided for real Christmas trees only and not any other garden waste. There will also be a real Christmas tree drop-off zone for those wishing to recycle their tree earlier. Information on both the collections and the drop-off zone will be published closer to the Christmas period.

The Household Waste Recycling Centres at Lamby Way and Bessemer Close will be closed on 25-27 December 2022 and 1-2 January 2023.

The demand for recycling and food waste bags increases significantly at this time of year so, if you need to, please visit a local stockist in advance of the festive period.

I would like to ask everyone to make environmentally friendly choices this year when it comes to Christmas cards and presents. Most wrapping paper cannot be recycled, and neither can cards with ribbons, embellishments or glitter. Using gift bags that can be re-used, decorating brown paper to create unique wrapping or sending e-cards are all more sustainable choices.

The Cabin Reuse Shop at Lamby Way

In order to support households in need during this cost-of-living crisis, the Council's partner, Wastesavers, will be running a Christmas Toy Campaign on 3 & 10 December across all their shops, including The Cabin at Lamby Way. The event will support households in poverty to 'Fill a Bag' with toys for £1. In partnership with Wastesavers, the Council will be donating 100% of the takings to a local charity supporting households in poverty over the Christmas period.

New Vehicle for Segregated Recycling Service

I can confirm that a new collection vehicle is now operational in those areas of Cardiff receiving a 'sack sort' segregated recycling service. This collection vehicle enables the collection of multiple items at once and keeps the items separate during the collection.

'Big Sweep' Leaf Fall Clearance

Council staff are extremely busy dealing with leaf fall across the city. Last year, just over 2,700 tonnes of sweepings were collected for processing, with this number likely to grow as our urban tree canopy increases. I've been delighted with the response from residents working together with the Council to tackle leaf fall on streets with lots of trees. Residents on 103 streets in the city have come forward offering to help. Volunteers have been provided with leaf clearance bags, which once swept are collected by our teams. This is especially important with climate change resulting in increased risk of flash-flooding, and the Council has been reminding residents of the role they can play, if they're fit and able and if it is safe to do so, in helping the Council keep the city's 80,000 drainage gullies clear. I would like to extend the Council's thanks to all volunteers.

Grow Cardiff

I was pleased to speak at the Grow Cardiff AGM. Grow Cardiff is a pioneering local charity, which seeks to practically support communities of all ages to come together to grow and sustain edible, wildlife-friendly garden spaces across the city of Cardiff and beyond. They are also a member of the local food partnership, Food Cardiff. Grow Cardiff has recently been involved in discussions with the Council about the integration of One Planet Cardiff issues into our schools. This summer, they presented workshops at the One Planet Cardiff schools' events to raise awareness of the One Planet Cardiff strategy and the role that schools can play in supporting it.

Councillor Caro Wild
Cabinet Member for Climate Change
18 November 2022

COUNCIL: 24 NOVEMBER 2022

CULTURE, PARKS & EVENTS STATEMENT

Museum of Cardiff

A mural found in Cardiff, which was created by the mysterious Glaswegian Street artist, The Rebel Bear, has been successfully and safely relocated to the Museum of Cardiff to form part of a 3-month Protest exhibition. The artwork, which recently appeared on hoardings on Ferry Road by the International Sports Village, was painted by the 'Scottish Banksy' in support of a disabled woman who lives in the city and who is involved in a court dispute with a private car park operator. Like Banksy, the Rebel Bear's identity remains a mystery and they reportedly do their artwork whilst dressed in a bear costume.

The public can now view the artwork at the Museum of Cardiff as part of the Protest exhibition, which explores 100 years of activism and protest in our capital city from the Suffragette movement of the early 1900s to the Women's March of 2017, showcasing how people fought for their ideals and shining a light on the communities which have pulled together for a common cause. After the work is exhibited at the Museum, it is hoped that we can possibly return the artwork to a new permanent home in the International Sports Village development.

Christmas at Bute Park Light Trail

Our Christmas Light Trail partners, From the Fields, have been busy installing this year's network of lighting throughout Bute Park, with additional investment in their product, which will ensure a memorable experience for all those visiting this year. In total, 120,000 visits were recorded last year and bookings to date indicate that greater visitor numbers will visit the attraction this year. Last year also saw over 4,000 tickets gifted to charities and good causes, over 2,700 free tickets allocated to personal assistants/carers and over £5,000 raised for the Bute Park Improvement Project Donation Scheme. The event, which opens to the public on 24 November 2022 and runs to 1 January 2023, brings a significant economic benefit to the city.

APSE Best Performer Award

The Council's Parks Service has been named as a finalist in the APSE (Association of Public Service Excellence) Best Performer Awards in the Parks, Open Spaces & Horticultural Services category. Those local authorities shortlisted for the award have been able to demonstrate improved performance across a wide range of cost, quality and environmental indicators and the winner will be announced at APSE's Annual Performance Networks Seminar next month.

Green Flag Awards Scheme – ‘Best of the Best’ Awards

I'm also pleased to report that the Council's Bute Park Team have been successful in winning the Team of the Year (Park Staff) award at the UK 'Best of the Best' Awards, which took place on 15 November 2022. Grow Cardiff's 'Grow Well' project also won the Best Health Initiative award for the positive impact that their therapeutic community gardening has made on the health and well-being of local individuals. The awards scheme, which recognises excellence in innovation and service delivery, is managed by Keep Britain Tidy who also manage the Green Flag Awards Scheme.

Roath Park Lake

The annual regime of vegetation management at Roath Park Lake is nearing completion. This work has seen the lowering of water levels, the cutting back of perimeter growth, and debris clearance on the water and in and around the weir area.

Cardiff Harbour Authority

Following an inspection by the British Standards Institution (BSI) last month, I can advise that Cardiff Harbour Authority has retained its ISO 14001 Environmental Management System Accreditation, demonstrating a commitment to proactively maintaining and improving environmental performance across all functions within the service.

Flat Holm

As part of the National Lottery Heritage Project, 'Flat Holm – A Walk Through Time', improvements to nature conservation management on Flat Holm have been made through the introduction of a small flock of ten rare breed Boreray Sheep. With support from Natural Resources Wales' Grazing Animals Project, the flock, which was introduced last month, will help to manage the vegetation within the lesser black-backed gull colony to optimise nesting habitats in a bid to increase the numbers of nesting pairs on the island.

Community Leases for Local Football Clubs

Interest from local football clubs looking to invest in council-owned facilities continues, supported by funding opportunities from the Football Association of Wales (FAW) and officers from my portfolio area. Work to develop a number of community leases to enable funding to be secured is ongoing, including current projects at Llanishen Park with Cardiff Cosmopolitan FC; at the former Llanrumney High School site with Llanrumney United FC; at the Mound Field in Morganstown with Radyr Rangers FC; at Poplar Park with Fairwater FC and at Tremorfa Park with St Albans FC and RFC. Community leases benefit clubs by enabling them to attract capital funding, where the Council is unable to, resulting in facility improvements and compliance with league criteria, which in turn increases participation and engenders a real sense of ownership.

FIFA World Cup 2022

The Wales national team's qualification for the FIFA World Cup 2022 in Qatar will result in significant funding opportunities for the FAW and for grassroots football in Wales, and we are already seeing an increase in the capital funding available for affiliated clubs. As a patriotic Irish woman, I would like to take the opportunity to wish Wales every success in the competition. The success of the nation brings with it increased participation and a real sense of pride.

Councillor Jennifer Burke-Davies
Cabinet Member for Culture, Parks & Events
18 November 2022

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FINANCE, MODERNISATION & PERFORMANCE STATEMENT

Living Wage Week

The Council played a full role in the celebration of Living Wage Week during the week commencing 14 November 2022, with the Living Wage flags flying once again at Cardiff Castle. I was pleased to take part in the celebrations in Cardiff on 14 November with the Leader of Council at Cardiff University's sbarc|spark building on Maindy Road, which is one of only two accredited Living Wage buildings in Wales. The Cardiff Living Wage City Partnership has developed and submitted its next 3-year Action Plan to the Living Wage Foundation, and I am pleased to confirm that Cardiff's status as a Living Wage City has been renewed for the next three years, following confirmation by the Living Wage Foundation at the start of Living Wage Week. Our new action plan includes ambitious targets for having 300 accredited Living Wage employers and 95,000 staff working for an accredited Living Wage employer, of whom almost 14,000 will see an uplift in pay to the real Living Wage. In the current climate, the real Living Wage is more important than ever.

Cardiff Business Awards 2022 – Cardiff Living Wage Partnership

I attended the Cardiff Business Awards on 11 November 2022 to present an award for Best Employer, which was sponsored by the Cardiff Living Wage Partnership and won by Box UK, a multi-award-winning software company. Highlighting the real Living Wage amongst Cardiff businesses is an important part of promoting Cardiff as a Living Wage City. The Council continues to support Small and Medium-sized Enterprises (SMEs) in the city who choose to accredit to the Living Wage Foundation through our Living Wage Accreditation Support Scheme, which covers the initial accreditation cost for SMEs.

White Ribbon Day

Members will be aware from recent correspondence on 17 November 2022 from my colleague, the Cabinet Member for Housing & Communities, that the United Nations International Day for the Elimination of Violence Against Women and Girls is held annually on 25 November. This day is also known widely as White Ribbon Day, named after the White Ribbon UK charity that engages men and boys to end violence against women and girls, and the Council organises a series of related events annually to raise awareness of violence against women, domestic abuse and sexual violence and the services and interventions that are available in Cardiff for victims, survivors and for those who perpetrate harm.

At the start of the month, I chaired the Council's Corporate Safeguarding Board, which received an update on the 3-year action plan that the Council is implementing as an accredited White Ribbon organisation. I'm also pleased to have recently become a White Ribbon Ambassador, a role which men across the UK can take up. The role of a White Ribbon Ambassador is varied and there are many different ways in which to be involved and take action, and I would encourage all Members to try to publicise or support a White Ribbon event if you are able and to consider becoming a White Ribbon Ambassador or Champion.

CardiffGov Mobile App

At the end of October 2022, the total number of downloads for the CardiffGov mobile app was 66,953 since it was launched. The Accessibility Statement for the app was reviewed last month, with updates being published this month. Testing is also taking place this month on the development work that has been undertaken on the Recycling Centre booking system in advance of an update being made to the app in December. The next service being developed for the app will enable residents to report street lighting issues.

Website

www.cardiff.gov.uk had 220,000 visits last month, with 732,000 pages viewed. In October, 67% of website visitors used a mobile device and 23,700 online payments were made via the website totalling £2.8million. 88% of Penalty Charge Notice appeals and 60% of parking permit applications were completed online. 80% of problem parking reports were also made online using the new web/app service. Visits to website content on benefits and grants are up 55% since the October price cap increase came into effect, with 60% of these visits seeking information on winter fuel support. The website achieved 94% AA level accessibility compliance last month and continues to be in joint second place among the 22 council websites in Wales as rated by SOCITM's accessibility partner, SilkTide.

Wales Interpretation and Translation Service (WITS)

The Wales Interpretation and Translation Service (WITS) continues to see month-on-month increases in demand for linguistic support, with a 1% increase in October 2022 compared to the previous month. When comparing to the same period last year, there has been a 35% increase compared to October 2021. The top five interpretation languages requested were Arabic; Polish; Ukrainian; BSL and Kurdish Sorani. The top five translation languages were Polish; Arabic; Ukrainian; Russian and Kurdish Sorani.

Councillor Chris Weaver
Cabinet Member for Finance, Modernisation & Performance
18 November 2022

HOUSING & COMMUNITIES STATEMENT

Housing Solutions & Prevention Services

Cardiff is currently facing increased demand for housing and homelessness services and requests for housing assistance. In response, we are investing considerable additional resources into those services that need it most. Our primary focus remains in providing timely support at an early stage so that we can stop households from becoming homeless in the first instance. As part of this, we are rolling out our Prevention Services city-wide so that all households can receive straightforward access to support, whilst also linking up with the wider support available in our Hubs such as Money Advice and Into Work Services.

Positive progress has been made since the alignment of the Housing Solutions and Prevention Teams at the end of September 2022. Using the rent arrears pathway and homeless prevention funds, 451 evictions have already been avoided. The team has also helped to secure privately rented properties, by paying the bond and rent in advance. They also negotiate rent guarantees with landlords for customers who previously failed reference checks.

Alongside this, we are also investing in our Homeless Assessment Team who are now providing targeted support to families in their homes where they might be unable to access support over the phone or in our Hubs. This is particularly helpful for cases where homelessness may be prevented through mediation, such as family breakdown, or in assessing home conditions such as suitability or overcrowding. The team is now actively engaging with the community and offering these households advice on the services available to them and providing practical assistance to help alleviate their situation.

An essential component in resolving the housing concerns of those seeking assistance from the Council is increasing the availability and supply of settled accommodation. This is why we have recently launched our new Private Rented Sector Team – the Landlord Enquiry and Tenancy Service (LETS) – which is working actively with landlords across the city and providing incentives to encourage landlords to support those with the greatest housing need. We are also participating in the Welsh Government's Leasing Scheme, which hopes to provide secure, long-term lets to households at affordable prices. The Council manages the properties in this scheme, where landlords can claim up to £5,000 for repair works to the property. Cardiff has secured 22 properties as part of this scheme so far and we hope to secure a further 10 properties before the end of the financial year.

Responsive Repairs Update

Members will be aware that the Responsive Repairs Service has been under an immense amount of pressure due to works that were put on hold during the Covid-19 pandemic. This led to the creation of a taskforce to address this backlog and improve ongoing issues.

In February 2022, 5,720 requests for repairs were in a backlog, but I am pleased to say this figure now stands at 604 and will be removed over the coming weeks. In addition to this, our ongoing works are now at a level seen pre-pandemic, so as well as reducing the backlog, we are making good progress on new works. In addition to this, to improve our workforce, a number of exciting new developments have taken place. One of these developments is the creation of new, qualified Technical Manager posts who will use their training, knowledge and experience to support the teams they manage and check the work carried out by their operatives.

The new Responsive Repairs Academy for apprentices and trainees has also been developed and will link with the Into Work Onsite Construction Academy, creating an excellent career pathway into a trainee or apprenticeship role. A total of six apprentices will be employed across various trades. Four apprentices are already in post within the heating and plumbing, carpentry and plastering sectors, all of which are trades where there is high demand. The apprentices will also attend college to obtain a NVQ so that they will be fully qualified at the end of their apprenticeship. The service will also be recruiting an additional five new trainees who will spend two years learning various trades 'on the job' across the service, providing them with a good knowledge of the building industry. For those that want to, this can lead on to an apprenticeship or on to one of our new maintenance person posts.

The service has recently employed an additional five maintenance persons. These maintenance persons are used for non-skilled small-scale works. This allows the qualified trades persons to be utilised more effectively. Recruitment is taking place for five new additional maintenance persons and we hope these posts will be filled by the end of December 2022.

Warm Welcome Spaces

Warm Welcome spaces are now open in our Hubs, Libraries and at Llanover Hall. So far, more than 1,790 people have accessed these spaces. Cardiff Third Sector Council (C3SC) have received 48 bids from local organisations for Isolation and Warm Spaces Funds, which are currently being assessed. Successful applicants will be notified shortly. This will help to ensure that there is the best coverage of help across the city.

Local Action Team – Community Action Celebration Day

Last month, the Local Action Team attended Fairwater Hub for a day to celebrate the work that they do within the community offering help and advice to local residents. The team worked alongside the local PCSOs and colleagues from Waste Management and other council services. The day included a colouring competition for children who were tasked with creating posters to promote recycling and disposing of waste correctly. Despite the wet weather, attendance was great and local residents were able to offer their thoughts on issues in the local area, which the Local Action Team can now look to improve.

Proud Coffee Morning

I am very pleased to announce that Cardiff Central Library Hub hosted its first LGBTQ+ Coffee morning in partnership with Pride Cymru on 7 November 2022, which will now be a permanent addition to the events programme and will take place on the first Monday of every month. The morning was a great success with 13 attendees enjoying a warm, friendly, safe environment. Moving forward, the café will also be a space where people can find further support, if needed, with their physical and mental health & wellbeing as well as practical support from council services and partners.

Community Safety Update

Street Based Lifestyles

- Dumballs Road “Safe Guard” Initiative – early feedback from the Safe Guard warden scheme on Dumballs Road has been positive and well received. Staff managed by the Huggard and fitted with both high visibility jackets and body worn cameras have had an immediate effect in lowering local levels of Anti-Social Behaviour (ASB) and other drug related concerns. South Wales Police has reported a massive improvement in the area and some signs that drug related issues have also been disrupted. Partners will continue to review the success of this trial, which is due to finish in early 2023.
- Litchfield Court and Tudor Street – due to recent drug related concerns surrounding Litchfield Court, partners have agreed to develop longer term solutions, with work focusing on disrupting the cyclical nature of the problem at this location and across Tudor Street. I have arranged a meeting on 29 November 2022 with local ward members and other key partners to discuss the issues.
- Cardiff Tents Protocol – as a precautionary measure, a wide range of partners, including South Wales Police, Dyfodol, CAVDAS and council representatives from the Parks Service, Targeted Outreach Team, Community Safety Team and the new City Centre Wardens Team, met on 11 November 2022 to refresh the Cardiff Tent Protocol. This aims to ensure support for those who are vulnerable and that street-based tents are removed as quickly and sustainably as possible, within the law and in full support of anyone presenting vulnerabilities. The current number of tents across the city at the time of the meeting was 13 and this figure remains far lower than pre-Covid levels.

Problem Solving Groups

- Following significant efforts by partners, reported levels of ASB at St Mellons Skatepark and Hub and at Lydstep Flats and Park in Llandaff North have been reduced.
- Partnership working continues in Clifton Street focusing on open drug dealing and drug taking, illegal activity of licensed premises, women’s safety and youth ASB. Operation Perception (a face-to-face survey by South Wales Police) is taking place in the area and we are currently awaiting the results to determine next steps. Anderson Fields has been identified as a possible area of concern following the displacement of issues from Clifton Street. This is being addressed by the Street Based Lifestyles Group.

- Concerns regarding Cowbridge Road East in terms of street drinking, ASB, litter, licensed premises and ongoing harassment are being looking into in partnership with South Wales Police.

Safer Street Fund

- Youth Outreach and Women's Safety engagement sessions are being implemented by Cathays Community Centre and Cardiff Women's Aid respectively.
- The new Safety Bus vehicles are due to be purchased shortly that will replace the current vehicles, which are leased. This will support the work undertaken by South Wales Police and police volunteers and will enable greater flexibility in the use of the vehicles.
- Eight CCTV cameras are being installed in Cathays in residential areas such as Senghennydd Road, Corbett Road, Fitzroy Street and North Road.
- Training sessions for club and bar staff to improve the response by venues to vulnerable individuals in the Evening and Night-Time Economy (ENTE) are being launched this month. This training will be complemented by police operations (Project Minerva) in the city centre during events and other peak footfall periods.

White Ribbon Pledge

Cardiff Council has made a commitment to the White Ribbon Pledge, which seeks to end male violence against women and girls. In Cardiff, we have commissioned local specialist services to support women, men and children, and we also promote the Welsh Government-funded [Live Fear Free helpline](#). I am pleased that the Council is also an accredited White Ribbon organisation and we have recently achieved our third period of accreditation. The Lord Mayor is due to accept our White Ribbon Accreditation plaque from the Chief Executive of White Ribbon UK on 21 November 2022.

The United Nations International Day for the Elimination of Violence Against Women and Girls is held annually on 25 November and this day is also known as 'White Ribbon Day'. This year, a number of related events and training sessions have been organised between 21 November and 8 December. On the day of this month's Council meeting, officers will also be at City Hall from 3pm so that Members can find out more about these events and sign the White Ribbon Pledge.

Councillor Lynda Thorne
Cabinet Member for Housing & Communities
18 November 2022



CYNGOR CAERDYDD CARDIFF COUNCIL

COUNCIL:

24 NOVEMBER 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 26 May 2022 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. 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

4. Current Committee vacancies, in accordance with the approved allocations to political groups, are as follows:

Table A

Committee	Vacancy	Group	Nomination Received
Planning Committee	2 vacancies	1 x Liberal Democrat 1 x Labour	Councillor Michael Michael
Economy & Culture Scrutiny Committee	1 vacancy	1 x Labour	Councillor Leonora Thomson

5. Further nominations to fill existing vacancies received from political groups prior to Full Council on 24 November 2022 will be reported on the amendment sheet.

Legal Implications

6. The Council is required at its Annual Council meeting (and at certain other specified times) to determine the allocation of Committee seats to political groups in accordance with political balance principles set out in Section 15 of Local Government and Housing Act 1989. Having determined the allocations, the Council is under a duty to exercise its power to make appointments to each Committee so as to give effect to the wishes expressed by the relevant political group about who is to be appointed to the seats allocated to their group (section 16 of the 1989 Act).
7. The Local Government (Committees and Political Groups) Regulations 1990 ('the 1990 Regulations') requires political groups to be notified of their allocation on each Committee in order that they may nominate individuals to serve on that Committee (Regulation 14). Regulation 15 contains a residual power for the Council to make appointments if the political groups fail to do so. However, apart from this provision, the Council has no discretion in the matter - its function is simply to make appointments, which give effect to the wishes of the political groups.
8. The wishes of a political group are to be taken as those expressed to the Proper Officer (a) orally or in writing by the leader or representative of the group; or (b) in a written statement signed by a majority of the members of the group. In the event that different wishes of a political group are notified, the wishes notified in accordance with point (b) shall prevail (Regulation 13).

Planning Committee

9. The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 (made under s.39 of the Planning Wales Act 2015), provide that, *except in the case of a local authority which is comprised solely of multiple member wards*, only one Member from a multiple member ward may sit on the planning committee, in order to allow other ward Members to perform the representative role for local community interests (Regulation 6 of the Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017). As Cardiff is currently comprised solely of multiple member wards, this rule is not currently applicable to Cardiff.

Scrutiny Committees

10. The Local Government Act 2000 requires authorities to set up overview and scrutiny committees. The legislative provisions for overview and scrutiny committees for Wales have been amended and supplemented by the Local Government (Wales) Measure 2011 and Regulations made thereunder. In addition, other legislation imposes requirements regarding scrutiny of particular issues, for example, crime and disorder matters (the Police and Justice Act 2006); and Public Services Board functions (the Wellbeing of Future Generations (Wales) Act 2015). Subject to compliance with the relevant statutory provisions, the size of its scrutiny committees is a matter for each Council to determine.

Financial Implications

11. 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 Party Group wishes, as set out in Table A and on the Amendment Sheet.

DAVINA FIORE

Director Governance and Legal Services

18 November 2022

Background Papers

Annual Council Reports, Minutes and Amendment Sheet 26 May 2022

Council Report, Minutes and Amendment Sheet 30 June 2022

Council Report, Minutes and Amendment Sheet 21 July 2022

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**CYNGOR CAERDYDD
CARDIFF COUNCIL**



COUNCIL:

24 November 2022

**REPORT OF DIRECTOR GOVERNANCE AND LEGAL SERVICES AND
MONITORING OFFICER**

**APPOINTMENT OF LOCAL AUTHORITY GOVERNORS TO SCHOOL
GOVERNING BODIES**

Reason for this Report

1. To appoint Local Authority School Governors to fill vacancies, both current and future.

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 will meet on 22 November 2022 to consider new applications to fill current and future vacancies due to arise by 31 March 2023. The recommendations of the panel, in respect of new appointments will be reported on the Amendment Sheet.

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 and re-appointments of local authority governors for a 4 year term.

Financial Implications

8. There are no financial implications arising from this report.

Recommendation

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 on the Amendment Sheet, each for a term of 4 years from the date of the appointment.

Davina Fiore
Director Governance & Legal Services
18 November 2022

The following Background Documents have been taken into account: N/A

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CYNGOR CAERDYDD CARDIFF COUNCIL

COUNCIL:

24 NOVEMBER 2022

REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL SERVICES AND MONITORING OFFICER

APPOINTMENT OF MEMBERS TO SERVE ON OUTSIDE BODIES – MILLENNIUM STADIUM PLC

Reason for the Report

1. To consider the re-appointment of the Council's Independent Non-Executive Director of Millennium Stadium plc.

Background

2. The appointment of Members to serve on outside bodies is a Local Choice function under the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001, as amended. The Constitution provides that this matter is reserved for Council which will, from time to time, receive nominations and make these appointments.

Millennium Stadium plc

3. Millennium Stadium plc is owned by the Welsh Rugby Union (WRU), but the Council has a number of rights, as the Special Shareholder in the Company, which are set out in the Company's Articles.
4. The Company's Articles provide that the Board of Directors shall have a maximum of eleven Directors. The WRU is entitled to appoint a maximum of six Directors; and the Council, as the Special Shareholder, is entitled to appoint a maximum of five representatives to serve as Non-Executive Directors on the Board of the company. However, following agreement with the WRU in October 2018 to reduce the membership of the Board, the Council currently appoints one elected member (usually the Leader of the Council or a Cabinet Member), one officer (usually the Chief Executive) and one independent person as Non-Executive Directors.
5. The Council's appointed Independent Non-Executive Director to the Board of Millennium Stadium plc is currently Mr Sameer Rahman, who was appointed

by Council on 28 November 2019 following a public appointment process. His current 3-year term of office is due to expire on 6 January 2023.

6. The other two Council-appointed Non-Executive Directors to the Board of Millennium Stadium plc are currently the Leader of the Council, Councillor Huw Thomas, and the Chief Executive.
7. It is proposed that Mr Rahman be re-appointed for a further 3-year term of office to 6 January 2026 as a result of the disruption caused by the Covid-19 pandemic to the operation of the Millennium Stadium and work of the Company's Board during the last three years. Mr Rahman has confirmed his agreement to continuing in the role for a further 3-year term.

Legal Implications

8. The legal implications are contained within the body of the report.

Financial Implications

9. There are no direct financial implications arising from this report.

RECOMMENDATION

Council is recommended to approve the re-appointment of Mr Sameer Rahman as an Independent Non-Executive Director to Millennium Stadium plc for a further 3-year term to 6 January 2026.

DAVINA FIORE

Director of Governance & Legal Services and Monitoring Officer

18 November 2022

Background Paper

Council Report, 28 November 2019: Appointment of Members to Serve on Outside Bodies – Millennium Stadium plc