

**MINUTES**

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CABINET MEETING: 21 NOVEMBER 2019

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

Observers: Councillor Joe Boyle  
Councillor Keith Parry  
Councillor Adrian Robson

Also:

Officers: Paul Orders, Chief Executive  
Chris Lee, Section 151 Officer  
James Williams, Deputy Monitoring Officer  
Joanne Watkins, Cabinet Office

Apologies:

**165 MINUTES OF THE CABINET MEETING HELD ON 10 OCTOBER 2019**

**RESOLVED:** that the minutes of the Cabinet meeting held on 10 October be approved.

**166 RIGHT HOME, RIGHT SUPPORT - A COMMISSIONING STRATEGY FOR ACCOMMODATION AND SUPPORT FOR CHILDREN LOOKED AFTER**

The Cabinet considered the 'Right Home, Right Support Commissioning Strategy for Accommodation and Support for Children Looked After'. This followed on from the overarching Children's Services Strategy "Delivering Excellent Outcomes" (2019-2022) considered by Cabinet in July 2019. The commissioning strategy identified priorities ranging from a family based approach to being looked after to services to prevent children coming into care. It also provided a clear strategic vision based on evidence of need and analysis of the priorities for development over the next 3 years.

**RESOLVED:** that

1. the Right Home Right Support Accommodation and Support Commissioning Strategy for Children Looked After (“the Commissioning Strategy”) be approved, and the Market Position Statement be noted and;
2. authority be delegated to the Director of Social Services in consultation with the Cabinet Member for Children and Families, the s151 Officer and the Director of Governance and Legal services to progress all Business Cases and undertake all required steps in order to implement the Commissioning Strategy.

#### 167 **FOOD STRATEGY**

Cabinet considered approving the Food strategy and action plan. The strategy contained five key priorities relating to food partnerships, tackling food inequalities, increasing local food production, eating out well and food as a driver for prosperity. The action plan had been developed to support these priorities and would help set a strong focus for the Councils responsibilities and influence around food, help improve the health and well-being of our residents, and tackle our Climate Emergency.

**RESOLVED:** that the Council’s strategy and proposed actions for sustainable food in the city be approved.

#### 168 **TREASURY MANAGEMENT MID-YEAR REPORT**

*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.*

The Cabinet received the treasury management mid year report which set out the Council’s treasury management activities since 1 April 2019.

**RESOLVED:** that Council be recommended to note the Treasury Management Mid-Year Report 2019-20 (Appendix 1)

#### 169 **MONTH 6 MONITORING**

*Appendix 4 to this report is not for publication as it contains exempt information of the description in Paragraphs 14 and 21 of Schedule 12A of the Local Government Act 1972.*

The budget monitoring position at month 6 was received. Overall, the Month 6 revenue monitoring for the Council showed a net projected deficit for 2019/20 totalling £214,000, which represented an improvement on the £325,000 deficit reported at Month 4. The overall position comprised of financial pressures and shortfalls against budget savings targets in directorate budgets, offset by projected savings on capital financing, an anticipated surplus on Council Tax Collection and an overall surplus against the Summary Revenue Account. It was reported that actions

to address the overspend had been put in place by the Chief Executive and Corporate Director Resources, including budgetary challenge sessions.

**RESOLVED:** that

1. the potential financial outturn based on the projected position at Month 6 of the financial year be noted
2. the requirement for all directorates currently reporting overspends as identified in this report to put in place action plans to reduce their projected overspends be reinforced
3. the Council's costs of completing the procurement of a preferred developer/operator consortium as well as preparing a full business case for the Indoor Arena to be presented to Cabinet for approval in March 2020 be met as set out in confidential Appendix 4

## 170 **QUARTER 2 PERFORMANCE**

The performance information for quarter 20 of 2019-20 was received which provided a strategic assessment of the progress made and the main performance issues relating to each Well-Being Objective contained in Delivering Capital Ambition.

**RESOLVED:** that the current position regarding performance, the delivery of key commitments and priorities as at Quarter 1, and the action being taken to ensure the effective delivery of Capital Ambition be noted.

## 171 **THE RENTING HOMES (FEES ETC.) (WALES) ACT 2019; IMPLEMENTATION ARRANGEMENTS FOR CARDIFF COUNCIL AND RENT SMART WALES**

The Cabinet received a report seeking the appropriate authorisations and delegations to enforce the provisions of the Renting of Homes (Fees etc.) (Wales) Act 2019 for Cardiff Council and Rent Smart Wales. The Act set out defined payments that could be required by letting agents and landlords and prohibited any other and enabled the council to enforce these.

**RESOLVED:** that

1. the Head of the Shared Regulatory Service be given delegated authority for enforcing the provisions of the Renting Homes (Fees etc.) (Wales) Act 2019 and that the Council's constitution and the Joint Working Agreement be updated accordingly.
2. the Corporate Director Resources be given delegated authority for enforcing the provisions of the Renting Homes (Fees etc.) (Wales) Act 2019 on behalf of Cardiff Council and that the Council's constitution be updated accordingly.
3. Cardiff Council, as the Single Licensing Authority for Wales for the purposes of the Housing (Wales) Act 2014 accepts authorisation to exercise any function of the other 21 local authorities for the purposes of the Renting Homes (Fees

etc.) (Wales) Act 2019, including (but without limitation) taking enforcement activity and bringing criminal proceedings pursuant to section 19 of that Act.

## **172 RISK BASED VERIFICATION POLICY FOR HOUSING BENEFIT AND COUNCIL TAX REDUCTION**

*Appendices A-C of the report are not for publication as they contain exempt information of the description in paragraphs 14, 18 and 21 of Schedule 12 A of the Local Government Act 1972.*

The Cabinet considered a report outlining a risk based approach to verifying evidence to support Housing Benefit and Council Tax Reduction new claims and change of circumstances. The new approach would ensure that information and evidence is only requested when needed and had considerable benefits for both the customer and the Council. A pilot had been undertaken and had received positive feedback.

**RESOLVED:** that

1. the policy for Risk Based Verification as attached at Appendix A to the report be approved.
2. the policy take effect from 1<sup>st</sup> January 2020.
3. Authority be delegated to the Assistant Director of Housing and Communities in consultation with the Cabinet Member for Housing and Communities to review the policy annually and to make changes as necessary.

## **173 ADULT SOCIAL SERVICES - CARDIFF OLDER PEOPLES HOME CARE FEE SETTING 2019/20 - 2022/23**

*Appendix C (Legal advice) is exempt from publication pursuant to Paragraph 12.1 of Part 4 of Schedule 12A to the Local Government Act 1972*

The Cabinet received a report which presented the outcome of a 'cost of care exercise' undertaken with Cardiff's care home providers for older people. It recommended undertaking an evidence based approach to the setting of fees for care homes for older people based on an understanding of the usual cost of care home provision in the city. The approach to fee setting recommended has implications for the 2019/20 financial year and the 3 year period from 2020/21 to 2022/23 and reflected the importance of effective commissioning of social care provision. The recommendations supported compliance with the statutory duty on the Council to fund care and support services at a level that reflects a real understanding of the cost of provision, which is balanced by the availability of resources. This would enable the Council to meet its statutory duties and ensure cost effective and quality services for its most vulnerable citizens.

Prior to taking the decision below, Cabinet took account of the following factors:

- the available resources that the council has
- demand and priorities for care home services
- providers legitimate and future costs
- more cost effective operating models expected and commissioned services

- The investment needed here for providers to meet requirements of both commissioners and regulators (Care Inspectorate Wales)
- the acknowledgement that services must operate safely and effectively to promote the welfare of individuals in their care

**RESOLVED:** that

- 1) the judgement on the standard cost of care homes for older people as set out in this report be agreed and that all new care home services for older people will be commissioned at a standard published fee from 1<sup>st</sup> January 2020 at the rate set out below:

<u>Category</u>	<u>Costs per week</u>
• Older People Residential	£708.60
• Dementia Residential	£761.19
• Older People Nursing	£702.04
• Dementia Nursing	£755.79

- 2) the fee uplifts for 2019-20 backdated to 8<sup>th</sup> April 2019, as set out below:
  - £40 per week increase for all care home placements below the standard cost of care set out in **Recommendation One** and
  - £10 per week increase to all care home placements within £100 of the standard cost
  - No uplift for those care home packages that are in excess of £100 above the standard cost.
- 3) Subject to available resources, a phased approach to uplifting care packages that fall below the standard price set out in Recommendation One over the next 3 years (April 2020 until March 2023) be agreed. The incremental rise will need to appropriately take into account standard costs impact from increases in the National Living Wage that will exceed CPI rates, as well as the resources available to the Council.
- 4) authority be delegated for the decision-making for fee uplifts from 2020 onwards to the Director of Social Services, in consultation with the Cabinet Member for Social Care, Health and Well-being, the Council's Section 151 Officer and the Director of Legal and Governance, using the approach set out in Recommendations Two and Three and subject to the availability of the required resources.
- 5) authority be delegated for all decision making, related to the new approach to securing care home placements for older people, including the methodology for determining quality, to be implemented from 1 April 2020, to the Director of Social Services in consultation with the Cabinet Member for Social Care, Health and Well-being, the Council's Section 151 Officer and the Director of Legal and Governance.
- 6) it be noted that Cabinet will be asked to consider a new Social Services Charging Policy that will be presented in January 2020.

## 174 **CARDIFF LOCAL DEVELOPMENT PLAN FULL REVIEW**

Cabinet were advised that the Council was required to commence a full review of its Local Development Plan every four years informed by a review report. Cabinet was advised that the draft Review Report needed to be issued for consultation prior to final approval and the Review Report concluded that a full revision of the LDP would be the most appropriate form of action.

**RESOLVED:** that Council be recommended to approve the draft Review Report and draft Delivery Agreement for the purposes of consultation and agreed that a further report is taken to Council in Spring 2020 with the findings of the consultation processes and recommendation(s) on the proposed way forward.

## 175 **LOCAL AIR QUALITY MANAGEMENT - CARDIFF COUNCIL AIR QUALITY ANNUAL PROGRESS REPORT 2019**

Cabinet considered the Local Air Quality Management Annual Progress Report which was based upon on air quality datasets obtained in 2018.

**RESOLVED:** that

1. the monitored results gathered in 2018 be noted and accepted
2. the 2019 Annual Progress Report (as attached as Appendix 1) be approved for submission to Welsh Government for approval.

## 176 **CABINET RESPONSE TO THE 'IMPROVING CARDIFF'S AIR QUALITY REPORT PUBLISHED BY THE ENVIRONMENTAL SCRUTINY COMMITTEE**

Cabinet considered the response Environmental Scrutiny committee report entitled 'Improving Cardiff's Air Quality'. Of the thirty one recommendations, 23 Recommendations were accepted, 4 Recommendations were partially accepted; and 4 recommendations were rejected

**RESOLVED:** that the response to Improving Cardiff's Air Quality 'report published by the Environmental Scrutiny Committee be approved

## 177 **RIGHTS OF WAY IMPORVEMENT PLAN**

Cabinet received the Rights of Way Improvement Plan for 2020-2030 which set out how the council would prioritise and plan improvements across the network for the duration of the plan. The plan had been developed following an assessment and had 5 key strategies and 12 key aims and tasks for activities which would inform a delivery plan.

**RESOLVED:** that the Rights of Way Improvement Plan (ROWIP) 2020-30 be approved for publication and as the service delivery template to manage and improve Cardiff's Public Right of Way network over the next 10 years.