

MINUTES

CABINET MEETING: 15 OCTOBER 2020

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 Rhys Taylor
Councillor Keith Parry
Councillor Adrian Robson

Also:

Officers: Paul Orders, Chief Executive
Chris Lee, Section 151 Officer
Davina Fiore, Monitoring Officer
Joanne Watkins, Cabinet Office

126 MINUTES OF THE CABINET MEETINGS HELD ON 16 JULY 2020 AND 17 SEPTEMBER 2020

RESOLVED: that the minutes of the Cabinet meetings held on 16 July and 17 September 2020 be approved

127 ONE PLANET CARDIFF - A RESPONSE TO THE CLIMATE EMERGENCY

The Cabinet received the One Planet Cardiff Strategy which was the Council's strategic response to declared Climate Emergency. The document set out the Council's ambition to be carbon neutral within its activities within 10 years, outlined proposals to develop a road map and action plan for a carbon neutral city and defined programmes and opportunities. It was intended that consultation would be undertaken on the strategy which would help inform a detailed action plan to be considered in Spring 2021.

RESOLVED: that

1. the objectives set out in the One Planet Cardiff Strategy for Cardiff to become a carbon neutral city by 2030 be approved;
2. a period of public consultation on the strategy be authorised and the One Planet Cardiff Strategy and Action Plan be brought back to Cabinet in due course for approval and implementation.
3. the Chief Executive be authorised, in consultation with the Leader and Cabinet Member (Clean Streets, Recycling and Environment) to consider and report back to Cabinet and/or full Council (as applicable) with any specific proposals or recommendations to embed fully the One Planet approach across council services, governance and procurement processes.

128 **HOUSING RETROFIT - LOCAL AUTHORITY FLEXIBLE FOR ECO**

The Cabinet considered a “Statement of Intent” for which would enable the Council to use the Government’s “Local Authority Flexible Eligibility for ECO”. This would so that fuel poor households from the Rent Smart Wales Warm Homes Fund project, and potential future projects of a similar nature, could benefit from additional private sector funding to improve their homes.

RESOLVED: that

1. the Cardiff Council Flexible Eligibility for ECO Statement of Intent be approved, and
2. authority be delegated to the Director for Planning, Transport & Environment to
 - a) make arrangements for discharging the functions under the Statement of Intent and authorising officers to sign Declarations and
 - b) in consultation with the Cabinet Member for Clean Streets, Recycling and Environment, make changes to the Statement of Intent as necessary and to carry out the process for implementing such changes.

129 **SENIOR MANAGEMENT ARRANGEMENTS - UPDATE**

Further to the report considered at September Cabinet, a report outlining the results of consultation with affected staff on the proposed changes to Senior Management arrangements was considered. Cabinet were advised that staff responses were positive, trade unions had welcomed the proposals and positive comments had been received from the Council’s social service peer advisor.

RESOLVED: that

1. having considered the summary of responses received as part of the consultation process, the new Tier 1 and Tier 2 Senior Management Team structure as set out in Appendix 2 to the report be approved

2. the proposed creation and advertisement of the new posts of Director, Adults, Housing and Communities and Director, Children's Services be referred to Full Council for approval on 22 October 2020; and
3. subject to approval for recommendation 2 above by Council, authority be delegated to the Head of Paid Service, in consultation with the Cabinet Member for Finance, Modernisation and Performance, to implement the new Tier 1 and Tier 2 Senior Management Team structure and to allocate managerial resources during the transitional process, as appropriate, in accordance with the principles set out in the report.

130 **SECURING THE FUTURE SUSTAINABILITY AND VIABILITY OF CARDIFF CITY TRANSPORT SERVICES LIMITED**

Annexe A and Appendices 1 to 8 to this report are not for publication as they contain exempt information of the description contained in paragraphs 14 (Information relating to the financial or business affairs of any particular person {including the authority holding that information}) and 21 (public interest) of Schedule 12A of the Local Government Act 1972. In all the circumstances of this case it is viewed that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, as without keeping certain of the information relating to the financial and business affairs exempt, such information may not have been provided to the authority in order to consider matters and or its disclosure could prejudice a party.

Appendix 6 to this report is not for publication as it contains exempt information of the description contained in paragraph 16 (Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) of Schedule 12A of the Local Government Act 1972.

RESOLVED: That the public be excluded from the meeting at this point during consideration of this item as the Cabinet discussed exempt information of the description contained in paragraph 14, 16 and 21 of Schedule 12A of the Local Government Act 1972. The public may be excluded from the meeting by resolution of the Committee pursuant to Section 100A(4) of the Local Government Act 1972 during discussion of this item.

RESOLVED: that

Council be recommended to:

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

Services Limited to become the Statutory and Principal Employer and deal with all ancillary matters relating thereto.

- 1.3 agree that Cardiff Council enter into a 'Flexible Apportionment Arrangement' with the Trustees of the Cardiff City Transport Services Limited Pension Scheme meaning that all future liabilities in respect to pension obligations will fall to Cardiff Council.
2. In order to facilitate entering into a Flexible Apportionment Arrangement, delegate the Corporate Director Resources and Monitoring Officer, in consultation with the Cabinet Member (Finance, Modernisation and Performance) authority to enter into a back-to-back legal agreement with Cardiff City Transport Services Limited to ensure any sums payable by the Council in respect of:
 - a. contributions in to the scheme as part of any deficit recovery
 - b. allowance for scheme expenses
 - c. Pension Protection Fund levy and
 - d. any other costs and expenses incurred by the Council in respect to its obligations as Statutory and Principal employer are recovered from the Cardiff City Transport Services Limited.
3. Delegate to the Corporate Director Resources, in consultation with the Cabinet Member (Finance, Modernisation and Performance) authority to carry out on behalf of Cardiff Council the responsibilities of the Statutory and Principal Employer of the Cardiff City Transport Services Limited Pension scheme.
4.
 - a) Subject to completion of the actions set out in recommendations 1 & 2, delegate to the Corporate Director Resources, in consultation with the Cabinet Member (Finance, Modernisation and Performance) authority to release up to £7.0 million included in the 2020/21 capital programme with this payment being subject to Cardiff City Transport Services Limited agreeing to carry out the interventions to support viability and strengthen the balance sheet.
 - b) note that any release of funds allocated in future years will be subject to review and included as part of future budget proposals.
5. Delegate to the Corporate Director Resources, as Cardiff Council's shareholder representative, authority to approve any request by Cardiff City Transport Services Limited to issue additional equity as appropriate.
6. Agree that Cardiff Council acquire additional equity issued in Cardiff City Transport Services Limited as part of the implementation of any financial support package approved by the Council.
7. Delegate to the Corporate Director Resources, in consultation with the Cabinet Member (Finance, Modernisation and Performance) authority to identify and make necessary improvements to the governance process in respect to Cardiff City Transport Services Limited as outlined in this report and report back to a future Council meeting on the changes made.
8. Delegate to the Corporate Director Resources, authority to explore alternative means of providing financial support to Cardiff City Transport Services Limited

that would reduce the requirement for Cardiff Council's allocation included in the indicative Capital Programme and authorise the Corporate Director Resources to conclude any such agreements on behalf of Cardiff Council.

131 RENT SMART WALES PROGRESS AND PREPARATION FOR RENEWAL ACTIVITIES

An update on the first five years of the Council's designation as Single Licensing Authority for Wales (Rent Smart Wales) was received. It was reported that the service had made a positive impact on the private rented sector and that preparation was underway for the renewal of registrations and licences which were required to be renewed every five years. Further refinements were proposed relating to registration, licensing, compliance and renewal activities together with proposals for an audit grading structure.

RESOLVED: that

1. the progress made by Rent Smart Wales in delivery of the Housing (Wales) Act 2014 be noted and
2. the refinements required to policies and processes specifically relating to registration, licence, compliance and renewal activities be endorsed
3. the 'Agent Audit' grading structure set out be approved and authority be delegated to the Corporate Director Resources to revise the grading structure in light of operational experience.