

**MINUTES**

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**CABINET MEETING: 17 DECEMBER 2020**

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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 Rhys Taylor Councillor Keith Parry Councillor Mike Jones-Pritchard (for Councillor Robson)
Officers:	Paul Orders, Chief Executive Chris Lee, Section 151 Officer Davina Fiore, Monitoring Officer Joanne Watkins, Cabinet Office

**2 MINUTES OF THE CABINET MEETINGS HELD ON 19 AND 26 NOVEMBER 2020**

**RESOLVED:** that the minutes of the Cabinet meetings held on 19 and 26 November 2020 be approved.

**3 CABINET RESPONSE TO POLICY REVIEW & PERFORMANCE SCRUTINY COMMITTEE REPORT ENTITLED SCRUTINY IMPACT ASSESSMENTS**

The Cabinet received the draft response to the recommendation of the Policy Review and Performance Scrutiny Committee report entitled 'Scrutiny Impact Assessment'. It was proposed that all the recommendations be fully or partially accepted.

**RESOLVED:** that the draft response to the recommendations of the Policy Review and Performance Scrutiny Committee report, entitled 'Scrutiny

Impact Assessment Model' as set out in Appendix A to this report be approved.

#### **4 WELSH GOVERNMENT CONSULTATIONS ON DRAFT REGULATIONS FOR CORPORATE JOINT COMMITTEES AND STRATEGIC DEVELOPMENT PLANS**

The Cabinet considered a report which set out the Council's response to the Welsh Government's consultation on Regulations to establish Corporate Joint Committee's and the procedures for Strategic Development Plans. The report set out the Council's commitment to establishing a regional approach to enhance the success of the city-region whilst noting some areas of concern, including the 'One Local Authority, One Vote' system which would require safeguards to be established.

**RESOLVED:** that

1. the Welsh Government consultation documents on Regulations to establish Corporate Joint Committees (CJCs) and to establish the procedure for Strategic Development Plans (SDPs) to be prepared Wales by CJCs be noted
2. the draft responses to the two Welsh Government consultations, which are attached as Appendices A and B to the report be approved; and
3. authority be delegated to the Chief Executive, in consultation with the Leader of the Council, Cabinet Member for Investment & Development and Cabinet Member for Strategic Planning & Transport, to make any further amendments as necessary to the Council's draft responses to the consultations prior to submission in advance of the closing date of 4 January 2021.

#### **5 CARDIFF HEAT NETWORK SPECIAL PURPOSE VEHICLE - FULL BUSINESS CASE APPROVAL**

***APPENDIX 1, 2 AND 4 TO THIS REPORT ARE NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 14 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS IT CONTAINS INFORMATION CLASSIFIED AS EXEMPT UNDER SCHEDULE 12A THAT IT CONTAINS INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE AUTHORITY HOLDING THAT INFORMATION). IN ALL THE CIRCUMSTANCES OF THE CASE, THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION***

***APPENDIX 3 TO THIS REPORT IS NOT FOR PUBLICATION BY VIRTUE OF THE PROVISIONS OF SCHEDULE 12A PARAGRAPH [16] (INFORMATION IN RESPECT OF WHICH A CLAIM TO LEGAL PROFESSIONAL PRIVILEGE COULD BE MAINTAINED IN LEGAL PROCEEDINGS) TO THE LOCAL GOVERNMENT ACT 1972***

The Cabinet received the Final Business Case for phase 1 of the Cardiff Heat network. This set out the financial viability of the scheme taking into account updated capital costs, projected revenues and operating costs.

The report also set out a proposal to establish a Heat Network Special Purpose Vehicle which would be the operating company for the heat network and would own the infrastructure assets. It was proposed that the HNIP grant and WG interest free loan would be passed on to the special purpose vehicle. The report also contained details of the proposed governance arrangements.

**RESOLVED:** that

1. the Final Business Case for the Cardiff Heat Network (including the project's Special Purpose Vehicle) attached to this report be approved subject to the capital costs affordability envelope arising from the design, build, operate and maintain (DBOM) procurement not exceeding the total capital cost stated in Table 2 of the confidential FBC.
2. Approval be given to the Shareholder Agreement between the Council and the Special Purpose Vehicle, and authority delegated to the Director of Planning, Transport and Environment to make minor amendments to this.
3. Approval be given to the establishment of the Council's wholly owned Special Purpose Vehicle, to be known as the Cardiff Heat Network, under the terms of the Shareholder Agreement which contains the formal Governance Arrangements as generally described in the report.
4. the on-granting of the HNIP grant to the SPV be agreed and authority be delegated to the Director of Planning, Transport and Environment to agree and execute the on-granting agreement between the Council and the SPV
5. the on-lending of the WG loan to the SPV be agreed and Authority delegated to the Director of Planning, Transport and Environment to agree and execute the loan agreement between the Council and WG and the on-lending agreement between the Council and the SPV.
6. Authority be delegated to the Director of Planning, Transport and Environment to agree on behalf of the Council, as the sole shareholder, the SPV entering in to all necessary agreements to implement the project, including but not limited to:
  - The design, build, operate and maintain (DBOM) contracts for construction and operation of the network
  - The bulk heat supply agreement with Viridor
  - The Heat Supply Agreements with customers
  - Utility agreements for gas and electricity at the back up energy centre
  - Easements to cross private land
  - Lease agreement for land for back-up energy centre
7. Authority be delegated to the Director of Planning, Transport and

Environment , in consultation with the Cabinet Member for Clean Streets, Recycling and Environment and the Council's S151 Officer, to agree on behalf of the Council, as the sole shareholder, updates to the SPV Business Plan and consent to any Reserved Matters as required by the Shareholder's Agreement (subject to any matter referable to Full Council).

8. It be noted that the Director of Planning, Transport and Environment already has delegated Authority under the April 2018 OBC approval to award the DBOM contract after Cabinet has approved the Final Business Case.
9. Authority be delegated to the Director of Planning, Transport and Environment to agree all other documents required relating to the constitution and governance and operations of the Special Purpose Vehicle and its relations with the Council.
10. It be noted that a further report will be taken to Council in due course to approve the appointment of the external non-executive director of the SPV.

## 6 **SCHOOL ORGANISATION PLANNING: PRIMARY SCHOOL PLACES TO SERVE CATHAYS AND PARTS OF GABALFA, HEATH, LLANDAFF NORTH AND PLASNEWYDD**

*Councillor Chris Weaver declared a personal interest as LEA appointed governor at Gladstone and local Member for area served by Mynydd Buchan school*

The Cabinet received a report detailing plans to hold a public consultation into proposals for primary school provision to serve Cathays, parts of Gabalfa, Heath, Llandaff North and Plasnewydd. Consultation on the following proposals was proposed:

- Increase the capacity of Ysgol Mynydd Bychan from c0.9 Forms of Entry (FE) (192 places) to 1.5 FE (315 places) from September 2022 and locate the additional school places at Allensbank Primary School in the first instance;
- Consolidate Allensbank Primary School at 1FE (210 places), retaining nursery and Additional Learning Needs early intervention provision, from September 2022.

Further it was proposed that there be a temporary increase to the Admission Number of Ysgol Mynydd Bychan, from 30 places to 45 places at entry to Reception Year for the 2021/2022 intake if it was not possible to accommodate children in the area within local Welsh-medium primary schools.

The intention of the proposals was to create a balanced provision of Welsh-medium and English-medium provision to serve the area.

**RESOLVED:** that

1. officers be authorised
  - to consult on proposals to increase the capacity of Ysgol Mynydd Bychan from c0.9FE (192 places) to 1.5FE (up to 315 pupils) from September 2022.
  - to undertake a stakeholder engagement exercise to shape proposals that would be taken forward to provide an appropriate balance of Welsh-medium and English-medium primary school places to serve the area.
2. it be noted that consultation on the Admission Arrangements for the 2022/23 academic year will include a proposal to reduce the admission number of Allensbank Primary School from 45 to 30 places.
3. It be noted that officers will bring a report on the outcome of the consultation and engagement exercise to a future meeting to seek authorisation as to whether to proceed to publish proposals in accordance with section 48 of The School Standards and Organisation (Wales) Act 2013.

## 7 **SCHOOL ORGANISATION PLANNING: 21ST CENTURY SCHOOLS (BAND B): REDEVELOPMENT AND EXPANSION OF CATHAYS HIGH SCHOOL**

*Councillor Chris Weaver declared a personal interest in this item as an LEA appointed governor at Cathays High and local member for area served*

A report outlining proposals to hold a consultation on the expansion and redevelopment of Cathays High school was received. It was proposed that consultation take place on the following proposals:

- Expand Cathays High School from 1,072 places (5.5 Forms of Entry with 247 sixth form places) to 1,450 places (8 Forms of Entry with 250 sixth form places), from September 2023;
- Replace the Cathays High School buildings with new build accommodation on the Maindy Centre site adjacent to Crown Way and North Road;
- Expand the current Specialist Resource Base (SRB) for learners with Autism Spectrum Condition from 16 to 50 places in purpose-built accommodation in the new school buildings;
- Upgrade community facilities in Cathays and Gabalfa through the significantly enhanced school facilities being made available for shared use with the wider local community.
- Provide space for the local community to continue to have access to off-road open spaces for informal leisure use, recognising this is the current use at the Maindy site.

It was reported that the school had been expanded on a temporary basis to take additional forms of entry to provide for larger cohorts currently promoting to year 7. The school was rated category c for condition and a significant proportion of accommodation was within demountable accommodation.

**RESOLVED:** that

1. officers be authorised to consult on proposals to:
  - Expand the school from 1,072 places (5.5 Forms of Entry with 247 sixth form places) to 1,450 places (8 Forms of Entry with 250 sixth form places) from September 2023;
  - Replace the Cathays High School buildings with new build accommodation on the Maindy Centre site adjacent to Crown Way and North Road;
  - Expand the current Specialist Resource Base (SRB) for learners with Autism Spectrum Condition from 16 to 50 places in purpose-built accommodation in the new school buildings;
  - Upgrade community facilities in Cathays and Gabalfa through the significantly enhanced school facilities being made available for shared use with the wider local community.
  - Provide space for the local community to continue to have access to off-road open spaces for informal leisure use.
2. it be noted that officers will bring a report on the outcome of the consultation to a future meeting to seek authorisation as to whether to proceed to publish proposals in accordance with section 48 of The School Standards and Organisation (Wales) Act 2013.

## 8 **ANTI MONEY LAUNDERING POLICY**

The Cabinet considered an updated Anti Money Laundering Policy which incorporated the requirements of the *Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 and the Money Laundering and Terrorist Financing (amendment) Regulations 2019*, as well as other relevant legislation. The main changes to the policy related to a strengthening of both the processes for client verification checks, and to the mechanisms for internal referral. The policy would be supported by targeted training for those working in high-risk areas.

**RESOLVED:** that

1. the Anti-Money Laundering Policy be approved; and
2. authority be delegated to the Audit Manager to amend the procedure and supplementary forms (Appendix A) as may be necessary from time to time, in light of operational experience.

## 9 **CORPORATE RISK MANAGEMENT - QUARTER 2 2020/21**

The Cabinet received an update on the risk management position at quarter 2 for 2020/21. It was noted that the impact of COVID-19 on existing risks had been considered as part of the reporting arrangements for quarter 2.

**RESOLVED:** that the content of the Corporate Risk Register be noted.

## 10 CALCULATION OF COUNCIL TAX BASE 2021/22

A report containing the calculation of the Council Tax base for 2021/22 was considered. The Information was required to be submitted to Welsh Government.

**RESOLVED:** that

- (1) the calculation of the Council's tax base for the year 2021/22 be approved;
- (2) that pursuant to this report and in accordance with the Local Authorities (Calculation of Tax Base) (Wales) Regulations 1995, as amended, the amount calculated by Cardiff Council as its Council Tax Base for the year 2021/22 shall be 147,794;
- (2) that pursuant to this report and in accordance with the Local Authorities (Calculation of Tax Base) (Wales) Regulations 1995, as amended, the amounts calculated by the Council as the Council Tax Base for the year 2021/22 in the community areas subject to a precept shall be as follows:

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

- (4) that the arrangements for the payment of precepts in 2021/22 to the Police and Crime Commissioner for South Wales to be by equal instalments on the last working day of each month from April 2021 to March 2022 and the Community Councils be by one payment on 1 April 2021, be on the same basis as that used in 2020/21 and the precepting authorities be advised accordingly.

## 11 PERFORMANCE MID YEAR ASSESSMENT

Cabinet received the mid year performance assessment as compared to the Corporate Plan 2020-23. It provided a performance update for each of the Council's seven Well-Being Objectives, including progress made, challenges and risks, and next steps. The assessment drew on a range of data sources including performance against Corporate Plan Steps and Key Performance Indicators, Risk, Budget and Assurance work. It was noted the first quarter of 2020/21 had been focused on pandemic management and responding to the challenges of lockdown, whilst Quarter 2 involved the safe restart of many Council services.

**RESOLVED:** that Cabinet note the half-year assessment of the Council's performance as set out in the report and Appendix A, including the delivery of

key commitments and priorities at the end of Quarter 2 of 2020/21, and the actions being taken to ensure the effective delivery of Capital Ambition and the Corporate Plan 2020-23.

## 12 ATLANTIC WHARF MASTERPLAN

**Appendices 2 - 6 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14 and 16 of part 4 and paragraph 21 of part 5 of Schedule 12A of the Local Government Act 1972.**

The Cabinet received a report containing details of the Atlantic Wharf Masterplan which aimed to regenerate around 25 acres of Council owned land in Cardiff Bay. A major extension to Cardiff Bay's Inner Harbour area was proposed for an area which encompassed the existing County Hall site and the recently acquired Red Dragon Centre site, as well as land in the ownership of Welsh Government on Lloyd George Avenue and an area of privately owned land on Pierhead Street. It was intended that this would provide long term sustainable footing for the businesses that have already invested in the area, as well providing the necessary footfall uplift to attract the next phase of new investment. It would also address the Council priority to improve the link between the city-centre and Cardiff Bay through redesigning parts of Lloyd George Avenue and by supporting the delivery of new public transport infrastructure and active travel links along the key Lloyd George Avenue route.

**RESOLVED:** that

- 1) the masterplan set out at Confidential Appendix 2 for the re-development of Atlantic Wharf site illustrated by the site plan at Appendix 1 be approved and the commencement of a consultation process be authorised
- 2) authorisation be given to the preparation of a planning application to secure outline planning permission for the masterplan to be submitted as part of a hybrid planning application with the detailed application for the new Indoor Arena.
- 3) the preparation of an Outline Business Case to consider options for bringing forward the redevelopment of the Red Dragon Centre be authorised

## 13 ANNUAL PROPERTY PLAN

The Cabinet considered the Annual Property Plan which set out the implementation plan for the Corporate Property Strategy 'Fewer but Better Buildings' adopted in 2015. The Annual Property Plan provided an update on priority projects, reinforced overarching principles for the strategy of the estate, outlined what is planned for the year ahead, and provided explicit targets relating to the reduction in the size and cost of the estate.

**RESOLVED:** that



1. the 2020/21 Annual Property Plan attached at Appendix 1 to the report be approved
2. the property transaction programme set out in Tables 1 to 5 of the report be noted
3. authority be delegated to the Director of Economic Development in consultation with the Cabinet Member for Investment and Development to develop detailed proposals relating to opportunities for the disposal of Council land to be presented back to Cabinet for authority to proceed.

#### 14 **LLANDAFF CONSERVATION AREA REVIEW**

Cabinet considered a proposal to extend the Llandaff Conservation area boundary and adopt an updated Conservation Area Appraisal. The revisions had been developed in consultation with the local Llandaff Conservation Advisory Group, which included local member representation and members of the Llandaff Society. It had also been subject to a public consultation and comments received as part of that consultation had shaped the final proposals.

**RESOLVED:** that

- (1) the area shown on Appendix 1 to the report be designated as the Llandaff Conservation Area in accordance with Section 69 of the Planning [Listed Buildings and Conservation Areas] Act 1990.
- (2) the Llandaff Conservation Area Appraisal shown in Appendix 2 be adopted, in accordance with Section 71 of the Planning [Listed Buildings and Conservation Areas] Act 1990;
- (3) the making and service of an Article 4 Direction for the conservation area be authorised

#### 15 **LOCAL AIR QUALITY MANAGEMENT - ANNUAL AIR QUALITY PROGRESS REPORT**

The Local Air Quality Management Annual Progress Report (based upon on air quality datasets obtained in 2019) was received. It provided details of the air quality monitoring at the four Air Quality Management Areas as well as the three automatic air quality monitoring sites.

**RESOLVED:** that

1. the monitored results gathered in 2019 be noted and accepted
2. approval be given to the review of the non-automated monitoring network for NO<sub>2</sub>, whereby those monitoring sites displaying continued compliance with limit values are decommissioned.
3. the 2020 Annual Progress Report (as attached as Appendix 1) be approved for submission to Welsh Government for approval.

16     **ENDORSEMENT OF SECOND REVIEW OF SOUTH WALES  
AGGREGATES REGIONAL TECHNICAL STATEMENT**

Cabinet received a report containing the recommendations of the Second Review of the South Wales Aggregates Regional Technical Statement (RTS) and the Statement of Sub-Regional Collaboration.

**RESOLVED:** that the recommendations contained in the Second Review of the South Wales Aggregates Regional Technical Statement (RTS) be endorsed and the progression of the Statement of Sub-Regional Collaboration as part of the evidence base for the proposed Replacement LDP be agreed