

MINUTES

CABINET MEETING: 28 SEPTEMBER 2022

Cabinet Members

Present: Councillor Huw Thomas (Leader)
Councillors Peter Bradbury/ Julie Sangani (job share)
Councillor Jen Burke-Davies
Councillor Dan De'Ath
Councillor Russell Goodway
Councillors Norma Mackie/ Ash Lister (job share)
Councillor Sarah Merry
Councillor Lynda Thorne
Councillor Chris Weaver
Councillor Caro Wild

Observers: Councillor Adrian Robson

Officers: Paul Orders, Chief Executive
Chris Lee, Section 151 Officer

Davina Fiore, Monitoring Officer
Sarah McGill, Corporate Director
Joanne Watkins, Cabinet Office

Apologies: Councillor Rhys Taylor (observer)
Councillor Andrea Gibson (observer)

22 MAINDY PARK TRUST - DECISION MAKING ARRANGEMENTS

Appendix a to this report is exempt from publication pursuant to the Local Government Act 1972, Schedule 12a, Part 4, Paragraph 16

Councillors Mackie and Weaver declared an interest as LEA Governors of Cathays High School and left the meeting during consideration of this item.

The report contained a proposal for managing the decision making process for the proposed land swap at Maindy. It was proposed that Council be recommended to establish an advisory committee consisting of independent members of the Council's Standards and Ethics Committee which would then make a recommendation to Cabinet as to whether the proposed land swap at Maindy was in the best interests of the charity. It was reported that any land swap would still require consent of the

charity commission but this process would enable an independent view to be given. It was also noted that advice had been received on the matter from Counsel.

RESOLVED: that

1. any serious conflicts of interest declared by individual Cabinet members in relation to the Maindy Park Trust Decision in respect of the Council's proposed land exchange be noted;
2. Council be recommended to agree the appointment of the 'Maindy Park Trust Advisory Committee', comprised of 3 independent members of the Standards and Ethics Committee and /or the Governance and Audit Committee, with the following terms of reference:
 - '(a) To consider whether the land exchange proposed by Cardiff Council in its statutory capacity as local authority should be agreed by the Maindy Park Trust ('the Charity'), having regard to the best interests of the Charity and its beneficiaries, and all relevant evidence in this respect, including (but without limitation to) independent valuation advice on the relevant land and views submitted in response to the public consultation on the proposal; and
 - (b) to make a recommendation to Cabinet, in its capacity as Trustee of the Charity, on whether or not the proposed land exchange should be agreed (subject to approval by the Charity Commission).'
3. It be agreed to receive a further report on this matter in due course setting out the recommendations of the Maindy Park Trust Advisory Committee in respect of the Council's decision, as trustee of the Maindy Park Trust, on whether to agree to the proposed land exchange ('the Trust Decision'), PROVIDED THAT any Member with a serious conflict of interests in this matter shall declare that interest and withdraw from consideration of the Trust Decision.

**23 COASTAL RISK MANAGEMENT PROGRAMME - REVISED
PROCUREMENT OF A CONSTRUCTION CONTRACT TO DELIVER THE
COASTAL DEFENCE IMPROVEMENTS**

Appendix 1, A and B to this report is exempt from publication on the basis that it contains information of the description set out in paragraphs 14 and 21 of Part 4 of schedule 12 A of the Local Government Act 1972 and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Cabinet considered a report seeking approval for the revised design and full business case for the coastal protection scheme. The proposed scheme would reduce flood risk to 2,326 residential and 204 non-residential properties in southeast Cardiff and would provide defence for a 1 in 200 year severe weather event, with an allowance for climate change influence of 40%. It was reported that Welsh Government would provide revenue funding to 85% of the capital value of the coastal scheme as a contribution towards the cost of construction work over a 25-year period from the start of the 2022/23 financial year in which work will commence and that the Council

would be responsible for funding 15% of the total cost of the scheme following the tender award plus 100% of any costs over those identified in the risk register.

RESOLVED: that

1. Approval be given to the revised design for the coastal protection scheme and the full business case to be submitted to Welsh Government for the Coastal Risk Management Programme.
2. the commitment of the funding contribution identified within the financial implications in Appendix 1 be approved.
3. Authority be delegated to the Director of Planning, Transport and Environment subject to consultation with the Cabinet Member for Climate Change, s.151 Officer and Director Governance and Legal Services, to deal with all aspects of contract award following the approval of the Full Business Case by Welsh Government.

24 THE RECYCLING STRATEGY FOR CARDIFF AND THE PROGRAMME FOR CHANGE

A report outlining the outcome of consultation on the draft Recycling Strategy 2022-25 and the outcome of the segregated recycling pilot was received. The report also contained the Recycling Strategy 2022-25: Cleaner and Greener including a programme of change which included the phased rollout of segregated recycling across all household properties and extending items which could be collected for recycling. It was noted that further work was needed on recycling collections for flats and houses of multiple occupation and that methods to reduce the amount of residual waste also needed to be tested. It was reported that the Environment Scrutiny committee had carried out extensive Scrutiny of this issue and their comments had been circulated.

RESOLVED: that

- i) the results of public consultation on the draft Recycling Strategy 2022-25: 'Greener and Cleaner' attached as Appendix B be noted
- ii) Approval be given to the Recycling Strategy 2022-25: 'Greener and Cleaner' attached as Appendix A.
- iii) the outcomes of the segregated recycling pilot undertaken by 4,000 properties be noted
- iv) Agreement in principle be given to the programme of change set out in the Recycling Strategy 2022-25: 'Greener and Cleaner' and this report and delegate authority to the Director of Economic Development in consultation with the Cabinet Member for Climate Change to roll-out the phased implementation of the programme including:
 - The phased roll-out of segregated recycling as set out in this report across household properties in Cardiff.

- The phased roll-out of reduced residual waste collections as set out in this report to improve the level and quality of recycling across household properties in Cardiff.
 - Undertake further pilot work in relation to Houses of Multiple Occupancy and Flats to improve recycling performance including the testing of communal segregated recycling bins.
 - Review the expansion of kerbside collection services to cover items currently not collected at the kerbside.
 - Enhance and strengthen education and enforcement to deliver improved recycling compliance across household properties in Cardiff.
 - Develop the business case to move from a Material Recovery Facility to a Material Handling Facility required to manage segregated recycling.
 - Improvements to the trade / business waste model to improve recycling and meet new legislative requirements.
 - Identification of wider Council / service area change to value resources and minimise the Council's impact on climate change.
- v) the plans to enhance the cleansing service, including the move balanced resourcing and 'same day cleanse' following collections for inner wards be noted.
- vi) the development of a business case for a future repair and re-use 'superstore' be noted. A further report will be brought regarding the business case.

25 RESPONSE TO ECONOMY & CULTURE SCRUTINY REPORT ON COMMUNITY SPORT IN CARDIFF: REGIONAL SPORTS PARTNERSHIPS

The Cabinet considered the response to the Economy and Culture Scrutiny Committee report on Community Sport in Cardiff: Regional Sports Partnerships. Five of the recommendations were accepted and one partially accepted.

RESOLVED: that agreement be given to the response to the Economic and Culture Scrutiny Committee Recommendations to "Community Sport in Cardiff: Regional Partnerships" as contained in Appendix 1 of this Report

26 SCHOOL ORGANISATION PLANNING: PROVISION FOR CHILDREN AND YOUNG PEOPLE WITH ADDITIONAL LEARNING NEEDS - COMPLEX LEARNING NEEDS AND AUTISM SPECTRUM CONDITION PROVISION FOR PRIMARY AND SECONDARY AGED PUPILS

Councillor Peter Bradbury declared a personal interest in this item as an LEA Governor of a Special School in Cardiff.

Further to the publication of statutory notices in relation to proposals to increase the designated number of Meadowbank Special School from 40 to 98 from September 2022, increase the designated number of the Specialist Resource Base for children with severe and complex learning needs at Marlborough Primary School from 20 to 30 places from September 2022 and increase the designated number of the Specialist Resource Base for children with Autism Spectrum Condition at Springwood Primary School from 20 to 28 places from September 2022, Cabinet was advised that no objections had been received.

It was reported that one objection had been received to the Bishop of Llandaff Church in Wales School Governing Body proposal to the designated number at The Marion Centre Specialist Resource Base from 42 to 66 places from September 2022. Cabinet received details of the objection report.

The report also contained details of the publication of a statutory notice in respect of proposals published by the Governing Body of Whitchurch High School to expand its Specialist Resource Base from 70 places to 100 places from September 2022.

RESOLVED: that

- (i) Approval be given to the proposals in respect of changes to additional learning needs provision as set out in a paragraph 1 of this report without modification
- (ii) Officers be authorised to take the appropriate actions to implement the proposals as set out in paragraph 1
- (iii) Approval be given to the proposal as set out in paragraph 2 without modification
- (iv) Officers be authorised to take the appropriate actions to implement the proposal as set out in paragraph 2
- (v) Officers be authorised to publish the decisions within 7 days of determination of the proposal
- (vi) Authority be delegated to the Director of Education & Lifelong Learning (in consultation with the Cabinet Members for Education and Finance, Modernisation & Performance, the Director of Governance and Legal Services, the Director of Economic Development and the Corporate Director for Resources) to determine all aspects of the procurement process (including for the avoidance of doubt development of all procurement documentation and selection and award criteria, commencement of procurement through to award of contracts).
- (vii) the publication of a statutory notice in respect of proposals published by the Governing Body of Whitchurch High School to expand its Specialist Resource Base from 70 places to 100 places from September 2022 and future determination of the proposal be noted

27 **CARDIFF COUNCIL ANNUAL COMPLAINTS REPORT 2021-22**

The Cabinet received a report containing details of the complaints and compliments received by the Council during 2021/22. It was reported that there was an increase in complaints received and a decrease in compliments. It was noted that a service change had taken place in Waste management and this could account for the increase in the number of complaints received in this area. It was also reported that there was still a backlog in housing repairs due to covid and that this could account for the increase in complaints relating to housing.

RESOLVED: that the contents of the report be noted

28 **BUDGET MONITORING MONTH 4 2022/23**

The Cabinet received details of the projected 2022/23 financial monitoring position as at the end of July 2022 (Month 4) adjusted for any significant amendments since that date, against the budget approved by Council on 3rd March 2022. It was reported that the overall monitoring position reflected a total projected net annual Council overspend of £7.368 million and included a total directorate net overspend of £11.253 million, a projected underspend of £1.700 million in relation to Capital Financing, a projected underspend against the Summary Revenue Account of £0.185 million partially offset by the £2 million general contingency budget. It was reported that there was budgetary pressures in several service areas, with the most significant pressures being faced in Children's Services mainly relating to high numbers and costs of residential placements. Pressures in Economic Development were attributed to income shortfalls and the high cost of energy across Council buildings and within Education, the rising costs of fuel and driver supply were contributing to rising costs in school transport. It was reported that mitigating actions were being put in place to reduce and offset the impact the overspends.

RESOLVED: that

1. the projected revenue financial outturn based on the projected position at Month 4 2022/23 be noted
2. the capital spend and projected position at Month 4 2022/23 be noted

29 **CORPORATE RISK MANAGEMENT - QUARTER 4**

The Cabinet received the updated risk management position at quarter 4 for 2021/22. It was reported that the increasing demand in Children's Services had been escalated and that a close review of the budget monitoring and financial resilience risk would continue.

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

30 ANNUAL PROPERTY PLAN

The Cabinet considered the Annual Property Plan for 2022/23 which contained details of property transactions carried out in the previous year and set out transactions planned for the current financial year in accordance with the agreed Property Strategy - 'Leaner and Greener'.

RESOLVED: that

1. the 2022/23 Annual Property Plan attached at Appendix 1 be approved
2. authority be delegated to the Director of Economic Development to complete the disposal of land at St Teilo's, via appropriation by the HRA, at market value of the property less any relevant ring-fenced sums.

31 CORPORATE PARENTING ADVISORY COMMITTEE ANNUAL REPORT 2021-2022

The Cabinet considered the Corporate Parenting Committee Annual Report for 2021/22. It was noted that the Committee had based its work programme around the priorities set out in the Corporate Parenting Strategy and had received updates on these areas.

RESOLVED: that Council be recommended to note the content of the Corporate Parenting Advisory Committee Annual Report 2021-2022

32 HIV ACTION PLAN FOR WALES: ELIMINATING HIV - IMPROVING QUALITY OF LIFE AND TACKLING STIGMA ASSOCIATED WITH THE VIRUS - A CONSULTATION RESPONSE

The Cabinet considered the Council's consultation response to the Welsh Government's Draft HIV Action Plan for Wales. It was proposed that the Council welcome several areas of the plan including the priority areas and vision. Furthermore it was proposed that there was scope for further involvement from local authorities in the implementation of the action plan.

RESOLVED: that approval be given to the draft consultation response as set out at Appendix 2, to Welsh Government's HIV Action Plan for Wales; Eliminating HIV – improving quality of life and tackling stigma associated with the virus – an action plan for 2023-36

33 APPLICATION FOR HACKNEY CARRIAGE FARE INCREASE (TO CONSIDER REPRESENTATIONS RECEIVED)

Councillor Wild declared a personal and prejudicial interest in this item and left the meeting during consideration of this item.

In June 2022, Cabinet approved a proposal to vary the current rate of hackney carriage fares in Cardiff, subject to a statutory public notice period inviting representations to the proposal. It was reported that during the public notice period, The Licensing Authority received 1 objection (that included a counter proposal) and 226 individually signed identical letters of support. The report contained details of the letters of support and the counter proposal by Dragon Taxis together with a response by the Hackney Carriage Alliance/Unite the Union. It was reported that no comments of objections were received from members of the public who were not connected to the trade.

RESOLVED: that

1. the contents of this report be noted
2. having considered the representations received to the Public Notice in Appendix C and D and the comments from the Hackney Carriage Alliance/Unite (the original applicant to vary the Table of Fares) in Appendix E in response to Dragon Taxis' counter proposal agreement be given to ratify the original decision made on 23 June 2022.
3. an implementation date of 8 October 2022 be set for the changes to the Table of Fares to take effect.