

MINUTES

CABINET MEETING: 15 DECEMBER 2022

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 Chris Weaver
Councillor Caro Wild

Observers: Councillor Joe Carter
Councillor Jon Lancaster

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

Apologies: Councillor Lynda Thorne

56 MINUTES OF THE CABINET MEETING HELD ON 17 NOVEMBER 2022

The minutes of the Cabinet meeting held on 17 November 2022 were approved

57 RACE EQUALITY TASK FORCE- RESPONSE

Following the publication of the Race Equality Task Force report in March 2022, the Cabinet considered the response to the report. It was proposed that all 28 recommendations be accepted and the response outlined actions that the Council would take towards addressing racial inequality and making services responsive to and reflective of the diversity of the city.

RESOLVED: that the Council's response to the recommendations of the Race Equality Taskforce as set out in Appendix 1 be approved

58 ONE PLANET CARDIFF ANNUAL REVIEW

The Cabinet received a report outlining progress on the One Planet Cardiff Action Plan. Since the action plan was considered, it was reported that the Welsh Government carbon reporting framework methodology had been amended to “activity” based reporting under a number of headings. It was therefore difficult to compare this year’s reporting with the Council’s published baseline. The report however contained details of progress against the various elements of the action plan and contained a review of future actions required.

RESOLVED: that

- 1) the progress made on carbon reduction in the first year of One Planet Cardiff Action be noted
- 2) the Pathway modelling methodology be approved as a tool for onward monitoring and decision making
- 3) the refinement and progress of the One Planet Cardiff Action Plan be noted and approved
- 4) the intention to hold a Climate Change Convention in 2023 be approved

59 LOCAL AIR QUALITY MANAGEMENT

The Local Air Quality Management Annual Progress report was received, which provided details of the ratified data for air quality monitoring in 2021 within Cardiff. The report also outlined details of the legal direction in relation to Castle Street and it was reported that work was ongoing to produce a final plan to comply with the direction.

RESOLVED: that

1. the monitored results gathered in 2021 be noted and accepted and approval be given to the 2022 Annual Progress Report (as attached as Appendix 1) for submission to Welsh Government for approval by the 31st of December 2022.
2. the receipt of the updated Air Quality Legal Direction issued on the 21st September 2022 be noted and it be noted that work to comply with the Direction is being progressed.

60 ST DAVID'S HALL

Appendices 1-7 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14 and 16 of Part 4 of Schedule 12A of the Local Government Act 1972. In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Councillor Norma Mackie declared a personal interest in this item as a 'Friend of St David's Hall'

The Cabinet considered a report outlining options for the future operation of St David's Hall following an offer made by Academy Music Group to secure investment in the building and to protect the long-term delivery of the classical music programme. It was reported that a Voluntary Ex-Ante Transparency notice would be published to provide transparency to the market of the intention to enter into the proposed contractual arrangements. It was also proposed that consultation on the future of St David's Hall would take place as part of the budget consultation.

It was reported that the report had been considered by the Economy & Culture Scrutiny committee and their comments had been circulated at the meeting. An Addendum to the report, containing information originally contained within the Confidential Appendices to the report was circulated at the Cabinet meeting and published on the website.

RESOLVED: that

1. the Outline Business Case attached at Confidential Appendix 4 be noted
2. Approval, in principle be given to the offer from AMG (set out as Option 2 in this report) and further described in the Outline Business Case at Confidential Appendix 4, the draft Heads of Terms at Confidential Appendix 5 and authority be delegated to the Director of Economic Development in consultation with the Cabinet Member for Culture, Parks and Events, the Section 151 Officer and the Legal Officer to progress negotiations with AMG and for Legal Services to prepare proposed contractual documentation.
3. It be noted that consultation will be undertaken as follows:
 - a. Public consultation as part of the Council's budget setting process, and;
 - b. Consultation with affected staff in relation to a potential transfer to AMG under the Transfer of Undertaking (Protection of Employment Regulations 2006 ("TUPE").
4. It be noted that the findings of the consultation, together with an assessment of best value of the AMG offer will be brought back to Cabinet for consideration as part of a final decision on whether to proceed with the offer from AMG.

61 SCHOOL ORGANISATION PROPOSALS: MOORLAND EARLY YEARS UNIT AND REPLACEMENT FLYING START: PROCUREMENT OF CONTRACTOR FOR CONSTRUCTION

Appendices 2 and 5 to this report are 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.

The Cabinet received a report seeking authorisation for the contract required from the Council's Education Asset Renewal programme, subject to Ministerial approval for the enhanced Flying Start Welsh Government contribution, to enable the Moorland Primary School project to establish a special resource base to commence. It was noted that details of the project had been subject to previous Cabinet reports and that this report related to the authorisation of funds only.

RESOLVED: that

- (i) Authorisation be given for the funds for the main contract required from the Council's Education Asset Renewal programme, subject to Ministerial approval for the enhanced Flying Start Welsh Government contribution, to enable the Moorland Primary School project to commence.
- (ii) subject to Ministerial approval for the enhanced Flying Start Welsh Government contribution, responsibility be delegated to the Director of Education (in consultation with the Director of Economic Development and S151 Officer) for all matters relating to the procurement of the project (up to and including award) and completion of ancillary documents (as applicable).

62 AGREED SYLLABUS FOR RELIGION, VALUES AND ETHICS (CARDIFF) AND TERMS OF REFERENCE

A report containing the Cardiff Agreed Syllabus for Religious Education, the Cardiff Agreed Syllabus for Religion, Values and Ethics and the revised Terms of Reference for the Standing Advisory Council for Religious Education was received.

RESOLVED: that

1. the readoption of the current Cardiff Agreed Syllabus for Religious Education attached at Appendix 1 be supported and agreed.
2. the new Cardiff Agreed Syllabus for Religion, Values and Ethics attached at Appendix 2 be supported and agreed
3. the revised Terms of Reference (Revised Constitution of SACRE/SAC for RVE, October 2022) attached at Appendix 3 be agreed

63 COUNCIL HOUSING RENT & SERVICE CHARGE SETTING 2023/24

Cabinet considered a report detailing the proposed approach to the setting of rents and service charges on council owned dwellings in the Housing Revenue Account for the financial year 2023/4. It was noted that the main source of income into the HRA was in the form of rents and service charges and it was proposed that the rent and service charges be increased by 6.5%, which was below the current level of inflation at 11.1%. A review - using the Joseph Roundtree formula

- had shown that the rents remain affordable to those on low earnings. It was reported that even with the rent increase there would still be a deficit within the HRA of £2.2 millions which would be met through efficiencies

RESOLVED: that the proposed approach for rent and service charge setting for Council owned dwellings for financial year 2023/2024 be approved

64 **CARDIFF BAY REGENERATION**

Appendices 2, 3, 4 6,7, 8 and 9 of this report are not for publication as they contain exempt information of the description contained in paragraphs 14, 16 and 21 of Schedule 12A of the Local Government Act 1972.

An update on the Council's priority to establish Cardiff Bay as a leading UK urban visitor destination was received. As part of this priority authority was sought for the disposal of land to attract two new attractions in Cardiff Bay. Nordic Urban were seeking to deliver a sea pool and Finnish sauna attraction at the derelict graving docks. The Council was not being asked for a financial contribution to the project, other than providing the land at a nominal rent.

A second company Skyview Towers were seeking to locate their first UK based rotating viewing platform attraction on land above the Butetown Tunnel. It was proposed to enter into an agreement to lease restricted to leisure use.

RESOLVED: that

- 1) Agreement in principle be given to dispose of land to Nordic Urban in accordance with the Heads of Terms set out in Confidential Appendix 3.
- 2) Agreement in principle be given to dispose of land to Skyview Towers Ltd in accordance with the Heads of Terms set out in Confidential Appendix 7.
- 3) authority be delegated to the Director for Economic Development in consultation with the Cabinet Member for Investment and Development, the Section 151 Officer and the Legal Officer to deal with all matters relating to the completion of the disposals set out in recommendations (1) and (2) above.

65 **CORPORATE SAFEGUARDING POLICY 2022-2025**

The Cabinet received the refreshed Corporate Safeguarding Policy which described both the policy commitment that the Council makes and the arrangements it has in place to ensure that all of its Directorates, employees and people working on behalf of the Council play their part in safeguarding and promoting the well-being of children and adults who may be at risk of harm.

RESOLVED: that the Cardiff Council Corporate Safeguarding Policy (2022-2025) be approved

66 CORPORATE RISK MANAGEMENT - QUARTER TWO 2022/23

An update on the risk management position at quarter two 2022/23. During quarter 2, two risks were escalated in relation to financial resilience and budget monitoring.

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

67 CALCULATION OF COUNCIL TAX BASE 2023/24

The Cabinet considered the Council Tax Base for 2023/24 which the authority is required to calculate in accordance with the statutory provisions governing Council Tax under Part 1 of the Local Government Finance Act 1992.

RESOLVED: that

- (1) the calculation of the Council's tax base for the year 2023/24 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 2023/24 shall be 150,482.
- (3) 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 2022/23 in the community areas subject to a precept shall be as follows:

Lisvane	2,866
Pentyrch	3,605
Radyr	4,057
St. Fagans	1,941
Old St. Mellons	2,485
Tongwynlais	826

- (4) that the arrangements for the payment of precepts in 2023/24 to the Police and Crime Commissioner for South Wales be by equal instalments on the last working day of each month from April 2023 to March 2024; and to the Community Councils, be by one payment on 1 April 2023, reflecting the same basis as that used in 2022/23; and the precepting authorities be advised accordingly.

68 COUNCIL TAX PREMIUMS

The Cabinet considered a report providing information in relation to the discretionary powers the Council has to charge higher amounts of Council tax on certain properties as defined by the Housing (Wales) Act 2014. The Council currently charged 150% on long term empty dwellings since 1 April 2019 (a premium of 50%). It was proposed to consult to increase this premium to 100% (a charge of 200%) from April 2023.

It was further proposed to consult on the proposal to place a premium of 100% on dwellings that are occupied periodically. A year's notice was required for this so it was proposed to take effect from April 2024.

RESOLVED: that

- (1) the information in respect of the discretionary powers relating to Council Tax Premiums as outlined in this report be noted
- (2) approval be given to the undertaking of a consultation exercise on the application of a Council Tax Premium for periodically occupied dwellings and increasing the level of premium for long term empty dwellings.
- (3) It be noted that the results of the consultation exercise will inform a final decision to be taken at Council early in 2023.

69 **LOCAL BROADBAND FUND - IMPROVING CONNECTIVITY TO POORLY SERVED PREMISES**

Cabinet received a report outlining details of a grant funding award from Welsh Government for the delivery of gigabit capable fibre broadband to areas which are currently poorly served by the commercial marketplace.

RESOLVED: that

1. the funding awarded to Cardiff Council by Welsh Government for the roll-out of gigabit capable fibre broadband to premises identified as outside commercial roll-out plans for the next 3 years be accepted
2. authority be delegated to the Chief Digital Officer in consultation with the Cabinet Member for Finance, Modernisation and Performance to deal with all aspects of the procurement process and ancillary matters up to and including award of contract.