

Decision Schedule



Cabinet

TO ALL MEMBERS OF NEWPORT CITY COUNCIL

Decision Schedule published on 13 November 2020

The following decisions were taken on 11 November 2020. They will become effective at Noon on 23 November 2020 with the exception of any particular decision(s), which is (are) the subject of a valid "call-in".

The deadline for submission of a 'Call-in' request form (available from Democratic Services) is 4.00 pm on 20 November 2020. Reports relating to staffing issues/confidential reports are not circulated to all Members of the Council as part of the consultation/call-in processes.

CAB 48/20

September Revenue Monitor Report

Options Considered/Reasons for Decision

The report highlighted the current forecast position on the Council's revenue budget and the risks and opportunities that present themselves within the September position.

The September 2020 revenue position forecasts an underspend of £1,679k. This is an improvement on the July forecast (£683k overspend), and reflects the confirmation of funding made available from Welsh Government (WG) in relation to Covid related lost income and increased expenditure for the full financial year. The bottom line underspend is inclusive of the £1.4m revenue budget contingency which is currently not required. It therefore makes up the vast majority of the underspend with a small c£200k underspend from service and non –service budgets. If service/non-service budget positions worsen in the coming months, the contingency may be required to offset those and therefore, from a financial position, the Council is in a good position entering the second half of this most challenging financial year.

As well as an improved position coming from reimbursement of Covid related expenditure/lost income, other non-Covid related service area forecasts have improved significantly since the July update and it is pleasing to note that around £400k of the improvement is in respect of the delivery of MTFP savings. Not only does this give rise to an in year improvement in the financial position but also removes the additional pressure of having to deliver these savings when new budget savings are likely to be required for full delivery from 1st April 2021. There is still a significant budget variance resulting from non-delivery of MTFP budget savings and represents the largest individual budget variance / issue at this time.

Whilst confirmation of WG support for Covid related expenditure / lost income has allowed officers to 'firm up' on a number of projections, there does remain a level of unavoidable uncertainty on the forecasts. The future of the pandemic and the likely financial consequence of further local and national lockdowns is unknown at this time.

Although overall an underspend is forecast there remain key budget issues in a number of areas. The key areas of overspending include:

- (i) Undelivered 2020/21 and prior year budget savings £1,159k

(ii)	Increased demand for independent fostering agencies	£450k
(iii)	Impact of on-going school budget overspending	£186k

These overspends have been offset by savings against other service / non-service area underspends totalling £2,001k resulting in a small underspend of c£200k which to this is then added the currently unused general contingency budget £1,473k.

Another area of significant concern is the level of forecast overspending across schools though the HoF is currently asking schools to review their current projections in light of the cost savings they have and continue to make resulting from closures back in the Spring/Summer Terms and support given to them with Covid related expenditure. Schools are currently forecasting an overspend of £1,299k and given the rate at which the schools reserves have reduced over the last 2-3 years these reserves are now insufficient to cover this level of forecast overspend in full. Whilst an improvement on the July update this continues to cause problems for the Council in that a net £186k overspend and a forecast negative reserve at the end of the financial year will need to be funded by other Council budgets or from other Council reserves. This will have on-going negative consequences as set out within the report. The appendices of the report contained the following information:

Appendix 1	Overall budget dashboard – September 2020
Appendix 2	Revenue summary monitor – September 2020
Appendix 3	Schools funding and balances
Appendix 4	Planned movement in reserves

The report proposed that Cabinet should:

- Note the overall budget forecast position and the significant overspending areas which is predominately resulting from undelivered MTFP savings impacted by the on-going pandemic, the risks associated with this and recommend that HoS continue to focus on implementation of agreed savings as soon as is possible;
- Note the planning assumptions within the forecast position and in particular, the uncertainty around (i) the ongoing impact that Covid will have upon service areas and (ii) funding support available from Welsh Government (WG) for the remainder of the financial year;
- Note the forecast movements in reserves;
- Note the significant financial challenges facing schools and the serious impact it will likely have on the Councils other revenue budgets and reserves and that further work is in progress to review forecasts.

Decision:

Cabinet agreed the report and for Corporate Management Team to take a targeted approach to reducing spend across service areas whilst ensuring management of key budgets and risks.

Consultation

Chief Executive; Heads of Service; Budget Holders; Accountancy Staff.

Implemented By: Cabinet Members, Head of Finance, Senior Leadership Team, Corporate Management Team:

- Heads of Service to complete their review of key demand areas which are forecasting an overspending position to take action/ mitigate where possible financial pressures in future years;
- Heads of Service deliver agreed 2020/21 budget savings as soon as practically possible under the current situation but by end of the financial year at the latest;
- Promote and ensure robust forecasting throughout all service areas.

Implementation Timetable: Ongoing

CAB 49/20

Capital Programme Monitoring and Additions Report

Options Considered/Reasons for Decision

The report was submitted to Cabinet for approval requests for capital projects to be added to the Council's Capital Programme.

The report also updated Cabinet on the current available capital resources ('headroom') and the current spending against the Capital Programme schemes highlighting the forecast outturn position for the programme as at September 2020.

The report confirmed the Council has an extensive capital programme, investing across the authority in areas such as schools, heritage assets, energy efficiency schemes, invest to save programmes and investing in the regeneration of the city centre. The report builds on the investment already approved by Capital with an additional £2,445k being added to the programme to further enable the delivery of the Council's Corporate Plan priorities.

The September 2020 monitoring position highlighted the following:

- £475k net underspend on completed projects.
- £3,808k slippage from 2020/21 into 2021/22
- Additions to the capital programme of £2,445k, taking the overall programme 2019/20 to 2024/25 to £206,723k.

The report proposed that Cabinet should:

1. approve the additions and amendments to the Capital Programme requested in the report (Appendix A);
2. approve slippage of £3,808k into 2021/22;
3. note the available remaining capital resources ('headroom') until 2022/23;
4. note the capital expenditure forecast position as at September 2020;
5. note the balance of and approve the allocation of in-year capital receipts including the use of £2.030m receipts for to reduction of payments for loan premiums.

Decision:

Cabinet approved:

- i. the changes to the Capital Programme and noted the monitoring position as set out in the report, including the use of capital receipts, and,
- ii. agreed to prioritise capital expenditure to maintain spend within the current affordability envelope, recognising that the revenue pressures from future borrowing are part of the overall MTFP budget gap.

Consultation

Heads of Service; Accountancy teams for relevant service areas; Relevant Service Area Project Managers; NORSE Property Services.

Implemented By: Assistant Head of Finance
Implementation Timetable: Immediate

CAB 50/20

Audit Wales Financial Sustainability Report

Options Considered/Reasons for Decision

The report presented to Cabinet the Audit Wales' Financial Sustainability Assessment in respect of Newport City Council.

The report confirmed that as part of the programme of regulatory activity, and in accordance with the Well-being for Future Generations Act 2015, Audit Wales (AW) undertakes a programme of work to ensure the Council is discharging its duties under the Act. The report outlined AW findings from the review and concluded that: "The Council has a relatively strong financial position, but has recently recognised the need to develop a more strategic and sustainable approach to consolidate its position".

The AW's conclusion's for reaching this decision are included in the report with detailed findings of the report attached at Appendix 1 (Welsh) and Appendix 2 (English).

The report proposed that Cabinet should:

- i) note the outcome of the review, the Council's response and implementing the necessary actions raised.

Decision:

Cabinet noted the outcomes of the report and agreed that officers would provide regular updates on the progress of the service area implementing the necessary management actions.

Consultation

Corporate Management Team.

Implemented By: Cabinet
Implementation Timetable: Immediate

CAB 51/20

Audit Wales Certificate of Compliance 1

Options Considered/Reasons for Decision

The report presented Cabinet with the Audit Wales' first Assessment of Performance Certificate on the 2020/21 Improvement Plan. The certificate confirmed that the Council has discharged its duties under section 15(6) to (9) of the Local Government (Wales) Measure 2009.

The report noted that as part of the programme of regulatory activity in accordance with the Local Government Measure 2009, the Auditor General is required to issue two Certificates of Compliance to demonstrate the Council is discharging its duties under the Measure. This is the first

certificate following the publication of the Council's Objectives on 24th June 2020 and a review of Well-being Objectives 2019/20 in October 2020.

As a result of this action completed by the Council, Audit Wales published its first Certificate of Compliance Certificate (English and Welsh versions of the Certificate attached as appendices to the report).

The report proposed that Cabinet should:

- i) note the positive outcome of the Certificate of Compliance in relation to meeting its statutory duty under the Local Government (Wales) Measure 2009.

Decision:

Cabinet agreed the report and noted that the Certificate of Compliance is positive and confirms that the council has discharged its duties under the Local Government (Wales) Measure 2009 with regards to Improvement Planning.

Consultation

Corporate Management Team; Audit Wales.

Implemented By: Cabinet

Implementation Timetable: Immediate

CAB 52/20

Strategic Equality Plan Annual Report 2019/20

Options Considered/Reasons for Decision

The report presented to Cabinet Newport City Council's progress on delivering its 2016/2020 Strategic Equality Plan whilst also reporting on the essential equalities employment information that the Authority is required to publish under the Equality Act 2010.

Cabinet noted that the Annual Report is required to be published on the Council's website in accordance with statutory deadlines.

The report confirmed that under the Equality Act (2010) the Council is required to report annually on the progress it has made against the nine Strategic Equality Objectives contained within its Strategic Equality Plan. The Equality Act also requires Local Authorities to publish staff equalities data, which was contained in the report.

The report confirmed that this is the fourth and final Annual Report on progress towards meeting Equality Objectives set out in the Authority's second four year Strategic Equality Plan (SEP), as approved by Council on the 3rd March 2016;

The report proposed that Cabinet should:

- i) approve the report and agree to publish it on the Council's website

Decision:

Cabinet approved the report and agreed to its publication on the Council's website in order to ensure that the Council remains compliant with its statutory obligations.

Consultation

Cabinet Member for Community and Resources; the Council's Strategic Equalities Group; HR and OD Manager.

Implemented By: Head of People and Business Change; Heads of Service
Implementation Timetable: Immediate

CAB 53/20

Future Generations Commissioner for Wales' Report and Newport City Council's Progress

Options Considered/Reasons for Decision

The report briefed Cabinet on the Future Generations Commissioner for Wales' Report and provided recommendations in light of the report for the Council.

The report confirmed that the Well-being of Future Generations (Wales) Act 2015 came into force in April 2016 and is about improving the social, economic, environmental and cultural well-being of Wales. The Act requires the appointment of a Future Generations Commissioner for Wales. The Commissioner's role is to act as a guardian for the interests of future generations in Wales, and support public bodies listed in the Act to work in a sustainable way. One of the duties of the Commissioner is to publish the Future Generations Report, which contains the Commissioner's assessment of the improvements public bodies should make to achieve the well-being goals and their well-being objectives.

The report considered the Commissioner's report, highlighted the progress made as a Council and the recommendations and next steps arising from the report.

The report proposed that Cabinet should:

- i) review and endorse the Areas of Focus and Recommendations as set out in the report, to enable the Council to meet the well-being goals and the Council's well-being objectives as set out in the Corporate Plan.

Decision:

Cabinet agreed the report which will enable the Council, working alongside its partner and communities, to improve the overall well-being of current and future generations.

Consultation

Cabinet Member for Sustainable Development; Heads of Service.

Implemented By: Cabinet
Implementation Timetable: Immediate

CAB 54/20

Annual Compliments, Comments and Complaints Management Report 2019/20

Options Considered/Reasons for Decision

The report provided Cabinet with:

- an overview of all Corporate and Social Services' compliments, comments and complaints received during 2019/2020;
- a summary of complaints received and recommendations for improvement;
- an update of statutory duties conducted in line with the Public Services Ombudsman Act 2019, that received Royal Assent in July 2019; and,
- a copy of the Ombudsman's 2019/2020 Annual Letter to Newport City Council, attached as an appendix to the report.

Newport City Council operates under a combined Corporate and Social Services Comments, Complaints and Compliments Policy. With regard to complaint management, 'corporate' in this instance means any service areas that are not part of Social Services. The Policy had been aligned with the Model Concerns outlined by the Public Services Ombudsman for Wales following Welsh Government Guidance from 2011. However, since the now recently published; Guidance for Public Service Providers on Implementing the Concerns and Complaints Policy by the Complaints Standards Authority, it is the Council's statutory obligation to ensure its practice and that of its policies align with the new legislation.

Following the introduction of the Public Services Ombudsman Act 2019 the Ombudsman's aim is to bring practices back into broad alignment – providing basic standards, a common language and a set of principles to underpin how complaints are handled throughout public services. This has been the very focus of the Complaints' Team to ensure this also applies to all services within Newport City Council.

Social Services statutory requirements remain in operation alongside the Corporate Policy to ensure they are aligning with Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014, ("the Regulations").

The report confirmed that over the past 12 months the Complaints' Team has worked closely with the Complaints Standards Authority (CSA) within the Ombudsman's Office, providing quarterly data regarding complaints received. The CSA has regularly shared positive feedback regarding the complaint model that the Council has implemented, and the CSA has referred other Local Authorities to make contact with NCC's Complaints' Team to benefit from the best practice adopted.

The positive feedback from the Ombudsman reflects the efforts NCC has made over the past 12 months, but in line with the Ombudsman's Principle of 'Continuous Improvement' there is further progress to be made over the next 12 months. The Complaints' Team continue to work closely with all Council Services to offer support and assistance to ensure the statutory duties are met, and that residents are provided with an experience that aligns to the policy.

All compliments and complaints received for Corporate and Social Services have been recorded since April 2011. Since November 2018 compliments, comments and complaints received for all service areas are recorded on the My Newport platform, which continuously has been developed over the past 12 months to provide a robust and efficient access point for the customers of Newport and to provide effective recordings.

The report provided an overview for the year 2019/2020, broken down by services area, complaint type and the time taken to respond where available. The report highlighted key trends or themes drawn from the data for consideration.

The report confirmed that complaints about schools are reported separately as they are subject to a distinct statutory framework; however, there are some circumstances where complaints are recorded and treated as complaints about Education services, for example, where they concern administrative processes.

The report proposed that Cabinet should:

- i) consider the volume, nature and themes regarding compliments and complaints received, and the Council's performance regarding complaint management in 2019/2020;
- ii) note the content of the Ombudsman's letter;
- iii) comment on any issues arising from the report or letter; and,
- iv) endorse the recommendations for improvement set out within the report, which ensure that the Council complies with its obligations under the new Public Service Ombudsman for Wales Act 2019

Decision:

Cabinet agreed the report.

Consultation

Head of City Services; Head of People and Business Change; Head of Finance; Head of Law and Regulation; Service Manager – Customer Experience.

Implemented By: Heads of Service; Complaint Resolution Manager
Implementation Timetable: Throughout 2020/2021

CAB 55/20

Local Toilet Strategy

Options Considered/Reasons for Decision

The report confirmed that each Local Authority in Wales is required to adopt and implement a Local Toilet Strategy as required by the Public Health (Wales) Act 2017. The duty to prepare a Strategy does not require local authorities to provide and maintain public toilets directly.

The report stated that the Council must take a strategic view on how toilet facilities can be provided and accessed by their local population. The Strategy aims to facilitate ongoing toilet facility provision, through direct and indirect methods, and commits the Council and its partners to a sustainable long term decision making in this public health area. The Strategy places a requirement on Newport City Council and its partners across the public and private sectors to assess and consider the needs of the public in the decisions they make on toilet provision, now and in the future.

The report confirmed that whilst neither the Toilet Strategy nor the legislation places a duty on the local authority to provide and maintain public toilets, the strategy would need to be taken into account as part of any future decision-making process. The strategy should also inform other decision-making, such as the approval of planning applications and any leases of Council property. The Strategy will need to be reviewed periodically, specifically after each local election, and its implementation will need to be monitored in accordance with the Council's service-planning and performance management framework.

The report proposed that Cabinet should:

- i) formally approve and adopt the Local Toilet Strategy and Action Plan.

Decision:

Cabinet approved and adopted the strategy and action plan.

Consultation

Head of Law and Regulation; Head of Finance; Head of People and Business Change.

Implemented By: Head of Law and Regulation

Implementation Timetable: Immediate

CAB 56/20

Covid-19 Recovery Update Report

Options Considered/Reasons for Decision

The report provided Cabinet with an update on the Council's progress being made towards recovering services and supporting Newport's communities as part of its Strategic Recovery Aims.

The report confirmed the Covid-19 health emergency has been ongoing since March 2020 and has impacted all communities and businesses across Newport as the City has continued to adapt and respond to the necessary restrictions to minimise the spread of the virus. The Council's response has been to ensure continuity of services with its strategic partners, support vulnerable residents across communities, support businesses and ensure the safety of staff. The report provided an overview of what action the Council has taken to date and the progress against the Strategic Recovery Aims.

The report noted that following the previous report to Cabinet in October, the number of positive cases in Newport has remained steady across the community since going into a localised lockdown. In other parts of South East Wales, cases in some areas continue to increase. In response, the Welsh Government enacted a 'circuit break' from Friday 23rd October, for the whole of Wales to go into a two to three week lockdown resulting in tighter restrictions for households and businesses. The Council's Civil Contingencies 'Gold Team' alongside the Strategic Coordination Group and Incident Response Teams took necessary actions and shared communications supporting communities and businesses to adapt to the changes. Despite these measures, the Council has continued to operate normally providing necessary support where required.

The report proposed that Cabinet should:

- i) consider the contents of the report and note the progress made to date;
- ii) the risks that are still faced by the Council.

Decision:

Cabinet noted the contents of the report and agreed for Cabinet/Cabinet Members to receive updates from officers as part of their portfolio.

Consultation

Senior Leadership Team; Corporate Management Team; Officer Leads across the Authority.

Implemented By: Corporate Management Team

Implementation Timetable: Immediate

CAB 57/20

Brexit Update Report

Options Considered/Reasons for Decision

The report provided an update to Cabinet on the Brexit Trade Negotiation preparations that Newport City Council has taken since the last report to Cabinet in October 2020.

The report confirmed that trade negotiations between the UK Government and European Union have reached a critical point in the process where it is now looking likely that the UK will be leaving the European Union (EU), including its Customs Union and Single Market without a trade agreement in place, on 31st December 2020. For Wales and Newport, this will mean that businesses that import and export to the EU will have to comply with new trade requirements and may include tariffs on certain goods and services. For consumers (residents) living in Newport, this could impact on prices and supplies of goods and services including certain products of food and medicines. New arrangements for travelling into and out of Europe will also be in place including passports, insurance, driving documents etc. For EU Citizens already living in Wales before the 1st January 2021 they will need to ensure that they apply for Settled Status by the 30th June 2021. Current right to work eligibility remains in place until 30th June 2021 and employers cannot require evidence of settled status during this period. EU citizens not already resident in the UK who wish to relocate to Wales after 1st January 2021 will need to apply for a visa.

Since the last Cabinet Meeting, the Council has been awaiting the outcome(s) of the negotiations and release of guidance documents from UK Government departments to apply the necessary changes and understand the necessary requirements from the 1st January 2021.

The report proposed that Cabinet should:

- i) consider the contents of the report and note the Council's Brexit preparations.

Decision:

Cabinet noted the contents of the report and agreed for Cabinet/Cabinet Members to receive updates from officers as part of their portfolio.

Consultation

Heads of Service; Officer Brexit 'Task and Finish' group.

Implemented By: Corporate Management Team

Implementation Timetable: Immediate

CAB 58/20

Cabinet Work Programme

Options Considered/Reasons for Decision

The Leader presented the Cabinet Work Programme.

Decision:

Cabinet agreed the programme.

Consultation

Chief Officers; Monitoring Officer; Head of Finance; Head of People and Business Change

Implemented By: Cabinet Office Manager

Implementation Timetable: Immediate

Signed:

COUNCILLOR JANE MUDD, CHAIR OF THE CABINET

Date: 13 November 2020

This document is available in welsh / Mae's ffurflen hon ar gael yn Gymraeg
