

Pecyn Dogfennau Cyhoeddus

Cyngor Sir

Man Cyfarfod
By Teams

Dyddiad y Cyfarfod
Dydd Iau, 26 Tachwedd 2020

Amser y Cyfarfod
10.30 am

I gael rhagor o wybodaeth cysylltwch â
Stephen Boyd
01597 826374
steve.boyd@powys.gov.uk



Neuadd Y Sir
Llandrindod
Powys
LD1 5LG

Dyddiad Cyhoeddi

Mae croeso i'r rhai sy'n cymryd rhan ddefnyddio'r Gymraeg. Os hoffech chi siarad Cymraeg yn y cyfarfod, gofynnwn i chi roi gwybod i ni erbyn hanner dydd ddau ddiwrnod cyn y cyfarfod

AGENDA

Cyfarfod Blynyddol

1.	ETHOL CADEIRYDD
----	------------------------

Ethol Cadeirydd ar gyfer y flwyddyn i ddod.

2.	ETHOL IS-GADEIRYDD
----	---------------------------

Ethol Is-Gadeirydd ar gyfer y flwyddyn i ddod.

3.	ETHOL IS-GADEIRYDD CYNORTHWYOL
----	---------------------------------------

Ethol Is-gadeirydd Cynorthwyol y Cyngor am y flwyddyn sydd i ddod.

4.	YMDDIHEURIADAU
----	-----------------------

Derbyn ymddiheuriadau am absenoldeb.

5.	DYRANIADAU, ETHOLIADAU AC APWYNTIADAU Y MAE GOFYN I'W GWNEUD YNG NGHYFARFOD BLYNYDDOL Y CYNGOR
----	---

Ystyried adroddiad y Pennaeth Gwasanaethau Cyfreithiol a Democrataidd.
(Tudalennau 1 - 48)

Cyfarfod Busnes

6. COFNODION

Awdurdodi'r Cadeirydd i arwyddo cofnodion y cyfarfod diwethaf a gynhaliwyd ar 24 Medi 2020 fel cofnod cywir.

(Tudalennau 49 - 72)

7. DATGANIADAU O DDIDDORDEB

Derbyn unrhyw ddatganiadau o ddiddordeb gan Aelodau yn ymwneud ag eitemau i'w hystyried ar yr Agenda.

8. TROSGLWYDDIADAU REFENIW A CHYFALAF

Ystyried trosglwyddiadau sy'n gofyn am gymeradwyaeth y Cyngor.

(Tudalennau 73 - 76)

9. ARGYMHELLION ODDI WRTH Y PWYLLGOR GWASANAETHAU DEMOCRATAIDD

Ystyried argymhellion oddi wrth y Pwyllgor Gwasanaethau Democrataidd.

(Tudalennau 77 - 154)

10. ADRODDIAD DIWEDDARU ODDI WRTH Y PWYLLGOR TRWYDDEDU - ADOLYGIAD O'R POLISI TRWYDDEDU 2003

Ystyried cymeradwyo'r polisi Deddf Trwyddedu 2003 diwygiedig.

(Tudalennau 155 - 194)

11. RHYBUDD O GYNNIG - CEFNOGAETH AR GYFER Y SECTOR AMAETHYDDOL

Mae'r sector amaethyddol yn allweddol bwysig i'n heconomi, a chymunedau Powys fel y dynodwyd ar y map hwn. Gyda 9.5 miliwn o ddefaid yng Nghymru, rydym wedi gweld un o'r prif gynnyrch naturiol, gwlan, yn cael prisiau eithriadol o isel yn ystod y cyfnod diweddar yma.

Mae gennym ganolfannau graddio gwlan yn Y Drenewydd ac Aberhonddu, ac mae'r sector defaid yn eithriadol o bwysig ym Mhowys. Mae gwlan hefyd yn gynnyrch naturiol, sy'n wrthdan ac yn ecogyfeillgar.

O ystyried hyn, mae'r Cyngor yn cynnig y dylai'r awdurdod, fel rhan o fargen Tyfu Canolbarth Cymru, edrych ar gyfleoedd i ychwanegu gwerth at ein cynnyrch amaethyddol ac i weithio'n benodol gyda'r undebau ffermio a Bwrdd Marchnata Gwlân Prydain er mwyn hwyluso sefydlu corff sy'n debyg i WRONZ (Wool Research Organisation New Zealand) yng nghanolbarth Cymru gan fod yn gatalydd felly ar gyfer syniadau, cynnyrch ac ymgyrchoedd masnachol dyfeisgar sy'n defnyddio gwllân.

Cynigydd: Cynghorydd Sir Elwyn Vaughan

Eilydd: Cynghorydd Sir Bryn Davies

(Tudalennau 195 - 196)

12.	RHYBUDD O GYNNIG - CYFRAITH LUCY
------------	---

Mae'r cyngor hwn yn galw ar Lywodraeth Cymru i wahardd yr arfer gresynus o gael ffermydd cathod a chŵn bach trydydd parti sydd â safonau lles isel, gan ddefnyddio "Cyfraith Lucy" (y cyflwynwyd deddf ar ei gyfer yn Lloegr ym mis Ebrill 2020) fel y sail ddeddfwriaethol ar gyfer y gwaharddiad. Ymhellach at hyn, mae'r Cyngor yn condemnio'r oedi diangen gan Lywodraeth Cymru wrth gyflwyno'r ddeddfwriaeth hon ar les anifeiliaid sylfaenol a ddylai fod yn rhagofyniad i gymdeithas wâr.

Cynigydd: Cynghorydd Sir James Evans

Eilydd: Cynghorydd Sir Amanda Jenner

13.	RHYBUDD O GYNNIG - CAMPFEYDD YN YSTOD Y CYFNOD CLO
------------	---

Mae Cyngor Sir Powys yn galw ar Lywodraeth Cymru i wneud campfeydd yn hanfodol yn ystod unrhyw gyfnod cyfyngiadau symud a chyfnodau atal byr yn y dyfodol.

Fel sector allweddol o fewn Economi Cymru, mae campfeydd yn cynnig cyfleoedd ac atebion iechyd meddwl/corfforol a llesiant hanfodol i gyfran fawr o boblogaeth Powys.

Yn ystod yr amseroedd heriol hyn, nid yw campfeydd erioed wedi bod mor bwysig i bob grŵp a demograffeg oedran. Mae perchnogion campfeydd yn llwyr barchu a deall y rhesymau dros Gyfnodau Atal Byr a Chyfnodau Cyfyngiadau Symud, ond mae cau ac ailagor campfeydd yn barhaus yn gosod straen cynyddol ar eu dichonolrwydd ariannol, swyddi, ac yn bwysicaf oll, y cyhoedd sy'n dibynnu ar gampfeydd am ystod eang o resymau, boed yn gorfforol ac iechyd meddwl.

Rydym yn galw ar Lywodraeth Cymru i ailddosbarthu campfeydd fel 'Gwasanaeth Hanfodol', gan ganiatáu i'n campfeydd barhau i weithredu trwy gyfnodau cyfyngiadau symud yn y dyfodol, er budd iechyd meddwl a chorfforol y cyhoedd.

Cynigydd: Cynghorydd Sir James Evans

Eilydd: Cynghorydd Sir Karl Lewis

Mae Cyngor Sir Powys yn galw ar Lywodraeth Cymru i wneud campfeydd yn hanfodol yn ystod unrhyw gyfnod cyfyngiadau symud a chyfnodau atal byr yn y dyfodol.

Fel sector allweddol o fewn Economi Cymru, mae campfeydd yn cynnig cyfleoedd ac atebion iechyd meddwl/corfforol a llesiant hanfodol i gyfran fawr o boblogaeth Powys.

Yn ystod yr amseroedd heriol hyn, nid yw campfeydd erioed wedi bod mor bwysig i bob grŵp a demograffeg oedran. Mae perchnogion campfeydd yn llwyr barchu a deall y rhesymau dros Gyfnodau Atal Byr a Chyfnodau Cyfyngiadau Symud, ond mae cau ac ailagor campfeydd yn barhaus yn gosod straen cynyddol ar eu dichonolrwydd ariannol, swyddi, ac yn bwysicaf oll, y cyhoedd sy'n dibynnu ar gampfeydd am ystod eang o resymau, boed yn gorfforol ac iechyd meddwl.

Rydym yn galw ar Lywodraeth Cymru i ailddosbarthu campfeydd fel 'Gwasanaeth Hanfodol', gan ganiatáu i'n campfeydd barhau i weithredu trwy gyfnodau cyfyngiadau symud yn y dyfodol, er budd iechyd meddwl a chorfforol y cyhoedd.

Cynigydd: Cynghorydd Sir James Evans
Eilydd: Cynghorydd Sir Karl Lewis

14.	RHYBUDD O GYNNIG - I GOFLEIDIO A CHYTUNO AR Y SIARTER TROSEDDAU CASINEB GAN GYMORTH I DDIODDEFWYR
------------	--

Mae'r Cyngor i nodi ar gyfer y Cynnig:-

1. Mae Troseddau Casineb yn broses gyfreithiol ac yn weithred droseddol sy'n cael ei thrafod gan y system Gyfiawnder yn rheolaidd. Mae Heddlu Dyfed Powys yn cytuno i ddelio gyda Throseddau Casineb lle bynnag y byddant yn digwydd.
2. Mae rhan gan awdurdodau lleol i'w chwarae wrth fynd i'r afael â Throseddau Casineb.
3. Mae hyfforddiant wedi cael ei ddatblygu gan Gymorth i Ddioddefwyr led led Cymru trwy gydol y flwyddyn hon ac fe fyddant yn parhau i wneud hynny.
4. Mae arbenigedd gan C S Powys o ran troseddau casineb ac mae cydnabyddiaeth i'r ffaith nad yw cymunedau gwledig yng Nghymru yn imiwn i hyn.

Gofynnir i'r Cyngor gefnogi:-

1. Y prif flaenoriaethau sydd o fewn y Siarter Troseddau Casineb.
2. Yr angen i godi ymwybyddiaeth am Droseddau Casineb drwy'r arweinwyr addysg, arweinwyr gofal cymdeithasol ac Aelodau.
3. Ysgolion i ystyried mabwysiadu ymwybyddiaeth o Droseddau Casineb o fewn y cwricwlwm lle bo hynny'n briodol.
4. Darparu hyfforddiant i'r holl Aelodau a staff er mwyn deall yr angen i godi ymwybyddiaeth ymhellach am droseddau sy'n cynnwys Troseddau Casineb

a'r effaith ar gymunedau gwledig ym Mhowys. Mae Cymorth i Ddiodefwyr eisoes yn cyflwyno hyfforddiant pwrpasol y gellir cael mynediad ato am ddim.

Mae'r Cyngor hwn felly yn penderfynu:-

1. Cytuno fod CS Powys yn derbyn y Siarter Troseddau Casineb gan Gymorth i Ddiodefwyr sy'n cynnwys help a chefnogaeth i ddiodefwyr a chymunedau.

Cynigydd: Cyngorydd Sir Jackie Charlton

Eilydd: Cyngorydd Sir William Powell

(Tudalennau 197 - 198)

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

CYNGOR SIR POWYS COUNTY COUNCIL.

COUNTY COUNCIL ANNUAL MEETING
26 November 2020

REPORT BY: Head of Legal and Democratic Services

SUBJECT: Allocations, elections and appointments required to be made at the Annual Meeting of the Council

REPORT FOR: Decision and Information

1. INTRODUCTION

- 1.1 This report addresses the various requirements, procedures and processes concerning allocations / elections / appointments which the Council / political groups are required to make at or in connection with the Annual Meeting in accordance with legislation and the Council's own Constitution

FOR INFORMATION.

2. POLITICALLY BALANCED APPOINTMENTS GENERALLY

- 2.1 In accordance with the Local Government and Housing Act 1989 ("the 1989 Act") groups of 2 or more Councillors can elect to be considered as a "political group".
- 2.2 **Appendix 1** contains the details received by officers of which County Councillors belong to which Group and the identity of the Group Leaders and other representatives.
- 2.3 The existence of political groupings means that the Council must comply with the political balance regime contained in section 15 of the 1989 Act and the Local Government (Committees and Political Groups) Regulations 1990 (as amended).
- 2.4 To assist Members in understanding the statutory political balance requirements the following are attached as background information:
- (i) **Appendix 2** briefly outlines how political groups are established; the process for carrying out a review and determining the allocation of seats on committees and relevant outside bodies to groups; the principles and methodology to be applied to the allocations / appointments processes and the requirement to appoint in accordance with the wishes of groups in so far as their members are concerned.
 - (ii) **Appendix 3** outlines the overall entitlement to seats by political groups and entitlement to individual committee seats.
 - (iii) **Appendix 4** - The Ready Reckoner used in (ii) above to establish the entitlement to seats.
- 2.5 The major requirements of the 1989 Act and the related legislation concerning the political balance regime are that:

- (i) The Council's main Committees and Sub-Committees (**except the Standards Committee**) have to be constituted so that they are politically balanced so far as is reasonably practicable. The main committees in this context and which must be politically balanced are:

1. Economy, Residents, Communities and Governance Scrutiny Committee (13 Councillors plus 1 co-opted Member)
2. Learning and Skills Scrutiny Committee (9 Councillors plus 5 co-opted Members)
3. Health and Care Scrutiny Committee (14 Councillors)
4. Audit Committee (14 Councillors plus 1 co-opted lay member) [in accordance with rule 61 of the Local Government Democracy (Wales) Act 2013].
5. Democratic Services Committee (14 Councillors)
6. Planning, Taxi Licensing and Rights of Way Committee (21 Councillors)
7. Licensing Act 2003 Committee (14 Councillors)
8. Employment & Appeals Committee (14 Councillors)
9. Pensions and Investment Committee (5 Councillors plus Co-Opted Members and Portfolio Holder for Finance)

The total number of seats (excluding co-optees) on all committees is therefore 118

- (ii) The appointments to the following outside bodies also have to comply with the 1989 Act political balance regime:

- (a) Mid and West Wales Fire and Rescue Service (MWWFRS),
- (b) Police and Crime Panel (PCP)
- (c) Brecon Beacons National Park Authority (BBNPA).

However, it is only the BBNPA appointments which are required to be undertaken annually. The appointments to the MWWFRS and PCP are for the period from the first Annual Meeting after the ordinary Council elections in 2017 until the next ordinary council elections in 2022.

3. POSITION OF SUB-COMMITTEES

- 3.1 The political balance regime does also apply to the sub-committees of those committees to which the regime applies (i.e. any sub-committee of a Committee referred to above in Paragraph 2.5(i)).
- 3.2 As such, the political balance requirements do not apply to a sub-committee of the Standards Committee.
- 3.3 Additionally the only other sub-committees / panels of committees which exist deal with regulatory and licensing matters and staffing appeals and either the Full Council or the Committee have resolved to exclude them from the requirement to be politically balanced on grounds of impracticability e.g. the licensing panels can only comprise 3 members and there can be difficulties around member availability.

4. APPOINTMENTS OF CHAIRS AND THE POSITION OF VICE-CHAIRS

Chairs of Committees

- 4.1 The Chairs of the Scrutiny Committees (excluding the Audit Committee and the PSB Scrutiny Committee) and the Democratic Services Committee must be appointed by Full Council.

Audit Committee.

- 4.2 The Local Government (Wales) Measure 2011 stipulates that the Audit Committee (and not Full Council) is to appoint its Chair who must not be a member of the Executive Group.

Chairs of Non-Scrutiny Committees (except the Democratic Services Committee)

- 4.3 There are no other statutory provisions relating to the process for the appointment of chairs of the other committees and in particular there is no statutory requirement for such appointments to be politically balanced. The Council since 2011 has left it to each individual non-scrutiny committee to appoint its own Chair.

Vice-Chairs of All Committees.

- 4.4 Similarly the appointment of Vice-Chairs of all Committees (including Scrutiny Committees but excluding the Audit Committee) is not required to be politically balanced or subjected to any particular appointment process and the Council's convention has been to leave it to each individual Committee to appoint its Vice-Chair.

Vice-Chair of the Audit Committee.

- 4.5 In respect of the Vice-Chair of the Audit Committee, the provisions of Section 83(1) of the Local Government (Wales) Measure 2011 (the Measure) take effect:

83 Proceedings etc

- (1) *An audit committee is to appoint the person who is to chair the committee (who may be a member of the authority or a lay member but who must not be a member of an executive group).*

- 4.6 The effect of Section 83(1) of the Measure is that the person appointed as Vice-Chair (or Chair for the meeting) must comply with this rule and therefore cannot be a member of an executive group.

Democratic Services Committee

- 4.7 The Chair of the Democratic Services Committee is required to be appointed by the County Council. The Chair of the Democratic Services Committee cannot be a member from an Executive group.

Vice-Chair of the Democratic Services Committee.

4.8 In respect of the Vice-Chair of the Democratic Services Committee, the provisions of Section 14(1) of the Local Government (Wales) Measure 2011 (the Measure) take effect:

14 Proceedings etc

(1) *A local authority is to appoint the person who is to chair the democratic services committee (who must not be a member of an executive group).*

4.9 The effect of Section 14(1) of the Measure is that the person appointed as Vice-Chair (or Chair for the meeting) must comply with this rule and therefore cannot be a member of an executive group.

FOR DECISION.

5. POLITICALLY BALANCED APPOINTMENTS TO COUNCIL COMMITTEES

5.1 The effect of the political balance regime is that at certain prescribed times / occasions the Council must REVIEW the representation by each of the political groups on the main Council Committees listed in 2.5 (i) above and then DETERMINE the allocation of seats on those committees to which each political group is entitled. One such occasion is the Council's Annual Meeting.

5.2 This exercise will be undertaken having regard to the principles and the Methodology referred to in **Appendix 2**. Discussion normally also takes place with the Group Leaders. The final adjusted proposals for the allocation of seats to the groups on committees is set out in **Appendix 5**.

5.3 **Council will be required to approve the proposals set out in Appendix 5. This will require a proposer and seconder.**

Recommendation:	Reason for Recommendation:
To review and determine the allocation of seats on Council Committees to the different Political Groups in accordance with Appendix 5	To comply with statutory requirements (including those concerning the need for political balance) and the Council's Constitution in relation to the allocation and appointment of committee seats and Chairs.

5.4 In appointing Councillors to seats on committees allocated to the Groups in accordance with **Appendix 5** the Council must give effect to the wishes of the political groups.

5.5 The wishes of the political groups as to those Councillors from the respective groups to be appointed to committees is set out in **Appendix 6**.

5.6 **Council will be required to appoint councillors to committees in accordance with the wishes of the groups as recorded in Appendix 6. This will require a proposer and seconder.**

Recommendation:	Reason for Recommendation:
To make appointments to Committees in accordance with the wishes of the different Political Groups as set out in Appendix 6	To comply with statutory requirements (including those concerning the need for political balance) and the Council's Constitution in relation to the allocation and appointment of committee seats and Chairs.

6. APPOINTMENTS TO CHAIRS OF SCRUTINY COMMITTEES

- 6.1 The appointment of the Chairs of the 3 Scrutiny Committees needs to be in accordance with the Local Government (Wales) Measure 2011 (the Measure)
- 6.2 Without oversimplifying the position the legislation provides that in situations such as those which exist in Powys in terms of the number of groups and scrutiny committees the allocation of scrutiny committee chairs is based firstly on working out the proportion of chairs which go to the "Executive" group(s) based on the proportion which the members of the Executive group(s) bear to the overall membership of the council.
- 6.3 The chairs left over after this first exercise are allocated to the "Opposition" group(s). A possible alternative under the Measure would be for both chairs to be allocated to the "Opposition" groups provided this had cross group support.
- 6.4 The position is set out in **Appendix 7**.
- 6.5 The Council is required to allocate the 3 scrutiny chairs to the political groups as indicated above and to note the appointment of Chairs by those groups as below. This will require a proposer and seconder.**

Economy, Residents, Communities and Governance Scrutiny Committee	Welsh Labour Group: County Councillor Matthew Dorrance
Health and Care Scrutiny Committee	Welsh Conservative Group: County Councillor Amanda Jenner
Learning and Skills Scrutiny Committee	Welsh Liberal Democrat / Green Group: County Councillor Pete Roberts

Recommendation:	Reason for Recommendation:
To allocate the 3 Scrutiny Committee Chairs to the Political Groups as set out in paragraph 6.5, and to note the political groups' appointments in respect of Chairs.	To comply with statutory requirements (including those concerning the need for political balance) and the Council's Constitution in relation to the allocation and appointment of committee seats and Chairs.

7. APPOINTMENTS OF CHAIRS TO OTHER COMMITTEES AND THE POSITION OF VICE-CHAIRS

Democratic Services Committee.

- 7.1 The Chair of the Democratic Services Committee is required to be appointed by the County Council. The Chair of the Democratic Services Committee cannot be a member from an Executive group.
- 7.2 **The Council is required to appoint the Chair of the Democratic Services Committee. This will require a proposer and seconder. Nominations will be received from the floor.**

Recommendation:	Reason for Recommendation:
To appoint the Chair of the Democratic Services Committee.	To make appointments in accordance with statute and the Constitution.

8. POLITICALLY BALANCED APPOINTMENTS TO RELEVANT OUTSIDE BODIES

Brecon Beacons National Park Authority (BBNPA)

- 8.1 **Appendix 8** sets out details relating to the background to the proposed appointments to the BBNPA.
- 8.2 The allocation of the 6 seats on the BBNPA to the Political Groups in order to satisfy the political balance requirements has to be undertaken as though the allocation were in respect of an 6 Member committee.
- 8.3 The Members currently nominated to sit on the BBNPA by their respective Groups is set out below:

Independent Group	County Councillors: Michael J. Jones Phil Pritchard Edwin Roderick
Welsh Conservatives	County Councillor: James Evans
Welsh Liberal Democrats	County Councillors: Gareth Ratcliffe
Welsh Labour	County Councillor: Susan McNicholas

- 8.4 The political groups will need to confirm or amend their representation set out in 8.3 above.
- 8.5 **The Council is required to make appointments to the BBNPA in accordance with groups' nominations as set out in paragraph 8.3 above (or as amended). This will require a proposer and seconder.**

Recommendation:	Reason for Recommendation:
To make appointments to the Brecon Beacons National Park Authority in accordance with the nominations of the political groups as set out in 8.3 above.	To make appointments in accordance with statute and the Constitution.

9. NON-POLITICALLY BALANCED APPOINTMENTS TO OUTSIDE BODIES

Welsh Local Government Association (WLGA)

- 9.1 Powys County Council is a full member of the WLGA and under the constitution of that body is entitled to appoint 3 Members to the WLGA Council.
- 9.2 The appointments continue from one WLGA Annual Meeting to the next and, therefore, the County Council is required to undertake this appointments process at its own Annual Meeting each year.
- 9.3 The Council in past years has always appointed the Leader of Council as one of its representatives to the WLGA.
- 9.4 The Members currently representing the Council are as follows:

The Independent Group	County Councillor Rosemarie Harris
Welsh Conservatives	County Councillor Aled Davies
Welsh Labour	County Councillor Matthew Dorrance

- 9.5 The nominations received from the political groups are as follows:

The Independent Group	County Councillor Rosemarie Harris County Councillor Rachel Powell
Welsh Conservatives	County Councillor Aled Davies
Welsh Labour	County Councillor Matthew Dorrance

- 9.6 **The Council is required to make these appointments to the WLGA. This will require a proposer and seconder.**

Recommendation:	Reason for Recommendation:
To make 3 appointments to the Welsh Local Government Association.	To secure the Council's representative role.

Welsh Local Government Association (WLGA) Executive Board.

- 9.7 The Council is entitled to appoint one of its 3 representatives to serve on the WLGA Executive Board (previously known as the WLGA Co-ordinating

Committee). The Council in past years has appointed the Leader of the Council to this position.

9.8 Council is required to appoint 1 of its representatives to the WLGA Executive Board. This will require a proposer and seconder. Nominations will be received from the floor.

Recommendation:	Reason for Recommendation:
To appoint one of the Council's appointments to the WLGA as the Council's appointment to the WLGA Executive Board.	To secure the Council's representative role.

Person(s) To Action Decision:	Steve Boyd, Cabinet Manager		
Date By When Decision To Be Actioned:	27 November, 2020		
Relevant Policy (ies):	Council's Constitution.		
Within Policy:	Y	Within Budget:	Y

Contact Officer:	Wyn Richards, Scrutiny Manager and Head of Democratic Services.
Tel:	01597-826375
Email:	wyn.richards@powys.gov.uk

Political Group Information – May 2020

Summary:

	No.	%
Independent Group	24	32.88
Welsh Conservatives	17	23.29
Welsh Liberal Democrats / Greens	15	20.55
Welsh Labour Group	8	10.96
Action for Powys	4	5.48
Plaid Cymru	2	2.74
Non-Aligned Members	3	4.11
Vacancy	0	0.00
Total	73	100.01

Group Information:

Independent Group	Members:24
--------------------------	-------------------

Group Leader and Chairman:	County Councillor Rosemarie Harris
Group Deputy Leader(s):	
Group Administrator:	

County Councillors:

Myfanwy Alexander	Linda Corfield
Graham Breeze	David Evans
Dai Davies	Rosemarie Harris
Stephen Hayes	Heulwen Hulme
David Jones	Emyr Jones
Arwel Jones	Gareth Jones
Michael J.Jones	E. Michael Jones
Hywel Lewis	Karen Laurie-Parry
David Price	Rachel Powell
Edwin Roderick	Phil Pritchard
Beverley Baynham	Kath Roberts-Jones
Mike Williams	Tim Van-Rees

Welsh Liberal Democrats / Greens Democratiaid Rhyddfrydol Cymru / Plaid Werdd	Members:15
--	-------------------

Group Leader:	County Councillor James Gibson-Watt
Group Deputy Leader(s):	County Councillor William Powell County Councillor Francesca Jump
Group Secretary:	County Councillor David Selby
Group Party Whip:	County Councillor Roger Williams

County Councillors:

Tudalen 9

Political Group Information – May 2020

Jackie Charlton	Kelvyn Curry
James Gibson-Watt	Francesca Jump
Maureen Mackenzie	Gareth Morgan
John Morris	William Powell
Gareth Ratcliffe	Peter Roberts
David Selby	Kathryn Silk
Roger Williams	Emily Durrant
Jake Berriman	

Grŵp Llafur Cymru Welsh Labour Group	Members:8
---	------------------

Group Leader:	County Councillor Matthew Dorrance
Group Deputy Leader:	County Councillor Susan McNicholas
Group Chairman:	County Councillor Sarah Williams
Group Secretary:	County Councillor Huw Williams
Group Party Whip:	County Councillor Huw Williams
Group Treasurer	County Councillor David Thomas

County Councillors:

Sandra Davies	Matthew Dorrance
Susan McNicholas	David Meredith
David Thomas	Huw Williams
Sarah Williams	Liz Rjinenberg

Welsh Conservatives Ceidwadwyr Cymreig	Members:17
---	-------------------

Group Leader:	County Councillor Aled Davies
Deputy Leader:	County Councillor Gwilym Williams
Group Secretary:	County Councillor

County Councillors:

Aled Davies	James Evans
Phyl Davies	Amanda Jenner
Les George	Karl Lewis
Diane Jones-Poston	Lucy Roberts
Peter Lewis	Gwynfor Thomas
Iain McIntosh	Gwilym Williams
Gareth Pugh	Jonathan Wilkinson
Daniel Rowlands	Les Skilton
Mark Barnes	

Political Group Information – May 2020

Plaid Cymru	Members:2
--------------------	------------------

Group Leader:	Y Cyngorydd Sir Elwyn Vaughan
Deputy Leader:	County Councillor
Group Secretary:	County Councillor

County Councillors:

Bryn Davies	Elwyn Vaughan
-------------	---------------

Action for Powys	Members:4
-------------------------	------------------

Group Leader:	County Councillor Jeremy Pugh
Deputy Leader:	County Councillor Martin Weale
Group Secretary:	County Councillor

County Councillors:

Jeremy Pugh	Martin Weale
Ange Williams	Jon Williams

Non-Aligned:

Non-Aligned Members	Members:2
----------------------------	------------------

County Councillors:

Liam Fitzpatrick	Joy Jones
Claire Mills	

Vacancies.

Dated: 20 November 2020

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

This paper seeks to assist Members in understanding the statutory political balance requirements by briefly setting out how political groups are established; how Councillors become members of a political group; the process for carrying out a review and determining the allocation of committee seats to groups; the principles and methodology to be applied to the allocations/appointments processes and the requirement to appoint in accordance with the wishes of groups.

IMPLICATIONS OF MEMBERS DIVIDED INTO POLITICAL GROUPS

Where political groups exist:-

- (a) **All Committees** including the **Scrutiny** Committees have to be **constituted** so as to be **politically balanced** e.g. a political group composed of **one third of the whole membership** of the Council would be entitled to **one third of the seats** on a committee. In the case of a committee of **15** this would give the group **5** seats. **Sub-Committees** would **also** have to be politically balanced.

NB – The Cabinet is not a committee of the Council and the political balance requirements do not apply to it.

- (b) Each **Political Group** (and not the Council) **selects** (in relation to the seats allocated to that group) which councillors **sit on which committee/Sub-Committee** (save for those members **not** in a group).
- (c) Those members **not in a Group** receive a **proportionate allocation** of seats on each Committee/Sub-Committee and the **Council** determines the **appointment** of those independent members to Committees/Sub-Committees in whatever method it deems appropriate.
- (d) **Only** the **Standards Committee**, the **3 Shire Committees**, Sub-Committees / Panels which exist to deal with regulatory and licensing matters and staffing matters, and Member/Officer **Working Groups** are **exempt** from the political balance requirements.
- (e) Appointments to the relevant outside bodies i.e. **Brecon Beacons National Park Authority, Dyfed Powys Police and Crime Panel** and **Mid and West Wales Fire and Rescue Authority** are required to be **politically balanced** (appointments to other outside bodies are not required to be politically balanced)

To look at some points in slightly more detail.

A “**political group**” comes in to existence when at least **two** Councillors deliver to the Proper Officer, a notice in writing stating that they wish to be treated as a “**political group**”, stating the **name of the group** and the **name of its leader** and (optional) the name of one other authorised to act in place of the leader (the representative). By **signing** the notice Councillors **become members** of that Group. Only **one** political group need declare for the political balance regime to apply.

If one or more **political groups** are formed then the **Full County Council** must as soon as reasonably practical **REVIEW** the representation of political groups on the Council’s committees, and those relevant **outside** bodies referred to above. Where a **committee** has power to appoint to a **sub-committee** (or appoint to a relevant **outside** body) **the**

Appendix 2

Committee similarly must conduct a review. It is an **annual requirement to review** the representation of the different political groups at the Annual Meeting. There is also a requirement to undertake this exercise whenever a Member forms a Group.

Once the review exercise is completed the Council/Committee must **DETERMINE** the **allocation of seats** on committees and sub-committees and appointments on relevant outside bodies **to the different political groups**. That **determination** must be carried out in a way which, **so far as reasonably practicable**, gives effect to the **PRINCIPLES** set out in the Local Government and Housing Act 1989, namely:-

- (a) that not all the seats on the Council's committees and sub-committees are allocated to the same political group (**no one-party committees/sub-committees**).
- (b) that if there is a majority group/party (**i.e. in the case of Powys a group with 37 or more members**) it should have a **majority of all the seats** on the Council's committees and sub-committees.
- (c) subject to (a) and (b) that the total **aggregate** number of seats on **all the committees** allocated to a particular political group reflect that group's **proportion** of the membership of the Council.
- (d) subject to (a) to (c) that the number of seats on each **individual** committee/sub-committee/outside body are allocated to a particular political group to reflect that group's **proportion** of the membership of the Council.

Once a determination has been made, it becomes the duty of the Council (or committee) to **exercise** the power to **MAKE APPOINTMENTS** as soon as practicable and to give effect to the **wishes of the political groups** as to **WHO** is to be appointed to the **individual seats** allocated to those groups. Similar arrangements apply to the appointment to the **relevant outside bodies**.

Theoretically the Council could, **if all 73 members agreed**, put in place **different arrangements**, in part or in whole, to those outlined in this paper in relation to allocating seats on Committees (and similarly Committees can put different arrangements in place for their Sub-Committees).

Committee Allocations	09/10/2020		
Scrutiny Cttees			
	Seats		
Health and Care	14		
Learning and Skills	9		
Economy Residents Communities and Governance	13		
Total		36	
Regulatory & Other Cttees			
	Seats		
Planning, Taxi Licensing, Rights of Way	21		
Employment Appeals	14		
Audit	14		
Democratic Services	14		
Pensions and Investment	5		
Licensing Act 2003	14		
Total		82	
	Total	118	
Individual Group Multiplier	Group Number	Multiplier (Note 1)	
Independents	24	0.32877	
Welsh Conservatives	17	0.23288	
Welsh Liberal Democrats / Greens	15	0.20548	
Welsh Labour	8	0.10959	
Plaid Cymru	2	0.02740	
Action for Powys	4	0.05479	
Non Aligned 1	1	0.01370	
Non Aligned 2	1	0.01370	
Non Aligned 3	1	0.01370	
Non Aligned 4	0	0.00000	
Totals	73		

Aggregate Seats Entitlement (110 seats)			
	Group Number	Aggregate Seats (Note 2)	Rounded Up
Independents	24	38.795	39
Welsh Conservatives	17	27.479	27
Welsh Liberal Democrats / Greens	15	24.247	24
Welsh Labour	8	12.932	13
Plaid Cymru	2	3.233	3
Action for Powys	4	6.466	6
Non Aligned 1	1	1.616	2
Non Aligned 2	1	1.616	2
Non Aligned 3	1	1.616	2
Non Aligned 4	0	0.000	0
Totals	73	118.000	118
Note 1.			
Multiplier = No of Members on group divided by the Number of Members on the Council			
Note 2.			
Aggregate seats = number of seats on all committees allocated to the political groups to reflect that group's proportion of the membership of the Council. This is based on a total of 110 maximum number of seats on all committees. The seats are calculated by multiplying the multiplier for each group by the total number of seats.			

Individual Committee Allocations Based on the Ready Reckoner							09/10/2020
Committee of 21 (Planning)							
Group	Group Number	Multiplier from Ready Reckoner	Seats (Note 1)	Rounded Up	Differential	Differential Ranking	Vacant Seat
Independents	24	0.3288	6.90	7	0.10	2	Over
Welsh Conservatives / Ceidwadwyr Cymreig	17	0.2329	4.89	5	0.11	3	Over
Welsh Liberal Democrats / Democratiaid Rhyddfrydol Cymru / Greens	15	0.2055	4.32	4	0.68	5	1st
Welsh Labour / Llafur Cymru	8	0.1096	2.30	2	0.70	6	2nd
Plaid Cymru	2	0.0274	0.58	1	0.42	4	Over
Action for Powys	4	0.0548	1.15	1	0.85	10	3rd
Non Aligned 1	1	0.0137	0.29	0	0.71	7	
Non Aligned 2	1	0.0137	0.29	0	0.71	7	
Non Aligned 3	1	0.0137	0.29	0	0.71	7	
Non Aligned 4	0	0.0000	0.00	0	0.00	1	
				20			
Vacant Seats to be allocated by Group Leaders				1			
Total Seats on Committee				21			
Committee of 14 (Health and Care / Employment and Appeals / Audit / Democratic Services / Licensing)							
Group	Group Number	Multiplier from Ready Reckoner	Seats	Rounded Up	Differential	Differential Ranking	Vacant Seat
Independents	24	0.3288	4.60	5	0.40	4	
Welsh Conservatives / Ceidwadwyr Cymreig	17	0.2329	3.26	3	0.74	7	
Welsh Liberal Democrats / Democratiaid Rhyddfrydol Cymru / Greens	15	0.2055	2.88	3	0.12	2	
Welsh Labour / Llafur Cymru	8	0.1096	1.53	2	0.47	5	
Plaid Cymru	2	0.0274	0.38	0	0.62	6	
Action for Powys	4	0.0548	0.77	1	0.23	3	
Non Aligned 1	1	0.0137	0.19	0	0.81	8	
Non Aligned 2	1	0.0137	0.19	0	0.81	8	
Non Aligned 3	1	0.0137	0.19	0	0.81	8	
Non Aligned 4	0	0.0000	0.00	0	0.00	1	
				14			
Vacant Seats to be allocated by Group Leaders				0			
Total Seats on Committee				14			

Committee of 5 (Pensions and Investment Committee)							
Group	Group Number	Multiplier from Ready Reckoner	Seats	Rounded Up	Differential	Differential Ranking	Vacant Seat
Independents	24	0.3288	1.64	2	0.36	2	
Welsh Conservatives / Ceidwadwyr Cymreig	17	0.2329	1.16	1	0.84	5	
Welsh Liberal Democrats / Democratiaid Rhyddfrydol Cymru / Greens	15	0.2055	1.03	1	0.97	10	
Welsh Labour / Llafur Cymru	8	0.1096	0.55	1	0.45	3	
Plaid Cymru	2	0.0274	0.14	0	0.86	6	
Action for Powys	4	0.0548	0.27	0	0.73	4	
Non Aligned 1	1	0.0137	0.07	0	0.93	7	
Non Aligned 2	1	0.0137	0.07	0	0.93	7	
Non Aligned 3	1	0.0137	0.07	0	0.93	7	
Non Aligned 4	0	0.0000	0.00	0	0.00	1	
				5			
Vacant Seats to be allocated by Group Leaders				0			
Total Seats on Committee				5			
Committee of 6 (Brecon Beacons National Park)							
Group	Group Number	Multiplier from Ready Reckoner	Seats	Rounded Up	Differential	Differential Ranking	Vacant Seat
Independents	24	0.3288	1.97	2	0.03	2	Over
Welsh Conservatives / Ceidwadwyr Cymreig	17	0.2329	1.40	1	0.60	4	1st
Welsh Liberal Democrats / Democratiaid Rhyddfrydol Cymru / Greens	15	0.2055	1.23	1	0.77	6	3rd
Welsh Labour / Llafur Cymru	8	0.1096	0.66	1	0.34	3	Over
Plaid Cymru	2	0.0274	0.16	0	0.84	7	4th
Action for Powys	4	0.0548	0.33	0	0.67	5	2nd
Non Aligned 1	1	0.0137	0.08	0	0.92	8	
Non Aligned 2	1	0.0137	0.08	0	0.92	8	
Non Aligned 3	1	0.0137	0.08	0	0.92	8	
Non Aligned 4	0	0.0000	0.00	0	0.00	1	
				5			
Vacant Seats to be allocated by Group Leaders				1			
Total Seats on Committee				6			

Committee of 13 (Economy, Residents, Communities and Governance)							
Group	Group Number	Multiplier from Ready Reckoner	Seats	Rounded Up	Differential	Differential Ranking	Vacant Seat
Independents	24	0.3288	4.27	4	0.73	6	3rd
Welsh Conservatives / Ceidwadwyr Cymreig	17	0.2329	3.03	3	0.97	10	4th
Welsh Liberal Democrats / Democratiaid Rhyddfrydol Cymru / Greens	15	0.2055	2.67	3	0.33	3	Over
Welsh Labour / Llafur Cymru	8	0.1096	1.42	1	0.58	4	1st
Plaid Cymru	2	0.0274	0.36	0	0.64	5	2nd
Action for Powys	4	0.0548	0.71	1	0.29	2	Over
Non Aligned 1	1	0.0137	0.18	0	0.82	7	
Non Aligned 2	1	0.0137	0.18	0	0.82	7	
Non Aligned 3	1	0.0137	0.18	0	0.82	7	
Non Aligned 4	0	0.0000	0.00	0	0.00	1	
				12			
Vacant Seats to be allocated by Group Leaders				1			
Total Seats on Committee				13			
Committee of 9 (Learning and Skills)							
Group	Group Number	Multiplier from Ready Reckoner	Seats	Rounded Up	Differential	Differential Ranking	Vacant Seat
Independents	24	0.3288	2.96	3	0.04	3	Over
Welsh Conservatives / Ceidwadwyr Cymreig	17	0.2329	2.10	2	0.90	10	3rd
Welsh Liberal Democrats / Democratiaid Rhyddfrydol Cymru / Greens	15	0.2055	1.85	2	0.15	4	Over
Welsh Labour / Llafur Cymru	8	0.1096	0.99	1	0.01	2	Over
Plaid Cymru	2	0.0274	0.25	0	0.75	6	2nd
Action for Powys	4	0.0548	0.49	0	0.51	5	1st
Non Aligned 1	1	0.0137	0.12	0	0.88	7	
Non Aligned 2	1	0.0137	0.12	0	0.88	7	
Non Aligned 3	1	0.0137	0.12	0	0.88	7	
Non Aligned 4	0	0.0000	0.00	0	0.00	1	
				8			
Vacant Seats to be allocated by Group Leaders				1			
Total Seats on Committee				9			

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

Political Group Ready Reckoner

No of Members of Group	No of Members on Council	% of Council	Committee of 15	Proportion on Cttee of 15	Act no of seats on cttee 15	Committee of 14	Proportion on Cttee of 14	Act no on cttee 14	Committee of 13	Proportion on cttee 13	Act no of cttee 13	Committee 12	Proportion on Cttee 12	Act no of seats on Cttee 12	Committee 11	Proportion on Committee 11	Act no of seats on Cttee 11	Committee of 10	Proportion on Cttee 10	Act no of seats on Cttee 10	Committee of 9	Proportion on Cttee 9	Act no of seats on Cttee 9	Committee of 8	Proportion on Cttee 8	Act no of seats on Cttee 8	Committee of 7	Proportion on Cttee 7	Act no of seats on Cttee (7)	Committee of 6	Proportion on Cttee 6	Act no on Cttee 6
45	73	61.64	15	9.25	9	14	8.63	9	13	8.01	8	12	7.40	7	11	6.78	7	10	6.16	6	9	5.55	6	8	4.93	5	7	4.32	4	6	3.70	4
46	73	63.01	15	9.45	9	14	8.82	9	13	8.19	8	12	7.56	8	11	6.93	7	10	6.30	6	9	5.67	6	8	5.04	5	7	4.41	4	6	3.78	4
47	73	64.38	15	9.66	10	14	9.01	9	13	8.37	8	12	7.73	8	11	7.08	7	10	6.44	6	9	5.79	6	8	5.15	5	7	4.51	5	6	3.86	4
48	73	65.75	15	9.86	10	14	9.21	9	13	8.55	9	12	7.89	8	11	7.23	7	10	6.58	7	9	5.92	6	8	5.26	5	7	4.60	5	6	3.95	4
49	73	67.12	15	10.07	10	14	9.40	9	13	8.73	9	12	8.05	8	11	7.38	7	10	6.71	7	9	6.04	6	8	5.37	5	7	4.70	5	6	4.03	4
50	73	68.49	15	10.27	10	14	9.59	10	13	8.90	9	12	8.22	8	11	7.53	8	10	6.85	7	9	6.16	6	8	5.48	5	7	4.79	5	6	4.11	4
51	73	69.86	15	10.48	10	14	9.78	10	13	9.08	9	12	8.38	8	11	7.68	8	10	6.99	7	9	6.29	6	8	5.59	6	7	4.89	5	6	4.19	4
52	73	71.23	15	10.68	11	14	9.97	10	13	9.26	9	12	8.55	9	11	7.84	8	10	7.12	7	9	6.41	6	8	5.70	6	7	4.99	5	6	4.27	4
53	73	72.60	15	10.89	11	14	10.16	10	13	9.44	9	12	8.71	9	11	7.99	8	10	7.26	7	9	6.53	7	8	5.81	6	7	5.08	5	6	4.36	4
54	73	73.97	15	11.10	11	14	10.36	10	13	9.62	10	12	8.88	9	11	8.14	8	10	7.40	7	9	6.66	7	8	5.92	6	7	5.18	5	6	4.44	4
55	73	75.34	15	11.30	11	14	10.55	11	13	9.79	10	12	9.04	9	11	8.29	8	10	7.53	8	9	6.78	7	8	6.03	6	7	5.27	5	6	4.52	5
56	73	76.71	15	11.51	12	14	10.74	11	13	9.97	10	12	9.21	9	11	8.44	8	10	7.67	8	9	6.90	7	8	6.14	6	7	5.37	5	6	4.60	5
57	73	78.08	15	11.71	12	14	10.93	11	13	10.15	10	12	9.37	9	11	8.59	9	10	7.81	8	9	7.03	7	8	6.25	6	7	5.47	5	6	4.68	5
58	73	79.45	15	11.92	12	14	11.12	11	13	10.33	10	12	9.53	10	11	8.74	9	10	7.95	8	9	7.15	7	8	6.36	6	7	5.56	6	6	4.77	5
59	73	80.82	15	12.12	12	14	11.32	11	13	10.51	11	12	9.70	10	11	8.89	9	10	8.08	8	9	7.27	7	8	6.47	6	7	5.66	6	6	4.85	5
60	73	82.19	15	12.33	12	14	11.51	12	13	10.68	11	12	9.86	10	11	9.04	9	10	8.22	8	9	7.40	7	8	6.58	7	7	5.75	6	6	4.93	5
61	73	83.56	15	12.53	13	14	11.70	12	13	10.86	11	12	10.03	10	11	9.19	9	10	8.36	8	9	7.52	8	8	6.68	7	7	5.85	6	6	5.01	5
62	73	84.93	15	12.74	13	14	11.89	12	13	11.04	11	12	10.19	10	11	9.34	9	10	8.49	8	9	7.64	8	8	6.79	7	7	5.95	6	6	5.10	5
63	73	86.30	15	12.95	13	14	12.08	12	13	11.22	11	12	10.36	10	11	9.49	9	10	8.63	9	9	7.77	8	8	6.90	7	7	6.04	6	6	5.18	5
64	73	87.67	15	13.15	13	14	12.27	12	13	11.40	11	12	10.52	11	11	9.64	10	10	8.77	9	9	7.89	8	8	7.01	7	7	6.14	6	6	5.26	5
65	73	89.04	15	13.36	13	14	12.47	12	13	11.58	12	12	10.68	11	11	9.79	10	10	8.90	9	9	8.01	8	8	7.12	7	7	6.23	6	6	5.34	5
66	73	90.41	15	13.56	14	14	12.66	13	13	11.75	12	12	10.85	11	11	9.95	10	10	9.04	9	9	8.14	8	8	7.23	7	7	6.33	6	6	5.42	5
67	73	91.78	15	13.77	14	14	12.85	13	13	11.93	12	12	11.01	11	11	10.10	10	10	9.18	9	9	8.26	8	8	7.34	7	7	6.42	6	6	5.51	6
68	73	93.15	15	13.97	14	14	13.04	13	13	12.11	12	12	11.18	11	11	10.25	10	10	9.32	9	9	8.38	8	8	7.45	7	7	6.52	7	6	5.59	6
69	73	94.52	15	14.18	14	14	13.23	13	13	12.29	12	12	11.34	11	11	10.40	10	10	9.45	9	9	8.51	9	8	7.56	8	7	6.62	7	6	5.67	6
70	73	95.89	15	14.38	14	14	13.42	13	13	12.47	12	12	11.51	12	11	10.55	11	10	9.59	10	9	8.63	9	8	7.67	8	7	6.71	7	6	5.75	6
71	73	97.26	15	14.59	15	14	13.62	14	13	12.64	13	12	11.67	12	11	10.70	11	10	9.73	10	9	8.75	9	8	7.78	8	7	6.81	7	6	5.84	6
72	73	98.63	15	14.79	15	14	13.81	14	13	12.82	13	12	11.84	12	11	10.85	11	10	9.86	10	9	8.88	9	8	7.89	8	7	6.90	7	6	5.92	6
73	73	100.00	15	15.00	15	14	14.00	14	13	13.00	13	12	12.00	12	11	11.00	11	10	10.00	10	9	9.00	9	8	8.00	8	7	7.00	7	6	6.00	6

Political Group Ready Reckoner - Committees of 3 - 15

No of Members of Group	No of Members on Council	% of Council	No of Members of Group	No of Members on Council	% of Council	Committee of 5	Proportion of seats on Cttee 5	Act no of seats on Cttee 5	Committee of 4	Proportion on Cttee 4	Act no of seats on Cttee 4	committee of 3	Proportion on cttee 3	Act no on cttee 3
1	73	1.37	1	73	1.37	5	0.07	0	4	0.05	0	3	0.04	0
2	73	2.74	2	73	2.74	5	0.14	0	4	0.11	0	3	0.08	0
3	73	4.11	3	73	4.11	5	0.21	0	4	0.16	0	3	0.12	0
4	73	5.48	4	73	5.48	5	0.27	0	4	0.22	0	3	0.16	0
5	73	6.85	5	73	6.85	5	0.34	0	4	0.27	0	3	0.21	0
6	73	8.22	6	73	8.22	5	0.41	0	4	0.33	0	3	0.25	0
7	73	9.59	7	73	9.59	5	0.48	0	4	0.38	0	3	0.29	0
8	73	10.96	8	73	10.96	5	0.55	1	4	0.44	0	3	0.33	0
9	73	12.33	9	73	12.33	5	0.62	1	4	0.49	0	3	0.37	0
10	73	13.70	10	73	13.70	5	0.68	1	4	0.55	1	3	0.41	0
11	73	15.07	11	73	15.07	5	0.75	1	4	0.60	1	3	0.45	0
12	73	16.44	12	73	16.44	5	0.82	1	4	0.66	1	3	0.49	0
13	73	17.81	13	73	17.81	5	0.89	1	4	0.71	1	3	0.53	1
14	73	19.18	14	73	19.18	5	0.96	1	4	0.77	1	3	0.58	1
15	73	20.55	15	73	20.55	5	1.03	1	4	0.82	1	3	0.62	1
16	73	21.92	16	73	21.92	5	1.10	1	4	0.88	1	3	0.66	1
17	73	23.29	17	73	23.29	5	1.16	1	4	0.93	1	3	0.70	1
18	73	24.66	18	73	24.66	5	1.23	1	4	0.99	1	3	0.74	1
19	73	26.03	19	73	26.03	5	1.30	1	4	1.04	1	3	0.78	1
20	73	27.40	20	73	27.40	5	1.37	1	4	1.10	1	3	0.82	1
21	73	28.77	21	73	28.77	5	1.44	1	4	1.15	1	3	0.86	1
22	73	30.14	22	73	30.14	5	1.51	2	4	1.21	1	3	0.90	1
23	73	31.51	23	73	31.51	5	1.58	2	4	1.26	1	3	0.95	1
24	73	32.88	24	73	32.88	5	1.64	2	4	1.32	1	3	0.99	1
25	73	34.25	25	73	34.25	5	1.71	2	4	1.37	1	3	1.03	1
26	73	35.62	26	73	35.62	5	1.78	2	4	1.42	1	3	1.07	1
27	73	36.99	27	73	36.99	5	1.85	2	4	1.48	1	3	1.11	1
28	73	38.36	28	73	38.36	5	1.92	2	4	1.53	2	3	1.15	1
29	73	39.73	29	73	39.73	5	1.99	2	4	1.59	2	3	1.19	1
30	73	41.10	30	73	41.10	5	2.05	2	4	1.64	2	3	1.23	1
31	73	42.47	31	73	42.47	5	2.12	2	4	1.70	2	3	1.27	1
32	73	43.84	32	73	43.84	5	2.19	2	4	1.75	2	3	1.32	1
33	73	45.21	33	73	45.21	5	2.26	2	4	1.81	2	3	1.36	1
34	73	46.58	34	73	46.58	5	2.33	2	4	1.86	2	3	1.40	1
35	73	47.95	35	73	47.95	5	2.40	2	4	1.92	2	3	1.44	1
36	73	49.32	36	73	49.32	5	2.47	2	4	1.97	2	3	1.48	1
37	73	50.68	37	73	50.68	5	2.53	3	4	2.03	2	3	1.52	2
38	73	52.05	38	73	52.05	5	2.60	3	4	2.08	2	3	1.56	2
39	73	53.42	39	73	53.42	5	2.67	3	4	2.14	2	3	1.60	2
40	73	54.79	40	73	54.79	5	2.74	3	4	2.19	2	3	1.64	2
41	73	56.16	41	73	56.16	5	2.81	3	4	2.25	2	3	1.68	2
42	73	57.53	42	73	57.53	5	2.88	3	4	2.30	2	3	1.73	2
43	73	58.90	43	73	58.90	5	2.95	3	4	2.36	2	3	1.77	2
44	73	60.27	44	73	60.27	5	3.01	3	4	2.41	2	3	1.81	2

Political Group Ready Reckoner - Committees of 3 - 15

No of Members of Group	No of Members on Council	% of Council	No of Members of Group	No of Members on Council	% of Council	Committee of 5	Proportion of seats on Cttee 5	Act no of seats on Cttee 5	Committee of 4	Proportion on Cttee 4	Act no of seats on Cttee 4	committee of 3	Proportion on cttee 3	Act no on cttee 3
45	73	61.64	45	73	61.64	5	3.08	3	4	2.47	2	3	1.85	2
46	73	63.01	46	73	63.01	5	3.15	3	4	2.52	3	3	1.89	2
47	73	64.38	47	73	64.38	5	3.22	3	4	2.58	3	3	1.93	2
48	73	65.75	48	73	65.75	5	3.29	3	4	2.63	3	3	1.97	2
49	73	67.12	49	73	67.12	5	3.36	3	4	2.68	3	3	2.01	2
50	73	68.49	50	73	68.49	5	3.42	3	4	2.74	3	3	2.05	2
51	73	69.86	51	73	69.86	5	3.49	3	4	2.79	3	3	2.10	2
52	73	71.23	52	73	71.23	5	3.56	4	4	2.85	3	3	2.14	2
53	73	72.60	53	73	72.60	5	3.63	4	4	2.90	3	3	2.18	2
54	73	73.97	54	73	73.97	5	3.70	4	4	2.96	3	3	2.22	2
55	73	75.34	55	73	75.34	5	3.77	4	4	3.01	3	3	2.26	2
56	73	76.71	56	73	76.71	5	3.84	4	4	3.07	3	3	2.30	2
57	73	78.08	57	73	78.08	5	3.90	4	4	3.12	3	3	2.34	2
58	73	79.45	58	73	79.45	5	3.97	4	4	3.18	3	3	2.38	2
59	73	80.82	59	73	80.82	5	4.04	4	4	3.23	3	3	2.42	2
60	73	82.19	60	73	82.19	5	4.11	4	4	3.29	3	3	2.47	2
61	73	83.56	61	73	83.56	5	4.18	4	4	3.34	3	3	2.51	3
62	73	84.93	62	73	84.93	5	4.25	4	4	3.40	3	3	2.55	3
63	73	86.30	63	73	86.30	5	4.32	4	4	3.45	3	3	2.59	3
64	73	87.67	64	73	87.67	5	4.38	4	4	3.51	4	3	2.63	3
65	73	89.04	65	73	89.04	5	4.45	4	4	3.56	4	3	2.67	3
66	73	90.41	66	73	90.41	5	4.52	5	4	3.62	4	3	2.71	3
67	73	91.78	67	73	91.78	5	4.59	5	4	3.67	4	3	2.75	3
68	73	93.15	68	73	93.15	5	4.66	5	4	3.73	4	3	2.79	3
69	73	94.52	69	73	94.52	5	4.73	5	4	3.78	4	3	2.84	3
70	73	95.89	70	73	95.89	5	4.79	5	4	3.84	4	3	2.88	3
71	73	97.26	71	73	97.26	5	4.86	5	4	3.89	4	3	2.92	3
72	73	98.63	72	73	98.63	5	4.93	5	4	3.95	4	3	2.96	3
73	73	100.00	73	73	100.00	5	5.00	5	4	4.00	4	3	3.00	3

Tudalen 25

Political Group Ready Reckoner Committees of 16 - 25																				
No of Members of Group	No of Members on Council	% of Council	Committee of 16	Proportion on Cttee of 16	Act no of seats on cttee 16	Committee of 17	Proportion on Cttee of 17	Act no on cttee 17	Committee of 18	Proportion on cttee 18	Act no of cttee 18	Committee 19	Proportion on Cttee 19	Act no of seats on Cttee 19	Committee 20	Proportion on Committee 20	Act no of seats on Cttee 20	Committee of 21	Proportion on Cttee 21	Act no of seats on Cttee 21
1	73	1.37	16	0.22	0	17	0.23	0	18	0.25	0	19	0.26	0	20	0.27	0	21	0.29	0
2	73	2.74	16	0.44	0	17	0.47	0	18	0.49	0	19	0.52	1	20	0.55	1	21	0.58	1
3	73	4.11	16	0.66	1	17	0.70	1	18	0.74	1	19	0.78	1	20	0.82	1	21	0.86	1
4	73	5.48	16	0.88	1	17	0.93	1	18	0.99	1	19	1.04	1	20	1.10	1	21	1.15	1
5	73	6.85	16	1.10	1	17	1.16	1	18	1.23	1	19	1.30	1	20	1.37	1	21	1.44	1
6	73	8.22	16	1.32	1	17	1.40	1	18	1.48	1	19	1.56	2	20	1.64	2	21	1.73	2
7	73	9.59	16	1.53	2	17	1.63	2	18	1.73	2	19	1.82	2	20	1.92	2	21	2.01	2
8	73	10.96	16	1.75	2	17	1.86	2	18	1.97	2	19	2.08	2	20	2.19	2	21	2.30	2
9	73	12.33	16	1.97	2	17	2.10	2	18	2.22	2	19	2.34	2	20	2.47	2	21	2.59	3
10	73	13.70	16	2.19	2	17	2.33	2	18	2.47	2	19	2.60	3	20	2.74	3	21	2.88	3
11	73	15.07	16	2.41	2	17	2.56	3	18	2.71	3	19	2.86	3	20	3.01	3	21	3.16	3
12	73	16.44	16	2.63	3	17	2.79	3	18	2.96	3	19	3.12	3	20	3.29	3	21	3.45	3
13	73	17.81	16	2.85	3	17	3.03	3	18	3.21	3	19	3.38	3	20	3.56	4	21	3.74	4
14	73	19.18	16	3.07	3	17	3.26	3	18	3.45	3	19	3.64	4	20	3.84	4	21	4.03	4
15	73	20.55	16	3.29	3	17	3.49	3	18	3.70	4	19	3.90	4	20	4.11	4	21	4.32	4
16	73	21.92	16	3.51	4	17	3.73	4	18	3.95	4	19	4.16	4	20	4.38	4	21	4.60	5
17	73	23.29	16	3.73	4	17	3.96	4	18	4.19	4	19	4.42	4	20	4.66	5	21	4.89	5
18	73	24.66	16	3.95	4	17	4.19	4	18	4.44	4	19	4.68	5	20	4.93	5	21	5.18	5
19	73	26.03	16	4.16	4	17	4.42	4	18	4.68	5	19	4.95	5	20	5.21	5	21	5.47	5
20	73	27.40	16	4.38	4	17	4.66	5	18	4.93	5	19	5.21	5	20	5.48	5	21	5.75	6
21	73	28.77	16	4.60	5	17	4.89	5	18	5.18	5	19	5.47	5	20	5.75	6	21	6.04	6
22	73	30.14	16	4.82	5	17	5.12	5	18	5.42	5	19	5.73	6	20	6.03	6	21	6.33	6
23	73	31.51	16	5.04	5	17	5.36	5	18	5.67	6	19	5.99	6	20	6.30	6	21	6.62	7
24	73	32.88	16	5.26	5	17	5.59	6	18	5.92	6	19	6.25	6	20	6.58	7	21	6.90	7
25	73	34.25	16	5.48	5	17	5.82	6	18	6.16	6	19	6.51	7	20	6.85	7	21	7.19	7
26	73	35.62	16	5.70	6	17	6.05	6	18	6.41	6	19	6.77	7	20	7.12	7	21	7.48	7
27	73	36.99	16	5.92	6	17	6.29	6	18	6.66	7	19	7.03	7	20	7.40	7	21	7.77	8
28	73	38.36	16	6.14	6	17	6.52	7	18	6.90	7	19	7.29	7	20	7.67	8	21	8.05	8
29	73	39.73	16	6.36	6	17	6.75	7	18	7.15	7	19	7.55	8	20	7.95	8	21	8.34	8
30	73	41.10	16	6.58	7	17	6.99	7	18	7.40	7	19	7.81	8	20	8.22	8	21	8.63	9
31	73	42.47	16	6.79	7	17	7.22	7	18	7.64	8	19	8.07	8	20	8.49	8	21	8.92	9
32	73	43.84	16	7.01	7	17	7.45	7	18	7.89	8	19	8.33	8	20	8.77	9	21	9.21	9
33	73	45.21	16	7.23	7	17	7.68	8	18	8.14	8	19	8.59	9	20	9.04	9	21	9.49	9
34	73	46.58	16	7.45	7	17	7.92	8	18	8.38	8	19	8.85	9	20	9.32	9	21	9.78	10
35	73	47.95	16	7.67	8	17	8.15	8	18	8.63	9	19	9.11	9	20	9.59	10	21	10.07	10
36	73	49.32	16	7.89	8	17	8.38	8	18	8.88	9	19	9.37	9	20	9.86	10	21	10.36	10
37	73	50.68	16	8.11	8	17	8.62	9	18	9.12	9	19	9.63	10	20	10.14	10	21	10.64	11
38	73	52.05	16	8.33	8	17	8.85	9	18	9.37	9	19	9.89	10	20	10.41	10	21	10.93	11
39	73	53.42	16	8.55	9	17	9.08	9	18	9.62	10	19	10.15	10	20	10.68	11	21	11.22	11
40	73	54.79	16	8.77	9	17	9.32	9	18	9.86	10	19	10.41	10	20	10.96	11	21	11.51	12

Report to Council 2014 - Appendix 4

Tudalen 26

41	73	56.16	16	8.99	9	17	9.55	10	18	10.11	10	19	10.67	11	20	11.23	11	21	11.79	12
42	73	57.53	16	9.21	9	17	9.78	10	18	10.36	10	19	10.93	11	20	11.51	12	21	12.08	12
43	73	58.90	16	9.42	9	17	10.01	10	18	10.60	11	19	11.19	11	20	11.78	12	21	12.37	12
44	73	60.27	16	9.64	10	17	10.25	10	18	10.85	11	19	11.45	11	20	12.05	12	21	12.66	13
45	73	61.64	16	9.86	10	17	10.48	10	18	11.10	11	19	11.71	12	20	12.33	12	21	12.95	13
46	73	63.01	16	10.08	10	17	10.71	11	18	11.34	11	19	11.97	12	20	12.60	13	21	13.23	13
47	73	64.38	16	10.30	10	17	10.95	11	18	11.59	12	19	12.23	12	20	12.88	13	21	13.52	14
48	73	65.75	16	10.52	11	17	11.18	11	18	11.84	12	19	12.49	12	20	13.15	13	21	13.81	14
49	73	67.12	16	10.74	11	17	11.41	11	18	12.08	12	19	12.75	13	20	13.42	13	21	14.10	14
50	73	68.49	16	10.96	11	17	11.64	12	18	12.33	12	19	13.01	13	20	13.70	14	21	14.38	14
51	73	69.86	16	11.18	11	17	11.88	12	18	12.58	13	19	13.27	13	20	13.97	14	21	14.67	15
52	73	71.23	16	11.40	11	17	12.11	12	18	12.82	13	19	13.53	14	20	14.25	14	21	14.96	15
53	73	72.60	16	11.62	12	17	12.34	12	18	13.07	13	19	13.79	14	20	14.52	15	21	15.25	15
54	73	73.97	16	11.84	12	17	12.58	13	18	13.32	13	19	14.05	14	20	14.79	15	21	15.53	16
55	73	75.34	16	12.05	12	17	12.81	13	18	13.56	14	19	14.32	14	20	15.07	15	21	15.82	16
56	73	76.71	16	12.27	12	17	13.04	13	18	13.81	14	19	14.58	15	20	15.34	15	21	16.11	16
57	73	78.08	16	12.49	12	17	13.27	13	18	14.05	14	19	14.84	15	20	15.62	16	21	16.40	16
58	73	79.45	16	12.71	13	17	13.51	14	18	14.30	14	19	15.10	15	20	15.89	16	21	16.68	17
59	73	80.82	16	12.93	13	17	13.74	14	18	14.55	15	19	15.36	15	20	16.16	16	21	16.97	17
60	73	82.19	16	13.15	13	17	13.97	14	18	14.79	15	19	15.62	16	20	16.44	16	21	17.26	17
61	73	83.56	16	13.37	13	17	14.21	14	18	15.04	15	19	15.88	16	20	16.71	17	21	17.55	18
62	73	84.93	16	13.59	14	17	14.44	14	18	15.29	15	19	16.14	16	20	16.99	17	21	17.84	18
63	73	86.30	16	13.81	14	17	14.67	15	18	15.53	16	19	16.40	16	20	17.26	17	21	18.12	18
64	73	87.67	16	14.03	14	17	14.90	15	18	15.78	16	19	16.66	17	20	17.53	18	21	18.41	18
65	73	89.04	16	14.25	14	17	15.14	15	18	16.03	16	19	16.92	17	20	17.81	18	21	18.70	19
66	73	90.41	16	14.47	14	17	15.37	15	18	16.27	16	19	17.18	17	20	18.08	18	21	18.99	19
67	73	91.78	16	14.68	15	17	15.60	16	18	16.52	17	19	17.44	17	20	18.36	18	21	19.27	19
68	73	93.15	16	14.90	15	17	15.84	16	18	16.77	17	19	17.70	18	20	18.63	19	21	19.56	20
69	73	94.52	16	15.12	15	17	16.07	16	18	17.01	17	19	17.96	18	20	18.90	19	21	19.85	20
70	73	95.89	16	15.34	15	17	16.30	16	18	17.26	17	19	18.22	18	20	19.18	19	21	20.14	20
71	73	97.26	16	15.56	16	17	16.53	17	18	17.51	18	19	18.48	18	20	19.45	19	21	20.42	20
72	73	98.63	16	15.78	16	17	16.77	17	18	17.75	18	19	18.74	19	20	19.73	20	21	20.71	21
73	73	100.00	16	16.00	16	17	17.00	17	18	18.00	18	19	19.00	19	20	20.00	20	21	21.00	21

Tudalen 27

Committee of 22	Proportion on Cttee 22	Act no of seats on Cttee 22	Committee of 23	Proportion on Cttee 23	Act no of seats on Cttee 23	Committee of 24	Proportion on Cttee 24	Act no of seats on Cttee 24	Committee of 25	Proportion on Cttee 25	Act no on Cttee 25
22	0.30	0	23	0.32	0	24	0.33	0	25	0.34	0
22	0.60	1	23	0.63	1	24	0.66	1	25	0.68	1
22	0.90	1	23	0.95	1	24	0.99	1	25	1.03	1
22	1.21	1	23	1.26	1	24	1.32	1	25	1.37	1
22	1.51	2	23	1.58	2	24	1.64	2	25	1.71	2
22	1.81	2	23	1.89	2	24	1.97	2	25	2.05	2
22	2.11	2	23	2.21	2	24	2.30	2	25	2.40	2
22	2.41	2	23	2.52	3	24	2.63	3	25	2.74	3
22	2.71	3	23	2.84	3	24	2.96	3	25	3.08	3
22	3.01	3	23	3.15	3	24	3.29	3	25	3.42	3
22	3.32	3	23	3.47	3	24	3.62	4	25	3.77	4
22	3.62	4	23	3.78	4	24	3.95	4	25	4.11	4
22	3.92	4	23	4.10	4	24	4.27	4	25	4.45	4
22	4.22	4	23	4.41	4	24	4.60	5	25	4.79	5
22	4.52	5	23	4.73	5	24	4.93	5	25	5.14	5
22	4.82	5	23	5.04	5	24	5.26	5	25	5.48	5
22	5.12	5	23	5.36	5	24	5.59	6	25	5.82	6
22	5.42	5	23	5.67	6	24	5.92	6	25	6.16	6
22	5.73	6	23	5.99	6	24	6.25	6	25	6.51	7
22	6.03	6	23	6.30	6	24	6.58	7	25	6.85	7
22	6.33	6	23	6.62	7	24	6.90	7	25	7.19	7
22	6.63	7	23	6.93	7	24	7.23	7	25	7.53	8
22	6.93	7	23	7.25	7	24	7.56	8	25	7.88	8
22	7.23	7	23	7.56	8	24	7.89	8	25	8.22	8
22	7.53	8	23	7.88	8	24	8.22	8	25	8.56	9
22	7.84	8	23	8.19	8	24	8.55	9	25	8.90	9
22	8.14	8	23	8.51	9	24	8.88	9	25	9.25	9
22	8.44	8	23	8.82	9	24	9.21	9	25	9.59	10
22	8.74	9	23	9.14	9	24	9.53	10	25	9.93	10
22	9.04	9	23	9.45	9	24	9.86	10	25	10.27	10
22	9.34	9	23	9.77	10	24	10.19	10	25	10.62	11
22	9.64	10	23	10.08	10	24	10.52	11	25	10.96	11
22	9.95	10	23	10.40	10	24	10.85	11	25	11.30	11
22	10.25	10	23	10.71	11	24	11.18	11	25	11.64	12
22	10.55	11	23	11.03	11	24	11.51	12	25	11.99	12
22	10.85	11	23	11.34	11	24	11.84	12	25	12.33	12
22	11.15	11	23	11.66	12	24	12.16	12	25	12.67	13
22	11.45	11	23	11.97	12	24	12.49	12	25	13.01	13
22	11.75	12	23	12.29	12	24	12.82	13	25	13.36	13
22	12.05	12	23	12.60	13	24	13.15	13	25	13.70	14

Tudalen 28

22	12.36	12	23	12.92	13	24	13.48	13	25	14.04	14
22	12.66	13	23	13.23	13	24	13.81	14	25	14.38	14
22	12.96	13	23	13.55	14	24	14.14	14	25	14.73	15
22	13.26	13	23	13.86	14	24	14.47	14	25	15.07	15
22	13.56	14	23	14.18	14	24	14.79	15	25	15.41	15
22	13.86	14	23	14.49	14	24	15.12	15	25	15.75	16
22	14.16	14	23	14.81	15	24	15.45	15	25	16.10	16
22	14.47	14	23	15.12	15	24	15.78	16	25	16.44	16
22	14.77	15	23	15.44	15	24	16.11	16	25	16.78	17
22	15.07	15	23	15.75	16	24	16.44	16	25	17.12	17
22	15.37	15	23	16.07	16	24	16.77	17	25	17.47	17
22	15.67	16	23	16.38	16	24	17.10	17	25	17.81	18
22	15.97	16	23	16.70	17	24	17.42	17	25	18.15	18
22	16.27	16	23	17.01	17	24	17.75	18	25	18.49	18
22	16.58	17	23	17.33	17	24	18.08	18	25	18.84	19
22	16.88	17	23	17.64	18	24	18.41	18	25	19.18	19
22	17.18	17	23	17.96	18	24	18.74	19	25	19.52	20
22	17.48	17	23	18.27	18	24	19.07	19	25	19.86	20
22	17.78	18	23	18.59	19	24	19.40	19	25	20.21	20
22	18.08	18	23	18.90	19	24	19.73	20	25	20.55	21
22	18.38	18	23	19.22	19	24	20.05	20	25	20.89	21
22	18.68	19	23	19.53	20	24	20.38	20	25	21.23	21
22	18.99	19	23	19.85	20	24	20.71	21	25	21.58	22
22	19.29	19	23	20.16	20	24	21.04	21	25	21.92	22
22	19.59	20	23	20.48	20	24	21.37	21	25	22.26	22
22	19.89	20	23	20.79	21	24	21.70	22	25	22.60	23
22	20.19	20	23	21.11	21	24	22.03	22	25	22.95	23
22	20.49	20	23	21.42	21	24	22.36	22	25	23.29	23
22	20.79	21	23	21.74	22	24	22.68	23	25	23.63	24
22	21.10	21	23	22.05	22	24	23.01	23	25	23.97	24
22	21.40	21	23	22.37	22	24	23.34	23	25	24.32	24
22	21.70	22	23	22.68	23	24	23.67	24	25	24.66	25
22	22.00	22	23	23.00	23	24	24.00	24	25	25.00	25

Mae'r dudalen hon wedi'i gadael yn wag yn fwiadol

Appointment of Councillors to Committees 2020-2021

Learning and Skills Scrutiny Committee (9 Councillors plus 5 Co-Opted Members)

Independents (3)

County Councillors:

David Jones
Kath Roberts-Jones
Edwin Roderick

Conservatives (2)

County Councillors:

Lucy Roberts
Gwynfor Thomas

Liberal Democrats / Green (2)

County Councillors:

Pete Roberts (Chair)
Bryn Davies (Plaid Cymru Group)

Labour (1)

County Councillors:

Sandra Davies

Plaid Cymru (0)

Action for Powys (0)

Vacant Seat (RCC Co-Optee)

Health and Care Scrutiny Committee (14 Councillors)

Independents (5)

County Councillors:

VACANCY
Michael Williams
Kath Roberts-Jones
Emyr Jones
Stephen Hayes

Conservatives (3)

County Councillors:

Dan Rowlands
Amanda Jenner (Chair)
Gwilym Williams

Liberal Democrats / Green (3)

County Councillors:

James Gibson-Watt
Gareth Morgan

Roger Williams

Labour (2)

County Councillors:
Susan McNicholas
Liz Rijnenberg

Plaid Cymru (0)

Action for Powys (1)

Ange Williams

**Economy, Residents, Communities and Governance Scrutiny
Committee (13 Councillors and 1 Co-Opted Member)**

Independents (4)

County Councillors:
Karen Laurie-Parry
David Evans
Gareth Jones
Phil Pritchard

Conservatives (3)

County Councillors:
Les Skilton
Jonathan Wilkinson
Karl Lewis

Liberal Democrats / Green (3)

County Councillors:
David Selby
Kelvyn Curry
Jackie Charlton

Labour (1)

County Councillors:
Matthew Dorrance (Chair)
Sarah Williams

Plaid Cymru (0)

Action for Powys (1)

Jeremy Pugh

Audit Committee (14 Councillors plus 1 Lay Member):

Independents (5):

County Councillors:
David Jones
Michael J Jones
Karen Laurie-Parry

Tim Van-Rees
Michael Williams

Conservatives (3):

County Councillors:
Karl Lewis
Gwynfor Thomas
Mark Barnes

Liberal Democrats / Green (3):

County Councillors:
John Morris
Roger Williams
William Powell

Labour (2):

County Councillor:
David Thomas
David Meredith

Plaid Cymru (0)

Action for Powys (1)

Ange Williams

Democratic Services Committee (14)

Independents (5)

County Councillors:
Linda Corfield
VACANCY
David Evans
Karen Laurie-Parry
Stephen Hayes

Conservatives (3)

County Councillors:
Diane Jones-Poston
Dan Rowlands
James Evans

Liberal Democrats/ Green (3)

County Councillors:
Jackie Charlton
Roger Williams
Kathryn Silk

Labour (2)

County Councillor:
Sarah Williams
Sandra Davies

Plaid Cymru (0)

Action for Powys (1)

Martin Weale

Planning, Taxi Licensing and Rights of Way Committee (21)

Independents (7)

County Councillors:

Linda Corfield

E Michael Jones,

Michael J Jones,

Hywel Lewis,

David Price,

Phil Pritchard

Gareth Jones

Conservatives (5)

County Councillors:

Gareth Pugh,

Les George,

Karl Lewis,

Gwilym Williams,

Jonathan Wilkinson

Liberal Democrats / Green (4)

County Councillors:

David Selby,

Kathryn Silk,

Roger Williams

Francesca Jump

Emily Durrant (Vacant seat)

Labour (2)

County Councillors:

Huw Williams,

David Jones (Independent Group)

Plaid Cymru (1)

County Councillor:

Elwyn Vaughan

Action for Powys (1)

Jon Williams

Licensing Act 2003 Committee (14)

Independents (5)

County Councillors:

Linda Corfield,

Hywel Lewis,

Michael Williams
Emyr Jones
Phil Pritchard

Conservatives (3)

County Councillors:
Les George,
Karl Lewis,
Jonathan Wilkinson

Liberal Democrats / Green (3)

County Councillors:
Francesca Jump,
Kathryn Silk
William Powell

Labour (2)

County Councillor:
David Thomas
Huw Williams

Plaid Cymru (0)

Action for Powys (1)

Jon Williams

Employment and Appeals Committee (14)

Independents (5)

County Councillors:
David Jones,
Kath Roberts-Jones,
Michael Williams
Phil Pritchard
Edwin Roderick

Conservatives (3)

County Councillors:
Lucy Roberts
Les Skilton
Diane Jones-Poston

Liberal Democrats / Green (3)

County Councillors:
Francesca Jump,
Gareth Ratcliffe,
Emily Durrant

Labour (2)

County Councillor:
David Meredith
David Thomas

Plaid Cymru (0)

Action for Powys (1)

Jon Williams

Pensions and Investment Committee (5)

Independents (2)

County Councillors:

Arwel Jones,

Timothy Van-Rees

Conservatives (1)

County Councillor:

Peter Lewis

Liberal Democrats / Green (1)

County Councillor:

John Morris

Labour (1)

County Councillor:

Huw Williams

Plaid Cymru (0)

Action for Powys (0)

Standards Committee (4)

Independents (1)

County Councillor:

Kath Roberts-Jones

Conservatives (1)

County Councillor:

Amanda Jenner

Liberal Democrats / Green (1)

County Councillor:

Kathryn Silk

Labour (1)

County Councillor:

Susan McNicholas

Outside Bodies.

Brecon Beacons National Park Authority:

Independents (2)

County Councillors:

Michael J. Jones

Phil Pritchard

Edwin Roderick

Conservatives (2)

County Councillors:

James Evans

Liberal Democrats / Green (1)

County Councillors:

Gareth Ratcliffe

Labour (1)

County Councillors:

Susan McNicholas

Plaid Cymru (0)

County Councillors:

Action for Powys (0)

Welsh Local Government Association (WLGA)

Independents (1)

County Councillors:

Rosemarie Harris

Conservatives (1)

County Councillors:

Aled Davies

Liberal Democrats / Green (0)

County Councillors:

Labour (1)

County Councillors:

Matthew Dorrance

Plaid Cymru (0)

County Councillors:

Action for Powys (0)

Welsh Local Government Association (WLGA) Executive Board.

Independents (1)

County Councillors:
Rosemarie Harris

Conservatives (0)

County Councillors:

Liberal Democrats / Green (0)

County Councillors:

Labour (0)

County Councillors:

Plaid Cymru (0)

County Councillors:

Action for Powys (0)

Allocation of Scrutiny Committee Chairs – Measure Provisions.**Step 1.**

Percentage size of “Executive” Group(s) as a proportion of the Whole Council (73 Members):

Group Name	No in Group	Percentage of Whole Council
The Independent Group	24	32.88%
Welsh Conservatives	17	23.29%
Total	41	56.17%

Step 2.

Entitlement of “Executive” Group(s) to proportion of chairs.

56.17% of 3 chairs = 1.69 chairs

If less than whole number then Rounding Down is required.

Entitlement - 3 scrutiny chairs = 1 chair

Step 3.

As there is an entitlement of a chair for the “Executive” Group(s) the remaining chairs (2) therefore are to be allocated to “Opposition” Groups based on the proportion size of individual groups to the size of the opposition groups taken as a whole (29 Members):

Group Name	No in Group	Percentage of Opposition Groups
Welsh Liberal Democrats / Green	15	51.72%
Welsh Labour	8	27.59%
Action for Powys	4	13.79%
Plaid Cymru	2	6.90%

Step 4.

Entitlement of “Opposition” Groups to proportion of remaining chairs (number of chairs multiplied by percentage in step 3):

Group Name	Entitlement (2 chairs multiplied by percentage in step 3)	Rounding Up.	Ranking
Welsh Liberal Democrats / Green	2.06	1	1
Welsh Labour	0.55	1	2
Action for Powys	0.28	0	3
Plaid Cymru	0.14	0	4

The result of this exercise is as follows:

Entitlement – 3 scrutiny chairs:

Executive Group(s) – 1 chair

Welsh Liberal Democrats / Green – 1 chair

Welsh Labour – 1 chair

20/11/20

Political Balance Appointments to Brecon Beacons National Park Committee

1. The Brecon Beacons National Park Authority (BBNP) comprises 18 members; 6 nominees of the Assembly and 12 appointees from constituent Local Authorities.
2. The Local Authorities appointing to the BBNP are as follows:-

<u>Authority</u>	<u>Number of Members Appointed</u>
Powys	6
Blaenau Gwent	1
Carmarthenshire	1
Merthyr Tydfil	1
Monmouthshire	1
Rhondda Cynon Taff	1
Torfaen	1
	12

3. The BBNP itself is not required under the Local Government and Housing Act 1989 to be politically balanced but Local Authorities appointing to it must make appointments which are politically balanced.
4. As a “Body” to which the 1989 Act political balance regime applies the Council is required to undertake the same review, allocation of seats and appointments process as undertaken for its own committees.
5. Whilst the Environment Act 1995 provides that a Council “shall have regard to the desirability of appointing Members of the Council who represent electoral divisions situated wholly or partly within the relevant Park” the Local Government and Housing Act 1989 requires that appointments by Local Authorities must be politically balanced.
6. The Minister has asked Local Authorities to have regard to the attached protocol when making appointments to National Park Authorities.
7. This protocol, however, does acknowledge that meeting the political balance requirements may constrain how far the principles in the protocol can be fully applied.
8. The allocation of the 6 seats on the National Park to the Political Groups in order to satisfy the political balance requirements will be undertaken as though the allocation were in respect of an 6 Member committee.
9. The outcome of that exercise and the identity of the 6 individual Members nominated to sit on the National Park Authority by their respective Groups is set out in the report. The Council is requested to make the allocation of seats and individual appointments in accordance with the report.

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

PROTOCOL ON THE SELECTION OF COUNTY COUNCILLORS AS MEMBERS OF NATIONAL PARK AUTHORITIES

Introduction

1. This protocol provides a recommended framework for the selection of County Councillors by the Unitary Authorities as members of the National Park Authorities (NPAs).
2. Its contents have been subject to consultation with those 10 County Councils which make appointments to the NPAs, as well as with the Welsh Local Government Association and the three NPAs themselves.
3. The protocol identifies key principles of selection for the appointing authorities to take into account in selecting Councillors to serve as members of the NPAs. With County Council Elections scheduled for 1st May 2008, the Welsh Assembly Government hopes that the protocol's contents will be of assistance to the appointing authorities in making their next round of appointments to the NPAs.

Legal framework

4. Under Schedule 7 (paragraph 1.4 b) of the Environment Act 1995, two thirds of the members of the NPAs are appointed by the unitary authorities to represent local interests. The other third are appointed by the Welsh Assembly Government to represent the national interest in the Parks. Sections 15 and 16 of the Local Government and Housing Act 1989 also require the unitary authorities to appoint County Councillors according to the political balance of the individual unitary authority. In addition, Schedule 7, paragraph 2 (4) requires them to have regard to the desirability of appointing Councillors to NPAs with wards wholly or partly situated within the relevant Park. These legal provisions need to be kept in mind in undertaking the selection process.

Key principles of selection

4. In considering County Councillors for appointment to the local NPA the following key principles of selection are recommended :
 - a. Merit – all selections should be based on merit with individuals chosen on the basis of their abilities, experience, qualities and commitment in relation to the strategic work of NPAs and with full regard to the NPA member role description at Annex A [as developed within the WLGA's Wales Charter for Member Support and Development];
 - b. Equal opportunities – selection should be fully in line with the principles of equal opportunities, noting that there is currently an imbalance of men compared to women on the NPAs;
 - c. Transparency – the unitary authorities should be prepared to share information on the selection process followed with key stakeholders;

- d. Commitment to National Park purposes – in addition to being committed to the overall values and principles of conduct in public service in performing their duties, Councillors being considered for selection should be committed to the two statutory purposes of the NPAs and aim to perform their duties in the interests of the National Park as a whole;
- e. Electoral wards – in accordance with the legislation the aim should be to give priority in selection to those Councillors who have wards wholly or partly within the relevant National Park boundary. Selection of Councillors with electoral wards some distance away from the Park should be avoided where possible, subject to the political balance requirement, and in line with their role in representing overall local county level interests in the National Park.
- f. Main Park communities – in considering candidates for appointment, account should also be taken of the desirability of achieving equitable representation from across the Park area, including seeking to ensure that main communities within the Park are represented on the Park Authority.

Application of the key principles

5. In selecting Councillors to serve as members of the local National Park Authority, the appointing authorities will need to balance the overall weight to be given to the individual principles. The Welsh Assembly Government recognises that it may not be possible in every case to meet the recommended principles in full – for example a new Councillor may lack experience in National Park Authority business but nonetheless have other experience and qualities that would make that person to represent the County Council on the Park Authority. Equally meeting the political balance requirement may constrain how far the principles can be fully applied.

Review of protocol

6. The contents of this protocol will be reviewed by the Welsh Assembly Government, the Welsh Local Government Association and the 3 NPAs in 2011 – ie one year before the 2012 County Council Elections. Any proposed changes will be subject to consultation with the relevant Unitary Authorities.

April 2008

Access and National Parks Policy Team
Welsh Assembly Government

Annex A

National Park Authority Member Role Description

1. Accountabilities

- To the full National Park Authority.
- To the public.

2. Role Purpose and Activity

(a) Representing the national interest

- To apply the principles and purposes of National Parks to all decision making.
- To bring the national context to bear in decision making.
- To be an advocate for the National Park Authority and its purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area.

(b) Representing and supporting communities

- To represent the interests of the population of the whole area of the National Park Authority.
- To liaise with other members, principal authorities, officers and partner organisations to ensure that the needs of the National Park Authority are identified, understood and supported.
- To be a channel of communication to the community on National Park Authority strategies, policies, services and procedures, promoting wide public understanding and enjoyment of the Park and with others to foster the economic and social well being of communities in the Park in the pursuit of its statutory purposes.
-

(c) Making decisions and overseeing National Park Authority performance

- To participate in National Park Authority meetings, reaching and making informed and balanced decisions, and overseeing performance.
- To participate in informed and balanced decision making when appointed to National Park Authority committees and panels.
- To support the principles of democracy and collective responsibility in decision-making.

- To promote and ensure efficiency and effectiveness in the provision of National Park Authority services.

(d) Representing the National Park Authority (subject to appointment)

- To represent the National Park Authority on outside bodies.
- To represent the National Park Authority on local partnership bodies, promoting common interest and co-operation for mutual gain.
- To represent and be an advocate for the National Park Authority on national bodies and at national events.

(e) Internal governance, ethical standards and relationships

- To promote and support good governance of the National Park Authority and its affairs.
- To promote and support open and transparent National Park Authority services.
- To support, and adhere to respectful, appropriate and effective relationships with employees of the National Park Authority.
- To adhere to the Members' Code of Conduct and the highest standards of behaviour in representing the National Park Authority.

(f) Personal and role development

- To participate in opportunities for development provided for members by the National Park Authority.

3. Values

- To be committed to the values of the National Park Authority and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural difference
 - Sustainability.

Person Specification for Members of National Park Authorities

To fulfil his or her role as set out in the role description, an effective Member requires:

Fulfilling National Park Purposes

- The ability to champion and represent the Authority as an effective mechanism for promoting conservation of the Park's natural beauty, wildlife and cultural heritage, increasing public understanding and enjoyment of its special qualities and fostering the social and economic wellbeing of local communities.

Fulfilling the role

- Involvement for typically three or four days per month.
- Attendance and contribution to meetings of the Authority, its committees and the working groups, and raising issues of concern through the established procedures and mechanisms adopted by the Authority.
- Reading and understanding, and the responsibility to seek clarification where necessary from Lead Officers, of briefing material provided for meetings so that you will be properly prepared for any debate on issues across the full range of the Authority's responsibilities.

Internal governance, ethical standards and relationships

- A commitment to working in the best interests of the National Park and the Authority itself.
- Compliance with Standing Orders and respect for the democratically determined decisions of the Authority.
- Adherence to the Standards of Conduct, Accountability and Openness of the National Park Authority.

Personal and role development

- Attendance at appropriate training courses, briefing sessions and events arranged or sponsored by the Authority and partner organisations.

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

**MINUTES OF A MEETING OF THE COUNTY COUNCIL HELD AT BY TEAMS ON
THURSDAY, 24 SEPTEMBER 2020**

PRESENT

County Councillor B Baynham (Chair)

County Councillors MC Alexander, M Barnes, J Berriman, G Breeze, J Charlton, L V Corfield, K W Curry, A W Davies, B Davies, D E Davies, P Davies, S C Davies, M J Dorrance, E Durrant, D O Evans, J Evans, L Fitzpatrick, L George, J Gibson-Watt, M R Harris, S M Hayes, H Hulme, A Jenner, E A Jones, D R Jones, E Jones, G Jones, J R Jones, E M Jones, M J Jones, F H Jump, K Laurie-Parry, H Lewis, K Lewis, P E Lewis, MC Mackenzie, I McIntosh, S McNicholas, DW Meredith, C Mills, G Morgan, JG Morris, R Powell, WD Powell, D R Price, P C Pritchard, G Pugh, J Pugh, G W Ratcliffe, L Rijnenberg, L Roberts, P Roberts, K M Roberts-Jones, E Roderick, D Rowlands, K S Silk, D Selby, L Skilton, D A Thomas, R G Thomas, E Vaughan, M Weale, J Wilkinson, A Williams, G I S Williams, D H Williams, J Williams, J M Williams, R Williams and S L Williams

1.	APOLOGIES
-----------	------------------

Apologies for absence were received from County Councillor D Jones-Poston and from County Councillor T J Van-Rees who was on other Council business.

2.	MINUTES
-----------	----------------

A mistake in the voting record on the notice of motion on car parking was noted with Councillor Roger Williams recorded as having voted for and against. It was confirmed that his vote was in favour of the motion.

It was pointed out that the note explaining the mistake in the voting record on the notice of motion on the climate emergency should have been prefaced with PS rather than NB.

Subject to these corrections, the Chair was authorised to sign the minutes of the meeting held on 30 July 2020 as a correct record.

3.	DECLARATIONS OF INTEREST
-----------	---------------------------------

The Monitoring Officer advised members that if they or close family or friends had properties within Powys which could be considered to be either (a) a second home or (b) a holiday home or (c) a holiday let or (d) a combination of a holiday let and holiday home then they should declare a personal, prejudicial and pecuniary interest.

4.	CHAIR'S ANNOUNCEMENTS
-----------	------------------------------

The Chair advised that the annual meeting would be held on 26th November. She also advised that the ICT team were still looking at options for a simultaneous translation service for meetings.

5. CHIEF EXECUTIVE'S BRIEFING

The Chief Executive noted the statement made to the Senedd by the Minister for Housing and Local Government recognising the progress the Council has made since the Improvement and Assurance Board was established in 2018. The Minister was confident that the Council could effectively manage its own improvement and therefore agreed to move from a statutory Improvement and Assurance Board to local arrangements to oversee and drive improvement. She advised Council that CIW would be carrying out an inspection in October and Estyn would be inspecting in November.

The Chief Executive reported that the numbers of Covid-19 cases in Powys were currently relatively low and stable. The Test Track and Protect team had been very busy and had a 100% success rate tracing those who had tested positive in September and 99% success in tracing contacts. The team was currently assisting Rhondda Cynon Taff.

She advised that the business critical activities list was being kept under review to ensure that activities could be stepped up and down as the situation required.

Finally, she thanked Ness Young who was leaving the Council in November for her contribution and advised that she would be reviewing the senior management team in the autumn.

6. DIRECTOR SOCIAL SERVICES ANNUAL REPORT
--

The Chief Executive explained that the report was being presented by the Head of Commissioning as the Director of Social Services was taking some well deserved leave having led the service throughout the pandemic.

In presenting the report the Head of Commissioning highlighted the improvement journey that the service had been on and he acknowledged the support of Jack Straw, Phil Hodgson and the Improvement Board. He thanked colleagues in the service, elected members and colleagues in corporate services for their support and paid particular tribute to the front line staff and volunteers who had worked so hard to maintain services throughout the pandemic.

The Portfolio Holder for Adult Social Care and the Portfolio Holder for Young People and Culture paid tribute to the Director for the leadership she had given and the leading role she had taken in Wales during the pandemic. The role of the Scrutiny Committee in providing challenge on the improvement journey was also acknowledged as was the importance of having a full leadership team in place.

It was moved by County Councillor Myfanwy Alexander and seconded by County Councillor Rachel Powell and by 65 votes to 0 it was

RESOLVED that the annual report of the Director of Social Services be received.

7. LEADER'S ANNOUNCEMENTS

The Leader thanked the staff who had assisted residents dealing with flooding in Beguildy and Ystradgynlais in August. She reported that she had held meetings with Ministers including the Council General Jeremy Miles on EU transition and economic recovery. She hoped that there would be an announcement on the Economic Resilience Fund making more funding available in the near future. As part of the WLGA Rural Forum she had met the Minister for International Relations and Welsh Language Eluned Morgan to discuss sustainable farming and the rural development programme funding.

8. AMENDMENT TO THE TERMS OF REFERENCE OF THE POWYS LOCAL PENSION BOARD
--

Council was asked to consider approving changes to the terms of reference to the Powys Pension Board to introduce some additional flexibility for retention and appointment of Board members by:

- a) Increasing the membership of scheme member and employer representatives from two, to three.
- b) Introducing some flexibilities in order to stagger Board membership commencement and cessation dates.

It was moved by County Councillor Aled Davies and seconded by County Councillor Peter Lewis and by 64 votes to 0 it was

RESOLVED that the revised local Pension Board Terms of Reference set out in Appendix to the report are approved and implemented with immediate effect.

County Councillor Huw Williams advised that he had not voted as he had joined the meeting part way through the debate.

9. NOTICE OF MOTION - DECLARATION OF A CLIMATE EMERGENCY AND CALL TO ACTION ON LOCAL ENERGY
--

Council debated a motion combining the motion proposed by County Councillor Jake Berriman and seconded by County Councillor Jackie Charlton and the motion by proposed by County Councillor Iain McIntosh and seconded by County Councillor Lucy Roberts.

This Council resolves to:

1. Join with other councils across Wales in declaring a Climate Emergency
2. That this council will endeavour to reduce its carbon emissions to net zero, in line with the Welsh Government target of 2030 and, call upon the Welsh Government to provide adequate support and resources to achieve this target to

support the implementation of Prosperity for All: A Low Carbon Wales (March 2019) to make Powys County Council a net zero carbon local authority by 2030.

3. Request the Portfolio Holder for Economic Development, Housing and Regulatory Services lead on Climate Change mitigation and continue to actively engage with all members and stakeholders by:

A. working with the established cross-party working group and,

B. establishing a Powys-wide multi-stakeholder group, to develop a baseline picture @2020 and bring forward a strategy and action plan @2021 for a truly sustainable Powys.

4 That this council, with the assistance of the appropriate portfolio holder, newly appointed climate change officer and climate change working group, builds on the achievements to date and develops a working strategy and associated action plans to achieve this target.

5. That this council reviews all relevant policies, strategies and plans, to include its corporate plan and local development plan, to support the achievement of the above targets.

6. That this council promotes and publishes best working practices in limiting global warming whilst encouraging residents and businesses to take their own suitable actions to also reduce their carbon emissions in line with the Welsh Government target of 2030.

7. That this council, together with appropriate support and resources from the Welsh Government, works with partners, other local authorities and organisations to help develop and implement best working practices, to publicise this declaration of a climate emergency, limit global warming and enable effective carbon reductions and transition to a green Powys economy.

8. Support our MPs to ensure the Local Electricity Bill succeeds in an Adjournment Debate to encourage and enable the local supply of electricity and facilitate more resilient Powys communities.

The motion was jointly moved by Councillor Jake Berriman and Councillor Iain McIntosh and jointly seconded by Councillor Jackie Charlton and Councillor Lucy Roberts. The proposers and seconders welcomed the positive approach taken to find a collective way forward.

An amendment was proposed by County Councillor Matthew Dorrance and seconded by County Councillor Sarah Williams:

This Council resolves to:

1. Join with other councils across Wales in declaring **and recognising that there is** a Climate Emergency

2. That this council will endeavour to reduce its carbon emissions to net zero, in line with the Welsh Government target of 2030 and, call upon the Welsh Government **and UK Government** to provide adequate support and resources to achieve this target to support the implementation of Prosperity for All: A Low

Carbon Wales (March 2019) to make Powys County Council a net zero carbon local authority by 2030.

3. Request the Portfolio Holder for Economic Development, Housing and Regulatory Services lead on Climate Change mitigation and continue to actively engage with all members and stakeholders by:

A. working with the established cross-party working group and,

B. establishing a Powys-wide multi-stakeholder group, to develop a baseline picture @2020 and bring forward a strategy and action plan @2021 for a truly sustainable Powys.

4 That this council, with the assistance of the appropriate portfolio holder, newly appointed climate change officer and climate change working group, builds on the achievements to date and develops a working strategy and associated action plans to achieve this target.

5. That this council reviews all relevant policies, strategies and plans, to include its corporate plan and local development plan, to support the achievement of the above targets.

6. That this council promotes and publishes best working practices in limiting global warming whilst encouraging residents and businesses to take their own suitable actions to also reduce their carbon emissions in line with the Welsh Government target of 2030.

7. That this council, together with appropriate support and resources from the Welsh Government **and UK Government**, works with partners, other local authorities and organisations to help develop and implement best working practices, to publicise this declaration of a climate emergency, limit global warming and enable effective carbon reductions and transition to a green Powys economy.

8. Support our MPs to ensure the Local Electricity Bill succeeds in an Adjournment Debate to encourage and enable the local supply of electricity and facilitate more resilient Powys communities.

The proposer and seconder of the amendment said that the inclusion of the UK Government in the wording gave the maximum opportunity for the council to make representations. The amendment was passed by 40 votes to 21 with 4 abstentions.

Council voted on the substantive motion and by 61 votes to 1 with 3 abstentions it was

RESOLVED to:

- 1. Join with other councils across Wales in declaring and recognising that there is a Climate Emergency**
- 2. That this council will endeavour to reduce its carbon emissions to net zero, in line with the Welsh Government target of 2030 and, call upon the Welsh Government and UK**

Government to provide adequate support and resources to achieve this target to support the implementation of Prosperity for All: A Low Carbon Wales (March 2019) to make Powys County Council a net zero carbon local authority by 2030.

- 3. Request the Portfolio Holder for Economic Development, Housing and Regulatory Services lead on Climate Change mitigation and continue to actively engage with all members and stakeholders by:
 - A. working with the established cross-party working group and,**
 - B. establishing a Powys-wide multi-stakeholder group, to develop a baseline picture @2020 and bring forward a strategy and action plan @2021 for a truly sustainable Powys.****
- 4 That this council, with the assistance of the appropriate portfolio holder, newly appointed climate change officer and climate change working group, builds on the achievements to date and develops a working strategy and associated action plans to achieve this target.**
- 5. That this council reviews all relevant policies, strategies and plans, to include its corporate plan and local development plan, to support the achievement of the above targets.**
- 6. That this council promotes and publishes best working practices in limiting global warming whilst encouraging residents and businesses to take their own suitable actions to also reduce their carbon emissions in line with the Welsh Government target of 2030.**
- 7. That this council, together with appropriate support and resources from the Welsh Government and UK Government, works with partners, other local authorities and organisations to help develop and implement best working practices, to publicise this declaration of a climate emergency, limit global warming and enable effective carbon reductions and transition to a green Powys economy.**
- 8. Support our MPs to ensure the Local Electricity Bill succeeds in an Adjournment Debate to encourage and enable the local supply of electricity and facilitate more resilient Powys communities.**

10.	NOTICE OF MOTION - CARBON EMISSIONS
------------	--

This motion was withdrawn in view of the joint motion passed earlier.

11.	NOTICE OF MOTION - HOLIDAY HOMES
------------	---

County Councillors David Evans, James Evans, James Gibson-Watt, Rosemarie Harris, E Michael Jones, Gareth Jones, Karen Laurie-Parry, Gareth Morgan, Rachel Powell, David Price, Martin Weale and Gwilym Williams declared personal, pecuniary and prejudicial interests in this item and left the meeting whilst it was being discussed.

Council considered a notice the following notice of motion proposed by County Councillor Elwyn Vaughan and seconded by County Councillor Bryn Davies:

Powys has circa 1262 holiday/second homes within the Council Tax list paying the current premium of 50% which generates circa 700k

In view of the huge social concern about the effect of high numbers of such properties in many communities Council calls:

- for the current premium to be increased to 75% in the next financial year thus generating an extra circa 350k for the authority
- and for the authority to work with other rural authorities through the WLGA to ensure that Welsh Government and Valuation Office have a consistency of approach in assessing Business Rates applications for such properties in that they have to be let for 140 days in order to have a genuine business.

In proposing the motion Councillor Vaughan explained that he was looking for the Council to send a clear message that it stood with young people who could not afford to live in their own communities.

An amendment was proposed by County Councillor Sarah Williams and seconded by County Councillor Matthew Dorrance for the premium to be increased to 100%. The amendment was lost by 21 votes to 30 with 1 abstention.

Council voted on the motion and by 33 votes to 17 with 1 abstention

RESOLVED to call

- **for the current premium to be increased to 75% in the next financial year thus generating an extra circa 350k for the authority**
- **and for the authority to work with other rural authorities through the WLGA to ensure that Welsh Government and Valuation Office have a consistency of approach in assessing Business Rates applications for such properties in that they have to be let for 140 days in order to have a genuine business.**

The members who had declared an interest returned to the meeting.

12.	NOTICE OF MOTION - SPEED LIMITS IN SMALL TOWNS
------------	---

Council considered the following motion proposed by County Councillor Stephen Hayes and seconded by County Councillor Jackie Charlton:

Power over national speed limits was devolved to Wales in 2018.

In 2019, First Minister Mark Drakeford said: ‘Local authorities have to have discretion to retain 30mph zones on key arterial routes, but outside that, and in residential areas, we know that 20mph zones reduce speed of traffic, reduce accidents - particularly accidents to children, and we want to see that become the default position right across Wales.’ Labour AM John Griffiths said there was cross-party support for a policy he felt had many benefits for society. ‘Older people will feel happier if they're able to walk along the streets with 20mph limits in place and parents will feel much happier in enabling their young people to play outside.’

On 15th July this year, the Senedd voted to institute a default 20mph speed limit in residential streets, subject to consultation and final decision, with a target date of 2023 for implementation.

The current guidance document with respect to speed limits is contained in Welsh Assembly Government Circular No 24/2009 **Setting Local Speed Limits in Wales**, dated October 2009. It states *inter alia* that:

- The underlying aim should be to achieve a ‘safe’ distribution of speeds which reflects the function of the road and the impacts on the local community. The needs of vulnerable road users and communities must be fully taken into account.
- The characteristics of the road and the needs of the vulnerable road user should be considered as factors when setting a speed limit.
- The needs of vulnerable road users must be fully taken into account in order to further encourage their mobility and improve their safety. Setting appropriate speed limits is a particularly important element in urban safety management, with significant benefits for pedestrians and cyclists.

Motion:

Council welcomes the recent Senedd vote to introduce a default 20mph speed limit in residential areas from 2023. Recognising that Powys contains a number of small towns of exceptional historic interest where the speed of traffic adversely affects the safety and enjoyment of residents and visitors, Council agrees to:

1. Work collaboratively with communities which wish to assess the potential benefit of, and if appropriate institute, a 20mph speed limit in their town centre area
2. Take full advantage of the opportunities offered in Circular 24/2009, to improve the safety of vulnerable road users and consider the impact of traffic speed limits on communities
3. Demonstrate and evidence proper regard to the needs of road users other than those in motor vehicles (for example, those on foot, on horseback and cyclists) and those with impaired mobility or sensory deprivation when designing and implementing new traffic orders.

By 59 votes to 1 it was

RESOLVED to welcome the recent Senedd vote to introduce a default 20mph speed limit in residential areas from 2023. Recognising that Powys contains a number of small towns of exceptional historic interest where the speed of traffic adversely affects the safety and enjoyment of residents and visitors, Council agrees to:

- 1. Work collaboratively with communities which wish to assess the potential benefit of, and if appropriate institute, a 20mph speed limit in their town centre area**
- 2. Take full advantage of the opportunities offered in Circular 24/2009, to improve the safety of vulnerable road users and consider the impact of traffic speed limits on communities**
- 3. Demonstrate and evidence proper regard to the needs of road users other than those in motor vehicles (for example, those on foot, on horseback and cyclists) and those with impaired mobility or sensory deprivation when designing and implementing new traffic orders.**

13. QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION
--

13.1. Question to the Portfolio Holder for Environment from County Councillor Gareth Ratcliffe

Businesses in Hay are overwhelmingly positive about the impact that 2 hours free parking has had on trade throughout the month of August, with some businesses attributing between 20 and 30% increases on last year to the fact that visitors and residents can now park for longer, for free. This has been a hugely successful initiative - thank you very much for doing it. With this in mind and with many businesses also stating they need all the help they can get as we go into the quieter winter months, has PCC done any impact on the free parking for businesses in Powys and how are the council looking support businesses through the winter. Also in light of the feed back would Powys County Council extend this at least through winter to give businesses the best possible support? It really could make or break things for some businesses in the town and support is vital to ensure we do not have ghost towns in mid Wales come early 2021?

Response

The decision for free parking over the summer holiday period was made in these unprecedented times to reflect our commitment to the #supportlocalpowys campaign, to promote the re-opening of the high street and support our local businesses. It is pleasing to hear that this was greatly received and helped to achieve positive results for the businesses within Hay on Wye.

With no sound baseline from which to measure in such extraordinary times, and no information of the free use, there is unfortunately no formal assessment or measure that can be made of the impact on car parking numbers or footfall associated with the free parking provided, limiting any assessment to anecdotal or subjective opinions that could be drawn.

You will recall that providing free parking for August would generate an additional budget pressure of £85,000 and that this was agreed to be funded Corporately from reserves. The motion to support the extension of this free parking was tabled at the 30 July meeting of full council where it was resolved not to support its continuance with 23 votes for the motion of extending the free parking for 6 months compared to 30 against, with 3 abstentions.

Given this, there is no clear mandate to give this matter any further consideration.

There was no supplementary question.

13.2. Question to the Portfolio Holder for Finance, Countryside and Transport from County Councillor Jeremy Pugh

Who and which department is responsible for the failure to provide face masks for our young people travelling on Powys school transport to and from schools as they did not arrive at the schools until several days after?

Response

On the afternoon of Wednesday 26th August Welsh Government recommended that children over 11 were advised to wear face coverings on School Transport. Powys CC decided that it would provide two reusable face coverings to each pupil in line with the Welsh Government recommendation. This recommendation provided the Council with very little time to provide the response necessary and to be able to source get delivered and distribute the products required

Commercial services sourced 7,000 face coverings and then undertook the necessary checks supporting certification and accreditations including liaison with Health and Safety to check their suitability. The supplier agreed to deliver the 3,500 face coverings on Tuesday 1st September (following the Bank Holiday Monday) with a further 3,500 being scheduled for delivery on Monday 7th September.

The supplier failed to deliver on the agreed time scale but did deliver the 4000 disposable masks as a gesture of goodwill.

1500 reusable masks were delivered on the 3rd September. Face coverings were available to pupils on Friday 4th September, one day after the partial return to school.

Due to the original order not meeting agreed delivery dates the Council responded quickly and sourced masks from another supplier, 4100 which were delivered on Friday 4th September with the balance being delivered w/c 7th September.

All Secondary Schools have now received 2 face coverings for each learner who is transported to school on a Powys CC bus.

There was no supplementary question.

13.3. Question to the Portfolio Holder for Finance, Countryside and Transport from County Councillor Karen Laurie-Parry

Am I correct in my understanding that Powys County Council owns 10 Coaches used for Public Transport, that are used by Coach Operators?

Having recently travelled on a contracted Coach used for Public Transport, in another Authority, I noticed the coach company itself, was able to advertise its full details on the outside of that particular Authority's Public Transport Coach and inside too, along with other advertisements.

As I am sure, my fellow County Councillors are also trying to identify means of income generating to support revenue, do we have a Policy of charging for Advertisements on Coaches which we own? If not, could it possibly be a consideration?

Response

The Council owns 20 service buses which were grant funded by Welsh Government to be deployed on TrawsCymru bus routes across the County. The vehicles are been covered in the TrawsCymru livery which is protected by Welsh Government and does not allow for adverts to be placed on the internal or external surfaces of the vehicles.

In response to Councillor Laurie-Parry's supplementary question the Portfolio Holder confirmed that the buses were recorded as assets on the Council's Balance Sheet (Asset Register) at their purchase price and depreciated over their useful life and that they were allocated to the following routes:

- 6 x buses T4 (Newtown – Brecon then on to Cardiff)
- 6 x buses T14 (Hereford – Brecon then on to Cardiff)
- 2 x buses X43 (Brecon to Abergavenny)
- 3 x buses T12 (Wrexham – Newtown – Machynlleth)
- 3 x buses X75 (Llanidloes – Newtown – Shrewsbury).

County Councillor B Baynham (Chair)

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

COFNODION CYFARFOD O'R CYNGOR SIR A GYNHALIWDYD DRWY MICROSOFT TEAMS AR DDYDD IAU 24 MEDI 2020

YN BRESENNOL

Y Cynghorydd Sir S Baynham (Cadeirydd)

Y Cynghorwyr Sir MC Alexander, M Barnes, J Berriman, G Breeze, J Charlton, L V Corfield, K W Curry, A W Davies, B Davies, D E Davies, P Davies, S C Davies, M J Dorrance, E Durrant, D O Evans, J Evans, L Fitzpatrick, L George, J Gibson-Watt, M R Harris, S M Hayes, H Hulme, A Jenner, E A Jones, D R Jones, E Jones, G Jones, J R Jones, E M Jones, M J Jones, F H Jump, K Laurie-Parry, H Lewis, K Lewis, P E Lewis, MC Mackenzie, I McIntosh, S McNicholas, DW Meredith, C Mills, G Morgan, JG Morris, R Powell, WD Powell, D R Price, P C Pritchard, G Pugh, J Pugh, G W Ratcliffe, L Rijnenberg, L Roberts, P Roberts, K M Roberts-Jones, E Roderick, D Rowlands, K S Silk, D Selby, L Skilton, D A Thomas, R G Thomas, E Vaughan, M Weale, J Wilkinson, A Williams, G I S Williams, D H Williams, J Williams, J M Williams, R Williams ac S L Williams

1. YMDDIHEURIADAU

Derbyniwyd ymddiheuriadau am absenoldeb oddi wrth y Cynghorwyr D Jones-Poston a T J Van-Rees, oedd ag ymrwymadau busnes eraill yn ymwneud â'r Cyngor.

2. COFNODION

Sylwyd ar gamgymeriad yn y cofnod pleidleisio ar y rhybudd o gynnig ar barcio, gyda'r Cynghorydd Roger Williams wedi'i gofnodi i fod wedi pleidleisio o blaid ac yn erbyn. Cadarnhawyd ei fod wedi pleidleisio o blaid y cynnig.

Tynnwyd sylw y dylai'r nodyn yn egluro'r camgymeriad yn y cofnod pleidleisio ar y rhybudd o gynnig ar yr argyfwng hinsawdd fod wedi'i ragflaenu â PS ac nid NB.

Yn amodol ar y cywiriadau hyn, awdurdodwyd y Cadeirydd i lofnodi cofnodion y cyfarfod a gynhaliwyd ar 30 Gorffennaf 2020 fel cofnod cywir.

3. DATGAN BUDD

Dywedodd y Swyddog Monitro wrth yr aelodau os oedd ganddynt hwy'n bersonol, neu deulu neu ffrindiau agos, eiddo ym Mhowys y gellid ei ystyried i fod naill ai'n (a) ail gartref neu'n (b) cartref gwyliau neu'n (c) tŷ gwyliau gosod neu (d) yn gyfuniad o dŷ gwyliau gosod a chartref gwyliau, y dylent ddatgan budd personol, rhagfarnus ac ariannol.

4. CYHOEDDIADAU'R CADEIRYDD

Dyweddod y Cadeirydd y byddai'r cyfarfod blynyddol yn cael ei gynnal ar 26 Tachwedd. Dywedodd hefyd fod y tîm TGCh yn dal i edrych ar opsiynau ar gyfer gwasanaeth cyfieithu ar y pryd ar gyfer cyfarfodydd.

5. BRIFF Y PRIF WEITHREDWR

Nododd y Prif Weithredwr y datganiad a wnaed i'r Senedd gan y Gweinidog Tai a Llywodraeth Leol gan gydnabod y cynnydd a wnaeth y Cyngor ers sefydlu'r Bwrdd Gwella a Sicrwydd yn 2018. Roedd y Gweinidog yn ffyddiog y gallai'r Cyngor reoli ei welliannau'n effeithiol gan gytuno felly i symud o Fwrdd Gwella a Sicrwydd statudol i drefniadau lleol ar gyfer goruchwyllo a gyrru gwelliannau. Dywedodd wrth y Cyngor y byddai Arolygiaeth Gofal Cymru'n gwneud arolygiad ym mis Hydref ac y byddai Estyn yn arolygu ym mis Tachwedd.

Dyweddod y Prif Weithredwr fod nifer yr achosion o Covid-19 ym Mhowys ar hyn o bryd yn gymharol isel a sefydlog. Roedd y tîm Profi, Orlhain a Gwarchod wedi bod yn eithriadol brysur ac wedi cael 100% llwyddiant yn olrhain pobl a brofodd yn bositif ym mis Medi, a 99% llwyddiant yn olrhain eu cysylltiadau. Roedd y tîm ar hyn o bryd yn cynorthwyo Rhondda Cynon Taf.

Dyweddod fod y rhestr o weithgareddau pwysig i fusnes yn cael ei hadolygu'n rheolaidd i sicrhau y gellid cynyddu neu arafu gweithgareddau yn ôl y sefyllfa.

Yn olaf diolchodd i Ness Young, a fyddai'n gadael y Cyngor ym mis Tachwedd, am ei chyfraniad a dywedodd y byddai'n adolygu'r uwch-dîm rheoli yn yr hydref.

6. ADRODDIAD BLYNYDDOL Y CYFARWYDDWR GWASANAETHAU CYMDEITHASOL

Eglurodd y Prif Weithredwr fod yr adroddiad yn cael ei gyflwyno gan y Pennaeth Comisiynu oherwydd bod y Cyfarwyddwr Gwasanaethau Cymdeithasol ar wyliau haeddiannol iawn ar ôl arwain y gwasanaeth drwy'r pandemig.

Wrth gyflwyno'r adroddiad, tynnodd y Pennaeth Comisiynu sylw at siwrne welliannau'r gwasanaeth gan gydnabod y cymorth a gafwyd gan Jack Straw, Phil Hodgson a'r Bwrdd Gwella. Diolchodd i gydweithwyr yn y gwasanaeth, aelodau etholedig a chydweithwyr yn y gwasanaethau corfforaethol am eu cymorth gan dalu teyrnged arbennig i staff rheng flaen a gwirfoddolwyr a fu'n gweithio mor galed i gynnal y gwasanaethau drwy'r pandemig.

Talodd Daliwr y Portffolio Gofal Cymdeithasol Oedolion a Daliwr y Portffolio Pobl Ifanc a Diwylliant deyrnged i'r Cyfarwyddwr am ei harweinyddiaeth a'r rôl flaenllaw a chwaraeodd yng Nghymru dros gyfnod y pandemig. Cafodd rôl y Pwyllgor Craffu'n cyflwyno her ar y siwrne welliannau hefyd ei gydnabod, felly hefyd bwysigrwydd cael tîm arweinyddiaeth llawn yn ei le.

Cynigiwyd gan y Cynghorydd Sir Myfanwy Alexander ac eiliwyd gan y Cynghorydd Sir Rachel Powell ac o 65 pleidlais i 0

PENDERFYNWYD derbyn adroddiad blynyddol y Cyfarwyddwr Gwasanaethau Cymdeithasol.

7. CYHOEDDIADAU'R ARWEINYDD

Diolchodd yr Arweinydd i'r staff a fu'n helpu preswylwyr i ddelio â llifogydd yn Ystradgynlais a Bugeildy ym mis Awst. Dywedodd iddi gael cyfarfodydd â Gweinidogion gan gynnwys y Cwnsler Cyffredinol Jeremy Miles ar drosglwyddo allan o'r UE ac adferiad yr economi. Roedd yn gobeithio y byddai cyhoeddiad yn y dyfodol agos ar y Gronfa Cadernid Economaidd a fyddai'n rhyddhau mwy o arian. Fel rhan o Fforwm Gwledig Cymdeithas Llywodraeth Leol Cymru, roedd wedi cwrdd â Gweinidog y Gymraeg a Chysylltiadau Rhyngwladol, Eluned Morgan, i drafod ffermio cynaliadwy a chyllid ar gyfer y rhaglen datblygu gwledig.

8. DIWYGIAD I GYLCH GORCHWYL BWRDD PENSIYNAU LLEOL POWYS

Gofynnwyd i'r Cyngor ystyried cymeradwyo newidiadau i gylch gorchwyl Bwrdd Pensiynau Powys er mwyn cyflwyno ychydig yn fwy o hyblygrwydd o ran cadw a phenodi aelodau i'r Bwrdd drwy:

- a) Cynyddu nifer cynrychiolwyr aelodau a chyflogwyr aelodaeth y cynllun o ddau i dri.
- b) Cyflwyno ychydig o hyblygrwydd er mwyn gwasgaru dyddiadau dechrau a darfod aelodaeth y Bwrdd.

Cynigiwyd gan y Cyngorydd Sir Aled Davies ac eiliwyd gan y Cyngorydd Sir Peter Lewis ac o 64 pleidlais i 0

PENDERFYNWYD cymeradwyo Cylch Gorchwyl diwygiedig y Bwrdd Pensiynau Lleol a ddisgrifir yn yr Atodiad i'r adroddiad, a'i weithredu'n syth.

Dywedodd y Cyngorydd Sir Huw Williams nad oedd wedi pleidleisio oherwydd iddo ymuno â'r cyfarfod ar ganol y drafodaeth.

9. RHYBUDD O GYNNIG – DATGAN ARGYFWNG HINSAWDD A GALWAD I WEITHREDU AR YNNI LLEOL

Bu'r Cyngor yn trafod cynnig yn cyfuno'r cynnig a gynigiwyd gan y Cyngorydd Sir Jake Berriman ac a eiliwyd gan y Cyngorydd Sir Jackie Charlton, a'r cynnig a gynigiwyd gan y Cyngorydd Sir Iain McIntosh ac a eiliwyd gan y Cyngorydd Sir Lucy Roberts.

Mae'r Cyngor hwn yn penderfynu:

1. Ymuno â chynghorau eraill ar draws Cymru mewn datgan Argyfwng Hinsawdd.
2. Y bydd y cyngor hwn yn ceisio lleihau ei allyriadau carbon i sero yn unol â tharged Llywodraeth Cymru ar gyfer 2030, ac yn galw ar Lywodraeth Cymru i ddarparu cymorth ac adnoddau digonol i gyrraedd y targed hwn i gynorthwyo

gyda gweithredu Ffyniant i Bawb: Cymru Carbon Isel (Mawrth 2019) er mwyn gwneud Cyngor Sir Powys yn awdurdod lleol cwbl ddi-garbon erbyn 2030.

3. Gofyn i Ddaliwr y Portffolio Datblygu Economaidd, Tai a Gwasanaethau Rheoleiddio arwain ar fesurau i liniaru'r Newid Hinsawdd a pharhau i ymgysylltu'n weithredol â'r holl aelodau a rhanddeiliaid drwy:

A. Gweithio gyda'r gweithgor trawsbleidiol a sefydlwyd, a

B. Sefydlu grŵp aml-randdeiliaid traws-Bowys i ddatblygu darlun sylfaenol @2020 a dod â strategaeth a chynllun gweithredu @2021 ymlaen er mwyn creu Powys wirioneddol gynaliadwy.

4. Y bydd y cyngor hwn, gyda chymorth y daliwr portffolio priodol, y swyddog newid hinsawdd newydd, a'r gweithgor newid hinsawdd, yn adeiladu ar y llwyddiannau hyd yma i ddatblygu strategaeth weithio a chynlluniau gweithredu cysylltiedig i gyrraedd y targed hwn.

5. Y bydd y cyngor hwn yn adolygu'r holl bolisiau, strategaethau a chynlluniau perthnasol, gan gynnwys ei gynllun corfforaethol a'r cynllun datblygu lleol, i gynorthwyo i gyrraedd y targedau uchod.

6. Y bydd y cyngor hwn yn hyrwyddo a chyhoeddi'r arferion gorau o ran lleihau cnesu byd-eang gan annog preswylwyr a busnesau i gymryd eu camau addas eu hunain a hefyd i leihau eu hallyriadau carbon yn unol â tharged Llywodraeth Cymru ar gyfer 2030.

7. Y bydd y cyngor hwn, ynghyd â chymorth ac adnoddau priodol gan Lywodraeth Cymru, yn gweithio gyda'i bartneriaid, awdurdodau lleol a sefydliadau eraill i helpu i ddatblygu a gweithredu arferion gorau, rhoi cyhoeddusrwydd i'r datganiad argyfwng hinsawdd hwn, cyfyngu ar gnesu byd-eang, lleihau allyriadau carbon yn effeithiol a symud tuag at economi werdd i Bowys.

8. Cefnogi ein haelodau seneddol i sicrhau bod y Mesur Trydan Lleol yn llwyddo mewn Trafodaeth Ohirio i annog a hwyluso cyflenwi trydan lleol ynghyd â chymunedau mwy gwydn ym Mhowys.

Cyd-gynigiwyd y cynnig gan y Cynghorydd Jake Berriman a'r Cynghorydd Iain McIntosh a'i gyd-eilio gan y Cynghorydd Jackie Charlton a'r Cynghorydd Lucy Roberts. Roedd y cynigwyr a'r eilwyr wedi croesawu'r dull cadarnhaol a ddefnyddiwyd i ganfod ffordd ymlaen gyda'n gilydd.

Cynigiwyd diwygiad gan y Cynghorydd Sir Matthew Dorrance ac eiliwyd gan y Cynghorydd Sir Sarah Williams:

Mae'r Cyngor hwn yn penderfynu:

1. Ymuno â chynghorau eraill ar draws Cymru mewn datgan **a chydabod yr** Argyfwng Hinsawdd.

2. Y bydd yn ceisio lleihau ei allyriadau carbon i sero yn unol â tharged Llywodraeth Cymru ar gyfer 2030, ac yn galw ar Lywodraeth Cymru **a Llywodraeth y DU** i ddarparu cymorth ac adnoddau digonol i gyrraedd y targed

hwn i gynorthwyo gyda gweithredu Ffyniant i Bawb: Cymru Carbon Isel (Mawrth 2019) er mwyn gwneud Cyngor Sir Powys yn awdurdod lleol cwbl ddi-garbon erbyn 2030.

3. Gofyn i Ddaliwr y Portffolio Datblygu Economaidd, Tai a Gwasanaethau Rheoleiddio arwain ar fesurau i liniaru'r Newid Hinsawdd a pharhau i ymgysylltu'n weithredol â'r holl aelodau a rhanddeiliaid drwy:

A. Gweithio gyda'r gweithgor trawsbleidiol a sefydlwyd, a

B. Sefydlu grŵp aml-randdeiliaid traws-Bowys i ddatblygu darlun sylfaenol @2020 a dod â strategaeth a chynllun gweithredu @2021 ymlaen er mwyn creu Powys wirioneddol gynaliadwy.

4. Y bydd, gyda chymorth y daliwr portffolio priodol, y swyddog newid hinsawdd newydd, a'r gweithgor newid hinsawdd, yn adeiladu ar y llwyddiannau hyd yma i ddatblygu strategaeth weithio a chynlluniau gweithredu cysylltiedig i gyrraedd y targed hwn.

5. Y bydd yn adolygu'r holl bolisiâu, strategaethau a chynlluniau perthnasol, gan gynnwys ei gynllun corfforaethol a'r cynllun datblygu lleol, i gynorthwyo i gyrraedd y targedau uchod.

6. Y bydd yn hyrwyddo a chyhoeddi'r arferion gorau o ran lleihau cnesu byd-eang gan annog preswylwyr a busnesau i gymryd eu camau addas eu hunain a hefyd i leihau eu hallyriadau carbon yn unol â tharged Llywodraeth Cymru ar gyfer 2030.

7. Y bydd, ynghyd â chymorth ac adnoddau priodol gan Lywodraeth Cymru a **Llywodraeth y DU**, yn gweithio gyda'i bartneriaid, awdurdodau lleol a sefydliadau eraill i helpu i ddatblygu a gweithredu arferion gorau, rhoi cyhoeddusrwydd i'r datganiad argyfwng hinsawdd hwn, cyfyngu ar gnesu byd-eang, lleihau allyriadau carbon yn effeithiol a symud tuag at economi werdd i Bowys.

8. Cefnogi ein haelodau seneddol i sicrhau bod y Mesur Trydan Lleol yn llwyddo mewn Trafodaeth Ohirio i annog a hwyluso cyflenwi trydan lleol ynghyd â chymunedau mwy gwydn ym Mhowys.

Dywedodd gynigydd ac eilydd y diwygiad fod cynnwys Llywodraeth y DU yn y geiriad yn rhoi'r cyfle mwyaf posib i'r cyngor gael cyflwyno sylwadau. Pasiodd y diwygiad o 40 pleidlais i 21 gyda 4 yn ymatal.

Pleidleisiodd y Cyngor ar y prif gynnig ac o 61 pleidlais i 1 gyda 3 yn ymatal

PENDERFYNWYD:

1. Ymuno â chynghorau eraill ar draws Cymru mewn datgan a chydabod yr Argyfwng Hinsawdd.

2. Y bydd y cyngor hwn yn ceisio lleihau ei allyriadau carbon i sero yn unol â tharged Llywodraeth Cymru ar gyfer 2030, ac yn galw ar Lywodraeth Cymru a Llywodraeth y DU i ddarparu cymorth ac adnoddau digonol i gyrraedd y targed hwn i gynorthwyo gyda gweithredu Ffyniant i Bawb: Cymru Carbon

Isel (Mawrth 2019) er mwyn gwneud Cyngor Sir Powys yn awdurdod lleol cwbl ddi-garbon erbyn 2030.

3. Gofyn i Ddaliwr y Portffolio Datblygu Economaidd, Tai a Gwasanaethau Rheoleiddio arwain ar fesurau i liniaru'r Newid Hinsawdd a pharhau i ymgysylltu'n weithredol â'r holl aelodau a rhanddeiliaid drwy:
 - A. gweithio gyda'r gweithgor trawsbleidiol a sefydlwyd, a
 - B. sefydlu grŵp aml-randdeiliaid traws-Bowys i ddatblygu darlun sylfaenol @2020 a dod â strategaeth a chynllun gweithredu @2021 ymlaen er mwyn creu Powys wirioneddol gynaliadwy.
4. Y bydd y cyngor hwn, gyda chymorth y daliwr portffolio priodol, y swyddog newid hinsawdd newydd, a'r gweithgor newid hinsawdd, yn adeiladu ar y llwyddiannau hyd yma i ddatblygu strategaeth weithio a chynlluniau gweithredu cysylltiedig i gyrraedd y targed hwn.
5. Y bydd y cyngor hwn yn adolygu'r holl bolisiâu, strategaethau a chynlluniau perthnasol, gan gynnwys ei gynllun corfforaethol a'r cynllun datblygu lleol, i gynorthwyo i gyrraedd y targedau uchod.
6. Y bydd y cyngor hwn yn hyrwyddo a chyhoeddi'r arferion gorau o ran lleihau cnesu byd-eang gan annog preswylwyr a busnesau i gymryd eu camau addas eu hunain a hefyd i leihau eu hallyriadau carbon yn unol â tharged Llywodraeth Cymru ar gyfer 2030.
7. Y bydd y cyngor hwn, ynghyd â chymorth ac adnoddau priodol gan Lywodraeth Cymru a Llywodraeth y DU, yn gweithio gyda'i bartneriaid, awdurdodau lleol a sefydliadau eraill i helpu i ddatblygu a gweithredu arferion gorau, rhoi cyhoeddusrwydd i'r datganiad argyfwng hinsawdd hwn, cyfyngu ar gnesu byd-eang, lleihau allyriadau carbon yn effeithiol a symud tuag at economi werdd i Bowys.
8. Cefnogi ein haelodau seneddol i sicrhau bod y Mesur Trydan Lleol yn llwyddo mewn Trafodaeth Ohirio i annog a hwyluso cyflenwi trydan lleol ynghyd â chymunedau mwy gwydn ym Mhowys.

10.	RHYBUDD O GYNNIG – ALLYRIADAU CARBON
------------	---

Tynnwyd y cynnig hwn yn ôl yn sgîl y cyd-gynnig a basiwyd yn gynharach.

11.	RHYBUDD O GYNNIG – CARTREFI GWYLIAU
------------	--

Roedd y Cyngorwyr Sir David Evans, James Evans, James Gibson-Watt, Rosemarie Harris, E Michael Jones, Gareth Jones, Karen Laurie-Parry, Gareth Morgan, Rachel Powell, David Price, Martin Weale a Gwilym Williams wedi datgan buddiannau personol, ariannol a rhagfarnus yn yr eitem hon ac wedi gadael y cyfarfod cyn trafod yr eitem.

Bu'r Cyngor yn ystyried y rhybudd o gynnig canlynol a gynigiwyd gan y Cyngorydd Sir Elwyn Vaughan ac a eiliwyd gan y Cyngorydd Sir Bryn Davies:

Mae gan Bowys tua 1262 o ail gartrefi / cartrefi gwyliau ar restr Treth y Cyngor sy'n talu premiwm o 50% a hyn yn cynhyrchu tua 700k.

O ystyried y pryder cymdeithasol aruthrol am effaith gymaint o dai fel hyn mewn nifer o gymunedau, mae'r Cyngor yn galw:

- am godi'r premiwm presennol i 75% yn y flwyddyn ariannol nesaf gan felly gynhyrchu tua 350k yn fwy o arian i'r awdurdod
- a bod yr awdurdod yn gweithio ag awdurdodau gwledig eraill, drwy Gymdeithas Llywodraeth Leol Cymru, i sicrhau bod Llywodraeth Cymru a'r Swyddfa Brisió'n gyson wrth asesu ceisiadau Ardrethi Busnes ar gyfer tai o'r fath o ran bod yn rhaid eu gosod am 140 diwrnod er mwyn bod yn fusnesau diffuant.

Wrth wneud y cynnig, eglurodd y Cyngorydd Vaughan ei fod yn galw ar y Cyngor i anfon neges glir ei fod yn sefyll ochr yn ochr â phobl ifanc na allent fforddio â byw yn eu cymunedau eu hunain.

Cynigiwyd diwygiad gan y Cyngorydd Sir Sarah Williams ac eiliwyd gan y Cyngorydd Sir Matthew Dorrance y dylid codi'r premiwm i 100%. Collodd y diwygiad o 21 pleidlais i 30 gyda 1 yn ymatal.

Pleidleisiodd y Cyngor ar y cynnig ac o 33 pleidlais i 17 gydag 1 yn ymatal

PENDERFYNWYD galw

- **am godi'r premiwm presennol i 75% yn y flwyddyn ariannol nesaf gan felly gynhyrchu tua 350k yn fwy o arian i'r awdurdod**
- **a bod yr awdurdod yn gweithio ag awdurdodau gwledig eraill, drwy Gymdeithas Llywodraeth Leol Cymru, i sicrhau bod Llywodraeth Cymru a'r Swyddfa Brisió'n gyson wrth asesu ceisiadau Ardrethi Busnes ar gyfer tai o'r fath o ran bod yn rhaid eu gosod am 140 diwrnod er mwyn bod yn fusnesau diffuant.**

Daeth yr aelodau a oedd wedi datgan budd yn ôl i mewn i'r cyfarfod.

12. RHYBUDD O GYNNIG – TERFYNAU CYFLYMDER MEWN TREFI BACH
--

Bu'r Cyngor yn ystyried y cynnig canlynol a gynigiwyd gan y Cyngorydd Sir Stephen Hayes ac a eiliwyd gan y Cyngorydd Sir Jackie Charlton:

Cafodd bwerau ar derfynau cyflymder cenedlaethol eu datganoli i Gymru yn 2018.

Yn 2019 meddai Prif Weinidog Cymru Mark Drakeford: 'Rhaid i awdurdodau lleol gael disgrisiwn i gadw parthau 30mya ar hyd priffyrdd 'prifwythiennol', ond ar wahân i hynny, ac mewn ardaloedd preswyl, gwyddom fod parthau 20mya yn lleihau cyflymder traffig a damweiniau – yn enwedig damweiniau i blant, ac rydyn ni eisiau gweld hyn mewn grym ar draws Cymru'. Dywedodd yr AC Llafur John Griffiths fod cefnogaeth ar draws y pleidiau i bolisi y teimlai oedd yn rhoi manteision lu i gymdeithas. Bydd pobl hŷn yn teimlo'n hapusach yn cerdded ar hyd y strydoedd gyda therfynau 20mya yn eu lle a bydd rhieni'n teimlo'n llawer hapusach yn gadael i'w plant chwarae y tu allan.'

Ar 15 Gorffennaf eleni, pleidleisiodd y Senedd i gyflwyno terfyn cyflymder diofyn o 20mya ar gyfer strydoedd preswyl, yn amodol ar ymgynghori a phenderfynu'n derfynol, gyda dyddiad gweithredu targed o 2023.

Mae'r canllawiau presennol ar derfynau cyflymder i'w cael yng Nghylchlythyr Rhif 24/2009 Llywodraeth Cynulliad Cymru **Gosod Terfynau Cyflymder Lleol yng Nghymru**, dyddiedig Hydref 2009. Ymhlith pethau eraill, mae'n datgan:

- Y nod sylfaenol ddylai cyflawni dosbarthiad 'diogel' o gyflymderau sy'n adlewyrchu pwrpas y ffordd a'r effaith ar y gymuned leol. Bod angen ystyried anghenion cymunedau a phobl fregus sy'n defnyddio'r ffyrdd yn llawn.
- Y dylid ystyried nodweddion y ffordd ac anghenion pobl fregus sy'n ei defnyddio wrth benderfynu ar derfyn cyflymder.
- Bod angen ystyried pobl fregus sy'n defnyddio ffyrdd yn llawn er mwyn eu hannog i symud mwy o gwmpas y lle a gwella eu diogelwch. Mae gosod terfynau cyflymder priodol yn arbennig o bwysig fel rhan o reoli diogelwch mewn trefi, gyda manteision sylweddol i gerddwyr a beicwyr.

Cynnig:

Mae'r Cyngor yn croesawu pleidlais ddiweddar y Senedd i gyflwyno terfyn cyflymder diofyn o 20mya mewn ardaloedd preswyl o 2023 ymlaen. A chydabod bod gan Bowys nifer o drefi bach o ddiddordeb hanesyddol eithriadol lle mae cyflymder y traffig yn effeithio'n andwyol ar ddiogelwch a mwynhad preswylwyr ac ymwelwyr fel ei gilydd, mae'r Cyngor yn cytuno:

1. I weithio'n gydweithredol â chymunedau sy'n dymuno asesu manteision posib, a lle bo'n briodol cyflwyno, terfyn cyflymder o 20mya yng nghanol eu trefi
2. I fanteisio'n llawn ar y cyfleoedd a gyflwynir yng Nghylchlythyr 24/2009 i wella diogelwch pobl fregus sy'n defnyddio'r ffyrdd ac ystyried effaith terfynau cyflymder traffig ar gymunedau
3. I roi a thalu sylw priodol i anghenion defnyddwyr ffyrdd heblaw pobl mewn cerbydau modur (er enghraifft, pobl ar droed, ar gefn ceffyl a chefn beic) a rhai gyda nam ar eu symudedd neu nam ar eu synhwyrâu, wrth ddylunio a gweithredu gorchmynion traffig newydd.

O 59 pleidlais i 1

PENDERFYNWYD croesawu pleidlais ddiweddar y Senedd i gyflwyno terfyn cyflymder diofyn o 20mya mewn ardaloedd preswyl o 2023 ymlaen. A chydabod bod gan Bowys nifer o drefi bach o ddiddordeb hanesyddol eithriadol lle mae
Tudalen 68

cyflymder y traffig yn effeithio'n andwyol ar ddiogelwch a mwynhad preswylwyr ac ymwelwyr fel ei gilydd, mae'r Cyngor yn cytuno:

1. I weithio'n gydweithredol â chymunedau sy'n dymuno asesu manteision posib, a lle bo'n briodol cyflwyno, terfyn cyflymder o 20mya yng nghanol eu trefi
2. I fanteisio'n llawn ar y cyfleoedd a gyflwynir yng Nghylchlythyr 24/2009 i wella diogelwch pobl fregus sy'n defnyddio'r ffyrdd ac ystyried effaith terfynau cyflymder traffig ar gymunedau
3. I roi a thalu sylw priodol i anghenion defnyddwyr ffyrdd heblaw pobl mewn cerbydau modur (er enghraifft, pobl ar droed, ar gefn ceffyl a chefn beic) a rhai gyda nam ar eu symudedd neu nam ar eu synhwyrâu, wrth ddylunio a gweithredu gorchmynion traffig newydd.

13. CWESTIYNAU'N UNOL Â'R CYFANSODDIAD

13.1. Cwestiwn i Ddaliwr y Portffolio Amgylchedd gan y Cynghorydd Sir Gareth Ratcliffe

Mae'r mwyafrif llethol o fusnesau yn y Gelli Gandryll yn gadarnhaol am yr effaith a gafodd dwy awr o barcio am ddim ar eu masnach ym mis Awst, gyda rhai busnesau'n priodoli cynnydd o rhwng 20-30% o'i gymharu â'r llynedd i'r ffaith bod ymwelwyr a phreswylwyr nawr yn gallu parcio am hirach ac am ddim. Mae wedi bod yn fenter hynod lwyddiannus – diolch yn fawr iawn i chi am wneud hyn. O gofio hyn a llawer o fusnesau hefyd yn dweud bod angen pob cymorth posib arnynt wrth wynebu misoedd llai prysur y gaeaf, a yw'r cyngor wedi asesu effaith parcio am ddim i fusnesau ym Mhowys a sut y mae'r cyngor yn bwriadu cefnogi busnesau drwy'r gaeaf. Hefyd o ystyried yr adborth a gafwyd, a fyddai Cyngor Sir Powys yn fodlon ymestyn hyn drwy'r gaeaf o leiaf, i roi'r cymorth gorau posib i fusnesau? Gallai fod yn fater o lwyddo neu fethu i rai busnesau yn y dref ac mae cymorth yn hanfodol i osgoi gweld trefi a strydoedd yn y Canolbarth heb adyn byw yn eu cerdded erbyn dechrau 2021.

Ymateb

Gwnaed y penderfyniad i ganiatáu parcio am ddim dros wyliau'r haf ar adeg gwbl ddigymffelyb i adlewyrchu ein hymrwymiad i'r ymgyrch #prynulleolpowys, ac er mwyn hybu ail-agor y stryd fawr a chefnogi ein busnesau lleol. Mae'n dda iawn clywed bod hyn wedi'i groesawu'n fawr ac wedi helpu i roi hwb i'r busnesau yn y Gelli Gandryll.

Heb unrhyw fan cychwyn cadarn i fesur yn ei erbyn mewn cyfnod mor eithriadol, a dim gwybodaeth am y defnydd am ddim o'r lle parcio, yn anffodus nid oes asesiad ffurfiol na ffordd o fesur yr effaith ar faint o geir a barciodd na faint o 'dwrw traed' a fu'n gysylltiedig â'r parcio am ddim, gan gyfyngu unrhyw asesiad i farn oddrychol ac anecdotaidd.

Byddwch yn cofio bod caniatáu parcio am ddim ym mis Awst wedi achosi pwysau ychwanegol o £85,000 ar y gyllideb ac y cytunwyd i ariannu hyn yn gorfforaethol allan o gronfeydd wrth gefn. Cafodd y cynnig o blaid ymestyn y parcio am ddim ei gyflwyno yng nghyfarfod y cyngor llawn ar 30 Gorffennaf lle

penderfynwyd yn erbyn ei ymestyn gyda 23 pleidlais dros y cynnig i ymestyn y parcio am ddim am 6 mis arall, o'i gymharu â 30 yn erbyn a 3 yn ymatal.

O ystyried hyn nid oes cyfarwyddyd clir i ystyried y mater hwn ymhellach.

Nid oedd unrhyw gwestiwn ychwanegol.

13.2. Cwestiwn i Ddaliwr y Portffolio Cyllid, Cefn Gwlad a Thrafnidiaeth gan y Cynghorydd Sir Jeremy Pugh

Pwy a pha adran sy'n gyfrifol am fethu â darparu masgiau wyneb i'n pobl ifanc sy'n teithio ar drafnidiaeth ym Mhowys i'w cludo i ac o'r ysgol oherwydd roedd sawl diwrnod wedi pasio cyn iddynt gyrraedd yr ysgolion?

Ymateb

Ar brynhawn dydd Mercher 26 Awst fe wnaeth Llywodraeth Cymru argymhell bod plant dros 11 oed yn gwisgo gorchudd wyneb ar drafnidiaeth i ac o'r ysgol. Penderfynodd y Cyngor y byddai'n darparu dau orchudd wyneb amldefnydd i bob disgybl yn unol ag argymhelliad Llywodraeth Cymru. Nid oedd yr argymhelliad wedi rhoi fawr ddim amser i'r Cyngor ymateb a gallu dod o hyd i, trefnu i dderbyn a dosbarthu'r cynhyrchion oedd eu hangen.

Daeth y gwasanaethau masnachol o hyd i 7,000 gorchudd wyneb cyn gwneud y gwiriadau angenrheidiol ar eu hardystiad a'u hachrediad, gan gynnwys cyswllt â'r gwasanaethau lechyd a Diogelwch i gadarnhau eu bod yn addas. Cytunodd y cyflenwr i ddosbarthu 3,500 gorchudd wyneb ar ddydd Mawrth 1 Medi (yn dilyn dydd Llun Gŵyl y Banc) gyda 3,500 arall i'w dosbarthu ar ddydd Llun 7 Medi.

Methodd y cyflenwr â dosbarthu ar amser ond fe wnaeth ddosbarthu 4,000 o fasnau untro fel arwydd o ewyllys da.

Dosbarthwyd 1,500 o fasnau amldefnydd ar 3 Medi. Roedd gorchuddion wyneb ar gael i ddisgyblion ar ddydd Gwener 4 Medi, un diwrnod ar ôl dychwelyd yn rhannol i'r ysgol.

Oherwydd methiant yr archeb wreiddiol i ddosbarthu ar y dyddiadau a gytunwyd, penderfynodd y Cyngor ymateb yn gyflym a daeth o hyd i fasnau gan gyflenwr arall, gyda 4,100 yn cyrraedd ar ddydd Gwener 4 Medi a'r gweddill yn yr wythnos yn dechrau ar 7 Medi.

Mae pob ysgol uwchradd bellach wedi derbyn dau orchudd wyneb i bob dysgwr a gludir i'r ysgol ar un o fsysus y cyngor.

Nid oedd unrhyw gwestiwn ychwanegol.

13.3. Cwestiwn i Ddaliwr y Portffolio Cyllid, Cefn Gwlad a Thrafnidiaeth gan y Cynghorydd Sir Karen Laurie-Parry

Ydw i'n gywir yn deall bod Cyngor Sir Powys yn berchen ar ddeg o goetsys a ddefnyddir ar gyfer trafndiaeth gyhoeddus, ac a ddefnyddir gan gwmnïau coetsys?

Ar ôl teithio'n ddiweddar ar Goets dan contract a ddefnyddir ar gyfer trafndiaeth gyhoeddus, mewn Awdurdod arall, sylwais fod y cwmni coetsys ei hun yn hysbysebu ei fanylion llawn y tu allan a'r tu mewn i goets trafndiaeth gyhoeddus yr Awdurdod hwnnw, ynghyd â hysbysebion eraill.

Fel fy nghyd-Gynghorwyr Sir sydd hefyd, mae'n siŵr, yn ceisio canfod ffyrdd o greu incwm tuag at gynyddu refeniw, a oes gennym bolisi o godi

tâl am hysbysebu ar y coetsys y mae'r Cyngor yn berchen arnynt? Os nag oes, a ellid efallai ystyried hynny?

Ymateb

Mae'r Cyngor yn berchen ar 20 o fysus gwasanaeth a dderbyniodd arian grant gan Lywodraeth Cymru i'w defnyddio ar lwybrau bysus TrawsCymru drwy'r Sir. Mae'r cerbydau wedi eu gorchuddio â lifrai TrawsCymru a warchodir gan Lywodraeth Cymru ac ni chaniateir hysbysebion ar y tu allan na'r tu mewn i'r cerbydau.

I ateb cwestiwn ychwanegol y Cynghorydd Laurie-Parry, dywedodd Daliwr y Portffolio fod y bysus yn cael eu cofnodi fel asedau ar Fantolen y Cyngor (Cofrestr Asedau) yn ôl eu pris prynu, ac yn cael eu dibrisio dros eu bywyd defnyddiol ac wedi eu dyrannu i'r llwybrau teithio canlynol:

- 6 x bws T4 (Y Drenewydd – Aberhonddu ac ymlaen i Gaerdydd)
- 6 x bws T14 (Henffordd – Aberhonddu ac ymlaen i Gaerdydd)
- 2 x bws X43 (Aberhonddu – Y Fenni)
- 3 x bws T12 (Wrecsam – Y Drenewydd – Machynlleth)
- 3 x bws X75 (Llanidloes – Y Drenewydd – Amwythig).

Y Cynghorydd Sir B Baynham (Cadeirydd)

14.	
------------	--

15.	
------------	--

--	--

1.1.

1.2.

CYNGOR SIR POWYS COUNTY COUNCIL.

Council
26 November 2020

REPORT AUTHOR: County Councillor Aled Davies
Portfolio Holder for Finance

REPORT TITLE: Revenue and Capital Virements

REPORT FOR: Decision

1. Purpose

1.1 This report seeks Council approval for the following virements. These virements have been approved by cabinet and are recommended to Council for approval.

2. Background

2.1 There are several virements requiring approval that were set out in the Quarter 2 Cabinet reports:

- Revenue virement to fund the additional 0.75% National Joint Council (NJC) national pay award that was additional to the 2% already factored into base budgets for 2020/21. The agreed pay award is for all eligible local government employees of the council, and includes school non teaching staff.
- Capital Virements - The 2020/30 capital programme was set out as part of the Capital and Treasury Management Strategy and approved by Council in February as part of the overall budget setting process. The programme included the schemes listed in section 3, which at that time set out indicative grant amounts. The grant funding has now been confirmed and approval is sought for the virements.

3. Advice

3.1 A virement of £635,000 is recommended for approval to fund the additional 0.75% pay award and associated oncosts for NJC staff across the council, the total pay award being 2.75%, with 2% already included in the base budget. This additional cost will be funded from the centrally held Risk Budget.

3.2 The following capital virements are required to realign the budgets for agreed schemes in line with the funding secured for each scheme and amend the annual expenditure profile based on the progress being made on each site. Both schemes relate to the Housing Revenue Account.

a) Heol y Ffynnon, Brecon, New Build Scheme

This scheme is partially funded by the Affordable Housing Grant, this is a Welsh Government revenue contribution of £0.17 million per annum for 29 years towards the repayment of borrowing for this scheme.

A virement is requested to realign the 2020/21 budget, removing the Capital Grant funding expectation (£1.51 million) and replace with increasing the revenue borrowing budget in line with the confirmed revenue grant.

The capital grant equivalent of this funding is £3,285,785. This grant funding equates to around 58% of the scheme costs.

Works on site are moving at pace so a reprofiling of the budget is requested so that £2.30 million borrowing is to be brought forward from the 2021/22 allocation. This will ensure that the works will be completed and funded in 2021. The current spend profile anticipates £0.28 million borrowing is required to complete the scheme in 2021/22.

b) Bowling Green, Newtown, New Build Scheme

This development has been successful in securing £2.19 million Innovative Housing Capital Grant, the request is to update the budget to reflect the grant received. Based on the current cost plan £1.55 million grant will be required in 2020-21. The remaining grant (£0.64 million) together with £1.20 million borrowing is required to complete the scheme in 2021/22.

The virement request is to realign 2020/21 budgets with the grant amount confirmed and the updated spend profile outlined above.

4. Resource Implications

- 4.1 The funding of the additional 0.75% pay award will be made from the centrally held Risk Budget in 2020/21.
- 4.2 The confirmation of the grant allocations has ensured that these New Build schemes remain affordable within the HRA Business Plan. The HRA's contribution will be financed using borrowing, future rental income will cover the debt repayment costs. The affordability of future schemes will depend on the availability of grant funding and their impact on the HRA Business Plan.
- 4.3 The Head of Finance (Section 151 Officer) can support the recommendations.

5. Legal implications

- 5.1 The Monitoring Officer has no specific concerns with this report.

6. Data Protection

- 6.1 The proposal does not involve the processing of personal data.

7. Comment from local member(s)

- 7.1 This report relates to all service areas across the whole County.

8. Integrated Impact Assessment

- 8.1 No impact assessment is required

9. Recommendation

- 9.1 To approve the virements to ensure the 2020/21 budgets are aligned with the confirmed changes and grant amount
- 9.2 To ensure the updated spend profile outlined above is put in place to ensure robust forecasting.

Contact Officer:	Jane Thomas, Head of Financial Services
Tel:	01597 827789
Email:	jane.thomas@powys.gov.uk

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

CYNGOR SIR POWYS COUNTY COUNCIL

County Council – 26 November 2020

REPORT BY: Head of Legal and Democratic Services
SUBJECT: Recommendations from the Democratic Services Committee 19 October 2020

REPORT FOR: Decision

1. Speaking at Council Meetings.

- 1.1 This issue had previously been considered by the Committee and changes recommended which had been approved by Council. However, the agreed changes to the Constitution had not been implemented. The Committee therefore reconsidered the issues.
- 1.2 The Committee debated the issue of Council agendas, nominated speakers, management of meetings and amendments to motions. The Committee recommended that a trial be undertaken of changes to the process for amendments and a trial of nominated speakers at Council meetings. If Council agrees to the proposed change to receive amendments to motions three days prior to a meeting, the Political Groups would need to ensure that their meetings are scheduled to enable them to consider the submission of amendments within the required timescale.

Recommendation to Council	Reason for recommendation
<p>(i) to reduce the speaking time for proposers and seconders of motions from 10 minutes and 5 minutes to 5 minutes and 2 minutes respectively and</p> <p>(ii) that amendments to motions should be submitted three days prior to a meeting rather than 5pm the day before the meeting and that these changes be trialled at three Council meetings [excluding the annual meeting].</p> <p>(iii) that a trial of nominated speakers on behalf of political groups be undertaken at 3 Full Council meetings, followed by a review of the trial by the</p>	<p>To review the process for debates at Full Council meetings.</p>

Democratic Services Committee.	
---	--

2. Amendments to the Constitution

2.1 The Committee considered the proposed amendments to the Constitution. **(Appendices 1 and 2)**

Recommendation to Council	Reason for recommendation
That the amendments to Parts 4, and 7 of the Constitution be approved.	To review and update the Constitution as necessary.

3. Welsh Language Forum

3.1 The Committee considered the report on the establishment of a Welsh Language Forum. **(Appendix 3)**

Recommendation to the County Council:	Reason for Recommendation:
<p>(i) That a new cross cutting Panel to promote the Welsh Language and provide oversight for Welsh Language provision within the Council be approved.</p> <p>(ii) That the membership of the Panel as set out in the report be approved with the addition of an officer with equalities knowledge.</p>	To establish a new Panel to promote the Welsh Language and provide oversight for Welsh Language provision within the Council.

4 Scrutiny Improvement

4.1 The continued improvement of scrutiny in Powys had been discussed with Group Leaders. The Welsh Local Government Association [WLGA] would provide the mentoring /coaching at no cost.

Recommendation to the County Council:	Reason for recommendation
<p>(i) That to continue the improvement of scrutiny in Powys that the following proposals be approved:</p> <ul style="list-style-type: none"> • Mentoring and coaching for Chairs of scrutiny initially and extended to Vice-Chairs at a later time 	To continue the improvement of scrutiny in Powys.

<ul style="list-style-type: none">• reviews of the Committee's operation with Chairs• Reviews of members of Committees <p>(ii) That a mentoring / coaching and review scheme be established and implemented as set out in Appendix 4.</p>	
---	--

Contact Officer:	Wyn Richards, Scrutiny Manager and Head of Democratic Services.
Tel:	01597-826375
Email:	wyn.richards@powys.gov.uk

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

SECTION 4 – FULL COUNCIL

Introduction

4.1 The Full Council is a formal meeting of all Councillors. The Full Council is required by law to take certain important decisions including setting the Council's Budget and Council Tax and approving a number of key plans and strategies, which together form the Policy Framework (listed below). It is responsible for all of the functions not the responsibility of the Cabinet. It will carry out some functions itself, but others will be delegated to Committees or named Officers.

The Policy Framework

4.2 The Policy Framework means the following plans and strategies:

Plan, Scheme and Strategy	Reference
• Children and Young People's Plan;	• Regulations made under Section 26 of the Children Act 2004 (c.31)
• Best Value Performance Plan;	• Section 6(1) of the Local Government Act 1999 9c.27)
• Community Strategy;	• Section 4 of the Local Government Act 2000 (c.22)
• Crime and Disorder Reduction Strategy;	• Sections 5 and 6 of the Crime and Disorder Act 1998 9c.37)
• Health and Well-Being Strategy;	• Section 24 of the National Health Service Reform and Health Care professions Act 2002 9c.17)
• Local Transport Plan;	• Section 108 of the Transport Act 2000 (c.38)
• Plans and alterations which together comprise the Development Plan;	• Section 10A of the Town and Country Planning Act 1990 (c.8)
• Welsh Language Scheme;	• Section 5 of the Welsh Language Act 1993 (c.38)
• Youth Justice Plan;	• Section 40 of the Crime and Disorder Act 1998 (c.37)
• Powers to approve a Young People's Partnership Strategic Plan and a Children and Young Peoples Framework Partnership	• Section 123, 124 and 125 of the Learning and Skills Act 2000 (c.21)
• Housing Strategy;	• Section 87 of the Local Government Act 2003 (c.26)
• Rights of Way Improvement Plan;	• Section 60 of the Countryside and Rights of Way Act 2000 (c.37)
• Pay Policy	• Section 38(1) of the Localism Act 2011

SECTION 4 – FULL COUNCIL

• Single Integrated Plan	• Part 2 – Local Government (Wales) Measure 2009¹
--------------------------	---

The Single Integrated Plan (The One Powys Plan)

4.3 This replaces four of the existing plans and strategies which formed part of the Policy Framework, namely the Community Strategy, the Children and Young People's Plan, the Health, Social Care and Wellbeing Strategy and the Community Safety Partnership Plan.

The Budget

4.4 The Budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax base, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits. The Full Council will decide the Council's overall revenue budget and overall capital budget and any changes to these. (See Section 15 for how the Council can change the Policy Framework or Budget referred to it for approval by the Cabinet.)

Housing Land Transfer

4.5 Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the National Assembly for Wales for a programme either:

4.5.1 by Full Council to dispose of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993: or

4.5.2 to dispose of land used for residential purposes where approval is required under section 32 or 43 of the Housing Act 1985.

Functions of the Full Council

4.6 Only the Full Council will exercise the following functions:

4.6.1 adopting and changing the Constitution;

4.6.2 approving or adopting the Single Integrated Plan (The One Powys Plan), Policy Framework, the Budget and any application to the National Assembly for Wales in respect of any Housing Land Transfer;

4.6.3 subject to the urgency procedure contained in the Access to Information Procedure Rules in Section 14 of this Constitution, making decisions about any matter in the discharge of an Executive Function which is covered by the Policy Framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/or not wholly in accordance with the budget;

4.6.4 appointing and removing the Leader;

4.6.5 making appointments to the committees of the Council

4.6.6 making appointments of Chairs of the Scrutiny and Democratic Services committees of the Council. The Chair of a Scrutiny Committee and the Democratic Services Committee may be removed from office by a motion to

¹ Welsh Government Guidance "Shared Purpose – Shared Delivery" to Part 2 of the Local Government (Wales) Measure 2009 Rules 37 to 46.

SECTION 4 – FULL COUNCIL

- remove to Council which is put on the agenda pursuant to Rule 4.38.1.
- 4.6.7 agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them (in accordance with the Local Government and Housing Act 1989) unless the appointments have been delegated by the Council;
 - 4.6.8 changing the name of the area or conferring the title of freedom of the County;
 - 4.6.9 making or confirming the appointment of the Head of Paid Services and other Chief Officers²;
 - 4.6.10 making, amending, revoking re-enacting or adopting bylaws and promoting or opposing the making of local legislation or Private Bills;
 - 4.6.11 all Local Choice Functions set out in Section 13 of this Constitution which the Council decides should be undertaken by itself rather than the Cabinet; and
 - 4.6.12 all matters which by law must be reserved to the Council. For example, appointing the Chair of the Democratic Services Committee and the pay policy statement;
 - 4.6.13 appointing representatives to outside bodies unless the appointment has been delegated by the Council.
 - 4.6.14 to determine the level, and any change in the level, of the remuneration to be paid to a Chief Officer.

Membership

- 4.7 All Councillors shall be members of Full Council.
- 4.8 Substitution is not possible at meetings of the Council.

Chairing the Council

Appointment And Term Of Office Of Chair, Vice-Chair And Assistant Vice-Chair Of Council

- 4.9 The County Council will at every Annual Meeting elect from amongst its Councillors:
 - 4.9.1 The Chair of the County Council;
 - 4.9.2 The Vice-Chair of the County Council;
 - 4.9.3 The Assistant Vice-Chair of the County Council.

and the Councillors so elected will hold office until the following Annual Meeting; they resign; are dismissed by a vote of Full Council upon a Motion on Notice; cease to be a member of the Council; or are unable to act as a member of the Council due to he/she being suspended or disqualified from being a Councillor under Part 3 of Local Government Act 2000.

- 4.10 The post of Chair, Vice Chair and Assistant Vice Chair will be nominated by Councillors in Montgomeryshire, Radnorshire and Brecknockshire in rotation.
- 4.11 In the event of a vacancy occurring between Annual Meetings the County Council will appoint a new Chair, Vice-Chair or Assistant Vice-Chair (as the case may be) at an ordinary meeting following the occurrence of the vacancy.

² Defined in Section 2.2.2

SECTION 4 – FULL COUNCIL

Role and Function of the Chair

4.12 The Chair of the Council and in his/her absence, the Vice Chair or Assistant Vice Chair will have the following roles and functions:

Ceremonial Role

4.12.1 The Chair of the Council:

- 4.12.1.1 is the civic leader of Powys County Council ;
- 4.12.1.2 promotes the interests and reputation of the Council and the geographic area of Powys as a whole and acts as an ambassador for both; and
- 4.12.1.3 undertakes civic, community and ceremonial activities and fosters community identity and pride.

Responsibilities of the Chair

4.12.2 The Chair of the Council will:

- 4.12.2.1 uphold and promote the purpose of the Constitution, and to interpret the Constitution with advice from the Monitoring Officer when necessary;
- 4.12.2.2 preside over meetings of the Council so that its business can be carried out fairly and efficiently and with regard to the rights of Councillors with regards to their (a) participation in the affairs of Council; (b) access to documentation and information in accordance with Section 14; and (c) the interests of the Community;
- 4.12.2.3 ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Councillors who are not on the Cabinet are able to hold the Cabinet and Committee chairs to account;
- 4.12.2.4 ensure public involvement in the Council's activities;
- 4.12.2.5 be the conscience of the Council; and

Political Neutrality

4.12.3 The Chair, Vice-Chair and Assistant Vice-Chair of the Council during their periods of office will not be actively involved with any political group to which they belong.

4.12.4 The Chair, the Vice-Chair, the Assistant Vice-Chair of the Council, cannot be a member of the Cabinet .

Council Meetings

4.13 There are three types of Council meeting:

- 4.13.1 the Annual Meeting;
- 4.13.2 ordinary meetings; and
- 4.13.3 extraordinary meetings

SECTION 4 – FULL COUNCIL

Rules of Procedure and Debate

4.14 The Council Procedure Rules contained in Rules 4.15 onwards will apply to meetings of the Full Council. Unless otherwise indicated, those rules marked:

♣	will apply to Cabinet and Cabinet Committees
▲	will apply to committee and sub-committee meetings (with the exception of Area (Shire) Committees, and the Planning, Taxi Licensing and Rights of Way Committee when performing the functions of a planning authority as defined in Section 319ZD of the Town and Country Planning Act 1990)
◆	will apply to Area (Shire) Committees meetings
■	will apply to the Planning, Taxi Licensing and Rights of Way Committee when performing the functions of a planning authority as defined in Section 319ZD of the Town and Country Planning Act 1990

Council Procedure Rules - Annual Meeting of the Council

Timing and Business

4.15 In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the annual meeting will take place in March, April or May. Every Annual Meeting will:

- 4.15.1 elect a person to preside if the Chair of the Council is not present. A member of the Cabinet cannot preside over a meeting of Council³;
- 4.15.2 elect the Chair of the Council (subject to 4.10 above);
- 4.15.3 elect the Vice Chair of the Council (subject to 4.10 above);
- 4.15.4 elect the Assistant Vice-Chair of the Council (subject to 4.10 above);
- 4.15.5 receive declarations of interest
- 4.15.6 receive apologies for absence
- 4.15.7 decide on any amendments to the Constitution⁴ recommended by the Democratic Services Committee
- 4.15.8 receive any announcements from the Chair, Leader and/or the Head of Paid Service;
- 4.15.9 elect the Leader of the Council, except where the Leader was appointed for a period of four years or the term of the Council at the initial annual meeting of the Council;
- 4.15.10 be informed by the Leader of the number of Councillors to be appointed to the Cabinet;
- 4.15.11 decide on the allocation of seats on political balanced committees to political

³ Schedule 12, Local Government Act 1972 (as amended)

⁴ Any amendment to the committees of the Council including their size and terms of reference as set out in the Council's Constitution are subject to any statutory constraints or limitations and provided that the Council shall appoint at least one scrutiny committee, a Standards Committee and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions under this Constitution;

SECTION 4 – FULL COUNCIL

- groups in accordance with the requirements of the Local Government and Housing Act 1989
- 4.15.12 receive from political groups nominations of Councillors to serve on each of the politically balanced committees in accordance with the seats allocated to the respective political groups and to make appointments accordingly
- 4.15.13 appoint the Scrutiny Committees , Democratic Services Committee, Planning, Taxi-Licensing and Rights of Way Committee, Licensing Act 2003 Committee, Employment and Appeals Committee, Pensions and Investment Committee a Standards Committee and such other committees and sub-committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive Functions (as set out in Section 13 of this Constitution);
- 4.15.14 allocate the Chairs of Scrutiny Committees to the relevant political groups and to note the appointments to those Chairs made by the political groups
- 4.15.15 appoint the Chair of the Democratic Services Committee⁵
- 4.15.16 elect or appoint Members where vacancies occur in respect of:
- Independent Member of Standards Committee; and
 - Lay Member of the Audit Committee; and
 - Co-Opted Members of the Scrutiny Committee;
- 4.15.17 receive from the Leader any changes to the scheme of delegations (as set out in Section 13 of this Constitution);
- 4.15.18 to approve a Schedule of Members' Remuneration for the next ensuing financial year
- 4.15.19 consider any business set out in the notice convening the meeting.
- 4.15.20 other business, not specified in the summons as the Chair considers urgent, subject to the nature of the urgency being specified in the minutes PROVIDED ALWAYS that in allowing such urgent business the Chair shall have regard to the fact that the Annual Meeting of the Council is normally a civic / ceremonial occasion;
- 4.15.21 receive from political groups nominations of Councillors to serve on the Brecon Beacons National Park Authority and to make appointments accordingly
- 4.15.22 appoint 3 Councillors to the Welsh Local Government Association.
- 4.15.23 appoint 1 Councillor to the Welsh Local Government Association Co-Ordinating Committee
- 4.15.24 approve the Council's Pay Policy. Full Council has granted a dispensation for an officer nominated by the Section 151 Officer to be present during the course of the debate to answer any matters raised by members in the debate. Dispensation is also given for an officer to be present during the course of the debate to run the congress system.
- 4.16 The order of business, with the exception of Rule 4.15.1 may be altered by the Chair or decision of Council
- 4.17 Additional agenda items for the Annual Meeting next following the ordinary election of Councillors:
- 4.17.1 Receive a report from the Returning Officer as to the Councillors

⁵ Regulation 14(1) of Local Government Measure (Wales) 2011

SECTION 4 – FULL COUNCIL

elected;

4.17.2 Elect the Leader **;

4.17.3 Appoint Councillors to the Standards Committee **;

4.17.4 Appoint Councillors to the Area (Shire) Committees **;

4.17.5 Make appointments of Councillors in accordance with the political balance requirements to:

- Police and Crime Panel **;
- Mid and West Wales Fire and Rescue Authority **;

** Unless terminated earlier in accordance with this Constitution, this election / appointment will be for a term expiring at the next ordinary council elections.

Ordinary Meetings

4.18 Ordinary meetings of the Council will take place in accordance with a programme decided by the Council provided that the Chief Executive and Monitoring Officer shall have authority, subject to consultation with the Chair of Council, to change the date or time of any meeting, if such change is necessary in the interest of the convenient or efficient dispatch of the Council's business. The order of business at ordinary meetings will be as follows:

4.18.1 elect a person to preside if the Chair, Vice Chair and Assistant Vice-Chair are not present. A member of the Cabinet cannot preside at a meeting of the Council⁶;

4.18.2 receive any declarations of interest from Councillors;

4.18.3 receive apologies for absence;

4.18.4 approve as a correct record the minutes of the last meeting;

4.18.5 receive any announcements from the Chair, Leader or Chief Executive

4.18.6 decide on any amendments to the Constitution recommended by the Democratic Services Committee⁷

4.18.7 where required to elect, appoint, or note the appointment, or remove Members to / from the following positions:

4.18.7.1 Chair, Vice-Chair, Assistant Vice-Chair of Council;

4.18.7.2 Leader;

4.18.7.3 Independent Member of Standards Committee;

4.18.7.4 Appoint Lay Member of the Audit Committee and Co-Opted Members of the Scrutiny Committee;

4.18.7.5 Chair of a Scrutiny Committee (excluding Chair of Audit) or Democratic Services Committee.

4.18.8 (if required due to the formation of a new political group or due to a Councillor joining a political group):

⁶ Schedule 12, Local Government Act 1972 (as amended)

⁷ Any amendment to the committees of the Council including their size and terms of reference as set out in the Council's Constitution subject to any statutory constraints or limitations and provided that the Council shall appoint at least one scrutiny committee, a Standards Committee and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions under this Constitution

SECTION 4 – FULL COUNCIL

- 4.18.8.1 decide on the allocation of seats on politically balanced committees to political groups in accordance with the requirements of the Local Government and Housing Act 1989; and
 - 4.18.8.2 receive from political groups nominations of Councillors to serve on each of the politically balanced committees in accordance with the seats allocated to the respective political groups and make appointments accordingly; and
 - 4.18.8.3 allocate the Chairs of scrutiny committees to the relevant political groups and to note the appointments to those Chairs made by the political groups in accordance with the Local Government (Wales) Measure 2011;
- 4.18.9 (if required due to vacancy) note appointment of chair(s) of scrutiny committee(s) by the political group(s) in accordance with the Local Government (Wales) Measure 2011
- 4.18.10 to receive the report of the Monitoring Officer setting out appointments to fill vacancies on committees and outside bodies s/he has made in accordance with the authority delegated to him / her to make such appointments which accords with the wishes of a political group to whom the committee seat or position on the outside body has been allocated
- 4.18.11 receive written statements from the Leader and / or members of the Cabinet (which statements shall be taken as read) and any questions and answers on any of the statements;
- 4.18.12 receive reports from the Cabinet, Leader, Cabinet member, and any questions, answers and observations on any of those reports;
- 4.18.13 receive reports from any of the Council's Committees introduced by the relevant Committee Chair, and any questions, answers and observations on any of those reports;
- 4.18.14 receive reports from any of the Council's statutory officers, or Chief Officers and any questions, answers and observations on any of those reports
- 4.18.15 receive any other report that the Chief Executive considers is required to be placed before the Council and any questions, answers and observations on any of those reports
- 4.18.16 receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- 4.18.17 consider any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council's Budget and Policy Framework;
- 4.18.18 receive any petitions
- 4.18.19 deal with any outstanding business from the last Council meeting
- 4.18.20 receive and consider recommendations from the Cabinet and the Council's committees
- 4.18.21 consider motions of which appropriate notice has been given;
- 4.18.22 receive questions submitted in accordance with Rule 4.30 (Questions on Notice), and answers in response to those questions.
- 4.18.23 consider and debate any major issue which is relevant to the Council and its functions, for example a "state of the county" debate
- 4.18.24 to receive the report of the Monitoring Officer setting out any changes by the

SECTION 4 – FULL COUNCIL

Leader in the scheme of delegation and executive functions

- 4.18.25 consider any business set out in the notice convening the meeting
- 4.18.26 other business, not specified in the summons as the Chair considers urgent, subject to the nature of the urgency being specified in the minutes
- 4.18.27 to exclude the public for the consideration of any item in accordance with the Access to Information Procedure Rules in Section 14.
- 4.18.28 The order of business, with the exception of Rule 4.18.1 may be altered by the Chair or decision of Council
- 4.18.29 No meetings of the Council, or its committees (other than Committees, Sub-Committees or Panels dealing with planning, licensing and employment matters), shall be held in the month of August, unless circumstances so require.

Extraordinary Meetings

Calling Extraordinary Meetings

4.19 The Chief Executive may call Council meetings in addition to ordinary meetings. Those listed below may request the Chief Executive to call additional Council meetings:

- 4.19.1 the Council by resolution;
- 4.19.2 the Chair of the Council;
- 4.19.3 The Leader;
- 4.19.4 The Head of Paid Service;
- 4.19.5 The Monitoring Officer or the Section 151 Officer;
- 4.19.6 any five Councillors if they have signed a requisition presented to the Chair of the Council and s/he has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

Business

4.20 The business to be conducted at an extraordinary meeting shall be restricted to the item or items of business contained in the request for the extraordinary meeting and there shall be no consideration of previous minutes or reports from committees etc, except that the Chair may at his/her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

Time, Place and Duration of Meetings

Time and Place of Meetings

♣ ▲ ◆ ■⁸4.21 The time and place of meetings will be determined by the Chief Executive in consultation with the Chair and notified in the summons.

Duration of Meetings

♣ ▲ ◆ ■⁹4.22 At ordinary meetings, when 8 hours have elapsed after the commencement of the meeting, the Chair shall adjourn immediately after the

⁸ See Rule 4.14

SECTION 4 – FULL COUNCIL

disposal of the item of business being considered at the time. Remaining business will be considered at a time and date fixed by the Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

Notice of and Summons to Meetings

♣ ▲ ◆ ■¹⁰4.23 The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules in Section 14. At least 3 clear days before a meeting, the Chief Executive will send a summons signed by him/her to every Councillor by post and / or by leaving it at their usual place of residence and / or by electronic means including a link to the Members' website. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports and other documents as are available.

Chair of Meeting

4.24.1 Whenever present the Chair of Council will chair meetings of the Council. In his / her absence the Vice-Chair of Council, or in his / her absence the Assistant Vice-Chair of Council or in his/her absence the Councillor elected to preside over the meeting in accordance with Rule 4.18.1, will take the chair. The person presiding at the meeting may exercise any power or duty of the Chair. A member of the Cabinet cannot preside at a meeting of the Council

▲ ◆ ■¹¹4.24.2 At the first meeting of Committees or Sub-Committees (save the Standards Committee) in each municipal year the Committee / Sub-Committee will elect a Chair and Vice-Chair for the forthcoming 12 month period save where the Chair of Committee has been appointed by Council by the Full Council in accordance with Rules 4.15.14, 4.15.15 or Rule 4.18.7.5.

▲ ◆ ■¹²4.23.3 Whenever present the Chair of a Committee / Sub-Committee elected in accordance with Rule 4.24.2 above will chair meetings. In his / her absence the Vice-Chair of the Committee / Sub-Committee will take the chair. In the absence of the Chair and Vice-Chair the Committee / Sub-Committee will elect a Councillor to preside over the meeting. The person presiding at the meeting may exercise any power or duty of the Chair.

Conduct of Meeting

♣ ▲ ◆ ■¹³4.25 The Chair shall conduct the meeting to secure a proper, full and effective debate of business items where a decision is required and a committee or sub-committee has not previously considered the matter. The steps the Chair may take include:

⁹ See Rule 4.14

¹⁰ See Rule 4.14

¹¹ See Rule 4.14

¹² See Rule 4.14

¹³ See Rule 4.14

SECTION 4 – FULL COUNCIL

- ♣ ▲ ◆ ■¹⁴4.25.1 calling for more time to allow the speaker to properly explain the matter;
- ♣ ▲ ◆ ■¹⁵4.25.2 permitting a Member to speak more than once;
- ♣ ▲ ◆ ■¹⁶4.25.3 allowing employees of the Council to advise the meeting as appropriate, having regard to the provisions of Rules 4.94 and 4.95 below;
- ♣ ▲ ◆ ■¹⁷4.25.4 allowing a full discussion of reports and matters for decision;

Quorum

- ♣ ▲ ◆ ■¹⁸ ¹⁹4.26 The quorum of a meeting will be one quarter of the whole number of Members. During any meeting if the Chair counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

Remote Attendance

- ♣ ▲ ◆ ■²⁰4.27 Pursuant to Section 4 of the Local Government (Wales) Measure 2011, the County Council on 22nd October, 2014 decided not to allow any Council meetings to be held in accordance with the provisions of Section 4.

Questions by Councillors

On Minutes, Reports or Statements of the Cabinet or Committees

- 4.28 A Member of the Council may ask the Leader, Cabinet member or the Chair of a Committee / Sub-Committee any question without notice directly **arising from an item in the minutes** (whether or not that minute has been approved as a true record at a subsequent meeting of the Cabinet or Committee / Sub-Committee), report or statements of the Cabinet / Cabinet member or a Committee / Sub-Committee, when that item is being received or is under consideration by the Council.

Questions from Members

- 4.29A Subject to Rule 4.30, a Councillor may ask on Notice at Full Council:

- 4.29.1 the Chair;
- 4.29.2 a member of the Cabinet;
- 4.29.3 the chair of any committee or sub-committee;
- 4.29.4 nominated Councillors of the Fire and Rescue Authority or the Brecon Beacons National Park Authority or the Police and Crime Panel

¹⁴ See Rule 4.14

¹⁵ See Rule 4.14

¹⁶ See Rule 4.14

¹⁷ See Rule 4.14

¹⁸ See Rule 4.14

¹⁹ For the quorum of the Planning, Taxi Licensing and Rights of Way Committee acting as a Planning Authority see Rule 19.92

²⁰ See Rule 4.14

SECTION 4 – FULL COUNCIL

a question on any matter in relation to which the Council has powers or duties or which affects the Council other than operational matters which must be addressed as set out in Rule 4.29C

4.29B In addition to questions put under Rule 4.29A above a Councillor may ask the Leader or a Portfolio Holder a written question on any matter in relation to which the Council has powers or duties or which affects the Council other than operational matters which must be addressed as set out in Rule 4.29C at any time which must be responded to within 10 working days. All such questions and responses will be published on the council's website.

4.29C In addition to questions put under Rules 4.29A and 4.29B above a Councillor may ask the relevant Head of Service a written question on any operational matter at any time which must be responded to within 10 working days. All such questions and responses will be published on the council's website.

Notice of Questions

4.30 A Councillor may ask a question under Rule 4.29 if either:

4.30.1 written notice of the question has been ~~delivered to~~ received by the Monitoring Officer not later than 5.00 p.m. 10 Clear Days before the date of the Council meeting at which it is to be considered; or

4.30.2 the question relates to urgent matters, they have the consent of the Chair and the Councillor to whom the question is to be put and the content of the question is ~~given to~~ received by the Monitoring Officer by 5 p.m. on the day prior to the meeting.

Maximum Number of Questions

4.31 A Councillor may ask only two questions (including any urgent question(s)) under Rule 4.29 except with the consent of the Chair of the Council. With the consent of the Chair of Council a Member may substitute an urgent question for a question that has already been raised provided that the urgent question complies with Rule 4.30.2.

Order of Questions

4.32 Questions of which notice has been given under Rule 4.29 will be listed on the agenda in the order determined by the Chair of the Council.

Rejection of Questions

4.33 Questions under Rule 4.29 may be rejected if, in the opinion of the Monitoring Officer and the Chair they:

4.33.1 are not about a matter for which the Council has a responsibility and which affects the administrative area of the Council;

4.33.2 are defamatory, frivolous or offensive;

4.33.3 are substantially the same as a question which has been put at a meeting of the Council in the past six months and there has been no material change in the answer which would be given;

4.33.4 concern an item of business which is the subject of a report to the meeting;

SECTION 4 – FULL COUNCIL

- 4.33.5 disclose confidential or exempt information where there is no demonstrable need to know;
- 4.33.6 are based on opinion where the factual basis for the opinion is not detailed in the question
- 4.33.7 relate to personal and confidential information of an employee (or former employee) in the view of the Monitoring Officer and / or the Section 151 Officer.

Withdrawal of Questions

- 4.34.1 A question of which notice has been given can only be withdrawn with the consent of the person asking the question;
- 4.34.2 If the Monitoring Officer considers that a response to a submitted question could be provided by a senior officer prior to the relevant Council meeting, then the Monitoring Officer may contact the Councillor concerned to ascertain whether the Councillor agrees that the question could be withdrawn.
- 4.34.3 A question which has been withdrawn under Rule 4.34.1 may only be reinstated provided that Rule 4.30 has been adhered to.

Responses

- 4.35 A response to a question or supplementary question may take the form of:
 - 4.35.1 a direct oral answer at the meeting or if it is more appropriate to supply the answer in written form, a written answer should be circulated at the meeting or later to the questioner and other Councillors (if requested). Where an oral answer is given the response shall last for no longer than 5 minutes.
 - 4.35.2 where the desired information is in a publication of the Council or other published work, by reference to that publication,

Supplementary Question

- 4.36 A Councillor asking a question under Rule 4.29 may ask one supplementary question without notice of the Councillor to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply. The Councillor asking the supplementary question may speak for no longer than 1 minute. The speech must not amount to a response or comment upon the response provided under Rule 4.35 above.

Motions on Notice

Notice

- 4.37.1 Except for motions which can be moved without notice under Rule 4.42 and in cases of urgency under Rule 4.43, written notice of every motion, must be ~~delivered to~~ received by the Monitoring Officer not later than 5.00 p.m. 10 Clear Days before the date of the Council meeting at which it is to be considered.
- 4.37.2 Each motion must have one Member to propose and another Member to second the motion and the proposer and seconder must either sign the motion or otherwise confirm by email or in writing to the Monitoring Officer that they are proposing or seconding the motion.

SECTION 4 – FULL COUNCIL

Motion Set Out in Agenda

- 4.38.1 Motions for which notice has been given will be listed on the agenda in the order determined by the Chair.
- 4.38.2 If an issue arises at a meeting of a committee as to the appointment, promotion, dismissal, salary, superannuation or Conditions of Service, or as to the conduct of any person employed by the Council, such matter shall not be the subject of discussion until the Council has decided on the exercise of the power of exclusion of the public under the terms of the Access to Information Rules set out in Section 14.

Scope

- 4.39 Motions may be rejected if, in the opinion of the Monitoring Officer and the Chair they:
- 4.39.1 are not about a matter for which the Council has a responsibility and which affects the wellbeing of the administrative area of the Council;
 - 4.39.2 are defamatory, frivolous or offensive;
 - 4.39.3 are substantially the same as a motion which has been put at a meeting of the Full Council in the past six months;
 - 4.39.4 concern an item of business which is the subject of a report to the meeting;
 - 4.39.5 disclose confidential or exempt information where there is no demonstrable need to know;
 - 4.39.6 are based upon a legally inaccurate premise;
 - 4.39.7 relate to personal and confidential information of an employee (or former employee) in the view of the Monitoring Officer and / or the Section 151 Officer;
 - 4.39.8 would amount to an attempt to “Call-In” a decision of Cabinet or a delegated decision made by a Portfolio Holder which would not be allowed due to application of the Call-In rules set out in Section 7.

Appointment and Removal of the Leader

- 4.40.1 The following process will be followed for the appointment of the Leader:
- 4.40.1.1 The Chair will ask for written nominations;
 - 4.40.1.2 The Chair will declare the number of nominations for each candidate and where a candidate has been nominated by more than 1 Councillor they will be deemed to have had their nomination seconded. For candidates with a single nomination, the Chair will ask for a seconder from the floor of Council;
 - 4.40.1.3 Those nominated will be asked whether they accept or refuse the nomination;
 - 4.40.1.4 In the event of there being a single candidate, there will be a secret ballot and the Chair will have a casting vote.
 - 4.40.1.5 In the event of there being more than 1 candidate, all candidates will be asked to leave the Chamber and each candidate will be invited, in alphabetical / surname order to separately make a presentation of up to 5 minutes to Council.

SECTION 4 – FULL COUNCIL

- 4.40.1.6 After all presentations have been made there will be a vote by secret ballot. Where no candidate receives a majority on the first vote, the candidate with the least number of votes will be eliminated and a further vote will be taken. This procedure will be repeated until a candidate receives a majority. If the bottom 2 candidates have the same number of votes, a vote will be taken to decide the candidate to be eliminated from future votes. In the event of an equal number of votes being cast at this stage, the Chair will have a casting vote as to the candidate to be eliminated.
- 4.40.1.7 For the avoidance of doubt in the event of the last 2 candidates having the same number of votes, the Chair will have a casting vote as to which candidate is appointed as Leader.
- 4.40.2 The Leader may be removed by a Notice on Motion which has a simple majority of those Councillors voting and present in the room at the time the question was put.
- 4.40.3 A motion to remove the Leader cannot be moved more than once in any rolling 6 month period.

Two Motions per Councillor

- 4.41 No Councillor may give notice of more than 2 motions for any Council meeting, except with the consent of the Chair. Following debate and / or amendments a motion will be taken as a single motion.

Motions without Notice

- 4.42 The following motions may be moved without notice:

- ♣ ▲ ◆ ■²¹4.42.1 to appoint a Chair of the meeting at which the motion is moved;
- ♣ ▲ ◆ ■²²4.42.2 in relation to the accuracy of the minutes;
- ♣ ▲ ◆ ■²³4.42.3 to change the order of business in the agenda;
- ♣ ▲ ◆ ■²⁴4.42.4 to refer something to an appropriate committee, body or individual for consideration or reconsideration;
- ♣ ▲ ◆ ■²⁵4.42.5 to appoint a committee or Member to perform a function or duty arising from an item on the summons for the meeting;
- ♣ ▲ ◆ ■²⁶4.42.6 to receive reports and / or adopt and / or amend recommendations of the Cabinet, committees or Officers and any resolutions following from them;
- ♣ ▲ ◆ ■²⁷4.42.7 to withdraw a motion;
- ♣ ▲ ◆ ■²⁸4.42.8 to amend a motion;
- ♣ ▲ ◆ ■²⁹4.42.9 a closure motion under Rule 4.54
- 4.42.10 to suspend a particular Council Procedure Rule (provided that at least one

²¹ See Rule 4.14

²² See Rule 4.14

²³ See Rule 4.14

²⁴ See Rule 4.14

²⁵ See Rule 4.14

²⁶ See Rule 4.14

²⁷ See Rule 4.14

²⁸ See Rule 4.14

²⁹ See Rule 4.14

SECTION 4 – FULL COUNCIL

- half of the whole number of Members are present)³⁰;
- ♣ ▲ ◆ ■³¹4.42.11 to exclude the public and press in accordance with the Access to Information Procedure Rules;
- ♣ ▲ ◆ ■³²4.42.12 to not hear further a Member named under Rule 4.86 or to exclude them from the meeting under Rule 4.87; and
- 4.42.13 to give the consent of the Council where its consent is required by this Constitution.
- ♣ ▲ ◆ ■³³4.42.14 urgent motions, provided the requirements of Rule 4.43 is satisfied.

Urgent Motions

- 4.43.1 An urgent motion complying with Rule 4.37.2 may be presented, with the permission of the Chair, provided it has been ~~notified to~~ received by the Monitoring Officer by 5.00 p.m. on the day prior to the Council meeting
- 4.43.2 Subject to Rule 4.43.3 below, the Chair has general authority to agree to take an urgent motion which is not on the agenda, and the discretion is entirely that of the Chair who alone needs to be satisfied as to the need for urgency;
- 4.43.3 The general authority referred to above is qualified in that an urgent motion should not be taken unless:
- 4.43.3.1 the matter dealt with in the motion has arisen between the deadline for the submission of motions and the date of the meeting; and
 - 4.43.3.2 the motion requires an urgent decision in the public interest which cannot be dealt with by other means (including referring the motion for consideration and decision to the Cabinet or a committee), or left to be decided at a subsequent meeting.
- 4.43.4 In all cases, the reason for the urgency shall be clearly stated on the motion, and the Chair will explain to the Council the reason why he or she has accepted a motion not listed on the agenda as urgent

Rules of Debate

No Speeches until Motion Seconded

- ♣ ▲ ◆ ■³⁴4.44 No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded. The proposer of the motion shall have the right to make the first speech in relation to the motion which s/he has moved by notice.

Right to Require Motion in Writing

- ♣ ▲ ◆ ■³⁵4.45 Unless notice of the motion has already been given, the Chair may require it to be written down and handed to him before it is discussed.

³⁰ See Rule 2.10

³¹ See Rule 4.14

³² See Rule 4.14

³³ See Rule 4.14

³⁴ See Rule 4.14

³⁵ See Rule 4.14

SECTION 4 – FULL COUNCIL

Secunder's Speech

- ♣ ▲ ◆ ■³⁶4.46 When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

Content and Length of Other Speeches

4.47.1 Non aligned Members and a nominated principal speaker from each Political Group will be able to speak on each motion with all Members having a right to speak to raise additional or different issues in the debate.

- ▲ ◆ ■³⁷4.47.2 Speeches in accordance with 4.47.1 above must be directed to the motions under discussion or to a personal explanation, point of order or right of reply. The proposer of a motion may speak for no more than 10 minutes; otherwise no speech may exceed 5 minutes without the consent of the Chair.

When a Member may Speak Again

- ♣ ▲ ◆ ■³⁸4.48 A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- ▲ ◆ ■³⁹4.48.1 to speak once on an amendment moved by another Member;
▲ ◆ ■⁴⁰4.48.2 to move a further amendment if the motion has been amended since he last spoke;
▲ ◆ ■⁴¹4.48.3 if his first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he spoke was carried);
▲ ◆ ■⁴²4.48.4 in exercise of a right of reply;
▲ ◆ ■⁴³4.48.5 on a point of order; and
▲ ◆ ■⁴⁴4.48.6 by way of personal explanation.

Amendments to Motions

- ♣ ▲ ◆ ■⁴⁵4.49.1 Subject to Rules 4.49.2 to 4.49.9 below an amendment to a motion must be relevant to the motion and will either be:

- ♣ ▲ ◆ ■⁴⁶4.49.1.1 to refer the matter to an appropriate committee, body or individual for consideration or reconsideration;
♣ ▲ ◆ ■ to leave out words;

³⁶ See Rule 4.14

³⁷ See Rule 4.14

³⁸ See Rule 4.14

³⁹ See Rule 4.14

⁴⁰ See Rule 4.14

⁴¹ See Rule 4.14

⁴² See Rule 4.14

⁴³ See Rule 4.14

⁴⁴ See Rule 4.14

⁴⁵ See Rule 4.14

⁴⁶ See Rule 4.14

SECTION 4 – FULL COUNCIL

■⁴⁷4.49.1.2



◆ to leave out words and insert or add others; or

■⁴⁸4.49.1.3



◆ to insert or add words or additional recommendations;

■⁴⁹4.49.1.4



◆ to substitute another proposition which is committed to writing and ~~sent to~~ received by the Head of Legal and Democratic Services and / or the Head of Democratic Services no later than 5 p.m. on the day prior to the meeting.

■⁵⁰4.49.1.5

as long as the effect of Rules 4.49.1.2 to 4.49.1.4 is not to negate or would otherwise change the material substance of the original motion.

♣ ▲ ◆ ■4.49.2

Amendments in accordance with Rule 4.49.1.2 to 4.49.1.4 (adding, removing or substituting words), will only be allowed if committed to writing and ~~sent to~~ received by the Head of Legal and Democratic Services and / or the Head of Democratic Services no later than 5 p.m. on the day prior to the meeting

♣ ▲ ◆ ■4.49.3

Any amendments received in accordance with these rules will be automatically circulated to all Members as soon as reasonably practicable.

♣ ▲ ◆ ■4.49.4

The Chair will have a general discretion to allow any amendments which do not have the effect of negating or would otherwise change the material substance of the original motion, in circumstances where the Chair in his / her absolute discretion considers the amendment has arisen out of the debate.

▲ ◆ ■⁵¹4.49.5

Each amendment will be proposed, seconded, committed to writing and handed to the Chair;

♣ ▲ ◆ ■⁵²4.49.6

Only one amendment may be moved and discussed at any one time and strictly in the order of receipt. No further amendment may be moved until the amendment under discussion has been decided.

♣ ▲ ◆ ■⁵³4.49.7

If an amendment is not carried, other amendments to the original motion may be moved.

♣ ▲ ◆ ■⁵⁴4.49.8

If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

♣ ▲ ◆ ■⁵⁵4.49.9

After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

⁴⁷ See Rule 4.14

⁴⁸ See Rule 4.14

⁴⁹ See Rule 4.14

⁵⁰ See Rule 4.14

⁵¹ See Rule 4.14

⁵² See Rule 4.14

⁵³ See Rule 4.14

⁵⁴ See Rule 4.14

⁵⁵ See Rule 4.14

SECTION 4 – FULL COUNCIL

Alteration of Motion

- ♣ ▲ ◆ ■⁵⁶4.50.1 A Member may alter a motion which he has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- ♣ ▲ ◆ ■⁵⁷4.50.2 Only alterations which could be made as an amendment pursuant to Rule 4.49 may be made.

Withdrawal of Motion

- ♣ ▲ ◆ ■⁵⁸4.51 A Member may withdraw a motion which he has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

Right of Reply

- ♣ ▲ ◆ ■⁵⁹4.52.1 If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- ♣ ▲ ◆ ■⁶⁰4.52.2 The mover of the amendment has no right of reply to the debate on his amendment.
- ♣ ▲ ◆ ■⁶¹4.52.3 A Member exercising a right of reply will not introduce any new matter and after the reply, a vote shall be taken without further discussion. Members may not speak after the owner of a motion has exercised a right of reply, except to seek clarification of a particular matter before the owner of the motion concludes his or her speech. A Member may not speak after a proposition has been voted on except on a point of order relating to it.

Procedural Motions which may be Moved During Debate

- ♣ ▲ ◆ ■⁶²4.53 When a motion is under debate, no other motion may be moved except the following procedural motions:
- ♣ ▲ ◆ ■⁶³4.53.1 to withdraw a motion;
- ♣ ▲ ◆ ■⁶⁴4.53.2 to amend a motion;
- ♣ ▲ ◆ ■⁶⁵4.53.3 a closure motion under Rule 4.54.5
- ♣ ▲ ◆ ■⁶⁶4.53.4 to exclude the public and press in accordance with the Access to Information Procedure Rules; and

⁵⁶ See Rule 4.14

⁵⁷ See Rule 4.14

⁵⁸ See Rule 4.14

⁵⁹ See Rule 4.14

⁶⁰ See Rule 4.14

⁶¹ See Rule 4.14

⁶² See Rule 4.14

⁶³ See Rule 4.14

⁶⁴ See Rule 4.14

⁶⁵ See Rule 4.14

⁶⁶ See Rule 4.14

SECTION 4 – FULL COUNCIL

- ♣ ▲ ◆ ■⁶⁷4.53.5 to not hear further a Member named under Rule 4.86 or to exclude them from the meeting under Rule 4.87.
- ♣ ▲ ◆ ■⁶⁸4.53.6 to suspend a particular council procedure rule (provided that at least one half of the whole number of Members are present).

Closure Motions

- ♣ ▲ ◆ ■⁶⁹4.54.1 to proceed to the next business;
- ♣ ▲ ◆ ■⁷⁰4.54.2 to ask that the question be now put;
- ♣ ▲ ◆ ■⁷¹4.54.3 to adjourn a debate; or
- ♣ ▲ ◆ ■⁷²4.54.4 to adjourn a meeting.
- ♣ ▲ ◆ ■⁷³4.54.5 subject to Rule 4.54.8 below, if a motion to proceed to next business under Rule 4.54.1 is seconded and only if the Chair thinks the item has been sufficiently discussed, he will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- ♣ ▲ ◆ ■⁷⁴4.54.6 subject to Rule 4.54.8 below, if a motion that the question be now put under Rule 4.54.2 is seconded and only if the Chair thinks the item has been sufficiently discussed, he will put the procedural motion to the vote. If it is passed he will give the mover of the original motion a right of reply before putting his motion to the vote.
- ♣ ▲ ◆ ■⁷⁵4.54.7 subject to Rule 4.54.8 below, if a motion to adjourn the debate or to adjourn the meeting under Rules 4.54.3 and 4.54.4 is seconded and only if the Chair thinks the item has been sufficiently discussed and cannot reasonably be so discussed on that occasion, he will put the procedural motion to the vote without giving the mover of the original motion the right of reply.
- ♣ ▲ ◆ ■⁷⁶4.54.8 in the event that a closure motion under Rule 4.54.1 to 4.54.4 is moved and seconded, the following procedure will apply in the order set out below:
- 4.54.8.1 the closure motion will be voted upon without further debate;
- 4.54.8.2 if an amendment has been moved and seconded before a closure motion has been passed by Full Council, that amendment must be discussed immediately but will be subject to the following restrictions:
- The debate on the amendment cannot exceed a maximum of 30 minutes in total, save for the exercising of the Chair's discretion.
 - the proposer will have a maximum of 5 minutes to speak on the amendment;

⁶⁷ See Rule 4.14

⁶⁸ See Rule 4.14

⁶⁹ See Rule 4.14

⁷⁰ See Rule 4.14

⁷¹ See Rule 4.14

⁷² See Rule 4.14

⁷³ See Rule 4.14

⁷⁴ See Rule 4.14

⁷⁵ See Rule 4.14

⁷⁶ See Rule 4.14

SECTION 4 – FULL COUNCIL

- the relevant Portfolio Holder(s) will have a maximum of 5 minutes to speak on the amendment;
 - the seconder and all other speakers will have a maximum of 3 minutes to speak on the amendment;
- 4.54.8.3 Full Council will vote on the proposed amendment debated under Rule 4.54.8.2 above.
- 4.54.8.4 a single new amendment to the substantive motion (as amended if appropriate) will be allowed if properly seconded, but will be subject to the following restrictions:
- the first new amendment proposed and seconded will be considered and no further proposed amendments will be considered;
 - The debate on the new amendment cannot exceed a maximum of 30 minutes in total, save for the exercising of the Chair's discretion.
 - the proposer will have a maximum of 5 minutes to speak on the new amendment;
 - the relevant Portfolio Holder will have a maximum of 5 minutes to speak on the new amendment;
 - the seconder and all other speakers will have a maximum of 3 minutes to speak on the new amendment;
- 4.54.8.5 the new amendment proposed in accordance with Rule 5.54.8.4 will be voted upon.
- 4.54.8.6 the substantive motion (as amended under Rule 4.54.8.2 or Rule 4.54.8.4) will be voted upon.

Point of Order

♣ ▲ ◆ ■⁷⁷4.55 A point of order is a request from a Member to the Chair to rule on an alleged irregularity in the procedure of the meeting. A Member may raise a point of order at any time by indicating to the Chair by standing that they wish to raise a point of order and waiting for the Chair to call them to speak at a convenient point at the discretion of the Chair. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The Member must indicate the rule or law and the way in which s/he considers it has been broken. The ruling of the Chair on the matter will be final.

Personal Explanation

♣ ▲ ◆ ■⁷⁸4.56 A Member may make a personal explanation at any time. A personal explanation may only relate to one of the following:

⁷⁷ See Rule 4.14

⁷⁸ See Rule 4.14

SECTION 4 – FULL COUNCIL

- ♣ ▲ ◆ ■⁷⁹4.56.1 some material part of an earlier speech by the Member in the present debate which may appear to have been misunderstood;
- ♣ ▲ ◆ ■⁸⁰4.56.2 to reply to an allegation of misconduct made against the Member giving the explanation; or
- ♣ ▲ ◆ ■⁸¹4.56.3 to make an apology to the Council.

♣ ▲ ◆ ■⁸²4.57 The ruling of the Chair on the admissibility of a personal explanation will be final.

♣ ▲ ◆ ■⁸³4.58 Points of personal explanation will only be recorded in the minutes if the Monitoring Officer considered that such an inclusion would provide greater clarity to the minutes.

Declarations of Interest

♣ ▲ ◆ ■⁸⁴4.59 A Member may at any time declare a personal interest under the Members' Code of Conduct and when a Member makes a declaration s/he shall be heard immediately and shall be allowed to make the declaration without interruption.

Previous Decisions and Motions

Motion to Rescind a Previous Decision

- ▲ ◆ ■⁸⁵4.60.1 A motion or amendment to rescind a decision made at a meeting within the past six months cannot be moved unless the notice of motion is signed by at least 10 Members.
- ▲ ◆ ■⁸⁶4.60.2 Rule 4.37.2 does not apply to a motion under Rule 4.60.1.
- ▲ ◆ ■⁸⁷4.60.3 For the sake of clarity rule 4.60.1 does not apply to decisions taken by the Cabinet.

Motion Similar to One Previously Rejected

▲ ◆ ■⁸⁸4.61.1 A motion or amendment in similar terms to one that has been rejected at a meeting in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 10 Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

⁷⁹ See Rule 4.14

⁸⁰ See Rule 4.14

⁸¹ See Rule 4.14

⁸² See Rule 4.14

⁸³ See Rule 4.14

⁸⁴ See Rule 4.14

⁸⁵ See Rule 4.14

⁸⁶ See Rule 4.14

⁸⁷ See Rule 4.14

⁸⁸ See Rule 4.14

SECTION 4 – FULL COUNCIL

▲ ◆ ■⁸⁹4.61.2 Rule 4.37.2 does not apply to a motion under Rule 4.61.1.

⁸⁹ See Rule 4.14

SECTION 4 – FULL COUNCIL

Voting

Majority

♣ ▲ ◆ ■⁹⁰4.62 Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

Chair's Casting Vote

♣ ▲ ◆ ■⁹¹4.63 If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

Method of Voting

♣ ▲ ◆ ■⁹²4.64 Unless a recorded vote is demanded under Rule 4.66 the Chair will take the vote by show of hands, or by use of the Council's electronic voting system if any, or if there is no dissent, by the affirmation of the meeting.

Ballots

4.65.1 In respect of Full Council the vote will take place by ballot if 10 Councillors present at the meeting demand it. The Chair will announce the numerical result of the ballot immediately the result is known.

♣ ▲ ◆ ■⁹³4.65.2 In respect of committees the vote will take place by ballot if a majority of the Members present at the meeting demand it. The Chair will announce the numerical result of the ballot immediately the result is known.

Recorded Vote

4.66.1 Subject to 4.66.2 below, whenever an electronic voting system is available voting at Full Council meetings shall take place by means of that electronic voting system and the votes cast by each Councillor will be made available on the Council's website upon publication of the draft minutes for that meeting.

4.66.2 In respect of Full Council if 10 Councillors present at the meeting demand it, before a vote is taken, the details of the votes cast by each Councillor will be made available to the meeting.

♣ ▲ ◆ ■⁹⁴4.66.3 In respect of committees and the Cabinet if a majority of Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and

⁹⁰ See Rule 4.14

⁹¹ See Rule 4.14

⁹² See Rule 4.14

⁹³ See Rule 4.14

⁹⁴ See Rule 4.14

SECTION 4 – FULL COUNCIL

entered into the minutes. A demand for a recorded vote together with a demand for a ballot will be voted upon by the committee.

Right to Require Individual Vote to be Recorded

♣ ▲ ◆ ■⁹⁵4.67 Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

Voting on Appointments

Voting on appointments to external bodies and organisations

♣ ▲ ◆ ■⁹⁶4.68.1 If there is one position (in an external body or organisation) to be filled by a nominee or representative of the Council and more than one person is nominated for that position then the position will be filled by the person with the greatest number of votes. If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

♣ ▲ ◆ ■⁹⁷4.68.2 If there are two or more positions (in an external body or organisation) to be filled by nominees or representatives of the Council and the number of nominations exceeds the number of such positions, each Councillor of the Council will be able to exercise one vote for each such position (but may vote only once for each nominee) and the persons to whom more votes have been given than other persons up to the number of positions to be filled, shall be appointed. If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

Voting on employee appointments

♣ ▲ ◆ ■⁹⁸4.69 In the event of there being more than two candidates for an appointment and no candidate receives the required majority on the first vote, the candidate with the least number of votes will be eliminated and a further vote will be taken. This procedure will be repeated until a candidate receives the required majority. If more than one candidate has the same number of votes and that is the lowest number of votes cast, a vote will be taken to decide the candidate to be eliminated from future votes. In the event of an equal number of votes being cast at this stage, the Chair will have a casting vote.

⁹⁵ See Rule 4.14

⁹⁶ See Rule 4.14

⁹⁷ See Rule 4.14

⁹⁸ See Rule 4.14

SECTION 4 – FULL COUNCIL

Voting on Internal Councillor Appointments

♣ ▲ ◆ ■⁹⁹4.70 This Rule applies to the appointment of Councillors to positions within the Local Authority or to joint committees with other authorities including:

4.70.1 the Chair / Vice-Chair / Assistant Vice-Chair of Council;

4.70.2 Leader;

♣ ▲ ◆ ■¹⁰⁰4.70.3 the Chair or Vice-Chair of a Committee or Sub-Committee;

♣ ▲ ◆ ■¹⁰¹4.70.4 Member of a Committee or Sub-Committee or Panel;

♣ ▲ ◆ ■¹⁰²4.70.5 Member of any other internal Council board, panel or group with or without officers;

♣ ▲ ◆ ■¹⁰³4.70.6 Member of any joint committee, board, panel or group involving the Council and one or more local authorities, and / or other public bodies.

♣ ▲ ◆ ■¹⁰⁴4.71 If there are more than two Councillors nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person. Voting under this paragraph will normally be conducted by ballot paper.

♣ ▲ ◆ ■¹⁰⁵4.72 Where there is a tie with two or more candidates receiving the least number of votes they both be eliminated from the voting where the addition of all the votes cast for the tied candidates would not equal or exceed the candidate with the next number of lowest votes. If the total number of votes cast for the candidates who tied would equal or exceed the next candidate, then only one of those candidates be eliminated and that decision be determined by ballot between the two.

♣ ▲ ◆ ■¹⁰⁶4.73 Where there is a tie, at the end of the voting process between two candidates the Chairman shall either use his / her second or casting vote, or require the appointment to be determined by the drawing of lots.

♣ ▲ ◆ ■¹⁰⁷4.74 This procedure may be varied by agreement of the meeting.

⁹⁹ See Rule 4.14

¹⁰⁰ See Rule 4.14

¹⁰¹ See Rule 4.14

¹⁰² See Rule 4.14

¹⁰³ See Rule 4.14

¹⁰⁴ See Rule 4.14

¹⁰⁵ See Rule 4.14

¹⁰⁶ See Rule 4.14

¹⁰⁷ See Rule 4.14

SECTION 4 – FULL COUNCIL

Minutes

Signing the Minutes

- ♣ ▲ ◆ ■¹⁰⁸4.75 The Chair will sign the minutes of the proceedings at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting

- ♣ ▲ ◆ ■¹⁰⁹4.76 Where in relation to any meeting, the next meeting for the purpose of signing the minutes is an extraordinary meeting¹¹⁰, then the next following meeting will be treated as a suitable meeting for the purposes of signing of minutes¹¹¹.

Form of Minutes

- ♣ ▲ ◆ ■¹¹²4.77 Save as provided below the form of the minutes will be a matter for the Chief Executive:

- ♣ ▲ ◆ ■¹¹³4.77.1 Minutes will contain all motions and amendments in the exact form and order the Chair put them.

- ♣ ▲ ◆ ■¹¹⁴4.77.2 Replies given to questions of which notice has been given under Rule 4.30 will be recorded in the minutes.

Record of Attendance

- ♣ ▲ ◆ ■¹¹⁵4.78 All Members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

- ♣ ▲ ◆ ■¹¹⁶4.79 Members permanently leaving a meeting shall advise the Chair or the clerk of their departure so that this can be formally recorded in the minutes, including the time of departure and the committee clerk shall so record in the minutes of that meeting.

- ♣ ▲ ◆ ■¹¹⁷4.80 Before Members leave a meeting room before the conclusion of

¹⁰⁸ See Rule 4.14

¹⁰⁹ See Rule 4.14

¹¹⁰ a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972

¹¹¹ paragraph 41(1) and (2) of Schedule 12 to the Local Government Act 1972

¹¹² See Rule 4.14

¹¹³ See Rule 4.14

¹¹⁴ See Rule 4.14

¹¹⁵ See Rule 4.14

¹¹⁶ See Rule 4.14

¹¹⁷ See Rule 4.14

SECTION 4 – FULL COUNCIL

business the Chair shall advise that Member of the above requirement.

Exclusion of Public

♣ ▲ ◆ ■¹¹⁸4.81.1 Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules in Section 14 of this Constitution or Rules 4.89 and 4.90 (Disturbance by the Public).

♣ ▲ ◆ ■¹¹⁹4.81.2 Where members of the public have been excluded pursuant to Rule 4.81.1, Members may nevertheless remain in the meeting (with the exception of confidential meetings of the Standards Committee) unless they have a personal and prejudicial interest.

Members' Conduct

Declarations of Interest

♣ ▲ ◆ ■¹²⁰4.82 Members must in all matters consider whether they have a personal interest (within the meaning within the Members' Code of Conduct) in a matter to be discussed at a meeting, and whether that Code of Conduct requires them to disclose that interest and if they conclude that it does, must disclose the existence and nature of the interest at the commencement of the discussion or when the interest becomes apparent and decide whether they should withdraw from consideration of the matter as required by the Code.

♣ ▲ ◆ ■¹²¹4.83 A Member who is under the Members' Code of Conduct required to disclose the existence and nature of such an interest must complete the requisite form provided for that purpose at meetings.

Speaking at Meetings

♣ ▲ ◆ ■¹²²4.84 When a Member speaks at a meeting he/she must address the meeting through the Chair. If more than one Member signifies their intention to speak, the Chair will ask one to speak. Other Members must remain silent whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.

Chair Standing

♣ ▲ ◆ ■¹²³4.85 When the Chair stands during a debate, or otherwise indicates that the meeting must be silent, any Member speaking at the time must stop and all Members must be seated.

¹¹⁸ See Rule 4.14

¹¹⁹ See Rule 4.14

¹²⁰ See Rule 4.14

¹²¹ See Rule 4.14

¹²² See Rule 4.14

¹²³ See Rule 4.14

SECTION 4 – FULL COUNCIL

Member not to be Heard Further

♣ ▲ ◆ ■¹²⁴4.86 If a Member persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the Member be not heard further. If seconded, the motion will be voted on without discussion. If the motion is passed the named Member may not discuss or debate any further business whilst it is transacted at the meeting.

Member to Leave the Meeting

♣ ▲ ◆ ■¹²⁵4.87 If the Member continues to behave improperly after a motion under Rule 4.86 is carried, the Chair may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion. If the motion is passed the named Member must leave the room forthwith.

General Disturbance

♣ ▲ ◆ ■¹²⁶4.88 If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as he thinks necessary.

Disturbance by Public

Removal of Member of the Public

♣ ▲ ◆ ■¹²⁷4.89 If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room.

Clearance of Part of Meeting Room

♣ ▲ ◆ ■¹²⁸4.90 If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

Filming, Audio Recording and Use of Social Media During Meetings

♣ ▲ ◆ ■¹²⁹4.91 Filming, audio recording and use of social media is permitted during meetings except (a) where children and / or vulnerable adults are participating in the debate by way of a presentation, or (b) where meetings or parts of meetings which are held in confidential session pursuant to Section 14, or (c) where a meeting is being webcast.

¹²⁴ See Rule 4.14

¹²⁵ See Rule 4.14

¹²⁶ See Rule 4.14

¹²⁷ See Rule 4.14

¹²⁸ See Rule 4.14

¹²⁹ See Rule 4.14

SECTION 4 – FULL COUNCIL

Suspension and Amendment of Council Procedure Rules (Rules 4.15 to 4.95)

Suspension

4.92 The Council Rules of Procedure may be suspended in accordance with Rules 2.9 and 2.10.

Amendment

♣ ▲ ◆ ■¹³⁰4.93 Any motion to add to, vary or revoke these Council Rules of Procedure will, stand adjourned without discussion and be automatically referred to the Democratic Services Committee which will make a recommendation to Council PROVIDED ALWAYS that this Rule will not apply to any recommendations or report by the Democratic Services Committee concerning the variation, revocation or amendment of these Council Rules of Procedure.

Officer Advice

♣ ▲ ◆ ■¹³¹4.94 Any report placed for decision before Council should contain all necessary advice to enable Councillors to take a decision. Reports will be circulated in advance of the meeting and if a Councillor requires clarification on an issue related to the report, this should be sought prior to the meeting.

♣ ▲ ◆ ■¹³²4.95 Further officer advice will only be available at the meeting of Council with the consent of the Chair, in consultation with the Chief Executive. If there is a need for further detailed legal or financial advice to be provided, the meeting should be adjourned.

Attendance of Cabinet Members at Council Meetings

4.96 The Leader and Cabinet members in attendance at meetings of Full Council will not sit with the other Councillors but shall sit alongside the Chair, Vice-Chair and Assistant Vice-Chair of the County Council. The only officers to sit alongside the Chair shall be the Chief Executive, Monitoring Officer and Clerk unless otherwise authorised to do so by the Chief Executive.

Petitions

4.97 Where a Councillor delivers a petition to the Council in accordance with Rule 4.18.18 the Councillor may outline the request by the petitioners, the reason for the request and the number of the signatories **PROVIDED THAT** in any event the Councillor may not speak under this Rule for more than 5 minutes.

4.98 Where a member of the public delivers a petition to the Council the procedure for the receipt of that petition will be determined by the Chair of the Council.

¹³⁰ See Rule 4.14

¹³¹ See Rule 4.14

¹³² See Rule 4.14

SECTION 4 – FULL COUNCIL

All Council Seminars / Member Development Sessions

- 4.99 The Chair, Vice-Chair or Assistant Vice-Chair of the Council will preside at all Council Seminars or Member Development Sessions. Cabinet members with responsibility for portfolios which are the subject of the Council Seminar / Member Development Session may assist the Chair / Vice-Chair or Assistant Vice-Chair in facilitating the seminar / development session but may not preside over such a seminar / development session unless authorised by the Chair of the Council.

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

SECTION 7 – SCRUTINY COMMITTEES

Introduction

- 7.1 The Council is required by Law to discharge certain overview and scrutiny functions. These functions are an essential component of local democracy. The Scrutiny Committees should be powerful committees that can contribute to the development of Council policies and also hold the Cabinet to account for its decisions. Another key part of the overview and scrutiny role is to review existing policies, consider proposals for new policies and suggest new policies.
- 7.2 Overview and scrutiny should be carried out in a constructive way and should aim to contribute to the delivery of efficient and effective services that meet the needs and aspirations of local inhabitants. Scrutiny Committees should not shy away from the need to challenge and question decisions and make constructive criticism.

Scrutiny Committees

- 7.3 In order to achieve this, the Council will appoint three Scrutiny Committees (and in addition the Council will participate in a PSB Scrutiny Committee) which between them will:
- 7.3.1 review or scrutinise decisions made or actions taken in connection with the discharge of any of the Council’s functions whether by the Cabinet or another part of the Council;
 - 7.3.2 make reports or recommendations to the Cabinet or the Council in connection with the discharge of any functions;
 - 7.3.3 consider any matter which affects the Council’s area or its inhabitants; and
 - 7.3.4 exercise the right to call in for reconsideration decisions made, but not yet implemented, by the Cabinet and Officers.

Role, Scope and Membership

- 7.4 The role, scope and Membership of the Scrutiny Committees are described in the table below:

Committee and Membership	Terms of Reference / Areas of Responsibility
<p style="text-align: center;">Economy, Residents, Community and Governance Scrutiny Committee</p> <p>A maximum of 14 Members including: 13 Councillors – Politically Balanced and 1 Non-Voting Co-optee for crime and disorder</p>	<p style="text-align: center;">Vision 2025 objectives:</p> <p>Economy:</p> <ul style="list-style-type: none"> • Providing support for businesses to grow • Promoting Powys as a place to live, visit and do business • Improving the availability of affordable and sustainable housing • Improving our infrastructure to support regeneration and attract investment • Improving skills and supporting people to get good quality jobs <p>Residents and Community:</p>

SECTION 7 – SCRUTINY COMMITTEES

functions	<ul style="list-style-type: none"> • Strengthening community development and resilience • Support communities to be able to do more for themselves and reduce the demand on our public services • Strengthening our relationship with residents and communities • Improve our understanding of our residents needs and improve our service delivery <p style="text-align: center;">SERVICE AREAS:</p> <p>CHIEF EXECUTIVE</p> <ul style="list-style-type: none"> • Finance • Legal and Democratic Services <p>ECONOMY AND ENVIRONMENT</p> <ul style="list-style-type: none"> • Property, Planning and Public Protection • Highways, Transport and Recycling • Housing and Community Development <p>TRANSFORMATION</p> <ul style="list-style-type: none"> • Strategy, Performance and Transformation Programmes • Customers and Communications • Workforce and OD <p style="text-align: center;">PARTNERSHIPS</p> <ul style="list-style-type: none"> • Growing Mid Wales • Powys Regeneration Partnership • TRACC • BBNP • MWWFRA • WLGA • Central Wales Infrastructure Collaboration • Central Wales Waste Partnership • North and Mid Wales Trunk Road Agency Partnership Board • Tourism Partnership Mid Wales • Western Valleys Strategic Regeneration Area Board • Powys Community Endowment Fund
Health and Care Scrutiny Committee	<p style="text-align: center;">Vision 2025 objectives:</p> <p>Health and Care:</p> <ul style="list-style-type: none"> • Focussing on well-being

SECTION 7 – SCRUTINY COMMITTEES

<p>A maximum of 14 Members including: 14 Councillors – Politically Balanced</p>	<ul style="list-style-type: none"> • Early help and support • Providing joined up care • Developing a workforce for the future • Creating innovative environments • Developing digital solutions • Transforming in partnership <p style="text-align: center;">SERVICE AREAS:</p> <ul style="list-style-type: none"> • Children’s Services • Adult Services • Commissioning (Children and Adults) <p>TRANSFORMATION</p> <p>PARTNERSHIPS</p> <ul style="list-style-type: none"> • Regional Partnership Board • Powys Executive Safeguarding Group • Regional Safeguarding Group • Youth Justice Board • Health, Social Care and well-Being Partnership • Powys Community Health Council
<p>Learning and Skills Scrutiny Committee Membership: A maximum of 14 Members including: 9 Councillors – Politically Balanced; 3 parent governor representatives; 1 Church in Wales Diocese representative; 1 Roman Catholic Church Diocese representative,</p>	<p style="text-align: center;">Vision 2025 objectives:</p> <p>Learning and Skills:</p> <ul style="list-style-type: none"> • Improving the educational attainment of all pupils • Supporting children and families to have the best start in life • Improving our schools infrastructure • Improving the skills and employability of young people and adults <p style="text-align: center;">SERVICE AREAS:</p> <ul style="list-style-type: none"> • Education <p>TRANSFORMATION</p> <p>PARTNERSHIPS</p> <ul style="list-style-type: none"> • ERW
<p>Co-Ordinating Committee Membership: Chairs and Vice</p>	<p>Functions specified under Rules 7.38 – 7.39</p>

SECTION 7 – SCRUTINY COMMITTEES

<p>Chairs of the 3 Scrutiny Committees; Chair and Vice-Chair of the Audit Committee; 3 Representatives of the Cabinet; 2 Representatives of the Executive Management Team</p>	
<p>Public Service Board Scrutiny Committee</p>	<p>As set out in Rules 7.43 to 7.45</p>
<p>Audit Committee Membership: 14 Members plus 1 Independent / Lay Member</p>	<ul style="list-style-type: none"> • To approve authority's statement of accounts, income and expenditure and balance sheet or record of receipts and payments (as the case may be). • Ensure the risk management strategy guides the programme of internal and external work, to address the controls and risk related issues identified • Oversee the production of the annual governance statement, recommend its adoption to County Council and ensure appropriate action is taken to address the issues raised • To consider and approve the annual audit opinion on internal control and the level of assurance given to the corporate governance arrangements • Approve the annual audit plan, ensuring there is sufficient and appropriate coverage, with a strong emphasis on risk management and resources are available to implement the plan. <p>Receive and review internal audit reports and ensure officers respond promptly to the findings. Where necessary recommendations to other committees and portfolio holders will be made, to ensure action plans are implemented</p> <p>Consider and approve the annual letter, regulatory plan and specific reports as agreed.</p> <p>Where necessary ensure action is taken by officers to address those issues raised, and if necessary recommendations to other committees and portfolio holders will be made to address findings and deliver clear conclusions</p> <p>Comment on the scope and depth of the external audit work, to ensure it gives value for money</p> <p>Assess and approve the annual statement of accounts, external audit opinion and management representation in relation to annual audit findings</p> <p>Promote effective relationships between external and</p>

SECTION 7 – SCRUTINY COMMITTEES

	<p>internal audit, inspection agencies and other relevant bodies to ensure the value of audit and inspection is enhanced and actively promoted</p> <ul style="list-style-type: none">• regularly monitor treasury management reports
--	--

Membership of the Audit Committee.

7.5.1 The Audit Committee will comprise 14 Councillors, appointed to achieve as far as reasonably practicable a political balance on the committee plus 1 voting Lay Member plus such other co-optees as may be appointed by the Council (subject to the total number of co-optees being less than one third of the total membership).¹

7.5.2 In accordance with Section 82 of The Measure:

7.5.2.1 At least one member of the Audit Committee must be a voting Lay Member;

7.5.2.2 An act of the Audit Committee will be invalid if the membership of the committee breaches any of the membership requirements set out in Rules 7.5.1 and 7.5.2.1.

7.5.2.3 The Chair of the Audit Committee is appointed by the Committee at the first meeting following the Council's Annual Meeting and the Chair:

- cannot be a member of the Cabinet;
- can be a Lay Member or a Co-Opted Member;
- can only be a member of an executive group if there are no opposition groups. (See Rule 7.5.4 below);

7.5.2.4 The Measure does not require a Cabinet Member to be a member of the Audit Committee but a maximum of one member of Cabinet (but not the Leader) may be a member of the Audit Committee;

7.5.2.5 The Chair of the Audit Committee may be removed from office by a motion to remove which is put on the agenda of the Audit Committee pursuant to Rule 4.38.1

7.5.3 The Vice-Chair of the Audit Committee will be appointed annually by the Committee at the first meeting following the Council's Annual Meeting who may appoint a Councillor, the Lay Member or a Co-Opted Member. (see Rule 7.5.4 below)

7.5.4 The Vice-Chair of the Audit Committee may be removed from office by a motion to remove which is put on the agenda of the Audit Committee pursuant to Rule 4.38.1

7.5.5 A person presiding at an Audit Committee can only be a member of an executive group if there are no opposition groups.

¹ See Section 82 of The Measure.

SECTION 7 – SCRUTINY COMMITTEES

General Functions

7.6 Within their terms of reference, Scrutiny Committees will:

- 7.6.1 review and / or scrutinise decisions made, or other action taken in connection with the discharge of any function of the authority;
- 7.6.2 make reports and / or recommendations to the Full Council and / or the Cabinet, and / or any joint committee in connection with the discharge of any function of the authority;
- 7.6.3 consider any matter affecting the area or its inhabitants;
- 7.6.4 exercise the right to call-in, for reconsideration, decisions made but not yet implemented, by the Cabinet, a committee of the Cabinet, a member of the Cabinet, an officer exercising functions delegated by the Cabinet.(See Call-In Procedure – Rule 7.37);

Specific Functions

Policy Development and Review

7.7 The Scrutiny Committees may:

- 7.7.1 assist the Council and the Cabinet in the development of its Budget and Policy Framework by in depth analysis of policy issues, including pre-scrutiny of draft or amended policies;
- 7.7.2 conduct research, site visits, community and other consultation in the analysis of policy issues and possible options;
- 7.7.3 question members of the Cabinet and/or Committees and Chief Officers from the Council about their views on issues and proposals affecting the area;
- 7.7.4 liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interest of local people are enhanced by collaborative working;
- 7.7.5 consider the impact of policies to assess if they have made a difference;
- 7.7.6 consider and implement mechanisms to encourage and enhance community participation in the scrutiny of the development of policy options; and
- 7.7.7 investigate or review a particular matter in depth, reporting their conclusions and making any recommendations to the Council or Cabinet as appropriate.

Scrutiny

7.8 Scrutiny Committees may:

- 7.8.1 review and scrutinise the decisions by and performance of the Cabinet and/or Committees and Council Officers in relation to individual decisions and over time;
- 7.8.2 review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- 7.8.3 question members of the Cabinet and/or Committees and Chief Officers from the Council about their decisions and performance,

SECTION 7 – SCRUTINY COMMITTEES

- whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or project;
- 7.8.4 make recommendations to the Cabinet and/or appropriate Committee and/or Council arising from the outcome of the scrutiny process;
 - 7.8.5 review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Scrutiny Committee and local people about their activities and performance;
 - 7.8.6 question and gather evidence from any person (with their consent);
 - 7.8.7 review and scrutinise the budget setting process;
 - 7.8.8 conduct research, site visits, community (and other) consultation for the purposes of analysing issues and developing where appropriate; possible options, through liaison with the area/community partnerships; and
 - 7.8.9 consider and report on mechanisms to encourage and enhance community participation in the development of service delivery options.

Finance

- 7.9 Scrutiny Committees may exercise overall responsibility for the finances made available to them.

Annual Report

- 7.10 The Scrutiny Committees may report annually to the Full Council on their workings.

Head of Democratic Services

- 7.11 One of the roles of the Head of Democratic Services under section 8 of The Measure is to promote the role of the Council's Scrutiny Committees and to promote support and guidance to members and Officers generally about the functions of the Scrutiny Committees .

Who May Sit on Scrutiny Committees ?

- 7.12.1 Subject to Rule 7.12.2. below all Councillors (except members of the Cabinet) may be members of the Scrutiny Committees. However, no Member may be involved in scrutinising on decisions in which s/he has been directly involved.
- 7.12.2 In accordance with Section 82 of The Measure no more than one member of the Cabinet may be a member of the Audit Committee (but there is no requirement for Full Council to appoint a member of the Cabinet to the Audit Committee). The Leader cannot be a member of the Audit Committee.

Co-Optees

- 7.13.1 The Learning and Skills Scrutiny Committee shall include in its membership the following voting representatives:
 - 7.13.1.1 One Church in Wales diocese representative;
 - 7.13.1.2 One Roman Catholic diocese representative; and
 - 7.13.1.3 Three parent governor representatives (covering so far as practicable the primary, secondary and special needs sectors)

SECTION 7 – SCRUTINY COMMITTEES

- 7.13.2 When matters which are not education matters, which are the responsibility of the Cabinet, fall to be considered by the Learning and Skills Scrutiny Committee, the co-opted representatives specified in rule 7.13.1 shall not vote, although they may stay in the meeting and speak.
- 7.13.3 The Health and Care Scrutiny Committee shall include in its membership in a non-voting capacity 1 representative from the Police and Crime Panel (or from such other body which replaces the Panel), subject to that representative not being a Powys County Council representative on the Police and Crime Panel.
- 7.13.4 In addition to co-optees appointed under rules 7.13.1.1 to 7.13.1.3 above, Scrutiny Committees may recommend to Full Council the co-option of other persons as voting or non-voting representatives. In exercising or deciding whether to exercise a co-option, the Authority must, under section 76 of The Measure, have regard to guidance given by the Welsh Ministers and comply with directions given by them
- 7.13.5 The total number of co-optees on each Scrutiny Committee may not exceed more than one third the membership of the committee.²

Who Chairs Scrutiny Committees (other than the Chair of the Audit Committee)?

- 7.14 The arrangements included in sections 66-75 of The Measure will be followed for appointing persons to chair Scrutiny Committees as set out in Rule 4.6.6 (other than the Chair of the Audit Committee who will be appointed in accordance with Rule 7.5.2.3)³.

Role of the Chair of Scrutiny Committees

- 7.15.1 The chairs of the Scrutiny Committees will liaise with the Cabinet and the Head of Paid Service and will supervise the work programme for their Scrutiny Committee and identify cross cutting themes arising from the various Scrutiny Committees .
- 7.15.2 In summary, therefore, the Chair will:
- 7.15.2.1 be accountable for delivering effective scrutiny;
 - 7.15.2.2 will regularly monitor the work programmes for their Scrutiny Committee; and
 - 7.15.2.3 will liaise with the Cabinet on issues affecting the scrutiny work programme.

Work Programme

- 7.16 The Co-ordinating Committee will be responsible for setting the work programme for each scrutiny committee and in doing so they should take into account the Cabinet Forward Work Programme and focus on strategic and important issues. Any requests from scrutiny members for matters to be scrutinised should be sent to the Co-ordinating Committee for consideration.

Joint Scrutiny Committees

² Paragraph 8.19 Statutory Guidance from the Local Government Measure 2011 (issued by Welsh Government June 2012)

³ For provisions relating to the Chair of the Audit Committee See Rule 7.3.2(b)(ii) above.

SECTION 7 – SCRUTINY COMMITTEES

- 7.17 Under section 58 of The Measure, regulations may be made to permit two or more local authorities to appoint a joint Scrutiny Committee. This is set out in the Local Authority (Joint Overview and Scrutiny) (Wales) Regulations 2012.

Rules of Procedure and Debate (“Scrutiny Procedure Rules”)

- 7.18 Rules 7.18 to 7.37 (inclusive) shall be known as the Scrutiny Procedure Rules and will apply to meetings of the Scrutiny Committees.

What will be the Number and Arrangements for Scrutiny Committees ?

- 7.19.1 Subject to Rules 7.43 to 7.45 the Council will have three Scrutiny Committees set out in the table in Rule 7.3 and will appoint to them as it considers appropriate from time to time. The Co-ordinating Committee may appoint smaller groups (Member and Officer Working Groups) to carry out detailed examination of particular topics for report back to the committee. Such groups may be appointed for a fixed period on the expiry of which they shall cease to exist or may be appointed on a task and finish basis. Such Member and Officer Working Groups should work on a non-political basis and wherever possible should comprise as many political groups as practicable. In addition, in the case of urgency, the Chair of the relevant scrutiny committee and the Co-ordinating Committee can establish a Member and Officer Working Group
- 7.19.2 The terms of reference / areas of responsibility of the various Scrutiny Committees will be as set out in Rule 7.4 above.
- 7.19.3 Each Scrutiny Committee (with the exception of the Public Service Board Scrutiny Committee) will be Chaired by a chair appointed by the Full Council from the membership of that Scrutiny Committee and there will be cross party membership of all Scrutiny Committees.

Meetings of the Scrutiny Committees

- 7.20.1 The three Scrutiny Committees will meet on a 6 weekly cycle.
- 7.20.2 The Audit Committee must also meet if:
- (a) the Full Council resolves that the Committee should meet; or
 - (b) at least one third of the members of the Audit Committee requisition a meeting by one or more notices in writing to the chair.
- 7.20.3 In addition, extraordinary meetings may be called from time to time by:
- 7.20.3.1 the Full Council by resolution; or
 - 7.20.3.2 the relevant Scrutiny Committee by resolution; or
 - 7.20.3.3 the chair of the relevant Scrutiny Committee; or
 - 7.20.3.4 any 5 members of the relevant Scrutiny Committee; or
 - 7.20.3.5 the Head of Paid Service; or
 - 7.20.3.6 the Monitoring Officer; or
 - 7.20.3.7 the Section 151 Officer;

as s/he / they considers necessary or appropriate.

Quorum

- 7.21 The quorum of a meeting will be 25% of the number of members of that Scrutiny Committee. During any meeting, if the chair declares that there is not

SECTION 7 – SCRUTINY COMMITTEES

a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If s/he does not fix a date, the remaining business will be considered at the next ordinary meeting of the Scrutiny Committee..

Business at First Meeting Following the Annual Meeting of the County Council

- 7.22 The first meeting of a scrutiny committee following the Annual Meeting of the County Council will (as may be appropriate):
- 7.22.1 elect a chair of the Audit Committee and the PSB Scrutiny Committee;
 - 7.22.2 elect a person to preside if the chair of the Committee is not present;
 - 7.22.3 elect the vice-chair of the Committee
 - 7.22.4 make appointments to sub-committees authorised by Full Council (see Rules 4.6.1; 4.6.7; 4.15.7; and 4.18.6); such appointments to be in accordance with the wishes of the groups unless the committee decides unanimously to dis-apply the political balance requirements;
 - 7.22.5 make recommendations to the Co-ordinating Committee for the establishment or re-establishment of Member and Officer Task and Finish Working Groups and make appointments thereto as appropriate;
 - 7.22.6 deal with those items of business listed in Rule 7.24 below as may be appropriate.

The order of business, with the exception of items 7.22.1 and 7.22.2 may be altered by the chair.

Business at Other Meetings

- 7.23 At all other meetings of committee, the committee will (as may be appropriate)
- 7.23.1 elect a person to preside if the chair and vice-chair of the Committee are not present;
 - 7.23.2 elect the chair of the Audit Committee or the PSB Scrutiny Committee in the event of there being a vacancy
 - 7.23.3 elect a vice-chair of the Committee in the event of there being a vacancy;
 - 7.23.4 receive declarations of interest (including whipping declarations);
 - 7.23.5 make appointments to sub-committees and Member and Officer Task and Finish Groups in the event of there being a vacancy;
 - 7.23.6 receive apologies for absence;
 - 7.23.7 approve the minutes of the last meeting;
 - 7.23.8 receive any announcements from the chair;
 - 7.23.9 receive reports from the Cabinet and / or from any other committees, and / or from officers;
 - 7.23.10 make recommendations to the Cabinet or Full Council;
 - 7.23.11 deal with any business outstanding from the last meeting;
 - 7.23.12 (where the Leader or a Cabinet member attends a meeting of the committee) to receive a presentation from the Leader or a Cabinet

SECTION 7 – SCRUTINY COMMITTEES

- member and / or to put questions to, and to receive responses from the Leader or a Cabinet member;
- 7.23.13 put questions to the chair or relevant officers of the Council where appropriate on items of business before the committee and to receive responses.
- 7.23.14 receive reports from sub-committees and Member and Officer Task and Finish Groups;
- 7.23.15 to consider requests from members of the committee for items of business to be recommended to the Co-ordinating Committee for consideration at a future meeting or at the meeting when the request is made if the chair is satisfied that the matter is urgent (the reason for the urgency being recorded in the minutes), and that the committee is able to have the necessary professional advice of officers;
- 7.23.16 consider motions without notice as set out in the Full Council Procedure Rules in Section 4 of this Constitution;
- 7.23.17 review the Committee’s Work Programme for the forthcoming year and make such recommendations to the Co-ordinating Committee as are necessary;
- 7.23.18 consider such other business specified in the summons to the meeting;
- 7.23.19 consider other business, not specified in the summons as the chair considers urgent, subject to the nature of the urgency being specified in the minutes;
- 7.23.20 to exclude the public for the consideration of any item in accordance with the Access to Information Procedure Rules;

The order of business, with the exception of items 7.23.1 to 7.23.4 may be altered by the chair.

Agenda Items

- 7.24.1 Any member of a Scrutiny Committee shall be entitled to give notice to the chair of the Scrutiny Committee that s/he wishes an item relevant to the functions of that Scrutiny Committee to be recommended to the Co-ordinating Committee for inclusion on the agenda for the next available meeting.
- 7.24.2 Scrutiny Committees shall also respond, as soon as their work programme permits, to requests from the Full Council and/or the Cabinet to review particular areas of Council activity. Where they do so, the particular Scrutiny Committee shall report their findings and any recommendations back to the Cabinet and/or Council as appropriate. The Council and/or the Cabinet shall consider the report of the Scrutiny Committee and respond (if appropriate) as soon as possible or at the latest within 2 months of the date of the meeting.

Policy Review and Development

- 7.25.1 The role of Scrutiny Committees in relation to the development of the Council’s Budget and Policy Framework is set out in detail in the Budget and Policy Framework Procedure Rules in Section 15.

SECTION 7 – SCRUTINY COMMITTEES

- 7.25.2 In relation to the development of the Council’s approach to other matters not forming part of its Budget and Policy Framework, Scrutiny Committees may make proposals to the Cabinet for developments in so far as they relate to matters within their terms of reference.
- 7.25.3 Scrutiny Committees may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

Reports from Scrutiny Committees

- 7.26.1 All formal reports from Scrutiny Committees will be submitted for consideration by the Cabinet (if the proposals are consistent with the existing Budget and Policy Framework), or to the Council as appropriate (e.g. if the recommendation would require a departure from or a change to the agreed Budget and Policy Framework).
- 7.26.2 If a Scrutiny Committee cannot agree on one single final report to the Council or Cabinet as appropriate, one minority report may be prepared and submitted for consideration by Full Council or Cabinet with the majority report.
- 7.26.3 A Scrutiny Committee may publish any non-confidential report.

Making sure that Scrutiny Reports are considered by Full Council or Cabinet

- 7.27.1 The reports of Scrutiny Committees shall be referred to the Cabinet (as determined by the Scrutiny Committee) within one month or to the next meeting of Full Council (where applicable). Where an item is not considered by Full Council or Cabinet within the period specified above, the Chair of Council or the Leader or Portfolio Holder will give an explanation of the reasons to the chair of the relevant Scrutiny Committee as soon as practicable.
- 7.27.2 Where a scrutiny report is referred to the Cabinet the relevant Portfolio Holder(s) and senior officers will attend the meeting of the Cabinet wherever possible. The Cabinet will prepare a written response to the scrutiny report, including an action plan where appropriate, as soon as possible or at the latest within 2 months of the date of the meeting. The Portfolio Holder(s) and senior officers if requested to do so will attend a future meeting of that Scrutiny Committee to present the Cabinet’s response.

Rights of Members of Scrutiny Committees to Documents

- 7.28.1 Members of Scrutiny Committees have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Section 14 of this Constitution.
- 7.28.2 Nothing in this paragraph prevents more detailed liaison between the Cabinet and the Scrutiny Committees as appropriate depending on the particular matter under consideration.

SECTION 7 – SCRUTINY COMMITTEES

Members and Senior Officers Giving Account

- 7.29.1 Scrutiny Committees / Working Groups may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions within its remit. As well as reviewing documentation, in fulfilling the Scrutiny role, it may require any member of the Cabinet, the Chief Executive and/or any senior Officer to attend before it to explain the following matters within their remit:
- 7.29.1.1 any particular decision or series of decisions; and / or
 - 7.29.1.2 the extent to which the actions taken implement Council policy; and/or
 - 7.29.1.3 the implementation of decision(s) and or Council policy

and it is the duty of those persons to attend if so required.

- 7.29.2 Where there are concerns about the appropriateness of the Officer who should attend, the relevant chief Officer shall discuss this with the appropriate Scrutiny Chair or Vice Chair with a view to achieving consensus.
- 7.29.3 Where any Cabinet Member is required to attend Scrutiny Committees / Working Group under this provision, the Chair of that Committee / Working Group will inform the relevant Cabinet Member in writing at least 5 working days' before the meeting at which s/he is required to attend (unless agreed otherwise). The written notice will state the nature of the item on which he or she is required to attend to give account and whether any papers are required to be produced for the Committee.
- 7.29.4 Where any Officer is required to attend Scrutiny Committees / Working Group under this provision, the Chair of that Committee / Working Group will inform the relevant Head of Service. The relevant Head of Service shall inform the Officer, if necessary in writing, giving at least 5 working days' notice of the meeting at which s/he is required to attend (unless agreed otherwise). The notice will state the nature of the item on which he or she is required to attend to give account and whether any papers are required to be produced for the Committee.
- 7.29.5 For the purposes of attendances of members or Officers at the Audit Committee only, in accordance with Section 83(6) of The Measure, a person is not obliged to answer any question which the person would be entitled to refuse to answer in, or for the purposes of, proceedings in a court in England and Wales.
- 7.29.6 Where the account to be given to a Scrutiny Committee / Working Group will require the production of a report, then the Member or Officer concerned will be given sufficient notice to allow for its preparation.
- 7.29.7 Where, in exceptional circumstances, the Member or Officer is unable to attend on the required date, then the Scrutiny Committee / Working Group shall in consultation with the Member or Officer arrange an alternative date for attendance.

Attendance by Others

Attendance of Leader or Cabinet Member

SECTION 7 – SCRUTINY COMMITTEES

- 7.30 Subject to the Members' Code of Conduct, the Leader or a Cabinet member in the role of the Leader's representative may attend and speak but not vote at meetings of Scrutiny Committees where the Leader has a specific issue to raise with the committee. The attendance of a Cabinet member in all other cases will be at the invitation of the chair or the Scrutiny Committee.

Attendance of Members at Committee Meetings

- 7.31.1 In addition to their right to attend all meetings of committees of which they are members, Members (with the exception of Cabinet members) shall have the right to attend any meeting of a Scrutiny Committee and to remain present notwithstanding the passing of a resolution to exclude the public.
- 7.31.2 Such attendance shall be as observer only, with no right to vote, the attendance not being included in the relevant quorum, and no right to speak, provided that the chair in his / her discretion may permit the member to speak on a particular issue.
- 7.31.3 Such right of attendance is subject to the Councillor not having a Prejudicial Interest in the matter under discussion under the Members' Code of Conduct and subject to any legal provisions and any limitations or restrictions within this Constitution.

Others

- 7.32 Scrutiny Committees / Working Group may invite people other than those people referred to in Rules 7.29 and 7.30 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders, members and officers in other parts of the public sector and shall invite such people to attend.

The Party Whip in Scrutiny

- 7.33 If a member of a Scrutiny Committee is subject to a party whip in respect of an issue to be considered by it, that member must declare the existence of the whip and the nature of it before the commencement of deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting. The member declaring the existence of a whip may speak at the meeting but is not entitled to vote on the question.⁴

Procedure at Scrutiny Committee Meetings

- 7.34.1 The Rules of Procedure at Scrutiny Committees will be the same as the Full Council Procedure Rules set out in Section 4 of this Constitution except that the chair of the meeting may allow the rules of debate to be relaxed to enable a full contribution by those attending the meeting whether members of a Scrutiny Committee or in any other capacity which allows them to contribute to the worth of the meeting.
- 7.34.2 Scrutiny Committees may ask people to attend to give evidence or answer questions about any items on their agenda. Meetings should be conducted in accordance with the following principles:

⁴ Section 78(1) of the Local Government (Wales) Measure 2011.

SECTION 7 – SCRUTINY COMMITTEES

- 7.34.2.1 that the business be conducted fairly and all members of the Scrutiny Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
 - 7.34.2.2 that those assisting by giving evidence be treated with respect and courtesy;
 - 7.34.2.3 that the business be conducted as efficiently as possible.
- 7.34.3 Following any investigation or review, a Scrutiny Committee shall prepare a report, for submission to the Cabinet and/or Full Council as appropriate and shall make its report and findings public.

Matters within the Remit of more than one Scrutiny Committee

- 7.35 Where a matter for consideration by Scrutiny Committees falls within the remit of more than one Scrutiny Committee the decision as to which Scrutiny Committee is to consider the matter will be resolved by the respective Chairs or, the Co-ordinating Committee, or if they fail to agree, the decision will be made by Monitoring Officer.

Call-In Procedure Rules

- 7.36A The Call-In Procedure Rules set out in this Rule 7.36 do not apply to the Public Services Board Scrutiny Committee. For the sake of clarity the Public Service Board Scrutiny Committee does not have the ability to call-in decisions / recommendations made by the Public Service Board.
- 7.36B For the purpose of Rule 7.36, where the Monitoring Officer and / or the Chief Finance Officer is the author of the report which is the subject of a potential Call-In to scrutiny, that officer cannot undertake the decisions described in Rules 7.36.3 and 7.36.15 in which event, the decision will be taken by the Chief Executive in consultation with the Deputy Monitoring Officer and / or Deputy Chief Finance Officer as appropriate.
- 7.36.1 Where a decision is made by the Cabinet or an individual member of the Cabinet or a Committee of the Cabinet or under joint arrangements with other public bodies, the decision shall be published by the Monitoring Officer, including where possible by electronic means, and shall be available at the main offices of the Council normally within 2 working days of it being made. All Councillors will be sent copies of the records of all such decisions within the same time scale.
- 7.36.2 The communication to Councillors sending them the decision will (a) bear the date on which the decision is published and (b) will specify the date when the decision will come into force (subject to Rule 7.37.3) and may then be implemented, on the expiry of five clear days (the “Call-in Period”) after the date of publication of the decision, unless the appropriate Scrutiny Committee objects to it and calls it in for review within the Call-in Period.
- 7.36.3 Subject to Rule 7.36B above, and during the Call-in Period the Monitoring Officer shall call-in a decision for scrutiny by the relevant Scrutiny Committee if so requested in the specified format (“the Call-In Request”⁵) by the chair or 4 members of a Scrutiny Committee PROVIDED THAT the Monitoring

⁵ See Appendix 1 to this Section.

SECTION 7 – SCRUTINY COMMITTEES

Officer and / or the Chief Finance Officer are satisfied that the following conditions are met:

- 7.36.3.1 the decision or action was contrary to the policy framework or budget, or fell outside the functions of the Cabinet; or
 - 7.36.3.2 the Cabinet or decision maker had not followed agreed procedures or failed to consult (where required) before reaching its decision; or
 - 7.36.3.3 the Cabinet had not followed, or had failed to take account of, any legal obligations, including regulations or statutory guidance governing the Council's actions, or other guidance adopted by the Council.
- 7.36.4 Where the Monitoring Officer and / or the Chief Finance Officer are satisfied that one or more of the conditions set out in rule 7.36.3 above have been met, they shall produce a written report setting out the reasons for coming to this conclusion and the Monitoring Officer ([subject to Rule 7.36B above](#)) will then arrange for a "Call-In Notice"⁶ to be issued in accordance with Rule 7.36.5 below.
- 7.36.5 A Call-In Notice must contain the following:
- 7.36.5.1 details of the condition set out in rule 7.36.3 above being relied upon;
 - 7.36.5.2 the reasons why it is believed one or more of the conditions are satisfied;
- 7.36.6 The Monitoring Officer ([subject to Rule 7.36B above](#)) shall call a meeting of that Scrutiny Committee on such a date as s/he may determine, where possible after consultation with the chair or vice chair of that the appropriate Scrutiny Committee, and usually within 10 clear days of the receipt of the Call-In Request (the "Scrutiny Period") (only in exceptional circumstances will the chair of the Scrutiny Committee consider extending this time limit and the period of extension cannot in any circumstances exceed a further 5 clear days).
- 7.36.7 If, having considered the decision, the Scrutiny Committee remains concerned about the decision, then the Committee may refer it back to the decision making body for reconsideration, setting out in writing the nature of its concerns or refer the matter to Full Council for review. If the decision is referred back to the decision maker, the decision maker shall then reconsider the decision within 10 clear days of the date of the reference. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. The final decision cannot be the subject of a further call-in.
- 7.36.8 If a Scrutiny Committee does not meet within the Scrutiny Period the decision shall take effect and be implemented on the next day following the

⁶ See Appendix 2 to this Section.

SECTION 7 – SCRUTINY COMMITTEES

expiry of the Scrutiny Period (as extended pursuant to Rule 7.36.6 as the case may be).

- 7.36.9 If following an objection to the decision, a Scrutiny Committee does not refer the matter back to the decision making person or body or to Full Council, the decision shall take effect on the date of the Scrutiny Committee meeting.
- 7.36.10 If a Scrutiny Committee refers the matter to Full Council, the Monitoring Officer (subject to Rule 7.36 above) shall call a meeting of the Full Council on such a date as s/he may determine, where possible after consultation with the chair or vice chair of the Full Council, and usually within 10 clear days of the receipt of the referral (the “Council Scrutiny Period”) (only in exceptional circumstances will the chair of the Full Council consider extending this time limit and the period of extension cannot in any circumstances exceed a further 5 clear days).
- 7.36.11 If, having considered the decision, the Full Council remains concerned about the decision, then the Full Council may refer it back to the decision making body for reconsideration, setting out in writing the nature of its concerns. If the decision is referred back to the decision maker, the decision maker shall then reconsider the decision within 10 clear days of the date of the reference. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. The final decision cannot be the subject of a further call-in.
- 7.36.12 If the Full Council does not meet within 10 clear days of the date of the reference (“the Council Scrutiny Period”), the decision shall take effect on the day after the expiry of the Council Scrutiny Period.
- 7.36.13 If the Full Council does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the Full Council meeting.
- 7.36.14 In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:
- 7.36.14.1 each Scrutiny Committee may only call-in a total of five decisions per year;
 - 7.36.14.2 where a Call-in Request has been made by four members of a Scrutiny Committee in accordance with Rule 7.36.3 those four members must come from at least two political groups, or one political group and / or one or more non-aligned Councillor(s);
 - 7.36.14.3 once a Member (the chair of the Scrutiny Committee excepted) has signed a Call-in Request s/he may not do so again until the period of six months has expired.
 - 7.36.14.4 no Education Co-opted members may request a decision be called in.
 - 7.36.14.5 only decisions involving expenditure or reduction in service over the threshold value for tenders set out in Section 17 of this Constitution may be called-in.
 - 7.36.14.6 the decision being called-in, or broadly the same decision, has been called in during the last 6 months.
 - 7.36.14.7 the provisions of Rule 7.37.1 apply (Urgency)
- 7.36.15 Subject to Rule 7.36B above, ~~T~~the Monitoring Officer and / or the Chief

SECTION 7 – SCRUTINY COMMITTEES

Finance Officer may veto any request for call-in if it falls outside the remit of this scheme.

- 7.36.16 Save in exceptional circumstances all members of a Scrutiny Committee requesting a matter be called in must attend the meeting at which the matter is being considered.
- 7.36.17 For the avoidance of doubt a Call-In remains valid even if one or more of the members who have signed the Call-in Request do not attend the Scrutiny Meeting at which the Call-in is debated.

Call-In and Urgency

7.37.1 The call-in procedure set out in Rule 7.36 above shall not apply where the decision being taken is urgent. A decision will be urgent if:

- 7.37.1.1 any delay likely to be caused by the call-in process would seriously prejudice the Council's or other public interests; and
- 7.37.1.2 Subject to Rule 7.37.3 below the Head of Paid Service and / or the Monitoring Officer and / or the Chief Finance Officer certifies in writing the reasons why any delay caused by a call-in process could seriously prejudice the Council, or the public interest; and
- 7.37.1.3 the chair of the relevant Scrutiny Committee agrees in writing to the decision being treated as a matter of urgency. In the absence of the Scrutiny chair then either the Scrutiny vice chair or the chair of Council may agree to the decision being treated as a matter of urgency; and
- 7.37.1.4 the record of the decision, and notice by which it is made public, shall state that the decision is an urgent one, and that the urgency of the matter has been approved by the Head of Paid Service and / or the Monitoring Officer and / or the Chief Finance Officer (subject to Rule 7.36B above) and by the chair of the relevant Scrutiny Committee or Scrutiny vice-chair or the chair of Council.

7.37.2 Decisions taken as a matter of urgency can be implemented forthwith but must be reported at the next available meeting of the relevant Scrutiny Committee, together with the reasons for urgency, such report to the scrutiny committee must contain the written certification as required in Rule 7.37.1.2 above.

7.37.3 For the purposes of Rules 7.37.1.2 above the officer certifying the reasons why any delay caused by a call-in process could seriously prejudice the Council, or the public interest cannot be an officer whose report is being considered under the Rule 7.37 procedure.

Co-ordinating Committee.

Role, Scope and Membership.

7.38

- 7.38.1 Membership: Chairs and Vice-Chairs of the following committees:

SECTION 7 – SCRUTINY COMMITTEES

Health and Care Scrutiny Committee;
Learning and Skills Scrutiny Committee;
Economy, Residents, Community and Governance
Scrutiny Committee;
Audit Committee;

For the sake of clarity the Chair of the Public Service Board Scrutiny Committee will not be a member of the Co-ordinating Committee.

3 Representatives of the Cabinet to be appointed by the Leader

2 Representatives of the Executive Management Team

- 7.38.2 Chair : Elected annually in rotation by the Committee.
7.38.3 Vice-Chair: Elected annually in rotation by the Committee.
7.38.4 Meetings: Meetings of the Committee will be held monthly. Additional meetings of the Committee can be called with the consent of the Chair.
7.38.5 Notes of Meetings: Agendas and notes of the meetings will be made available to Members.

Terms of Reference:

7.39 The Co-ordinating Committee will:

- 7.39.1 co-ordinate the work programmes of the Scrutiny Committees;
7.39.2 assess potential items for their suitability for a scrutiny review, and allocate those items if suitable to the appropriate scrutiny committee / Working Group for review;
7.39.3 consider items referred from the Scrutiny Committees for inclusion in the scrutiny work programme;
7.39.4 ensure the co-ordination of the Scrutiny Committees' Work Programmes with the Cabinet Work Programme;
7.39.5 receive the final report on a review undertaken by scrutiny working groups prior to its submission to the Cabinet;
7.39.6 consider any requests for the establishment of a Member and Officer Working Group;
7.39.7 consider the Wales Audit Office Annual Improvement Report and consider any matters for inclusion in the Scrutiny Committees' Work Programmes;
7.39.8 to ensure in conjunction with the Public Service Board Scrutiny Committee that there is no duplication of work between the County Council scrutiny committees, the Public Service Board Scrutiny Committee and any other joint scrutiny arrangements with other authorities;
7.39.9 such other matters which relate to or affect the operation of the Scrutiny Committees.
7.39.10 Review the Scrutiny Committee structure on a regular basis.

SECTION 7 – SCRUTINY COMMITTEES

Finance Panel.

Role, Scope and Membership.

7.40

- 7.40.1 Membership: The Panel should be no larger than 10 Members to include the following:
- Chairs of the scrutiny committees (excluding the PSB Scrutiny Committee).
 - Portfolio Holder for Finance
 - Leaders of the Opposition groups i.e. those political groups which are not represented on the Cabinet.
 - Other representatives from the Audit Committee one of which should be the Independent “Lay” Member appointed by the Audit Committee.
- 7.40.2 Chair : The Chair of the Panel will be elected from the Panel’s membership, (excluding the Portfolio Holder for Finance).
- 7.40.3 Vice-Chair: The Vice-Chair of the Panel will be elected from the Panel’s membership.
- 7.40.4 Meetings: Meetings of the Panel will be held on a schedule to be determined by the Panel.
- 7.40.5 Reports by the Panel: The Panel will make reports on its findings to the Cabinet and where necessary Full Council.

Terms of Reference:

- 7.41 The Panel will concentrate on strategic financial matters including the following:
- 7.41.1 assist with the delivery of financial plans to support change and the Medium Term Financial Strategy to inform policy changes, and providing robust challenge and accountability;
 - 7.41.2 consider the robustness of the evidence base upon which the MTFs and Council budget are predicated;
 - 7.41.3 review and scrutinise:
 - Assumptions underlying the budget strategy;
 - The Medium Terms Financial Strategy / Finance Resource Model;
 - Budget Assumptions;
 - Annual Local Government Settlement and any legislative changes affecting local government;
 - Draft Budget and Impact Assessments;
 - Financial aspects of the Risk Register;

SECTION 7 – SCRUTINY COMMITTEES

- Financial Monitoring;
- 7.41.4 provide evidence based recommendations to the Cabinet on its findings;
- 7.41.5 develop a forward work programme based on the budget timetable and the Council's medium term financial strategy;

Public Service Board Scrutiny Committee.

- 7.42 Members on the Co-ordinating Committee shall appoint two Members to act as representatives of the Council on the Public Service Board Scrutiny Committee.
- 7.43 In addition Members on the the Co-ordinating committee shall appoint a substitute for each of the two Members of the Public Service Board Scrutiny Committee appointed under Rule 7.43 above, such substitute shall not be a member of the Public Service Board.
- 7.44 The Terms of Reference and Membership of the Public Service Board Scrutiny Committee are set out in the “Arrangements for the Scrutiny of the Public Service Board in Powys” document approved by Full Council from time to time.

Councillor Call for Action

- 7.45.1 The Councillor Call for Action is a mechanism for enabling Councillors to bring matters of local concern to the attention of the Council via the Scrutiny process. It should be an option of “last resort”.
- 7.45.2 Any Councillor may request that an item is placed on the agenda of the relevant Scrutiny Committee for consideration.
- 7.45.3 The procedure for dealing with a Call for Action is set out in the Councillor Call for Action - Guidance for Councillors attached to this section of the Rules at 7.46 to 7.51

Councillor Call for Action - Guidance for Councillors

Introduction

- 7.46.1. The Local Government Wales Measure 2011 introduced a number of new provisions aimed at strengthening local democracy. Section 63 of the Measure introduced a provision for “Councillor Calls for Action” (CCfA) which enables Councillors to refer issues of local importance to Scrutiny Committees .
- 7.46.2 CCfAs are intended to enable local Councillors and their electors to obtain a response from their Council Leadership on issues of local importance. CCfAs should be regarded as one of a series of tools which Councillors have at their disposal to resolve local issues and make a positive difference in their community. Previously in Wales, only local Crime and Disorder issues could be referred by the local Councillor to the designated Health and Care Scrutiny Committee for action and it should be noted that these local crime and

SECTION 7 – SCRUTINY COMMITTEES

disorder referrals will remain in place under separate legislation.

- 7.46.3 As part of their community leadership role, Councillors have always attempted to resolve issues on behalf of their local residents and CCfAs provide an additional avenue for Councillors to follow if the normal ways of resolving an issue have not been successful and the issue meets the criteria for a referral. It should be noted that a referral under this process should be seen as a last resort after all other avenues have been exhausted.
- 7.46.4 CCfAs have been introduced alongside other powers for scrutiny, including powers to scrutinise a wide range of bodies not previously subject to local authority scrutiny. CCfAs are intended to enable any Councillor to refer to a Scrutiny Committee, “a local government matter” which falls within the Scrutiny Committee’s remit.

How Should I Normally Attempt to Resolve a Local Issue in My Area?

- 7.46.5 Local issues can be resolved in a number of ways by Councillors on behalf of their residents as listed in the Welsh Government’s Statutory Guidance from the Local Government Measure 2011:

- 7.46.5.1 informal discussions with Officers or other Councillors;
- 7.46.5.2 informal discussions with partner representatives;
- 7.46.5.3 referral to other “scrutiny” bodies such as Community Health Councils or internal audit committee;
- 7.46.5.4 formal discussions with Officers and Councillors;
- 7.46.5.5 formal letters to the Cabinet members;
- 7.46.5.6 asking questions at Full Council;
- 7.46.5.7 submitting a motion to Full Council;
- 7.46.5.8 organising public meetings;
- 7.46.5.9 use of petitions;
- 7.46.5.10 making a complaint;
- 7.46.5.11 freedom of information requests;
- 7.46.5.12 communication with local AMs or MPs;
- 7.46.5.13 use of social media or email based campaigns.

- 7.46.6 This is not an exhaustive list and Councillors may choose different routes for specific issues. If an issue has not been resolved after exhausting all possible alternative routes, then a local Councillor can refer it to the appropriate Scrutiny Committee as a CCfA.

What is a Councillor Call For Action?

- 7.46.7.1 In order for a Scrutiny Committee to accept a CCfA as an agenda item for discussion at one of their meetings, the issue must affect either all or part of a Councillor’s electoral area or it must affect someone who lives or works in that area and come within that Scrutiny Committee’s remit.
- 7.46.7.2 A Councillor does not however need a referral from a constituent in order to start the process. It is important to recognise that a CCfA is not guaranteed to solve a given problem, though it can provide a method for discussing such problems and, through discussion, attempt to overcome them.

How and When Should I Make a CCfA?

SECTION 7 – SCRUTINY COMMITTEES

- 7.46.8.1 A flowchart showing the process is provided at Rule 7.45. A Councillor may initiate the process by completing the form at Rule 7.46. Further copies are available from the Scrutiny Manager. It is important that the local Councillor specifies what outcome is expected from the referral. After completion the form should be returned to the Scrutiny Manager who will log and acknowledge the referral within five working days, to track its progress and forward a copy of the form to the Monitoring Officer.
- 7.46.8.2 The Monitoring Officer will confirm whether or not the referral satisfies the requirements outlined in Rule 7.42.9 below to enable it to be placed on the agenda for discussion at a meeting of the relevant Scrutiny Committee. The Monitoring Officer reserves the right to exclude from the agenda any matter which is vexatious, discriminatory or otherwise potentially unlawful; and the Councillor will be informed of this outcome as soon as practicable.

Criteria To Be Followed By A Scrutiny Committee Dealing With CCfAs

- 7.46.9 It is up to the chair of a Scrutiny Committee in consultation with the Monitoring Officer to decide whether, and in what form, to take the matter further. The chair will use the following criteria to decide whether or not the referral is appropriate to be considered by its Scrutiny Committee :
- 7.46.9.1 does the matter fall within the remit of that Scrutiny Committee?
NB: Crime and Disorder referrals should be directed to the Health and Care Scrutiny Committee.
 - 7.46.9.2 is that Scrutiny Committee satisfied that all reasonable attempts have been made to resolve the issue by the local Councillor? Do the responses received by the referring Councillor demonstrate that the matter is not being progressed?
 - 7.46.9.3 has that Scrutiny Committee considered a similar issue recently? If so, have the circumstances or evidence changed?
 - 7.46.9.4 is there a similar or related issue which is the subject of a review on the current work programme? It may be more appropriate to link the new issue to an existing review, rather than hold a separate CCfA hearing. Relevant time pressures on resolving the CCfA should be taken into account.
 - 7.46.9.5 have all relevant service areas or partner organisations been informed and been given enough time to resolve the issue? What response has the Councillor received?
 - 7.46.9.6 is this a case that is being or should be pursued via the Council's corporate complaints procedure?
 - 7.46.9.7 is it relating to a "quasi-judicial" matter or decision such as planning or licensing?
 - 7.46.9.8 is the matter an issue of genuine local concern which impacts on the local community rather than a personal matter?
 - 7.46.9.9 is this an issue currently being looked at by another form of external scrutiny?
 - 7.46.9.10 and, as with all scrutiny, does the matter have the potential for scrutiny to produce recommendations which could realistically be implemented and lead to improvements for anyone living or working in the Councillor's electoral division?

SECTION 7 – SCRUTINY COMMITTEES

- 7.46.10 If a Scrutiny Committee decides not to accept the CCfA it must inform the Councillor of the decision and the reasons for it.
- 7.46.11 If a Scrutiny Committee decides to accept the CCfA the Councillor will be informed and advised of the agreed Protocol, e.g. the Councillor will be given adequate notice (a minimum of 10 clear days) of the date of the Scrutiny Committee’s meeting. The Councillor will be requested to attend the Scrutiny Committee and informed that s/he will have five minutes in which to address the Scrutiny Committee . The Scrutiny Committee may then wish to question the Councillor further before deciding how it intends to take the matter forward. This could include:
- 7.46.11.1 asking the relevant responsible authorities to respond to the CCfA;
 - 7.46.11.2 setting up a research or task and finish group to undertake a more in-depth review;
 - 7.46.11.3 asking for further evidence and/or witnesses to be brought to a future meeting. The Scrutiny Committee has the power to request “designated persons”⁷ such as representatives from other public bodies/agencies to attend, where relevant, and to request information.

Potential Outcomes From a CCfA

- 7.47.1 A Scrutiny Committee could:
- 7.47.1.1 determine that it is a complex issue that requires further investigation and commission a scrutiny review of the issue;
 - 7.47.1.2 write a response and make recommendations on the CCfA to a relevant responsible authority;
 - 7.47.1.3 decide that further action is not appropriate giving its reasons.
- 7.47.2 Once a Scrutiny Committee has completed its work, the Councillor who made the referral will receive a copy of any response or recommendations made.

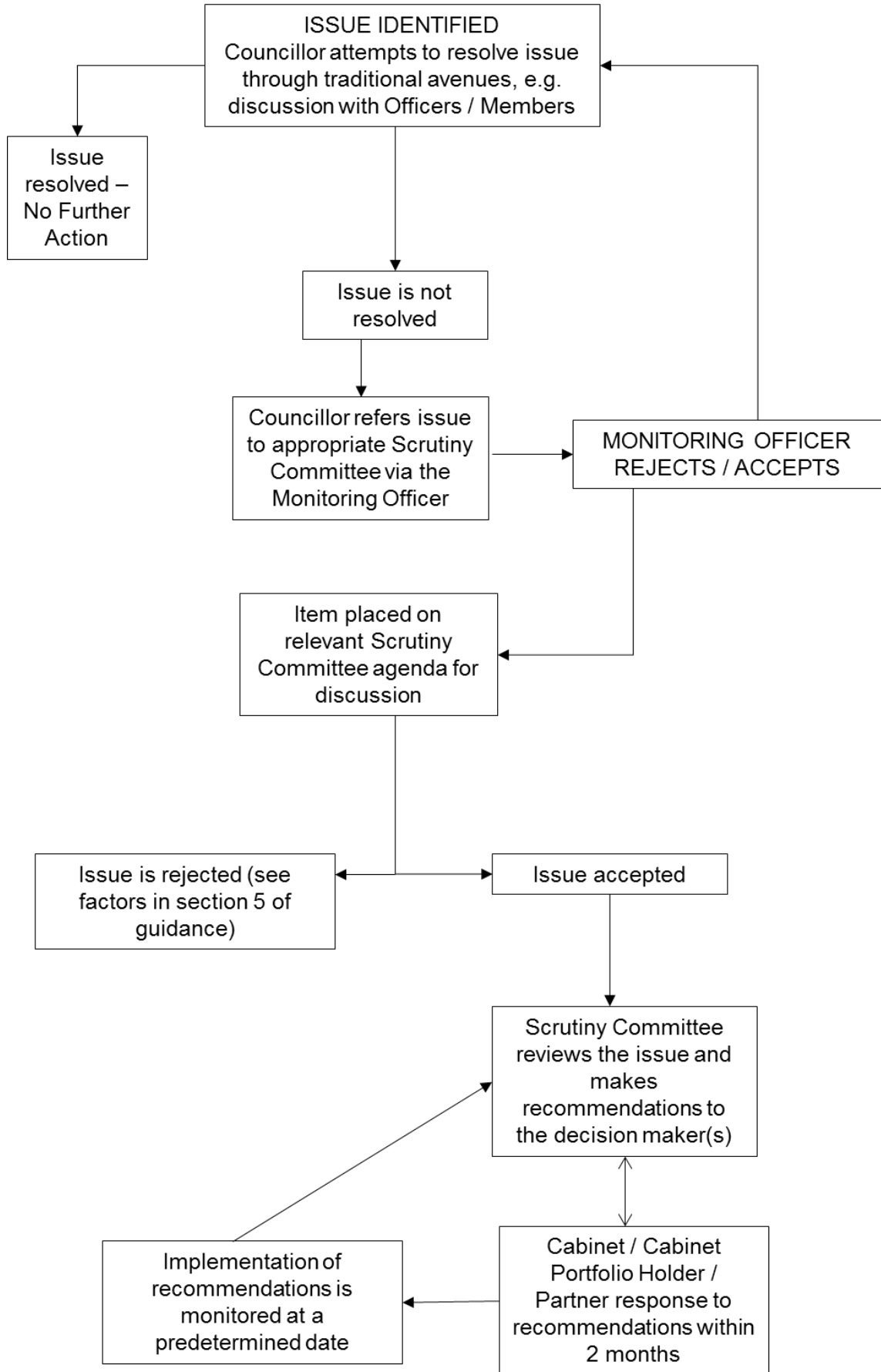
Timescales for Dealing With a CCfA

- 7.48.1 Within 10 working days of receipt of a CCfA the chair of the relevant Scrutiny Committee will consult with the Monitoring Officer to determine if the criteria set out in Rule 7.46.9 above have been met so as to ensure that it is appropriate for the CCfA to be dealt with at the next meeting of the Scrutiny Committee.
- 7.48.2 In exceptional circumstances, for example where there are unavoidable time constraints, the chair may convene a special meeting of the Scrutiny Committee.
- 7.48.3 Should a CCfA result in recommendations to the Cabinet or other responsible authorities, they will be requested to make a response to the recommendations within 28 days and two months respectively.
- 7.48.4 The Scrutiny Committee will monitor implementation of any recommendations as part of its Forward Work Programme.

⁷ The Welsh Government have yet to publish a list of “designated persons”.

7.49

SECTION 7 – SCRUTINY COMMITTEES



SECTION 7 – SCRUTINY COMMITTEES

Councillor Call for Action Referral Form 7.50

Name of Scrutiny Committee	
Date given to the Monitoring Officer	
Name of Councillor making CCfA	Councillor
Councillor's Electoral Division	
Councillor's Address	
Councillor's Telephone	
Councillor's E-mail	
SUBJECT of CCfA	
Details Please briefly explain what the issue is and how it affects either all or part of your electoral area, or how it affects someone who lives or works in your electoral division.	
Action taken to date Please explain what steps you or others have taken, and with whom, to try to resolve the issue (please tick the actions you or others have taken to date) or add additional actions.	<input type="checkbox"/> Informal discussions with Officers or other councillors <input type="checkbox"/> Informal discussions with partner representatives <input type="checkbox"/> Referral to other "scrutiny" bodies such as Community Health Councils or internal audit committee <input type="checkbox"/> Formal discussions with Officers and councillors <input type="checkbox"/> Formal letters to the Cabinet members <input type="checkbox"/> Asking questions at Full Council <input type="checkbox"/> Submitting a motion to Full Council <input type="checkbox"/> Organising public meetings <input type="checkbox"/> Use of petitions <input type="checkbox"/> Making a complaint <input type="checkbox"/> Freedom of Information requests <input type="checkbox"/> Communication with local AMs or MPs <input type="checkbox"/> Use of social media or email based campaigns

SECTION 7 – SCRUTINY COMMITTEES

	Other Actions (Please Specify).
Expected Outcome Please describe the outcome you hope to gain via this referral.	
Papers attached Please list documents attached which should evidence the impact of the issue, the steps taken and any responses received.	1. 2. 3. 4. 5. 6.

Administration only.

Date received by Monitoring Officer	
Date CCfA accepted by Monitoring Officer	
Date of Next Scrutiny Committee Meeting	

Notes for Councillors:

- 7.51.1 The following criteria will be taken into consideration when a Scrutiny Committee decide whether to progress with your CCfA:
- 7.51.1.1 have all reasonable attempts been made to resolve the issue? Do the responses received by you demonstrate that the matter is not being progressed?
 - 7.51.1.2 has the committee considered a similar issue recently – if yes have the circumstances or evidence changed?
 - 7.51.1.3 is there a similar or related issue which is the subject of a review on the current work programme? It may be more appropriate to link the new issue to an existing review, rather than hold a separate CCfA hearing. Relevant time pressures on resolving the CCfA should be taken into account.

SECTION 7 – SCRUTINY COMMITTEES

- 7.51.1.4 have all relevant service areas or partner organisations been informed and been given enough time to resolve the issue? What response have you received?
 - 7.51.1.5 is this a case that is being or should be pursued via the Council's corporate complaints procedure?
 - 7.51.1.6 is it relating to a "quasi-judicial" matter or decision such as planning or licensing?
 - 7.51.1.7 is the matter an issue of genuine local concern, which impacts on the local community rather than a personal matter?
 - 7.51.1.8 is this an issue currently being looked at by another form of external scrutiny?
 - 7.51.1.9 and, as with all scrutiny, does the matter referred have the potential for scrutiny to produce recommendations, which could realistically be implemented and lead to improvements for anyone living or working in your electoral division.
-
- 7.51.2.1 Consider whether your referral might be considered premature by the Scrutiny Committee .
 - 7.51.2.2 Consider whether other potential remedies have been exhausted, before a referral is made.
 - 7.51.3 Members should be aware that if a premature referral is made, the Committee is likely to refuse to deal with the issue, based on the criteria outlined above. If the Monitoring Officer believes that the referral is premature, s/he will advise you accordingly.

SECTION 7 – SCRUTINY COMMITTEES

Appendix 1 – "Call-In Request"

CALL-IN OF LEADER / CABINET / CABINET COMMITTEE / PORTFOLIO HOLDER DECISION - REQUEST FORM.

CALL-IN REQUEST FOR A MATTER TO BE CALLED-IN BY A SCRUTINY COMMITTEE.

TO: The Monitoring Officer.

I County Councillor _____ Chair of the

Health and Care Scrutiny Committee	YES / NO
Learning and Skills Scrutiny Committee	YES / NO
Economy, Residents, Community and Governance Scrutiny Committee	YES / NO

We 4 County Councillors being Members of the

Health and Care Scrutiny Committee	YES / NO
Learning and Skills Scrutiny Committee	YES / NO
Economy, Residents, Community and Governance Scrutiny Committee	YES / NO

Request the call in of the decision referred to in Schedule 1 (Attached) to be reviewed by the Committee of which [I am Chair] [We are Members].

I / We confirm that the matter is one which falls within the remit of the Committee of which [I am Chair] / [We are Members].

I / We make this request on the ground(s) following written advice from the Monitoring Officer and / or Chief Finance Officer (Attached at Schedule 2):

- (i) that the decision or action is contrary to the policy framework or budget, or falls outside the functions of the Cabinet; and / or
- (ii) that the Cabinet or decision maker had not followed agreed procedures on consultation before reaching its decision; and / or
- (iii) that the Cabinet had not followed, or had failed to take account of, any legal obligations, including regulations or statutory guidance governing the Council's actions, or other guidance adopted by the Council.

Date: _____

Name:	Signature:

SECTION 7 – SCRUTINY COMMITTEES

IMPORTANT NOTE TO CHAIRS AND MEMBERS OF A SCRUTINY COMMITTEE:

If you consider that a Cabinet decision falls within one or more of the categories set out above it is **your** responsibility to obtain from the Monitoring Officer and / or the Chief Finance Officer their written confirmation that he / she / they agree with your view and that their written advice is appended to this request for a Call-In.

This form must be wholly completed – including Schedules 1 and 2 and must be received by the Monitoring Officer **by no later than 5 p.m. on the 5th Working Day following publication of the Cabinet decision.**

Thus by way of example where (as is usually the case) a Cabinet decision is published on a Thursday this completed form must be received by the Monitoring Officer by no later than 5 p.m. on Thursday of the following week. Where a bank holiday Monday intervenes then this deadline will be extended to 5 p.m. on the Friday of the following week.

Chairs / Members are particularly asked to note that incomplete forms **WILL NOT** be accepted nor will those received after 5 p.m. on the 5th day. No exception whatsoever will be made to this rule.

This process applies to all decisions relating to “Cabinet Functions” and so applies equally to decisions of the Leader, the Cabinet a Cabinet Committee or any decision by an individual Portfolio Holder.

PLEASE NOTE the following exceptions which apply to a Call-In Request:

In order to ensure that call-in is not abused or causes undue delay, certain limitations are to be placed on its use. These are:

- (i) that a scrutiny committee may only call-in 5 decisions per year.
- (ii) only decisions involving expenditure or reduction in service over a value of £25,000 may be called-in.
- (iii) four members of a scrutiny committee are needed for a decision to be called-in.
- (iv) once a member has signed a request for a call-in s/he may not do so again until a period of 6 months has expired.
- (v) the decision has not been determined to be urgent and not subject to a Call-In.

SECTION 7 – SCRUTINY COMMITTEES

SCHEDULE 1.

TO BE COMPLETED BY THE CHAIR OR 4 MEMBERS REQUESTING THE CALL-IN.

1.	Leader / Cabinet / Cabinet Committee / Individual Portfolio Holder Decision To Be Called-In (<i>Please include Date of Meeting and Agenda Reference Number</i>):

2. Reason for Call-In:

2.1 What is the reason for the Call-In Request. Please tick which of the conditions which you believe apply:

(i)	that the decision or action is contrary to the policy framework or budget, or falls outside the functions of the Cabinet; and / or	
(ii)	that the Cabinet or decision maker had not followed agreed procedures on consultation before reaching its decision; and / or	
(iii)	that the Cabinet had not followed, or had failed to take account of, any legal obligations, including regulations or statutory guidance governing the Council's actions, or other guidance adopted by the Council.	

2.2 Please provide an explanation in the box below as to why you believe that the conditions in 2.1 above apply.

SECTION 7 – SCRUTINY COMMITTEES

(Please continue on a separate sheet if necessary)

SECTION 7 – SCRUTINY COMMITTEES

SCHEDULE 2.

TO BE COMPLETED BY THE MONITORING OFFICER AND CHIEF FINANCE OFFICER.

1. Chief Finance Officer’s Advice.

Chief Finance Officer’s Advice on the Call-In Request.

(Please continue on a separate sheet if necessary)

Date: _____

Signature: _____

SECTION 7 – SCRUTINY COMMITTEES

2. Monitoring Officer's Advice.

Monitoring Officer's Advice on the Call-In Request.

(Please continue on a separate sheet if necessary)

Date: _____

Signature: _____

SECTION 7 – SCRUTINY COMMITTEES

FOR INTERNAL USE ONLY:

(a)	Date of Request to Call-In Decision (as above):	
(b)	Date of Cabinet Decision:	
(c)	Is Date of Request within 5 Working Days of Cabinet Decision:	YES / NO
(d)	Does the matter fall within the remit of the Scrutiny Committee?	YES / NO
(e)	Does the Chief Finance Officer's advice support a Call-In Request:	YES / NO
(f)	Does the Monitoring Officer's advice support a Call-In Request:	YES / NO
(g)	Signature(s) of Chair or 4 Members of Relevant Committee included:	YES / NO
(h)	Call-In Notice to be Issued:	YES / NO

(i)	Date of Committee Meeting to consider Call-In (within 10 working days of issue of notice):	
(j)	Name(s) of Relevant Cabinet Portfolio Holders to be Invited to Attend Meeting:	
(k)	Details of Heads of Service to be Invited to Attend Committee:	
(l)	Cabinet Portfolio Holders Heads of Service Advised of Committee Meeting (<i>insert date</i>):	YES / NO
(m)	Questions and Checklist prepared for the Committee:	YES / NO

SECTION 7 – SCRUTINY COMMITTEES

Appendix 2 – “Call-In Notice”

TO BE COMPLETED BY THE MONITORING OFFICER AND CHIEF FINANCE OFFICER.

1. Chief Finance Officer.

1.1 Please tick which of the conditions which you believe apply for a “Call-In Notice” to be issued:

(i)	that the decision or action is contrary to the policy framework or budget, or falls outside the functions of the Cabinet; and / or	
(ii)	that the Cabinet or decision maker had not followed agreed procedures on consultation before reaching its decision; and / or	
(iii)	that the Cabinet had not followed, or had failed to take account of, any legal obligations, including regulations or statutory guidance governing the Council’s actions, or other guidance adopted by the Council.	

Please set out the reasons why it is believed that one or more of the conditions are satisfied:

(Please continue on a separate sheet if necessary)

Date: _____

Signature: _____

SECTION 7 – SCRUTINY COMMITTEES

2. Monitoring Officer.

2.1 Please tick which of the conditions which you believe apply for a “Call-In Notice” to be issued:

(i)	that the decision or action is contrary to the policy framework or budget, or falls outside the functions of the Cabinet; and / or	
(ii)	that the Cabinet or decision maker had not followed agreed procedures on consultation before reaching its decision; and / or	
(iii)	that the Cabinet had not followed, or had failed to take account of, any legal obligations, including regulations or statutory guidance governing the Council’s actions, or other guidance adopted by the Council.	

Please set out the reasons why it is believed that one or more of the conditions are satisfied:

(Please continue on a separate sheet if necessary)

Date: _____

Signature: _____

Report to the Democratic Services Committee

Establishing a New Panel to Promote the Welsh Language and Provide Oversight for Welsh Language Provision within Powys County Council

Background

During the last few years, there have been many changes to the way the Council is required to provide services through the medium of Welsh, to promote the Welsh language through its work, to consider the impact of its decisions on the Welsh language, and how the impact can be mitigated, and to increase the use of the Welsh language and number of Welsh speakers within the county.

The Welsh Government's legislation and strategies which relate to the way Local Authorities must operate through the medium of Welsh, develop the use of the Welsh language and increase the number of Welsh speakers include;

- The Welsh Language (Wales) Measure 2011 and the Welsh Language Standards – providing services, developing policies, internal use, record keeping and duties to promote
- Welsh Government's Cymraeg 2050 Strategy, to achieve a Million Welsh Speakers by 2050
- More than Just Words: Welsh Government's Strategic Framework for providing services in Welsh within Health and Social Care.

Currently, although there are several partnership forums that the Council is part of which discuss the Welsh language, there isn't an internal forum to discuss these aspects specifically within Powys County Council, to enable open and detailed discussions to ensure these issues are considered sufficiently within the Council's political structures, strategies and decisions, and to ensure sufficient consideration to the Council's impact and influence on the Welsh language within the County.

It is therefore proposed that a new Panel is established, under the Democratic Services Committee's structure, and which will report to that committee, to look at the Council's services and plans within a Welsh language context.

The Purpose of the Panel

The purpose of the new Panel, if approved, will be to;

- Oversee the work of other groups considering Welsh language issues within the Council, e.g. Welsh Language Support, Promotion and Challenge Group; Welsh Language Education Forum; Officers Group* (yet to be established) by receiving reports and setting a direction for the work of those groups
- Consider the Council's main strategies and plans, to ensure the Welsh language is sufficiently considered, and proposing ways in which the Welsh language can be promoted within those plans and strategies
- Consider samples of Welsh Language Impact Assessments, which are required under the Welsh Language Standards, to ensure sufficient attention is given to the impact of the Council's decisions on the Welsh language, to look at how our considerations could be strengthened to achieve a better impact, and that appropriate mitigation is proposed if any adverse impacts are identified
- Recommend ways in which the Council's strategies and plans could contribute towards the Welsh Government's goal of achieving one million Welsh speakers by 2050
- Consider how we can increase the use of the Welsh language internally within the Council

- Receive reports on Powys County Council’s compliance with the Welsh Language Standards under the Welsh Language (Wales) Measure 2011
- The Panel will meet every quarter, with meetings arranged to fit with the Democratic Services Committee timetable
- The Panel’s meetings will be held through the medium of Welsh, with simultaneous translation provided when required to enable non-Welsh speaking members and officers to participate in the discussion

Reporting

This new Panel, if approved, will report to Powys County Council’s Democratic Services Committee, with meetings arranged to ensure an appropriate timetable to consider aspects of the Council’s work relating to the Welsh language, to fit with the Democratic Services Committee’s timetable.

Membership

It is proposed that the new Panel, if approved, is chaired by the Chairperson / Member of Powys County Council’s Democratic Services Committee.

It is proposed that the Panel’s membership includes;

- The Welsh Language Portfolio Holder
- One member from each political group represented on the Council, to ensure cross-party input and support to the discussions

Appropriate officers will also attend and support the Panel’s work.

Implementation

To support the work and direction of the Panel more widely within the Council, it is also proposed that a Welsh Language Promotion Officer’s Group is established, with at least one representative from each service area, which will be responsible for promoting the Welsh language and supporting the implementation on the Welsh Language Standards within their service.

Members of the group should be influential officers within their service, to ensure that sufficient attention is given to the issues discussed.

This group will be co-ordinated by Powys County Council’s Welsh Language Officer, and will report to the Welsh Language Promotion and Supervision Panel.

Recommendation:	Reason for Recommendation:
That the Democratic Services Committee recommends to Full Council that a new Panel be established to Promote the Welsh Language and Oversee Welsh Language Provision within Powys County Council	To ensure sufficient consideration is given to the Welsh language within Powys County Council’s plans and strategies, to promote the use of the Welsh language and increase the number of Welsh speakers, and ensure Council services operate according to the requirements of the Welsh Language Standards

The proposal for consideration is as follows:

- (i) Coaching / Mentoring to be offered to the Chairs of the 3 Scrutiny Committees initially. This could be extended to Vice-Chairs once the process has been tested. This would involve an initial conversation between the Member and Coach / Mentor (2 hours maximum), followed by the observation of a meeting and then one to one feedback to those individual Members.
- (ii) Reviews of committee members – a simple process needs to be devised to incorporate questions around:
 - Does the Member engage in their scrutiny committee meetings, how often, is this dependent on the subject being considered.
 - What are the barriers preventing them from asking questions. Is this around background knowledge, are the ways that reports are written not helpful, are there any other reasons why they do not wish to contribute.
 - What would assist members engage.
- (iii) The results of the review in (ii) would be consolidated into an anonymised list of points and can have a two-fold impact:
 - (a) This could be used for a discussion between the Scrutiny Manager and the Chair of the Committee (possibly involving the Coach / Mentor as well) as there could be implications for the way that committees are run, or agendas set or the way that committees are chaired.
 - (b) The list of barriers and suggestions for improvements could drive new ways of working for scrutiny committees generally but also highlight specific training requirements for Scrutiny Members. These could be added to the Member Development Programme

This simplified process removes the need for peer to peer comments and therefore focuses on processes rather than individuals. The whole process also needs to be voluntary as forcing members to take part would not be helpful to the overall aim which is to improve scrutiny.

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

CYNGOR SIR POWYS COUNTY COUNCIL

26th November 2020**REPORT AUTHOR: Sue Jones, Senior Licensing Officer****REPORT TITLE: Update Report from Licensing Committee - Review of Licensing Act 2003 Policy**

REPORT FOR: Approval

1. Purpose

1.1 In accordance with section 5 of the Licensing Act 2003 the authority is required to publish a revised, updated Licensing Act 2003 policy in January 2021. Full Council are required to approve the policy

2. Background

2.1 As a Licensing Authority the Council must have regard to its Licensing Act 2003 policy when considering applications made under the Act, its purpose is to set out how the authority have interpreted the Act and the basis on which decisions are made.

2.2 A revised policy was considered by the Licensing Committee at a meeting on 8th September 2020, a six-week consultation with stakeholders followed. No objections or representations in respect of the policy have been received.

3. Recommendation

3.1 To approve the revised Licensing Act 2003 policy set out at Annex A for publication and effective from 1st January 2021

Contact Officer:	Sue Jones
Tel:	01597 827389
Email:	susan.jones@powys.gov.uk
Head of Service:	Gwilym Davies
Corporate Director:	Nigel Brinn

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

CYNGOR SIR POWYS COUNTY COUNCIL

LICENSING COMMITTEE

Date 8th September 2020

REPORT AUTHOR: Sue Jones, Senior Licensing Officer

REPORT TITLE: Review of Licensing Act 2003 Policy

REPORT FOR: Decision

1. Purpose

- 1.1 The authority's current Licensing Act 2003 Policy was published in January 2016. In accordance with section 5 of the Licensing Act 2003 the authority is required to publish a revised updated Licensing Act 2003 policy in January 2021.
- 1.2 The committee is asked to approve a revised Licensing Act 2003 Policy for consultation. A final policy will need to be approved by Full Council on 26th November 2020 in order to meet the January 2021 deadline.

2. Background

- 2.1 As a Licensing Authority the Council must have regard to its Licensing Act 2003 policy when considering applications made under the Act, its purpose is to set out how the authority have interpreted the Act and the basis on which decisions are made. In addition, the Secretary of State is responsible for publishing guidance in relation to the Licensing Act 2003, its purpose is to promote best practice, ensure consistent application of licensing powers and to promote fairness, equal treatment, and proportionality. These two documents are key for the authority in discharging its functions and determining applications under The Licensing Act 2003.
- 2.2 When members are asked to consider an application subject to relevant representations the application should be considered on its own merits, and regard should be had to both the Licensing Act guidance and policy.
- 2.2 It is five years since the policy was reviewed and the updated draft policy aims to improve and update the current policy taking into consideration any legislative changes, revisions to guidance or relevant case law that have occurred since.
- 2.3 The authority collaborated with colleagues from the Four Counties Licensing Forum when considering appropriate amends and additions (the Four Counties being the four authorities within the Dyfed Powys

Police area: Carmarthenshire, Ceredigion, Pembrokeshire and Powys). Similar amends to each individual policy with a view to consistency have been agreed.

- 2.4 The draft policy is attached at Annex A, the amends to the current policy are tracked to highlight the changes, the Police Licensing Officer for Powys and other relevant local authority officers have already had an early opportunity to input and shape the draft policy.
- 2.5 Should the committee approve the revised policy then the next step in the process is for the licensing authority to consult the persons listed in section 5(3) of the 2003 Act. These are:
- the chief officer of police for the area;
 - the fire and rescue authority for the area;
 - each local authority's Director of Public Health in England (DPH)11 or Local Health Board in Wales for an area any part of which is in the licensing authority's area,
 - persons/bodies representative of local premises licence holders;
 - persons/bodies representative of local club premises certificate holders;
 - persons/bodies representative of local personal licence holders; and
 - persons/bodies representative of businesses and residents in its area
- 2.6 Following a six-week consultation period, should any comments be received for the committee to consider then these will be presented and considered at a future meeting. A final policy will need to be referred to the Full Council meeting scheduled for 26th November with a recommendation that it be adopted in time for January 2021.

3. Advice

- 3.1 The committee is asked to consider the revised Licensing Act 2003 policy set out at Annex A and agree that it can go out for consultation. If necessary, consider any relevant comments at a future meeting and to present a final policy to Full Council on 26th November for approval and publication in time for January 2021

4. Resource Implications

- 4.1 Officer time to review and make amends to policy in light of any legislation changes or updates in the last five years and on collaboration with colleagues in the four counties region. Officer time to take to committee and undertake consultation process on approved policy, bring back to committee if required. This has been met within existing resources. The implications of the revised policy would not have any impact on resources.

4.2 The Head of Finance (Section 151 Officer) notes the position in section 4.1 above and can support the recommendation.

5. Legal implications

5.1 The authority is required to have a revised Licensing Act Policy published by January 2021 (five years since the last policy was published) in order to continue to carry out its functions under the Act.

The Licensing Solicitor welcomes the amendments to the policy which should assist applicants' and members of the public's understanding of the licensing process.

6. Data Protection

6.1 No implications

7. Comment from local member(s)

7.1 This is a Powys wide policy and has no isolated local issues

8. Integrated Impact Assessment

8.1 Not required, statutory policy that is being fully consulted on

9. Recommendation

9.1 To approve the revised Licensing Act 2003 policy set out at Annex A for consultation. Following consultation consider any relevant comments at a future meeting and to present a final policy to Full Council on 26th November for approval and publication in January 2021

Contact Officer:	Sue Jones
Tel:	01597 827389
Email:	susan.jones@powys.gov.uk
Head of Service:	Gwilym Davies
Corporate Director:	Nigel Brinn

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol



LICENSING ACT 2003

STATEMENT OF LICENSING POLICY

January 2021

Tudalen 161

INDEX

- 1) Introduction
 - 2) Profile of Powys
 - 3) Fundamental Principles

 - 4) Consultation
 - 5) Administration
 - 6) Licensable Activities
 - 7) Personal Licences
 - 8) Premises Licences
 - 9) Club Premises Certificates
 - 10) Temporary Event Notices
 - 11) Cumulative Impact Policy, Late Night Levey & Early Morning Restriction Order
 - 12) Bare Knuckle Boxing
 - 13) Sexual Entertainment
 - 14) Applications Administered & Delegation Arrangements
 - 15) Planning
 - 16) Licensing Hours
 - 17) Large Events & Festivals
 - 18) Operating Schedule & Licensing Conditions
 - 19) Representations
 - 20) Prevention of Crime and Disorder
 - 21) Public Safety
 - 22) The Prevention of Public Nuisance
 - 23) The Protection of Children from Harm
- Tudalen 162

- 24) Licence Reviews
- 25) Hearings
- 26) Appeals
- 27) Enforcement
- 28) Annual Fees

Annex A – Responsible Authority Contacts

Annex B – Mandatory Licence Conditions

Annex C – Dyfed Powys / Four Counties Pool of Licence Conditions

Annex D – Licensed Premises Code of Conduct

1. INTRODUCTION

Powys County Council is designated as a Licensing Authority for the purposes of the Licensing Act 2003 and is responsible for granting premises licences, club premises certificates, temporary event notices and personal licences in the County for the sale and/or supply of alcohol, the provision of regulated entertainment and late night refreshment. The authority has delegated its licensing functions to the Licensing Act Committee. Members of this committee will be responsible for administration of the Council's function assisted by officers. The decision-making arrangements between Licensing Sub Committees and officers is set out in this policy statement.

Section 5 of the Act requires a licensing authority to prepare and publish a statement of its licensing policy at least every 5 years. The authority must ensure the policy is published before it can carry out any function in respect of individual applications and notices made under the terms of the Act. During the five-year period the policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate. If the licensing authority determines and publishes its policy in this way, a new five-year period commences on the day it is published.

The policy has been prepared in accordance with the requirements of the Act and having regard to guidance issued under section 182 of the Act.

This policy revision will take into account the following matters in its re-drafting.

The amendments to the Licensing Act 2003 made by:

- The Police Reform and Social Responsibility Act 2011
- The Live Music Act 2012
- The Deregulation Act 2015
- Statutory instruments laid
- Revised Guidance issued under S182 of the Licensing Act 2003
- Immigration

The policy sets out a general approach to the making of licensing decisions by the Licensing Authority but does not undermine the right of any individual to apply for a variety of permissions to have any such applications considered on its individual merits.

2. PROFILE OF POWYS

Powys is a very large rural authority with a low population density with a population of around 132,000 and area of 5,200 sq km making it the largest yet most sparsely populated county in Wales. A high proportion of residents are over retirement age; 26.1% over the age of 65 compared to Wales average of 20.4%*. The main towns in Powys are: Newtown, Ystradgynlais, Welshpool, Machynlleth, Llanidloes, Rhayader, Llandrindod Wells, Knighton, Presteigne, Brecon, Crickhowell, Hay on Wye and Builth Wells. In addition there are a number of smaller towns, villages and rural settlements.



Powys has around 1000 licensed premises including:

- Pubs, bars and nightclubs
- Cinemas
- Theatres
- Schools and Community Premises
- Restaurants
- Hotels & Guest Houses
- Members Clubs
- Shops and Supermarkets
- Late Night Food Venues

In the region of 2600 personal licences have been issued by the Authority also.

Powys is host to a number of nationally recognised events including the Royal Welsh Agricultural Show, Hay Literary Festival, The Greenman Festival, Brecon Jazz and a multitude of smaller events, festivals, music events and local shows that take place annually, many of these involve licensable activities authorised by way of a Premises Licence or Temporary Event Notice. The authority processes in the region of 800 Temporary Event Notices every calendar year.

However, alcohol remains a concern for public health and ranks among the top five risk factors for disability-adjusted life years in Wales.

Statistics for 2018/19 show that in Wales 2% of adults were harmful drinkers (average weekly alcohol consumption more than 50 units (men) or 35 units (women) and a further 16% were hazardous drinkers (average weekly alcohol consumption more than 14 units but no more than 50 units (men) or 35 units (women)

In 2020 the Wales minimum pricing per unit of alcohol law came into force to tackle harmful and damaging drinking of cheap strong alcohol. Welsh Government hope to see a reduction in the significant and widespread harm caused by the excessive consumption of alcohol as a result of this new law

**Figures from PCC website '50 facts about Powys' published 2017*

3 FUNDAMENTAL PRINCIPLES

Licensing is about the control of licensable activities and the premises where they take place within the terms of the 2003 Act.

Licensable activities include the sale and supply of alcohol, regulated entertainment, and late-night refreshment. Premises are authorised to carry out licensable activities either by way of a licence, certificate or notice i.e. premises licences, club premises certificates and temporary event notices. Conditions may be attached to licences and certificates that will cover matters which are within the control of individual licensees and that uphold the licensing objectives (see below)

Individuals are issued with personal licences that authorise them to sell alcohol but only at a premise that is authorised to sell alcohol. Every premises with a premises licence that permits sale of alcohol will require a named personal licence holder known as the Designated Premises Supervisor. A Club Premises Certificate does not require a personal licence holder neither does a Temporary Event Notice.

The purpose of this policy is to describe how the Council will carry out its functions as a Licensing Authority to promote the four licensing objectives specified in the Act, that are

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

The commercial demand for additional premises licence will not be a matter for the Licensing Authority. These matters would be a specific consideration for the Local Planning Authority considering the demands of the licensed trade and market demands

4 CONSULTATION

In reviewing the policy in accordance with the Act, the licensing authority will consult with:

- The Relevant Responsible Authorities (see Annex A)
- Persons/bodies representative of local premises holders.
- Persons/bodies representative of local club premises certificate holders.
- Persons/bodies representative of local personal licence holders; and
- Persons/bodies representative of businesses and residents in Powys.
- Pub watch members through BOBB meetings
- Community Councils

The views of all persons will be taken into consideration when determining the policy and any other relevant changes.

5 ADMINISTRATION

The Council's licensing team administers all aspects of the Licensing Act 2003 including applications, representations, processing annual fees, and requests for assistance and advice. The licensing team can be contacted as follows:

Tel: 01908 166

For enquiries:

North of Powys :

: South of Powys:

Licensing Team
Council Offices
Neuadd Maldwyn
Severn Road
Welshpool
Powys
SY21 7AS

Licensing Team
Council Offices
Y Gwalia
Ithon Road
Llandrindod Wells
Powys
LD1 6AA

Tel: 01597 827389
licensing@powys.gov.uk

All application requirements are specified in the regulations made under the Act in addition guidance notes for applicants have been prepared and are available on the Council's web site. The licensing team can also be contacted for advice and guidance with an application. Only complete applications that contain all the information required by the Act will be accepted. Electronically submitted applications are encouraged and can be made through council's website. Prospective applicants are strongly recommended to seek pre-application advice. Advice on the application process will be given, but at no stage will the Licensing Authority complete the application form on behalf of an applicant.

6 APPLICATIONS ADMINISTERED & DELEGATION ARRANGEMENTS

The authority processes the following types of applications under The Licensing Act 2003:

Matter to be dealt with	Licensing Sub Committee	Officer
Application for personal licence	If a representation made	If no representation made
Application for personal licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a representation made	If no representation made
Consider revoking a personal licence following a relevant conviction	If police make a representation	
Application for provisional statement	If a representation made	If no representation made
Application to vary premises licence/club premises certificate	If a representation made	If no representation made
Application to vary designated personal licence holder	If Police representation	All other cases,
Request to be removed as designated personal licence holder		All cases
Application for transfer of premises licence	If Police representation	All other cases
Applications for Interim Authorities	If Police representation	All other cases

Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc.		All cases
Determination of a Police or Environmental Health representation to a temporary event notice	All cases	
Determination of applications to disapply the mandatory condition for a DPS for community premises licensed for sale of alcohol		All cases
Adjourn a hearing with all parties' consent		All cases on consultation with chair of committee
Determination of applications for minor variations to premises licence/club premises certificate		All cases
Suspension of licences following non-payment of annual fees		All cases

7 PERSONAL LICENCES

Personal licences are issued to individuals who make an application for a personal licence in the local authority where they reside. Personal licences have no expiry date, however they must be updated by the individual as and when their details change i.e. change of name or address. It is for the individual to notify the local authority and pay the statutory fee for a replacement licence. The personal licence always remains with the authority that issued their licence regardless of their current address

Personal licence holders can authorise the sale of alcohol at licensed premises. Personal licence holders may also be named as the Designated Premises Supervisor at a licensed premise usually this is when they manage the premises.

No sale of alcohol can be made from a licensed premise where there is no named Designated Premises Supervisor. A premise may have more than one personal licence holder but can only have one named designated premises supervisor.

The Council recognises it has very little discretion in the granting of a personal licence. In general provided an applicant is aged 18 or over, is entitled to work in the UK, has an approved qualification, has not had a personal licence forfeited within 5 years of this application and does not have relevant criminal convictions or civil penalty received after 6 April 2017 for immigration matters, the application must be granted.

If an applicant has a relevant conviction the Police can oppose the application. If an applicant has been issued with an immigration penalty or convicted of a relevant immigration offence on or after 6 April 2017, the Home Office may object to the application. When an objection is lodged a hearing must be held.

At a hearing in respect of an objection to the granting of a personal licence, or the revocation of an existing licence, the Council will consider carefully whether the grant of, or continuation of, the

licence will be in the interests of the crime prevention objective. It will consider the seriousness and relevance of any conviction(s), the period that has elapsed since the offence(s) was/were committed and any mitigating circumstances. The Council will only grant the application, if it is satisfied that doing so will promote this objective.

Since 6 April 2017 the Policing and Crime Act 2017 gave licensing authorities the power to revoke or suspend personal licences. This is a discretionary power and may be undertaken when a licensing authority becomes aware that the licence holder has been convicted of a relevant offence or foreign offence or been required to pay an immigration penalty on or after 6 April 2017. The decision must be made by the Licensing Committee or sub-committee and they may revoke the licence or suspend it for a period up to 6 months.

8 LICENSABLE ACTIVITIES

Licensable activities that require an authorisation by way of a Premises Licence, Club Premises Certificate or Temporary Event Notice are:

- the sale of alcohol by retail.
- the supply of alcohol by or on behalf of a club.
- the provision of regulated entertainment i.e.
 - the performance of a play,
 - exhibition of film,
 - indoor sporting event,
 - boxing or wrestling entertainment [indoor and outdoor],
 - performance of live music,
 - playing of recorded music,
 - a performance of dance,
 - entertainment of a similar description to performance of live music, playing of recorded music and dance).

NB - Only where the entertainment takes place in the presence of a public audience for the purpose of entertaining that audience. Private entertainment is not considered regulated unless it is subject to a charge made with a view to profit.

- the provision of late-night refreshment (hot food and drink between 11pm and 5am)

Certain activities in relation to the provision of entertainment and the provision of hot food and hot drink are exempt from licensing requirements. Details of these exemptions can be found in the Licensing Act 2003. In addition significant changes to the scope of regulated entertainment have been made by The Live Music Act 2012 the Description of Entertainment (Amendment) Order 2013 and the Deregulation Act 2015; for the most up to date position on whether or not entertainment is considered regulated under the Act please contact the Licensing Team.

9 PREMISES LICENCES

A premises licence is granted in respect of any premises, other than a private members club, authorised for one or more licensable activities, such as the supply of alcohol, late night refreshment or regulated entertainment.

There are some exemptions for the requirement of a licence and they include the exhibition of films for educational or promotional reasons, films shown as part of an exhibition, amplified live and recorded music to audiences of less than 500 people between the hours of 8.00 am and 11.00 pm. Applicants are advised to contact the licensing authority on other exemptions for further guidance.

Where alcohol is supplied, a Designated Premises Supervisor, who must be the holder of a personal licence, must be nominated to authorise the sale of alcohol at the premises.

Premises licences are issued to individuals over the age of 18 years who carry on, or propose to carry on, a business which involves the use of the premises for licensed activities. In addition, charities, health service bodies, educational institutions and persons of other prescribed descriptions may apply for a premises licence.

A licence may be issued subject to conditions, which must always be complied with whilst the premise is being used for licensable activities during the times specified in the licence. Failure to comply with the terms and conditions of a licence or if licensable activities are carried out without a premises licence, may result in a fine, which is unlimited or a term of imprisonment of up to 6 months, or both.

Conditions attached to licences fall into three categories:

- mandatory,
- offered or agreed by the applicant when making the premises application or
- imposed by the licensing authority and thought to be appropriate to promote the licensing objectives following a hearing.

Fees for licences are based on the business rateable value of a premises and although licences are usually issued for an indefinite period, an annual fee is payable.

It is an expectation that the premises licence holder and designated premises supervisor will be aware of their permitted licensable activity types, permitted hours and conditions of licence. Failure to demonstrate or have a lack of regard to these could result in a lack of confidence in management by a Responsible Authority.

10 CLUB PREMISES CERTIFICATE

A qualifying club, industrial and provident society, friendly society and miners welfare institute that satisfies the criteria specified in part 4 of the Licensing Act 2003 may provide licensable activities for its members and guests of a member that are authorised by a club premises certificate (CPC).

A CPC only authorises the use of a premises for the benefit of its members and their guests and cannot be used to provide licensable activities to non-members. If the premises are to be used to provide licensable activities for non-members an additional authorisation will be required. This may be a premises licence or a temporary event notice.

A premise operating under the authorisation of a CPC enjoys special privileges. The privileges include restricted rights of entry, no need to have a qualified person authorising sales of alcohol. Other considerations would be different taxation rules, advice should be sought from HMRC. It is an expectation that the CPC holder will be aware of their permitted licensable activity types, permitted hours and conditions of licence. Failure to demonstrate or have a lack of regard to these could result in a lack of confidence in management by a Responsible Authority.

Conditions are attached to CPC's in the same way as Premises Licences.

11 TEMPORARY EVENT NOTICES (TENs)

The temporary event notice system is a relatively light touch approach to authorise licensable activities for one-off events where the number of persons attending does not exceed 499. The duration of a TEN must not exceed 168 hours (1 week). Only the police and Environmental Health are invited to comment on a TEN.

A TEN is simply a notification given by an individual to the Licensing Authority giving notice of an event involving licensable activities that are due to take place. Examples of where a TEN can be used include:

- To authorise a licensable activity at a premise not currently licensed
- To temporarily extend the hours for providing a licensed activity at an existing licensed premise
- To temporarily provide licensable activities not authorised by the premises licence

Applicants for TENs must bear in mind the statutory timescales that require them to be served on the authority at least 10 clear working days before they have effect, this does not include the date the notice is received by the authority or the date of the event. The Act allows for the serving of a late TEN with 5 clear working days between the receiving of the notice and the event, but it should be noted that if such a TEN is objected to under the licensing objectives by either the Police or Environmental Health then there is no appeal against this decision.

TENs served less than 5 clear working days before the event are returned to the applicant unprocessed; there are **no** circumstances that enable the authority to authorise a TEN served outside the statutory timescales. Applicants must therefore be mindful of bank holidays and postage delays. The quickest and easiest method for an applicant to serve a TEN is electronically through the website or by contacting a Licensing Officer who can e-mail a blank notice for completion and e-mailing back, the applicant need not serve copies on the Police and Environmental Health in this instance as electronic copies will be forwarded to them by the licensing officer

Where the Police or Environmental Health object to a TEN under one of the licensing objectives the TEN is referred to a hearing for decision, with the exception of late TENs where there is no recourse when relevant objections are made. Guidance notes giving applicants further details and advice on the use of TENs are available on the council's web site.

12. CUMULATIVE IMPACT ASSESSMENTS, LATE NIGHT LEVY & EARLY MORNING RESTRICTION ORDER

Cumulative Impact Assessment (CIA)- A CIA may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives there must be an evidential basis for the decision to publish a CIA

Late Night Levy – This enables licensing authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority's area, as a means of raising a contribution towards the costs of policing the late-night economy

Early Morning Restriction Order (EMRO) – The decision to make, vary or revoke an EMRO is exercised by full council. This power enables a licensing authority to prohibit the sale of alcohol for a specified time period between the hours of 12am and 6am in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the licensing objectives. EMROs are designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises

The Licensing Authority currently has no plans to introduce any of the above. However, should it choose to do so during the life of this policy, full consultation will be undertaken and the details will be published on the licensing pages of the Council's website. The absence of a special policy will not prevent a responsible authority or other person making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives

13. BARE KNUCKLE BOXING

Bare knuckle boxing can be considered as 'boxing or wrestling entertainment' under the Licensing Act 2003. Professional boxing in the UK is licensed by the British Boxing Board of Control (BBBC). The BBBC does not condone or support bare knuckle boxing. In addition the degree of violence and the likelihood of serious injury to the boxers are factors for a licensing authority to consider in assessing an application to carry out bare knuckle boxing. Also relevant are the licensing objectives in relation to preventing disorder and public nuisance. The crowds at boxing events have generally been considered more of a threat to these objectives than performances of other martial arts (such as judo), which is why indoors and outdoors boxing has historically been licensed. For these reasons a policy decision has been made in order to promote the four licensing objectives under the licensable activity of boxing:

- No bare knuckle boxing event will be permitted.
- No bare knuckle combined fighting sport will be permitted.
- No event advertised or promoted as bare knuckle boxing or bare knuckle fighting will be permitted.

14 SEXUAL ENTERTAINMENT

There is an exemption under the Local Government (Miscellaneous Provisions) Act 1982 that allows premises to provide sexual entertainment no more than 11 times per year and no more frequently than monthly. Should premises choose to use this exemption and there be related concerns, this may lead to a review of the premises licence and the imposition of conditions

15 PLANNING

The licensing authority usually expects applicants to ensure that they have planning consent for the intended use and hours of application, or otherwise have lawful status, before making an application for a premises licence, to avoid any conflict between planning and licensing.

It is strongly recommended that prospective licence applicants contact the relevant Local Planning Authority in advance of making a licence application in order to check, or seek advice on, any planning consents or any conditions relevant to the use of the premises. It clearly makes operational sense to ensure that planning and licensing are compatible.

The Licensing Authority wishes to emphasise that the granting by the Licensing Committee of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control consent where appropriate.

The Local Authority will aim to properly separate planning, building control and licensing regimes in order to avoid duplication and inefficiency. The Licensing and Planning regimes involve consideration of different (albeit related) matters.

The Licensing Authority will avoid treating licensing applications as a re-run of planning applications, and will not normally:

- cut-across decisions taken by the relevant Local Authority Planning Committee; or
- impose licensing conditions where the same or similar conditions have been imposed on a planning consent.

The Licensing Authority is not bound by decisions made by the relevant Planning Committee and vice versa.

Where, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes that is different to the licensing hours, the licensee must observe the earlier closing time in order to avoid any breach of their planning permission - for which they may be liable to prosecution under planning law (and vice versa where the licensing hours finish earlier than the planning permission).

16 LICENSING HOURS

When determining individual licence applications for premises the licensing hours will be decided having regard to the individual merits of each application. The presumption will be to grant the hours as requested unless there are objections to those hours raised by responsible authorities or other persons on the basis of the licensing objectives. However as a guide to applicants the Responsible Authorities are less likely to object to applications with the following closing times:

- Pubs & Bars 11pm Sunday to Thursday / Midnight Friday & Saturday
- Nightclubs 1am Sunday to Thursday / 2am Friday & Saturday
- Restaurants and Cafes 11pm Sunday to Thursday / Midnight Friday & Saturday
- Takeaway Food – Midnight Sunday to Thursday / 1am Friday and Saturday
- Hotels / Guest Houses – 24 hour for residents only

Even though the traditional drinking up time was not carried over into the Act, the Council recommends that applicants of premises licensed for the on-sale of alcohol should consider a drinking up / cooling down period. During this time music volume may be reduced, customers may finish their drinks and plan for transportation from the premises. The Council considers that a 30-minute drinking up time will assist in the gradual dispersal of customers and consequently reduce any potential negative impact on the area.

The above hours are not pre-determined, and each application will be considered on its own merits. For applications within the above hours there is no presumption that the application will be automatically granted in cases where relevant representations have been made

The licensing authority will closely examine the hours of business for premises that are situated in predominantly residential areas and will impose strict conditions relating to noise control where representations are received, and it is considered necessary. Limitations will only be imposed restricting the times alcohol can be sold for consumption off the premises for premises such as supermarkets and stores if representations are received and there is evidence that the extended hours cause the premises to be a focus of disorder and disturbance.

The above hours should **not** be used as a guide for applications relating to the provision of licensable activities in an area which is either wholly or partly outside or within a temporary structure such as a tent or marquee that has the potential to disturb local residents.

13 LARGE EVENTS & FESTIVALS

Organisers of larger occasional events involving 500 or more people will be required to apply for premises licences. The Licensing Authority strongly recommends that event organisers contact licensing officers early in the planning stages of the event. Applicants of particularly large events (more than 1000 people) are encouraged to contact The Powys Safety Advisory Group (SAG) (emergency.planning@powys.gov.uk) with an overview of the event and a documented event management plan. The Powys SAG is a multi-agency forum and includes internal and external agencies who aim to meet regularly through the year to overview the safety measures in place for events throughout the county. The group will consider the adequacy of the event management plan, offer advice to the applicant on the expectation of the content of the application and operating schedule it also provides an opportunity for the applicant to give in person an overview of the event and the way it will be managed.

The Following table is included as a suggested minimum period of time prior to an event for submitting a complete application, following consultations with the responsible authorities.

Maximum number of attendees at any time	Minimum notice period
500 - 999	Not less than 2 months
1000 – 2999	Not less than 3 months
3000 - 4999	Not less than 4 months
5000 - 19999	Not less than 5 months
20000 – 49999	Not less than 6 months
50000 -	Not less than 7 months

Organisers of large events are encouraged to refer to HSE guidance document 'The Event Safety Guide' otherwise known as 'the purple book'. In addition premises licence holders should have regard to the Code of Practice for licensed premises (Annex D), a document produced by Dyfed Powys police on behalf of The Builth Wells Safety Group that considers the safe operation of activities taking in place in the Builth Wells area during Royal Welsh Show week.

14 OPERATING SCHEDULE & LICENCE CONDITIONS

The operating schedule will form the basis of conditions attached to any licence or CPC granted. In addition, there are a number of mandatory conditions that may apply (see Annex B). Conditions volunteered in Operating Schedules:

- Must be appropriate for the promotion of the licensing objectives.
- Must be precise and enforceable.
- Must be unambiguous and clear in what they intend to achieve.
- Should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation.
- Must be tailored to the individual type, location and characteristics of the premises and events concerned.
- Should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case.
- Should not replicate offences set out in the 2003 Act or other legislation.
- Should be proportionate, justifiable and capable of being met.
- Cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- Should be written in a prescriptive format.
- Expressed in plain language capable of being understood by those expected to comply with them

The licensing authority shall either reword or ignore meaningless, unenforceable conditions/statements made in operating schedules, where necessary and on consultation with the applicant. If they are covered adequately by other legislation they will not be included in the licence conditions. Applicants should be aware that breaching the conditions of a Premises Licence or Club Premises Certificate is a criminal offence. Therefore, applicants should only volunteer conditions in their operating schedule that they are willing and able to comply with. During the consultation procedure responsible authorities may make relevant representations requesting that the applicant consider agreeing to further conditions, if all concerned agree these conditions will be added to the licence, once granted, and the need for a hearing can be dispensed

with. The Licensing Authority also has the power to attach conditions to a licence at a hearing if it is considered appropriate for the promotion of the Licensing Objectives.

When considering the wording of licence conditions to attach to a licence the authority will have regard to the Four Counties / Dyfed Powys area pool of model conditions in order to achieve consistency in the wording of licensing conditions

15 REPRESENTATIONS

When an application is made for the grant, variation or review of a premises licence or club premises certificate, representations about the application can be made by responsible authorities or other persons.

Representations must be made to the Licensing Authority within the statutory period of 28 days beginning on the day after the relevant application is received by the Licensing Authority.

Representation can be made either in support of an application or to express representations to an application being granted. The Authority can only accept relevant representations. A representation is 'relevant' if it related to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.

Relevant representations can be made by any person, regardless of their geographical location in relation to the premises. However, the Licensing Authority will usually give greater weight to representations that are made by persons who can demonstrate that they would be directly affected by the carrying out of licensable activities at the premises concerned.

Petitions – Petitions may be submitted but are not as informative as individual correspondence and as such may be given less weight when considered by a licensing sub-committee. A petition will only be accepted if it identifies:

- the name and address of the application,
- the licensable activities and hours,
- reasons for the representation
- which of the licensing objectives are relevant
- Each page of the petition should contain information as to the purpose of the petition so that all persons know what they are signing.
- Each petitioner must give their name, full address including postcode.
- All signatories must be made aware that a copy of the petition will be supplied to the applicant and a copy will be contained within the committee papers, so their personal details will become public knowledge

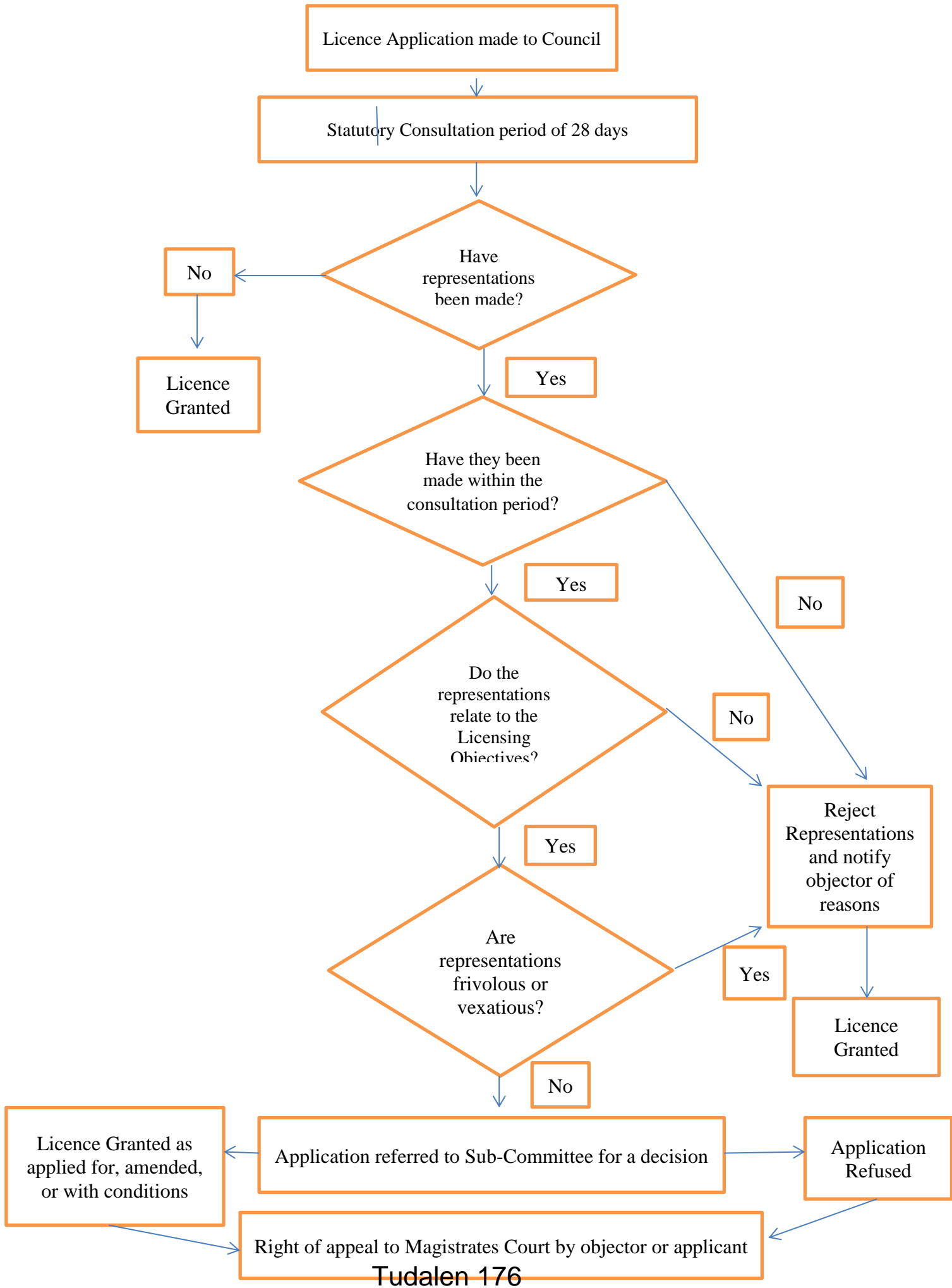
The Licensing Authority will reject as invalid any representations deemed to be frivolous or vexatious. A representation might be vexatious if it appears to be intended to cause aggravation or annoyance. Frivolous representations are essentially categorised by a lack of seriousness.

Decisions as to the validity of representations will normally be made by officers of the Licensing Authority. In borderline cases the benefit of the doubt about any aspect of a representation will be given to the person making and a subsequent hearing would then provide for the person making the representation to amplify and clarify it.

The licensing authority will inform persons who have made irrelevant, frivolous or vexatious representations that their representation will not be considered.

Where relevant representations have been received regarding an application then the application is referred to a Licensing Sub-Committee for a hearing for determination

Where a notice of a hearing is given to an applicant the licensing authority is required to provide the applicant with copies of the relevant representations that have been made.



17 PREVENTION OF CRIME AND DISORDER

Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people can be a source of crime and disorder problems. The Licensing Authority will expect operating schedules to satisfactorily address these issues, applicants are recommended to seek advice from the Licensing Authority and the Police. Where an applicant is considering installing CCTV as part of the operating schedule then advice should be sought from the Police Licensing Officer. Dyfed Powys Police have available an Operational Requirement Guidance document for premises that use CCTV <https://www.dyfed-powys.police.uk/media/8681/cctv-licensed-premises-guidelines-english.pdf>

There is a County-wide pub watch network in place run by licensees, known as the BOBB (Behave or be banned) scheme they promote good practice, sharing information, disseminating best practice and provide a forum for the responsible authorities to engage with licensees when necessary. The Licensing Authority encourages all licensees to actively participate in their local BOBB scheme in order to uphold this licensing objective

It may be appropriate for some late night venues to employ door staff in order to prevent crime and disorder, where door staff are employed then it is a mandatory condition that they are registered with the SIA (Security Industry Authority), operators will need to consider:

- what checks are made to the validity of the SIA licence?
- What records are kept of SIA checks,
- search & entrance policies
- employment times of SIA and their training?

Operators may wish to consider a drug and weapon policy? Is there a regular documented training of this policy carried out with staff when drugs/weapons are seized or stored? Are areas or surfaces designed to prevent the likelihood of drug use at the premises?

Use of polycarbonate drinking vessels might be a suitable control measure in some venues and also might be appropriate for all venues in some locations at certain times e.g. for premises in Builth Wells town centre during the Royal Welsh Show, or premises in Brecon town centre during the Brecon Jazz festival

18 PUBLIC SAFETY

The Licensing Authority will expect operating schedules to satisfactorily address issues concerning public safety and are advised to seek advice from the relevant bodies e.g. Health and Safety Enforcement Officers and Mid and West Wales Fire Authority.

The Licensing Authority expects that applicants meet the requirement for both a Health & Safety Risk Assessment and Fire Risk Assessment under the relevant provisions, where necessary.

Other controls measures for consideration in order to promote the public safety objective may include:

- Regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety.
- Appropriate First Aid facilities and staff training on when to administer/ not administer First Aid.

- Appropriate instruction, training and supervision of those employed or engaged to secure the safety of everyone attending the premises.
- Adoption of best practice guidance (Assistance can be obtained by contacting such Environmental Health, Fire Safety and HSE).
- Provision of effective CCTV in and around premises.
- Implementation of crowd management measures.

The Regulatory Reform (Fire Safety) Order 2005 introduced a requirement that any person responsible for the management of a premises must make a suitable and sufficient assessment of the risks, to which persons may be exposed for the purpose of identifying the general fire precautions, which need to be taken, this would include a safe operating capacity. Therefore, no conditions may be imposed on an authorisation where it directly relates to fire safety. It is expected therefore that authorisation holders will conduct a thorough risk assessment which is regularly reviewed and updated; The risk assessment should be retained at the premises and be available upon request by any authorised officer of the Council.

19 THE PREVENTION OF PUBLIC NUISANCE

Licensed premises can have significant potential to impact adversely on persons in the vicinity and further afield through public nuisances that arise from their operation. Applicants must demonstrate in their operating schedule suitable and effective measures to prevent nuisance failure to address this objective is likely to lead to an objection. Particular regard should be had to minimise the potential for public nuisance that may arise from premises where:

- They are situated in residential or noise sensitive areas and/or
- Extended opening hours are proposed

Where an application has been made for either a one-off event or for a premises that is either wholly or partly outside or within a temporary structure such as a tent or marquee consideration needs to be given to the needs of local residents and the applicant will be required to offer controls so that local residents will not suffer noise nuisance; these should be proportionate to the nature/scale and duration of the event and also to the proximity to local residents. In some circumstances it will be appropriate to submit a noise management plan. Applicants should seek advice at an early stage from Environmental Protection Officers in relation to whether a Noise Management Plan in accordance with The Noise Council Code of Practice is required.

The Licensing Authority recognises that beyond the immediate vicinity of the premises the control that a licence holder can exert over its patrons diminishes and individuals who engage in anti-social behaviour are accountable.

Smoking & External areas - Legislation preventing smoking indoors at public premises has resulted in many customers of licensed premises and clubs using external areas. Premises licence holders, designated premises supervisors and applicants must have regard to how this has an impact on the four licensing objectives. Control measure may include restricting access to external drinking areas at certain times, or prevent customers from taking drinks into external smoking areas in order to discourage customers from lingering outside and potential causing a disturbance to residents

20 THE PROTECTION OF CHILDREN FROM HARM

Nothing in this policy shall limit or restrict access of children to *premises unless there is an overriding requirement of necessity* to prevent harm to children. However, the 2003 Act details a number of offences restricting access to licensed premises including not allowing un-accompanied children under 16 to premises licensed for the supply of alcohol between midnight and 5am. An

applicant may choose to impose further restrictions deemed appropriate for the individual premises. In cases where conditions are agreed or offered in relation to children in licensed premises, the wording of the condition needs to clarify the age of the restriction e.g. either children under 16 or under 18 years of age.

To support the age-verification process the Authority strongly recommended that premises have the following measures in place to ensure age verification for sales -

- That 'Challenge 25' is supported as part of the age verification scheme established. The scheme should require the production of evidence of age from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol.
- That evidence of the scheme (in the form of documented procedures) is maintained and made available for inspection by authorised officers.
- That all staff involved in the sale of alcohol shall be trained in age verification schemes and proxy sales, where a person attempts to buy alcohol for a person under 18. Records of such training shall be retained on the premises and made available for inspection by authorised officers.
- That an incident log be maintained, and details of all age-related refusals recorded. This book shall be reviewed monthly by the DPS and actions taken recorded in the book and signed off by the DPS. The log shall be retained on the premises and made available for inspection by authorised officers.

That the DPS shall ensure that, as far as is reasonably practical, alcohol is displayed in an area which can be constantly monitored or supervised by staff, separate from goods likely to be purchased by persons under 18.

Safeguarding awareness training for staff, particularly those working in the night-time economy is a control measure that the authority promotes. In conjunction with Dyfed Powys Police and the Four Counties Licensing Forum (Carmarthen Ceredigion, Pembrokeshire and Powys County Councils) a training programme to raise awareness of safeguarding issues in the night time economy is under development, the training is targeted at premises licence holders, designated premises supervisors, SIA door staff bar and hotel staff. Materials used for the training include the following video link <https://vimeo.com/252898413> that is readily available to view now. The package will be made available to premises licence holders as soon as is finalised in a suitable format, although in the interim premises licence holders may wish to consider utilising any of the various on-line training resources available for free on line in order to promote the protection of children from harm objective by raising awareness of safeguarding issues

21 LICENCE REVIEWS

The Council can only review a licence where it is alleged by a "responsible authority", or other person that the licensing objectives are being breached. Responsible authorities will aim to give licence holders early warning of any concerns identified at the premises. Only responsible authorities or other persons (e.g. residents, local organisations and councillors) can apply for the review of a licence; and determine its outcome at a hearing where an evidential basis for allegations made will be submitted.

The licensing authority and other responsible authorities use the review process as a last resort when other interventions with the premises licence holder to resolve any persistent issues or non-compliance at a premise have failed. It is common practice to engage the premises licence holders in drafting an action plan where this is the case. See section 24 below for further information on Enforcement and Action Plans

22. HEARINGS

Applications for licences and certificates will be determined following consultation with relevant responsible authorities. Where no representations are received, they will be issued administratively by the Licensing Team, however, contentious applications must be referred to the Council's Licensing Sub-Committee (panel) for determination, unless it is agreed by all parties that a hearing is not necessary.

The period of notice of a hearing that must be given to all relevant parties, and the information which may be disclosed, varies depending on the type of application, subject to regulations. A Licensing Sub-Committee (panel) of three Elected Members will determine a contentious application and will either grant a licence, grant a licence with amendments or refuse an application. Any party can appeal against the Council's decision to a Magistrates' Court.

At any time during the period of a licence, any responsible authority or other person can ask for the review of a licence or certificate. All review applications will be determined by the Licensing Sub-Committee.

23. APPEALS

Entitlements to appeal for parties aggrieved by decisions of the Council are set out in Schedule 5 of the Act. Other than in the case of personal licences, an appeal has to be made to the local Magistrates' Court. In the case of personal licences, the appeal must be made to the Magistrates' Court for the area in which the licensing authority which has considered the application (or any part of it) is situated.

An appeal has to be instigated by giving notice of the appeal by the appellant to The Clerk to the Justices, **, Within a period of 21 days beginning with the day on which the appellant was notified by the Council of the decision appealed against.

On determining an appeal, the Court may: dismiss the appeal, substitute any other decision which could have been made by the Council or remit the case to the Council to dispose of it in accordance with the direction of the Court. The Court may make such order as to costs as it thinks fit.

In anticipation of such appeals, the Council will give comprehensive reasons for its decisions. On making findings of fact in its reasons, the Council will ensure that they address the standard of proof and the burden of proof that they have adopted. The Council will also address the extent to which decisions has been made with regard to its statement of licensing policy and the Guidance issued by the Secretary of State under section 182 Implementing the determination of the Magistrates' Courts

Where appropriate, the Licensing Authority will provide applicants and objectors etc. with information concerning their rights of appeal.

Where appropriate, the Licensing Authority will provide applicants and objectors etc. with information concerning their rights of appeal.

As soon as the determination of the Magistrates' Courts has been promulgated, the Council will not delay its implementation and necessary action will be taken forthwith unless ordered by a higher court to suspend such action [for example, as a result of an on-going Judicial Review]. The Act provides for no further appeal against the determination of the Magistrates' Courts.

24 ENFORCEMENT

The Licensing Authority has established joint enforcement protocols with Dyfed Powys Police and the Mid and West Wales Fire Authority and other responsible authorities where appropriate on joint enforcement issues.

The Licensing Authority will carry out audits of licensing premises conditions, usually in the form of routine licensing inspections in accordance with a risk assessment in order to ensure that the high risk premises receive the greatest priority.

The authority will investigate complaints alleging breaches of the Act or licence conditions with a view to establishing if offences have been committed

The authority has an Enforcement Policy that encourages a graduated approach where there is evidence of an offence, the range of enforcement options include:

- Offering advice/guidance (verbal or written)
- Informal written warnings
- Cautions
- Prosecutions
- Review of Licence

Action plans - Where a premises is the subject of persistent complaints owing to either non-compliance with licence conditions or not upholding the licensing objectives then in the first instance the relevant authority in conjunction with the licensing authority will seek an intervention with the premises licence holder and/or designated premises supervisor in order to resolve the issue using an approach to avoid prosecution or review of the licence. This can only work where all parties cooperate and agree a documented action plan. It will be for the person responsible for the premises to offer up steps that can be adopted in order to seek to resolve the issue. The action plan is reviewed over a set time for effectiveness and adapted if necessary. Where a premise engages with the authority positively and can address the issues effectively through a documented action plan then the need for any formal action is avoided. However where premises do not engage or cooperate with authorities where there are persistent breaches or the licensing objectives are not being upheld then they run the risk of either having their licence reviewed, ending up being prosecuted for the offences or both

25 ANNUAL FEES

Amendments made to the Licensing Act 2003 by the Police Reform and Social Responsibility Act 2010 give councils the power to suspend premises licences and club premises certificates where the annual fee required by regulations is not paid.

The council will suspend any licence or certificate where the required fee is not paid by the 'due date', which is annually on the anniversary of the date that the licence was first granted. The council will follow the below procedure:-

Upon notification/discovery that an annual fee is not paid, the council will give notice to the licence/certificate holder, in writing,

• ***that the licence/certificate will be suspended 14 days from the date of the notice.***

• It will also state that the suspension will not become effective if the fee is paid prior to the suspension date.

• If an administration error is claimed, the suspension date may be 21 days from the due date; or the date of suspension on the 14 day notice, whichever is later.

• ***A copy of the notice will also be served on the designated premise supervisor/premises manager if they are not the premises licence holder.***

When the full payment is made the council will immediately lift the suspension, and confirm this in writing.

Where a licence/certificate is suspended and responsible activities are provided

the council will consider prosecuting the provider for offences under section 136 of the Licensing Act 2003

ANNEXES

Annex A – List of Responsible Authorities and contact details

Annex B - Mandatory conditions under the Act

Annex C – Pool of Conditions (to be added when completed)

Annex D – Code of Practice for Licensed Premises

RESPONSIBLE AUTHORITIES CONTACT DETAILS

Licence applications to be sent to Home Office (Immigration Enforcement)

Home Office (Immigration Enforcement) will receive notification of the following:

Premises licences for the sale of alcohol or late night refreshment

- all applications for premises licences for the sale of alcohol and/or late night refreshment
- all applications to transfer the above
- all applications to vary a premises licence
- applications for minor variations considered by the licensing authority to require consultation with Home Office (Immigration Enforcement)
- all interim authority notices.

Any of the Above applications must be sent to:- **Alcohol Licensing Team**
Lunar House
40 Wellesley Road
Croydon
CR9 2BY

Licence Applications to other Responsible Authorities

In the case of an application for a premises licence under section 17, a provisional statement under section 29, a variation of a premises licence under section 34, a review under section 51, a club premises certificate under section 71, a review under section 87 or a variation of a club premises certificate under section 84, the person making the application shall give notice of his application to each responsible authority by giving to each authority a copy of the application together with its accompanying documents, if any, on the same day as the day on which the application is given to the relevant licensing authority.

<u>The Police</u>	<u>The Fire Service</u>
<p>The Licensing Officer, Dyfed Powys Police Divisional Police Headquarters, Plas-y-Ffynon Cambrian Way, Brecon, Powys, LD3 7HP.</p> <p>Tel: 01267 222020 Ext: 50461 Fax: 01874 611371</p>	<p>The Licensing Officer, Mid & West Wales Fire & Rescue Service, Powys Command HQ, Parc Noyadd Park, Llandrindod Wells, Powys, LD1 5DF.</p> <p>Tel: 0370 6060699</p>

<u>The Health Authority</u>	<u>Child Protection</u>
<p>Directorate of Corporate Governanc Powys Teaching Health Board Neuadd Brycheiniog Cambrian Way, Brecon, Powys, LD3 7HR.</p> <p>Tel: 01874 615915</p>	<p>Childrens Services, The Gwalia Ithon Road, Llandrindod Wells, Powys, LD1 6AA.</p> <p>Tel: (01597) 827325</p>
Planning	Tudalen 183

<u>Powys County Council</u>		Brecon Beacons National Park Authority	
Planning Services Powys County Hall, Spa Road East, Llandrindod Wells, Powys, LD1 5LG Tel: (01874) 612272-01597827161		Plas y Ffynon Cambrian Way, Brecon, Powys, LD3 7HR. Tel: (01874) 624437	
Email: planning.services@powys.gov.uk			
If you are unsure which of the above should receive a copy of your application, please telephone one of the above offices for advice.			
<u>Trading Standards</u>			
<u>Brecknockshire</u>	<u>Radnorshire</u>	<u>Montgomeryshire</u>	
Trading Standards Officer Brecon Office Neuadd Brycheiniog Cambrian Way, Brecon, Powys, LD3 7HR, Tel: (01874) 623420 Tel: (01874) 612227	Trading Standards Officer Brecon Office Neuadd Brycheiniog Cambrian Way, Brecon, Powys, LD3 7HR. Tel: (01874) 623420 Tel: (01874) 612227	Trading Standards Officer Newtown Office The Park, Newtown, Powys, SY16 2NZ. Tel: (01686) 617524	
If you are unsure which of the above should receive a copy of your application, please telephone one of the above offices for advice.			

<u>Environmental Protection</u>
--

<u>Brecknockshire</u>	<u>Radnorshire</u>	<u>Montgomeryshire</u>
Environmental Protection Officer Environmental Health Offices Neuadd Brycheiniog Cambrian Way, Brecon,# Powys, LD3 7HR. Tel: (01874) 612250	Environmental Protection Officer Environmental Health Offices The Gwalia Ithon Road, Llandrindod Wells, Powys, LD1 6AA. Tel: (01597) 827168	Environmental Protection Officer Environmental Health Offices Neuadd Maldwyn Severn Road, Welshpool, Powys, SY21 7AS. Tel: (01938) 551299
If you are unsure which of the above should receive a copy of your application, please telephone one of the above offices for advice.		

<u>Health and Safety</u>		
<u>Brecknockshire</u>	<u>Radnorshire</u>	<u>Montgomeryshire</u>
Health and Safety Officer Environmental Health Offices Neuadd Brycheiniog Cambrian Way, Brecon, Powys, LD3 7HR. Tel: (01874) 612411	Health and Safety Officer Environmental Health Offices Neuadd Brycheiniog Cambrian Way, Brecon, Powys, LD3 7HR. Tel: (01874) 612411	Health and Safety Officer Environmental Health Offices Neuadd Maldwyn Severn Road, Welshpool, Powys, SY21 7AS. Tel: (01938) 551313
If you are unsure which of the above should receive a copy of your application, please telephone one of the above offices for advice.		

Enforcement of the Health & Safety at Work Act 1974 etc. is undertaken by the Health & Safety Executive or inspectors of the local authority Environmental Health Section. The allocation of responsibility is described in The Health and Safety at Work (Enforcement Authority) Regulations.

The majority of premises in the Service Industry sector are the responsibility of the Inspectors employed by the Local Council. To simplify the application process the Local Council Health & Safety Officers will identify the limited number of applications, which are for premises inspected by the Health & Safety Executive and will forward those applications on your behalf. The Local Council Health & Safety Officers will inform applicants when applications have been forwarded to the Health and Safety Executive.

Additional Responsible Authorities

1. Any Licensing Authority (other than the relevant licensing authority) in whose area part of the premises is situated.
2. In relation to a Vessel: -
 - a navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c.57) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for licensable activities

- the Environment Agency,
- the British Waterways Board, or
- the Secretary of State

Definition of a Responsible Authority

1. "Responsible authority" means any of the following-

(a) the chief officer of police for any police area in which the premises are situated,

(b) the fire authority for any area in which the premises are situated,

(c) the enforcing authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974 for any area in which the premises are situated,

(d) the local planning authority within the meaning given by the Town and Country Planning Act 1990 (c.8) for any area in which the premises are situated,

(e) the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health,

(f) a body which-

(i) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and

(ii) is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters,

(g) any licensing authority (other than the relevant licensing authority) in whose area part of the premises is situated,

(h) in relation to a vessel-

(i) a navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c.57) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for licensable activities,

(ii) the Environment Agency,

(iii) the British Waterways Board, or

(iv) the Secretary of State,

(J) For the purposes of sections 13(4) and 69(4), the local weights and measures authority (within the meaning of section 69 of the Weights and Measures Act 1985(a)) for any area in which the premises is situated is a responsible authority.

Mandatory conditions

Alcohol

No supply of alcohol may be made under the premises licence-

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Films

The admission of children to the exhibition of any film must be restricted in accordance with the film classification.

Door Supervisors

Door supervisors will be correctly registered with the SIA.

Mandatory Conditions for Club Premises Certificates

The supply of alcohol for consumption off the premises can only be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.

Any alcohol supplied for consumption off the premises must be in a sealed container.

Any supply of alcohol for consumption off the premises must be made to a member of the club in person.

Mandatory Conditions from 6th April 2010

The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

The responsible person shall ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

and
- (b) customers are made aware of the availability of these measures.

Mandatory Licensing Condition from 28th May 2014

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);
- (b) “permitted price” is the price found by applying the formula — $P = D + (D \times V)$ where —
 - (i) P is the permitted price
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence —
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added

Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day. is present and able to prevent a supply of alcohol (in relation to premises in respect of which there is a club premises certificate). Paragraph 3 provides that the permitted price is rounded up to the nearest penny. Paragraph 4 provides that a change to the permitted price which would apply as a result of a change to the rate of duty or VAT charged in relation to alcohol would not apply until the expiry of the period of 14 days beginning on the day on which the change in the rate of duty or VAT takes effect.

Annex C

Pool of conditions – coming soon...

Licensed Premises **Code of Practice**

Introduction/Aim of the code

The aim of this code is to provide licensees with guidance on good practice for the promotion of the four licensing objectives which are paramount considerations at all times.

How is this achieved?

Licensees are expected to make a proactive commitment to preventing problems from occurring at licensed premises through the adoption of this code.

The Licensing Act 2003 (the Act) focuses on the promotion of four statutory licensing objectives which must be addressed when licensing functions are undertaken. The four licensing objectives are:

1. The prevention of Crime and Disorder
2. Public Safety
3. The prevention of Public Nuisance
4. The protection of children from harm

Risks associated with licensed premises

Risks associated with licensed premises can vary dependent on the premises type, the design layout, general environment. This code identifies many of the possible risks associated with the sale of alcohol and the provision of entertainment or late night refreshment and sets out good practice measures to mitigate those risks.

General – all four licensing objectives

This section provides guidance on good practice for the general promotion of all four licensing objectives at licensed premises. It is also designed to guide licensees on the general promotion of the licensing objectives. Training is the key to giving licence holders, premises managers and staff the knowledge and skills to deal with and manage risks associated with licensed premises.

Lack of knowledge or understanding of the Licensing Act 2003

- All staff should be advised of licensing law in writing before they are allowed to serve alcohol.
- A record should be kept of the date and name of person trained or advised and be made available for inspection by the police or licensing authority.

Prevention of crime and disorder

The main causes of crime and disorder in licensed premises arise from inadequate security provisions, poor design and layout, overcrowding and customers being drunk or under the influence of drugs.

Licence holders should have clear documented policies and procedures in place which identify all crime and disorder risks associated with their premises and the measures implemented to prevent, manage and respond to those risks.

- CCTV should be installed inside and outside the premises. The cameras should cover all internal areas accessible to the public and areas immediately outside the premises.
- A trained member of staff should be on duty to operate the system whenever the premises are open.
- External lighting provides an obvious means of crime deterrence. Care should be taken so that lighting does not impact on neighbours.
- Door staff and/or stewards should be employed at the venue to supervise admissions and customers inside the venue.
- Any person performing the role of a door supervisor must be licensed with the Security Industry Authority (SIA)
- Door staff should be easily identifiable by wearing a uniform, high visibility jackets or arm bands.
- Stewards and other staff at the premises should also be easily identifiable.
- Stewards must not be used for supervision of the door.
- Effective security policies based on risk assessments can protect your premises, staff and customers and all staff must be aware of a premises security policy.
- Daily staff briefing and debriefing will enable licensees to improve working practices in their premises. Briefings can be informal but any problems identified and remedial action taken should be recorded with records kept in the main office.

Crime including conflict, violence or aggression in and around the premises

- Proper management of the premises will depend on the size and type of venue. The number of door supervisors should be determined by a risk assessment, but at the very least on a ratio of 2 door supervisor per 100 customers.
- Consideration should be given to a sufficient provision of male and female door supervisors, but at least one female door supervisor should be used.
- Ejecting or refusing entry to persons from the premises if they do not meet your admissions standards or they are known to be violent or aggressive. In such cases, an entry should be made in an incident or log book
- A policy to manage capacity should be adopted to prevent overcrowding and patrons possibly becoming aggressive through accidental jostling. The use of clickers is essential to record the number of patrons inside the premises.

Drugs and weapons being brought into the premises

- A zero tolerance policy to the use of drugs and carrying of weapons in the premises should be adopted. Posters can be displayed throughout the premises to remind customers of zero tolerance policy.
- Effective search policies will minimise the opportunity for drugs and weapons to be brought into licensed premises and lead to drug and weapon seizure if attempts are made. The use of search arches and wands may be appropriate in some cases.
- Calling the police if customers are suspected of being in possession of drugs or weapons. All staff must be made aware of this requirement.
- Seizing, retaining and documenting any drugs or weapons found with a clear audit trail and a process for surrendering them to the Police.
- A search policy should clearly set out procedures that must be followed by staff should they find drugs or weapons during a search including circumstances when the police should be called; the use of tamper proof bags and safe storage of seized items in a lockable box.
- Details that need to be recorded and how/when seized items should be surrendered to the police.
- Supervising toilet areas can be effective in discouraging drug selling or use. Regular toilet checks such as swabbing should be considered and where conducted, these should be documented with date, time and finding recorded.

Disorder from customers queuing to enter the premises or when leaving the premises

- Reduce the potential for excessive queue lines with a well managed and efficient door policy.
- A customer dispersal policy can minimise the potential for disorder from customers leaving the premises. A policy should clearly set out measures to avoid a mass exit at the end of the evening such as a gradual change in music style and increasing lighting levels.
- Staff training in preventing disorder should be provided to give them the knowledge and confidence to deal with difficult situations.

Customers getting drunk and dealing with drunken customers

- Staff training on the effects of alcohol and how to spot early signs of customers becoming drunk should be provided to give them the knowledge and confidence to deal with drunken patrons.
- Staff should be aware of their responsibilities under the Licensing Act 2003 and be able to recognise appropriate ‘cut off’ points for serving drunken customers, so as to reduce the likelihood of fights or aggressive behaviour.
- A duty of care policy regarding persons suffering adversely from the effects of drink should be in place at the premises. The policy should clearly express that every effort will be made by staff to prevent patrons from deteriorating to an uncontrolled intoxicated extent. All staff must be briefed on the policy.
- Drink-aware posters can be displayed in the premises to remind customers of the unit content in alcoholic drinks and the safe alcohol consumption limits.

Public Safety

This section provides guidance on good practice for the promotion of public safety at licensed premises. It is designed to guide licensees on the promotion and management of public safety at their premises. Licence holders should have clear documented policies and procedures in place which identify all public safety risks associated with their premises and measures implemented to prevent, manage and respond to those risks.

General safety of staff and customers

- A full risk assessment taking into account public safety should be carried out at the premises to identify potential hazards posed to staff or customers and setting out precautions to manage the hazards.
- All staff should be made aware of the risk assessment and precautionary measures therein.
- First aid boxes should be available at the premises and maintained with sufficient in date stock.
- Alternatives to glass drinking vessels should be considered to prevent glassware being used as an assault weapon, particularly during promoted events.

Overcrowding

- A documented capacity should be set for the premises overall and for individual rooms within the premises.
- Capacity can be determined by a risk assessment in consultation with the fire safety authority. The risk assessment should consider factors such as floor space, numbers of toilets, potential queuing time and available fire exits.
- A policy to manage the capacity should be adopted to prevent overcrowding and localised overcrowding. The use of electronic clocking systems, clickers, may be appropriate.
- Consideration should be given to deliberately running below capacity to afford a comfort factor to your patrons.

Accident or other emergency incident on the premises

- A written policy to deal with all types of accidents & emergency incidents should be in place at the premises.
- The policy should be based on risk assessments and include matters such as emergency management, contingency planning and evacuation procedures in the event of fire, bomb threats or suspect packages and when to contact emergency services.
- Evacuation responsibilities and roles should be clearly communicated to staff, routes and exits should be well defined and evacuation plans exercised regularly.
- Means of escape in case of any emergency must be clearly visible, unobstructed and well maintained including areas outside exits leading to a place of ultimate safety such as the street.
- Checks should be carried out before opening each day to ensure that exits are unlocked and unobstructed.
- Equipment should be checked and maintained regularly with a record kept of the date and findings of the checks.
- Staff training in fire safety and any premises safety policy should be provided for all staff to give them the knowledge and confidence to deal with emergency situations, including location of equipment, utilities, services and layout of premises.
- An accident book should be kept in order to record all accidents or incidents and made available for inspection.

Drug use or drink spiking

- A zero tolerance policy to the use of drugs in the premises should be adopted. Posters can be displayed throughout the premises to remind customers of the zero tolerance policy.
- Refusing entry to anyone who appears to be showing signs of drug use and contacting the emergency services in appropriate circumstances.
- A duty of care policy regarding persons suffering adversely from the effects of drugs should be in place at the premises. The policy should include drug awareness training for all staff so that they can recognise the effects of controlled drugs and provide medical attention where necessary.
- Prevent the possibility of drink spiking by offering various anti drink spiking products to customers.
- If a customer suspects that their drink has been spiked, you should report it to the police immediately. A process for this should be clearly set out in your duty of care policy.
- A 'chill out' area should be provided. This should be cooler and quieter than rest of venue.

Safety of customers when leaving the premises

- A 'chill out' period at the end of an evening can allow a slow dispersal from the premises allowing door staff to gain a handle on problem individuals, preventing arguing over taxis or congregation at takeaways and clashes with groups from other venues.
- Provision of non alcoholic drinks during a chill out period can be effective in allowing customers to sober up before leaving the premises.
- Increased lighting inside the premises should be considered towards the end of an evening to affect the alertness of customers before they leave the premises.
- Increased external lighting particularly in car parks under the direct control of the licence holder will provide added safety for customers as they leave the premises.

Prevention of Public Nuisance

Licence holders should also engage with local residents and businesses on a regular basis to ensure that they are being good neighbours and dealing with problems as they arise.

Music, singing and speech noise breakout from the premises

- A noise management policy should be in place that sets out sound attenuation measures to prevent or control music, singing and speech noise breakout from the premises.

Protection of children from harm

This section provides a guide to licensees on the protection and management of children from harm at their premises.

Children accessing licensed premises

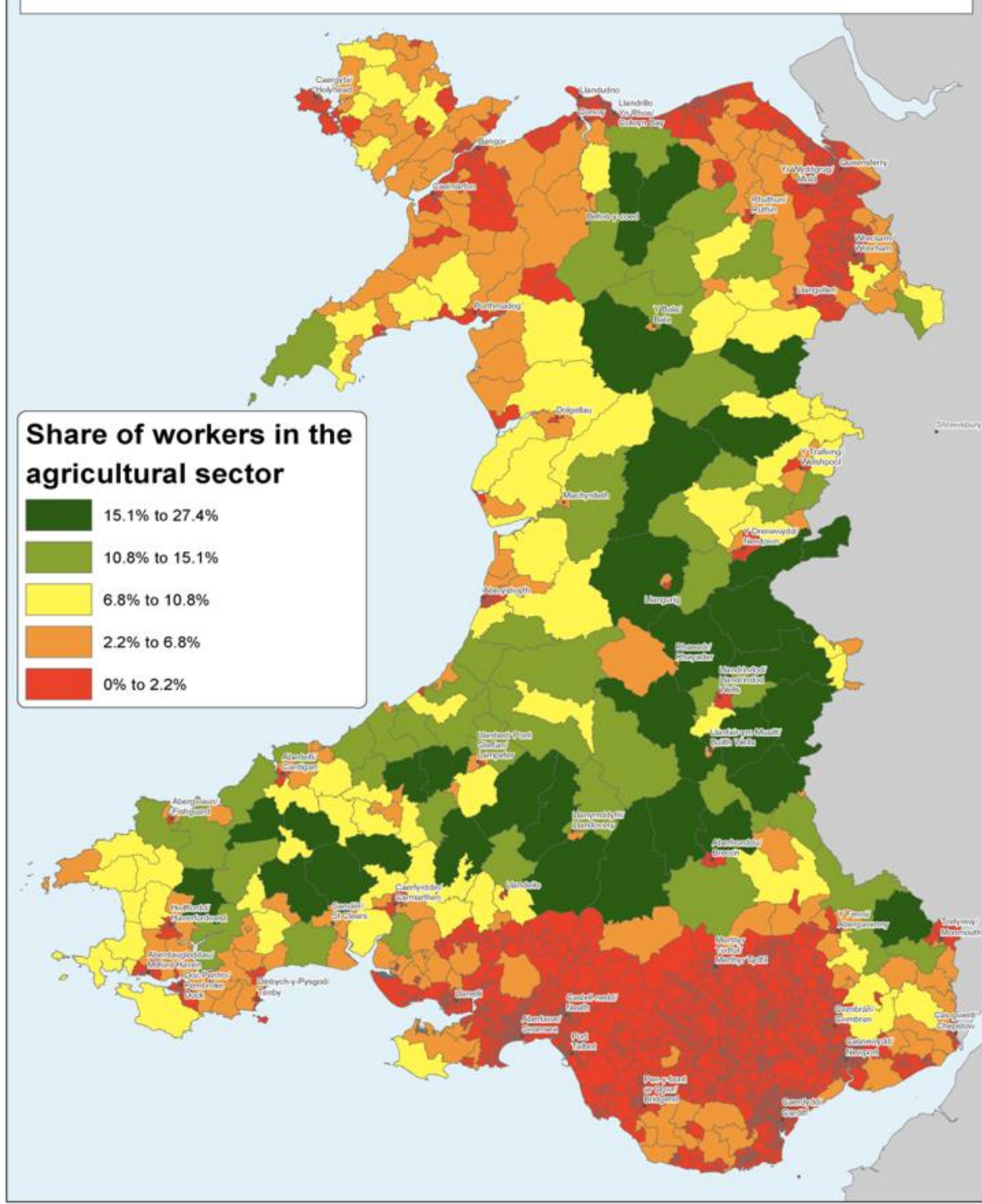
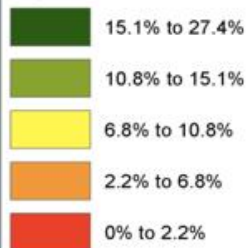
- A documented policy setting out measures to protect children from harm should be in place at the premises. The policy should consider all activities associated with the premises including the sale of alcohol and the provision of regulated entertainment and when children should be allowed on or restricted from the premises.
- All staff including door staff and bar staff should be trained on the policy.

Underage sales of alcohol

- Operate a strict ‘No ID – No Sale’ policy. ‘Challenge 25’ scheme serves as a reminder to staff of the need to be vigilant in preventing underage sales and to customers that it is against the law for anyone under 18 to purchase alcohol.
- Only accept photographic driving licences, passports or PASS (Proof of Age Standards Scheme) cards approved as means of ID.
- Use till prompts to remind staff to ask for proof of age.
- Prominently advertise the scheme in your premises so that customers are aware, in particular, display proof of age signs at the point of sale.
- Display posters at the premises stating that it is an offence to purchase alcohol on behalf of an underage person (proxy sales).
- Keep a refusals book (or refusal button on EPOS – Electronic Point of Sale) on the premises and ensure it is completed whenever a sale is refused to a person who cannot prove they are over the age of 18.
- Staff training in the age related sections of the Licensing Act 2003 should be provided to all door, bar and till staff.

Share of workers whose main work is in the agriculture sector, 2011

Share of workers in the agricultural sector



Source: Census of Employment, 2011
 Workers includes those in employment or self employment.
 Each worker is allocated a single main industrial sector even if they have more than one job.

Reproduced by permission of Ordnance Survey on behalf of HMSO.

Cartography by EUE&SU
 EUE&SU Ref: 18_1810

© Crown copyright and database right 2018. All rights reserved.
 Welsh Government. Licence number 100017916.



Llywodraeth Cymru
 Welsh Government

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

Victim Support Hate¹⁴ Crime Charter

The Right to be Heard

We will listen to you and acknowledge the impact the Hate Crime has had on you. We will do this whether you wish to report the incident to the Police or not.



The Right to Report Hate Crime

We will help you report the Hate Crime to the police, either directly or through Victim Support's National Hate Crime Report and Support Centre, where you can remain anonymous. We will record the hate element as the motivating factor to the Police or Victim Support.



The Right to Free and Confidential Support

We will provide guidance on accessing free and confidential support from Victim Support that is tailored to you and your needs. We will signpost you to other specialised services if required ensuring you get the support to help you cope and recover from the impact of Hate Crime.



The Right to be Treated with Respect

We will treat you with respect and as an individual in your own right.

We will celebrate diversity and inclusion in our organisation and communities that we work with.



The Right to Privacy

We will ensure your data is kept securely and not shared with anyone without your consent. You always have the right to request any data we hold about you, or request its deletion from our records complying with General Data Protection Regulations.



The Right to Information

We will make sure information about hate crime and accessing support is available to you in a way that you can understand. We will work with communities and organisations to raise awareness of hate crime.



The Right to Make a Complaint

We will provide guidance on how to make a complaint if you are not happy that your rights have been adhered to.



Siarter Troseddau Casineb Victim Support

Yr Hawl i gael eich Clywed

Byddwn yn gwrandio arnoch chi ac yn cydnabod yr effaith mae'r Drosedd Casineb wedi'i chael arnoch chi. Byddwn yn gwneud hyn p'un a ydych am adrodd am ddigwyddiad i'r Heddlu ai peidio.

Yr Hawl i Adrodd am Droseddau Casineb

Byddwn yn eich helpu i adrodd am y Trosedd Casineb i'r heddlu, naill ai'n uniongyrchol neu drwy Ganolfan Genedlaethol Adrodd am Droseddau Casineb a Chymorth Victim Support, lle gallwch aros yn anhysbys. Byddwn yn cofnodi'r elfen gasineb fel y ffactor ysgogol i'r Heddlu neu Victim Support.

Yr Hawl i Gymorth Am Ddim a Chyfrinachol

Byddwn yn darparu arweiniad ar fanteisio ar gymorth am ddim a chyfrinachol gan Victim Support sydd wedi'i deilwra i chi a'ch anghenion. Byddwn yn eich cyfeirio at wasanaethau arbenigol eraill os bydd angen gan sicrhau eich bod yn cael y gefnogaeth i'ch helpu i ymdopi ac adfer o effaith Troseddau Casineb.

Yr Hawl i gael eich Trin â Pharch

Byddwn yn eich trin â pharch ac fel unigolyn yn eich rhinwedd eich hun.

Byddwn yn dathlu amrywiaeth a chynhwysiant yn ein sefydliad a'r cymunedau rydyn ni'n gweithio gyda nhw.

Yr Hawl i Breifatrwydd

Byddwn yn sicrhau bod eich data yn cael eu cadw'n ddiogel ac na fyddant yn cael eu rhannu ag unrhyw un heb eich caniatâd. Mae gennych yr hawl bob amser i ofyn am unrhyw ddata sydd gennym amdanoch, neu ofyn iddynt gael eu dileu o'n cofnodion gan gydymffurfio â'r Rheoliadau Cyffredinol ar Ddiogelu Data.

Yr Hawl i Wybodaeth

Byddwn yn sicrhau bod gwybodaeth am droseddau casineb a chymorth ar gael i chi mewn ffordd y gallwch ei deall. Byddwn yn gweithio gyda chymunedau a sefydliadau i godi ymwybyddiaeth o droseddau casineb.

Yr Hawl i Wneud Cwyn

Byddwn yn darparu arweiniad ar sut i wneud cwyn os nad ydych yn hapus bod eich hawliau wedi'u bodloni.

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol