

**MINUTES OF A MEETING OF THE COUNTY COUNCIL HELD AT COUNCIL
CHAMBER - COUNTY HALL, LLANDRINDOD WELLS ON THURSDAY, 19
OCTOBER 2017**

PRESENT

County Councillor D E Davies (Chair)

County Councillors MC Alexander, M Barnes, B Baynham, G Breeze, J Charlton, L V Corfield, K W Curry, A W Davies, B Davies, P Davies, M J Dorrance, E Durrant, D O Evans, J Evans, L George, J Gibson-Watt, M R Harris, S M Hayes, H Hulme, A Jenner, E A Jones, E Jones, G Jones, J R Jones, E M Jones, M J Jones, D Jones-Poston, F H Jump, K Laurie-Parry, H Lewis, K Lewis, S Lewis, MC Mackenzie, I McIntosh, S McNicholas, C Mills, G Morgan, JG Morris, N Morrison, R Powell, WD Powell, D R Price, GD Price, P C Pritchard, G Pugh, G W Ratcliffe, L Roberts, K M Roberts-Jones, E Roderick, D Rowlands, D Selby, K S Silk, 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 Councillors S C Davies, L Fitzpatrick, D R Jones, P E Lewis, J Pugh, P Roberts and T J Van-Rees.

2. MINUTES

The Chair was authorised to sign the minutes of the last meeting held on 13th July 2017 as a correct record.

3. DECLARATIONS OF INTEREST

County Councillor Matthew Dorrance declared a personal non-prejudicial interest in item 11, Arrangements for the Scrutiny of Powys Public Service Board as a local authority appointed member of Powys Teaching Health Board.

County Councillor Roger Williams declared a pecuniary interest in the Notice of Motion on tackling fuel poverty as he had participated in energy buying schemes.

County Councillor Jackie Charlton advised that she may have an interest in the Notice of Motion on tackling fuel poverty.

4. CHAIR'S ANNOUNCEMENTS

The Chair was presented with a copy of The Bible by the Gideons Society.

The Portfolio Holder with responsibility for equalities reminded members that it was Hate Crime Awareness Week and introduced a film clip on the definition of hate crimes.

5. QUESTIONS FROM MEMBERS OF THE PUBLIC
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5.1. Question to the Portfolio Holder for Housing and Countryside Services from Linda Savage

Can the Portfolio Holder assure me and the tenants of Newtown Allotments that our allotment site is not suitable for a housing development and should be retained for allotment use only?

Answer

Following the allotment site being declared surplus by the council's Leisure and Recreation Service in 2016, the Housing Service declared an interest in obtaining the site. The process of transferring the site into the Housing Service is still ongoing and it is currently being established whether the site can be developed.

I can confirm that no proposed plans have been drawn up at this stage as a substantial number of sites throughout Powys are currently being assessed by our Affordable Housing Team. The Housing Service is currently investigating whether there are any grounds that will preclude the development of homes on the site and if this is the case it will not pursue the transfer of the site.

Should there be no restrictive covenants in place which prevent the site being used to provide much needed affordable housing in the town, the Housing Service would provide an alternative site for the provision of allotments with facilities that match those currently provided at the existing site.

Finally, should the Housing Service choose to utilise the site for the provision of new homes sometime in the future, it will need to apply for planning consent. As is the case with all planning applications, anyone affected by any proposed development will have the chance to comment as part of the planning process. However, in such circumstances the Housing Service will engage with the allotment holders prior to the planning application to seek their views.

There was no supplementary question.

5.2. Question to the Portfolio Holder for Regeneration and Planning from James Anderson

Many residents have enjoyed and have spent considerable time and energies supporting the Council to develop the draft Powys Local Development Plan as an evidence based plan against which to consider planning applications. Whilst the draft LDP contains sufficient land allocation and development proposals to meet Powys' projected housing needs throughout the lifetime of the plan, a review of 'Major Development' Planning Applications on the Council's web pages shows that a relatively high proportion of current planning applications from across the county are seeking to develop Greenfield sites over and above LDP land allocations.

In considering planning applications outside of proposed LDP developments, individual isolated site consideration does not sound as though it is likely to engender effective strategic planning. What is the Council's strategic response in continuing to support future generations to ensure that the legacy of approved housing developments remains positive and does not inadvertently lead to any over- development of open countryside or to the distension of any local communities that could see

some community members become poorly located inhibiting their ease of access to existing services?

Answer

Thank you for the question. I am the Cabinet's Portfolio Holder with responsibility for Planning Services which includes Development Management and Planning Policy. I welcome and appreciate the input and support of residents in the process of preparing the Powys Local Development Plan (LDP). The LDP is nearing the conclusion of its Examination and I anticipate the Council to be in a position to adopt the LDP early in 2018 when it will replace the Powys Unitary Development Plan (UDP) and provide the development plan policies for determining planning applications.

I am aware that the Council has received a number of planning applications for housing proposals on sites that are not allocated in the existing UDP or within the LDP. These applications have sought to justify themselves, more often than not, on the grounds that permission would assist in making up for the shortfall in housing land supply that the Authority finds itself in. This is not a situation unique to Powys and most authorities in Wales find themselves in this position.

Determining planning applications requires careful, methodical and balanced judgements to be taken by the authority, taking account of prevailing development plan policies and having regard to all other relevant material considerations. Welsh Government clarification on the issue of speculative development proposals was provided by Lesley Griffiths A.M., Cabinet Secretary for Environment and Rural Affairs on the 23rd Feb 2017 and I would refer you to that. (Link below). This is a material consideration that is taken into account by the authority when determining such applications. The Cabinet Secretary emphasised the need for such development proposals to be, "...well related to the existing settlement form and do not lead to unacceptable impacts on local economic, social and environmental infrastructure. The principles of sustainable development and the creation of cohesive communities, which forms the basis of Welsh Government's planning policy, remains and should not be undermined by the need to increase housing land supply".

<http://gov.wales/docs/desh/publications/170223delivery-of-affordable-housing-through-the-planning-system-en.pdf>

Mr Anderson's supplementary question was: "Within your response to my question, you highlighted that Councils considering planning applications for developments that are not supported within their draft LDPs need to ensure that any approved applications are well related 'to the existing settlement form'. I would be grateful for a little more clarity around what this means in light of requirements of the Future Generations Act. Can you please confirm that planning applications for major housing developments within open-countryside outside of existing settlements and that are not supported within the draft LDP, will not meet that requirement?"

The Professional Lead – Planning Policy provided a response: Planning applications submitted to the Council must be determined in line with legislation as set by the Planning and Compulsory Act 2004 (Section 38, 6) which states that any "... determination must be made in accordance with the plan unless material considerations indicate otherwise." Regard will therefore be had to the

prevailing development plan and to all other relevant material considerations which would include how a site's location and characteristics relate to the form and pattern of existing settlements but also to many other considerations such as the Council's annual housing land supply. Welsh Government's Planning Policy Wales explains in Chapter 4 how the planning system achieves sustainable development in line with the duties of the Well-being of Future Generations (Wales) Act 2015.

6. DISCUSSION ON CHILDREN'S SERVICES

Council debated the CSSIW inspection report into Children's Services in Powys which had found that failings in the service had put children at risk of harm.

The Leader, Portfolio Holder for Children's Services and Chief Executive explained that they accepted the recommendations contained in the CSSIW report and outlined the steps that had been taken to address the recommendations in the report. They apologised to the young people and their families who had been let down by the service. They gave a commitment to Council to take all necessary steps to improve Children's Services and ensure that vulnerable children were safeguarded and supported.

Council was advised that a draft improvement plan had been prepared and an Improvement Board established. With the support of the WLGA, a team of experts had been put in place to help the Council respond to the report and key staff including an interim Head of Service recruited.

Members spoke of their dismay at the report but also of their support for the front line staff of the service and determination to help in whatever way they could. Members felt that the service had been destabilised by restructuring and by cuts to its budget. They asked for and received details of how the £4m extra being put into the service would be funded. They also asked for regular reports back to Council on progress in implementing the improvement plan. Members also sought and received assurances from the Chief Executive that there would be no witch hunts against whistle blowers and that members would be given access to the full range of performance data to enable them to scrutinise the service. A number of members expressed the view that the Chief Executive should stand aside from improvement process. There was discussion on the membership of the Improvement Board and it was suggested that this could be considered by the political group leaders. It was confirmed that the Improvement Board would be chaired by an independent person nominated by Minister for Social Services and Public Health.

Council adjourned from 13.03 – 13.49. County Councillors E Durrant, E Jones and G Ratcliffe left the meeting.

Present:

PRESENT

County Councillor D E Davies (Chair)

County Councillors MC Alexander, M Barnes, B Baynham, G Breeze, J Charlton, L V Corfield, K W Curry, A W Davies, B Davies, P Davies, M J Dorrance,

E Durrant, D O Evans, J Evans, L George, J Gibson-Watt, M R Harris, S M Hayes, H Hulme, A Jenner, E A Jones, E Jones, G Jones, J R Jones, E M Jones, M J Jones, D Jones-Poston, F H Jump, K Laurie-Parry, H Lewis, K Lewis, S Lewis, MC Mackenzie, I McIntosh, S McNicholas, C Mills, G Morgan, JG Morris, N Morrison, R Powell, WD Powell, D R Price, GD Price, P C Pritchard, G Pugh, G W Ratcliffe, L Roberts, K M Roberts-Jones, E Roderick, D Rowlands, D Selby, K S Silk, 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

7. LEADER'S ANNOUNCEMENTS

The Leader referred to the success of the Powys Business Awards. She also advised of meetings with Vaughan Gething AM Cabinet Secretary for Health and Social Services and Rebecca Evans AM Minister for Social Services and Health and Jake Berry MP Parliamentary Under Secretary of State at the Department for Communities and Local Government.

8. CHIEF EXECUTIVE'S BRIEFING

The Chief Executive updated Council on the schools building programme and advised that the topping out ceremony for Y Gaer cultural hub would take place on 27 October.

The Chair advised that he was changing the running order of the agenda to take questions to the Portfolio Holder for Children's Services next as she had to leave to attend another meeting.

8.1. Question to the Portfolio Holder for Children's Services from County Councillor Huw Williams

How many children in need, children whose names are on the child protection register, looked after children and care leavers are currently recorded in Powys? How many looked after children are placed outside of Powys?

Answer

	0 to 4 Years	5 to 9 Years	10 to 15 Years	16 Plus	Grand Total
A6 - Placed for adoption with placement order (under section 21 of the 2002 Act) not with current foster carer	3	3			6
A8: Placed with prospective adoptive parents (before a placement order is made)	2				2
F1: Inside La:- Foster Placement With A	4	1	7	2	14

Relative Or Friend					
F2:Inside La:-Placement With Other Foster Carer Provided By La	23	19	33	11	86
F3:Inside La:-Placement With Foster Carer, Through Agency	1				1
F3:Inside La:-Placement With Foster Carer, Through Agency			3		3
F4:Out Of County:-Foster Placement With A Relative Or Friend	2	1		2	5
F5:Out Of County:-Placement With Other Foster Carer Through La			8	3	11
F6:Out Of County: Placement With Foster Carer, through Agency	4	10	11	3	28
H3:Children Homes Regs: - Homes & Hostels Inside La Boundary			1	3	4
H4:Children Homes Regs: - Homes & Hostels Outside La Boundary		1	6	5	12
H5:Residential Accommodation Not Subject To Childrens Homes Reg				1	1
Health Authority Placement				1	1
P1:Placed With Own Parents Or Person With Parental Responsibility	5	1	6	4	16
R1:Other Res Setting:-Residential Care Home				1	1
R2:Other Res Setting:-NHS/health Trust Estab Medical Or Nursing				1	1
R3:Other Res Setting:-Family Centre Or Mother And Baby Unit	2				2
Z1:Other Placements		1	1		2

Child Protection Register

Category of Abuse	Children on Register
Emotional Abuse	45
Neglect	36
Physical Abuse	12
Sexual Abuse	3
Total	96

Councillor Williams did not ask a supplementary question but expressed his disappointment that he had not received answers to his questions until just before the start of the meeting and that he had to submit a freedom of information request to find out the staff structure in Children's Services.

8.2. Question to the Portfolio Holder for Children's Services from County Councillor Huw Williams

Work for front line staff in Children Services is emotionally demanding, intense and occasionally high risk. Staff sickness leave is reported to have been, at times, between 25% and 50% during the last year. There seems to be a correlation between sickness levels and the increased demand placed on workers in support of young people. Every young person is allocated a social worker and lack of continuity is damaging. What support is being offered to these members of staff in terms of supervision, resources and better staffing levels, so, they can properly and safely support our vulnerable young people?

Answer

From our records the occasions and percentage of sickness absence within Childrens services for the last year is as below-

Oct-16	35 occasions	17.59%
Nov-16	35 occasions	17.86%
Dec-16	35 occasions	18.42%
Jan-17	40 occasions	21.16%
Feb-17	35 occasions	19.02%
Mar-17	39 occasions	20.21%
Apr-17	27 occasions	13.92%
May-17	29 occasions	14.57%

Jun-17	25 occasions	12.38%
Jul-17	24 occasions	11.65%
Aug-17	23 occasions	11%
Sep-17	19 occasions	8.88%

The support available to staff includes-

- Supervision meetings undertaken by line managers.
- IPR meetings undertaken and recorded on Trent that taking place.
- Flexible Working/ Retirement- (9 day fortnight working pattern to assist with home/ work life balance.)
- TOIL/ Annual Leave/ Flexi schemes
- All Leave Policy- Maternity, Paternity and Supporting Working parents
- Performance Capability process if not performing within role- support to ensure working to acceptable standard.
- Coaching and mentoring.
- Staff training and development
- Locality Teams- Team Managers, Assistant Team Managers and other positions have now been appointed to within the service to provided additional resource and support.
- Adoption and Fostering- Restructures have taken place and as part of this capacity has been looked at within the team and this will continue to be reviewed.
- Golwg y Bannau- Relief staff in place to assist with staff shortages as and when required
- Newly Qualified Social Workers and support people through Social Work Degree.
- Support Non-qualified staff and the option to enter into the Social Work profession.
- Staffing Levels- Reviewed carried out in all service levels in last 12 months and further work is being followed up in this regard. Vacancy gaps look at agency staff- something we need to reduce and look at in the future.

Sickness

- Communication with staff during sickness absence.
- Welfare meetings undertaken with staff in line with sickness absence policy.
- Access to the PCC Counselling service offered to staff.
- Access to the Occupational Health service if required.
- Stress risk assessments undertaken with staff.
- Opportunity to take annual leave to remain on full pay if requested.

In response to Councillor Williams' supplementary question as to why these measures had not been put into place until now, the Portfolio Holder acknowledged that service needed to do better in supporting staff.

9. CAPITAL VIREMENTS REQUIRING COUNCIL APPROVAL
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9.1. Virement for Strategic Salt Reserve

Council was asked to approve the roll forward of the salt reserve budget. It was proposed by County Councillor Aled Davies and seconded by County Councillor Michael Williams and by 58 votes to 0 with 1 abstention in was

RESOLVED	Reason for Decision:
To approve the virements of £1.435m is rolled forward from 2017/18 and £0.835m is added to 2018/19 and £0.6m is added to 2019/20.	To ensure appropriate virements are carried out that reflect the forecasted capital spend.

9.2. 21st Century Schools

Council was asked to approve the roll forward of budgets in the 21st Century Schools Programme. It was proposed by County Councillor Aled Davies and seconded by County Councillor Myfanwy Alexander and by 55 votes to 0 with 2 abstentions it was

RESOLVED	Reason for Decision:
To approve the virements set out in Table 3 of the report.	To ensure appropriate virements are carried out that reflect the forecasted capital spend.

9.3. Abermule Business Park

Council was asked to consider the roll forward of the budget for Abermule Business Park. It was proposed by County Councillor Aled Davies and seconded by County Councillor Myfanwy Alexander and by 53 votes to 3 with 3 abstentions it was

RESOLVED:	Reason for decision:
To approve the virement of £2.059m from 2017/18 to 2018/19 for the whole project, of which £345k is rolled forward for the Regeneration & Regulatory services element of this project.	To ensure appropriate virements are carried out that reflect the forecasted capital spend.

9.4. Machynlleth Gypsy Site

Council was asked to consider the roll forward of the budget to provide a new Gypsy and Traveller site in Machynlleth. It was proposed by County Councillor Aled Davies and seconded by County Councillor Myfanwy Alexander and by 58 votes to 0 it was

RESOLVED:	Reason for Decision:
To approve the roll forward of £947k from 2017/18 to £77k in 2018/19 and £870k in 2019/20.	To ensure appropriate virements are carried out that reflect the forecasted capital spend.

9.5. Crickhowell High School

Council was asked to consider approving the roll forward of the budget to provide an extension at Crickhowell High School. It was proposed by County Councillor Aled Davies and seconded by County Councillor Myfanwy Alexander and by 52 votes to 0 it was

RESOLVED	Reason for Decision:
To approve the roll forward virement of £925k from 2017/18 to 2019/20.	To ensure appropriate virements are carried out that reflect the forecasted capital spend.

10.	DRAFT ANNUAL PERFORMANCE EVALUATION 2016 - 17 (ONE POWYS PLAN AND POWYS CC CORPORATE IMPROVEMENT PLAN)
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Council considered the draft Annual Performance Evaluation (APE) 2016-17 which set out Powys Public Service Board's progress against delivering the One Powys Plan (2014 – 2017) commitments during its third and final year. The APE also set out Powys County Council's progress in delivering the objectives in its Corporate Improvement Plan (CIP) 2016-2020. Council considered that the section of the report on vulnerable families needed to be amended in light of the CSSIW report on Children's Services.

It was proposed by County Councillor Myfanwy Alexander and seconded by County Councillor James Evans that the report be circulated to all members of Council for comment and for their comments to be considered by group leaders. By 49 votes to 0 with 6 abstentions it was

RESOLVED	Reason for decision
the Annual Performance Evaluation be circulated to all members of Council for comment and for their comments to be considered by group leaders and that the group leaders be given delegated authority to approve.	To respond by the deadline of 31 October.

County Councillors Martin Weale and Gareth Morgan left the meeting at 3.00 p.m.

11.	ARRANGEMENTS FOR THE SCRUTINY OF THE POWYS PUBLIC SERVICE BOARD
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County Councillor Matthew Dorrance declared a personal non-prejudicial interest as a local authority member of Powys Teaching Health Board.

Council considered proposals to establish a Public Service Board Scrutiny Committee. The recommendations in the report were moved by County Councillor Myfanwy Alexander and seconded by County Councillor Michael Williams and by 53 votes to 0 it was

RESOLVED	Reason for Decision:
<p>(i) that a PSB Scrutiny Committee be established as set out in Appendix 1 to the report.</p> <p>(ii) that the representation from the County Council should be 1 Member from Scrutiny Committee A and 1 Member from Scrutiny Committee B.</p>	<p>To update Sections of the Constitution in response to the WAO review of the Council's governance arrangements, and as part of the ongoing review of the Constitution.</p>

The Chair agreed to take the following item as an urgent item of business in view of the need to respond to the Boundary Commission review of parliamentary constituencies by the closing date of 11th December.

2018 Review of Parliamentary Constituencies

The Boundary Commission had published their Revised Proposals for the Review of Parliamentary Constituencies in Wales. It was recommended that group leaders be given delegated authority to respond on behalf of the Council. The recommendations in the report were moved by County Councillor Stephen Hayes and seconded by County Councillor Michael Williams.

RESOLVED	Reason for Decision:
<p>1. Representations are sent to electoral.sevices@powys.gov.uk by 3 November for Group Leaders consideration.</p> <p>2. To provide Group Leaders with delegated authority to consider and provide a Powys County Council response.</p>	<p>To provide the Boundary Commission with representations from Powys County Council.</p>

12.	APPOINTMENT TO THE BOARD OF DISABILITY POWYS
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Following a ballot it was

RESOLVED	Reason for Decision
<p>That County Councillor Ange Williams be appointed as the Council's representative to the Board of Disability Powys.</p>	<p>Response to request to make an appointment.</p>

13. NOTICE OF MOTION - MOBILE CONNECTIVITY COVERAGE

Council debated the following motion proposed by County Councillor Elwyn Vaughan and seconded by County Councillor Bryn Davies:

“We must get the coverage and connectivity in Rural Wales it needs to support our economy and our communities in the 21st Century.

This Council therefore, calls on the Welsh Government to take immediate action on putting planning reforms in place to enable improved mobile connectivity coverage as the basis of a modern, vibrant economy. This to include allowing masts in Wales to be 25m (82ft) height rather than the 15m (50ft) as at present thus assisting the development of an entrepreneurial economy in Powys and Rural Wales.”

County Councillor Matthew Dorrance put forward an amendment seconded by County Councillor David Thomas:

“This Council welcomes the publication of the Mobile Action Plan by Welsh Government on Thursday 5th October 2017 which states:

1. Welsh Government has commissioned research to inform changes to permitted development rights for telecommunications equipment to improve mobile connectivity. This research is due to be completed by Autumn 2017.
2. Welsh Government will refresh Planning Policy Wales (PPW) to ensure that it highlights the positive relationship between telecommunications and the economy. A revised PPW will be published for consultation by Spring 2018.
3. Mobile network operators will work with the Welsh Government to revise and, if appropriate, consolidate the code of best practice and Technical Advice Note (TAN19) on mobile network infrastructure development.”

The amendment was put to the vote and lost by 15 votes to 29 with 6 abstentions.

The original amendment was put to the vote and passed by 43 votes to 6 with 4 abstentions.

RESOLVED that Council calls on the Welsh Government to take immediate action on putting planning reforms in place to enable improved mobile connectivity coverage as the basis of a modern, vibrant economy. This to include allowing masts in Wales to be 25m (82ft) height rather than the 15m (50ft) as at present thus assisting the development of an entrepreneurial economy in Powys and Rural Wales.

14. NOTICE OF MOTION - COUNCIL PROCUREMENT

Council debated the following motion proposed by County Councillor Elwyn Vaughan and seconded by County Councillor Bryn Davies:

“The Council recognizes the importance of enterprise and a strong economy as the basis for the viability of our communities. Due to the importance of the public sector in Powys in terms of employment and expenditure within the local economy, we are calling on the Council to commit to increasing the percentage of its expenditure within the County and Wales. Procurement levels from service providers in Powys should be increased from 28% in 2015-16 to 40%; and from providers in Wales from 55% to 75%. This would be synonymous with an annual investment of £18 million to the economy of Powys. The Portfolio Holder for the Economy should give an annual report to the Council outlining progress made in reaching these targets.”

Cabinet members indicated that they supported the motion and were considering ways of increasing the percentage of Council spend within the County. Council voted on the motion and by 48 votes to 0

RESOLVED that Council commits to increasing the percentage of its expenditure within the County and Wales. Procurement levels from service providers in Powys should be increased from 28% in 2015-16 to 40%; and from providers in Wales from 55% to 75%. This would be synonymous with an annual investment of £18 million to the economy of Powys. The Portfolio Holder for the Economy should give an annual report to the Council outlining progress made in reaching these targets.

County Councillor MJ Jones left the meeting at 15.34.

15. NOTICE OF MOTION - TACKLING FUEL POVERTY

County Councillor Roger Williams declared a pecuniary interest as he participated in energy buying schemes.

Council debated the following notice of motion proposed by County Councillor Huw Williams and seconded by County Councillor Sarah Williams.

Council Notes

1. Household energy bills are increasing year on year, while the effective income of households is flat lining or decreasing.
2. A recent report by moneysupermarket.com has shown that 5 of the “Big 6” energy providers (npower, E.ON, Scottish Power, SSE and EDF) have announced price rises for those on standard variable tariffs.
3. 66% of energy customers are on standard variable tariffs according to Ofgem, with most of those having never switched suppliers.
4. The average price rise in 2017 is £96.95 leaving the average annual energy bill at £1258.55.
5. Many other local authorities successfully run similar collective energy switch schemes.

6. An all-Wales scheme, Cyd Cymru Wales Together, already exists (<https://cydcymru-collective.com/>)
7. In the Wellbeing assessment undertaken by Powys it found that 16% of households are in fuel poverty, defined as a household that spends at least 10% of their income on fuel.
8. A 2008 report found that in Mid Wales 34.9% of households were in fuel poverty.
9. Over half of households in Powys aren't connected to the gas network, therefore relying on oil and solid fuel which have a much higher cost to the consumer.
10. Ceredigion run successful "Fuel clubs", where communities bulk buy oil for heating.

Council Resolves

1. That Council believes that
 - a. It must do as much as it can to help residents in fuel poverty to mitigate this situation;
 - b. Residents of Powys would benefit greatly from reduced energy bills through a Powys County Council run collective energy switch scheme;
 - c. The authority can join in with other authorities and organisations in Wales through the Cyd Cymru scheme;
 - d. The Ceredigion run schemes provide a best practice model for the running of such fuel clubs;
 - e. The authority can exert its power of collective bargaining for both dual fuel and oil purchasing schemes
2. To instruct officers to explore the feasibility of implementing its own or joining the Cyd Cymru scheme.
3. To instruct officers to explore the feasibility of implementing an oil purchasing scheme across Powys.
4. To work with local housing associations, Powys Teaching Health Board, voluntary groups, care homes and households across Powys to increase awareness and encourage them to sign up to these schemes.

County Councillor Aled Davies proposed an amendment seconded by County Councillor Myfanwy Alexander to parts 2 and 3 of the motion replacing the words "To instruct officers ..." with "To ask the Anti-Poverty Champion and the Anti-Poverty Group ..."

Council voted on the amendment and pass it by 39 votes to 2 with 1 abstention. The amendment became the substantive motion and by 44 votes to 0 Council

RESOLVED

1. **That Council believes that it must do as much as it can to help residents in fuel poverty to mitigate this situation;**
 - a) **Residents of Powys would benefit greatly from reduced energy bills through a Powys County Council run collective energy switch scheme;**
 - b) **The authority can join in with other authorities and organisations in Wales through the Cyd Cymru scheme;**
 - c) **The Ceredigion run schemes provide a best practice model for the running of such fuel clubs;**

- d) **The authority can exert its power of collective bargaining for both dual fuel and oil purchasing schemes**
2. **To ask the Anti-Poverty Champion and the Anti-Poverty Group to explore the feasibility of implementing its own or joining the Cyd Cymru scheme.**
3. **To ask the Anti-Poverty Champion and the Anti-Poverty Group to explore the feasibility of implementing an oil purchasing scheme across Powys.**
4. **To work with local housing associations, Powys Teaching Health Board, voluntary groups, care homes and households across Powys to increase awareness and encourage them to sign up to these schemes.**

County Councillors Heulwen Hulme and Hywel Lewis left the meeting at 15.57.

16. QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION
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16.9 Question to the Portfolio Holder for Education from County Councillor Matthew Dorrance

What assessment has the Cabinet made of Stonewall Cymru's 2017 School Report?

Answer

Stonewall's annual report is 10 years old this year and it has had a significant impact. The report notes that the number of schools recording that homophobic bullying is wrong has nearly trebled and homophobic remarks are far less likely to be heard over that period.

The report offers advice to schools on policies and procedures to prevent homophobic bullying and language, including online abuse. Key advice includes showing clear leadership, creating an inclusive learning environment for all pupils, equipping staff and celebrating diversity.

We need to continue to support schools through our model anti-bullying policies and related activities. Youth services and schools provide direct support for learners and we need to continue to provide them with good information on how best to support young people and families.

In Powys the 2016 Education Equality Index ranked the County 28 out of 50 authorities in Britain that took part, scoring 87 out of 140 marks. It is still the case that almost half of LGBT learners nationally experience bullying. There is more for all of us to do to ensure that every young person can grow up happy, healthy and supported to reach their full potential.

In answer to Councillor Dorrance's supplementary question the Portfolio Holder for Education gave an undertaking that the Council would implement the recommendations in the Stonewall report.

County Councillor Kathryn Silk left the meeting at 15.59.

16.3 Question to the Portfolio Holder for Regeneration and Planning from County Councillor Roger Williams

What assessment has the Council made of the Aarhus Convention?

Answer

Thank you for the question. I have been advised by the Council's Principal Solicitor that he is not aware of a legal duty on local authorities to assess the Aarhus Convention. This is a United Nations Economic Commission for Europe (UNECE) document adopted in 1998 which establishes principles on: access to environmental information; public participation in environmental decision-making; and access to justice. <http://www.unece.org/env/pp/treatytext.html>

It was adopted by the EU including the UK and its principles are embedded in regulations. The Council complies with the regulations concerning access to and public participation on environmental matters and court rules on cost limits in judicial review claims concerning environmental matters such as wind turbines.

The Portfolio Holder for Regeneration and Planning had left the meeting but would provide an answer to Councillor Williams' supplementary question on the number of planning permissions challenged as a result of the Aarhus Convention, how many had been lost, how much it had cost and what the Council was doing to make it more resilient to challenge.

16.4 How many applications for public footpath diversions has the Council currently registered and how many are for diversions out of working farmyards?

Answer

Background:

The question posed by Councillor Williams refers to applications to divert public rights of way. Diversion, extinguishment or creation of a public rights of way is generally achieved through a public path Order. This is a type of legal Order that allows for voluntary changes to be made to the route of a public path, although cannot be used to change byway open to all traffic.

Public path Orders can be a very useful tool for the Council, in managing and improving the public rights of way network. However, making these Orders is a discretionary power, not a statutory duty. The Council can initiate proposals itself; the Council can also choose to accept applications for public path Orders from members of the public, but is not required to do so.

The law does not impose any timescale within which we must deal with individual applications for public path Orders. Nor does it give any certainty that applications will be successful. The process is highly democratic and open to formal challenge, in which case the outcome may be decided by the Planning Inspectorate (not the Council.) Even unopposed and uncomplicated proposals take a minimum of 6 months to process to completion, due to the procedures that must be followed.

There is no dedicated officer dealing solely with public path Order casework. It is one of many demands that compete for officer time and statutory casework must

take priority. As such, the officer time available to process applications for diversion of public rights of way has been, and continues to be very limited. Unfortunately, this has resulted in a backlog of applications awaiting processing.

Individual public path Order cases are allocated a priority, in line with the approach to prioritisation that was presented to the former Rights of Way Committee in 2010. At the stage when pre-application advice is sought, applicants are advised as to the general level of priority given to each type of application and the likely timescale for considering their application. Applications to divert paths out of working farmyards are given medium priority.

To try to reduce the backlog of applications and frustration experienced by applicants, Countryside Services has been developing a system that developers to carry out their own initial consultation, following a site meeting with officers. As that has proved broadly successful, it is now being extended to other applicants, with those who have been waiting longest being offered that opportunity first.

Current situation:

There are currently a total of 182 applications for public path Orders on file, at various stages of processing. With current resources and processes, this is estimated to represent 10-11 years' work. Of those, 53 are proposals to move paths out of working farmyards.

In response to Councillor Williams' supplementary question on what could be done to speed up the process the Portfolio Holder said that the service had limited resources and had to make the most of its resources by working with applicants.

16.5 Question to the Portfolio Holder for Adult Services from County Councillor James Gibson-Watt

In the light of reports consistently reaching council members about the difficulties that service users in the county are facing making contact with relevant Adult Social Care staff, could the portfolio holder please provide a breakdown of vacant posts in the Adult Social Care service, by area and county-wide?

Answer

Current vacancies are as follows:

Ystradgynlais

Older People's Service – no current vacancies

Mental Health – no current vacancies

Disabilities South – no current vacancies

Brecon

Older People's Service – 1 x 3 day CSO post currently out to advert; 1 senior practitioner post

Mental Health – no vacancies

Disabilities South – 1 social work post, interviews in progress

1 senior practitioner post to be advertised

Llandrindod

Older People's Service – no current social work vacancies
Mental Health – 2 vacancies, 1 social worker and 1 senior practitioner out to advert
Disabilities South – no vacancies

Newtown

Older People's Service – 1 senior practitioner post which is being converted to Assistant Team Manager
Mental Health – 0.8 wte social work post out to advert
Disabilities North – no vacant posts

Welshpool

Older People's Services – no vacant posts
Mental Health – no current vacant posts
Disabilities North – no current vacancies

In response to Councillor Gibson-Watt's supplementary question why there so many complaints about difficulties in contacting social workers, the Portfolio Holder said that although there had been considerable efforts to recruit to social work posts, the establishment was lower than he would like but this reflected hard financial times.

16.6 Question to the Portfolio Holder for Highways from County Councillor David Selby

Could the Portfolio Holder indicate what steps he is taking to improve Council grass cutting services for next year?

Answer

Grass cutting has been one of the major issues that the new Cabinet and indeed all members have had to deal with this year and as you may recall I was rather strict with the providers of the service in June of this year – with the result that I made all the County papers and BBC Online. I regret nothing and I am happy to say that they seem to have listened to my demands for a much better service and across the board there has been some improvement.

However I am currently conducting an intense review and looking at all contracts throughout all the county with a view to considering taking it back in house from March 2018.

This would seem to be the favoured approach from residents and councillors who would like to see a return to the normal service prior to this being contracted out to other suppliers. This is my ambitious goal at this time and I look forward to making a full council announcement in the near future.

There was no supplementary question but Councillor Selby expressed his disappointment that only 5 Cabinet members were present.

16.7 16.7 Question to the Portfolio Holder for Education from County Councillor Arwel Jones

Could the Portfolio Holder please advise me of the number of pupils who are educated through the medium of Welsh at Brecon High School and Builth Wells High School as at September 2017 and also the intake into the two streams again as at September 2017?

Answer

The number of pupils studying through the medium of Welsh in Brecon High School and Builth Wells High School since September 2017 is as follows:

	Brecon High School	Builth Wells High School
Year 7	9	25
Year 8	3	30
Year 9	3	26
Year 10	4	24
Year 11	4	30
Year 12	0	13
Year 13	0	12
Total	23	160

There was no supplementary question.

16.8 Question to the Portfolio Holder for Housing & Countryside Services from County Councillor Matthew Dorrance

What consideration has the Cabinet given to the impact of changes by the UK Tory Government to the Local Housing Allowance on homelessness levels in Powys?

Answer

The Cabinet is aware of the existing changes to the Local Housing Allowance (LHA) which have restricted people aged under 35 to the shared accommodation rate (SAR) and have considered the impact of this change to the Benefit regulation and the extension of the LHA rate to the social housing sector in April 2019 to the level of homelessness in Powys. These considerations are part of the budget setting process as we recognise the need to ensure that we allocate sufficient resources to the administration of the council's corporate homelessness responsibilities.

The extension of the SAR to people aged under 35 has had an uneven impact on homelessness across Powys and across the UK. In areas where there is a limited supply of shared accommodation and relatively high rent levels, the impact of this measure has resulted in an increase in homelessness and rough sleeping, particularly if individuals are unwilling to move to communities where a supply of such accommodation exists and rent levels are more affordable. In Cllr Matthew's home town we have recently experienced an increase in the number of people who are rough sleeping because of the relatively short supply of shared accommodation, the rent levels in Brecon being significantly higher than the LHA SAR rate and their unwillingness to move to other communities. I can

assure Cllr Matthew that Officers continue to work with rough sleepers who are willing to engage with the service and are usually able to secure them accommodation.

A further challenge to the authority is the extension of LHA rates to the social housing sector in 2019, which is likely to see a significant increase in rent arrears within the Housing Revenue Account (HRA) and housing association housing stock which is likely to lead to an increase in homelessness presentations, as well as creating affordability difficulties for many households across the county. This too will be considered by the Cabinet when the HRA rents are set for the next financial year.

In addition, at a meeting of the Wales Housing Cabinet Members Network Meeting held last week, I along with all other Cabinet Members present at the meeting agreed to send a letter to the Secretary of State for the Department for Work and Pensions asking him to reconsider the roll out of full service Universal Credit and the changes to the LHA in recognition of the problems that these changes are having nationwide and the resulting increase in rough sleeping.

In response to Councillor Dorrance's supplementary question on the resources would be committed to ending rough sleeping in Powys, the Portfolio Holder said that officers were doing everything they could to help rough sleepers where they were prepared to accept help.

16.10 Question to the Portfolio Holder for Housing & Countryside Services from County Councillor Lucy Roberts

We have a problem in the county in that there are not enough 'affordable' properties being built to cater for our young people. We know that in Powys earnings are traditionally low. We also have a vision to of keeping our young people in the county and even attracting more to move in. I don't believe this will happen while we don't have suitable housing. Many young people still have the ambition of being able to buy their own properties, but certainly within my ward most of the houses that are being built are executive homes well out of their price range. Even the so called 'affordable' houses are way out of the reach of most. I am aware of a planning application locally which has gone in as 'affordable', but as a detached house with three bedrooms and a double garage will probably go on the market for at least £250,000. Is there anything that we can do as a County Council to improve this situation?

Answer

County Councillors will be aware that planning in Powys is a matter for two Authorities, Powys County Council and the Brecon Beacons National Park Planning Authority, and that this means two separate policies. Both, however, attempt to require the maximum possible amount of affordable homes to be built. National Planning Policy permits the development of exception sites in rural areas, i.e. those that are not allocated or fall within the development boundaries established by the Authority's Development Plan. National policy also requires every planning authority to require affordable housing contributions from all housing developments where appropriate and viable under Section 106 of the Town and Country Planning Act 1990.

Both authorities have plans in place that meet these requirements, however there are many factors that permit developers to challenge the requirements. One frequent challenge is the case of the executive development on which the developer does not wish to include smaller “affordable” homes or homes of a different tenure such as social rented. In the case you highlight, the developer is probably using the option of offering the home for sale at 69% of open market value, which the Powys UDP defines as affordable. This anomaly will be addressed by the LDP once in place next year.

A further negative issue from the planning perspective is that of Section 106 agreements which are agreed and then either not developed or later challenged and lifted as financial and/or other circumstances change.

The Local Development Plan seeks to address all these issues and maximise the number of affordable homes provided by several means, including limiting size and value to realistic levels similar to those imposed by Welsh Government on new social housing developments.

As a council we recognise that there is a shortage of affordable accommodation across the county and we are working to address this in the following ways. First in partnership with housing associations. In Powys our standard allocation of Social Housing Grant, which is accessed by housing associations to develop new homes, was just over £1.5million per annum. This has recently been increased to over £7million per annum, as part of the Welsh Government's target to see the development of 20,000 additional affordable homes across Wales within the term of the current National Assembly. Second by developing new council homes. The council will be taking into possession 6 new one bedroom flats in Crickhowell in the coming weeks, developed on our behalf by housing association Melin Homes. In addition, Welsh Government grant funding has also been made available to local authorities, these include the Innovative Finance Grant for which we have submitted a bid for a scheme in Newtown and Affordable Housing Grant of which we have programmed just under £2million next year. We also develop council homes using the borrowing capacity of the Housing Revenue Account (HRA). The current arrangements in respect of HRA capital restricts the amount that local authorities can borrow to develop new homes, but in Powys we should be able to develop approximately 80 homes over the next 4 years. Should the borrowing ceiling for Powys be raised we hope to develop considerably more homes to meet the needs of our communities.

The Housing Service is currently in the process of updating the Local Housing Market Assessment which will assist the council direct both housing association and council investment into areas with the greatest housing need.

There was no supplementary question.

16.11 Question to the Portfolio Holder for Highways from County Councillor Lucy Roberts

While I totally understand the lack of funding for Highways, and the need to prioritise the most heavily used roads, I have a concern about the long term future of many of the unclassified lanes. The ever increasing size and weight of agricultural machinery is breaking the back of some of the lanes and others are losing their surface and becoming increasingly rough. We are not just talking about pot holes here. Is there any long term plan for the maintenance of these roads or will residents have to accept that, at some time in the future four wheel drive vehicles might become a necessity?

Answer

The current Powys network comprises approx. 5000km of surfaced highway, with 17% making up the busier more strategic network, with the remaining being the more minor road networks. This highway asset has an estimated value of £4.4 billion and we estimate there is currently a backlog of highway works of over £40M.

The challenge for Cabinet and the Council's highways service is to monitor funding and condition data in order to target work effectively and appropriately. Additional capital funding of almost £12M has been provided for highway asset improvement, raising the total to circa £6.5m per annum for the next three years. As you appreciate this money is being prioritised so it is targeted to where it is most needed and will have the maximum effect both in terms of safety and whole life costing. Whilst this additional funding will of course assist it should be considered in the context of managing a continued overall decline in the condition of the road network as best we can with the resources and funding available.

Clearly our focus needs to be on our strategic routes which carry higher volumes of traffic at higher speeds with a consequent increase in risk. However, our minor road network remains vitally important to Powys remaining open to inward investment as it is likely to be used by most of us as the first and last parts of our travel to and from the strategic network. The challenge we face is in maintaining it to a suitable condition through more innovative and efficient maintenance methods. One such example is the recently acquired jet patching equipment that will help us to address road repairs more efficiently. Whilst not the solution for all types of repair the efficiencies it will bring will enable us to fix more with the same money.

Work is currently on-going to update the Highway Asset Management Plan (HAMP) and we are working in collaboration with other Local Authorities through CSS Wales and WLGA to raise matters similar to that which you have identified to lobby the Welsh Government to gain further specific funding similar to the LGBI funding received between 2012/13 and 2014/15.

In simple terms, cuts throughout the UK and in Wales to Neighbourhood services such as highways whilst keeping the status quo in Adult social care, Childrens social care and Education are now taking a massive effect and in Powys in particular which now has the worst roads in Wales when we consider A, B, C and unclassified roads as a whole. This has prompted reports and papers by Highway Professionals and Cabinet members throughout the UK to address the situation as it will be extremely expensive to address it in the future.

I agree along with many people that the NHS is important and we need to finance our hospitals but we also need good roads to get our loved ones to the hospitals and that in recent times has been forgotten.

Councillor Roberts' supplementary question on what could be done about the size of agricultural vehicles using small roads would be forwarded to the Portfolio Holder for a response.

16.12 Question to the Leader from County Councillor Jackie Charlton

I would like to ask a question of Rosemarie Harris as Leader about the Welsh Government White Paper 'Services fit for the future' which outlines changes to the way that quality and governance will be measured and delivered in future. One of the proposals is around 'co-production'

(another way of saying partnerships) especially between professionals and those people using different services.

An element of this is to find a more co-operative and efficient way of delivering a framework with checks and balances for patients and clients of the two areas of delivery, health and social care.

The proposal of most interest to me as a councillor and member of Powys Community Health Council is to replace existing Community Health Councils with a new 'independent body' that will be charged with bringing together inspection/regulation and hearing the citizens voice. Powys Community Health Council is responding independently therefore the Health Board and presumably Powys County Council will have responded too.

My questions:-

1. I would like to know what Powys County Council have said in response to this consultation which ended on 29 September 2017.
2. Secondly, the notion that inspection and regulation is the same as hearing the citizen voice is very troubling. They are not the same. What is your view as a past Chair of the Community Health Council and as Leader of Powys County Council which delivers social care and aspires to future integration with Powys Local Health Board in future?

Answer

1. Adult Social Care responded to the consultation. I will arrange for a copy of the response to be forwarded to Members.
2. The Community Health Council does not in any way deal with Social Care. They are the NHS Watchdog from the patient/citizen perspective. Also, the role of the Leader of the County Council is to lead on Local Authority issues. It would be unusual for the Leader to answer questions on a position held outside of the Council and in previous years.

On this occasion, I will answer.

In reality, the CHC should be a very important link between the NHS, those who regulate them and the voice of those who use the NHS.

Firstly, can I say that I have always firmly believed that there is a need for an organisation like the CHC as a watchdog body of the NHS on behalf of the patient/citizen.

There is no other organisation which has a voice on behalf of the patient. I actually believe that, far from abolishing CHCs, their role should be strengthened. They are statutory bodies and that strength, under statute, has already been removed in England – detrimentally so in my opinion.

Currently CHCs are allowed to visit GP surgeries, hospitals, ambulance stations and anywhere that NHS services are provided. Often joint inspections are done with HIW with one organisation inspecting clinical provision and the other inspecting from the patient perspective. CHCs have

never been allowed to inspect/visit any establishments where social care only is provided. It has always been felt by Powys CHC and indeed the Board of Wales CHCs that both should be treated in the same way, especially as there is no patient voice for Social Care.

In the future, I would like to see the role of CHCs strengthened to include Social Care.

I also believe, probably controversially, that CHC members should be paid a small amount. At the moment, members are volunteers and it can be a very busy programme, especially for Powys members because secondary health care is commissioned for the residents from so many DGHs outside our boundaries. I think if members were paid a small amount, it would attract and enable greater diversity amongst the membership and so strengthen the organisation.

As all acute secondary care for our residents is commissioned from elsewhere, (a large percentage from England) there is often a need to support as well as challenge Powys LHB.

In summary, I think there is a need for a strengthened organisation to inspect/visit all NHS bodies/Social Care provision from the patient perspective.

Councillor Charlton's supplementary question was how the integration of social care and health would be monitored from the perspective of the patient and the Portfolio Holder for Adult Services explained that the Regional Partnership Boards which included service users and citizen representatives would have responsibility for monitoring integration.

16.13 Question to the Portfolio Holder for Property and Waste from County Councillor William Powell

What assessment has been made of the relevance of the Well-being of Future Generations (Wales) Act 2015 to Powys County Council's policies around asset management and disposal? In particular, will the Cabinet Member look to refreshing the Council's current approach, so as to involve Town and Community councils more fully at an earlier stage in the process?

Localism is central to the new Welsh Government legislation and therefore, when decisions are being made about the disposal and re-purposing of assets, it would be not only courteous and transparent but also common sense to draw upon the local knowledge and expertise available in our communities.

Answer

As I am sure Councillor Powell is aware from reading the policy documents on the intranet, the Strategic Asset Management Plan (StAMP) approved by Cabinet earlier this year is aligned to both our corporate priorities and the statutory context (see below). Community is one aspect of this but we also have to balance other goals -prosperity, health and resilience and think about protecting the Council and citizens as a whole over the long-term future. The Property team held a series of "place" workshops" throughout 2016/17 and local members (who

represent their communities) were invited to attend. Unfortunately, attendance by members was very low (about 30%) despite many attempts to promote the workshops (during members' development days and cabinet sessions). Additionally an invitation to submit written comments to those who could not attend failed to yield a response.

Now, with a new council, we propose to carry out a further set of workshops next Spring and would encourage as many local members to attend as possible. These members should consult with and feedback to their local town and community councils.

Since I have joined the Council, I have visited and been in active dialogue with many town councils who have expressed an interest in the assets we hold in their communities across Powys including Llandrindod Wells, Hay, Newtown, Presteigne and Llanfair Caereinion. I am happy to visit any community that wishes to discuss property related issues in their area.

For ease of reference, the policy states:

“Statutory Context

The StAMP is aligned to the Well-being of Future Generations (Wales) Act 2015. Of the seven goals, the StAMP directly contributes to:

- **A prosperous Wales** – development of our commercial estate
- **A Wales of cohesive communities**- taking a “place” approach recognises the importance of communities and should improve community involvement and engagement
- **A healthier Wales** –working with Powys Teaching Health Board (PTHB) to share assets to enable better service delivery; also providing opportunities for those who seek employment
- **A resilient Wales**- community green spaces/ increased energy efficiency

In addition the StAMP by its nature contributes to the sustainability principles set out in the Act:

- Long-term- protecting assets for long-term needs rather than short term gains
- Integration- working with PTHB and other partners
- Collaboration-working with all services, PTHB, communities and other partners
- Engagement- the StAMP workshops provide a forum for engagement with stakeholders
- Prevention- providing opportunities for employment/ business start up”

Councillor Powell's question was how to embed the role of Town and Community Councils in a less ad hoc way. The Portfolio Holder for Education explained that the Cabinet had a board looking at how to engage communities which would include a consultation group.

16.14 Question to the Portfolio Holder for HR from County Councillor Gwilym Williams

Can the portfolio holder inform me how many staff have left Powys County Council across all departments and gone to the health board since we are now working more closely together? Could this figure be since the beginning of the partnership about October last year with the health board?

Answer

This information is not held by HR, but I understand that 8 members of staff have transferred in the last 2 years, mostly at middle to senior management level.

In answer to Councillor Williams' supplementary question the Portfolio Holder advised that there were six members of staff in joint roles.

16.15 Question to the Portfolio Holder for Highways from County Councillor Gareth Ratcliffe

Over the last couple of years the cabinet has supported free parking in pay and display carparks across the county to support local traders on the run up to Christmas. Will the new cabinet be introducing a similar scheme this year?

Answer

Christmas is an important time for all of us wherever we live in Powys and especially important for our businesses in our towns and villages who may rely on the Christmas trade to help them through the quiet months. The Cabinet's new vision concentrates of course on the economy and our willingness to be open and enterprising and to assist our residents and communities. It does not seem fitting to discuss this now but I am happy to say that I will be making an announcement on how the Council will be assisting all our Towns and Villages when we welcome Joanna Lumley to Brecon to switch on the Christmas lights in November.

There was no supplementary question.

16.16 Question to the Portfolio Holder for Finance from County Councillor David Jones

On the County Council's Garth small holding estate in Guilsfield there are two houses that have been unoccupied for some time. One for three years and one for two years. How much has the council tax fund actually received for these two properties up to the 30th September this year?

Answer

The two vacant dwellings at Garth form part of a larger complex of buildings, including a substantial range of grade II listed model farm buildings.

Our intention is to offer the site for sale with planning consent for residential conversion. Securing planning consent has not been straightforward- a planning application submitted last October was withdrawn to allow access and design details to be reviewed, with further consultation with CADW, prior to resubmission.

The two dwellings were part of larger farm units- in both cases land has been amalgamated with adjoining units; the 2 dwellings, the farm buildings and surrounding amenity land (all to be sold as a single lot upon determination of the planning application) remain in-hand as part of the County Farms Portfolio until formally declared surplus and marketing commences.

The council tax paid by the County Farms Service for the two properties since they become unoccupied is outlined below:

1. Garth Holdings, Guilsfield, Welshpool, Powys, SY21 9BX
Band F
Empty (unoccupied and unfurnished) since 24.3.2016
First 6 months exemption applied
Then up to 31 Mar 2017 Full charged @ £975.36
1 Apr 2017 onwards Premium applied and paid full year @£2950.56
Total paid up until 31.3.2018 £3925.92

2. Heylin, Guilsfield, Welshpool, Powys, SY21 9BX
Band E
Empty (E&U) since 31.12.2014
First 6 months exemption applied
Up to 31 Mar 2017 Full charged @ £2753.49
Apr 2017 onwards Premium applied and paid full year @ £2496.63
Total paid up until 31.3.2018 £5250.12

There was no supplementary question.

16.17 Question to the Portfolio Holder for Housing and Countryside Services from County Councillor David Jones

On the County Council's Garth small holdings estate there is a range of Victorian farm buildings that have long been redundant. Over the years the county council has put in two planning applications on these buildings but both have been withdrawn at a late stage. How much has the small holdings dept. paid out on two planning applications, two Listed Building applications, professional fees and officer time to no avail?

Answer

The access arrangements proposed in the 2007 application were not supported by Highways Development Control, and an alternative access onto the B4392 was not favoured by CADW because of the effect on the land below the site which forms part of the 'Registered Park and Garden of Special Historic Interest'. The 2016 application proposed a new access onto the A490, utilising an existing farm track and encircling the walled garden. Again however CADW have indicated that they have concerns as to the effect of the proposed access on the landscape; meanwhile the Built Heritage Officer has objected to certain design details of the proposals. It was considered appropriate to withdraw the application and address these matters after further dialogue with CADW and the Built Heritage Officer.

The buildings at Garth are substantial (the 2016 planning application proposing 7 residential units) and far exceed in scale what might be required as domestic/amenity outbuildings to be sold together with the two existing dwellings. The desirable location of the site and the character of the buildings should combine to make finished conversions attractive to purchasers. It is however acknowledged that the market for barns for development is muted and that has been the case for some years now. However any purchaser of the site is likely to consider development of the buildings, whether for residential or commercial use; offering the buildings for sale with planning consent will assure purchasers that the buildings can be developed and broaden the appeal of the site to the market.

Professional fees and charges of £20,067.97 have been incurred in respect to the 2016 application, alongside an application fee of £2,660. No application fees are payable for Listed Building Applications.

The application fee for the 2007 application was £1,896. Professional fees in relation to this application are not itemised in the figures we have available making it difficult to extract the relevant information without going through archived files which even then are unlikely to provide definitive information on particular sites (as the project covered multiple sites).

There was no supplementary question.

County Councillor D E Davies (Chair)