

**MINUTES OF A MEETING OF THE CABINET HELD AT COUNCIL CHAMBER -  
COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 18 SEPTEMBER  
2018**

PRESENT

County Councillors A W Davies, MC Alexander, P Davies, J Evans, S M Hayes,  
R Powell and M Weale

In attendance: County Councillors B Davies for items 4 and 5 and P Lewis for item 4.

<b>1. APOLOGIES</b>
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Apologies were received from the Leader, County Councillor Rosemarie Harris who was on other Council business.

<b>2. MINUTES</b>
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The Chair was authorised to sign the minutes of the last meeting held on 31<sup>st</sup> July 2018 as a correct record.

<b>3. DECLARATIONS OF INTEREST</b>
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County Councillor P Davies and M Weale declared prejudicial interests in item 4 Home to School Transport Policy.  
County Councillor A Davies declared a prejudicial interest in item 5 Llanfyllin All-Through School.

<b>4. HOME-TO-SCHOOL/COLLEGE TRANSPORT POLICY AND CONSULTATION SUMMARY REPORT</b>
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County Councillors P Davies and M Weale left the meeting for this item having declared prejudicial interests.

Cabinet considered responses to the consultation on the Home to School Transport Policy. The Portfolio Holder for Learning and Welsh Language thanked everyone who had taken part in the consultation. She noted that the proposal to potentially introduce charges for transport for 16 – 19 year olds attending schools or college in Powys had generated the most comments with 86% of people responding to the consultation opposing this proposal. Given the contentiousness of this proposal it was recommended that further detailed work be carried out into post-16 transport provision as part of the authority's improvement work around the post-16 sector, with the aim providing all learners with opportunities to improve their skills and knowledge, and to have access to a broad curriculum.

County Councillor Bryn Davies, who had chaired the scrutiny group looking at the proposals, welcomed the further work to be carried out on post-16 transport

provision. He sought and received confirmation that scrutiny would have an opportunity to look at any Post-16 proposals before they came back to Cabinet. Councillor Davies also noted that accurate catchment maps needed to be attached to the policy. He questioned the fairness of the policy which offered a choice of schools to some pupils but not others depending on where they lived and whether or not they chose Welsh language or English language education. The Portfolio Holder explained that there was a legal requirement to transport pupils to a school teaching in the language of their choice.

The Portfolio Holder confirmed that there were no proposals to change the appeals system.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<p>1. That the revised Home-to-School/College Transport Policy as set out in Appendix B of the report is approved;</p>	<p>To ensure that the Council has an effective Home-to-School/College Transport Policy.</p>
<p>2. That further work is carried out on the potential introduction of charges for transport for 16 – 19 year olds, and that further consideration is given to the provision of transport to Welsh-medium provision, in accordance with the authority’s ambition for the development of Welsh-medium education as outlined in the WESP, and a further work brought back for cabinet’s consideration in the spring term 2019.</p>	<p>To have a more detailed understanding of the impact of introducing charges for transport for 16 – 19 year olds and how the Policy impacts upon the authority’s ambition for Welsh-medium education,</p>

County Councillors P Davies and M Weale returned to the Chamber.

<b>5.</b>	<b>LLANFYLLIN ALL-THROUGH SCHOOL</b>
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County Councillor A Davies left the meeting for this item having declared a prejudicial interest. County Councillor S Hayes took the Chair for this item.

The Cabinet considered proposals to amalgamate Llanfyllin C.P. School and Llanfyllin High School to create a new all-through school on the current sites of the two schools.

County Councillor P Lewis spoke as the local member and governor of both schools in support of the proposal which he said would secure the future of bilingual education in north Powys.

County Councillor B Davies spoke as a local member to argue that the new school should embrace the concept of Bilingual Outcome Education by having an entirely Welsh-medium education in the early years, with English medium education being introduced gradually later with Welsh medium education continuing for the majority of their education through KS5 and beyond.

The Portfolio Holder and Cabinet welcomed the vision shown by the governors of both schools and encouraged people to engage in the consultation.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<p><b>To commence consultation in accordance with the requirements of the School Organisation Code on the amalgamation of Llanfyllin C.P. School and Llanfyllin High School, by closing Llanfyllin C.P. School and Llanfyllin High School and opening a new all-through school on the current school sites.</b></p> <p><b>The target date is to close the two schools on the 31<sup>st</sup> August 2020 and to open the new all-through school on the 1<sup>st</sup> September 2020.</b></p>	<p><b>To provide stability and security of local provision.</b></p>

County Councillor A Davies returned to the meeting and took the Chair.

<b>6.</b>	<b>FINANCIAL OVERVIEW AND FORECAST AS AT 31ST JULY 2018</b>
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Cabinet considered the budget outturn report for the period ended 31<sup>st</sup> July. The projection was for an overspend of £4.917m against the approved budget. This position was not dissimilar to that reported at the same point last financial year when there had been an underspend at the year-end due to a number of factors. It was therefore proposed that a review of all budget lines be undertaken and where underspends were already being reported and unlikely to change, the Section 151 Officer in consultation with the Portfolio Holder for Finance be given delegated authority to freeze or realign these budgets for the remainder of the financial year.

The Director of Social Services confirmed that her services were working to reduce budget pressures.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<ol style="list-style-type: none"> <li><b>1. The contents of this report are noted</b></li> <li><b>2. The virements and grants set out in paragraph 6.1 of the report be approved.</b></li> <li><b>3. That a review of all budget lines be undertaken and where underspends</b></li> </ol>	<p><b>To monitor the council's financial performance and ensure that spending remains within approved limits and that the 3% minimum general fund reserve is maintained.</b></p>

<p>are already being reported and unlikely to change, or where income is higher than expected and projected to continue the Section 151 officer has delegated authority in consultation with the Portfolio Holder for Finance to freeze or realign these budgets for the remainder of this financial year.</p>	
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<b>7. CAPITAL PROGRAMME UPDATE FOR THE PERIOD TO 31ST JULY 2018</b>
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Cabinet considered the capital programme update and requests for 2 virements:

£278k from the Property, Planning And Public Protection programme to the Highways, Transport and Recycling programme as a contribution from Property Services to Waste Services in respect of Abermule Business Park.

£1,790k from 2018/19 to 2019/20 relating to the Welsh Housing Quality Standards (WHQS) review within HRA, and is no longer required in the current financial year.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<p>1. The contents of this report are noted by Cabinet.</p> <p>2. That the virements proposed in section 2.2 of the report be approved.</p> <p>3. That Cabinet approved the virement in section 2.3 and recommends it to Council for approval.</p>	<p>To outline the capital budget position as at 31st July 2018.</p> <p>To ensure appropriate virements, if any, are carried out to align budgets with spending plans.</p>

<b>8. PERFORMANCE REPORT QUARTER 1 2018-19</b>
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Cabinet considered the performance report for the first quarter of 2018/19. Of the top 23 measures, 6 had a green RAG status, 5 amber, 1 red and there was no status for 11. The report set out a series of remedial actions for those measures with a red or amber status. The report also set out actions to ensure consistency in reporting performance against the Corporate Improvement Plan.

Of the Public Accountability Measures, Powys was ranked 6<sup>th</sup> in Wales overall and the Cabinet also acknowledged the very good exam results achieved by Powys schools. Cabinet thanked the Programme and Performance team for their work.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<b>The above actions (2.2 and 3.2) for Cabinet and Executive Management Team are approved and resources allocated to complete them</b>	<b>To ensure the council can provide appropriate and timely reporting against the CIP and Top 20 PIs</b>

<b>9. CORPORATE REGULATORY TRACKER</b>
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Cabinet was advised that as a result of a consolidation exercise a number of recommendations had been identified as not being relevant for the council to action or had become business as usual which should be approved for closure. It was further proposed to cease the Corporate Regulatory Tracker turning the tracker into a signposting document for regulators.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<b>1. To approve closure of the recommendations as set out in the report.</b>	<b>Ensure appropriate focus is given to delivering recommendations which are valid and relevant to the organisation.</b>
<b>2. To close the Corporate Regulatory Tracker to be replaced by a Corporate Regulatory signposting spreadsheet.</b>	<b>To enable continued improvement, removal of duplication and streamlining of corporate reporting within the council. This will enable officer time and capacity to be released to focus on delivery of key priorities e.g. Vision 2025.</b>

<b>10. CORPORATE RISK REGISTER QUARTER 1 2018/19</b>
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Cabinet was advised that 4 risks had been removed from the Corporate Risk Register, one had been amended and one on risks to Children's Services if the WCCIS system was unavailable due to network issues had been added. The Portfolio Holder for Youth and Culture advised that issues with WCCIS were being addressed.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<b>That Cabinet notes the risk register and the current risks faced by the organisation.</b>	<b>To ensure the adequate management of risk, and safeguard the Council</b>

<b>11. PCC STRATEGIC EQUALITY PLAN 2016/20: OCTOBER - MARCH PROGRESS REPORT</b>
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Cabinet considered a report on progress made against the Strategic Equality Plan. 3 actions had been completed, 18 actions were on schedule, 8 were behind schedule, and 3 were off schedule. All leads whose actions had not

progressed to plan had been asked to provide mitigations to address slippage. The Portfolio Holder for Learning and Welsh Language asked that the Council consider engaging with a broader range of young people and not just the youth forum.

Cabinet's attention was drawn to the White Ribbon day campaign opposing violence against women in November which the Council would be marking with a mobile display in Council and Health Board buildings.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<b>The Cabinet note the report which includes SEP progress to date, areas where work is ongoing and the employment information.</b>	<b>To ensure the council can positively contribute to a fairer society through advancing equality and good relations in its day to day activities.</b>

## **12. FLOOD RISK MANAGEMENT PLAN (FRMP)**

The Cabinet was advised of the requirement on the Council to produce a Flood Risk Management Plan. A timetable for producing and consulting upon the plan was set out in the report.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<p><b>(1) That the Council produce a draft Flood Risk Management Plan;</b></p> <p><b>(2) That the Public, all Members, town and community councils and other stakeholders be consulted on the draft FRMP, and</b></p> <p><b>(3) That following consultation and, subject only to a further report if significant unresolved objections are made, the FRMP be submitted to the Executive for confirmation.</b></p>	<b>To assist the Council as Lead Local Flood Authority identify, record and manage flood risk in a structured approach to support the discharge of statutory duties.</b>

## **13. SUSTAINABLE DRAINAGE APPROVAL BODY (SAB)**

Cabinet was advised that on 7th January 2019 Powys County Council would become the Sustainable Drainage Approval Body (SAB) for the region under Section 32 and Schedule 3 of the Flood and Water Management Act 2010. It was proposed that these duties would be managed through an extended land drainage team within the Highways, Transport and Recycling Service. The Council's statutory duties would be discharged through the Planning, Taxi Licensing and Rights of Way Committee, with sub delegation to the Director of Environment and/or the Head of Highways Transport and Recycling with the ability to further sub delegate.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
1. That Cabinet Executive accept the proposal to discharge the statutory duties of the Sustainable Drainage Approval Body (SAB) through the Planning, Taxi Licensing and Rights of Way Committee.	1. To ensure that the Council discharges its statutory duty.
2. To delegate the responsibilities of the SAB to the Planning, Taxi Licensing and Rights of Way Committee with sub-delegation to the Director of Environment and / or the Head of Highways, Transport and Recycling with the ability to further sub-delegate. Delegated powers will be subject to conditions and/or limitations and will be supported by a SAB protocol developed in-line with the Planning Protocol.	2. To ensure appropriate processes are in place to support the discharge of the function.

#### **14. ADOPTION OF LAND DRAINAGE BYELAWS**

Cabinet considered a proposal for Powys County Council as Lead Local Flood Authority to adopt proposed Land Drainage Byelaws. The byelaws had been drafted by key strategic partners in response to concerns about measures available to manage risk arising from potential flooding.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<ol style="list-style-type: none"> <li>1. That the Land Drainage Byelaws attached as Appendix 1 to the report be adopted and sealed;</li> <li>2. That, when made, the byelaws be advertised in the local press in accordance with the Local Government Act 1972;</li> <li>3. That the byelaws be deposited for public inspection for a period of six weeks;</li> <li>4. That all town and community councils be consulted on the byelaws; and</li> <li>5. That, at the end of the consultation period, and, subject only to a further report if unresolved objections are made, the byelaws be submitted to the Cabinet Secretary for</li> </ol>	To ensure appropriate measures are available to the LLFA to manage land drainage issues through a consistent approach to Land Drainage Byelaws across Wales.

<b>confirmation.</b>	
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<b>15. IMPROVEMENT AND ASSURANCE BOARD</b>
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**15.1. Update report from the Chair of the Improvement and Assurance Board**

Cabinet received the report of the Chair of the Improvement and Assurance Board setting out his views on where the Council was on delivering change and improvement. The Acting Chief Executive advised Cabinet that the report was a balanced and fair reflection of where the Council was, recognising progress to date and highlighting further challenges. He advised that there was a good working relationship between the Board and senior officers of the Council. He reminded members that the Board's remit went beyond ensuring the Council delivered the improvements required following CIW inspections of Adults and Children's Services to overseeing the transformational activity of the Council.

The Portfolio Holders for Adult Social Care and Youth and Culture acknowledged the supportive approach taken by the Improvement and Assurance Board and the Welsh Government.

**15.2. Minutes of the Improvement and Assurance Board held on 27 June 2018**

Cabinet received the minutes of the Improvement and Assurance Board held on 27<sup>th</sup> June 2018.

**15.3. Minutes of the Improvement and Assurance Board held on 1 August 2018**

Cabinet received the minutes of the Improvement and Assurance Board meeting held on 1<sup>st</sup> August 2018.

<b>16. JOINT PARTNERSHIP BOARD MINUTES</b>
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Cabinet received the minutes of the Joint Partnership Board meeting held on 19<sup>th</sup> July 2018. The Portfolio Holder for Adult Social Care, who chaired the Board, drew Cabinet's attention to work on integrating mental health services and the potential for a North Powys Regional Rural Centre for the joint delivery of services with Powys Teaching Health Board in the future.

<b>17. CORRESPONDENCE</b>
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There were no items of correspondence.

<b>18. DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING</b>
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Cabinet noted details of decisions taken by Portfolio Holders since the last meeting.

<b>19. FORWARD WORK PROGRAMME</b>
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Portfolio Holders were reminded of the need to keep the Cabinet forward work programme populated.

**County Councillor Aled Davies**  
**Chair**