MINUTES OF A MEETING OF THE COUNTY COUNCIL HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS ON WEDNESDAY, 21 OCTOBER 2015

PRESENT

County Councillor PJ Ashton (Chair)

County Councillors M C Alexander, D Bailey, G R Banks, G J Bowker, R G Brown, J H Brunt, L V Corfield, K W Curry, S C Davies, D E Davies, L R E Davies, E R Davies, S Davies, A W Davies, V E Evans, W J Evans, D O Evans, L Fitzpatrick, R I George, J Gibson-Watt, P Harris, S M Hayes, J C Holmes, G Hopkins, E A Jones, D C Jones, M J Jones, E M Jones, Eldrydd M Jones, G M Jones, D R Jones, J R Jones, W T Jones, F H Jump, P E Lewis, MC Mackenzie, D Mayor, S McNicholas, P J Medlicott, DW Meredith, R H Mills, ET Morgan, G Morgan, JG Morris, W J T Powell, WD Powell, GD Price, D R Price, G W Ratcliffe, K M Roberts-Jones, J G Shearer, K S Silk, D A Thomas, W B Thomas, A G Thomas, D G Thomas, R G Thomas, T Turner, T J Van-Rees, G P Vaughan, D H Williams, S L Williams, J M Williams, G I S Williams and E A York

1. APOLOGIES CC77- 2015

Apologies for absence were received from County Councillors MJB Davies, MJ Dorrance, MR Harris, A Holloway, H Lewis and PC Pritchard.

Members were advised that County Councillor Holloway was going into hospital and the Chair was asked to send her best wishes on behalf of the Council.

2. DECLARATIONS OF INTEREST CC78- 2015

County Councillors MC Alexander, PE Lewis, WD Powell and DR Price declared personal and prejudicial interests in item C88 – 2015 Notice of Motion Funding and Support for YFCs. County Councillors PJ Ashton, DR Jones, DW Meredith, ET Morgan, RG Thomas, TJ Van Rees and GP Vaughan declared personal non prejudicial interests in this item.

3. MINUTES CC79- 2015

The Chair was authorised to sign the minutes of the meetings held on 15 July and 18 September 2015 as correct records.

4. CHAIR'S ANNOUNCEMENTS CC80- 2015

The Chair of Council reported on some of the activities he had undertaken. He thanked officers for their work on the Council's displays at the Royal Welsh Show and the National Eisteddfod in Meifod. He paid particular thanks to his secretary Elizabeth Protheroe for her work in organising the very successful centenary parade of the Welsh Guards in Brecon.

5. LEADER'S ANNOUNCEMENTS

CC81-2015

In his announcements the Leader also referred to the success of the National Eisteddfod in Meifod which had been a £7m boost for the local economy and which had been attended by Welsh Government Ministers, including the First Minister. He reminded Members of the continuing work on the budget with two seminars already held and a third to take place on 18 December.

6. CHIEF EXECUTIVE'S BRIEFING

CC82-2015

The Chief Executive reported that there had been 80 applications from Powys businesses for the Welsh Government Broadband Voucher grant scheme. He paid tribute to two Powys sportspeople, Rachel Atherton who had secured her fourth World Cup downhill mountain bike title and Chas Davies who was lying in second place in the World Superbike Championship with five race wins this year. He advised Members that the Strategic Director Resources had been appointed to the Finance Futures Panel established by Leighton Andrews, Minister for Public Services. The Chief Executive also highlighted the achievements of a number of members of staff, including staff from the Building, Catering and Cleaning services who had been shortlisted for a number of national awards at the Association of Public Service Excellence and Nina Davies, the Countryside Access Officer, who had completed the Up and Coming Leaders Programme. Finally he congratulated Neil Clutton from Property Services who had cycled the length of Italy raising money for Cancer Research UK.

7. VIREMENTS REQUIRING COUNCIL APPROVAL

CC83-2015

The Portfolio Holder for Education was asked about the virement in respect of the delay to the extension at Glantwymyn School when the performance indicators showed the project to be on track. He advised that there had been a delay in submitting the business case for the scheme but that it would be done by the end of the year. He would see that the performance indicator was be amended to reflect this and would keep the local members informed of the timescale.

RESOLVED	Reason for Decision:		
To approve the virements set out in the schedule filed with the signed minutes			

8.	DRAFT ONE	POWYS PLAN	ANNUAL	CC84- 2015
	PERFORMANCE	EVALUATION AND	SUMMARY	
	2014 - 15			

Council considered the draft One Powys Plan annual performance evaluation and summary for 2014/15.

RESOLVED	Reason for Decision:		
To approve the DRAFT One Powys Plan Annual Performance Evaluation and Summary 2014 – 2015.	To ensure the report gives a balanced and open account of the Local Service Boards performance during the 2014-15 financial year, against the commitments and measures that were set out in the One Powys Plan 2014-17.		
	To ensure the Council meets its statutory obligations as outlined in the Local Government (Wales) Measure 2009 and Shared Purpose – Shared Delivery guidance.		

9.	POWYS LOCAL DEVELOPMENT PLAN - REVISED	CC85- 2015
	DELIVERY AGREEMENT	

Council was advised that over 900 responses had been received during the deposit consultation stage and it was necessary therefore to adjust the delivery agreement timetable to allow officers time to consider the representations. The Chair of the Planning, Taxi Licensing and Rights of way Committee sought an assurance that the Committee would not be left in a vulnerable position in the interim period before the LDP was adopted. The Portfolio Holder for Regeneration and Planning advised that the service had consulted Welsh Government and were confident that the UPD and emerging topic papers would adequately cover the interim period.

RESOLVED	Reason for Decision:
To approve the revised LDP Delivery Agreement (Appendix 1).	As required by Regulation 9 of The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005
	To enable submission of a revised DA to the Welsh Government for its agreement.

10.	RECOMMENDATIONS FROM THE LICENSING ACT	CC86- 2015
	2003 COMMITTEE	

10.1 Review of Licensing Policy for Powys

Council considered the Statement of Licensing Policy for Powys as recommended by the Licensing Act 2003 Committee.

RESOLVED	Reason for Decision		
That the Statement of Licensing	To comply with the statutory duty		
Policy for Powys be approved.	contained in Section 5 of the		

Licensing Act.

10.2 Draft Statement of Principles, Gambling Act 2005

Council considered the Statement of Principles for the Gambling Act 2005 as recommended by the Licensing Act 2003 Committee.

RESOLVED	Reason for Decision		
That the Statement of Principles for the Gambling Act 2005 be approved.	In accordance with the provisions of the Gambling Act 2005.		

11.	PROCESS FOR APPOINTING A NEW INDEPENDENT	CC87- 2015
	MEMBER TO THE STANDARDS COMMITTEE	

Council considered the process for appointing a new independent member of the Standards Committee.

RESOLVED	Reason for Decision:		
(i) That the Council agrees the following:	To make arrangements for the filling of one vacancy, of an Independent Member of the Standards Committee.		
(a) to commence an appointments process for a new Independent Member of the Standards Committee for a term of 6 years from 21st October, 2015 in accordance with the process set out in the Report and the timetable set out in Appendix 3; (b) the criteria set out in Appendix			
 (c) subject to (d) below, the draft newspaper advertisement set out in Appendix 1 and confirms that it should appear in the County Times and the Brecon and Radnor Express. 			
(d) to authorise the Chair and Vice Chair of the Standards Committee to take such steps as appear necessary to them to achieve the objectives referred to in paragraph 1.14 of the report. This to include (but not be limited to) the power to (i) add to and modify the contents of the newspaper notice (subject to compliance with the regulations); (ii) undertake additional advertising /			
regulations); (ii) undertake			

- (iii) produce additional literature/promotional material.
- (ii) That the Council agree the composition of the Panel set out in paragraph 1.11 of the report and delegates the power of appointment of substitutes to the Monitoring Officer as set out in paragraph 1.12 of the report.

12. NOTICE OF MOTION - FUNDING AND SUPPORT CC88-2015 FOR YFCS

County Councillors MC Alexander, WD Powell and DR Price left the Chamber during consideration of this item having declared personal and prejudicial interests.

Council debated the following motion proposed by County Councillor GD Price and seconded by County Councillor AW Davies:

"Young farmers are the future of our communities and we believe that they should be given all the necessary support to help them grow.

The Young Farmers Club (YFC) is the largest rural youth organisation in Wales. Across Wales, this organisation is a great stepping stone for many young people to get into farming and an opportunity for young people to learn and develop important skills, gain invaluable training and participate in their local communities.

Safeguarding funding and support is vital to these clubs as they allow clubs to maintain educational programmes for young people living in Powys. The Welsh Conservative group on Powys County Council have a commitment to safeguard funding and support for the Young Farmers Clubs in Powys.

We therefore propose that future funding and support be maintained at its current level for all Young Farmers Clubs in Powys."

County Councillor RG Brown, seconded by County Councillor WT Jones put forward the following amendment:

"That Council recognises the vital part that is currently being played by the YFC movement, as part the excellent Youth Service currently available in Powys. However with the Council having to make at least £27m of savings in the next 3 years, all services are expected to make a contribution to this challenging savings target.

As far as the future Youth Service is concerned, discussions are currently underway with all relevant stakeholders in Powys, in order to completely remodel the service. Council notes and welcomes the inclusion of the YFC movement in those discussions, along with other providers, which hopefully will result in an

excellent revamped Youth Service being available to serve all the young people of Powys, of which we can all be proud."

A request for a recorded vote did not receive the required number in support.

RESOLVED that Council recognises the vital part that is currently being played by the YFC movement, as part the excellent Youth Service currently available in Powys. However with the Council having to make at least £27m of savings in the next 3 years, all services are expected to make a contribution to this challenging savings target.

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12.1 Personal Statement

County Councillor RG Thomas made a personal statement to Council advising of his resignation as Chair of the Place Scrutiny Committee.

12.2 Urgent Notice of Motion

The Chair advised that he had received the following notice of motion and that he had agreed to allow it as an urgent item:

"In view of the recent court case and subsequent conviction in order to protect the integrity of both the Council and Audit processes that the Council therefore removes Cllr Aled Davies from the Audit Committee."

Proposer

Cllr Sandra C Davies

Seconder

Cllr. Wynne Jones, Cllr RG Brown, Cllr WB Thomas

Councillor Davies advised Council on the circumstances of his conviction.

RESOLVED that in view of the recent court case and subsequent conviction in order to protect the integrity of both the Council and Audit processes that the Council therefore removes Cllr Aled Davies from the Audit Committee.

13	QUESTIONS	IN	ACCORDANCE	WITH	THE	CC89- 2015
	CONSTITUTIO	N				

13.1 Question to the Portfolio Holder for Education from County Councillor John Morris

In January and March of this year we were informed that the cabinet were introducing a secondary school's modernisation policy for Powys that would address the overspend in schools delegated budgets in the immediate future and offer a good range of educational opportunities to all our secondary school aged pupils.

Following the recent debate at cabinet it now appears that there have been fundamental changes to this policy approach that may put at risk the whole future direction of all secondary schools in Powys.

It now appears that there is no perceivable direction, timescale or costings and no identifiable secondary modernisation policy in existence in Powys. This has caused a great deal of concern for schools and parents alike.

Please can you inform us of the present status and timescale of the secondary schools modernisation policy with particular reference to how you intend to finance the present model in the interim and how you intend to safeguard and improve levels of performance of our secondary school pupils in the light of the severe cuts to school budgets proposed?

I can assure you that there is clear Programme Plan for the Secondary Reorganisation Programme. Whilst I acknowledge that there has been some slippage in the Programme's timescales for consideration of the outcome of reviews by Cabinet, these do not affect the overall timescales that would be required for any structural change to take place. You will also be aware that this a very legally complex area of work, and the Authority needs to take the appropriate time to ensure due process is followed at the early stages, to avoid further delays at a later stage. An update for each of the priorities is outlined below:

Priority 1: Beacons Learning Campus. The strategic outline case was approved by Welsh Government in May 2015 and the Authority has been requested to develop an outline business case, the next stage of the process under 21st Schools Programme. However, in order to be completely policy compliant and avoid future legal challenges, the project is currently at a 'pause and review' stage. The original proposal to close Gwernyfed and Brecon High Schools by September 2017 is currently being reviewed alongside a range of other options, in accordance with Stage 2 of the School Review Process in the School Transformation Policy 2014. This stage will be completed over the next few months, and a new recommendation will be put before Cabinet at the end of the year. Formal consultation (dependent on the recommendation agreed) will take place in Spring Term 2016 with a final decision to be made by July 2016. The earliest any structural/organisational change could happen will be September 2017 – this is exactly the same timescale as originally proposed.

Following completion of this stage of the process, an outline business case will be submitted to Welsh Government, reflecting the new recommendation, without prejudice to the outcome of any formal consultation, so that we are able to secure the much-needed capital funding.

Priority 2: Mid Powys Review. All options for Llandrindod and Builth High Schools are currently being reviewed, in accordance with Stage 2 of the School Review Process in the School Transformation Policy 2014. This stage will be

completed over the next few months, and a new recommendation will be put before Cabinet at the end of the year. Formal consultation (dependent on the recommendation agreed) will take place in Spring Term 2016, with a final decision to be made by July 2016. The earliest any structural/organisational change could happen will be September 2017.

Welsh Medium Brecon High School – formal consultation to remove Welsh Medium from Brecon from September 2016 has concluded, and a consultation report has been published. This will be now be considered alongside the current reviews of Priority 1 and 2.

Priority 3 – Review of Sixth Form Maesydderwen – completed.

Priority 4 – Review of secondary education in North Powys, with a focus on Welsh Medium/dual-stream provision. First stage of the review – to assess the feasibility of establishing a Category 2a school or schools has been completed by September, as originally agreed. The next stage will be to develop a detailed business case for consideration in the Spring which will not be prejudicial towards a Category 2a school, but will state all the facts and costs of such a school, within the overall funding available to Powys. Dependent on the outcome of this business case, a further review of secondary school configuration in the North will commence. We have always stated that this review, being on a larger and more complex scale than the Mid and South, will take longer to achieve.

It is important that this Programme is taken forward in a manageable way, with realistic timescales. I am confident that my officers will achieve these deadlines.

In terms of Post-16, whilst there are no structural changes yet to sixth forms, the Authority recommends that the collaborative model continues as this offers all learners the widest range of opportunities. I recognise that the model is not ideal, and that we are facing further reductions in funding from Welsh Government – I will ask my officers to give further consideration to the current situation in light of the financial/curricular challenges that we are facing.

The medium term financial plan being considered by the authority for the three years commencing April 2016 provides an element of protection to the Schools delegated budget, with no across the board cut being applied, but with school having to absorb pay and price increases from the current level of overall funding. As members will be aware Post 16 funding is provided to schools via the authority through a Grant provided by the Welsh Government, early indications for this grant suggests that there will be a reduction in the level of Grant available to the authority and this combined with the pay and price increases will place further pressure on this area of the schools budget. The authority has successfully operated for the last few years, two joint curriculum planning and delivery groups in the North and South of the county and the current funding methodology is currently being reviewed by a joint Officer and Schools working group. Any proposed changes will form part of proposals on the authority's fair funding formula, that will be consulted upon prior to Christmas.

In answer to Councillor Morris' supplementary question about whether a seminar could be organised for members, Governors and head teachers to brief them on

what stage the schools modernisation programme was at, the Portfolio Holder said he would consider this.

13.1 Question to the Portfolio Holder for Highways from County Councillor Matthew Dorrance

Can the Cabinet Member provide a statement on the Council's plans for Brecon Market?

There are a number of options that need to be discussed in relation to the future of Brecon Market Hall. It is clear that the Market Hall requires significant investment to ensure its long term future. In addition the regeneration of Brecon has been a topic of discussion for many years and as the Local Asset Back Vehicle project reaches a critical stage in the next few weeks, possibilities for the regeneration of property in Brecon will become clearer. This matter is included within the Portfolio for the Cabinet Member for Regeneration, and the work of the LABV cuts across many other Portfolio's including Highways. As Councillor Dorrance is aware, a meeting has been scheduled for Tuesday 3 November with Local Members, appropriate Portfolio Holders and Senior Officers to discuss options for the future and how these can be taken forward. I look forward to the meeting on 3 November, and will engage with Local Members to explain these opportunities and how they might be brought to fruition given the financial challenges the Council faces.

There was no supplementary question.

13.3 Question to the Portfolio Holder for Children's Services from County Councillor Matthew Dorrance

How is the Council working to tackle child poverty in St John Ward?

Our Strategic Approach

The Council (and its partners) strategically addresses its anti-poverty responsibilities through the Powys One Plan as opposed to having a distinct and separate Anti-Poverty Strategy. The 2014 – 17 One Plan has poverty as a cross cutting issue for all partners in Powys for citizens of all ages. This allows for the impacts of poverty to be considered and addressed in a collaborative and strategic way rather than in isolation.

The Anti-Poverty Champion and the cross party Anti-Poverty Social Research Group

As recommended through the Tackling Poverty Action Plan, part of Welsh Government's Programme for Government the Leader appointed Councillor Joy Jones as the council's Anti-Poverty Champion.

To support the work of Cllr Jones, the former 'Anti-Poverty Strategy Group' has re-visited its remit to place a greater emphasis on engagement and gathering evidence of poverty and the impact of poverty within our communities.

In measuring delivery of the anti-poverty agenda implicit within the One Powys Plan 2014-17 together with Welsh Government's requirement for reporting against its Poverty Action Plan, it is recognised that further work is required to

capture, more effectively, the various actions and improvements undertaken by the council across its services, in meeting the anti-poverty agenda across the County.

To help achieve this, a 'Tackling Poverty Accountability Framework' is in development and will provide a co-ordinated work-plan for the Anti-Poverty Social Research Group to evaluate and challenge the effectiveness of the council's activities, and providing assurance to members.

Child Poverty

Interventions specifically aimed at reducing the impacts of child poverty are planned and delivered though the Children and Young Peoples Partnership.

The Families First Plan sets out our priorities for tackling disadvantage and poverty for children and their families until 2017. It includes a range of commissioned services/projects that provide support and early intervention for children, young people and families for whom poverty is likely to be a key factor affecting their lives.

These include services for Mental Health and Well-being, Family and Behaviour support and Disability. The plan also outlines the key infrastructure building blocks we are putting in place to ensure families' needs are identified and assessed as at early a stage as possible and that they get access to services at the right level, at the right time for them.

Powys also has the Flying Start Service in the most deprived wards in Ystradgynlais, Brecon (including the St Johns Ward), Llandrindod, Newtown and Welshpool. This service offers additional support and free childcare for families in these areas with children under the age of 4 years.

The Children & Young People's Partnership (CYPP) monitors is performance on a quarterly basis via its work plans and its Results Based Accountability (RBA) report card.

This report card contains key indicators in relation to poverty in Powys including;

- Proportion of children living in poverty
- Low Birth weights
- Numbers of Year 11 leavers Not in Education, Employment or Training (NEET)
- Key stage performance of Free School Meal (FSM) eligible pupils against their peers
- School Attendance of Free School Meal eligible pupils
- Numbers of 18-24 Year olds on Job seekers Allowance

The CYPP commissions a range of services and interventions to address the impacts of child poverty across the whole County. The include;

- The Flying Start programme in Ystradgynlais, Brecon, Llandrindod, Newtown and Welshpool – our most deprived areas

- The NOVUS project (replacing Genesis 2) which provides support for individuals, particularly single parents and those Not in Education, Employment or Training to get closer to the labour market.
- The Youth Intervention Service supporting young people at risk of homelessness and with other disadvantages.
- The Childcare Strategy and action plan to ensure that we have sufficient high quality, affordable and accessible childcare available to support parents to work and train and provide high quality experiences for children.
- An assisted places scheme to provide financial assistance to support families in poverty with the high costs of childcare.
- The Team Around the Family programme (TAF) including the Common Assessment Framework (CAF), Local Resource Solution Panel's (LRSP's), which provides early intervention and preventative solutions for disadvantaged children and their families. This also includes the step up and step down of families between the TAF and Social Services to ensure they get support at the most appropriate level when they need it
- A Family Information service providing free information and advice to Young People and families.
- An integrated and holistic response to supporting families with a disabled child through the Integrated Disability Service (IDS). This Service provides improved co-ordination of support for children and young people with disabilities and their families who are more likely to experience poverty.
- The Referral Scheme to support access to childcare and leisure activities for Children and Young People with additional needs.
- Services to provide support, information and advice, respite and social opportunities for young carers who at a greater risk of experiencing poverty.
- Where obesity and dental carries can be indicators of deprivation, the Mind Exercise Nutrition Do it! (MEND) or Fresh / Ffres programme aims to try and improve the health and emotional well-being outcomes of children and families who are or at risk of being obese.

The Council's Leisure services have historically offered the following interventions:

- Free Swim initiatives for Children and Yong People and Over 60's
- Access to Fitness Schemes for Individuals on low income
- Free swimming for carers when caring for individuals with a disability in the pool
- iCare Card scheme free access to swim and Gym for carers for their own leisure
- Cardio Rehab and GP Referral Scheme subsidised access for the first 16 weeks

The Schools Services Offer the following Interventions;

- Free school Meals to low income families
- The Pupil Deprivation Grant 100% devolved to Schools to help improve the literacy, numeracy and attendance of Free School Meal eligible Pupils
- The Pre School Pupil Deprivation Grant (new in 2015/16)
- The School Uniform Grant (via Revenues and Benefits dept)
- The Educational Maintenance Allowance (EMA) for post 16 learners

The Council also has a range of services and projects under the Regeneration agenda to build employment and economic activity as well as community development and sustainability.

Delivery in the St Johns Ward.

Families in the St Johns ward are able to access any of the above services dependant on meeting any pre-set eligibility criteria (which is not required for every service).

For those families with Children under the age of 4 years they are also able to access additional support through the Flying start service in the Brecon area.

There was no supplementary question.

13.2 Question to the Portfolio Holder for Education from County Councillor David Meredith

Can the Education Portfolio Holder advise what was the precedent he used which resulted in him granting free transport for Welsh-medium Students from Brecon to Builth Wells?

Can I thank Cllr. Meredith for the question.

The precedent was set back in June 2009 when a child had applied to attend Builth Wells High School which was a Category 2C Bilingual Secondary School rather than Brecon High School which was a Category 3.

Then the Schools Modernisation Manager acknowledged that Brecon did not provide the level and continuity of the Welsh Language Provision expected by the parents, so it was agreed to allow the appeal.

There was no supplementary question.

13.4 Question to the Leader from County Councillor Gary Price

When Powys County Council is making so many cuts to staff numbers and expecting them to have an increased workload can the Leader justify why he thinks it was acceptable to increase his Cabinet from 9 to 10 members resulting the increase of SRA payments of £21,535 for 2014/15 along with the increase of Senior Managers and Chief Officers?

The addition of an extra member on the Cabinet is justified because of the circumstances we find ourselves in as a Council facing up to the challenge of delivering services with a greatly reduced budget. I felt that it was necessary to bring another Portfolio Holder onto to the Cabinet so that I could give up the portfolio responsibilities I had previously held to concentrate on providing strategic direction to the Cabinet and on working with other partners.

There were a number of factors behind the increase in senior salaries payments, including the implementation of the IRPW increase in basic salaries which is a component of senior salaries. The cost of increasing the Cabinet from 9 to 10 members was approximately £3,398 in 2014/15 but this was already in the Council's agreed budget.

The number of Senior Managers and above at 27th February, 2015 was 41. On 26th June, 2015 this increased to 42 but on 30th September, 2015 the number had reduced to 41.

There was no supplementary question.

13.6 Urgent Question from County Councillor Gary Price to the Portfolio Holder for Property Buildings and Housing

The Chair advised that he had agreed to allow the following urgent question.

How much has Powys CC received in Additional Licensing of HMO's fee since its introduction and how much has been, and is likely to be refunded to Landlords following the recent meeting held in County Hall?

Since the Additional HMO Licensing Scheme was introduced in Llandrindod Wells in January 2011, the council has collected £10,220 in fee income from landlords, whose properties were assessed at the time to require a license.

As at the 19th October arrangements have been made to refund two landlords a total of £480, following inspections of 6 HMO's by a Housing Environment Health Officer and Fire Officer. Of those six properties, four were assessed to be exempt from the scheme and have been granted exemption certificates.

It is impossible to estimate the total amount of fee income which may have to be repaid to landlords, as this is dependent on two factors. First, the condition of each property when inspected, and second any outstanding fee income owed to the council by any landlord, for properties not exempted from the scheme.

In response to Councillor Price's supplementary question the Portfolio Holder agreed to look into whether interest would be paid to any landlords who had been refunded and whether they would be reimbursed for any unnecessary works they had been asked to undertake.

County Councillor PJ Ashton (Chair)