

MINUTES OF A MEETING OF THE CABINET HELD BY TEAMS ON TUESDAY, 23 NOVEMBER 2021

PRESENT

County Councillor M R Harris (Chair)

County Councillors MC Alexander, B Baynham, P Davies, A W Davies, H Hulme,
I McIntosh and R Powell

In attendance: County Councillors S Hayes and A Jenner

1.	APOLOGIES
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Apologies were received from the Executive Director, People and Organisational Development.

2.	MINUTES
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The Leader was authorised to sign the minutes of the meetings held on 2nd and 9th November 2021 as correct records.

3.	DECLARATIONS OF INTEREST
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There were no declarations of interest reported.

4.	CASTLE CAEREINION CHURCH IN WALES SCHOOL
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Cabinet considered the objections received to the proposal to close Castle Caereinion C. in W. School from the 31st August 2022. 21 objections had been received during the statutory objection period including a petition against the proposal which received 102 signatures. The objections received along with the Council's response to the issues raised were set out in an appendix to the report. The Leader confirmed that the Cabinet had read the correspondence and had visited the school.

Cabinet noted the comments of the local member, County Councillor David Jones, who remained opposed to the closure, which had been circulated by email as he was unable to attend the meeting.

Cabinet was advised that when the consultation had started there had been 24 pupils at the school and there were now 17 pupils. Officers confirmed that the Council would provide transport to Welshpool Church in Wales Primary School for any pupil who wished to attend a Church in Wales School. This would be considered on a case by case basis.

Having considered the objections received, officers recommended that the Council proceed with implementation of the proposal to close Castle Caereinion C. in W. School from the 31st August 2022, as outlined in the Statutory Notice.

RESOLVED

- 1. To receive the Objection Report in respect of closing Castle Caereinion C. in W. School.**
- 2. To approve the proposal to close Castle Caereinion C. in W. School from the 31st August 2022, with pupils to attend their nearest alternative schools.**

5.	CHURCHSTOKE CP SCHOOL
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Cabinet considered the responses received to the consultation to close Churchstoke C.P. School from the 31st August 2022, with pupils to attend their nearest alternative schools.

347 respondents had completed the consultation response form. In addition, 163 written responses were received from respondents including Estyn, by e-mail or post. The written responses also included an online and paper petition to 'Save Churchstoke CP School Now - Urgent', which received 1,744 signatures.

Based on the findings of the consultation, and further assessment of the options in accordance with the requirements of the School Rural Schools, the advice of officers was that the Council should not proceed with the proposal to close Churchstoke C.P. School. The Portfolio Holder for Education and Property accepted this advice and said that he would like officers to consider further options to address the issues raised in the consultation, not least the large number of pupils from Powys attending schools in England.

County Councillor Stephen Hayes, the member for Montgomery, whilst welcoming the recommendation, noted that pupils travelling to England for their education was an issue for all schools in proximity to the border. He argued that the Council needed to have a better understanding of the context in which schools on the border operated and of the factors that motivated parents to send their children to England for their education. He asked whether the Council's policies or their cumulative effects were having an impact and what the authorities in Shropshire and Herefordshire were doing to incentivise pupils in Powys to attend. He suggested that until this work was undertaken it would be a mistake to consider any further closures within 5 miles of the border.

The Portfolio Holder for Education and Property accepted Councillor Hayes point that the Council needed to engage communities to learn why pupils were travelling out of the county and to ensure that the education offer was at the level it should be to keep pupils in the area. The Director of Education confirmed that this work would be undertaken both area wide and in individual schools through school improvement officers.

RESOLVED

- 1. To receive the Consultation Report in respect of the proposal to close Churchstoke C.P. School.**

2. **To end the current process in respect of closing Churchstoke C.P. School.**
3. **To further consider options to address issues identified in respect of the school.**

6.	PERFORMANCE REPORT FOR QUARTER 2
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Cabinet considered the performance report for quarter 2. The Portfolio Holder for Community Engagement and Regulatory Service reminded colleagues that partway through the quarter, the Council had re-invoked its business continuity plan. The need for some council services to focus purely on business critical activity meant that 46% (31 of 68) of Corporate Improvement Plan (CIP) objectives and 47% (62 of 133) of CIP Measures had not been reported against. For the 68 objectives where data had been provided 27 were on track (10 off track) and of the 133 reportable measures, 47 met their target (12 were off target, 6 were annual, and 6 had no target).

33% (7) of the 21 Public Accountability Measures (PAMs) that were reported against in quarter 2 met their target, which was a decline on Quarter 1 2021-22 performance at 42%. 4 measures were off target, and 10 had no data provided but a comment given.

Although Covid had continued to impact on service delivery, feedback from services showed that good progress continued to be made against planned objectives and measures as well as responding to the changing pandemic situation. The Leader and Portfolio Holders thanked staff who continued to provide services. The Leader congratulated Children's Services who were finalists in the Innovation in Children's Services Award of the Municipal Journal Achievement Awards 2021, the Adult Services and Transformation and Communications teams who had been shortlisted in the Local Government Chronicle Awards 2021, in the Health and Social Care category. The Adult Services team was also shortlisted for its work supporting people with learning disabilities to live well in a place of their choice. The Transformation and Communications team was shortlisted for its work on automated and interactive health and social care data reports. Digital Services were commended in the category of Digital Transformation of the MJ Achievement Awards 2021, in recognition of the way the Council embraced new technology in a number of areas. The Leader suggest that the report should be presented to the next meeting with Town and Community Councils.

RESOLVED

1. **Cabinet notes the contents of the report.**
2. **That Cabinet endorse a recommendation to re-target an Education measure for achievement by March 2023 instead of August 2021: *'By March 2023, we will have developed firm proposals for the future of the specialist centres'*.**
3. **That Cabinet endorse a recommendation to change the implementation date of the following Audit Wales Recommendation to July 2022, in order to align with the**

development of the council's self-assessment report. (*For the Council to aim to evaluate all projects and consider ways to demonstrate the impact the projects are having on local residents and communities in Powys. This includes for example; identify who has benefitted from the work; are projects having the impact that was planned; and/or is there data which helps to describe the impact of transformation work.*)

- 4. That Cabinet endorse a recommendation to close the following nine Regulatory Recommendations on the Corporate Regulatory Tracker:**
 - Audit Wales Audit of Accounts Report (December 2020)**
 - **The finance team should look to include appropriate time within its accounts production timetable to complete any required restatements or re-analysis of figures prior to the year-end.**
 - Audit Wales review of Transformation at Powys County Council (December 2020)**
 - **The Council should build on and develop its ongoing engagement with stakeholders. Key stakeholders include Powys residents, partners, schools, businesses, Council staff and County Councillors. This is to help ensure people are aware of developments within the transformation programme, particularly in light of challenges and changes coming from the pandemic.**
 - **We also recommend that budget holders are required to provide explanations to analytical Review queries once the year-end figures for the Expenditure and Funding Analysis figures are available. Explanations for significant year-on-year movements can then be provided at that same time as the draft Financial Statements are made available to us.**
 - **The Authority should ensure that it allows sufficient time in its accounts closedown plans to ensure that key processes are completed prior to the draft statements being produced. If it becomes apparent that these timescales are not achievable then management should look at the possibility of flexing its timetable in order to preserve the quality of the draft financial statements.**
 - **We recommend that all entries relating to prior-year debtors and creditors are reversed out of the ledger in full and that at the year-end one posting is made in the ledger to record debtor and creditor balances. This should be supported by appropriate working papers to identify the transactions within the year-end balances.**

- **We recommend that debtors should only be recognised when there is evidence to support the existence and valuation of the amount included in the year-end balances and steps should be taken to obtain such evidence prior to the balances being recognised in the Financial Statements.**
- **Audit Wales Follow-up review of Scrutiny**
- **The Council should clarify the role of the finance panel and assure itself that it is lawfully constituted.**
- **Reconsider the function, role and composition of the Coordinating Committee in order to ensure that the Council has a means of coordinating its scrutiny work that is distinct from the scrutiny committees' role in setting their own work programmes.**
- **HSE Investigation**
- **Letter Ref58; 4612975 - 15 Jan 2020 Notice of Contravention - Failure to make suitable arrangements as client for managing a project in regards Construction (Design & Management) Regulations 2015 (CDM).**

7.	QUARTER 2 STRATEGIC RISK REGISTER
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Cabinet considered the Strategic Risk Register for quarter 2. The following risks were added to the Register:

- HTR0016: Shortage of lorry and bus drivers
- ASC0066: Risk of social care provider failure: Risk of care homes, domiciliary care providers, supported living providers and others becoming unsustainable due to human and financial resource challenges.
- ASC0067: Inability to provide care/support for children/adults who are assessed as requiring such support, due to the staffing shortages being experienced across the social care sector.

The following risks had been escalated:

- PROC008: Increased risks of price variations and labour & material shortage affecting new housing developments.
- WO0021: The Council is unable to recruit, retain and commission the workforce it requires

The following risk was being removed:

- COVID0058 Post Inspection Action Plan (PIAP) for Estyn - Work to deliver the PIAP had continued at pace throughout the pandemic, with significant progress being made in the majority of areas.

Cabinet also noted that ongoing problems with the WCCIS system was placing pressure on social workers and that the issue had been raised with

the Minister for Health and Social Services. It was further noted that the separate Covid-19 Risk Register had been incorporated into the Strategic Risk Register.

RESOLVED that Cabinet notes the current Strategic Risk and COVID-19 Risk Registers and is satisfied with progress against mitigating actions for quarter 2, approves the escalation of proposed risks HTR0016, ASC0066 and ASC0067 (detailed under points 3.5, 3.6 & 3.7 of the report) to the Strategic Risk Register, the involvement of HO0031 and WO0021 (detailed under 3.8 & 3.9) and the de-escalation of COVID0058 (detailed under 3.10) off the Strategic Risk Register.

8.	CHILDREN'S SERVICES BUDGET PRESSURES
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Cabinet considered a report setting out budget pressures on Children's Services and proposing a virement of funds into the service budget to ensure that the organisation worked within the financial regulations and discharged its statutory duties under the Social Services Wellbeing Act.

County Councillor Amanda Jenner, the Chair of the Health and Care Scrutiny Committee, advised that the Committee had received a private briefing on the very high costs associated with a small number of very complex cases. The Committee had been shocked at the very high costs and concerned that they were all being borne by the County Council with no contribution from Powys Teaching Health Board. The Committee was concerned that physical and mental health problems were not been treated with parity. The Health Board had been invited to attend the Committee. The Portfolio Holder shared the Committee's concerns and confirmed that the issue had been raised with Welsh Government Ministers.

The Head of Finance advised that every funding stream available, including the Welsh Government Hardship Fund, would be explored before there was any draw on reserves.

RESOLVED

- 1. That Cabinet notes and approves the proposals set out in section 4 of the report.**
- 2. That Cabinet recommends to Full Council the virements of £187k and £350k set out in 4.3 and 4.4 of the report.**
- 3. That Cabinet further recommends to Full Council that at the end of this financial year, any of the remaining pressures as set out in paragraphs 3.2, 3.10 and 3.11 up to a maximum of £1.854 million will be authorised and vired from the Councils Budget Management Reserve, providing that evidence is produced to establish that the pressures have been mitigated wherever possible.**

9.	DIRECTOR OF SOCIAL SERVICES ANNUAL REPORT
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The Chief Executive presented the Annual Report of the Director of Social Services for 2020/21. Despite the very challenging circumstances of the pandemic, the service had continued to develop and deliver quality sustainable services across the County to meet the needs of residents. The progress made had been recognised by Care Inspectorate Wales (CIW) who, following an improvement conference in October 2020, reported that they were sufficiently assured of significant improvement across both Children & Adult services and assessed that there was no longer a need for enhanced monitoring activity within Powys. The Chief Executive thanked the Director, her Heads of Service, the staff and Portfolio Holders as well as users of the service and the voluntary sector.

The Portfolio Holder for Adult Social Care and the Portfolio Holder for Young People and Culture and the Leader also expressed their thanks.

RESOLVED that the Annual Report of the Director of Social Services for 2020/21 be noted.

10.	COUNCIL TAX BASE FOR 2022-2023
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Cabinet considered the Council Tax Base for the financial year 2022-23. The Income and Awards Manager agreed to share any details of the breakdown per ward of the additional 500 properties added to the base with the Cabinet.

RESOLVED

- 1. That the calculation of the Council Tax Base for the whole of its area for the year 2022-23 of 63,072.19 be approved, and**
- 2. That the calculation of the Council Tax Base for each Town and Community Council contained within 4.2 above, be approved to meet the legal requirement of the Council to set a Council Tax Base for 2022-23.**

11.	TREASURY MANAGEMENT QUARTER 2 REPORT
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Cabinet considered the Treasury Management report for quarter 2.

RESOLVED that the report is accepted.

12.	MID WALES CORPORATE JOINT COMMITTEE (CJC)
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Cabinet considered a report on the establishment of a Corporate Joint Committee ("CJC") for the Mid Wales Region. The Local Government and Elections (Wales) Act 2021 provided for the establishment of CJs. The CJC would will comprise the Leaders of Ceredigion and Powys County Councils

together with the Chairman, Deputy Chairman or the Chairperson of a committee with responsibility for planning matters in the Brecon Beacons National Park Authority. The Leaders would decide whether additional representatives from the constituent councils or other organisations would be invited to be members of the CJC. The first meeting would have to take place by Spring 2022 when statutory officers would be appointed. Cabinet was advised that it was known at this point how the establishment of the CJC would impact on the Council's Local Development Plan.

RESOLVED

- 1. That delegated authority be granted to the Chief Executives (in conjunction with the Leaders) to enter into dialogue within the respective authorities including Brecon Beacons National Park to develop proposals for establishing the Mid Wales CJC;**
- 2. That officers of the two principal authorities will now establish the workstreams needed to progress the development of the Mid Wales CJC. The relevant officers will work with their counterparts to develop suitable proposals in line with the Local Government, Wales CJC Regulations 2021 and the Draft Statutory Guidance for the Establishment of CJC's.**

13.	DELEGATED DECISIONS
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Cabinet noted the delegated decisions taken by Portfolio Holders.

14.	FORWARD WORK PROGRAMME
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Cabinet noted the forward work programme.

County Councillor M R Harris (Chair)