

**MINUTES OF A MEETING OF THE CABINET HELD AT COUNCIL CHAMBER -
COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 20 JUNE 2017**

PRESENT

County Councillor MR Harris (Leader)

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

In attendance: County Councillors CJ Gibson-Watt, G Morgan and JG Morris

1.	APOLOGIES
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Apologies for absence were received from County Councillor James Evans.

2.	MINUTES
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The Leader was authorised to sign the minutes of the last meeting held on 11th April 2017 as a correct record.

3.	DECLARATIONS OF INTEREST
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County Councillor Aled Davies declared prejudicial interests in items 13 and 14 into Home to School Transport at Llanidloes High School and Ysgol Bro Hyddgen as the governor of a school which had been in a similar situation.

County Councillors Phyl Davies and Martin Weale declared prejudicial interests in items 13 and 14 into Home to School Transport at Llanidloes High School and Ysgol Bro Hyddgen as transport providers.

County Councillors Phyl Davies declared a prejudicial interest in item 16 Former Livestock Market and Premises, Gorn Road Llanidloes as the former occupier of the premises.

4.	FINANCIAL OUTTURN FOR THE YEAR ENDED 31ST MARCH 2017
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Cabinet considered the budget outturn position by Directorate for the year ended 31st March 2017. The final outturn position was an over spend of £561k. This compared with a forecast overspend of £3.7m at the end of February. Members and staff who had worked to bring reduce the overspend were thanked with the work of the last Cabinet and in particular the former Portfolio Holder for Finance, Wynne Jones, being acknowledged.

The figures included savings delivered of £9.633m, 79% of the £12.139m target, which was a slight improvement on the 76% delivered last year. Cabinet noted that it was essential that agreed savings were delivered in order to safeguard the council's financial position. Previous years' savings that were not delivered in 2016/17 would need to be delivered in 2017/18 because they remained in the

base budget. Cabinet also noted with concern the position of the schools delegated budgets which had been heavily supported by reserves. The Strategic Director of Resources (Section 151 Officer) indicated this was a matter of increasing concern with a potential impact on the Council's overall financial position.

Cabinet also noted significant third party savings still to be made and the Chief Executive recommended that Cabinet receive regular updates on unachieved savings. The Chair of the Audit Committee also acknowledged the progress made, but noted that there were areas that needed to improve that the Audit Committee would be looking at and he suggested that there needed to be an education recovery plan. The Portfolio Holder for Finance agreed that there would have to be close oversight of the large capital projects underway.

RESOLVED	Reason for Decision:
<p>1. The contents of this report are noted by Cabinet; and</p> <p>2. The Capital virements set out in paragraph 14.2 are approved, and those over £500k be submitted to full council for approval.</p> <p>3. To re-designate £100k of existing general fund reserves as a regeneration reserve to support activity in 2017/18.</p>	<p>To outline the end of year financial position and the council's financial performance.</p> <p>To ensure appropriate virements are carried out and an appropriate reserve is established</p> <p>To help support the Cabinet's priorities.</p>

5.	WELSH GOVERNMENT CONSULTATION - PROPOSED REDUCTION IN THE SIZE OF THE BRECON BEACONS NATIONAL PARK AUTHORITY
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Cabinet considered a response to a Welsh Government consultation on proposals to reduce the number of Powys County Council representatives on the Brecon Beacons National Park Authority from 8 to 6 members. Comments had been received from the Labour and Liberal Democrat groups and had been appended to the report. County Councillor James Gibson-Watt, Leader of the Liberal Democrat group commented that there was already a democratic deficit with Brecknockshire members making up only a third of the membership of the park.

The comments from the Independent Group were that the arrangements did not reflect the fact that 80% of the Park was within Powys, that not all the Council's representatives came from within the Park, that having two different planning authorities in the same area was not conducive to consistent decision making and that areas within the Park did not have the same opportunities for economic development.

RESOLVED:	Reason for Decision:
That the Leader authorises the response to Welsh Government in consultation with the Cabinet and	To respond to the Welsh Government Consultation Document by 29th June, 2017.

taking into account the comments of Councillors James Gibson-Watt and Matthew Dorrance.	
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6.	DETERMINATION OF 'CORRECTIVE' APPLICATIONS UNDER SECTIONS 19 AND 22 AND SCHEDULE 2 OF THE COMMONS ACT 2006
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Cabinet considered proposals to delegate authority to consider applications relating to alleged errors or omissions on the Registers of Common Land, or of Town or Village Greens. Under sections 19, 22 and Schedule 2 of the Commons Act 2006 to the Planning, Taxi Licensing and Rights of Way Committee.

RESOLVED	Reason for Decision:
That determination of 'Corrective' applications and proposals under sections 19, 22 and Schedule 2 of the Commons Act 2006 be delegated to the Planning, Taxi Licensing and Rights of Way Committee, with opportunity for further delegation if appropriate.	To ensure an adequate level of scrutiny and challenge in determining these applications and proposals whilst balancing this against the cost of determination.

7.	POWYS SAFEGUARDING CHILDREN'S AND ADULT SERVICES QUARTERLY UPDATE
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Cabinet received and considered the safeguarding report for children's and adult services for the 3rd and 4th quarters. The report detailed the number and type of referrals to the services. The Portfolio Holders and officers answered questions from Members. Cabinet noted that the Council was part of the Mid and West Wales Safeguarding Board that had agreed a quality assurance tool that would provide consistency of reporting across the region.

RESOLVED	Reason for Decision:
That Cabinet accepts the safeguarding update in line with its safeguarding responsibilities.	Safeguarding is everyone's business and this report provides assurance to Cabinet of work that is underway both locally and regionally on important safeguarding matters.

8.	APPOINTMENTS
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RESOLVED to make the following appointments:

Association of Public Service Excellence	Portfolio Holder for Property and Waste and the Portfolio Holder for Finance
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LDP Working Group	Portfolio Holder for Regeneration and Planning, County Councillor James Evans and County Councillor Jonathan Wilkinson
North and Mid Wales Trunk Road Agency	Portfolio Holder for Highways and the Portfolio Holder for Regeneration and Planning
TRACC	Portfolio Holder for Highways
Welsh Joint Education Committee	Portfolio Holder for Education

RESOLVED not to make an appointment to the Institute of Welsh Affairs.

9. CORRESPONDENCE

The Leader reported that she had received a letter from the organisers of the National Eisteddfod and the Urdd Eisteddfod inviting expressions of interest in hosting the events, and that she had offered to host both events in Powys. It was also noted that the Urdd were looking for a permanent home and that Powys was ideally located.

10. DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING

Cabinet received the list of delegated decisions taken by Portfolio Holders since the last meeting.

11. FORWARD WORK PROGRAMME

Cabinet received the forward work programme.

12. EXEMPT ITEMS

RESOLVED to exclude the public for the following item of business on the grounds that there would be disclosure to them of exempt information under categories 1, 3 & 7 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).

13. CONSIDERATION OF THE DEPUTY MONITORING OFFICER HOME TO SCHOOL TRANSPORT INVESTIGATION REPORT ON BEHALF OF POWYS COUNTY COUNCIL & THE GOVERNING BODY OF LLANIDLOES HIGH SCHOOL

County Councillors Aled Davies, Phyl Davies and Martin Weale left the Chamber whilst this and the following item was considered having declared prejudicial interests.

Cabinet received the report of the Deputy Monitoring Officer into the breach by Llanidloes High School of clause 5.2 of the Powys Scheme for Financing Schools.

RESOLVED	Reason for Decision:
<p>1) That the contents of the investigation report are noted.</p> <p>2) That the following actions be implemented</p> <p>(a) That Llanidloes High School will have until September 2018 in which to comply with Regulation 5.2 and during the transition period, the charges for transport will be at least in line with the council's vacant seat scheme. From September 2018 the position will be on a full cost recovery basis.</p> <p>(b) That monthly reports are required to be sent by the Governing Body to the Schools Finance Manager to confirm and ensure compliance with the Scheme for the Financing of Schools.</p> <p>(c) To ensure future compliance with Scheme for the Financing of Schools, the School be required to use the Council's financial system as its primary accounting system.</p> <p>(d) The school provide documentary evidence to demonstrate compliance with financial regulations and/or EU procurement procedures in relation to the procurement of transport at the school in general, but in particular in relation to home to school transport arrangements made by the school .</p> <p>(e) That the Strategic Director - Resources ensures that</p>	<p>To ensure that appropriate action (if any) is taken by PCC upon receipt of the investigation report and to ensure equality of treatment with Llanfyllin High School</p>

<p>compliance with the Scheme for the Financing of Schools is considered whenever Internal Audit (SWAP) undertake an audit of a school.</p>	
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14.	<p>CONSIDERATION OF THE DEPUTY MONITORING OFFICER HOME TO SCHOOL TRANSPORT INVESTIGATION REPORT ON BEHALF OF POWYS COUNTY COUNCIL & THE GOVERNING BODY OF YSGOL BRO HYDDGEN</p>
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Cabinet received the report of the Deputy Monitoring Officer into the breach by Ysgol Bro Hyddgen of clause 5.2 of the Powys Scheme for Financing Schools.

RESOLVED	Reason for Decision:
<p>1) That the contents of the investigation report are noted.</p> <p>2) That the following actions be implemented</p> <p>(a) That Ysgol Bro Hyddgen will have until September 2018 in which to comply with Regulation 5.2 and during the transition period, the charges for transport will be at least in line with the council's vacant seat scheme. From September 2018 the position will be on a full cost recovery basis.</p> <p>(b) That monthly reports are required to be sent by the Governing Body to the Schools Finance Manager to confirm and ensure compliance with the Scheme for the Financing of Schools.</p> <p>(c) To ensure future compliance with Scheme for the Financing of Schools, the School be required to use the Council's financial system as its primary accounting system.</p> <p>(d) The school provide</p>	<p>To ensure that appropriate action (if any) is taken by PCC upon receipt of the investigation report and to ensure equality of treatment with Llanfyllin High School</p>

<p>documentary evidence to demonstrate compliance with financial regulations and/or EU procurement procedures in relation to the procurement of transport at the school in general, but in particular in relation to home to school transport arrangements made by the school .</p> <p>(e) That the Strategic Director - Resources ensures that compliance with the Scheme for the Financing of Schools is considered whenever Internal Audit (SWAP) undertake an audit of a school.</p>	
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15.	SENIOR MANAGER PROCEEDS OF CRIME ACT - PROPOSED SETTLEMENT FIGURE
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Cabinet considered the report of the Senior Manager Regulatory Services into the investigation and prosecution of rogue traders at the Royal Welsh Show.

RESOLVED	Reason for Decision:
To approve the recommendation in the report.	As set out in the report.

The Leader thanked staff involved in the successful prosecution.

16.	FORMER LIVESTOCK MARKET AND PREMISES, GORN ROAD, LLANIDLOES, POWYS
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County Councillor Phyl Davies left the Chamber having declared a prejudicial interest in this item.

Cabinet considered a report on a proposal to sell the former livestock market and premises at Gorn Road, Llanidloes to the Housing service site for the in-house development of 100% affordable housing to provide public sector housing in the town. In welcoming the project, Cabinet asked that consideration should be given to the Older Peoples Strategy when considering the mix of properties to be developed on the site.

RESOLVED:	Reason for Decision:
1. That the Authority proceed with a sale to our Housing	To support the Council's priority to deliver social housing. This will also

<p>service.</p> <p>2. That authority to approve the details of the sale be delegated to the Leader.</p> <p>3. That the mix of properties to be developed on the site reflect the aspirations of the Older Peoples Strategy.</p>	<p>give more certainty that the site will be developed.</p>
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**County Councillor MR Harris
Leader**