

Public Document Pack

Brecknockshire 20th June 2016

MINUTES OF A MEETING OF THE BRECKNOCKSHIRE HELD AT COMMITTEE ROOM - NEUADD BRYCHEINIOG, BRECON, POWYS ON MONDAY, 20 JUNE 2016

PRESENT: County Councillor GW Ratcliffe (Chairman)

County Councillors S C Davies, M J Dorrance, M J B Davies, L Fitzpatrick, M R Harris, J C Holmes, DW Meredith, WD Powell, D R Price, G W Ratcliffe, K S Silk, D A Thomas, D G Thomas, D H Williams and E A York

Apologies for absence were received from County Councillors S Davies, G Hopkins, S McNicholas, ET Morgan, JG Morris, A G Thomas, T J Van-Rees and S L Williams

In attendance:

Councillor Barry Thomas, Leader

Councillor Arwel Jones, Cabinet Portfolio Holder: Education

Jeremy Patterson – Chief Executive, Tony Caine –Traffic and Travel Manager, Martin Jones - British Telecom Group Ltd, Susan Ward - Superfast Cymru Marketing Manager and Shane Thomas – Clerk.

Members stood in silence to remember Joe Cox, Labour Member of Parliament for Batley and Spen who had been killed by being stabbed and shot on Thursday 16th June.

1.	APOLOGIES	BS22-2016
-----------	------------------	------------------

Apologies for absence were accepted from County Councillor S. Davies, G.G. Hopkins, S McNicholas E.T. Morgan, J.G. Morris, T. Thomas, T.J. Van-Rees and S.L. Williams.

2.	MINUTES OF PREVIOUS MEETINGS	BS23-2016
-----------	-------------------------------------	------------------

The Chairman was authorised to sign the minutes of the previous meetings of the Committee held on Monday 7th March, Wednesday 13th April and Wednesday 11th May 2016 as correct records.

The Chairman reported on:

- a. **Civic Service** – having attended the Mayor of Brecon's Civic Service
- b. **Citizenship** – having officiated at citizenship ceremonies
- c. **Shire Review** – the pilot arrangement of operating bimonthly shire meetings for Radnorshire and Montgomeryshire and quarterly for Brecknockshire (upon the request of Brecknockshire members) would be coming to an end. Each shire would be asked for its view to feed into the review which would be considered in January 2017 (two years after having been agreed). The report would be considered by Council

3.	DECLARATIONS OF INTEREST	BS24-2016
-----------	---------------------------------	------------------

There were no declarations of interest from members relating to items to be discussed on the agenda.

4.	SUPERFAST CYMRU (9.45 - 10.15)	BS25-2016
----	---------------------------------------	------------------

Members welcomed Martin Jones, British Telecom Group Ltd. and Susan Ward, Superfast Cymru Marketing Manager to the meeting to provide an update in relation to the roll out of Superfast Cymru during which particular reference was made to:

- a. **UK Networks** – there had been significant investment in the fibre network in areas of the UK, however, the network in Wales had not received the same level of upgrade because network providers work view Wales as less commercially attractive. The Welsh Government had recognised the position and agreed to upgrade networks through its Superfast Cymru programme
- b. **Superfast Cymru** – the programme was introduced around five years ago and BT had been awarded the contract to upgrade the network. There had been specific issues with regard to the Powys network and the condition it had been in prior to bt having been awarded the contract (a low base to start from)
- c. **Contract Specification** – the contract had been for £240 million and required bt to provide minimum connection speeds of 30mb for 90% of the population and 24mb for 95% of the population
- d. **Policy Commitment** – the policy commitment would be to ensure that each property would have a connection point within 500 meters
- e. **Rural Connections** – the initial focus of the programme had been to provide better access to as many people as possible as quickly as possible. Quite early in the programme there were connections to some very rural areas. The focus now and towards the end of the programme would be to provide better access to more rural areas and areas where there are more issues to address
- f. **Powys Intervention Area** – there are 65,000 premises in the Powys area that would require a rural solution, 36,000 premises would be able to receive speeds in excess of 24mbs. 59 exchange areas have been enabled to support roll out in the intervention area
- g. **Disputes/Waylevers** – a member reported that the actions of a landowner in not permitting use of their land for the siting of a pole to allow a fibre connection to be made had impacted on a community. Cases of this nature are rare but where there are issues BT would work with the landowner to look to arrive at an agreement and could use the expertise of a specialised team at the Welsh Government. Alternative routes would also be considered, however, cost would be a factor
- h. **Coverage Checker** – residents could use a postcode facility to check when their network would be upgraded: (https://www.btwholesale.com/includes/adsl/adsl.htm?s_cid=ws_furls_adslchecker).
- i. **Types of Connection** – where dwellings are within 3km of a connection box (a fibre-to-the-cabinet) there would be good access, where dwellings are over 3km from the connection box connection speeds etc. would be less and other options could be considered. Where there are more direct fibre to premises network connections there would be the best access
- j. **Connecting** – there's a misunderstanding that once fibre becomes available that there's an automatic upgrade. This is not the case, residents would need to apply for connection and to select their package of choice. Members were urged to help inform residents that they would need to contact their providers to upgrade
- k. **South Powys/Ystradgynlais** – there had been issues with regard to the identification of areas that are within Powys but could belong to exchanges outside of Powys. Martin would report back to Councillor Sandra Davies on the matter

- l. **Options** – there are a number of schemes operating that might provide a solution in areas where Superfast Cymru would not be able to operate i.e. Welsh Government Grant Schemes for residential and business access and BT community fibre
- m. **UK Access** – despite claims of the UK being a poor relation to other countries with regard to the cost of access and speeds the UK had been ranked top of the five major European economies (there's very good access and the cost is comparatively cheap)
- n. **Engagement** – there had been very positive links between the Council and BT regarding the roll out
- o. **Developments** – where there are developments bt would offer support to provide networks for connection. Members expressed concern with regard to the focus on those developments which would be more commercially attractive i.e. developments with 200 dwellings or more. Where there are 200 or more dwellings planned the network would be provided free whilst with smaller developments there would be a cost. It was noted that this scheme sits outside of Superfast Cymru
- p. **End of Programme** – the programme would end in June 2017
- q. **Hay-on-Wye** – works to an exchange had involved removing and replacing a bench, however, when replacing the bench it had been sunk into the floor deeper than it had been before it was moved which made it difficult for those who use it to stand after sitting. Martin would ensure that the necessary works would be undertaken to raise the seating

The presentation would be made available for members to access.

5.	REPORTS FROM AND QUESTIONS TO CABINET PORTFOLIO HOLDERS (10.15 - 11.30)	BS26-2016
-----------	--	------------------

Members welcomed the opportunity to receive reports from, and to put questions to, Cabinet Portfolio Holders.

BS27-2016 - Councillor Barry Thomas - Leader

- a. **Engagement with Members** –the Leader would welcome members contacting his Portfolio Holders direct in relation to any matters of portfolio business. The Leader views links between members and his Cabinet as very important
- b. **Corporate Plan** – the plan would be developed, there would be strong links with service improvement plans. It would be for Council to adopt the plan
- c. **Public Service Board** – the Board had replaced the Local Service Board and it had held its inaugural meeting. The Board would bring public service providers together (Council, Powys teaching Health Board, emergency services, BBNP, NRW etc.) to look to identify and address Powys issues
- d. **Welsh Audit Office Corporate Assessment** – there would be a corporate assessment with a focus on the Council's arrangements for delivering services with its significantly reduced budget
- e. **Tour of Britain/Local Events** – the Royal Welsh Showground would be the setting for a stage of the Tour of Britain. Cabinet recognise the impact of hosting high profile events and the benefits to the local economy and would look favourably on arrangements for supporting arrangements
- f. **Motor Sports (National Resources Wales)** – Cabinet had been working with National Resources Wales to identify and address any potential issues that might

impact on Powys being able to host events. It would be important to make the best use of natural assets

- g. **Household Recycling Centres** – Cabinet have committed to reviewing the operation of five sites with a view to reducing the estate by two sites. A member expressed concern with regard to the potential loss of a site in the very south of Powys and the impact it would have on recycling rates for the area. The Leader confirmed that there would be appropriate consultation prior to any decisions being taken regarding the locations of sites to be closed but reminded members that budget savings had to be made. A member expressed concern with regard to any review of the Brecon site given that she was of the understanding that the Council bought it only a few years ago. The Leader would discuss the matter with the Portfolio Holder
- h. **Flytipping** – a number of members expressed concern with regard to flytipping and stressed the need for enforcement actions to be taken. The Leader confirmed that enforcement actions would be taken and encouraged members to report flytipping to the Authority
- i. **Medical Waste/Collections of Sharps** – it was felt by members that the process for collecting medical waste should be reviewed and especially in relation to arrangements for collecting incontinent waste where residents are required to leave brightly coloured sacks outside of their houses. It was also felt that arrangements for disposing of sharps should be reviewed to make disposal easier
- j. **Waste and Recycling (4 day week)** – a member reported that he had been informed that it was likely that operatives would collect waste over a four day week as opposed to a five day week. The Leader would ask the Portfolio Holder to clarify the position with members
- k. **Brecon Town and Talgarth Town Car Parking** – the Leader agreed to visit Brecon and Talgarth, with the Portfolio Holder, to discuss car parking issues with the local member(s)
- l. **Planning Gain (Section 106 Agreements)** – it was felt by members that a stronger stance should be taken in terms of ensuring that requirements put in place via. Section 106 agreements are met i.e. funding recouped. There's a fine balance to be struck in terms of putting in place requirements that will provide funding for community schemes and requirements that could deter developments. In the Brecon area matters are sometimes complicated because of there being two Planning Authorities i.e. the Brecon Beacons National Park and Powys County Council
- m. **Section 5.2 Powys Scheme of Financing of Schools** – there had been an issue with regard to Llanfyllin High School and use of funding provided for learning which had been used to subsidise school transport for transporting learners from out of catchment to the school. The Leader reported that Cabinet had agreed to a two year phasing out period. The Portfolio Holder confirmed that he had received written assurance from each other high school that they were not using funding in the same way. Councillor Fitzpatrick requested details in relation to whether the Authority had been made aware of the position prior to the recent issue having come to light. The Leader would report back
- n. **Home to School Transport** – a member informed the Committee that there would be a programme on BBC2 shortly regarding payments made to PWC for conducting a home to school transport review (the programme claims that £4.5 million had been paid by five Welsh authorities to support the review)
- o. **Out of Court Settlement (Brecon and Gwernyfed High School Consultation)** – Councillor Powell reported that he had been made aware that an out of court settlement had been agreed in relation to a resident who had challenged the Authority in terms of following its own processes for consulting on closure proposals in relation to Brecon and Gwernyfed High Schools. The payment had not been made

yet and further actions would be taken at a cost to the Council. The Chief Executive confirmed that the Council had accepted an error in following its School Organisation Code and agreed to the out of court settlement. The Chief Executive had, however, been unaware of the delay and would look to address the issue with the legal service

BS28 - 2016 - Councillor Arwel Jones, Cabinet Portfolio Holder: Education

- a. **Brecon and Gwernyfed High School and Builth and Llandrindod High School Consultations** – feedback from the consultation exercises would be considered
- b. **Gwernyfed Primary Schools (Site Plans)** – initial school designs for the five primary schools were currently being discussed with governing bodies.. The Portfolio Holder would discuss issues regarding the design of a swimming pool with the local member for Hay-on-Wye
- c. **Brecon/Gwernyfed Campus (Funding)** – an initial OBC had been submitted to Welsh Government. Powys County Council had committed funding for the development, and NPTC Group had been tasked with identified its element of the required funding
- d. **Brecon High School (Condition)** – it's recognised that the site is in a poor condition in terms of its build. Councillor Meredith reported that despite repeated requests over the last 18mths officers had not arranged to inspect the site, the member has concerns regarding matters of a safeguarding nature
- e. **North Powys Secondary School Organisation** – Cabinet would be considering options for the establishment of a Welsh-medium Category 2a school in the north of the county in September
- f. **School Governing Bodies** – a member reported that it was her opinion that the increased responsibilities placed on school governors had had an impact on recruitment and retention
- g. **Neath and Port Talbot College Group** – there are different views locally from residents regarding the ability of the NPTCG to deliver a full vocational and academic curriculum to a high standard at post 16
- h. **21st Century Fund (Schools Transformation Programme)** – the Portfolio Holder reported that the Welsh Government had not provided detail in relation to what it would determine to be a transformational programme. Members were reminded that the grant programme contained a number of bands and that band A (which would end in March 2019) had been for transformational projects and that band B, the next tranche, would be available from April 2019 – 2024. It is not yet clear what specific criteria would be applied to Band B, but it is expected that the focus would be on replacing/refurbishing sites which were in poor condition

6.	ROAD SAFETY AND TRAFFIC MANAGEMENT (11.30 - 11.45)	BS29-2016
-----------	---	------------------

Member welcomed Tony Caine, Traffic and Travel Manager to the meeting for this item of business.

BS30-2016 - To consider introducing a 20 mph speed restriction near Archdeacon Griffiths School, Llyswel

Members **RESOLVED:**

- a. To initiate the Traffic Regulation Order consultation procedure in accordance with The Local Authority's Traffic Orders (Procedure) (England and Wales) Regulations 1996
- b. That consultation procedures be initiated and if no substantive objections are received the proposal be implemented

The report would also be considered by the Radnorshire Committee.

It was noted that traffic along the highway in Llyswen near the petrol station could, at times, cause issues because of on-street parking.

While discussing matters Councillor Davies queried why a 20mph restriction had not been imposed near a recent new school build at Cwmtwrch given the Welsh Government's view that traffic speeds near school sites should be reduced to 20 mph.

Councillor Dorrance reminded the officer of the issue raised at the last meeting with regard to concerns near Priory Hill and the Struet and an accident involving a child. There had been a commitment at the April meeting to review the area arrangements that would need to be kept.

Members would welcome an update in relation to the Brecon Parking Review. Tony Caine, Traffic and Transport Manager would ensure that members from Brecon Town would be updated.

7.	COUNCIL CONSTITUTION - TRAFFIC REGULATION ORDERS (SECTION 13)	BS31-2016
----	--	------------------

The Chairman of the Powys Byways User Group (Councillor Gwilym Williams) had requested that each shire be reminded of requirements under the constitution in relation to the determination of Traffic Regulation Orders. The Council had agreed on 20th April 2016 that:

- a. **The Making of Temporary Traffic Regulation Orders relating to all Highways other than those specified in ii. below and not exceeding 18mths** – sub-delegation to the Head of Highways, Transportation and Recycling and the Service Manager or persons authorised to act on their behalf. An extension to the time limit requires the permission of the relevant Welsh Government Minister
- b. **The making of Temporary Traffic Regulation Orders relating to cycle tracks, footpaths, bridleways, restricted byways and byways open to all traffic** – sub-delegation to the Leisure and Recreation Services Manager or persons authorised to act on their behalf. Such temporary orders can be given by the Authority for up to 6 months and extensions require the permission of the relevant Welsh Government Minister
- c. **The making of Permanent Traffic Regulation Orders** – sub-delegation to the relevant shire committee with exceptions in relation to Water Break its Neck, Moelfre City and car parks and car parking charging

8.	REPORTS FROM AND QUESTIONS TO MEMBERS	BS32-2016
----	--	------------------

	SERVING ON OUTSIDE BODIES	
--	----------------------------------	--

Members welcomed the opportunity to receive reports from, and to put questions to, members serving on outside bodies. Members were reminded that at the beginning of the Council there was a process of appointing members to outside bodies with the intention that there would be regular reports back. Members requested the re-issue of details.

BS32a-2016 - Bronllys Well-being Park Community Land Trust

Members agreed that Councillor William Powell should represent them on the Bronllys Well-being Park Community Land Trust. The clerk would inform those supporting the Trust.

BS33-2016 - Brecon and Radnor Sports Partnership

Members agreed that Councillor Gareth Ratcliffe should represent them on the Brecon and Radnor Sports Partnership.

BS34-2016 - Communities First

Members agreed that Councillor Huw Williams should represent them on a Communities First Group operating in the Ystradgynlais area.

While discussing matters it was noted that recognising an area as being in Powys had been an issue locally. It would be important to ensure that Powys is represented on the group and for the area concerned to be recognised for support regardless of borders.

9.	DATE OF NEXT MEETING	BS35-2016
-----------	-----------------------------	------------------

The next meeting would be held on Monday 19th September 2016.

**County Councillor GW Ratcliffe
Chairman**

This page is intentionally left blank