



Neuadd y Sir / County Hall, Llandrindod, Powys, LD1 5LG

Jeremy Patterson
Chief Executive

Os yn galw gofynnwch am - If calling please ask for
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Dyddiad / Date: **28 November 2014**

Dear Member,

Your attendance is requested at a meeting of the **POWYS COUNTY COUNCIL**, to be held in **THE CHAMBER, POWYS COUNTY HALL, LLANDRINDOD WELLS**, on **WEDNESDAY 16 July 2014 at 10:30AM**

Yours sincerely,

Jeremy Patterson
Chief Executive

AGENDA

1.	APOLOGIES	CC62-2014
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To receive apologies for absence

2.	DECLARATIONS OF INTEREST	CC63-2014
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To receive any declarations of interest from Members relating to items to be considered on the agenda.

3.	MINUTES	CC64-2014
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To authorise the Chairman to sign the minutes of the previous meeting(s) of the Committee held on the following date(s) as a correct record / correct records.

[\[Enclosure CC64a-2014 \] \(Powys County Council 30 April 2014\)](#)

[\[Enclosure CC64b-2014 \] \(Powys County Council 14 May 2014\)](#)

[\[Enclosure CC64c-2014 \] \(Powys County Council 27 May 2014\)](#)

4.	CHAIRMAN'S ANNOUNCEMENTS	CC65-2014
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To receive any announcements from the Chair of Council or the Leader.

5.	CHIEF EXECUTIVE'S BRIEFING	CC66-2014
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To receive a briefing from the Chief Executive.

6.	RECOMMENDATIONS FROM COMMITTEES	CC67-2014
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6.1 **Recommendations from the Cabinet on Budget Virements**

[Enclosure CC67.1a-2014]

6.2 **Recommendations from the Planning, Taxi Licensing and Rights of Way Committee**

[Enclosure CC67.2a-2014]

[Enclosure CC67.2b-2014]

7.	ANNUAL COUNCIL REPORTING FRAMEWORK	CC68-2014
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To receive and consider the annual report of the Director of Social Services.

[Enclosure CC68a-2014]

8.	APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES BY POLITICAL GROUPS APPROVED BY THE MONITORING OFFICER	CC69-2014
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To note the following appointments made to committees and outside bodies by the Monitoring Officer under the general power of delegation granted by Council on 16th May 2013:
County Councillor Avril York replacing County Councillor Jeff Holmes on the Governing Body of Neath Port Talbot College.
County Councillor Joy Jones appointed to the People Scrutiny Committee.

9.	AMENDMENTS TO THE CONSTITUTION	CC70-2014
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To receive an update from the Solicitor to the Council.

Code of Conduct

Whistle Blowing

[Enclosure CC70a-2014] (Report to Follow)

[Enclosure CC70b-2014] (Report to Follow)

10.	MEMBERS' ALLOWANCES AND EXPENSES 2013/14	CC71-2014
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To receive for information details of the allowances and expenses claimed by Members in 2013/14.

[Enclosure CC71a-2014]

11.	NOTICES OF MOTION - COUNTY COUNCILLORS ALED DAVIES AND PETER LEWIS	CC72-2014
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To support the Welsh Language Powys County Council will only adopt Welsh place names on new Council developments.

Proposer County Councillor Aled Davies

Seconder County Councillor Peter Lewis

12.	NOTICES OF MOTION - COUNTY COUNCILLORS ALED DAVIES AND PETER HARRIS	CC73-2014
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At the last WLGA Council meeting, the Welsh Labour Group proposed that Llandrindod Wells be abandoned as a venue for future WLGA meetings.

This Council calls on the WLGA not to support any such proposal.

Proposer County Councillor Aled Davies

Seconder County Councillor Peter Harris

13.	NOTICE OF MOTION - COUNTY COUNCILLORS ALED DAVIES AND GWYNFOR THOMAS	CC74-2014
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Powys dairy and beef farmers are under extreme pressure. There has been a significant fall in the beef price at the farm gate over the last 12 months and TB outbreaks continue to have a devastating effect on both dairy and beef farms.

Powys County Council calls on the Welsh Government to conduct a joint trial throughout Powys on the eradication of TB. This trial would be at no cost to the Welsh Government. The trial would only involve the Welsh Government issuing a licence to farmers who have suffered a TB outbreak.

The aim of the trial would be to establish if there is an effect on TB incidents on Powys farms when a farm is issued with a licence that permits the farmer to control the badger population on that farm on the same day the Livestock Movement Restriction is issued due to a TB outbreak.

Powys County Council would monitor the success of the trial by recording the incidents of TB over the period of the trial.

The aim of the trial is to have a very focused targeted approach to the incidents of TB

Proposer County Councillor Aled Davies

Seconder County Councillor Gwynfor Thomas

The proposer and seconder declare that they have a personal and prejudicial interest in the motion.

14.	NOTICE OF MOTION - COUNTY COUNCILLORS DAVID PRICE AND WILLIAM POWELL	CC75-2014
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The following is a petition by Cilmeri Community Council calling on Welsh Government to enhance, improve and promote Llywelyn's monument. The petition will be presented to the National Assembly for Wales Petitions Committee at the Royal Welsh Show.

"Due to the National importance of our Prince Llywelyn Monument we, the Community of Cilmeri call, on the National Assembly for Wales to urge the Welsh Government to:

- Install locational signage boards, incorporating a brown signage battlefield icon, to denote the historical significance of our village, on the A483 at both main road entrances to the village;
- Work in partnership with Powys County Council, Cilmeri Community Council and CADW to help maintain the famous monument, so that visitors can enjoy our national historical amenity in a safe and befitting environment;
- Help identify resources to implement, in a phased manner, the Lloyd Brown Interpretation Plan (January 2013), commissioned by CADW.

Additional Information:

The interpretation plan highlights the fact that Llywelyn was the last native Welsh Prince to fall in battle, marking the effective end of the powerful dynasty of Gwynedd, which played an important role in forging a sense of Welsh nationhood and identity."

We ask for Powys County Council to support this petition.

Proposer County Councillor David Price

Secunder County Councillor William Powell

15.	QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION	CC76-2014
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15.1 **Question to the Portfolio Holder for Highways and Environmental Health from County Councillor Gareth Ratcliffe**

Can the portfolio with responsibility for graveyards confirm all avenues will be examined to find suitable area to extend Hay-on-Wye cemetery before any plans are implemented? Concerns are being raised that all possible avenues have not been fully explored in a timely manner.

[\[Enclosure CC76.1a-2014 \]](#)

15.2 **Question to the Leader from County Councillor Gareth Ratcliffe**

Can the leader please update the council on the programme for public consultation for transfer of assets to town and community councils? The council has stated they will be looking to transfer assets such as public conveniences and sports buildings such as changing rooms to town councils or sports groups. At the last meeting the portfolio holder for Public conveniences stated "I have instructed officers that we need to engage with Town and Community Councils beginning end of May - June and I am awaiting dates and times of those meetings and with whom." To date Hay Town Council have not been contacted and with the town council not meeting to September due to the summer break this does not leave suitable time for the council to set budgets and consult with their community.

[\[Enclosure CC76.2a-2014 \]](#)

[\[Enclosure CC76.2b-2014 \]](#)

15.3 **Question to the Portfolio Holder for Highways and Environmental Health from County Councillor Gareth Ratcliffe**

Can the portfolio holder for Highways please provide the number of claims against the council for pothole and drain damages to members of the public vehicles over the last 2 years. Please can the cost to the council be included also the number that were rejected by the authority?

[\[Enclosure CC76.3a-2014 \]](#)

15.4 **Question to the Leader and Portfolio Holder for Waste from County Councillor Gary Price**

How much income has Powys County Council received since the introduction of the orange garden waste sacks?

[\[Enclosure CC76.4a-2014 \]](#)

15.5 **Question to the Portfolio Holder for Property and Assets from County Councillor Gary Price**

Can the Portfolio Holder provide me with details of all Powys County Council leased buildings where the lessees receive an annual payment from PCC? To include the amount paid for the lease and annual payment paid.

[Enclosure CC76.5a-2014] (Report to Follow)

15.6 **Question to the Portfolio Holder for HR from County Councillor Gary Price**

Can the Portfolio Holder provide me with the numbers of staff per directorate that have just ceased employment with PCC via the recent voluntary severance scheme?

[\[Enclosure CC76.6a-2014 \]](#)

15.7 **Question to the Portfolio Holder for HR from County Councillor Gary Price**

Can the Portfolio Holder provide me with the numbers of staff per directorate that have either been reemployed on temporary / permanent contracts or via a zero hours contract that have just ceased employment with PCC via the recent voluntary severance scheme?

[\[Enclosure CC76.7a-2014 \]](#)

15.8 **Question to the Portfolio Holder for ICT from County Councillor Gary Price**

As per the email sent out by the ICT Service Desk on 15.05.14 can the Portfolio Holder explain why 200 computers and approximately 100 pieces of ICT equipment have been Identified as out of use following the recent audit?

[\[Enclosure CC76.8a-2014 \]](#)

15.9 **Question Withdrawn**

15.10 **Question to the Portfolio Holder for Highways and Environmental Health from County Councillor Gary Price**

Can the Portfolio Holder provide members with the reason why the former Head of Highways, Transport & Recycling ceased employment with Powys County Council?

[\[Enclosure CC76.10a-2014 \]](#)

15.11 **Question to the Portfolio Holder for Employment Services from County Councillor Gary Price**

How many staff employed by Powys County Council receive a hourly rate below that of the Living Wage?

How much extra would it cost Powys County Council to pay those employees the Living wage?

[\[Enclosure CC76.11a-2014 \]](#)

15.12 **Question to the Leader from County Councillor Peter Lewis**

Through the Llanfyllin representative on the Montgomery Forum on our town council I have learned that Powys are attempting to devolve responsibility for some services to 'clusters' of community councils. What services are involved and why has a matter as fundamental as this not been put before full council for debate?

[\[Enclosure CC76.12a-2014 \]](#)

15.13 **Question to the Portfolio Holder for Highways and Environmental Health from County Councillor Matthew Dorrance**

What is the Council doing to promote and support cycling across the County?

[\[Enclosure CC76.13a-2014 \]](#)

15.14 **Question to the Portfolio Holder for Employment Services from County Councillor Matthew Dorrance**

Can the Council provide a statement on its use of zero hours contracts including the number of posts and the percentage of the workforce currently employed on zero hour contracts?

[\[Enclosure CC76.14a-2014 \]](#)

15.15 **Question to the Portfolio Holder for Education and Children's Services from County Councillor Matthew Dorrance**

Can the Cabinet member inform Council of any plans to develop Flying Start in Powys?

[\[Enclosure CC76.15a-2014 \]](#)

15.16 **Question to the Portfolio Holder for Customer Services from County Councillor Russell George**

Does the cabinet Member believe that the local authority responds adequately and within its own timeframes to complaints made by the public?

[\[Enclosure CC76.16a-2014 \]](#)

15.17 **Question to the Portfolio Holder for Adult Social Services from County Councillor Russell George**

In regards to domiciliary care services:

Does the Cabinet Member believe that vulnerable adults are being adequately cared for by the companies that are providing domiciliary care services on behalf of the authority?

Can the Cabinet Member provide details of the Independent review that is proposed to investigate what went wrong with the transfer of the Council's adult domiciliary care service?

Is the Cabinet Member confident that TUPE arrangements in regards to staff transferring from previous providers to Reach and Abacare are being correctly adhered to?

[\[Enclosure CC76.17a-2014 \]](#)

15.18 **Question to the Portfolio Holder for Highways and Environmental Health from County Councillor Russell George**

Can the Cabinet member provide an update on how the authority is carrying out enforcement?

The council of 5th March 2014, agreed "that the Council holds a full review of civil enforcement powers by the relevant Scrutiny Committee and also extends the powers relating to dog fouling to CEO's to combat the issue of dog fouling across the county". Please can the cabinet member provide an update on the progress of this?

Please can the Cabinet Member inform me if the authority has contacted Dyfed Powys Police to discuss the possibility for Police Officers and Community Police Support Officers, to be given authority to enforce Fixed Penalty Notices and if so, what was the outcome of this discussion?

I am aware that other local authorities have contracted external organisations to enforce Fixed Penalty Notices. I am advised that the cost to the County Council can be negated by the income received from Fixed Penalty Notice fines. Has the Cabinet Member considered contracting external organisations to enforce Fixed Penalty Notices for the problem of dog foul and litter?

[\[Enclosure CC76.18a-2014 \]](#)

15.19 **Question to the Portfolio Holder for Finance by County Councillor Gary Price**

How much has been allocated in this year's budget for the Montgomeryshire Concurrent Functions Scheme?

[\[Enclosure CC76.19a-2014 \]](#)

15.20 **Question to the Leader and Portfolio Holder for Waste from County Councillor Aled Davies**

What options, including cost, do Powys County Council offer village halls to dispose of their rubbish?

[\[Enclosure CC76.20a-2014 \]](#)

[\[Enclosure CC76.20b-2014 \]](#)

15.21 **Question to the Portfolio Holder for Communications and ICT from County Councillor Kathryn Silk**

Further to my question to Council on 30th April, can the Cabinet Member for Communications and ICT give details of how many breaches of data protection occurred within the Planning Department during 2013/14?

[\[Enclosure CC76.21a-2014 \]](#)

15.22 **Question to the Portfolio Holder for Communications and ICT from County Councillor Kathryn Silk**

Can the Cabinet Member for Communications and ICT give details of the Council's policy in respect of responding to correspondence. What percentage of correspondence has been answered within the specified period during the last period for which figures are available?

[\[Enclosure CC76.22a-2014 \]](#)

[\[Enclosure CC76.22b-2014 \]](#)

15.23 **Question to the Portfolio Holder for Regeneration and Planning from County Councillor Kathryn Silk**

Can the Cabinet Member for Planning give details of how many affordable housing units have been approved for each year since 2011? What percentage of total housing approved does this represent?

[Enclosure CC76.23a-2014] (Report to Follow)

15.24 **Question to the Leader and Portfolio Holder for Waste from County Councillor David Meredith**

In view of the rise in fly tipping within Communities can we be advised of how many people have been caught and, of those, how many have been prosecuted?

[\[Enclosure CC76.24a-2014 \]](#)

15.25 **Question to the Portfolio Holders for Finance and HR from County Councillor David Meredith**

Now that Job Evaluation has been implemented did the pot of money set aside for its implementation cover the total cost or did some services of the Authority suffer as a result of insufficient money being allocated for this purposes? If this was the case how ere those services selected?

[Enclosure CC76.25a-2014] (Report to Follow)

15.26 **Question to the Portfolio Holder for Education and Children's Services from County Councillor David Meredith**

In view of the fact that current legislation is not preventing the continued exodus of parents taking their children out of school during term time what is the Authority doing to address this issue with ESTYN and Welsh Government?

[\[Enclosure CC76.26a-2014 \]](#)

15.27 **Question to the Portfolio Holder for HR from County Councillor Gareth Ratcliffe**

Can the portfolio holder for HR brief the council on the direction of travel for jobs in Powys County Council following the BBC News report headed "Big job cuts if budgets keep shrinking, warn councils" where the leader of the WLGA stated "If we are seeing this scale of reduction, unfortunately the biggest cost pressure, our biggest cost, are employees"?

[\[Enclosure CC76.27a-2014 \]](#)

15.28 **Question to the Portfolio Holder for Waste from County Councillor David Jones**

What is the council's position on collecting recyclables from the curtilage of domestic properties since the advent of the new recycling vehicles?

[\[Enclosure CC76.28a-2014 \]](#)

15.29 **Question to the Portfolio Holder for HR from County Councillor David Jones**

What is the council's current policy on re-employing former members of staff who have retired? Can he envisage circumstances where they might return?

[\[Enclosure CC76.29a-2014 \]](#)

15.30 **Question to the Leader from County Councillor David Jones**

Could the Leader provide an update on renewal of the congress system for the council?

[\[Enclosure CC76.30a-2014 \]](#)