



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

Jeremy Patterson
Chief Executive

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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 22 October 2014 at 10:30AM**

Yours sincerely,

Jeremy Patterson

Chief Executive

AGENDA

1.	APOLOGIES	CC77-2014
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To receive apologies for absence

2.	MINUTES	CC78-2014
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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.

[\[Enclosure CC78a-2014 \] \(Powys County Council 16 July 2014\)](#)

3.	DECLARATIONS OF INTEREST	CC79-2014
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To receive any declarations of interest from Members relating to items to be considered on the agenda.

4.	CHAIRMAN'S ANNOUNCEMENTS	CC80-2014
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To receive any announcements from the Chair of Council.

5.	LEADER'S ANNOUNCEMENTS	CC81-2014
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To receive any announcements from the Leader.

6.	CHIEF EXECUTIVE'S BRIEFING	CC82-2014
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To receive a briefing from the Chief Executive.

7.	BUDGET VIREMENTS REQUIRING COUNCIL APPROVAL	CC83-2014
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To consider budget virements over £300,000 requiring Council approval.

[\[Enclosure CC83a-2014 \]](#)

8.	ANNUAL PERFORMANCE REPORT	CC84-2014
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To receive and consider the Annual Performance Report.

[\[Enclosure CC84a-2014 \]](#)

[\[Enclosure CC84b-2014 \]](#)

[\[Enclosure CC84c-2014 \]](#)

9.	COUNCIL TAX DISCOUNTS- UNOCCUPIED AND SUBSTANTIALLY UNFURNISHED DWELLINGS	CC85-2014
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To receive and consider a report on Council Tax discounts for unoccupied and substantially unfurnished dwellings.

[\[Enclosure CC85a-2014 \]](#)

10.	REVISION TO THE CURRENT CONSTITUTION - THE LOCAL AUTHORITIES (STANDING ORDERS) (WALES) (AMENDMENT) REGULATIONS 2014	CC86-2014
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To consider revisions to the current Constitution as recommended by the Democratic Services Committee.

[\[Enclosure CC86a-2014 \]](#)

[\[Enclosure CC86b-2014 \]](#)

[\[Enclosure CC86c-2014 \]](#)

11.	LOCAL RESOLUTION PROTOCOL	CC87-2014
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To consider adopting the Local Resolution Protocol as recommended by the Democratic Services Committee.

[\[Enclosure CC87a-2014 \]](#)

12.	UNACCEPTABLE ACTIONS BY SERVICE USERS	CC88-2014
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To consider adopting a policy for managing unacceptable actions by service users.

[\[Enclosure CC88a-2014 \]](#)

13.	REMOTE ATTENDANCE AND WEBCASTING	CC89-2014
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To consider the report of the Solicitor to the Council.

[\[Enclosure CC89a-2014 \]](#)

14.	NEW CONSTITUTION	CC90-2014
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To consider approving sections of the new Constitution.
Section 4 will follow.

[\[Enclosure CC90a-2014 \]](#)

[\[Enclosure CC90b-2014 \]](#)

[\[Enclosure CC90c-2014 \]](#)

THE FOLLOWING ITEM IS TIMED FOR 12.30

15.	WELSH NETWORK OF HEALTHY SCHOOL SCHEMES NATIONAL QUALITY AWARD	CC91-2014
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To receive a presentation from pupils of Llanfyllin High School, Llangors Church in Wales Primary School, Newbridge on Wye Church in Wales Primary School and Carreghofa CP School who are recipients of the Welsh Network of Healthy Schools National Quality Award.

16.	APPOINTMENT TO WLGA COUNCIL	CC92-2014
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To appoint one Member to the WLGA Council following the resignation of County Councillor Tony Thomas from that position.

17.	APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES BY POLITICAL GROUPS APPROVED BY THE MONITORING OFFICER	CC93-2014
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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 David Jones appointed to Environment, Infrastructure and Crime & Disorder Committee
County Councillor Francesca Jump appointed to Mid Wales Housing Association.

18.	NOTICE OF MOTION FROM COUNTY COUNCILLORS ALED DAVIES AND PETER LEWIS	CC94-2014
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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

19.	NOTICE OF MOTION FROM COUNTY COUNCILLORS ALED DAVIES AND GWYNFOR THOMAS	CC95-2014
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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.

20.	NOTICE OF MOTION FROM COUNTY COUNCILLORS PAUL ASHTON AND WILLIAM POWELL	CC96-2014
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The Council notes that:

In the County of Powys over 2,300 people are living with Dementia.

Across Wales as a whole more than 45,000 people are living with the condition.

The financial cost of Dementia to Wales was estimated as being over £1.26 billion in 2013.

Two thirds of people with Dementia live in the community, many on their own.

The remaining one third of people with Dementia live in a care home.

Only 41% of people living with Dementia in Powys have received a formal diagnosis.

Diagnosis is the key that unlocks access to both statutory and third sector support.

The Brecon Beacons National Park has pledged to become the first "Dementia Friendly" national park in the U.K.

Brecon was the first community in Wales to gain the Alzheimers Society "Working to become Dementia Friendly" recognised status.

This Council resolves to:

Work with communities across Powys to help them gain "Working to become Dementia Friendly" status, with a view to making Powys the first "Dementia Friendly" county in Wales.

Appoint an elected member to champion the "Dementia Friendly" cause, and to appoint a lead officer for Dementia.

Work in partnership with the Dementia Friendly Community Groups in Powys, and the Powys Teaching Health Board, to develop and improve services for people with Dementia.

Encourage Councillors, staff and our care providers to become Dementia Friends through the Alzheimers Society Dementia Friends initiative.

Participate in awareness raising activities during Dementia Awareness Week.

Ensure that due consideration is given to people living with Dementia and their carers by including them explicitly in Equality Impact Assessments.

Ensure H.R. policies reflect the needs of carers in our workforce.

Proposer County Councillor Paul Ashton

Seconder County Councillor William Powell

21.	NOTICE OF MOTION FROM COUNTY COUNCILLORS WYNNE JONES AND AVRIL YORK	CC97-2014
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That the Council welcomes the decision to instigate a wide ranging Independent Review into issues surrounding the transfer of domiciliary care contracts, but in view of recent events in relation to contractor REACH, Council requests that the Independent Review also specifically looks in detail, at what measures PCC took to ascertain the quality of the service provided by REACH, prior to their appointment. Council also requests that the report from the Independent Review is made public as soon as possible.

Proposer County Councillor Wynne Jones

Seconder County Councillor Avril York

22.	NOTICE OF MOTION FROM COUNTY COUNCILLORS WYNNE JONES AND ALED DAVIES	CC98-2014
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That Council requests the Cabinet to reconsider their decision of the 9th September to close Machynlleth Recycling Centre. Instead Council feels that there should be a complete review of the whole Household Recycling Centre service, with all options considered, in order to deliver the budget savings already identified by Cabinet, whilst at the same time enabling the Council to maintain an equitable service across the county.

Proposer County Councillor Wynne Jones

Seconder County Councillor Aled Davies

23.	NOTICE OF MOTION FROM COUNTY COUNCILLORS WYNNE JONES AND TIMOTHY VAN-REES	CC99-2014
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That the Council requests a full review take place of the current Secondary Education provision in Powys, in order to provide a sustainable model for future and the very best possible educational opportunities for Powys children.

Proposer County Councillor Wynne Jones

Seconder County Councillor Timothy Van-Rees

24.	QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION	CC100-2014
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24.1 **Question to the Portfolio Holder for Highways and Environmental Health from County Councillor Timothy Van-Rees**

Would the council provide immediately to town and community councils full details of the cost of maintaining and running those public lavatories which the council proposes to offer to town and community councils and would the council advise as soon as possible what steps the council proposes to take to put those public lavatories which fall short of an acceptable standard into such a state that they can properly be taken over by the relevant town or community council?

[\[Enclosure CC100.1a-2014 \]](#)

24.2 **Question to the Portfolio Holder for Highways and Environmental Health from County Councillor Avril York**

Builth Town Council, like many towns in Powys, host a range of non-statutory services. The Cabinet has already made it clear that they do not intend to continue to run toilets or play parks. In order for these towns to make logical & sensible decisions on behalf of their council tax payers about priorities they need information of the current costs of these provisions. Therefore why are the portfolio holder and Leader of the Cabinet unwilling to share the current cost of running the toilets on the Groe with the local member and the town council?

[\[Enclosure CC100.2a-2014 \]](#)

24.3 **Question to the Portfolio Holder for Property and Assets from County Councillor Kath Roberts-Jones**

Could the Portfolio Holder explain why the refurbishment of the County Hall canteen is taking place during the months of September and October rather than during July and August when there are less staff and councillors attending County Hall?

[\[Enclosure CC100.3a-2014 \]](#)

24.4 **Question to the Portfolio Holder for Regeneration and Planning from County Councillor Wynne Jones**

At the Special Council Meeting in May, called to discuss the Local Development Plan, the matter of the consultation period was discussed at some length. It was the feeling of those present at the meeting, that if the consultation had to take place over the main holiday period, then it should be an 8 week consultation. Following the meeting their seems that some problems which resulted in the consultation not being able to start until 28th July, and the consultation was at 6 weeks, to conclude on 8th September, therefore almost entirely in the main holiday period, and certainly not in accordance with Members expressed wishes. The Leaders of two Political Groups on the Council, subsequently requested an extension of the consultation period, but this was refused with no reasons being provided.

Therefore could the Portfolio Holder please explain to Council, why the expressed wishes of Members were ignored in this instance, who made the decision to have a 6 week consultation period held almost entirely over the main holiday period, and the reason why? Additionally why was the request for an extension to the consultation refused and who made that decision?

[\[Enclosure CC100.4a-2014 \]](#)

24.5 **Question to the Portfolio Holder for Finance from County Councillor Wynne Jones**

Could the Portfolio Holder please explain to Council, the political direction and strategy that he has set, for the period through to 2020, for the budget setting and management, and the long term financial stability of the Council?

[\[Enclosure CC100.5a-2014 \]](#)

24.6 **Question to the Portfolio Holder for Finance from County Councillor David Jones**

Could the Portfolio Holder provide details of the cost of primary school meals per pupil to the council up to the point where the meal is served but excluding costs of the actual dining provision?

[\[Enclosure CC100.6a-2014 \]](#)

24.7 **Question to the Portfolio Holder for Finance from County Councillor David Jones**

Could the Portfolio Holder provide details of the finance provided by the county council to run and maintain our sports and leisure centres and the money paid by customers to use the service?

[\[Enclosure CC100.7a-2014 \]](#)

24.8 **Question to the Portfolio Holder for Education and Children's Services from County Councillor Joy Shearer**

Can the Portfolio Holder please explain to Council why PCC have failed in their duty of care to comply with Fire Authority recommendations for work to be carried out at Ysgol Rhiw-Bechan Primary School?

[Enclosure CC100.8a-2014]

24.9 **Question to the Portfolio Holder for Regeneration and Planning from County Councillor David Price**

Planning Liaison meetings between the County Planning Service and Town and Community Councils have been traditionally held twice yearly in both the North and South of the County and were greatly valued by all concerned. However there has been no Planning Liaison Meetings since April 2012, despite requests from T & C Councils for them to be held. Could the Portfolio Holder please give the reasons as to why these greatly valued meetings have not been held since April 2012 and if she is planning to reinstate them., and if so, when?

[Enclosure CC100.9a-2014]

24.10 **Question to the Portfolio Holder for HR from County Councillor Stephen Hayes**

In view of your view, expressed frequently and forcibly, that the Council employs far too many middle managers, can you please inform council of the steps you as portfolio-holder for HR have taken to ascertain the extent of the problem and the actions you will be taking to remedy it?

[Enclosure CC100.10a-2014]

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

Is the Portfolio Holder content with the current level of sickness absence in the council, and are there any services where he feels that sickness absence levels are unacceptable?

[Enclosure CC100.11a-2014]

24.12 **Question to the Portfolio Holder for Education and Children's Services from County Councillor John Morris**

Future funding of Secondary Schools in Powys.

It is increasingly apparent that by 2017 that projections for secondary school funding in Powys will show at least a 2 million pounds overspend, at a time of severe financial cuts across the council. This coupled with a steep increase in vacant places in some schools questions the sustainability of secondary school provision in Powys. Bearing in mind that schools need to have early information on their budgets to react to any policy change, what plans have been put in place by you, as portfolio holder, and the cabinet to deal with this overspend and to alert schools and communities to this?

[Enclosure CC100.12a-2014]

24.13 **Question to the Portfolio Holder for Adult Social Care from County Councillor John Morris**

Kirsty Williams AM has received a number of letters highlighting delayed transfer of care, bed blocking because the care agency was unable to supply care. These include a letter from Dr. D. Paton Chair of the Powys sub-committee of the Dyfed Powys Local Medical Committee. It is stated that the widespread failure to provide packages of care has increased the pressure on District General and Local Community hospitals to the detriment of these vulnerable patients and the provision of services to other patients.

What is the extent of this bed blocking across Powys due to DTOC and how are you directing the care agencies to deal with this important issue?

[Enclosure CC100.13a-2014]

24.14 **Question to the Portfolio Holder for Democratic Services from County Councillor Gareth Morgan**

Can the Portfolio Holder please provide me with the following information relating to the cost of Democratic Services for each individual Shire Committee, namely Montgomeryshire, Brecknockshire and Radnorshire:-

(a) the total revenue expenditure for 2013/14 and the budgetary provision for 2014/15 in respect of the provision of Democratic Services and support for each Shire to include the cost of calling meetings, officers' support, representation by senior officers at meetings, the cost of Members attending meetings and, if available, the travelling expenses of Cabinet members attending meetings outside their own Shires;

(b) capital expenditure for each individual Shire Committee for the aforementioned years for maintain the accommodation to a satisfactory standard;

(c) specify the Executive powers which each Shire Committee enjoys stating how often these powers are used;

(d) what expenditure has been incurred for the provision of refreshments at Shire meetings?

[Enclosure CC100.14a-2014]

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

The authority set up a system of Local Environment areas, so that operational decisions and local services could be integrated, the reason for this change was to improve the effectiveness and efficiency of service delivery. Can the cabinet member outline any changes to this system, and why any changes are being made?

[Enclosure CC100.15a-2014]

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

Can the Cabinet member provide a link on the Council's website to the Council's Customer Services telephone contact numbers, and can he provide his view on how easy he believes it is to locate those numbers on the website. Does the cabinet member also agree with me that sometimes Powys residents need to have a telephone conversation with a member of staff, and that email and other forms of non direct contact are not always the most appropriate way to support an enquiry?

[Enclosure CC100.16a-2014]

24.17 **Question to the Portfolio Holder for Adult Social Care from County Councillor Russell George**

Can the cabinet member provide the following information?

The total number of formal incidents and concerns regarding the provision of Adult social care, or quality of, for the following periods below from all partner organisations (eg NHS, police, PTHB, GP?s) politicians, and from members of the public

A - April 1st 2013 - Sept 30th 2013 (6 months period last year)

B - April 1st 2014 - Sept 30th 2014 (6 months period this year)

C - The same information to be provided by numbers in terms of monthly incidence

[Enclosure CC100.17a-2014]

[Enclosure CC100.17b-2014]

[Enclosure CC100.17c-2014]