

**MINUTES OF A MEETING OF THE COUNTY COUNCIL HELD AT COUNCIL
CHAMBER - COUNTY HALL, LLANDRINDOD WELLS ON WEDNESDAY, 20 APRIL
2016**

PRESENT

County Councillor PJ Ashton (Chair)

County Councillors MC Alexander, D Bailey, G R Banks, R G Brown, J H Brunt, L V Corfield, K W Curry, M J B Davies, S C Davies, D E Davies, L R E Davies, E R Davies, S Davies, A W Davies, M J Dorrance, V E Evans, W J Evans, D O Evans, L Fitzpatrick, R I George, J Gibson-Watt, M R Harris, S M Hayes, A Holloway, J C Holmes, G Hopkins, E A Jones, D C Jones, M J Jones, E M Jones, Eldrydd M Jones, G M Jones, D R Jones, J R Jones, W T Jones, F H Jump, P E Lewis, H Lewis, P J Medicott, DW Meredith, R H Mills, ET Morgan, G Morgan, JG Morris, W J T Powell, WD Powell, GD Price, D R Price, P C Pritchard, G W Ratcliffe, K M Roberts-Jones, J G Shearer, K S Silk, K F Tampin, D A Thomas, W B Thomas, A G Thomas, D G Thomas, R G Thomas, T J Van-Rees, G P Vaughan, D H Williams, S L Williams, J M Williams, G I S Williams and E A York

1.	APOLOGIES	CC37- 2016
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Apologies for absence were received from County Councillors GJ Bowker, P Harris, MC Mackenzie, DJ Mayor, S McNicholas, and TG Turner.

The Chair read out a note from Councillor Susan McNicholas thanking members for their messages of support while she recuperated from her accident.

2.	MINUTES	CC38- 2016
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The Chair was authorised to sign the minutes of the last meeting held on 9th March 2016 as a correct record.

3.	DECLARATIONS OF INTEREST	CC39- 2016
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There were no declarations of interest reported.

4.	CHAIR'S ANNOUNCEMENTS	CC40- 2016
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The Chair referred to the death of Mr Fred Barker, a member of the Council from 1995 to 2012 and a past member of the City and County of Chester Council and Radnorshire District Council. Members and officers stood as a mark of respect.

The Chair advised that amongst the events he had attended was the inauguration of the new High Sheriff Ann Tudor and the final of the National Crimebeat Awards where pupils from Crickhowell High School had come 1st for their presentation and 3rd overall.

County Councillor Van-Rees proposed a telegram of loyal congratulations to Her Majesty The Queen on the occasion of her 90th birthday which was supported by the Council.

5.	LEADER'S ANNOUNCEMENTS	CC41- 2016
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The Leader advised Council that the last of the consultation meetings on secondary school modernisation in Mid and South Powys would take place at Gwernyfed that evening. He reported the announcement by Freedom Leisure of a £2m investment in the leisure centres at Brecon, Rhayader and Welshpool. He also reported a 99.69% rent collection rate in the last quarter, the highest ever achieved. He also noted receipt of a £2m grant from Welsh Government to develop social housing in Crickhowell and Newtown and £800,000 Welsh Government funding for transport and road safety schemes. The Leader also reported that Welsh Government approval had been received for the business case to develop new English and Welsh medium primary schools in Welshpool and that the contract to build 5 new primary schools in the Gwernyfed catchment had been awarded.

6.	CHIEF EXECUTIVE'S BRIEFING	CC42- 2016
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The Chief Executive reported that the Joint Partnership Board had met for the first time under its new remit to oversee integration with Powys Teaching Health Board and that Councillor Stephen Hayes had been appointed Chair. He also reported that interviews for the post of Director of Transformation had been held the previous week and an appointment made. He advised Council that the Cabinet had approved a new set of staff values which had received positive feedback from staff. He also noted two new pieces of legislation which had come into force, the Social Services and Wellbeing Act which introduced new regional arrangements for social care with Powys being a region in its own right, and the Future Generations and Wellbeing Act which would introduce Public Service Boards in place of Local Service Boards.

7.	VIREMENTS	CC43- 2016
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Council received details of two capital virements in excess of £500,000 requiring Council approval. It was noted that the figures in the schedule should be shown as thousands. The Portfolio Holder for Finance moved the recommendations, seconded by the Leader.

The recommendation was passed by 64 votes to 0.

<http://powys.moderngov.co.uk/mgA.aspx?M=2864>

RESOLVED	Reason for Decision:
To approve the virements set out in the schedule filed with the signed minutes.	As required by financial standing orders.

Council considered the report of the Solicitor to the Council on amendments to the following sections of the Constitution:

Section 4	<i>Full Council</i>
Section 5	<i>The Cabinet</i>
Section 7	<i>Scrutiny Committees</i>
Section 9	<i>Regulatory Committees</i>
Section 10	<i>Joint Committees</i>
Section 11	<i>Officers</i>
Section 13	<i>Responsibility for Functions</i>
Section 14	<i>Access to Information Procedure Rules</i>
Section 16	<i>Financial Procedure Rules</i>
Section 18	<i>Code of Conduct for Members</i>
Section 19	<i>Code of Conduct for Members and Officers Dealing with Planning Matters</i>

The Solicitor to the Council explained that the electronic voting system meant that votes would be automatically be recorded and included in the minutes. The right to request a recorded vote would remain. County Councillor Stephen Hayes asked for clarification as to whether a recorded vote under draft Rule 4.66.2 could be requested after a vote had been taken.

RESOLVED to reword draft Rule 4.66.2 of Section 4 to make it clear that a request to have a vote recorded must be made before the vote is taken.

County Councillor MJ Dorrance proposed an amendment to Paragraph 5.26 of Section 5, seconded by County Councillor AW Davies, that the requirement to submit questions in writing to the Cabinet at least 24 hours before the start of the meeting be struck out.

The amendment was passed by 34 votes to 26 with 3 abstentions.
<http://powys.moderngov.co.uk/mgA.aspx?M=2864>

RESOLVED that the requirement in draft Rule 5.26 to submit questions in writing to the Cabinet at least 24 hours before the start of the meeting be struck out.

A request for the Planning department to acknowledge requests by local members to refer applications to the Planning, Taxi Licensing and Rights of Way

Committee did not require a change to the Constitution but would be raised with the relevant officers.

County Councillor SC Davies, Chair of the Democratic Services Committee moved the recommendations, as amended above, seconded by County Councillor JM Williams.

The recommendations were passed by 61 votes to 2.

<http://powys.moderngov.co.uk/mgA.aspx?M=2864>

RESOLVED	Reason for Decision:
(i) that the amendments to the Sections of the new Constitution set out above be approved subject to the draft rule 4.66.2 being reworded and draft Rule 5.26 being deleted.	To agree revised sections of the new Constitution.
(ii) that Version 2 of the Constitution take effect from 20th April, 2016.	

9.	COMPOSITION OF COMMITTEES	CC45- 2016
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Council considered the report of the Solicitor to the Council on the composition of committees.

County Councillor DR Price proposed an amendment, seconded by County Councillor KF Tampin, that the size of the Planning, Taxi Licensing and Rights of Way Committee remain at 21 members.

The amendment was passed by 44 votes to 20 with 2 abstentions.

<http://powys.moderngov.co.uk/mgA.aspx?M=2864>

RESOLVED that the size of the Planning, Taxi Licensing and Rights of Way Committee remain at 21 members.

County Councillor DW Meredith proposed an amendment, seconded by County Councillor MJ Dorrance, that the size of the People Scrutiny Committee, Place Scrutiny Committee and Audit Committee remain unchanged.

The amendment was lost by 30 votes to 31 with 3 abstentions.

<http://powys.moderngov.co.uk/mgA.aspx?M=2864>

County Councillor AG Thomas proposed an amendment, seconded by County Councillor GP Vaughan, that the membership of the Pensions and Investment Committee be increased to include the Portfolio Holder for Finance.

The amendment was passed by 41 votes to 20.

<http://powys.moderngov.co.uk/mgA.aspx?M=2864>

RESOLVED that the membership of the Pensions and Investment Committee be increased to include the Portfolio Holder for Finance.

County Councillor SC Davies, Chair of the Democratic Services Committee moved the recommendations, seconded by County Councillor GR Banks, as amended above.

The recommendations were passed by 51 votes to 12.
<http://powys.moderngov.co.uk/mgA.aspx?M=2864>

RESOLVED	Reason for Decision:
<p>(i) that the membership of the Council's committees be amended to 14 County Councillors as set out in paragraph 3.3 of the report (with the exception of the Planning, Taxi Licensing & Rights of Way Committee which remains at 21 County Councillors and the Pensions & Investment Committee which is increased to 6 County Councillors by the addition of the Portfolio Holder for Finance);</p> <p>(ii) that the revised membership takes effect from the Annual Meeting on 11th May, 2016;</p> <p>(iii) that the Solicitor to the Council amend the Constitution to reflect the amended membership of committees.</p>	<p>To progress the Council's budget reduction in reducing the membership of committees.</p>

Council adjourned from 12.15 p.m. to 12.30 p.m.
 County Councillor PE Lewis left the meeting.

10.	SCRUTINY COMMITTEE CHAIRS	CC46- 2016
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Council considered the report of the Solicitor to the Council on the allocation of Scrutiny Chairs following the move of a member from one political group to another. Due to the equality of numbers in both the Welsh Conservatives and Welsh Liberal Democrats Groups, an agreement had been reached by the two groups resulting in the entitlement to the Place Scrutiny Committee chair falling to the Welsh Liberal Democrats Group. The Welsh Liberal Democrats had appointed County Councillor Kelvyn Curry to the position. County Councillor KS Silk proposed the recommendation, seconded by County Councillor JG Morris.

The recommendation was passed by 51 votes to 4 with 2 abstentions.
<http://powys.moderngov.co.uk/mgA.aspx?M=2864>

RESOLVED	Reason for Decision:
To allocate the Place Scrutiny Committee Chair to the Welsh Liberal Democrats Group as set out in paragraph 1.6 of the report, and to note the political group's appointment in respect of Chair.	To comply with statutory requirements (including those concerning the need for political balance) and the Council's Constitution in relation to the allocation and appointment of committee seats and Chairs.

11.	NOTICE OF MOTION - COUNTY COUNCILLOR MYFANWY ALEXANDER AND COUNTY COUNCILLOR GARETH RATCLIFFE	CC47- 2016
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Council debated the following notice of motion proposed by County Councillor MC Alexander and seconded by County Councillor GW Ratcliffe:

This Council is called upon to make many decisions but few will have the far-reaching and dramatic consequences which spring from major changes to the Authority's High Schools. These decisions need to be reached in an open manner, following the widest possible debate, and to this end, it is proposed that all substantial changes to Powys High Schools should be discussed by Full Council. Substantial changes shall be defined as changes in admission age (including abolition of post 16 provision and the creation of All Through schools), changes in linguistic or faith status, (except when that status shall have been changed organically by gradual extension of curriculum provision), merger or joint management or closure. Such a debate should be given adequate time for full discussion and, if possible, should be webcast to allow members of the community to follow the arguments. Following the debate, a motion should be passed which would give an opportunity for the democratic will of the Council to be expressed.

In moving the motion Councillor Alexander explained that it related only to secondary schools and to major changes. Councillor Alexander argued that there was a perceived lack of democracy and that allowing an open debate in Council would make decisions more acceptable to communities. Councillor Ratcliffe referred to a decision by Pembrokeshire County Council to have decisions on major school reorganisation matters taken by the Council rather than the Cabinet.

County Councillor EA Jones, the Portfolio Holder for Education, moved an amendment, seconded by County Councillor DR Jones

Before the end of the current consultation period the Council will hold a meeting to discuss fully the current consultation relating to Mid and South Powys and a similar meeting will be held in when proposals in the north of the county are brought forward.

The proposer and seconder of the original motion confirmed that they were content for consideration to be deferred until the Monitoring Officer had time to look into the information provided by Councillor Ratcliffe regarding responsibility for decisions on education in other authorities. Members were advised that the date of the extraordinary meeting was likely to be 16th May.

12.	QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION	CC48- 2016
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12.1 Question to the Portfolio Holder with Responsibility for School Dinners from County Councillor Matthew Dorrance

What is the Council doing to ensure that locally grown food is used in School Dinners?

Wherever possible we like to try and use Welsh and local suppliers for the provision of school meals. Currently we use a number of Powys based suppliers, all of our sausages come from Langford's (The Welsh Sausage Company) based in Welshpool. All of our bottled water and fruit juice for our high schools is supplied by Radnor Hills based in Knighton. We have a few suppliers for fruit and vegetables these are based in Hereford and Forden (Welshpool).

Powys County Council has a number of requirements suppliers need to meet:

- Sufficient volume i.e. be able to supply to all sites within geographical areas of Powys. Schools are supplied a number of times per week with fresh produce; the frequency depends on the size of the school and the storage facilities available. Delivery frequency needs to be 2-3 deliveries per week to all establishments.*
- Good quality produce, suppliers need to meet certain criteria as part of a HACCP set up by PCC. Suppliers need to be STS audited by an external auditor to ensure food safety of produce from farm to fork, in line with recommendations from the Pennington report 2005.*
- Reasonable price/ mark up (on-costs).*

We are in the process of waiting for the NPS (National Procurement Service) Wales to issue invitations to tender to provide local authorities with new food contracts, this is likely to be August 2016. The catering service works with the commercial services team to ensure any new food contracts provide value for money while maintaining quality.

In response to Councillor Dorrance's supplementary question on whether the Cabinet would undertake a review of school catering to promote local businesses and producers, the Portfolio Holder for Education confirmed that contracts were being looked at.

12.2 Question to the Portfolio Holder with responsibility for Housing from County Councillor Matthew Dorrance

The Welsh Labour Government's 'Welsh Housing quality Standard' has transformed a tired stock into more energy efficient and fit for purpose

homes that residents can have pride in. However, our housing estates need the Council to deal with a backlog of work - like resurfacing pathways and cul-de-sacs; fixing fences and cutting hedges; and clearing up graffiti and fly-tipping.

What is the Council's plan for tackling these issues?

As Councillor Dorrance will be aware the council is investing considerable sums in achieving the Welsh Housing Quality Standard across the county. In the last financial year £14.1 million was spent on improving the homes of tenants and in the current financial year we plan to spend £15.2 million in 2016-17. These funds are predominantly spent on the primary elements of our homes (new kitchens, bathrooms, re-roofing, the installation of external wall insulation, rewiring, new heating systems). Whilst we have a small capital fund (£1 million in 2016-17) to improve secondary elements (works to the immediate environment of our homes) across the county, most of the items that Cllr Dorrance's question focus on are undertaken as responsive maintenance works.

Resurfacing paths and roads - *We inspect these regularly and also respond to reports/complaints from tenants, councillors and members of the public. Where areas need to be resurfaced we do this on a responsive basis. There is no overarching plan to resurface all footways and roadways in the housing stock.*

Hedges that Housing are responsible for are – *some hedges are included in the grounds maintenance contract and our regularly trimmed by our contractor, however some hedges are the responsibility of tenants to maintain. This contract is currently under review. If there are one off pieces of work that need to be done we look at these on a case by case basis.*

Fences – *there is no programme to renew fences. These are addressed as a responsive maintenance issue when problems are reported by tenants, councillors and members of the public. We have done and will continue to do the occasional environmental improvement scheme, as and when the need arises and these will from time to time include the replacement of fences.*

Graffiti and fly tipping *on council estates are treated as a responsive maintenance issue that need to be attended to urgently and so are done on a case by case basis following a report from a tenant, councillor, or member of the public or from an estate inspection undertaken by officers from the housing service.*

In response to Councillor Dorrance's supplementary question asking for a commitment to work with tenants and local members to produce a more robust housing management plan, the Leader advised that he would be allocating the Housing portfolio by the end of the week and that he would arrange for the portfolio holder to contact Councillor Dorrance.

12.3 Question to the Portfolio Holder for Education from County Councillor Gareth Ratcliffe

As you aware Estyn monitors progress in all schools and this ranges from special measures for schools in difficulty, to a light touch regime for the

best schools with the majority being in a middle group that are inspected on specific issues. On the 16 March Estyn announced that Gwernyfed High School would no longer be in that middle group but because of the progress made and instead will join High Schools such as Welshpool, Maesydderwen and Crickhowell that do not need any additional monitoring (not special monitoring as had been reported). Can I invite the Cabinet to offer its congratulations to Gwernyfed High School on this achievement?

In response to Councillor Ratcliffe's question, I can confirm that Estyn carries out an inspection in schools with all schools inspected at least once in a seven year cycle. The level of monitoring depends on the outcome of the inspection. There are five outcomes which are:

- *No monitoring*
- *Monitoring by the Local Authority*
- *Estyn monitoring which involves a visit by a team of HMI approximately 12-18 months after the original inspection. The purpose is to make a judgement of progress against the core inspection recommendations.*
- *Significant Improvement with a similar monitoring procedure to schools judged to require Estyn monitoring.*
- *Special Measures which involves a visit of HMI on a termly basis.*

In its core inspection of 2013 Gwernyfed was judged to require Estyn monitoring. The monitoring visit took place early in the Spring Term with the outcome being that Gwernyfed had made sufficient progress to require no further monitoring in relation to the 2013 inspection outcome. This is a pleasing outcome for both the school and the Council and is the result of a great deal of work by the school with support and challenge by the School service and ERW. The Cabinet congratulates the school on this outcome.

In response to Councillor Ratcliffe's supplementary question asking for confirmation that the schools modernisation process was for educational purposes only, the Portfolio Holder for Education advised that the process was aimed at improving standards and subject choices to ensure viable education provision for the future.

48.1. Question to the Portfolio Holder with Responsibility for School Meals from County Councillor Matthew Dorrance

48.2. Question to the Portfolio Holder with responsibility for Housing from County Councillor Matthew Dorrance

48.3. Question to the Portfolio Holder for Education from County Councillor Gareth Ratcliffe

County Councillor PJ Ashton (Chair)