

**MINUTES OF A MEETING OF THE COUNTY COUNCIL HELD AT COUNCIL
CHAMBER - COUNTY HALL, LLANDRINDOD WELLS ON WEDNESDAY, 19
OCTOBER 2016**

PRESENT

County Councillor K F Tampin (Chair)

County Councillors MC Alexander, PJ Ashton, D Bailey, G R Banks, G J Bowker, R G Brown, J H Brunt, M J B 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, J Gibson-Watt, P Harris, M R Harris, S M Hayes, J C Holmes, G Hopkins, 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, MC Mackenzie, D Mayor, S McNicholas, P J Medlicott, 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, K M Roberts-Jones, K S Silk, D A Thomas, W B Thomas, A G Thomas, D G Thomas, R G Thomas, T Turner, T J Van-Rees, G P Vaughan, D H Williams, S L Williams, J M Williams, G I S Williams and E A York

Members paid tribute to Ann Holloway who had passed away referring to her lifetime of public service as a teacher, Town Councillor and County Councillor. Members and officers stood for a minutes silence as a mark of respect.

1.	APOLOGIES	CC83- 2016
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Apologies for absence were received from County Councillors LV Corfield, KW Curry, SC Davies, EA Jones, GW Ratcliffe and JG Shearer.

2.	MINUTES	CC84- 2016
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Subject to the inclusion of the name of County Councillor Eldrydd Jones in the list of members present at the meeting on 13th July, the Chair was authorised to sign the minutes of the meetings held on 13th July and 8th September 2016 as correct records.

3.	DECLARATIONS OF INTEREST	CC85- 2016
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County Councillor RG Thomas declared an interest in item CC93 – 2016 Llanfechain Community Council as he was named in the report.

4.	CHAIR'S ANNOUNCEMENTS	CC86- 2016
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The Chair gave details of some of the engagements he had attended including the Gurkhas honorary citizenship ceremony in Brecon in July and the stage finish of the Tour of Britain at the Royal Welsh Showground. He noted the success of the Powys Business Awards sponsored by the County Council at Derring Lines on 30th September. He reminded Members about his charity concert taking place in Builth Wells on 29 October and the Members Sunday Lunch at Caerberis on 6 November.

5.	LEADER'S ANNOUNCEMENTS	CC87- 2016
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The Leader also referred to the Powys Business Awards and congratulated Invertek Drives Ltd of Welshpool who had been named Powys business of the year for the second year running. He also noted that three stages of the Wales GB Rally would be held in the county and advised that Welsh Government had approved the outline business case for Brecon and Gwernyfed High Schools and that plans would be submitted for a replacement for Ysgol Bro Hyddgen.

6.	CHIEF EXECUTIVE'S BRIEFING	CC88- 2016
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The Chief Executive drew Council's attention to the annual performance data for local authorities in Wales. Powys was ranked 11th of the 22 Welsh Authorities but was the 4th most improved with improvement in 67% of indicators, no change in 10% and a reduction in 23%. For the worst funded Council in Wales this was a great effort and the Chief Executive put on record his thanks to the staff. The Chief Executive also referred to the mid year population estimates which forecast a decline in the population of the county, particularly in the numbers of children and working age adults. This would be a challenge for services particularly schools as the number of secondary school age children was forecast to fall by 400 by 2019. He noted that the provisional budget settlement was due to be announced by Welsh Government and that the Cabinet Secretary for Finance and Local Government had decided not to proceed with proposals for local government reorganisation but would consider voluntary mergers. Finally he congratulated the Council's Trading Standards team for their successful prosecution of rogue traders selling harmful teeth whitening products in Operation Gleam. Council agreed that a letter of congratulations should be sent by the Chair to the team.

7.	CAPITAL VIREMENT FOR HOUSEHOLD WASTE RECYCLING CENTRE	CC89- 2016
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Council considered a capital virement moving £700,000 into the capital budget in 2016/17 to allow for the purchase and development of a household waste recycling site. This would allow savings to be made earlier. The recommendation was moved by County Councillor Wynne Jones and seconded by County Councillor Michael Williams and was passed by 40 votes to 10 with 7 abstentions.

RESOLVED	Reason for Decision:
To approve the Capital Virement of £700,000.	To monitor the Council's financial performance and ensure that spending remains within approved limits and that the 3% minimum general fund reserve is maintained.

8.	DRAFT ONE POWYS PLAN ANNUAL PERFORMANCE EVALUATION 2015 - 16	CC90- 2016
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Council considered the draft One Powys Plan Annual Performance Summary and Evaluation. A number of members challenged the assessment and asked what difference was being made to the lives of Powys' residents. It was explained that the document set out examples of the difference made. County Councillor Bailey the Council's Dementia Champion referred to the nomination of Llanfaes Community Primary School for an award from the Alzheimer's Society for their work with Trenwydd Residential Home which was referenced in the assessment. Council agreed that the Chair should send a letter of congratulations.

Several members questioned the assessment that the Council had been successful in delivering its commitments on Education citing the number of schools in special measures and in budget deficit. The Leader advised Council that the evaluation had been sent by email to all Scrutiny Committee members and had been considered by the Scrutiny Chairs and Vice-Chairs Steering Group. The assessment had also been considered by the Council's partners of on the Public Service Board.

An amendment proposed by County Councillor Aled Davies and seconded by County Councillor Gary Price to change the assessment for Education to unsuccessful was lost upon being put to the vote by 9 votes to 44.

The Leader moved and County Councillor Graham Brown seconded the recommendation in the report to approve the One Powys Plan Annual Performance Evaluation and Summary which was passed by 34 votes to 19 with 4 abstentions.

RESOLVED	Reason for Decision:
<p>To approve the DRAFT One Powys Plan Annual Performance Evaluation and Summary 2015 – 2016.</p>	<p>To ensure the report gives a balanced and open account of the Public Service Boards performance during the 2015-16 financial year, against the commitments and measures that were set out in the One Powys Plan 2014-17.</p> <p>To ensure the Council meets its statutory obligations as outlined in the Local Government (Wales) Measure 2009 and Shared Purpose – Shared Delivery guidance.</p>

9.	PROTOCOL FOR PUBLIC PARTICIPATION AT COUNCIL MEETINGS	CC91- 2016
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Council considered a protocol for allowing public participation at ordinary meetings of full Council by the inclusion of a 20 minute slot for public questions on agendas. The protocol had been considered by the Democratic Services Committee and it was proposed that it be trialled at a meeting before the local government elections in May 2017 with the meeting of Council in January 2017 suggested.

A number of members expressed concern that the range of people able to ask questions was too broad and that it should be limited to people living in Powys. Members also asked about the procedure for rejecting questions and for answering supplementary questions. Members did not want the system to discriminate against people who lived far from Llandrindod Wells and for every resident to have the opportunity to put a supplementary question whether or not they could attend the meeting.

An amendment moved by County Councillor Wynne Jones and seconded by County Councillor Timothy Van-Rees that the trial be deferred for Democratic Services Committee to consider the points raised in the debate and report back to Council in January 2017 was lost upon being put to the vote by 26 votes to 33 with 1 abstention.

County Councillor Van-Rees left the meeting.

Council voted on the recommendation in the report moved by County Councillor Gemma Bowker and seconded by County Councillor Liam Fitzpatrick and passed it by 35 votes to 18 with 1 abstention.

RESOLVED	Reason for Decision:
<p>(i) that the draft protocol for public participation at Council meetings be approved.</p> <p>(ii) that prior to its full implementation the protocol be trialled at the meeting of the Council on 26th January 2017 and then reviewed by the Democratic Services Committee.</p>	<p>To comply with the decision of the Full Council in January 2016 to explore options for allowing members of the public to contribute in Council meetings.</p>

10.	2018 REVIEW OF PARLIAMENTARY CONSTITUENCIES	CC92- 2016
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Council noted the Boundary Commission proposals for new parliamentary constituencies in Powys that would see each of the existing constituencies change and the creation of constituencies that cut across local authority boundaries. Members criticised the proposals which took no account of rurality and agreed that it was important that the Council make a formal response. It was

suggested that the group leaders meet to discuss a draft response that could be considered at the special Council meeting on 18th November. A number of members raised issues specific to their communities and it was suggested that these should all be forwarded to the Principal Elections Officer for collation.

It was moved by County Councillor Myfanwy Alexander and seconded by County Councillor James Gibson-Watt that the political group leaders meet to consider a response for consideration by Council on 18th November. The motion was passed by 56 votes to 0.

RESOLVED	Reason for Decision:
That the political group leaders meet to consider a response for consideration by Council on 18th November 2016.	To provide the Boundary Commission with representations from Powys County Council.

Council adjourned at 12.50 p.m. and reconvened at 1.30 p.m.

PRESENT

County Councillor K F Tampin (Chair)

County Councillors MC Alexander, PJ Ashton, D Bailey, G R Banks, G J Bowker, R G Brown, J H Brunt, M J B 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, J Gibson-Watt, P Harris, M R Harris, S M Hayes, J C Holmes, G Hopkins, 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, MC Mackenzie, D Mayor, S McNicholas, 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, K M Roberts-Jones, K S Silk, D A Thomas, W B Thomas, A G Thomas, D G Thomas, R G Thomas, T Turner, T J Van-Rees, G P Vaughan, D H Williams, S L Williams, J M Williams, G I S Williams and E A York

11.	LLANFECHAIN COMMUNITY COUNCIL	CC93- 2016
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County Councillor Gwynfor Thomas declared a personal and prejudicial interest in this item and left the meeting as the report referred to him.

Council considered a proposal to appoint a temporary member to Llanfechain Community to act as a Community Councillor until 8 May 2017. County Councillor Gwynfor Thomas had agreed to be appointed temporarily in this capacity.

The Principal Elections Officer explained that in respect of promoting membership of Town and Community Councils there would be publicity ahead of the elections in May 2017 but that the County Council had little in the way of resources to encourage people to stand or developing councillors' skills.

The recommendation was moved by County Councillor Phil Pritchard and seconded by County Councillor Aled Davies and passed by 40 votes to 0 with 2 abstentions.

RESOLVED	Reason for Decision:
To make the Llanfechain Community Council (Removal of Difficulty) Order 2016 as set out in Annex A to the Report	To enable the said Community Council to function until the end of this term of office on 8 May 2017.

Councillor Thomas returned to the Chamber.

12.	APPOINTMENTS MADE TO COMMITTEES	CC94- 2016
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Council noted the following appointments made to committees by political groups and approved by the Monitoring Officer under the general power of delegation granted by Council:

County Councillor David Jones appointed to the Planning, Taxi Licensing and Rights of Way Committee by the Non-Political Group to replace County Councillor Garry Banks.

County Councillor Timothy Van-Rees appointed to the Employment and Appeals Committee by the Powys Independent Alliance to replace County Councillor Gareth Ratcliffe.

County Councillor E. Michael Jones appointed to the Democratic Services Committee by the Powys Independent Alliance to fill an additional seat on the committee.

County Councillor Stephen Davies appointed to the Planning, Taxi Licensing and Rights of Way Committee by the Conservative Group to replace County Councillor Peter Harris.

13.	QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION	CC95- 2016
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13.1 Question to the Portfolio Holder with responsibility for the Libraries Service from County Councillor Graham Jones

Could I please have the figures incurred for operating the mobile library service (including the operation of vehicles and staff costs) for this calendar year i.e. from 1st January 2016 to the present day? Could I also have comparative costs for the calendar years 2014 and 2015?

From April 2015, the mobile library fleet serving the county reduced from 4 vehicles to 2, making monthly visits to each stop instead of fortnightly visits. There was a corresponding reduction in staffing from 4 to 2 mobile librarians, as part of the budget efficiency targets for 2015/16.

A total of 374 sites are now visited each month by the 2 vehicles, which includes some housebound people along routes, together with day centres/residential

homes, sheltered housing, playgroups and end of school day stops outside primary schools. 438 sites were visited fortnightly with the 4 vehicles in 2014/15, opportunity was taken to rationalise stops when planning the amalgamated routes.

A 3rd vehicle was kept as a spare in April 2015, and is used regularly to provide a service whilst the main vehicles are undertaking routine servicing or any breakdowns, to ensure a continuity of service to the customers. One van was replaced in March 2016, as part of Fleet's regular vehicle replacement regime, but utilising external capital grant funding from Museums, Libraries and Archives Division (MALD) of Welsh Government. Lift access is provided to all vehicles, so that disabled people are able to make good use of the facility.

45,860 items were loaned to customers of the mobile library service during 2015/16.

Public support for the mobile library service is high; in the public consultation exercise over the future of the library service, April – July 2016, 88% of respondents felt that it is either very or fairly important to sustain this service going forward. The previous consultation around the reduction in branch library opening hours and mobile library visits also highlighted this:

"The service is really really valuable to the people who use it. There are a lot of people who cannot travel to a library and those who cannot carry heavy books very far. This is a very important service, please keep it"

Also the value of the service to disabled people and those with limited mobility is highlighted:

The service is really really valuable to the people who use it. There are a lot of people who cannot travel to a library and those who cannot carry heavy books very far. This is a very important service, please keep it"

Budgetary information:

Mobile Library	Calendar Years		
	2014	2015	2016-date (31/08/16)
Llandrindod	46,003	16,344	3,505
Welshpool	50,991	14,587	3,182
Newtown	51,598	39,747	30,370
Brecon	34,323	33,942	29,056

Councillor Jones' supplementary question was how many staff including drivers were employed on the mobile library service. The Portfolio Holder with responsibility for the service was not present so a written response would be provided and circulated to all members.

13.2 Question to the Portfolio Holder for Environment and Sustainability from County Councillor Gwilym Williams

The Welsh Assembly Government have several sites within Powys that have been partly developed for industrial use, one of the sites is in Abermule where the road and infrastructure has been put in several years ago.

I now understand that this site is going to be developed further in the near future for recycling, can the portfolio holder confirm if this is correct, also can the portfolio holder inform me and the Council when this is likely to be completed, and what type of recycling will take place there?

Abermule Business Park was part of the Severn Valley Regeneration initiative, a joint initiative between Powys County Council and Welsh Government, which was launched on 22nd October 2009. Part of plan related to the development of two Welsh Government owned sites, using European Funding, to develop site infrastructure, the Abermule site, to which you refer, being one of the two sites.

The site at Abermule is suitable for small units and therefore its development and management long term would probably be best suited to be undertaken by the County Council, and therefore as you will already be aware, capital funding was included in the Councils forward Capital budget (agreed by Council on 25th February) to enable the Council to purchase the site from Welsh Government and also to fund the first phase of development on the site. Negotiations to purchase the site is currently ongoing with Welsh Government.

At the same time the HTR service are currently looking at suitable sites for a variety of functions across Powys, including North Powys. It would appear that the Abermule site could provide an ideal site for our waste recycling service in the North, as it has direct access straight off the trunk road and is situated well away from residential communities thus alleviating any disturbance that can occur with a working site that is required to operate long hours etc. We therefore feel that there may be an opportunity to successfully co-locate this part of the service onto Abermule site by locating the unit at the back of the site and still allowing the site to be still substantially developed with business units, which remains the main ambition for this important site.

However, I must be clear that at this stage there has been no decisions made on this matter, and obviously cannot be made whilst negotiations are ongoing with Welsh Government regarding the ownership of the site.

Councillor Williams' supplementary question was what type and volume of material processed at the site. The Portfolio Holder explained that the site would be handling kerbside collection material from the north of the county and that the site would be large enough to handle this.

13.3 Question to the Portfolio Holder for Finance from County Councillor Gwilym Williams

With reports in the local paper that the council has over spent by about £5.5million within the first few months of its budget are worrying.

Can the portfolio holder for finance give assurances to me and the Council, that he has a grip on the finances of Powys and we will be within budget by the end of this financial year?

At the Cabinet Meeting on 13th September, in delivering my monthly Finance Report, I informed Cabinet that the projected overspend at the 31st March 2017, was currently estimated to be £5.725 million. This should not be interpreted as

an overspend in the first few months of the year. It is an estimate of what the position will be at the end of the financial year unless corrective action is taken. In fact it may be worth noting that in the period April to July we achieved savings of £7.89million. This is 63% of the £12.6m savings required for the 2016/17 financial year.

However the concern I expressed to Cabinet was triggered by the fact that the projected year end figure rose between June and July by £297k. We have a policy of only recording savings when they are achieved and therefore should expect to see the projected overspend reduce month by month as we move through the year. My concern was further supported by evidence gained when I attended the Management Team Budget Challenge Day on 28th August where one Directorate was projecting an overspend of £5.016m by the end of the current financial year.

We have set a balanced 3 year financial plan and it is imperative that services live within their budget, overspending or failure to deliver savings, places the entire 3 year plan in jeopardy and can lead to a huge impact on service delivery over the lifetime of the plan.

As Portfolio Holder for Finance I am aware that these matters need tackling as early as possible whilst there is still time to recover the situation. Therefore I placed a motion before Cabinet at that meeting on 13th September, calling upon the Chief Executive and his Senior Management Team, to bring forward a recovery plan as soon as possible, with the aim of bringing the Council back within budget. The motion received unanimous support of the Cabinet.

Work is underway to construct the recovery plan and I have arranged for Council to be given an update on progress in a short briefing session at the conclusion of today's business.

With regards to your seeking assurance that the budget will not be overspent at the end of the year, I am afraid I cannot give that assurance at this stage, but Council can be assured that everything possible is being done to rectify this difficult situation.

County Councillor Williams' supplementary question was why purchases were not scrutinised before they were made. The Portfolio Holder for Finance explained that there was a Commercial Services Team looking at commissioning and procurement and overseeing spending which had generated savings. The Portfolio Holder went on to explain that the forecast overspend had gone up between June and July and therefore Cabinet had instructed the Management Team to produce a recovery plan to address the predicted overspend. He could not guarantee that the Council would be in budget at the end of the financial year and reminded Council that any overspend would be a call on reserves.

Questions to the Portfolio Holder for Commissioning and Procurement and the Portfolio Holder for Social Care from County Councillor Matthew Dorrance

Will the Cabinet congratulate my constituent Rob Davies on his Gold Medal win at Paralympic Games in Rio and detail how they are using sport to help improve health and well-being in Powys?

Sports Development offer enormous support in raising awareness of health and well-being on a day to day basis throughout Powys. Located in every secondary school in Powys are our Community Sports Development Officers who are on hand to provide extensive opportunities to increase physical activity levels within each primary school cluster, secondary school and community. Predominantly working within the education setting; officers also engage frequently with parents, carers, youth and adult organisations as well as being on hand to support and advise additional partners and associations whom request it.

*We continuously strive to raise the levels of physical activity, health and well-being in Powys. From the current evidence outlined below from the **2015 and 2013 School Sport Survey** that to become **‘hooked on sport for life’** a child must have the right physical skills to take part in sport (the ability), along with the confidence and motivation to want to take part and try new activities (created by enjoyable experiences). Children benefit from having countless opportunities to take part in different sports and activities and to be able to practice their skills (developing ability, confidence and enjoyment).*

*In Powys we utilise the results from this substantial survey (conducted every two years) to continue to develop opportunities and provide direction in which will increase the overall wellbeing in our communities. We aspire to provide the finest provision which will enhance and encourage the development of healthy and confident pupils, who will in turn grow and advance into active adults which runs parallel to our **Sport Powys vision – to become a heartland for sport where every resident is active and Powys is a county of champions.***

Please find detailed below various powerful findings that Sport Powys are proud to declare and feel as a whole contributes to developing health and well-being across Powys.

- *The 2015 School Sport survey found **49% of Powys pupils are hooked on sport for life** (measured by 3 or more activities a week) **which is above the Welsh national average of 48%. Compared with the 2013 results Powys (41%), Wales (40%).***
- *We at Sport Powys pride ourselves in developing and equipping our communities with a complete skills set needed to achieve and succeed. **We are proud that 79% of our pupils feel confident in trying new activities which matches the national average and is an increase on the 2013 results (74%).** If pupils are confident in their abilities they are able to enjoy sport both recreationally and competitively and furthermore will always opt to take part in physical activity opportunities.*
- ***Powys are delighted to have a higher than average number of pupils who enjoy sport in after-school and lunchtime clubs, (2015 – 57%, 2013- 54%, Wales, 53%).** A large contributing factor is down to the work of our Community Sports Development Officers who offer a wide range of inclusive sporting opportunities for all in their primary clusters, secondary schools and communities alike.*

- **We are proud to announce that 62% of Powys pupils feel that Sport and PE help you have a healthy lifestyle which equals that of the national average, (2013 - 54%).**
We feel it's important and are pleased that this is reflected in the results and that young people of today recognise the numerous benefits of physical activity.
- **62% of Powys students are comfortable at taking part in PE and sport, (2013 – 60%, Wales – 60%).** We aim to allow Powys students to feel wholly comfortable and empowered by physical activity. Our 5x60 program provides pupils with an influential voice which enables the pupils to take ownership over their extracurricular opportunities and drive the program forwards.
- **It has been reported that an enormous 94% of school pupils in Powys reported to have taken part in informal recreational activities.** This contributes enormously to leading and active and healthy lifestyle independently. Playing an immense role in increasing overall health and wellbeing of an individual and additionally, are more likely to remain active and make choices to continue to keep active throughout life.
- **66% of pupils take part in community sport at least once a week compared with 63% of the national average and 63% of Powys pupils are members of a sports club.** Again, our Community Sport Development Officers work tirelessly to provide countless inclusive opportunities for all within their communities. Working on a day to day basis with sports clubs, youth groups and National Governing Bodies to provide professional and accessible provision.
- **In Powys 67% of males and 65% of females participate in sport at least once a week in the community.** This is a tremendous finding for Powys and Sports Development given today's society's recent decline in female participation in sport and physical activity across all ages.

Specifically with Disability Sport in Powys over the last year clubs have increased by 7.3% and the number of sessions taking place has increased enormously by 20%, with participation opportunities increasing by 7.6%.

Following the Paralympic games in Rio, Powys Disability Sport Officer (Beverley Tucker) has reported that in most cases, attendance at sessions have doubled in recent weeks. The demand for provision has increased significantly and it is anticipated that further clubs will be developed as a result.

We hope you find the above outcomes interesting and respectable. In most cases Powys match the standard of the national average or even boast a higher than national average result. Despite not receiving a below average score in any statement we will endeavour to increase these outcomes year on year without the slightest complacency. We aim to provide the highest professional and comprehensive provision for all residents in Powys and will continue to do so.

The outcomes above illustrate the role of Sports Development in building and developing a strong and complete foundation for health and well-being in Powys and we do hope that the cabinet continue to support us fulfilling our vision.

Rob Davies – Gold Paralympian 2016

Powys Sports Development Unit are thrilled to see a Powys athlete receiving a prestigious accolade such as a Paralympic Gold medal. Rob is a tremendous role model to all aspiring athletes in Powys and we are delighted that his hard work, commitment and dedication to sport has led to such an outcome.

We hope that Rob will accept a Special Recognition Award at next year's Brecknockshire and Radnorshire Sports Awards for his recent sporting success. Furthermore, we hope Rob will accept our open invitation to all major sporting events over the next calendar year and thereafter as a sporting ambassador for Powys. We are confident that Rob will inspire and enthuse pupils and communities across Powys with his powerful journey to success.

We hope Rob will be available in particular to be guest speaker at our annual Sports Awards in the spring, as well as inspire and motivate hundreds of eager Young Ambassadors at the annual Powys conference in the New Year. Additionally we are confident that Rob will provide school and community visits throughout the year as he has done so previously and are on hand to coordinate and support Rob with this.

We are passionate about providing opportunities for all across Powys and feel that Rob's recent triumph will play a vital part in enthusing thousands of Powys residents to increase their level of physical activity which in turn benefits personal health and wellbeing.

Please find attached links to video footage of Rob Davies' final seconds before winning Gold at Rio 2016, and also a brief overview of what Sport means to Rob since his accident in 2006.

The video clips are a clear demonstration of how Rob is a tremendous role model for health and well-being here in Powys and we aim to not miss a moment to capture this magnificent achievement, which may be one of many more.

Councillor Dorrance's supplementary question was what was the Council doing to ensure that young people, particularly those from deprived areas, were able to participate in sport? In the absence of the Portfolio Holder the Leader would arrange for the question to be answered and circulated to all members. County Councillor Hayes took the opportunity to congratulate Jim Roberts from Montgomeryshire who was a member of the Great Britain Paralympics wheelchair rugby team.

13.5 Question to the Portfolio Holder for Property, Buildings and Housing from County Councillor Matthew Dorrance

I've raised a number of concerns with the Cabinet Member for Housing and senior officers about the management of the Council's housing stock and estates in St John Ward and received assurances that improvements will be made and concerns addressed.

Will the Cabinet Member now give a detailed breakdown of the improvements I can expect to see, the concerns she will address and by when?

I write further to Cllr Matthew Dorrance's question relating to his concerns about the management of the council's housing stock in his ward. I, and a number of senior council officers, have visited St John's ward to discuss his concerns and identify areas for improvement.

I would like to start by stating that over the last 4 financial years over £3.9 million of capital investment has been made in the fabric of council owned homes in St John's ward. This investment has seen the following works completed to homes in the ward:

- *rewiring*
- *new windows and doors*
- *external wall insulation and re-rendering works*
- *re-roofing works*
- *new timber cladding scheme*
- *new heating systems*
- *new kitchens*
- *new bathrooms*

These works have ensured that tenants in the ward live in modernised, more energy efficient homes, which meet the Welsh Housing Quality Standard. These works have also done much to improve the visual appearance of the estates.

However, whilst the works have brought much needed improvement to the homes on the estate, their completion has caused some disruption to the residents, in particular the use of some of the car parks as site compounds by the council's contractors. I will ensure that the timeline for the completion of the works on the estates are communicated to tenants and residents, to provide clarity about when all car parks will revert to their usual function.

On my visit to the St John's ward with Councillor Matthew we noted areas which require further improvements to areas such as car parks, garages and pathways on the estate. Senior Officers and I recognise that there are improvements to be made to the environment of the estate, as there are across the rest of the council's housing stock, and these improvements will be programmed once the works to improve the fabric of the housing stock have been completed in March 2018. The Housing Service will produce a programme for environmental works across our housing estates by September 2017.

In terms of the quality of estate management services I am aware that some of the issues raised by Councillor Matthew have been caused as a consequence of new contractual arrangements in respect of grounds maintenance, in particular the spraying of weeds on pathways around the estate, and these have now been addressed. However, myself and Senior Officers are keen to see improvement in the quality of estate management services across all council estates in Powys and are currently considering ways of improving our service delivery in this aspect of the management of our housing stock. We are currently considering ways of increasing staff presence on our estates, possibly through the

employment of estate caretakers. We bring forward proposals in this respect in December 2016.

In addition it is our intention that every estate in the council's ownership will have an estate action plan. These actions plans will be developed and delivered in partnership with tenants, residents and local members identifying the key issues for improvement on the estates and how the housing service will work with a range of other agencies and the local community to address them. Work will commence on the development of action plans in January 2017, after the Housing Service has recruited additional staff in leadership positions in January 2017. We will prioritise the development and completion of action plans for the larger estates in our ownership and I anticipate that the estate action plan for Maesyfynnon, Bron y Crug and Uplands will be produced by completed by May 2017.

In answer to Councillor Dorrance's supplementary question the Portfolio Holder for Property, Buildings and Housing gave an assurance that local members would be involved in the development of the estate action plans. She also advised that the service planned to recruit estate care takers that Councillors could raise issues with.

13.6 Question to the Portfolio Holder for Education from County Councillor Gwynfor Thomas

Can the portfolio holder please confirm when specific training was last given to local members as regards their roles as LEA governors?

There was a training and development workshop in March 2012. However members are required to attend all mandatory governor training as are other governors. It would also be expected that they would attend the comprehensive programme of governor training including the annual conference.

Councillor Thomas' supplementary question was does the portfolio holder feel that the lack of governor training in the whole term of office of Council compromises members and puts the Council at risk of criticism from regulators? The Leader would arrange for a response to be circulated to all Members.

13.7 Question to the Portfolio Holder for Education from County Councillor Darren Mayor

In June 2014 a report commissioned by the education department into Secondary school financial Viability.

This report was conducted by PWC who as part of their study interviewed bursers / business managers of each high school.

Appendix 1 – Individual school commentary – contains very tables on each high outlining teach schools financial information from 2011/12 through to 2017/18.

There is a clear line outlining Transport costs and the use of school budget.

It is very clear what each school was currently and predicted to spend their budgets on.

You along with your Head of Service and Director of Education I am sure read and discussed this report prior to publication.

If the use of school budget by Llanfyllin High on school transport was an issue, why was it not raised at this point?

In response to the question I clarify that the portfolio holder for Education in June 2014 was Cllr Myfanwy Alexander and not myself. I therefore cannot respond to the question as to whether Cllr Alexander discussed the issue with the Head of Service or Director of Education.

However you will have had sight of the investigation report which makes it clear that the investigator found that Cllr Alexander was aware of the issue relating to Clause 5.2 of the Scheme that you, Cllr Mayor are quoted at 5.48 of the report.

Councillor Mayor's supplementary question querying whether the Portfolio Holder for Education had discussed the PWC report with the Head of Service and Director of Education had been sent by email to the Portfolio Holder before the meeting and had been replied to by the Portfolio Holder by email. Councillor Mayor said he was unhappy with that response and in the light of the fact that the scope of the PWC report into the financial stability of secondary schools in Powys included reporting on transport costs he asked for confirmation that the Portfolio Holder, Director of Education and Head of Schools that they were not aware that Llanfyllin High School were in breach of Regulation 5.2 until January 2016.

13.8 Question to the Leader from County Councillor Darren Mayor

Dear Leader,

On the 13th of September I wrote the following email to the Monitoring Officer which you were included in:

Dear Clive,

Having further considered Cabinet's decision, I have taken some advice and the following points have been raised with me. I would appreciate your comments and I await your response.

- 1. With reference to the Statutory Instrument 2005 No. 2914 (W.211), Government of Maintained Schools (Wales) Regulation 2005 (SI 2005), I would be grateful if you could provide me with references, in legislation, that empowered Cabinet to reach its decision and have primacy over the rights and procedures as laid down in the above legislation, SI 2005.***
- 2. On Friday 22nd July 2016 Cabinet resolved to suspend 4 LEA governors from Llanfyllin High School for varying periods. Under the SI 2005 Regulation 7 (1) and 27 (1) Powys County Council only has the power to appoint and remove LEA governors. Under the SI 2005 the only body empowered with the right to suspend governors is the governing body.***

3. *I understand that the High school have been instructed not to issue the suspended Governors with any papers – minutes and Agendas – with regards to any governing board meetings. Under the SI 2005 Regulation 49 (4)(a) a suspended governor is afforded the right to receive all papers that will be considered at a governing body meeting*

Whilst I appreciate that there are numerous regulations pertaining to the management of schools there will be few that have primacy over the SI 2005 and schools' governance.

Therefore, as a matter of urgency, I request that you provide references in legislation, taking primacy over the SI 2005, allowing Cabinet to suspend and deny governors rights as stated above.

As this will have been advised to Cabinet during the appeals process I believe that it is reasonable to place a 5 working day limit on providing this information. If you are unable to provide this evidence in this timescale I will assume that it does not exist and take action to address the fact that Cabinet has acted beyond its authority and denied rights conferred on governors by law. I will, in turn, advise Llanfyllin High School that the Authority has acted beyond its power

Kind regards

Darren

The Monitoring Officer did not reply or acknowledge this email until I wrote again on the 20th September – you were also included in this email, he responded with the following email:

Dear Darren

Thank you for both emails.

I shall respond in detail to the points that you have raised, but in general the person/ body who have appointed a governor have the ability to remove or suspend that governor. As such you and the other 2 LEA governors remain suspended and are not able to participate in the affairs of the GB until after the suspension has ended.

Regards

Clive Pinney

I wrote further as well spoke directly to him asking that he send me a copy of the exact statutory instruments that take primacy over the Statutory Instruments that I have quoted as well as over the advice given by Governors Wales who categorically informed the Vice Chair of the Governing Body in Llanfyllin that the only body with the power to suspend is the Governing Body of the school.

I am still waiting for a response.

Consequently as you are fully aware of the situation and it was yourself as Leader who has officiated over the suspensions given to clarify with me what statutes / regulations have primacy over the advice given by Governors Wales and the Statutory Instruments that I have quoted? Thank you

Response

I am assured by the Solicitor to the Council that as the Council has the ability to appoint and remove LEA Governors under Regulation 27 of the Government Maintained School (Wales) Regulations 2005 that the Council also has the power to suspend LEA Governors.

Councillor Mayor's supplementary question was to ask that his suspension as a governor be ended. The Leader said that he would discuss the matter with the Portfolio Holder for Education on his return but that he did not envisage any change to the decision.

13.9 Question to the Leader from County Councillor Gwynfor Thomas

In June 2014 a report was commissioned by the education department into secondary school financial viability.

This report was compiled by PWC.

Appendix 1 – Individual school commentary – contains tables outlining specific financial information on each school from 2011/12 through to 2017/18.

There is a clear line showing transport costs and the use of school budget by each school in providing transport for pupils attending the school.

It is very clear what each school was currently and predicted to spend their budgets on.

As Leader you read and understood this report I am sure.

With the appendix outlining how school budgets were being used by each school on transport why did you not raise concerns about Llanfyllin High schools use of their budget on school transport post 2011/2012 - post full implementation of Regulation 5.2?

In light of issues raised at the LEA Governor Appeal Hearings in connection with the PWC report, I have arranged for Mr Jonathan Walters, the Independent Investigator, to consider the relevance to his investigation, if any, of the PWC report. In the circumstances, I do not consider that it is appropriate to provide you with a response to your question until such time as the item of further investigations by Mr Walters are to hand.

I shall arrange for your question to be incorporated to the Agenda for the first Full Council meeting after the further report from Mr Walters is available.

Councillor Thomas' supplementary question was if the investigation by Jonathan Walters' was being reopened and whether he could see its terms of reference. The Monitoring Officer advised that Jonathan Walters was being asked to consider the extent, if any, to which the PWC report affected his investigation.

13.10 Question to the Leader from County Councillor William Powell

Further to the discussions that the Leader of Council and I had with the newly elected Dyfed Powys Police and Crime Commissioner, Dafydd Llewelyn, what work is being undertaken by Powys County Council, in partnership with Dyfed Powys to monitor incidents of intolerance and hate

crime in our communities? Incidents that I am aware of in recent months in the South of the County range from school yard taunting of the children of EU nationals about ‘returning home’ post Brexit to criminal damage of commercial premises. Given our need to keep our communities here in Powys secure, tolerant and welcoming, how is this work being promoted by Powys County Council within the recently constituted Public Service Board, in furtherance of the Wellbeing of Future Generations (Wales) Act 2015?

The Council treats racism and intolerance very seriously. The Chief Executive has promoted the work undertaken by the “Show Racism the Red Card”, which is an organisation in partnership with the schools service, and the council has funded workshops in schools across Powys and circulated teaching and learning resources in support of this. All schools have comprehensive personal and social education programmes in place which includes a focus on global citizenship. Schools have behaviour and anti-bullying policies which ensure that there is a consistent approach to any racial incident. Any racial incident is reported to the authority.

Hate Crime is monitored as part of the work of the Powys Community Safety Partnership under Community Cohesion. The Partnership comprises representatives from the County Council, Dyfed Powys Police, Powys Teaching Health Board, the National Probation Service, Community Rehabilitation Company, Mid and West Wales Fire and Rescue Service and the Youth Justice Service. I have copied an extract from the minutes of the September meeting for your information. It is clear that all agencies are active with interaction with the Dyfed Powys Hate Crime Forum but that the current data suggests low levels of hate crime. Council staff have been encouraged to attend hate crime awareness sessions set up via that forum, with the next sessions due in late November 2016. The Council’s Community Safety Coordinator Fay Smith has also asked partners to look to support community projects and this work will be assessed. We will ensure that the incidents you have stated have been correctly referred and are investigated by the appropriate agencies.

EXTRACT FROM CSP MINUTES

Post EU Referendum Hate Crime concerns. There were 12 Hate Crime Referrals in Powys to Victim Support for June 2016, this compares with 7 for June 2015. With low numbers and the lack of detailed data, it is not possible to identify any peaks or interpret any patterns. It may be the case that the majority of experiences may relate to low level verbal abuse that are not reported. It would be advisable that with the on-going debates around the UK exit from the EU that CSP partners are aware and linking in with community

In response to Councillor Powell’s supplementary question the Leader said he would ensure that Councillors were copied into invitations to future hate crime awareness sessions.

13.11 Question to the Portfolio Holder for Environment and Sustainability from County Councillor William Powell

What efforts is Powys County Council making to draw upon good practice amongst other principle local authorities in Wales for the efficient delivery of Waste and Recycling services? In particular, has any consideration been

given to a pilot project for chargeable green waste collection, as is currently the case in Monmouthshire? Also, given the benefits for elderly and vulnerable service users, and those with constrained storage space, will the portfolio holder consider piloting a scheme for trolleys, suitable for stacking recycling trays between collections? Such a scheme has proved both popular and effective in both Wrexham and Blaenau Gwent.

Officers from Powys regularly liaise with their counterparts in other authorities to share best practice on waste and recycling collection methods. The Welsh Government are also regularly in attendance at these forums.

Powys follows the Welsh Government's preferred 'blueprint' collection method of kerbside sort using boxes. Whilst we do not provide a trolley, these boxes are stackable and hence should not take up too much space in people's homes. The trolley system that other authorities use is an integral system with box and trolley and could not be retrofitted to our existing system. As the capital cost of using the trolley system is over twice as much as the existing box arrangements, with the current budgetary constraints facing the Council, the capital investment in trolleys would be hard to justify. In terms of elderly and vulnerable residents, we do offer an assisted collection service where the operatives will collect from the door of properties to save residents carrying their boxes.

Residents can currently take their green waste either to Household Waste Recycling Centres or alternatively to one of the Community Recycling Sites. We are currently looking into the feasibility of a chargeable green waste collection service. The rural nature of Powys will make any such scheme a challenge as it is important that it is financially viable as the Council would not be able to operate this service at a loss.

In response to Councillor Powell's supplementary question the Portfolio Holder for Environment and Sustainability said that he would be happy to accompany Councillor Powell to visit an authority using the trolley system.

13	PRESENTATION BY THE CHIEF FIRE OFFICER	CC96- 2016
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Mr Colin Davies, the Chief Fire Officer for the Mid and West Wales Fire and Rescue Service gave a presentation on the work of the Service. He gave an overview of the service and its activities in Powys. He advised that the service would make £9m savings equivalent to 20% of the budget by 2016 but cautioned that further cuts would impact on service delivery. The cost of the service was £4 per household per month. The service was looking to achieve further efficiencies through collaboration and colocation of services for example with the Ambulance Service and the Police.

The Chief Fire Officer took questions from members. In response to a question from the Portfolio Holder for Finance he advised that the Fire Authority would set its budget on 12 December.

County Councillor K F Tampin (Chair)