

**MINUTES OF A MEETING OF THE CABINET HELD AT COMMITTEE ROOM A -
COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 1 NOVEMBER
2016**

PRESENT

County Councillor W B Thomas (Chair)

County Councillors R G Brown, J H Brunt, M R Harris, E A Jones, W T Jones and
W J T Powell

In attendance: County Councillors KW Curry, SC Davies, CJ Gibson-Watt, H. Lewis,
K Roberts-Jones and GSI Williams.

The Leader welcomed Colin Davies and Justine Morgan from Wales Audit Office to
the meeting.

1.	APOLOGIES	C199- 2016
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Apologies for absence were received from County Councillors SM Hayes and EA York and from County Councillor DR Jones, Chair of the People Scrutiny Committee, County Councillor MC Mackenzie, Vice-Chair of the Scrutiny Committee, County Councillor AW Davies, leader of the Conservative group and the Chief Executive.

2.	MINUTES	C200- 2016
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The Leader was authorised to sign the minutes of the meetings held on 27th September and 4th October 2016 as correct records.

3.	DECLARATIONS OF INTEREST	C201- 2016
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There were no declarations of interest reported.

4.	APPLICATION TO SUSPEND THE RIGHT TO BUY AND RELATED RIGHTS ACROSS POWYS	C202- 2016
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Cabinet was advised that the Council's application to Welsh Government in 2015 to suspend the right to buy council houses had not included all social housing in Powys. As a consequence another consultation exercise involving the tenants of Housing Associations in Powys was required. The Housing Associations were happy with this approach. In answer to members' questions the Portfolio Holder for Property, Buildings and Housing advised that as well as maintaining the current level of housing stock this would allow the stock to be increased. Although the service had not put a figure on the number of new homes that might be provided, it had conducted an exercise to identify land in the Council's ownership that could be developed.

RESOLVED	Reason for decision:
<p>That Cabinet grants approval:</p> <ol style="list-style-type: none"> 1. for the Housing Service to commence a consultation exercise in respect a proposal to suspend the Right to Buy and related rights for a period of 5 years 2. for the Portfolio Holder for Property, Buildings and Housing using delegated authority, to re-submit the application (if so advised) to suspend the Right to Buy and related rights for a period of 5 years to the Welsh Government, subject to the outcome of the consultation exercise. 	<p>To enable the Council and its Housing Association partners to better meet the housing needs of the citizens of Powys and to ensure that investment in the social housing stock is safeguarded.</p>

5.	OUTCOME OF CONDITION SURVEYS OF THE FARM ESTATE - IMPACT AND CONSEQUENCES	C203- 2016
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Cabinet received details of the County Farms Estate condition survey report which had identified works totalling £7.65m, including urgent electrical works costed at £384,483 and other critical non-electrical building maintenance work costed at £538,582. Cabinet was asked to consider the establishment of an annual maintenance revenue budget of at least £500,000 per annum in addition to the existing capital allocations of £100,000 to enable these dangerous maintenance backlogs to be tackled within a reasonable timeframe.

The Portfolio Holder for Environment and Sustainability reminded Cabinet that the Estate had delivered £6.28M from sales of property whilst increasing its revenue income during the same period. The strategy for sales was to sell off farmhouses when they became available whilst retaining land unless it had had development potential. He advised Cabinet that the Cabinet Secretary for Environment and Rural Affairs had written to local authorities urging them to retain their estates as a means of getting new entrants into farming. He would be meeting the Cabinet Secretary to discuss this.

The Portfolio Holder for Finance cautioned that it would be very difficult to find this amount from the revenue budget at a time when other services were facing severe cuts. He asked for a further report to identify revenue and capital works so the Cabinet could look at other ways of funding the maintenance backlog. This might include allowing the service keep a larger proportion of the proceeds from sales or borrowing to fund capital works. This information was urgently needed to inform the budget process.

RESOLVED	Reason for Decision:
<p>That the Cabinet take into account the Health and Safety needs of the County Farms Estate when setting future Medium Term Financial Strategies and the Council's future capital programme expenditure.</p> <p>That a further report be drafted for Cabinet in January on the long term financing of the County Farms Estate.</p>	<p>The Council has considerable landlord responsibilities as part of its County Farms Estate and failure to meet these within a reasonable timeframe could result in harm to tenants, increased risk of prosecution to the Council and devaluation of the property asset over time.</p>

6.	POWYS SAFEGUARDING CHILDREN AND ADULTS QUARTERLY UPDATE	C204- 2016
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Cabinet received the safeguarding report for Children's and Adult Services. Members noted the increase in the number of child protection referrals and the Strategic Director People explained the factors that may account for this. She also explained that the Powys Local Operational Group, chaired by the Head of Children's Services, met quarterly to look in detail at the referrals. In answer to Members' questions she agreed to provide details of the reporting and accountability lines in both Adults and Children's Services in the next report in December. She acknowledged that the service had recruitment challenges but advised that she had just conducted a detailed review of the staffing model and was confident that it would support effective service delivery.

RESOLVED	Reason for decision:
<p>That Cabinet accepts the safeguarding update in line with its safeguarding responsibilities.</p>	<p>Safeguarding is everyone's business and this report provides assurance to Cabinet of work that is underway both locally and regionally on important safeguarding matters.</p>

7.	JOINT PARTNERSHIP BOARD MINUTES	C205- 2016
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Cabinet received the minutes of the meetings of the Joint Partnership Board held on 25th July and 19th September 2016.

8.	DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING	C206- 2016
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Cabinet received details of delegated decisions taken by Portfolio Holders since the last meeting.

9.	FORWARD WORK PROGRAMME	C207- 2016
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Cabinet received the forward work programme. The Leader reminded Portfolio Holders of their responsibility to keep it up to date.

10.	CORRESPONDENCE	C208- 2016
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There were no items of correspondence.

11.	EXEMPT ITEMS	C209- 2016
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RESOLVED to exclude the public for the following items of business on the grounds that there would be disclosure to them of exempt information under category 1 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).

12.	HTR COMMISSIONING PROJECT OUTLINE BUSINESS CASE	C210- 2016
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Cabinet considered proposals for a new model for the Highways, Transport and Refuse Service that would enable it to meet its savings target whilst still delivering services. The recommended model was a Wholly Owned Company as it was the quicker option to implement and could meet the timescale set for efficiency savings. The set up costs would be less, it would help to retain staff as it provides some stability of employment, and it provides opportunities to incentivise and motivate staff. In progressing to the establishment of a Wholly Owned Company, the service would initially move to a Modified In-house Service. This would ensure that all current opportunities to improve productivity and increase income are realized as early as possible.

RESOLVED	Reason for the Decision:
1. To progress towards completing the Full Business Case focusing on developing a Wholly Owned Company for the HTR service initially via a Modified In-house Service.	To enable the HTR service to achieve the required savings by the 2018/19 deadline.
2. Engage Consultant support for the development of a Wholly Owned Company.	Specialist skills will be needed to assist in setting up a new company.
3. Engage Consultant support to	We do not currently have the

<p>bring in specialist commercial expertise to focus on the successful completion of two key objectives; to identify and exhaust all opportunities still available to increase income and productivity and achieve savings internally within the HTR service, and to focus on developing new commercial opportunities that will enable the WOC to be trading effectively from the very start of its inception.</p>	<p>capacity and experience within PCC to apply a commercial approach to business development and gaining a share of the market to enable increased productivity and income generation. The commercial consultancy support is required to enable the necessary cultural change for the new company to ensure it has every opportunity to perform effectively.</p>
<p>4. To establish a corporate position with regard to the current internal overheads and the breakdown of direct and indirect costs.</p>	<p>It will be essential for the new company to be competitive and to establish a schedule of rates that will enable this objective. We also need to give the new company as much flexibility as possible to trade and increase productivity and income generation.</p>
<p>5. That the Council determine a strategy with regard to the impact that Alternative Delivery Models will have on the support functions</p>	<p>As more services look to adopt alternative delivery models, this impacts on the support functions and the Council needs a strategy to manage this.</p>
<p>6. TUPE and the 2 Tier Workforce guidance. An initial piece of work for the FBC will be gaining guidance and forming a strategy to determine the best way forward to enable the WOC to have the correct culture to enable it to achieve commercial success.</p>	<p>The WOC will need to form its own structure and job roles with a culture that is more flexible, competitive and focused on outputs and productivity. We need to be able to adapt the workforce to a more commercially focused delivery model.</p>
<p>7. To approve a virement of £233,000 from the Management of Change Fund to allow work to continue.</p>	<p>To allow work to continue.</p>

Cabinet asked for progress reports to every meeting of the Commissioning and Procurement Board.

13.	CREATION OF DIRECTOR OF EDUCATION ROLE	C211- 2016
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Cabinet considered proposals for the creation of a Director of Education post. Members welcomed the proposal as it would create additional management capacity for the service. It was confirmed that the post would go out to open advert. Cabinet put on record its thanks to the Chief Executive for taking on the post from 2012 and to Ceredigion County Council for the support provided by their Director of Education.

RESOLVED	Reason for Decision:
<ol style="list-style-type: none"> 1. To amend the current Schools Service structure by creating a post of Director of Education 2. To place the statutory role of Director of Education / Chief Education Officer with this post 3. To instruct the Employment and Appeals Committee to undertake the recruitment to this post. 4. To vire sufficient funds within year to ensure the recruitment and employment to this post 5. To include the net cost of creating this post within the budget proposals for 2017 – 18 6. To consult the recognised Trade Unions 	<p>To address capacity issues within the service.</p>

Councillor Brown abstained having missed part of the debate.
Cabinet went back into open session.

14.	PROVISIONAL SETTLEMENT BRIEFING NOTE	C212- 2016
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Cabinet received details of the provisional settlement. The settlement was slightly better than anticipated with the funding for Powys decreasing by 0.5% or £0.771m. The Wales average was an increase of 0.1%. The Portfolio Holder for Finance reminded Cabinet that the actuary's report on the Pension Fund was due shortly.

County Councillor W B Thomas (Chair)