

**MINUTES OF A MEETING OF THE COUNTY COUNCIL HELD AT COUNCIL
CHAMBER - COUNTY HALL, LLANDRINDOD WELLS ON THURSDAY, 26
JANUARY 2017**

PRESENT

County Councillor KF Tampin

County Councillors PJ Ashton, G R Banks, G Breeze, R G Brown, J H Brunt, L V Corfield, K W Curry, 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, P Harris, M R Harris, S M Hayes, 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, MC Mackenzie, 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, G W Ratcliffe, K M Roberts-Jones, 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 and G I S Williams

1.	APOLOGIES	CC1- 2017
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Apologies for absence were received from County Councillors MC Alexander, D Bailey, GJ Bowker, MJB Davies, DJ Mayor and JG Shearer.

2.	MINUTES	CC2- 2017
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The Chair was authorised to sign the minutes of the last meeting held on 18th November 2016 as a correct record.

3.	DECLARATIONS OF INTEREST	CC3- 2017
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There were no declarations of interest reported,

4.	PUBLIC QUESTIONS	CC4- 2017
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4.1. Question to the Portfolio Holder for Regeneration and Planning from Dr Christine Hugh-Jones

I welcome the opportunity to submit a question to County Cllr Tony Thomas, Portfolio Holder for Regeneration and Planning, for the Council meeting on 26th January 2017:

My question is:

Could he please identify the particular paragraph of Planning Policy Wales (Edition 9) or the major change in local circumstances, which requires the definition of local search areas and hence provides the justification for the Authority's designation of such "Local Search Areas" as a Further Focussed Change so late in the examination process?

Portfolio Holder's Response

Planning Policy Wales sets out the land use planning policies of the Welsh Government. It makes it clear that PPW is supplemented by Technical Advice Notes, circulars and policy clarification letters (Paragraph 1.1.1, PPW).

<http://gov.wales/docs/desh/publications/161117planning-policy-wales-edition-9-en.pdf>

Section 12.8 of PPW covers renewable and low carbon energy and states:

Paragraph 12.8.2: *"Planning policy at all levels should facilitate delivery of both the ambition set out in Energy Wales: A Low Carbon Transition and UK and European targets on renewable energy."*

Paragraph 12.8.8: *"The Welsh Government is committed to using the planning system to:*

- *optimise renewable energy generation;*
- *optimise low carbon energy generation; etc."*

Paragraph 12.8.9: *Local planning authorities should facilitate the development of all forms of renewable and low carbon energy to move towards a low carbon economy (see 4.4.3) to help to tackle the causes of climate change (see 4.7.3). Specifically, they should make positive provision by:*

- *considering the contribution that their area can make towards developing and facilitating renewable and low carbon energy, and ensuring that development plan policies enable this contribution to be delivered; etc"*

Although PPW refers to Strategic Search Areas, it refers to local policy (i.e. LDP policy) but does not specifically reference 'local search areas'. PPW is, however, supplemented by policy clarification letters and such a letter was issued by the Minister for Natural Resources, dated the 10th Dec 2015, to all local planning authorities regarding his expectations for energy policies in local development plans.

<http://gov.wales/docs/desh/publications/151210energy-policies-in-local-development-plans-en.pdf>

The Minister wrote (partial extract):

“I am pleased that, since the publication of our ‘Renewable Energy Toolkit for Planners’ in 2010, many local planning authorities have undertaken Renewable Energy Assessments (REAs) as part of the Local Development Plan (LDP) evidence base. However, it is disappointing to note that no LDP in Wales has taken the results of the REA and formulated local policies (including allocations or areas of search) for local-authority scale (5MW – 25MW) renewable energy schemes or other low carbon technologies.

The designation of such areas would show leadership at the local level; give certainty to the renewable energy industry in making investment decisions; and, through the LDP consultation process, would give communities a say as to where renewable energy developments should be located. By designating these areas, developments can be guided to the most appropriate locations. This approach has been taken by the Welsh Government for large scale wind energy projects through the Strategic Search Areas (SSAs) in TAN8. I expect local planning authorities to take the same, proactive approach for all forms of renewable and low carbon energy generation.”

To conclude, PPW requires Local Authorities through their development plan policies to facilitate all forms of renewable and low carbon energy and to consider the contribution that their area can make towards developing and facilitating renewable and low carbon energy, and ensure that their development plan policies enable this contribution to be delivered.

The policy clarification letter from the Minister for Natural Resources in Dec 2015 sets out the expectation for local authorities to include allocations or areas of search within local development plan policy. It therefore provides clarity that an LDP’s renewable energy policy should be shown spatially on the proposals map. This position was reflected in the comments dated 11th March 2016 made by Welsh Government to the Council in response to the consultation on proposed Focussed Changes to the LDP. [1084 WG Letter](#)

In her supplementary question Dr Hugh-Jones sought a categorical assurance from the Portfolio Holder that full details of the additional work on the Renewable Energy assessment and its evidence base, which could alter the number and extent of Local Search Areas, would be published for public comment and that sufficient time would be given for the public to consider and respond to new evidence and any further proposed change to Policy RE1 before any further submissions were presented by the Council to the Inspector even if that required the examination to be adjourned.

In response the Portfolio Holder for Regeneration and Planning advised that the Council was considering further work to refine the search areas including consultation with the Ministry of Defence. The Portfolio Holder said he would endeavour to have full consultation if that was possible under the current timetable but that there could not be any further delay.

5.	CHAIR'S ANNOUNCEMENTS	CC5- 2017
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The Chair gave details of some of the events he had attended since the last meeting. He referred to the Staff Awards event which had been very successful

and a chance to acknowledge the work of staff. He advised that before the start of the meeting he had received a petition from County Councillor Viola Evans regarding Caereinion Leisure Centre.

6.	LEADER'S ANNOUNCEMENTS	CC6- 2017
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The Leader welcomed the inclusion of public questions on the Council agenda. He advised that the budget was being finalised and thanked residents for taking part in the consultation exercise. The revenue budget was under huge pressure whilst the capital budget was benefitting from low interest rates. There had been approval for business cases for school projects at Brecon, Gwernyfed, Bro Hydden and the Welshpool primary review, investment totalling £60m. On 8 March the Council would be hosting a careers event at the Royal Welsh Showground. Finally, the Leader paid tribute to Avril York for her work as a Cabinet member and wished her well for the future.

7.	CHIEF EXECUTIVE'S BRIEFING	CC7- 2017
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The Chief Executive advised that the Tour of Britain had brought in an additional 40,000 visitors generating £500,000 for the local economy. He reminded members of the appointment of Carol Shillabeer as Interim Strategic Director for People and Philip Hodgeson as Interim Operations Director for Social Services from 1st January. The Chief Executive put on record his thanks to staff who had attended to assist householders affected flooding in Llanrhaeadr-ym-Mochnant as a result of a burst water pipe. Finally he advised that the final business case for 5 new primary schools had been approved by the Welsh Government's Capital Panel and was awaiting sign off by the First Minister.

8.	PAYMENTS TO CO-OPTED MEMBERS	CC8- 2017
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The Council was asked to consider removing the cap on the maximum number of days which the Independent Member of the Audit Committee could be paid for. He served as Vice-Chair of the Audit Committee, was a member of the Internal Audit Scrutiny Group, the Finance Scrutiny Panel and a new scrutiny group established to review the overspend in social care. The cumulative impact of this increased workload had resulted in the Independent Member exceeding the 25 days maximum allowed by the Council with further meetings to the end of the Council term estimated as a one off cost of £3,250. In considering the recommendation Council noted the valuable contribution made by the Independent Member to the work of the Audit Committee and the Scrutiny groups. Officers were asked to make best use of members' time by the efficient timetabling of meetings.

The recommendation was put to the vote and passed by 46 votes to 5 with no abstentions.

RESOLVED	Reason for Decision
<p>The Council was asked to consider removing the cap on the maximum number of days which the Independent Member of the Audit Committee could be paid for. He served as Vice-Chair of the Audit Committee, was a member of the Internal Audit Scrutiny Group, the Finance Scrutiny Panel and a new scrutiny group established to review the overspend in social care. The cumulative impact of this increased workload had resulted in the Independent Member exceeding the 25 days maximum allowed by the Council with further meetings to the end of the Council term estimated as a one off cost of £3,250. In considering the recommendation Council noted the valuable contribution made by the Independent Member to the work of the Audit Committee and the Scrutiny groups. Officers were asked to make best use of members' time by the efficient timetabling of meetings.</p>	<p>The Council was asked to consider removing the cap on the maximum number of days which the Independent Member of the Audit Committee could be paid for. He served as Vice-Chair of the Audit Committee, was a member of the Internal Audit Scrutiny Group, the Finance Scrutiny Panel and a new scrutiny group established to review the overspend in social care. The cumulative impact of this increased workload had resulted in the Independent Member exceeding the 25 days maximum allowed by the Council with further meetings to the end of the Council term estimated as a one off cost of £3,250. In considering the recommendation Council noted the valuable contribution made by the Independent Member to the work of the Audit Committee and the Scrutiny groups. Officers were asked to make best use of members' time by the efficient timetabling of meetings.</p>

9.	ARRANGEMENTS FOR LOCAL GOVERNMENT ELECTIONS 4 MAY 2017	CC9- 2017
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Council was asked to note that the acceptance of nominations would be by appointment only at County Hall, Llandrindod Wells and at Neuadd Maldwyn, Welshpool and Neuadd Brycheiniog, Brecon on designated days. The recommendation was put to the vote and passed by 57 votes to 0 with 2 abstentions.

RESOLVED	Reason for Decision:
<p>That Members note the report and the requirement to hand deliver nominations by appointment</p>	<p>To ensure that Members are made aware of the nominations process and to ensure that nominations received remain</p>

	confidential until the close of nominations
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10.	COUNCIL FORWARD WORK PROGRAMME FOR 2017	CC10- 2017
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Council received details of its forward work programme from 2017. The Portfolio Holder for Finance pointed out one correction advising that the vote to set the Council tax would be taken on 23 February when Council decided the budget and not 7 March as printed. The Council meeting on 7 March would set the Council Tax schedules for Town and Community Councils.

11.	QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION	CC11- 2017
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11.1. Question to the Portfolio for Property, Buildings and Housing from County Councillor Huw Williams

In a Powys County Council news release, dated the 24th of November 2016, it was stated that, ‘the Council is considering buying Ladywell House, Newtown, as part of an overall strategy to reduce building ownership...’. This news release goes on to say, ‘buying Ladywell House is part of a long term strategy to reduce building ownership and reduce the number of buildings, in the area.’

As part of the business plan, specifically which other buildings have been identified and considered for disposal, ‘to reduce building ownership’? This purchase, according to the news release, will also enable the Council to, ‘reduce its revenue costs by vacating other buildings, with the potential of a substantial capital receipt from the future sale of some of the redundant buildings’? Are these unidentified ‘other’ buildings located in Newtown and/or further afield? Is the purchase of Ladywell House dependent on capital receipts from the sale of these ‘other buildings’, or, is this an aspirational and separate matter?

In answer to your question, at this early stage of the Council’s office rationalisation project no specific buildings have been identified for closure. However the Council does need to reduce its costs and increase the efficiency and effectiveness of its use of its office accommodation. One way this can be achieved in the future is to identify properties that may be surplus to the Council’s needs, possibly because they are require modernisation but are beyond reasonable repair or perhaps because we no longer deliver our services in such a way that these locations are required. The purchase of Ladywell House is not directly dependent upon the receipt of capital from the sale of (as yet unidentified) properties.

Councillor Williams' supplementary question was to ask how the Council could justify the purchase of this building when communities were fighting the closure of services in their areas and had a condition survey been undertaken and what did it reveal.

The Portfolio Holder confirmed that a condition survey had been undertaken. The property was being bought with a sitting tenant so there would be significant rental income. No decisions had been taken on how the Council would use the building but it could be used to relocate staff from other buildings. The Council had a lot of properties many of which were not in a good condition. These were being looked at by the Strategic Asset Board. STAMP meetings were being held at venues across the County and the Portfolio Holder urged Councillors to attend and give their views on buildings and properties in their areas. The capital for the project had been put aside in the previous year's budget. The Portfolio Holder for Finance advised that capital was cheap to borrow and that where there was a strong business case the Cabinet was prepared to spend capital in order to bring in revenue.

11.2. Question to the Portfolio Holder for HR from County Councillor Graham Jones

Can you please tell me the number of full time and part time employees Powys County Council employed in the financial years 2013-2014, 2014-2015 and 2015-2016?

	<i>Full Time</i>	<i>Part Time</i>
2015 - 2016	2531	4062
2014 - 2015	2641	4446
2013 - 2014	2911	4842

This equates to a reduction of 1160 posts or a 13% reduction in full time posts and a 16% reduction in part time posts over the 3 year period.

In answer to Councillor Jones' supplementary question about the redundancy costs the Portfolio Holder with responsibility for HR agreed to provide members with the figures.

12.	EXEMPT ITEMS	CC12- 2017
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RESOLVED to exclude the public for the following 5 items of business on the grounds that there would be disclosure to them of exempt information under category 3 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).

County Councillor GR Price left the meeting at 11.07 a.m.

13.	BRECON CULTURAL HUB - REQUEST FOR VIREMENT	CC13- 2017
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Council considered the recommendation from Cabinet for an additional sum to be put in the budget for the Brecon Cultural Hub to address a shortfall in the funding for the project. The report set out the additional costs that had led to the budget shortfall and the Portfolio Holders and officers answered Members' questions. The Section 151 Officer confirmed that it was proposed to fund through prudential borrowing.

A Member questioned whether some of the additional costs could not have been foreseen as they had been raised by the Place Scrutiny Committee in December 2015. Others Members were critical of the project management arrangements noting that it was only recently that the Cabinet had been represented on the project board and there was a call for the Audit Committee and Place Scrutiny Committee to be involved in investigating the additional costs.

A number of Members noted that this was an important regeneration project for the area and that if the Council did not agree to the virement, the other options would incur significant costs that would outweigh the financial shortfall identified.

County Councillor G Morgan left the meeting at 11.47 a.m.

The recommendation was moved by the Leader and seconded by County Councillor TJ Van Rees and passed by 46 votes to 11 with 3 abstentions.

RESOLVED	Reason for Decision:
<p>That</p> <ol style="list-style-type: none"> 1. The Powys capital budget contribution be increased by the sum specified in the report to provide the balance of funding required to deliver the project. 2. That the Council enters into contract with Kier for the remainder of the works required to deliver the project. 	<p>The Brecon Cultural Hub is started on site and cannot be completed without additional funding as outlined in the preceding report</p> <p>The sum required is in excess of the Cabinet's authority to spend</p>

**County Councillor KF Tampin
Chair**