

County Council

Meeting Venue
**Council Chamber - County Hall,
Llandrindod Wells**

Meeting date
Thursday, 25 January 2018

Meeting time
10.30 am

For further information please contact
Stephen Boyd
01597 826374
steve.boyd@powys.gov.uk



County Hall
Llandrindod Wells
Powys
LD1 5LG

19 January 2018

The use of Welsh by participants is welcomed. If you wish to use Welsh please inform us by noon, two working days before the meeting

AGENDA

1.	APOLOGIES
-----------	------------------

To receive apologies for absence.

2.	MINUTES
-----------	----------------

To authorise the Chair to sign the minutes of the last meeting as a correct record.
(Pages 13 - 70)

3.	DECLARATIONS OF INTEREST
-----------	---------------------------------

To receive any declarations of interest from Members relating to items to be considered on the agenda.

4.	PUBLIC QUESTIONS
-----------	-------------------------

4.1. **Question to the Portfolio Holder for Property and Waste from Phil Bettley**

For decades I have been a good citizen, keeping our own home and environment tidy by taking often bulky items to a recycling facility. Frequently, I have helped family, neighbours and friends to do the same sometimes by hiring a van.

For the first time in my life this ability has been removed by Powys County Council forcing me to register one specific vehicle that can be permitted to enter the recycling facility.

I have a small van for domestic use only; my wife has a trailer; sometimes we hire a larger van when projects arise.

Your policy of enforcing Trade waste to pay for disposal is understandable, but your process for achieving this is diabolical. Me, and anyone else from my address, should be able to take non trade waste to the recycling facility as many times as may be necessary, in whatever vehicle, van or trailer we choose.

Your job is to enforce the trade waste issue, and in doing so not prevent domestic users from fulfilling their civic duty.

The current permit system was hastily conceived and is not fit for purpose. Please will you rethink this process?

(Pages 71 - 72)

4.2. Question to the Leader from Michael McCarthy

Powys Council commissioned a major external review of children's services during 2015/16. This was tasked with service development, meeting its duties under the Social Services and Wellbeing (Wales) Act and establishing if efficiencies to the value of £2.7m were deliverable and sustainable.

Do you accept that not prioritising safeguarding was a serious omission which contributed to the failings in children's services which were identified in the recent CSSIW report?

(Pages 73 - 74)

4.3. Question to the Leader from Elizabeth Hunter

Following the highly critical report of CSSIW, what assurances can the leader give that the apparent lack of clear understanding of priorities on Children's Social Services between senior council staff and the political leadership Powys Council have been addresses effectively to ensure that the needs of vulnerable children are now being met, and given the coming inspection of adult services, how confident is the leader that the cabinet are sufficiently aware of all the issues facing that service?

(Pages 75 - 76)

4.4. Question to the Portfolio Holder for Property and Waste from Francesca Garman

Given the restricted options for the disposal of plastics in particular in this part of Powys and the fact local authorities can no longer legally dump their general waste on China, where does Powys general waste go and what investment is planned to deal with recycling?

(Pages 77 - 78)

5.	CHAIR'S ANNOUNCEMENTS
-----------	------------------------------

To receive any announcement's from the Chair of Council.

6.	LEADER'S ANNOUNCEMENTS
-----------	-------------------------------

To receive any announcements from the Leader.

7.	ACTING CHIEF EXECUTIVE'S BRIEFING
-----------	--

To receive a briefing from the Acting Chief Executive.

8.	CAPITAL VIREMENTS
-----------	--------------------------

8.1. **Virement for Housing Revenue Account: Welsh Housing Quality Standards (WHQS) Older Person Accommodation**

To consider a report by County Councillor Aled Davies, Portfolio Holder for Finance.

(Pages 79 - 82)

8.2. **Virements for Highways, Transport and Recycling: Talgarth Phase 2 Flood Alleviation Scheme, Fleet Replacement Programme, Fleet Workshops**

To consider a report by County Councillor Aled Davies, Portfolio Holder for Finance.

(Pages 83 - 86)

9.	CHANGES TO THE MINIMUM REVENUE PROVISION
-----------	---

To consider a report by County Councillor Aled Davies, Portfolio Holder for Finance.

(Pages 87 - 92)

10.	CHILDREN'S SERVICES IMPROVEMENT PLAN
------------	---

To consider the Children's Services Improvement Plan.

(To Follow)

11.	REPORT FROM THE DEMOCRATIC SERVICES COMMITTEE
------------	--

To consider recommendations from the Democratic Services Committee.

(Pages 93 - 284)

12.	PROPOSED DELEGATION OF DECISION-MAKING FOR DEFINITIVE MAP MODIFICATION ORDER CASE - ROUTE FROM BANKSHEAD, SHROPSHIRE TO SHEPHERDSWHIM, POWYS
------------	---

To consider the recommendation of the Planning, Taxi Licensing and Rights of Way Committee.

(Pages 285 - 296)

13.	APPOINTMENT OF INDEPENDENT (LAY) MEMBER ON THE STANDARDS COMMITTEE
------------	---

To consider a report by the Solicitor to the Council.

(Pages 297 - 298)

14.	COUNCIL FORWARD WORK PROGRAMME
------------	---------------------------------------

To receive for information the Council forward work programme for 2018.

(Pages 299 - 300)

15.	NOTICES OF MOTION
------------	--------------------------

15.1. Notice of Motion - Youth Services

Council recognises that:

1: Youth services do a vital job in our communities. The benefits they provide for young people are real and long-lasting.

2: While many other public services step in when problems occur, youth services prevent so many of those difficulties from occurring in the first place.

3: Youth services help young people to lead positive lives as members of society.

4: Youth Centres in strategic locations across Powys play a vital role in the delivery of the statutory Youth Service.

5: Youth Centre buildings are often at the centre of the community and key to the delivery of other valued local services.

This Council resolves:

1: To note its concern at the closure of Youth Centres across Powys;

2: Cabinet should engage with young people in Powys using the mediums, forums and tools that young people can access to develop a plan to invest in opportunities for young people

3: Cabinet should review the impact of the closure of youth centres on young people with protected characteristics and poorer communities within 12 months of the date of closure;

Proposer: County Councillor Matthew Dorrance
Seconder: County Councillor Huw Williams

15.2. **Notice of Motion - Empty Dwelling Management Orders**

Only three Local Authorities in Wales have made use of Empty Dwelling Management Orders (EDMO), powers used by Local Authorities to take over properties that have been empty for at least two years. Powys is not one of them.

The Liberal Democrats in England submitted a Freedom of Information Request to the UK Government to provide empty dwelling figures by local authority area across the UK. The attached spreadsheet provided in response shows the empty dwelling figures for each local authority in the UK and whether they have used the above powers. Powys County Council recorded 1810 empty dwellings and 25 bought into use by the Council in 2016/17, although the Council did not provide figures for how long these homes have been empty. It is one of only a few councils not registering these statistics at present. Out of the 279 local authorities on the list only 65 authorities across the UK have more than 1000 empty dwellings.

<https://docs.google.com/spreadsheets/d/1mrO1Aj9jQa1tzkG02ki-Xz82dA08-yrTl4bFre67ll/edit#gid=0>

Motion

The Welsh Liberal Democrat Group urges Council to demand that Cabinet provides an analysis of why there are 1810 empty dwellings in Powys and to provide figures for the length of time these homes have been empty; and further demands that, with immediate effect, Powys County Council starts to use Empty Dwelling Management Orders (EDMOs) to assist in relieving local housing demand pressure and the national housing crisis.

Proposer: County Councillor James Gibson-Watt

Seconder: County Councillor John Morris

15.3. **Notice of Motion - St David's Day**

That the Council supports the cross-party call for St David's Day to become a national bank holiday. In the meantime, that the Council recognises this by raising the flag of St David on the Council's sites together with the Welsh flag during the week around the 1st of March, and also to raise the Glyndŵr flag during the week which includes the 16th of September.

Proposer: County Councillor Elwyn Vaughan

Seconder: County Councillor Bryn Davies

15.4. **Notice of Motion - Powys Pension Fund**

In April, the Powys Pension Fund will join the Wales Pension Partnership (WPP), a pool of eight separate Funds from across Wales. Once this process has taken place, work will commence on the environmental and social governance (ESG) of the WPP. Each individual Fund in the partnership has the opportunity to contribute to this process by identifying priority ESG areas and lobbying for their inclusion in the WPP.

It is timely then for Members to take not only the social, but also the financial risks of climate change seriously by moving to limit Powys Pension Fund members' exposure to investment in fossil fuels [1], which is not only a dying market but also a high risk one. Experts agree that the majority (around 75%) of what fossil fuels remain in the ground will have to stay there if we are to avoid catastrophic effects of climate change [2] and even the Governor of the Bank of England has warned that coal and oil assets are at risk and that decarbonisation is a major opportunity for investors [3]. Thus, the interests of our pensioners will be served best by forward-looking investments in growing green industries, such as green energy which could be key to Wales' own economic future.

In joining the WPP, we have an opportunity to influence the investment of approximately £16billion instead of £620million – for many of us, a once in a lifetime chance to have a truly significant impact on the well-being of our future generations and those the world over.

This action would not only support the Well-being of Future Generations Act but also Powys' own draft Well-being plan, which looks to “develop a carbon positive strategy that maximises green energy production”.

I therefore call on the Council to publicly support the principle of divestment from fossil fuels and to begin lobbying the Wales Pension Partnership to include divestment from fossil fuels in its ESG priorities. Specifically, I ask;

1. The Leader to write to the Powys Pension Fund, calling for it to:
 - a. Support divestment in principle
 - b. Lobby the WPP for a strategy to reduce to zero its investments in fossil fuels over the next 5 years, including plans to diversify into renewables, energy efficiency and storage technologies.
2. The Council and PPF to work with other local authorities served by the Wales Pension Partnership to work together on divestment and diversification.
3. To work with trades union representatives and the workforce to involve them in plans for divestment and diversification.

Whilst the Pensions and Investment Committee cannot be mandated to implement actions 1.a and 1.b, it is critical that they are considered for adoption in the early stages of the WPP.

Proposer: County Councillor Emily Durrant
Secunder: County Councillor Elwyn Vaughan

[1] <https://www.theguardian.com/environment/2013/apr/19/carbon-bubble-financial-crash-crisis>

[2] *Leading experts have warned that approximately 75% of the current fossil fuel reserves must stay in the ground if we are to avoid the worst effects of climate change:* <https://www.theguardian.com/environment/2015/apr/22/earth-day-scientists-warning-fossil-fuels->

[3] <https://www.theguardian.com/environment/2014/oct/13/mark-carney-fossil-fuel-reserves-burned-carbon-bubble>

15.5. **Notice of Motion - Reduction of Plastic Use**

The horrors of our addiction to plastic are now common-knowledge. Plastic has an important place in our technological development and is in many ways an ingenious and revolutionary product. Nonetheless, it is time for another plastic revolution. It is time to ditch single-use plastic. On being elected to the Council in May, I was horrified by the number of single use plastic cups and single use composite cups that are used by Members, staff and visitors on a daily basis. The response to the recent 'Plastic-free Powys' campaign indicates that residents would likely be just as disappointed.

Will Members demonstrate leadership by asking that Council;

- A) Promote Powys as a major plastic reducer
- B) Develop a strategy to:
 - 1. Encourage staff and residents to:
 - a. Carry refillable water bottles and, longer term, consider a water fountain in town centres where they can be refilled.
 - b. Carry reusable coffee cups and to refuse single use coffee cups when offered (for example, by placing a 5p charge on single use coffee cups in council run buildings is one idea)
 - c. Avoid products with micro beads and to only flush paper down their loos. Not flushing wet wipes and cotton buds and disposable contact lenses down the loo would reduce plastic in the ocean and help the sewage system.
 - 2. Encourage food and drinks outlets across the county to:
 - a. Offer a biodegradable alternative and advertise a willingness to fill people's own cups
 - b. Use paper and not plastic straws

Proposer: County Councillor Emily Durrant

Seconder: County Councillor Bryn Davies

16.	QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION
------------	--

- 16.1. **Question to the Portfolio Holder for Property and Waste from County Councillor Elwyn Vaughan**
What was the original total cost of the development of ‘Y Gaer’ in Brecon and what is the total cost by now? How was it financed and how is it being financed now?
(Pages 301 - 302)
- 16.2. **Question to the Portfolio Holder for Regeneration from County Councillor Kathryn Silk**
What percentage of householders and businesses in Powys has access to broadband speeds of 10Mbps or greater; what is the Cabinet doing to ensure that all households and businesses have such access; and what assessment has the Cabinet made of the economic disadvantage suffered by households and businesses that do not have such access?
(Pages 303 - 304)
- 16.3. **Question to the Leader from County Councillor Matthew Dorrance**
Will the Leader publish a progress report on the delivery of her administration’s Vision 2025 document?
(Pages 305 - 306)
- 16.4. **Question to the Portfolio Holder for Regeneration and Planning from County Councillor Matthew Dorrance**
What assessment has the Cabinet made of the impact of its planned closure of Brecon’s Tourist Information Centre on the local economy?
(Pages 307 - 308)
- 16.5. **Question to County Councillor William Powell, Member of the Dyfed Powys Police and Crime Panel from County Councillor Elwyn Vaughan**
What are the priorities for policing our deep rural communities in Powys?
(Pages 309 - 310)
- 16.6. **Question to the Portfolio Holder for Education from County Councillor Sandra Davies**
The Fair Funding Formula is usually circulated for consultation around the Christmas season – to my knowledge this has not yet been out for consultation: when will this be circulated?
(Pages 311 - 312)
- 16.7. **Question to the Portfolio Holder for Property & Waste and the**

Portfolio Holder for HR ICT and Communications from County Councillor Sandra Davies

Much has been mentioned of late of the increasing elderly population and the associated pressures on front line services. There is an increase in dementia, people who have mobility issues and more demand on carers / care providers.

Powys no longer provides a list of dates for refuse collection which can cause confusion for people and their carers. Not everyone has access to a computer to access information.

It was unfortunate that just before Christmas the weather resulted in disruption to the collection service. It was unclear when refuse was to be collected.

Added to this confusion was a change to normal collection day over Christmas and yet a different collection day for the New Year?

What plan does the portfolio holder for refuse/recycling have to ensure that members of the public know when to put out their rubbish for collection: both black bins (purple sacks) and coloured boxes?

Are the two portfolio holders working together to communicate this effectively?

(Pages 313 - 314)

16.8. Question to the Portfolio Holder for Education from County Councillor David Meredith

I understand that two consultants have been engaged to assist with the drafting of a revised Authority Fair Funding School Policy. As these appointments are on top of having engaged a permanent Director of Education can the Cabinet Member for Education make a statement on the Department's use of consultants?

(Pages 315 - 316)

16.9. Question to the Portfolio Holder for Property and Waste and the Portfolio Holder for Housing and Countryside Services from County Councillor Roger Williams

What assessment has the Cabinet made of (a) the financial and (b) the operational performance of The Heart of Wales Property Services Ltd?

(Pages 317 - 318)

16.10. Question to the Portfolio Holder for Highways from County Councillor Roger Williams

What assessment has the Cabinet made of the condition of unclassified roads in Powys?

(Pages 319 - 320)

16.11. **Question to the Portfolio Holder for Adult Services from County Councillor Huw Williams**

Can the Portfolio holder for Adult Social Care clarify which specific, Service led need, prompted the successful request to Cabinet, in late 2017, for additional financial support?

(Pages 321 - 322)

16.12. **Question to County Councillor Emily Durrant, Member of the Brecon Beacons National Park Authority from County Councillor William Powell**

In the light of the recently advertised Review of the BBNPA Local Development Plan (2007 – 2022), how will National Park Members ensure that the Authority engages proactively with its constituent communities and their County, Town and Community Council representatives, to enhance the effectiveness and transparency of the process?

In particular, how will BBNPA members ensure that the LDP review is based on sustainable development principles and takes account both of deliverability of housing allocations and the adequacy of employment allocations and mixed use sites, to meet the aspirations and needs of the local community, as well as the overarching policy priorities of Welsh Government?

(Pages 323 - 324)

16.13. **Question to the Portfolio Holder for Children Youth, Libraries and Leisure Services from County Councillor Gareth Morgan**

The recent decision of Cabinet to close Staylitttle Outdoor Education Centre has caused considerable concern across Powys. Can the portfolio holder confirm that a full public consultation (including with schools in Powys) and a full Impact Assessment were undertaken before the item came before Cabinet for decision, in line with the requirements of the Well-Being of Future Generations Act?

(Pages 325 - 326)

16.14. **Question to the Portfolio Holder for Property and Waste from County Councillor William Powell**

With the imminent completion of the new area Ysgol y Mynydd Du with library/community facilities on Hay Road, Talgarth, the current Bronllys and Talgarth school sites will shortly become redundant, as will Talgarth Branch Library. While understanding the importance of Powys County Council observing protocol, and avoiding any precipitate action, it is important to make comprehensive plans to consult on the future use of these sites, taking account not only of County Council policy, but also community sensibility and local aspirations.

This is especially the case in the context of the Talgarth assets, as they are more extensive and fall within the Brecon Beacons National Park planning regime, comprising: the former Youth and Community Centre,

the Current Primary School, Army Cadet Hut, Library and the locally cherished School Field.

Given the level of interest and concern felt locally about these key sites, will the Cabinet Member liaise with his relevant portfolio colleagues and me as Local Member to initiate a scoping meeting to discuss, openly and transparently, the future of these assets at the heart of the town?

Given the historic experience locally of the dereliction of the former Mid Wales Hospital site, and the short comings surrounding the disposal of that site, it is imperative that we adopt an open and proactive approach, involving Talgarth Town Council, local stakeholders and BBNPA.

(Pages 327 - 328)

16.15. **Question to the Leader from County Councillor James Gibson-Watt**

In the light of the recent events connected with the collapse of Carillion, can the Leader reassure us that all outsourced contracts let by the County Council are worded such that where local subcontractors are used by the principal contractor the payment terms to such subcontractors is no more than 30 days; and can she outline what measures Powys County Council has in place to ensure such payments are made in a timely manner? Can she further reassure us that the County Council will not be suffering any direct losses, either in terms of delayed contracts or actual financial loss, as a result of Carillion being placed in to administration?

(To Follow)

The following item is timed for 2.00 p.m.

17. HEALTHY SCHOOLS AWARDS

To receive presentations from pupils of Crickhowell High School, Ysgol Penmaes and Mount Street CP School who are recipients of the Welsh Network of Healthy Schools National Quality Award.

The following item is timed for 2.30 p.m.

18. PRESENTATION FROM SPORT POWYS

To receive a presentation from Sport Powys who have successfully gained the Disability Sport Wales 'insport' Bronze accreditation.