

**MINUTES OF A MEETING OF THE COUNTY COUNCIL HELD AT COUNCIL
CHAMBER - COUNTY HALL, LLANDRINDOD WELLS ON THURSDAY, 22
FEBRUARY 2018**

PRESENT

County Councillor D E Davies (Chair)

County Councillors MC Alexander, M Barnes, B Baynham, G Breeze, J Charlton, L V Corfield, K W Curry, A W Davies, B Davies, P Davies, S C Davies, M J Dorrance, D O Evans, J Evans, L Fitzpatrick, L George, J Gibson-Watt, M R Harris, S M Hayes, H Hulme, E A Jones, D R Jones, E Jones, G Jones, J R Jones, E M Jones, M J Jones, D Jones-Poston, F H Jump, K Laurie-Parry, H Lewis, K Lewis, P E Lewis, MC Mackenzie, I McIntosh, S McNicholas, DW Meredith, C Mills, G Morgan, JG Morris, R Powell, WD Powell, D R Price, GD Price, P C Pritchard, G Pugh, J Pugh, G W Ratcliffe, L Roberts, P Roberts, K M Roberts-Jones, E Roderick, D Rowlands, D Selby, K S Silk, D A Thomas, R G Thomas, E Vaughan, M Weale, J Wilkinson, A Williams, G I S Williams, D H Williams, J Williams, J M Williams, R Williams and S L Williams

Apologies for absence were received from County Councillors E Durrant, A Jenner, S Lewis, N Morrison and T J Van-Rees

1.	APOLOGIES
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Apologies for absence were received from County Councillors E Durrant, A Jenner, S Lewis, N Morrison and T Van-Rees.

2.	MINUTES
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Subject to the inclusion of Councillor David Meredith in the list of members present, the Chair was authorised to sign the minutes of the last meeting held on 25 January 2018 as a correct record.

3.	DECLARATIONS OF INTEREST
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County Councillors Elwyn Vaughan and Michael Williams declared personal non prejudicial interests in the item on the capital virement for Ysgol Bro Hyddgen as local authority appointed governors at the school.

4.	REPORT OF THE FINANCE SCRUTINY PANEL ON THE BUDGET
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County Councillor John Morris, Chair of the Finance Scrutiny Panel, presented the Panel's report on the budget. He explained that the Panel had been frustrated in getting information so late which had prevented adequate scrutiny and which meant that the report was being taken straight to Council rather than to Cabinet first.

He outlined the Panel's concern with the budget and highlighted a number of areas of risk particularly on savings targets, on the reliance on one off accounting

measures, the level of Council Tax, the MRP, on other service areas being put at risk by the additional funding for Children's Services, the overspends in schools and the unknown costs of transformation. He asked that all members engage in constructive scrutiny.

In response, the Portfolio Holder for Finance explained that the budget had been balanced in October but had to be reworked to put additional resources into Children's Services following the inspection and that FSP had been sent information as soon as it was available. He advised that the Cabinet were starting work on next year's budget straight away and that the Medium Term Financial Strategy was being rewritten and due to be finished in May. He noted that CIPFA had been complimentary about the budget process and that there had been no adverse comment from Wales Audit Office on the MRP.

RESOLVED that the Finance Scrutiny Panel report be received.

The Chair changed the running order of the agenda to take the item on the Wales Audit Office Annual Audit Letter next.

5.	WAO ANNUAL AUDIT LETTER 2016-17
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The Acting Chief Executive advised that the letter which covered the period up to 31 March 2017 contained the following statutory recommendation:

In setting a balanced budget, the Council must ensure that all savings plans are sufficiently well developed for inclusion in the annual budget. The Council must also act immediately to update its Medium Term Financial Strategy to enable the Council to live within its means going forward, and design and implement actions to address the weaknesses identified and reported by me in respect of its corporate and financial arrangements.

In accordance with the statutory recommendation, the council had (prior to receipt of the letter) already recognised the need to produce a revised Medium Term Financial Strategy by the end of May 2018. In addition, improvements in Strategic and Financial planning were also being delivered and monitored through the new Corporate Leadership and Governance Plan,

The actions being taken in response to the statutory recommendation were set out in Appendix B to the report. Appendix B also made reference to the proposals for improvement that the WAO published in their Annual Improvement Report 2016-17 (Issued in June 2017) and detailed the action already been taken through dedicated action plans.

The Chair of the Audit Committee advised that the Committee had met to consider the letter and minutes if that meeting would be circulated.

It was proposed by County Councillor Aled Davies and seconded by County Councillor Rosemarie Harris and by 64 votes to 0 it was

RESOLVED	Reason for Decision:
1. That Council consider the WAO	To ensure the Council addresses

<p>findings set out in the Annual Audit Letter 2016-17 and accept the Statutory Recommendation.</p> <p>2. That Council supports implementation of action plan in Appendix B as the Council's response to the WAO recommendations.</p>	<p>the recommendations identified by the WAO and has robust plans in place to improve its corporate governance and financial arrangements.</p>
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6.	BUDGET FOR 2018-19, MEDIUM TERM FINANCIAL STRATEGY 2018-2023 AND CAPITAL PROGRAMME FOR 2018-2023
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Council considered the budget for 2018/19 the Medium Term Financial Strategy 2018 - 2023 and Capital Programme 2018 - 2023. (Copy filed with the signed minutes).

The Portfolio Holder for Finance outlined the Cabinet's budget strategy which included substantial investment in Children's and Adult Services and in the capital programme. He acknowledged the risk in 2019/20 if the Council was to meet the savings required and warned that the Council could not continue in its current form and that significant transformation was required. He advised that this work was already underway. A Council Tax rise of 5% was proposed which would raise £3.5m and which was equivalent to £56 extra per annum for a Band D property. He proposed the recommendations in the budget report, seconded by County Councillor Myfanwy Alexander.

Councillor L Corfield arrived at 11.40.
Councillor Michael J Jones arrived at 11.45.

County Councillor James Gibson-Watt proposed an amendment, seconded by County Councillor David Selby changing recommendation 2 in the report to:

"That the proposed Revenue Budget for 2018/19 be amended as follows-

1. That the requirement to save £220,000 from the Youth Service budget in 2018/19 be reduced to nil
2. That the uplift to schools delegated budgets be increased from £1m to £2m
3. That the Living Wage level be increased for all county council employees who receive it in line with recommendations issued by the Living Wage Foundation
4. That the total increased funding set aside for social care in 2018/19 be changed from the proposed £10.76m to £8.36m

and changing recommendation 5 to:

"That a Council Tax increase of 3.75% is included in the budget and approved."

The proposer argued that this was a modest adjustment to the budget to assist services such as schools and the youth service that supported social services through early intervention. He argued that action needed to be taken on schools

budgets straight away and noted that members still did not have budget information for individual schools. Council debated the amendment which was lost upon being put to the vote by 12 votes to 53 with 2 abstentions.

Council then debated the recommendations in the report. In response to a Member's question it was confirmed that one other Welsh authority and a number of English authorities had adopted the same approach on Minimum Revenue Provision. A number of members indicated that they could not support the budget. The Leader of the Labour group criticised proposals to make cuts to public services and not to increase the Living Wage in line with the Living Wage Foundation recommendations.

Council voted on the recommendations proposed by County Councillor Aled Davies and seconded by County Councillor Myfanwy Alexander.

Recommendation 1: by 46 votes to 22 it was

RESOLVED	Reason for Decision
1. That the Medium Term Financial Strategy for 2018 to 2023 as set out in Appendix 1 to the report be agreed in principle.	To aid business planning and development of the budget over a three year period

Recommendation 2: by 46 votes to 22 it was

RESOLVED	Reason for Decision
2. That the proposed Revenue Budget for 2018/19 shown in the Financial Resource Model in Appendix 2 is approved.	Statutory Requirement

Recommendation 3: by 45 votes to 22 it was

RESOLVED	Reason for Decision
3. That the Fees and Charges proposed within the Fees and Charges Register are approved. (Appendix 4 and 5)	To comply with Powys County Council Income Policy

Recommendation 4: by 53 votes to 14 it was

RESOLVED	Reason for Decision
4. The proposed Capital Strategy for 2018/19 shown in Appendix 6 approved.	Statutory Requirement

Recommendation 5: by 44 votes to 22 with 1 abstention it was

RESOLVED	Reason for Decision
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5. That a Council Tax increase of 5% is included in the budget and approved.	There is a Statutory Requirement to set Council Tax but the level is a matter for local determination.
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Recommendation 6: by 50 votes to 14 it was

RESOLVED	Reason for Decision
6. The authorised borrowing limit for 2018/19 as required under section 3(1) of the Local Government Act 2003 be approved at £400.0m as set out in section 10 of the report.	Statutory Requirement

Recommendation 7: by 54 votes to 13 it was

RESOLVED	Reason for Decision
7. The Prudential Indicators for 2018/19 are approved as set out in section 10 of the report and Appendix 7.	Statutory Requirement

Recommendation 8: by 54 votes to 12 it was

RESOLVED	Reason for Decision
8. That revised Medium Term Financial Strategy is brought forward by the end of May 2018.	To ensure the Council operates within its means in future years.

Council adjourned from 12.58 to 13.50.

PRESENT

County Councillor D E Davies (Chair)

County Councillors MC Alexander, M Barnes, B Baynham, G Breeze, J Charlton, L V Corfield, K W Curry, A W Davies, B Davies, P Davies, S C Davies, M J Dorrance, D O Evans, J Evans, L Fitzpatrick, L George, J Gibson-Watt, M R Harris, S M Hayes, H Hulme, E A Jones, D R Jones, E Jones, G Jones, J R Jones, E M Jones, M J Jones, D Jones-Poston, F H Jump, K Laurie-Parry, H Lewis, K Lewis, MC Mackenzie, I McIntosh, S McNicholas, D Meredith, C Mills, G Morgan, R Powell, WD Powell, D R Price, GD Price, P C Pritchard, G Pugh, J Pugh, G W Ratcliffe, L Roberts, P Roberts, K M Roberts-Jones, E Roderick, D Rowlands, D Selby, D A Thomas, R G Thomas, E Vaughan, M Weale, J Wilkinson, A Williams, D H Williams, J Williams, J M Williams, R Williams and S L Williams

7. CAPITAL VIREMENTS

7.1. Virement for Ladywell House Refurbishment

The virement was to roll forward the budget for the refurbishment of Ladywell House into 2018/19. It was proposed by County Councillor Aled Davies and seconded by County Councillor Rosemarie Harris and by 52 votes to 2 it was

RESOLVED	Reason for Decision:
To approve the following virement for m for Ladywell House refurbishment	To ensure appropriate virements are carried out that reflect the forecasted capital spend.

7.2. Virement for the replacement of Primary and Secondary School for Ysgol Bro Hyddgen

County Councillors Elwyn Vaughan and Michael Williams had declared personal non pecuniary interests as local authority appointed governors. The virement was for Ysgol Bro Hyddgen and not as printed in the report and agenda and was to roll forward the budget for the replacement school into 2018/19. It was proposed by County Councillor Aled Davies and seconded by County Councillor Myfanwy Alexander and by 52 votes to 0 it was

RESOLVED	Reason for Decision:
To approve the following virement <ul style="list-style-type: none"> • £1.091m Schools transformation project at Ysgol Bro Dyfi 	To ensure appropriate virements are carried out that reflect the forecasted capital spend.

8. EXTENSION TO THE TERM OF OFFICE OF INDEPENDENT (LAY) MEMBER ON THE STANDARDS COMMITTEE
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Council was asked to consider the reappointment of Mrs Jacqueline Evans as an Independent Member of the Standards Committee for a further four year term. The Solicitor to the Council explained that Mrs Evans had been appointed following advertisement and that it was the Council's normal practice to reappoint until the maximum term of term office of 10 years had been served.

It was proposed by County Councillor Kath Roberts-Jones and seconded by County Councillor Maureen Mackenzie and by 60 votes to 0 with 1 abstention it was

RESOLVED	REASON FOR DECISION
THAT THE COUNCIL REAPPOINTS MRS JACQUELINE EVANS AS AN INDEPENDENT MEMBER OF THE STANDARDS COMMITTEE FOR A TERM OF FOUR YEARS EXPIRING ON 2 ND MARCH 2022.	TO FILL THE INDEPENDENT MEMBER VACANCY ON THE STANDARDS COMMITTEE.

9. RECOMMENDATIONS FROM THE DEMOCRATIC SERVICES COMMITTEE

Council considered the recommendations of the Democratic Services Committee on mandatory training for Members.

RESOLVED	Reason for Decision:
<ol style="list-style-type: none"> 1. That Data Protection Act [DPA] and IT & Information Security training to be mandated for Members by Council and 2. That Equalities and Diversity training to be mandated for Members by Council and 3. That the Council notes that as the Violence Against Women, Domestic Abuse, Sexual Violence Act 2015 [VAWDASV] has been included in the [VAWDASV] training plan submitted and approved by the Welsh Government , it is a mandatory requirement for Members, and 4. Members identified as requiring training and who have not undertaken and passed such training be included within the monthly compliance reports which are provided to the Monitoring Officer. 5. Further formal escalation would follow the process agreed by Council on the 15th July 2015 within report CC68- 	<ol style="list-style-type: none"> 1. To enable Powys County Council to include such evidence of training within a response to the regulator should a breach occur involving an elected Member. Additionally should Members be required to notify the Information Commissioner of a breach of information for which they are the Data Controller they can utilise the same evidence. 2. To ensure that members undertake their roles in an unbiased manner. 3. To ensure that the Data Protection Act, IT and Information Security, Equalities and Diversity and VAWDASV training is included in the mandatory development list. 4. To ensure the Monitoring Officer is able to discuss with Member(s) the reason for training not being completed.

2015 Member Development – Mandatory and Non Mandatory Development.	
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10.	APPOINTMENTS TO COMMITTEES
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Council noted the following appointments to committees made by political groups and approved by the Monitoring Officer under the general power of delegation granted by Council on 16 May 2013:

County Councillor Gareth Pugh appointed to the Planning, Taxi Licensing and Rights of Way Committee in place of County Councillor Mark Barnes.

County Councillor Joy Jones appointed to the Licensing Act 2003 Committee in place of County Councillor Ange Williams.

County Councillor Jon Williams appointed to the Employment and Appeals Committee in place of County Councillor Ange Williams.

It was moved by County Councillor Michael Williams and seconded by County Councillor Les George and by 60 votes to 1 it was

RESOLVED that the appointments be noted.

11.	NOTICES OF MOTION
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11.1. Notice of Motion - Waiver of Registration Fees

Council debated the motion moved by County Councillor Gareth Ratcliffe and seconded by County Councillor Pete Roberts

“We call on Powys county council to waive all costs for registering a stillbirth, the death of a baby who died before their birth was registered, as well as for all other under 18s.”

By 61 votes to 0 it was

RESOLVED to waive all costs for registering a stillbirth, the death of a baby who died before their birth was registered, as well as for all other under 18s.

11.2. Notice of Motion - Broadband

Council debated the following motion proposed by County Councillor Elwyn Vaughan and seconded by County Councillor Bryn Davies:

“In view of the publication of the report by the House of Commons Library highlighting the fact that Montgomeryshire is in the top 10 constituencies with

worst broadband speeds, the Council calls on Welsh Government when determining the new £80m investment contract to expand access to fibre broadband, to prioritise Montgomeryshire as a key target area in order to ensure access to services and enable the sustainable development of our economy.”

Noting that this was an issue affecting the whole county, the proposer and seconder agreed to a slight amendment replacing Montgomeryshire with Powys and by 59 votes to 0 it was

RESOLVED that the Council calls on Welsh Government when determining the new £80m investment contract to expand access to fibre broadband, to prioritise Powys as a key target area in order to ensure access to services and enable the sustainable development of our economy.

11.3. Notice of Motion - Heart of Wales Property Services Ltd

Council debated the following motion proposed by County Councillor Susan McNicholas and seconded by County Councillor Matthew Dorrance

“This Council:

- Recognises the investment the Council is making in its Joint Venture Company Heart of Wales Property Services LTD;
- Recognises the need for the Council to manage its corporate estate;
- Supports Council tenants’ right to repair in reasonable timeframes;
- Is concerned by the time taken to return empty council houses to use after a tenant departs;
- Recognises the concerns raised by residents and Councillors about the performance of Heart of Wales Property Services LTD and therefore:

This Council resolves to:

- Undertake a comprehensive review into the effectiveness of Heart of Wales Property Services LTD in responding to Powys County Council’s estate and social housing needs;
- Write to the Board of Heart of Wales Property Services to request a review of the effectiveness of its corporate functions and financial viability which reports its findings to Powys County Council as part owner of the company;
- Establish a dedicated point of contact for Powys County Council’s elected members dealing with Heart of Wales Property Services LTD;
- Establish an annual reporting mechanism for Heart of Wales Property Services LTD to report to Powys County Council.”

A number of members spoke of their frustration with the arrangements, citing difficulties contacting Heart of Wales Property Services, with no dedicated point of contact for Councillors and delays in getting work done. The two portfolio holders on the Board, whilst not disagreeing with the comments made, advised that a recovery plan had been put in place and asked that resources were not diverted away from that by carrying out a review at this point.

The motion was put to the vote and lost by 20 votes to 39.

11.4. Notice of Motion - To encourage women to run for roles in politics

In the absence of the seconder to the motion, the proposer asked that consideration of this notice of motion be deferred.

12. QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION
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The Chair changed the running order of the agenda to take the following two questions first.

12.1. Question to the Portfolio Holder for Adult Services from County Councillor David Meredith

Is the Council undertaking appropriate assessments to ensure the right social care packages are in place for residents returning home after hospital stays?

Response

Adult Social Care undertakes assessments with individuals who may have a need which could be met by social services, according to the Social Services and Well-being (Wales) Act 2014.

Social Workers, occupational therapists or sensory impairment specialist workers will visit individuals and through conversation, observation and functional assessments (including activity analysis) will try to find out *what matters* to the individual. Having reached an agreement with the individual as to *what matters*, the practitioners provide information on options and their associated benefits and risks in order to enable the individual to make an informed decision on what needs to change in order to achieve what matters to them.

The worker will then provide a Care and Support Plan to the individual which records agreed actions and will arrange, if appropriate, for the individual to access community facilities, to be supported to do so, for adaptations or equipment provision in the home, or for care to be provided if required.

Individuals who are in hospital are often assessed during their hospital stay, or immediately following their return home, and care provided as soon as possible if this is required. On returning home, most individuals who require care will receive a reablement service which aims to reduce people's dependency and to enable them to be as independent as possible. These individuals then may be able to live without support, or they may need to be supported by domiciliary care which is, in the vast majority of cases, procured from private agencies.

I can confirm that individuals, therefore, do receive appropriate assessments as described above. However, winter pressures where a large number of older people are in hospital and need to return home, coupled with recruitment challenges have led to some assessments being delayed over the past few months. I am hopeful that increased staffing capacity being supported by the Council will enable swifter response times going forward.

There was no supplementary question.

12.2. Question to the Portfolio Holder for Adult Services from County Councillor David Meredith

How is the Council working in partnership with Health and Social Care providers in the public and private sectors to ensure that delayed transfers of care are minimised?

Response

Partnership with the Powys teaching Health Board is vitally important in order to support effective and efficient transfers of care for individuals. Adult Social Care work with nurses, nurse assessors, occupational therapists, physiotherapists and others from the health board in order to ensure regular and accurate information sharing and joined up working.

The working practice varies across the county, but virtual wards, integrated teams and integrated reablement enables sharing of assessment forms and processes, with both health and social care using the new computer system (WCCIS). Social Care also has social workers working within the different acute general hospitals in order to support transfer of care.

The operational managers also attend regular conference calls with health managers from Powys and beyond in order to jointly plan service provision.

The two organisations already have Section 33 agreements in place for a number of joint and integrated ventures and this will, from April onwards, include funds for residential care.

Wider joint working is being actively developed. One such project is called My Care My Home and is aimed specifically at enabling smooth transition between hospital and home. This service will commence on the 26th of February in the south of the county.

There was no supplementary question.

The Chair left the meeting at 14.45. The Vice-Chair took the Chair.

12.3. Question to the Portfolio Holder for Education from County Councillor Phil Pritchard

Re New Welshpool Schools: In an early meeting of combined governors of the 5 schools, the Officers undertook to “consult” with ALL FAITHS in Welshpool regarding this matter. Can you please tell me how many of the 5 or 6 Faiths were indeed consulted, and how many meetings were held with them, and what notes/minutes of such meetings were kept?

Response

During the early discussions with stakeholders in Welshpool, the authority invited the Education Director of the Diocese of St. Asaph to the Local Stakeholder Group meetings, as one of the schools under review was a Church in Wales School – Gungrog.

During the formal consultation stage, the authority consulted with the relevant stakeholders as required by the School Organisation Code. The Consultation Document outlines the consultees as follows:

- Pupils (including School Councils), Parents, Prospective parents, Staff and Governing Bodies of any schools likely to be affected by the Proposals
- Any other local Council likely to be affected
- Church-in-Wales and Roman Catholic Diocesan Council for the area in which any school likely to be affected is located
- Teaching and staff trade unions

- Assembly Members and Members of Parliament representing the area served by any school which is subject of the Proposals
- County Councillors
- Regional Education Consortium
- Regional Transport Consortium
- Police and Crime Commissioner for the area
- Community and town councils for the area served by any school which is subject to the Proposal
- Early years providers in the local area
- Welsh Government Schools Management Division
- Estyn
- Children and Young People's Partnership
- RhAG (Rhieni dros Addysg Gymraeg / Parents for Welsh medium Education).

The consultation responses were reported to full Council who resolved to support the proposals to establish new English-medium and Welsh-medium primary schools in Welshpool and Cabinet who took the decision.

In response to Councillor Pritchard's question as to why not all faiths were consulted, the Portfolio Holder for Education said she would look into what would have happened, although she was not sure what it would change at this point with the investment already having been made.

12.4. Question to the Portfolio Holder for Housing and Countryside Services from County Councillor Phil Pritchard

Can you please advise me what was the average length of "void" (i.e. the time when a council house is vacated by one tenant, and is occupied by a new tenant) in the last year before the contractors Kier took over, and what is the average length of time for voids since this contractor has taken over?

For information I have a number of properties in Welshpool that have a void of many months, some over 12 months, and one to my knowledge over three years!!

Response

The average number of days taken to re-let an empty council home across the County, in the 12 months prior to July 2017 (the date when HOWPS became responsible for housing responsive repairs) was 95.7 days.

The average number of days taken to re-let a property in the 7 months prior to the establishment of HOWPS increased to 101.9 days, and in the 7 months since HOWPS has become responsible for the delivery of the repairs service, this has increased to 103.1 days.

In Councillor Pritchard's ward the average number of days taken to re-let an empty property was 107 days in the 12 months prior to July 2017, and this has reduced to 105 days in the 7 months since HOWPS became responsible for the delivery of the repairs function.

It needs to be borne in mind that not all empty properties can be turned around quickly and that HOWPS do not handle the works to all empty properties. Some

properties require major works of improvement to achieve the council's letting standard, some require major structural works and some are identified as being suitable for a change of use, such as adaptation. These voids tend to be handled outside of the usual void process.

This is illustrated by an analysis of the 8 properties which are currently empty in Councillor Pritchard's ward:

- 3 have been returned to the Housing Service by HOWPS and are in the process of being let,
- 3 are with HOWPS for works prior to being relet,
- 1 is in the process of having major works of adaptation undertaken to it to meet the needs of an identified family. This includes the construction of an extension. This property has been vacant since February 2017, as the works require detailed design work, planning consent and contract management outside of the arrangements with HOWPS
- 1 property has had a new heating system and sprinkler system installed, to comply with fire safety requirements.

In response to Councillor Pritchard's supplementary question about the amount of rental income lost through lengthy voids, the Portfolio Holder for Housing and Countryside Services said that he was not there to defend Heart of Wales Property Services and that he expected to see an improvement in the turnaround on voids.

12.5. Question to the Portfolio Holder for Property and Waste from County Councillor Gareth Ratcliffe

Powys County Council have ceased collections of soft plastics from the kerb side. Some communities were working in partnership with Cae Post on soft plastic collection points within their local area that residents could use. Sadly following the Cae Post announcement that it has ended its trade recycling and waste collections, communities no longer have a company to work with on this type of material. Can the council consider providing communities with this service along the lines Cae Post did?

Response

One of the main reasons that Cae Post have ceased operating is that they were unable to find viable outlets for the material that they collected, particularly the plastic film. It is for this same reason that the Council has not collected this material for some time now and hence we would not be in a position to take on this service.

Due to recent coverage of plastic waste on prime time television, the large supermarkets are now making efforts to reduce the plastic packaging that they use. This, along with increased investment in recycling infrastructure, should mean that Councils are able to recycle more of the plastic waste that is produced in the future.

In response to Councillor Ratcliffe's supplementary question the Portfolio Holder for Property and Waste confirmed his support for community litter picks and asked for further discussion with Councillor Ratcliffe.

12.6. Question to the Portfolio Holder for Housing and Countryside Services from County Councillor Elwyn Vaughan

What are the costs to date, and annual costs to the Council in relation to the use and rental of the storage at Hirddol, Machynlleth?

Response

Countryside Services rent yard space from Dyfi Waste Services at Hirddol, Penegoes, Machynlleth.

The rental costs per annum are as follows:-

2011 - £1,296

2012 - £1,296

2013 - £1,296

2014 - £1,350

2015 - £1,400

2016 - £1,450

2017 - £1,450

Total: £9,538 over 7 years

The Hirddol yard is used to store materials for Countryside Services, including gates, stiles, posts, step kits, signs, railing etc. Some materials for the Glyndwr's Way National Trail are also stored here. The Service buys materials in bulk, wherever possible, so that discounts can be achieved. Buying in bulk means that storage of materials is required. The Service also tries to buy wooden items in advance, in order to dry or season them, so that the life of the item is extended. This is especially important as the ingredients used to tanalise wood have changed and posts etc. no longer last as long. Having dry and seasoned wood items to install can increase the life span.

Countryside Services have volunteers and contractors working across the whole of the county. We have a couple of yards set up so that people can access materials without travelling excessive distances. If the Service didn't have these spaces, we would not be able to store materials and service costs may increase. Having yards at key points across the county keeps mileage costs down. Without them the Service would have to spend significantly more on mileage and transportation.

Countryside Services try to seek the cheapest options for yard rental and have approached Highways Depots in the past. If there are options to securely store materials in the right locations for free, then the Service would be pleased to learn of them. Any new site would need to be secure, provide undercover storage, have good access, turning/parking space and meet H&S requirements.

There was no supplementary question.

12.7. Question to the Portfolio Holder for Property and Waste from County Councillor Gareth Ratcliffe

Residents of Powys are fully aware that PCC has a number of important issues to deal with at the moment in relation to asset transfers between its self and communities.

Hay Town Council would welcome the opportunity to work with cabinet and Powys legal to move this forward in relation to Hay-on-Wye as soon as possible. Thus as local member for Hay I would like to ask whether it is possible for the relevant portfolio holder(s) and legal team to meet with representatives of the Town Council and myself, to progress and finalise the outstanding issues surrounding the transfer of assets process in relation to Hay-on-Wye.

Response

The Cabinet are more than happy to work with Hay Town Council and to this end the Town Council met with the whole Cabinet on 12th September 2017. At that meeting, some additional documentation was requested from the Town Council and the documents were not made available this Authority until 18th January 2018. A report will be coming to Cabinet in March / April 2018. The above information was recently provided to the Chair of the Town Council by the Solicitor to the Council.

There was no supplementary question.

12.8. Question to the Portfolio Holder for Highways from County Councillor David Selby

What progress is being made to plan for the de-trunking of the A489 through Newtown once the By Pass opens next year?

Response

The preferred route for the bypass was announced in October 2010 with final sign off by the Welsh Minister in 2015. Construction commenced in March 2016 with completion due in spring 2019.

Once the bypass is open Powys County Council will become responsible as the Highway Authority for the old 'de-trunked' sections of the A483 and A489 through Newtown as well as any newly constructed link roads.

Since the announcement of the bypass Powys County Council has been liaising with Welsh Government on various matters including:

- Standards of construction for the new road links
- Works required to the old trunk road sections (A483 / A489) to bring them to an acceptable standard
- Land Drainage matters
- Local road closures during construction
- Road Numbering, Speed limits and Signing
- Active Travel
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Prior to Powys County Council becoming responsible for the old trunk road network it was agreed with Welsh Government to survey the condition of the roads and identify any works required to bring them to a reasonable standard. The survey has included carriageway, bridges, retaining walls, drainage and street lighting. Discussions with the Welsh Government are currently on-going in terms of agreeing the scope of works and costs. It is hoped formal confirmation of arrangements will be received from Welsh Government by the end of the financial year. Discussions have also taken place with utility companies to try and ensure that any works put on hold during the construction of the bypass are completed before any major resurfacing works.

The Town Council, Chamber of Trade and Mid-Wales Manufacturing group were consulted early on in the process, however further discussions are on hold until negotiations between Powys County Council and Welsh Government are completed. Once agreement has been reached further engagement will take place with key stakeholders. At present only funding for bringing the old trunk road up to a standard has been identified.

The Council has been successful in attracting further Active Travel funding from the Welsh Government Local Transport Fund to carry out works within Newtown. These include a new cycle/pedestrian link at Plantation Lane, Riverside works, an allotment link and footpath widening along the Llanidloes road.

In response to Councillor Selby's supplementary question, the Portfolio Holder agreed that it would be helpful to involve local members in planning for the de-trunking of the A489.

12.9. Question to the Portfolio Holder for HR, ICT and Communications from County Councillor Pete Roberts

At the last full council a cost to the council of having a bank holiday on St David's Day was quoted as being £600k. At the time the breakdown of these costs could not be supplied. Please could you therefore supply a breakdown of costs that the Council would face specifically separating those which would result from lost productivity i.e. an extra day off from those where there would be a genuine additional cost to the Council eg overtime payments? Could you also state the level of cost if St David's Day were to replace the May Day bank holiday?

Response

The figure provided at the council meeting was £600k which represents one day of the total pay bill. This calculation took the total annual pay bill including on-costs and calculating 1 day of the possible 260 working days. As the majority of council staff would still be paid for the day but would not be working. A non-productive paid day.

We have not at this stage calculated the actual additional cost of an additional bank holiday, for many salaried staff (who would be paid for the additional bank holiday in their existing salary) the work not completed that day would be completed upon their return and managed within their ongoing work and flexible working arrangements over the following weeks. So in most cases there would not be an additional financial burden.

There are of course some areas that would incur additional cost, for example in some service areas there would be a requirement for staff to be on duty to cover the day, additional agency staff may be required to catch up on the working day lost, or the authority may lose income from services that are charged for. There may also be some costs that would be saved from an additional non-working day, eg. Cleaning costs, heating lighting etc and these would also need to be factored in.

To fully understand the impact a lengthy exercise would be required which would only be completed should the proposal progress further.

If St. David's day were to replace the May Day Bank Holiday then costs are unlikely to change significantly as one would replace the other, however this would also need to be explored further.

In response to Councillor Roberts' supplementary question, the Portfolio Holder for HR ICT and Communications did not accept that his intervention in the debate at the last meeting on a St. David's Day bank holiday had altered the outcome of the debate.

12.10. Question to the Portfolio Holder for Housing and Countryside Services from County Councillor Pete Roberts

The failure of a minority of dog owners to control and clean up after their animals has become an increasing problem across the County. Would the portfolio holder consider introducing a control order similar to that employed by Rhondda Cynon Taff to tackle the problem on council owned land and recreation areas?

Response

Powys County Council currently has powers under the Powys County Council (Dog Fouling) Order 1998 to serve Fixed Penalty Notices on dog owners who allow their dogs to foul on designated land and fail to clean up. Designated land is widely defined and includes highways with a maximum speed of 40 miles per hour or less, publicly owned land where the public have access within the settlement boundaries of towns and villages, and publicly and privately owned playing fields, parks, playgrounds, car parks and cemeteries. The Order remains in force despite the introduction of The Clean Neighbourhoods and Environment Act 2005 and the Anti-social Behaviour, Crime and Policing Act 2014.

Public Spaces Protection Orders are designed to stop individuals or groups committing anti-social behaviour in a public space. Councils issue a Public Spaces Protection Order (PSPO) after consultation with the Police, Police and Crime Commissioner and other relevant bodies.

Local authorities need to be satisfied that a PSPO is the most appropriate response to the anti- social behaviour of concern having considered other tools available to tackling the problem. Collating information about the nature and impact of the anti-social behaviour subject to the PSPO would form the core elements of the evidence-gathering and consultation process to determine whether the requirements under section 59 of the Anti-social Behaviour and Policing Act 2014 had been fulfilled. The evidence would need to be considered before authorities can determine whether or not it is appropriate and proportionate to introduce a PSPO.

Members of the public who witness incidents of dog fouling are encouraged to report the matter to tfs.helpdesk@powys.gov.uk

In response to Councillor Roberts' supplementary question on whether the service would consider providing further information for dog owners, the Portfolio Holder said that he would welcome a much broader discussion on dog control.

12.11. Question to the Leader from County Councillor Matthew Dorrance

Will the Leader make a statement on how her administration works with and supports Credit Unions in Powys?

Response

Credit Unions in Powys have worked with the council since the early 2000s when the payroll deduction scheme was established. Since then the credit unions have been able to promote their service (through the intranet, posters and face to face at council offices), to employees, who can get access to low cost loans and managed through payroll each month.

Services within the council engage with organisations that support the financial inclusion agenda, and credit unions have been invited to attend networking events.

Although there is no grant funding given to credit unions, the council allow discretionary rate relief, and so credit unions do not have to pay NNDR.

In response to Councillor Dorrance's supplementary question, the Leader agreed to meet him and representatives of his local credit union to discuss further co-operation.

12.12. Question to the Portfolio Holder for Housing and Countryside Services from County Councillor Matthew Dorrance

What is the Council doing to stand up for private renters and crack down on rogue landlords?

Response

The council makes full use of its powers to ensure private sector tenants are adequately protected against hazards within the private rented sector. Details of how housing related enforcement and complaints are resolved is provided within the attached leaflet.

'Rogue' landlords are finding it increasingly difficult to operate in Wales as a result of the introduction of Rent Smart Wales, a national private sector landlord registration and licensing scheme. Tenants are now able to check if a property is appropriately registered via the following link:

<https://www.rentsmart.gov.wales/en/check-register/>

Free advice for both landlord and tenant is available from the resource library at Rent Smart Wales and may be accessed via the following link:

<https://www.rentsmart.gov.wales/en/resource-library/>

In light of the introduction of a national private sector landlord registration and licensing scheme, Powys has developed an approved landlord training course to facilitate local training and promote compliance. Powys, one of only two authorities in Wales to have achieved accreditation, has subsequently trained more than 500 local landlords, at various locations throughout the county, over the past 20 months.

Private Sector Housing also actively raise service requests with Rent Smart Wales and issue letters to local non-compliant landlords. Rent Smart Wales then take on any further action in terms of non-compliance through use of fixed penalty notices and if necessary prosecution, in accordance with the universally adopted national memorandum of understanding.

In response to Councillor Dorrance's supplementary question, the Portfolio Holder confirmed his support for the Housing service participating in a scheme to avoid tenants having to go through letting agents and incurring fees.

12.13. Question to the Portfolio Holder for Housing and Countryside Services from County Councillor William Powell

What mechanisms does the Cabinet Member and his officer team deploy to ensure that residential developments throughout the County, both in the Powys County Council and Brecon Beacons National Park Authority (BBNPA) planning areas, correspond to demonstrable housing need, both in number and type.

In the case of development(s) within the BBNPA area, how does Powys County Council, as the housing authority, ensure that monies allocated as affordable housing contributions are appropriately invested in affordable development(s) within the county boundary - and in accordance with Council priorities?

Response

The primary source of data regarding housing need is the Local Housing Market Assessment (LHMA), a Welsh Government requirement that is updated regularly and fully revised every 5 years (WG Guidance 2006). The Powys LHMA was reviewed in 2016 as part of the LDP process and is currently undergoing a full revision. Alongside this we use data from the Common Housing Register (CHR) which holds all social housing applications for ourselves and the Housing Associations.

The LHMA for Powys disaggregates the area of the BBNPA allowing that planning authority clear access to specific data for the area of Powys within its control.

The use of these data sources allows us to influence the design of development schemes so that they correspond to need now and, as far as possible, for the future.

The use of monies received as affordable housing contributions within the BBNPA is governed by that authority's Supplementary Planning Guidance (SPG) which has a specific cascade approach to where such funds can be used and which is clear that this use of funds should not cross either any Unitary Authority boundaries or be spent outside the BBNPA. Powys is committed to acting in accordance with this SPG.

A recent bid by Powys to receive funding from BBNPA to allocate to development very close to where the funding was received has been refused and we are considering an appeal.

Powys County Council has expressed its disagreement with BBNPA holding such funds but as yet has been unable to secure an answer as to what the legal advice given to BBNPA was on which they have based this control.

In response to Councillor Powell's supplementary question, the Portfolio Holder advised that he would consult with the Leader about potentially escalating this to the Welsh Government Ministers for Housing and Regeneration and Environment.

12.14. Question to the Portfolio Holder for Housing and Countryside Services from County Councillor William Powell

The National Assembly for Wales EIS Committee has recently reported that progress across Wales has been slow in delivering affordable, 'above the shop' style living. What is Powys County Council currently doing, with partner agencies, to make a decisive contribution to addressing this challenge within the County?

Response

There are many constraints surrounding vacant over the shop properties. In order to be let as homes it is normally necessary that there be a separate access so that tenants do not need to enter via the commercial property. Many do not have the possibility of such access.

Equally there are issues of lease arrangements, cost of refurbishment or re-design, planning and highways (parking) requirements, all of which add to the difficulty of making such developments viable even with grant support for a Housing Association.

Cllr Powell will be aware of the long-standing issue of Liverpool House in Talgarth. We do, however, consider such schemes in detail.

Our Private Sector Housing team runs very successful loan funding schemes that have permitted many shop owners and landlords, including in Talgarth, to return their empty over the shop flats to use. However these are not always made available at affordable rent levels due to the cost involved to the landlord that would need to be recouped.

The Council offer a range of financial products, designed to encourage urban regeneration, in the form of sustainable revolving interest free loans. Whilst these are not aimed specifically at flats above shops or delivering affordable units, our Town Centre Loan scheme has been used to address such issues. The scheme not only allows for the renovation of redundant empty residential units above shops, but includes renovation of the retail space beneath, facilitating a 'whole building approach'.

Details of this scheme along with our other financial products are included within the attached Renewal & Property Improvement Loans leaflets.

There was no supplementary question.

County Councillor D E Davies (Chair)