

**MINUTES OF A MEETING OF THE CABINET HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 30 APRIL 2019**

**PRESENT**

County Councillor M R Harris (Chair)

County Councillors A W Davies, MC Alexander, P Davies, S M Hayes, R Powell and M Weale

In attendance: County Councillor P Roberts

<b>1.</b>	<b>APOLOGIES</b>
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Apologies for absence were received from County Councillors J Evans

<b>2.</b>	<b>MINUTES</b>
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The Leader was authorised to sign the minutes of the last meeting held on 26<sup>th</sup> March 2019 as a correct record.

<b>3.</b>	<b>DECLARATIONS OF INTEREST</b>
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County Councillor Aled Davies declared a personal and prejudicial interest in item 4 Llanfyllin All-Through School as he had a relative working at the school.

County Councillor M Alexander declared a personal and prejudicial interest in agenda item 4 Banw C.P. School and Llanerfyl C.in W. (Foundation) School as a Governor at Llanerfyl C. in W. (Foundation) School.

<b>4.</b>	<b>LLANFYLLIN ALL-THROUGH SCHOOL</b>
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County Councillor Aled Davies left the meeting while this item was being considered having declared a personal and prejudicial interest.

Cabinet was advised that was objection had been received during the statutory objection period. The council's response to the objection was set out in the appendix to the report. The Portfolio Holder for Learning and Welsh Language confirmed that any decision taken by the Cabinet would not prejudice any future decisions on post 16 education, early years provision or school modernisation.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<b>i) To receive the Objection Report in respect of establishing an all-through school in Llanfyllin.</b>	<b>To understand the issues raised during the objection period.</b>
<b>ii) To approve the proposal to</b>	<b>To provide stability and security</b>

<p>amalgamate Llanfyllin C.P. School and Llanfyllin High School in order to establish a new all-through school on the current sites of the two schools, by:</p> <ul style="list-style-type: none"> <li>- Closing Llanfyllin C.P. School and Llanfyllin High School from the 31<sup>st</sup> August 2020</li> <li>- Establishing a new all-through school on the current sites of Llanfyllin C.P. School and Llanfyllin High School on the 1<sup>st</sup> September 2020.</li> </ul>	<p>of local provision.</p>
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County Councillor Aled Davies returned to the meeting.

<b>5.</b>	<b>BANW C.P. SCHOOL AND LLANERFYL C. IN W. (FOUNDATION) SCHOOL</b>
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County Councillor Myfanwy Alexander left the meeting whilst this item was being considered having declared a personal and prejudicial interest.

The Portfolio Holder for Finance, Countryside and Transport presented the report which in addition to the papers presented at the last meeting, had an additional appendix addressing queries raised by the Cabinet. Correspondence received from the Director of Education for the Diocese for St. Asaph, the Chair of Governors of Ysgol Llanerfyl, County Councillor David Jones and the clerk to Banwy Community Council was read out.

Cabinet asked about the potential for working with Caereinion High School which had been raised in the emails from Councillor Jones and the Chair of Governors at Ysgol Llanerfyl and was advised that the recommendations in the report, if approved, would not preclude closer working with the High School.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<p>i) To receive the Consultation Report and the views of Full Council in respect of Banw C.P. School and Llanerfyl C. in W. (Foundation) School.</p>	<p>To understand the issues raised during the consultation period.</p>
<p>ii) To approve the publication of a statutory notice proposing the closure of Banw C.P. School and Llanerfyl C. in W. (Foundation) School from the 31<sup>st</sup> August 2020, and opening a new Voluntary Aided Church in Wales Primary School on the</p>	<p>To ensure the continued provision of Welsh-medium education in the Banwy Valley through the establishment of one larger school.</p>

<p><b>site currently occupied by Banw C.P. School from the 1<sup>st</sup> September 2020.</b></p>	
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<b>6.</b>	<b>SUPPLEMENTARY PLANNING GUIDANCE - LANDSCAPE, RENEWABLE ENERGY</b>
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Cabinet considered Supplementary Planning Guidance (SPG) prepared in support of the Powys Local Development Plan (LDP) for Landscape and Renewal Energy and the updated SPG Consultation Statement. The draft SPGs had been published and the comments received considered by the LDP Working Group which had supported the officer responses.

The Professional Lead – Planning Policy advised although Developments of National Significance would be determined by Welsh Government there would still be a role for the local authority in the preparation of local impact reports and in making representations. He further advised that the Welsh Government's National Development Framework was due to be published for public consultation in the summer.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<p><b>To approve:</b></p> <p><b>(a) Supplementary Planning Guidance for:</b></p> <p>1. Landscape, April 2019 (appendix 1)</p> <p>2. Renewable Energy, April 2019 (appendix 2)</p> <p><b>(b) The Supplementary Planning Guidance Consultation Statement, April 2019 (appendix 3).</b></p>	<p><b>To meet the commitment and programme for Supplementary Planning Guidance preparation in the adopted Powys LDP.</b></p>

Councillor Alexander abstained from voting having returned to the meeting partway through the discussion.

<b>7.</b>	<b>STRATEGIC RISK REGISTER REPORT QUARTER 3 2018/19</b>
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Cabinet was advised that new software was being rolled out across services in the authority which would promote greater ownership of risks, as services will be required to update their risk registers themselves. Following completion of the rollout at service level, the system would be rolled out to EMT and Cabinet, to enable monitoring of the strategic risk register via this tool. Cabinet was also advised that consideration was being given to adopting the risk scoring matrix used by the Health Board.

<b>RESOLVED:</b>	<b>Reason for Decision:</b>
<b>That Cabinet notes the risk</b>	<b>To ensure the adequate</b>

<b>register and the current risks faced by the organisation.</b>	<b>management of risk, and safeguard the Council</b>
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## **8. GROWING MID WALES INTER AUTHORITY AGREEMENT**

The Leader advised that this item was being deferred to a special meeting on 7 May when a report on Project Hornby would also be considered.

## **9. CELTIC ENERGY UPDATE**

Cabinet considered the report which set out the circumstances of the suspension of Section 106 payments by Celtic Energy for the restoration of Nant Helen surface mine and subsequent decisions by the Planning, Taxi Licensing and Rights of Way Committee to approve a revised restoration scheme and the recommencement of coaling at the site subject to agreement on a new Section 106 agreement. Council had sought external advice that had concluded that an acceptable restoration scheme would be achievable with the £19.5m already held in the Escrow account.

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<p><b>That the Celtic Energy Update Report be received and that:</b></p> <ol style="list-style-type: none"> <li><b>1. The suspension of payments from the 2012 s106 agreement continues, provided that this remains in place and is retrospectively approved.</b></li> <li><b>2. That an updated s106 be entered by 21<sup>st</sup> June 2019.</b></li> </ol>	<p><b>Update report required for Audit purposes.</b></p> <ol style="list-style-type: none"> <li><b>1. The current bond held is considered sufficient to restore the site in accordance with the 2016 permission.</b></li> <li><b>2. This will provide for an updated position for both the operator of the site and Powys County Council and will regularize the s106 in relation to the currently consented landform.</b></li> </ol>

## **10. JOINT PARTNERSHIP BOARD MINUTES**

Cabinet received the minutes of the Joint Partnership Board meeting held on 21<sup>st</sup> March 2019. County Councillor Hayes, who chaired the Board, highlighted a number of issues, including the fact that the Overview Group of the Regional Partnership Board would be overseeing the North Powys Project and that it would be important for the Cabinet to receive minutes of those meetings. He also reminded that colleagues that the meeting on 5 September would be a joint meeting of the full Cabinet and Health Board.

<b>11. IMPROVEMENT AND ASSURANCE BOARD MINUTES</b>
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Cabinet received the minutes of the Improvement and Assurance Board meeting held on 27<sup>th</sup> February 2019.

<b>12. CORRESPONDENCE</b>
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There were no items of correspondence other than those received on the report on Banw C.P. School and Llanerfyl C. in W. Foundation School.

<b>13. DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING</b>
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Cabinet noted the delegated decisions taken by Portfolio Holders since the last meeting.

<b>14. DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING</b>
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Cabinet received the forward work programme and the Leader asked portfolio holders to ensure that heads of service kept it populated.

**County Councillor M R Harris (Chair)**