

**EQMINUTES OF A MEETING OF THE CABINET HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 21 MAY 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 Councillors G. Price, P Pritchard, G Pugh and G Williams.

Representatives of Abermule Communities Together presented the Leader with over 200 letters calling on the Cabinet to reconsider the proposal to build a recycling bulking facility at Abermule.

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| <b>1.</b> | <b>APOLOGIES</b> |
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Apologies for absence were received from County Councillor James Evans.

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| <b>2.</b> | <b>MINUTES</b> |
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The Leader was authorised to sign the minutes of the meetings held on 30<sup>th</sup> April and 9<sup>th</sup> May 2019 as correct records.

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| <b>3.</b> | <b>DECLARATIONS OF INTEREST</b> |
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County Councillor Gareth Pugh queried whether members of the Cabinet who had voted in February 2017 to support the development of a recycling facility in Abermule were predetermined and was advised by the Monitoring Officer that there was no question of predetermination.

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| <b>4.</b> | <b>DEVELOPMENT OF RECYCLING BULKING FACILITY IN NORTH POWYS</b> |
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Cabinet considered proposals to continue with the development of the North Powys Bulking Facility at the Abermule Business Park on the basis that it is the most suitable site available for the development of the facility. The report incorporated the paper considered at the extraordinary meeting of Council on 3<sup>rd</sup> May and a note of the issues raised at that meeting together with responses. The Leader read out a letter she had received that morning from a resident of Abermule.

County Councillor Gareth Pugh spoke as the local member and he argued that the Cabinet had insufficient information on which to take a decision as they had not been given enough details about other potential sites. He questioned whether Cabinet members had received training to allow them to act as a tribunal established by law but was advised that the Cabinet was not a quasi-judicial body. Officers advised that other sites had been looked at and ruled out as set out in the report to Council on 3<sup>rd</sup> May.

County Councillor Phil Pritchard argued that the Highways depot at Kirkhamsfield would make a better site, with the Highways function relocated to Abermule, but Cabinet was advised that this would more than double the cost of the current proposal.

Having considered the report and listened to the comments of members and the responses of officers, the Leader asked each of the Cabinet members to confirm whether or not they supported the recommendations in the report. County Councillors A W Davies, MC Alexander, P Davies, S M Hayes, R Powell and M Weale all confirmed that they did.

| <b>RESOLVED</b>  | <b>Reason for Decision:</b>   |
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| <b>1) That Cabinet notes the information report to Council on 3<sup>rd</sup> May 2019 as set out in Appendix 1 (and in particular the discussions with ACT) and the issues raised at Council on that date as set out in Appendix 3 and confirms the Cabinet decision on 28<sup>th</sup> February 2017 and agrees to continue with the development of the North Powys Bulking Facility at the Abermule Business Park.</b> | <b>It is the most suitable site available for the development of the facility.</b>                        |
| <b>2) Officers to continue to liaise with the community council and local member through the development phase and following commencement of operations.</b>   | <b>To ensure that the community are fully informed of progress and able to contribute to the process.</b> |

County Councillor Phyl Davies left the meeting.

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| <b>5.</b> | <b>PERFORMANCE REPORT QUARTER 4 2018-19</b> |
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Cabinet considered the performance report for the 4<sup>th</sup> quarter which set out details of the top 20 Powys specific Performance Indicators, top priorities and milestones in the Corporate Improvement Plan 2018-23, Public Accountability Measures, progress against the Strategic Equality Plan and the Quality Assurance Framework. The report set out remedial actions for targets that had not been met.

The Portfolio Holder for Learning and Welsh Language pointed out that the red indicator on the CIP target to have effective systems in place by 2020 to improve the identification of vulnerable young people who are at risk of disengagement from education was outside the Council's control as Welsh Government had not released data. The target to increase the percentage of Looked After pupils attaining Foundation Phase Indicator was also affected by children from other local authorities being placed in Powys. These factors needed to be made clear in the supporting narrative. Cabinet noted that Education and Children's Services were working well together.

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| <b>RESOLVED</b>  | <b>Reason for Decision:</b>  |
| The above actions (2.3, 3.3, 4.4 & 5.3) for Cabinet and Executive Management Team are approved and resources allocated to complete them. | To ensure the council can provide appropriate and timely reporting against the Top 20 PIs, CIP, PAMs & SEP |

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| <b>6. EXTRA CARE HOUSING DEVELOPMENT IN POWYS</b> |
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Cabinet considered a report setting out how the Council intended to work with partner housing associations to secure the development of extra care housing schemes across the county. County Councillor Gwilym Williams, the Chair of the Health and Care Scrutiny Committee, advised that Scrutiny supported the principle of developing extra care housing.

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| <b>RESOLVED</b>  | <b>Reason for Decision:</b>  |
| That Cabinet agree in principle to the development of extra care housing in Powys, as set out in the report. Further reports to Cabinet for approval of individual schemes will be provided as required. | To enable the development of extra care housing schemes in Welshpool, Ystradgynlais and Brecon to proceed. |

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| <b>7. POWYS LOCAL TOILET STRATEGY</b> |
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Cabinet considered the Powys Local Toilet Strategy. The Strategy had been out to consultation for 3 months and had been amended in response to issues raised. The Strategy had also been considered by the Economy Residents, Communities and Governance Scrutiny Committee and responses to the points raised by Scrutiny were included in the report. Cabinet welcomed the recognition of the need for additional adult changing facilities and the provision of additional provision at Y Gaer in Brecon and Berriew Street Car Park in Welshpool.

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| <b>RESOLVED</b>   | <b>Reason for Decision:</b>   |
| <ol style="list-style-type: none"> <li>1. To approve the Powys Local Toilet Strategy May 2019 (Appendix 1).</li> <li>2. To undertake an interim review of the Powys Local Toilet Strategy by the end of May 2020 to ensure the actions are on course to being achieved.</li> <li>3. To consider and approve responses to the recommendations of the Cabinet.</li> </ol> | <ol style="list-style-type: none"> <li>1 &amp; 2 To comply with Part 8 of the Public Health (Wales) Act 2017, requiring the development and publication of a Local Toilets Strategy by May 31<sup>st</sup> 2019.</li> <li>3. To comply with Corporate scrutiny procedures.</li> </ol> |

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| <b>8. DELEGATION OF POWERS UNDER THE SCRAP METAL DEALERS ACT 2013</b> |
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Cabinet considered the delegation of powers under the Scrap Metal Dealers Act 2013 to officers.

| <b>RESOLVED</b>   | <b>Reason for Decision:</b>  |
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| <b>To approve the schedule of delegations under the Scrap Metal Dealers Act 2013 as detailed at Appendix A of the report.</b> | <b>To ensure that the provisions of the Act are carried out in accordance with the legislation in a fair and efficient manner.</b> |

#### **9. TREASURY MANAGEMENT QUARTER 4 REPORT**

Cabinet considered the Treasury Management report for the 4<sup>th</sup> Quarter. Cabinet was concerned to note that despite training and advice offered by Finance, the amount of recoverable VAT being potentially lost by being incorrectly accounted for.

| <b>RESOLVED</b>  | <b>Reason for Decision:</b>   |
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| <b>That the Treasury Management Quarterly Report be received</b> | <b>To ensure Cabinet remains informed about current Treasury Management performance</b> |

#### **10. REPORT OF THE INDEPENDENT CHAIR OF THE IMPROVEMENT AND ASSURANCE BOARD**

Cabinet received the report of the Independent Chair of the Improvement and Assurance Board. The Portfolio Holder for Young People and Culture reported a very positive meeting with the Welsh Government's Looked After Children Technical Group the previous week.

#### **11. IMPROVEMENT AND ASSURANCE BOARD MINUTES**

Cabinet received the minutes of the Improvement and Assurance Board meeting held on 26<sup>th</sup> March 2019.

#### **12. CORRESPONDENCE**

There were no items of correspondence reported.

#### **13. DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING**

Cabinet noted the delegated decisions taken by portfolio holders since the last meeting.

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| <b>14.</b> | <b>FORWARD WORK PROGRAMME</b> |
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Cabinet noted the forward work programme.

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