

County Council

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

Meeting date
Thursday, 11 July 2019

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

5 July 2019

Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod, a bydd gwasanaeth cyfieithu ar y pryd ar gael.
You are welcome to speak Welsh or English in the meeting, and a simultaneous translation service will be provided.

AGENDA

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

To receive apologies for absence.

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

To authorise the Chair to sign the minutes of the meetings held on 21st February, 7th March, 3rd May and 16th May 2019 as correct records.
(Pages 13 - 130)

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

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

4.	CHAIR'S ANNOUNCEMENTS
-----------	------------------------------

To receive any announcements from the Chair of Council.

5.	LEADER'S ANNOUNCEMENTS
-----------	-------------------------------

To receive any announcements from the Leader.

6.	CHIEF EXECUTIVE'S BRIEFING
-----------	-----------------------------------

To receive a briefing from the Chief Executive.

7.	PUBLIC QUESTIONS
-----------	-------------------------

7.1. Question to the Portfolio Holder for Finance, Countryside and Transport from Mr Jeremy Thorp

During the meeting of the full council on 24th January 2019, the council passed a motion (item 13.2) under the title Green Heart of Wales.

Could you please inform me:

a) What progress has been made, specifically with items 6 and 7 under this motion (repeated below) and in particular, what resource have you allocated to writing it and what date have you set for this strategy to be completed by.

Motion 13.2, items 6 and 7

6. That the authority should put in place an economically feasible strategy to reduce its carbon output and strive to develop best environmental practice in its buildings

7. That the authority should look into best practice from other authorities such as robinhoodenergy.co.uk with Nottinghamshire Council and theleccy.co.uk/about/ with Liverpool City Council, in order to consider developing local energy ownership and supply chains but also assisting tackling fuel poverty.

b) Which portfolio holder is responsible for implementing this motion?
(Pages 131 - 134)

7.2. Question to the Portfolio Holder for Economy and Planning from Dr Christine Hugh-Jones

The Planning Department is apparently operating new "paperless" procedures for handling incoming documents from applicants, statutory consultees, stakeholder groups and members of the public.

At the same time representations from the public and stakeholder organisations are not included on the planning portal as they are for many other local authorities.

The current procedures effectively conceal information, which is material to planning decisions, from the public view. This raises serious concerns about public accountability and public participation in the planning process

What urgent action does the Council intend to take to ensure that all relevant planning documents, including public responses to planning consultations, are available for public view on the planning portal and how will the Council engage with the public in achieving this?

(Pages 135 - 136)

7.3. Question to the Portfolio Holder for Economy and Planning from Mr Nigel Dodman

Should the Powys Planning Department discharge pre-commencement Planning Conditions (for Hendy Wind Farm) when they have not seen full plans of what the developer intends to construct?

(Pages 137 - 138)

8.	DRAFT VISION 2025 OUR CIP UPDATE AND ANNUAL PERFORMANCE REPORT 2019
-----------	--

To receive and consider the draft Vision 2025 CIP Update and Annual Performance Report 2019.

(Pages 139 - 216)

9.	ANNUAL REPORT OF THE DIRECTOR OF SOCIAL SERVICES
-----------	---

To receive and consider the annual report of the Director of Social Services for 2018/19.

(Pages 217 - 282)

10.	LEARNING AND SKILLS SCRUTINY COMMITTEE ANNUAL REPORT MAY 2018 - MAY 2019
------------	---

To receive and consider the Learning and Skills Scrutiny Committee Annual Report for 2018/19.

(Pages 283 - 324)

11.	MEMBERS ALLOWANCES AND EXPENSES 2018/19
------------	--

To consider the report of the Head of Finance.

(Pages 325 - 330)

12.	VIREMENTS TO CARRY FORWARD UNALLOCATED BUDGETS FROM 2018/19 TO 2019/20 FINANCIAL YEAR
------------	--

To consider virements for ongoing capital schemes in excess of £500,000 that were not completed at the end of the financial year 2018/19 to roll forward to 2019/20.

(Pages 331 - 334)

13.	RECOMMENDATIONS FROM THE DEMOCRATIC SERVICES COMMITTEE
------------	---

To consider recommendations from the Democratic Services Committee.

13.1. Public questions to the County Council

(Pages 335 - 338)

13.2. Personal Safety Guidance

(Pages 339 - 354)

14.	APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES BY POLITICAL GROUPS REQUIRING APPROVAL BY THE MONITORING OFFICER
------------	---

To note the following appointments to outside bodies made by political groups and approved by the Monitoring Officer under the general power of delegation granted by Council on 16th May 2013:

County Councillor Mark Barnes appointed to the Economy, Residents, Communities and Governance Scrutiny Committee by the Conservative Group.

15.	NOTICE OF MOTION - FOOD JUSTICE
------------	--

This Council notes that:

1. there are 8 million people in the UK who have trouble putting food on the table according to the UN;
2. over 500,000 people used food banks in the UK last year. The Trussell Trust alone distributed over 1.3m three-day emergency food supplies to people in crisis in the financial year 2017-2018;
3. 3 million children are at risk of hunger during the school holidays;
4. up to 1 million people live in food deserts in the UK; and
5. a significant amount of the NHS budget goes on treating diabetes.

This Council further notes the UK Government's commitment to the UN's 17 Sustainable Development Goals (Global Goals) commits government to ending hunger by 2030.

This Council resolves to:

1. establish a lead member role with the responsibility of delivering food justice;
2. work with community groups and partners to set up a food partnership (a non-profit organisation helping people learn to cook, eat a healthy diet, grow their own food and waste less food); and

3. task scrutiny to investigate the extent of the issue in Powys and what can be done to tackle it.

Proposer: Cllr Matthew Dorrance

Secunder: Cllr David Meredith

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

16.1. Question to the Portfolio Holder for Highways, Recycling and Assets from County Councillor Bryn Davies

In view of the recent publicity regarding plastic and other waste being shipped to Asia, can we have confirmation where such waste from Powys goes, and an assurance that none is 'dumped' on other countries?

(Pages 355 - 360)

16.2. Question to the Portfolio Holder for Highways, Recycling and Assets from County Councillor Gareth Ratcliffe

With the growing concerns nationally on the way councils have been transferring and disposing of their recycling collections and some have been found not to be recycled but ending up in landfills 1000's of miles away in places such as China and India. Also this has been highlighted by Sir David Attenborough and the plastic within our world seas there is even more scrutiny put upon the way we dispose of our waste and recycling in Powys as well as other councils in the UK. On the doorstep I am being asked how Powys County Council are disposing of our recycling and waste we collect. One of the issues people are asking is are we recycling just for PCC to chase a figure set nationally or are we ensuring the future of our children. I believe its fundamental that if we are to get residents to buy in there has to be purpose to why we and what we recycle to build confidence in the process.

Please can the portfolio holder supply a briefing for council members on how the council recycle and where our recycling is processed to ensure recycling means recycling?

(Pages 361 - 362)

16.3. Question to the Portfolio Holder for Highways, Recycling and Assets from County Councillor Jackie Charlton

Llangattock and Crickhowell are just 4 miles from the Monmouthshire border and 6 miles from recycling and waste centre in Abergavenny. Residents of both our communities use Abergavenny for shopping, cultural activities, hospital visits and lots else besides. Residents of Llangattock and Crickhowell are constantly asking why they cannot use the waste recycling centre in Abergavenny, which would be much easier, more sustainable and makes perfect sense.

Brecon is 15 + miles (round trip 30 miles) away for most of our residents and for some up to 25 miles (round trip 50 miles) away but we have to take any waste which cannot be taken in weekly recycling to the waste station in Brecon.

I understand from asking about this issue that Powys and Monmouthshire are looking at an approach which would enable our residents to use the site in Abergavenny. A recent email sent to me from a resident after trying to negotiate with Monmouthshire to take their waste to Abergavenny resulted in this response:-

“Over time we have used {Abergavenny} less than we did when we first moved but because of some further house renovation recently we have accumulated some more unwanted items and yesterday loaded the car boot with them, only to discover, to our horror, that because we live just out of Monmouthshire we can no longer use the Llanfoist site. Naturally we checked this morning with the Powys office to find out where our nearest provision is in Powys and was told that Brecon, 15 miles away from us, is our nearest, but that it is closed today and tomorrow. The next nearest site is apparently 40 miles away in Llandrindod Wells and there are in any case only 5 (we understand) sites in the vast area covered by Powys authority.

It was suggested to us by the clerk in the Powys office that we should contact Monmouthshire to see if we might, as a close ‘neighbour’ be able to obtain a permit to use the Llanfoist site. To our amazement we were informed by a clerk in the Monmouthshire office that Monmouthshire have been actively involved with trying to negotiate arrangements for non Monmouthshire residents to use its sites but so far have only met with refusal (from Powys).”

Could you please reassure me that Powys are working actively with Monmouthshire to find a resolution here?

(Pages 363 - 364)

16.4. Question to the Portfolio Holder for Highways, Recycling and Assets from County Councillor Gareth Ratcliffe

Now the council has been operating its garden waste collection for 3 months now and has a take up of nearly 7,000 collections I am pleased to see they are listening to residents’ concerns over missed collections and reviewing the collection rounds. Can the portfolio holder provide the cost to the service including set up costs as well as ongoing costs and income for this service?

(Pages 365 - 366)

16.5. Question to the Leader from County Councillor Lucy Roberts

I believe that one of the most important issues that the council should currently be addressing is that of Climate Change. We should be leading the way and demonstrating our commitment to our residents, particularly our children and young people who are the ones likely to suffer most if

our world doesn't change. We have committed to removing single use plastics where possible and that is a start, but there is so much more we can do. One obvious move in the right direction would be to ensure that all new council built buildings, including houses/flats and schools are built to carbon neutral standards. Another would be to ensure that all council buildings use energy from sustainable sources. Can the leader confirm that this is already happening, and if not, give some assurance that such measures will be taken in the future. Can she also give a commitment that the council will work towards becoming carbon neutral across all services, setting an example to other councils, well ahead of the UK Government's deadline of 2050?

(To Follow)

16.6. Question to the Portfolio Holder for Corporate Governance, Housing and Public Protection from County Councillor Elwyn Vaughan

Can the portfolio holder for housing please confirm when were all the housing under his responsibility PAT tested and how often, as legally required as a landlord?

(To Follow)

16.7. Question to the Portfolio Holder for Corporate Governance, Housing and Public Protection from County Councillor Joy Jones

With the launch of the new housing development in Newtown a few weeks ago and all the promises of lovely new flats on the site next to the bowling club, that has be left abandoned for a long time it has been extremely disappointing to hear that within weeks the contractors have gone into administration leaving an eyesore in the centre of the town.

Given that Dawnus went into administration earlier this year, will the Portfolio Holder explain what checks were carried out before appointing Jistcourt to do the work and why a bank bond guarantee was not in place before they began work onsite and what will be done to ensure more thorough checks in the future and that bank bound guarantees are in place before work begins?

Will the Portfolio Holder advise Council how much money has been lost due to this and how long the scheme will be delayed by?

(To Follow)

16.8. Question to the Portfolio Holder for Corporate Governance, Housing and Public Protection from County Councillor David Selby

Could the Portfolio Holder confirm his commitment to building 250 new Council Homes within the next five years?

(Pages 367 - 368)

16.9. **Question to the Portfolio Holder for Corporate Governance Housing and Public Protection from County Councillor Roger Williams**

How many social housing units have the County Council completed since the May 2017 Council elections?

(To Follow)

16.10. **Question to the Portfolio Holder for Corporate Governance Housing and Public Protection from County Councillor Matthew Dorrance**

Will the Cabinet Member make a statement on service charges paid to Powys County Council by Council tenants?

(To Follow)

16.11. **Question to the Portfolio Holder for Corporate Governance, Housing and Public Protection from County Councillor Huw Williams**

In a Wellbeing Assessment undertaken by Powys officers, it was found that 16% of Powys households are experiencing fuel poverty. This is defined as a household that spends at least 10% of its income on fuel. The Council passed a Labour party Notice of Motion in 2016 agreeing it 'must do as much as it can to help residents suffering fuel poverty, to mitigate the situation'. Also, the National Assembly recently published guidelines outlining the main sources of funding, and advice, available to constituents who are struggling to pay their bills, or, who, want to improve the energy efficiency of their homes.

Considering the agreed Notice of Motion and Welsh Assembly guidelines can the Portfolio holder, provide an update on the Council's current work to tackle fuel poverty?

(Pages 369 - 372)

16.12. **Question to the Portfolio Holder for Corporate Governance, Housing and Public Protection from County Councillor Linda Corfield**

Would the Portfolio Holder please advise Members what is happening with regard to progressing the new ECO3 scheme? It is a while now since the SWAP report into ECO2 was made available. The SWAP report detailed many of the failings of ECO2, which resulted in the scheme having such a detrimental impact on local plumbing businesses within Powys. Following publication of the SWAP report Members were advised that a working group was to be set up to look at how the new ECO3 scheme is to be drawn up and administered, in order that loop holes which were so easily exploited by Agents from outside of Powys in ECO2 cannot be repeated with the new ECO3 scheme.

(Pages 373 - 374)

16.13. **Question to the Portfolio Holder for Corporate Governance, Housing and Public Protection from County Councillor Elwyn Vaughan**

Under the ECO2 scheme Powys approved around 3800 applications that were submitted to them by the ECO Flex agents. Of these they have

confirmed that they know of 2048 installations that were actually undertaken. When the onus was on the ECO Flex agents to notify the council of completed installations, how likely is it that many of the alleged 'missing' 1800 approvals have in fact also been completed, just not declared as such to the council by the ECO Flex agents they employed to run the scheme?

(To Follow)

16.14. **Question to the Portfolio Holder for Corporate Governance, Housing and Public Protection from County Councillor Gwilym Williams**

If the council decide to continue with ECO3 LA Flex, I understand they would use Robert Owen Community Banking to manage ECO3 LA Flex in Powys. Is PCC going to hand over full responsibility of the running of this to Robert Owen? Including EVERY application, full vetting to both qualification criteria (fuel poverty & EPC) before being approved.

(Pages 375 - 376)

16.15. **Question to the Portfolio Holder for Corporate Governance, Housing and Public Protection from County Councillor Amanda Jenner**

In light of the findings of the independent investigation report into ECO2, please can you comment on the following:

Please can you advise if there a lead officer who is keeping in touch with the Powys plumbing group and members to update them directly on matters and when did they last receive a formal communication with an update? If there is not a lead officer can this be addressed.

I understand that it was agreed at the scrutiny co-ordinating committee that a joint working group (selected from the economic and audit committees) be formed to review the report and carry out any further scrutiny required. I think it needs to be clear what their role is, for example lessons learned from ECO2, mitigation steps for the future scheme, future vetting of applicant statements and consideration of the scope and definition of fuel poverty. I would welcome seeing the scope/terms of reference for the working group.

Will the working group committee's recommendations be made available to both the Powys plumbing group and all councillors in advance of a decision on ECO2 being made and who will make the final decision on whether or not ECO3 will be going ahead and the changes to its implementation /operation following the concerns raised with ECO2?

(To Follow)

16.16. **Question to the Portfolio Holder for Highways, Recycling and Assets from County Councillor Jackie Charlton**

I understand the issues over the last few years on Road Traffic Orders. There is now a backlog which is looking untenable and unmanageable.

Could you as Cabinet Member provide some confidence to members and to residents that crucial RTO's in respect of reducing speed in areas which should be 30 mph rather than the 60 mph in place in a residential area?

(Pages 377 - 378)

16.17. **Question to the Portfolio Holder for Highways, Recycling and Assets from County Councillor Pete Roberts**

Despite the success of the OVO women's tour the bike racks in county hall rarely have more than two or three bikes in them at any one time.

What facilities are available to staff in council offices to make active travel more attractive to council staff and how might this be expanded on in the future for officers and members of the public cycling to work in our designated active travel towns?

(Pages 379 - 380)

16.18. **Question to the Portfolio Holder for Corporate Governance, Housing and Public Protection from County Councillor Jeremy Pugh**

Can you please tell me over the past two years how many settlements, non-disclosures and compromise agreements the Council have reached?

(Pages 381 - 382)

16.19. **Question to the Portfolio Holder for Finance, Countryside and Transport from County Councillor Gwilym Williams**

The Acting Chief Executive stated in full council that there was to be a restructure of senior management saving approximately £1million. I understand that this amount has not been saved. Can the portfolio holder inform me what the figure is of savings in senior management?

(Pages 383 - 384)

16.20. **Question to the Portfolio Holder for Finance Countryside and Transport from County Councillor Pete Roberts**

At the recent Brexit contingencies meeting I suggested that the council should look to support the "light lamb" market in the event of a no deal Brexit by putting in place plans to increase its usage within our schools and care services. The Leader agreed and said that this would be taken forward through procurement.

Can you please update me on the progress that has been made since this meeting and what plans and barriers to action are now in place or being dealt with?

(To Follow)

16.21. **Question to the Portfolio Holder for Finance, Countryside and Transport from County Councillor Matthew Dorrance**

Will the Cabinet Member detail any contributions made by Heart of Wales Property Services Ltd to the Council's budget?

(To Follow)

The following item is timed for 2.00 p.m.

17. PRESENTATION BY THE CHIEF FIRE OFFICER

Presentation by the Chief Fire Officer, Chris Davies.