

MINUTES OF A MEETING OF THE COUNTY COUNCIL HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS ON THURSDAY, 10 OCTOBER 2019

PRESENT

County Councillor B Baynham (Chair)

County Councillors MC Alexander, M Barnes, G Breeze, J Charlton, L V Corfield, A W Davies, B Davies, D E Davies, P Davies, E Durrant, D O Evans, J Evans, L George, J Gibson-Watt, M R Harris, S M Hayes, H Hulme, A Jenner, D R 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, 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, T J Van-Rees, E Vaughan, M Weale, A Williams, G I S Williams, D H Williams, J Williams, J M Williams, R Williams and S L Williams

1. APOLOGIES

Apologies for absence were received from County Councillors K W Curry, S C Davies, M J Dorrance, L Fitzpatrick, E A Jones, E Jones, G Jones and J Wilkinson

2. MINUTES

The Chair was authorised to sign the minutes of the last meeting held on 11th July 2019 as a correct record.

3. DECLARATIONS OF INTEREST

County Councillors M Barnes, L Corfield, B Davies, E Durrant, L George, J Gibson-Watt, S Hayes, A Jenner, DR Jones, EM Jones, J Jones, MJ Jones, D Jones-Poston, F Jump, H Lewis, K Lewis, P Lewis, S McNicholas, D Meredith, C Mills, G Morgan, R Powell, W Powell, DR Price, P Pritchard, G Pugh, J Pugh, L Roberts, P Roberts, K Roberts-Jones, D Selby, T Van-Rees, E Vaughan, A Williams, G Williams, H Williams, J Williams, JM Williams, R Williams and S Williams declared personal non prejudicial interests in Item 9, the notice of motion on pension fund divestment from fossil fuels, as members of the Local Government Pension Fund. County Councillors P Davies, EM Jones, D Meredith and T Van-Rees declared prejudicial interests in this item.

County Councillors P Davies, J Evans, G Morgan and G Thomas declared personal and prejudicial interests in item 16, the notice of motion on rewilding. County Councillors J Charlton, MJ Jones and R Powell declared personal, non-pecuniary interests in this item.

4. CHAIR'S ANNOUNCEMENTS

The Chair had circulated details of her engagements to Members by email.

The Chief Executive of the Chartered Trading Standards Institute, Leon Livermore, presented Councillor James Evans with the Institute's hero award for political leadership in Trading Standards. He also presented a partnership award to the Trading Standards team and Dyfed Powys Police for their work in tackling the supply of counterfeit goods and illegal tobacco.

5. LEADER'S ANNOUNCEMENTS

The Leader thanked Councillors Stephen Hayes and Martin Weale who had left the Cabinet for their work and she welcomed Councillors Graham Breeze and Heulwen Hulme onto the Cabinet.

She updated Council on the Mid Wales Growth Deal following the announcement of an initial £55m promised by the Westminster Government and on meetings with the Secretary of State for Wales and Welsh Government Minister for International Relations and the Welsh Language.

The Leader congratulated EvaBuild, winners of the Powys Business Awards sponsored by the Council. She urged everyone to get involved in the budget consultation, the Big Squeeze, and in events to mark White Ribbon Day on 25th November. The Leader had been a guest at the Wales in Bloom awards in Ystradgynlais and Councillor Susan McNicholas was pleased to advise Council that the town had won the gold award and was awaiting the results of Britain in Bloom.

The Leader also advised Council of a visit to Blaubeuren in Germany to mark 40 years of the twinning with Brecon where there had been agreement on promoting tourism and economic development. Finally, she was pleased to note that the Council had received a City of Sanctuary award for its work in resettling Syrian refugees in the county.

6. PUBLIC QUESTIONS

6.1. Question to the Portfolio Holder for Education from Katherine Lewis

Assuming that you were both aware and approved of the content of Dr Caroline Turner's recent letter to all Headteachers regarding the Global climate strike on Friday 20th September 2019, I would like to know on what grounds an issue that has been taught as part of both Science & Geography curricula for at least the past three decades could be deemed "Political"?

Response

Thank you for your question. I agree that issue of climate change is not of itself a political matter, but when "strike action" by pupils and staff is called for, and

a school site is being proposed as the base for a rally, this makes it political. I am sure that this is what Dr Turner was referring to in her letter.

In her supplementary question Ms Lewis asked how punitive repercussions aimed at deterring young learners from having a voice in an emergency that directly affects them could be justified, and given the duty of care to its citizens of all ages, how the Council was planning to raise climate emergency awareness and put effective, practical, comprehensive climate planning in place.

The Portfolio Holder advised that there was a lot of work going on in schools and agreed that it was important that young people had a voice. He would provide a more detailed written response.

7.	DRAFT VISION 2025 OUR CIP UPDATE AND ANNUAL PERFORMANCE REPORT 2019
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The Leader and Portfolio Holders presented the draft Vision 2025 CIP Update and Annual Performance Report 2019. The report set out updates to the Council's Vision 2025 Corporate Improvement Plan and detailed performance during 2018-19 against delivering the well-being objectives. The report was supported by animations or moovlys to make it more accessible to the public.

The Leader and Portfolio Holders presented details of key achievements in their areas and answered questions from members. The Leader rejected comments from some members that the report wasn't an open, balanced and realistic self-assessment of performance. The Head of Transformation and Communications confirmed that all of the information contained within the report related to 2018/19.

It was moved by the Leader and duly seconded and by 46 votes to 8 it was

RESOLVED	Reason for Decision:
<p>To approve the DRAFT Vision 2025 CIP Update and Annual Performance Report 2019 (in Appendix A to the report).</p>	<p>To ensure the report gives a balanced and open account of Powys County Council's performance during the 2018-19 financial year, against the well-being objectives set out in Vision 2025: Our Corporate Improvement Plan 2018-2023.</p> <p>To ensure the Council meets its statutory obligations as outlined in the Well-being of Future Generations (Wales) Act 2015 and Local Government (Wales) Measure 2009.</p>

Council adjourned at 12.59 and reconvened 13.53.

County Councillors D Davies, A Jenner, J Jones, C Mills, P Pritchard, J Pugh, M Weale and A Williams left the meeting.

PRESENT

County Councillor B Baynham (Chair)

County Councillors MC Alexander, M Barnes, G Breeze, J Charlton, L V Corfield, A W Davies, B Davies, D E Davies, P Davies, E Durrant, D O Evans, J Evans, L George, J Gibson-Watt, M R Harris, S M Hayes, H Hulme, A Jenner, D R 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, 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, T J Van-Rees, E Vaughan, M Weale, A Williams, G I S Williams, D H Williams, J Williams, J M Williams, R Williams and S L Williams

8.	BUDGET VIREMENTS
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8.1. Virements for Highways, Transport and Recycling

It was moved by County Councillor A Davies and seconded by County Councillor M Alexander and by 46 votes to 0

RESOLVED	Reason for Decision:
To approve the virement for the Highways Core Allocation and the Highways Asset Management Plan as set out in Table 1 of the report.	To ensure appropriate virements are carried out that reflect the forecasted capital spend.

8.2. Virement for Gwernyfed High School

The Portfolio Holder for Education and Property confirmed that the budget allocated was for the school development and not the Mansion House. It was moved by County Councillor A Davies and duly seconded and by 43 votes to 1 with 2 abstentions it was

RESOLVED	Reason for Decision:
To approve the virement for Gwernyfed High School as set out in paragraph 2.1 of the report.	To ensure appropriate virements are carried out that reflect the forecasted capital spend.

8.3. Virements for 21st Century School Projects

It was moved by County Councillor A Davies and seconded by County Councillor K Roberts-Jones and by 47 votes to 0 with 1 abstention it was

RESOLVED	Reason for Decision:
To approve the virement for Gwernyfed High School as set out in paragraph 2.1 of the report.	To ensure appropriate virements are carried out that reflect the forecasted capital spend.

The Chair advised that she was changing the running order of the agenda to take the notice of motion on the pension fund next.

9.	NOTICE OF MOTION - POWYS PENSION FUND DISVESTMENT FROM FOSSIL FUELS
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The Monitoring Officer advised that councillors who were members of the Local Government Pension Scheme that they should declare a personal non pecuniary interest which they should declare but which did not prevent them from speaking and voting on the motion. He advised that councillors with shares in companies engaged in fossil fuel extraction had personal and prejudicial interests which they should declare and leave the chamber. He further advised members of the Pensions and Investment Committee to abstain from voting.

County Councillors M Barnes, L Corfield, B Davies, E Durrant, L George, J Gibson-Watt, S Hayes, A Jenner, DR Jones, EM Jones, J Jones, MJ Jones, D Jones-Poston, F Jump, H Lewis, K Lewis, P Lewis, S McNicholas, D Meredith, C Mills, G Morgan, R Powell, W Powell, DR Price, P Pritchard, G Pugh, J Pugh, L Roberts, P Roberts, K Roberts-Jones, D Selby, T Van-Rees, E Vaughan, A Williams, G Williams, H Williams, J Williams, JM Williams, R Williams and S Williams declared personal non prejudicial interests as members of the Local Government Pension Fund.

County Councillors P Davies, EM Jones, D Meredith and T Van-Rees declared prejudicial interests and left the chamber whilst the motion was considered.

The motion was moved by County Councillor Emily Durrant and seconded by County Councillor Jackie Charlton who advised that a number of Welsh pension funds had signed up to divestment of funds from companies engaged in the extraction of fossil fuels. The Chair of the Pensions and Investment Committee advised that the Committee would be happy to consider the motion and that it already followed Local Authority Pension Fund Forum guidelines supporting the transition to a low carbon environment.

By 22 votes to 18 with 4 abstentions it was

RESOLVED that this council calls for support for the Powys County Council Pension Fund Committee to consider the following:

- **Continue the ongoing support for the principle of divestment in companies engaged in fossil fuel extraction, in order to divest from direct ownership of equities and corporate bonds, as well as any comingled funds, of companies engaged in fossil fuel extraction**
- **The Adoption of the United Nations Sustainable Development Goal 13:-
“To take urgent action to combat climate change and its impact”**
- **And; to request and actively encourage that members of the Wales Pension Partnership consider divestment within a period of five years**

County Councillors P Davies, EM Jones, D Meredith and T Van-Rees returned to the meeting.

County Councillor P Lewis left the meeting at 14.20.

10. CHANGES TO THE FINANCIAL REGULATIONS FOR VIREMENTS

Council considered the report of the Head of Finance proposing a change to Financial Regulations so that the re-profiling of capital budgets between financial years, provided always that the overall project budget remains the same, was not a virement requiring Council approval. The change had been recommended by the Democratic Services Committee.

It was moved by County Councillor E Vaughan and seconded by County Councillor P Davies and by 51 votes to 1 it was

RESOLVED	Reason for Decision:
That the changes to the Financial Regulations are approved.	To allow the roll forward of capital budgets and finding to a future year providing the overall budget remains the same.

County Councillor E Durrant left at 14.24.

11. EFFICIENCY SAVINGS REPORT AS AT 31ST AUGUST 2019

Council was advised that savings of £11.628m (54%) had been delivered to date. Heads of Service had provided assurance that a further £6.393m (29%) could be delivered by year end. The remaining £3.672m (17%) were considered to be unachievable in the current financial year. £1.809m of these were expected to be achieved in full next year, leaving £2.156m of savings that were considered unachievable on a permanent basis. The Senior Leadership Team were collectively developing a recovery plan to identify alternative means of bridging this gap and proposals would be submitted to Cabinet for consideration. The Portfolio Holder for Finance confirmed that he would share details of unachievable savings with the Finance Panel. It was accepted that impact assessments had not been robust enough in the past which was why an integrated business modelling approach had been adopted.

The report was moved by County Councillor Aled Davies and duly seconded and by 49 votes to 0 it was

RESOLVED	Reason for Decision:
That the contents of the report are noted.	To understand the impact of savings delivery on the 2019/20 Budget and glean assurance that action is being taken to address the shortfall in the 2019/20 budget.

12. RECOMMENDATIONS FROM THE DEMOCRATIC SERVICES COMMITTEE

Questions by Members at Council and Speaking at Council Meetings

Council considered the recommendation of the Democratic Services Committee that a system of nominated speakers by the political groups be introduced and that there be a 3 month trial of a system of questions to Heads of Service for operational matters and Portfolio Holders for policy matters. This would require a suspension of Rule 4.29 of the Constitution for the period of the trial.

It was moved by County Councillor Elwyn Vaughan and seconded by County Councillor Karl Lewis and by 48 votes to 0 with 1 abstention it was

RESOLVED	Reason for Decision:
<p>(i) That Rule 4.29 of the Constitution is suspended for an initial period of 3 months to allow a trial of a "Formal Questions at Any Other Time" process,</p> <p>(ii) That the trial be reviewed by the Democratic Services Committee at the end of that period with delegated power to the Chair of the Democratic Services committee in consultation with the Committee to extend the trial period.</p> <p>(iii) During the trial period referred to in (i) and (ii) above a new Rule 4.29A to 4.29C as set out in Appendix 1 is adopted.</p> <p>(iv) That the Council implements a process of having nominated speakers to items on Council agendas (in addition to other Members making different / additional points), in accordance with amended Rule 4.47 as set out in Appendix 1.</p> <p>(v) That a workshop for Members be held to explain the new processes prior to their implementation.</p>	<p>(i) To allow Members to ask formal questions of Portfolio Holders at any time rather than waiting for meetings of the Council.</p> <p>(ii) To allow nominated speakers to speak on Council agenda items.</p> <p>(iii) To explain the new processes to Members before implementation.</p>

Constitution

Council considered the recommendation of the Democratic Services Committee proposing a number of amendments to the Constitution in respect of the rules for

dealing with amendments to motions, recorded votes, Financial Procedure Rules and the Local Resolution Protocol.

County Councillor Pete Roberts proposed an amendment seconded by County Councillor James Gibson-Watt that there should be a single deadline of 5 p.m. the day prior to the meeting for submitting both substantial and simple amendments to motions which was passed by 39 votes to 4 with 2 abstentions. This became the substantive motion and by 39 votes to 5 with 2 abstentions it was

RESOLVED	Reason for Decision:
To amend Rule 4.49 Section 4 of the Constitution so that substantial and simple amendments must be received by the Monitoring Officer in writing by 5 p.m. the day prior to the meeting.	To review and update the Constitution.

By 48 votes to 1 it was

RESOLVED	Reason for Decision:
To amend Rule 4.66 Section 4 in respect of recorded votes, Section 16 in respect of Financial Procedure Rules and Section 25 Local Resolution Protocol.	To review and update the Constitution.

County Councillor Mark Barnes left the meeting at 15.02.

13. APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES
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13.1. Powys Community Health Council

RESOLVED that County Councillor Lucy Roberts be appointed to Powys Community Health Council.

13.2. Brecon and Radnor Sports Partnership

RESOLVED that County Councillor Claire Mills be appointed to Brecon and Radnor Sports Partnership

13.3. Community Chest Sportlot

RESOLVED that County Councillor Jon Williams be appointed to Community Chest Sportlot.

13.4. Appointments made by political groups and approved by the Monitoring Officer

Council noted the appointment of County Councillor Iain McIntosh to the Standards Committee in place of Sarah Lewis.

14. NOTICE OF MOTION - WHITE RIBBON CAMPAIGN

Council debated the following motion moved by County Councillor Michael Williams and seconded by County Councillor David Meredith:

Powys County Council supports the White Ribbon campaign.

The White Ribbon campaign encourages men to:

- engage other men to talking about violence against women and girls;
- wear a white ribbon;
- pledge never to commit, excuse or remain silent about male violence against women.

Members spoke in favour of the motion and members and staff were encouraged to take part in the events being organised on White Ribbon Day on 25th November. The Leader was asked to raise the campaign with the Public Service Board.

By 45 votes to 1 it was

RESOLVED that Powys County Council supports the White Ribbon campaign.

The White Ribbon campaign encourages men to:

- **engage other men to talking about violence against women and girls;**
- **wear a white ribbon;**
- **pledge never to commit, excuse or remain silent about male violence against women.**

County Councillor Karl Lewis left the meeting at 15.18

15. NOTICE OF MOTION - NATIONAL DEVELOPMENT FRAMEWORK
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The motion was withdrawn by the proposer and seconder.

16. NOTICE OF MOTION - CONSERVATION AND REWILDING
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The Monitoring Officer advised that members with land in the area of the proposed scheme or with friends or relatives with land should declare a personal and prejudicial interest. He further advised that members in a position of management with bodies either supporting the scheme or opposing it should declare prejudicial interests. Ordinary members of the organisations should declare personal interests.

County Councillors P Davies, J Evans, G Morgan and G Thomas declared personal and prejudicial interests and left the Chamber whilst this matter was considered.

County Councillors J Charlton, MJ Jones and R Powell declared personal, non-pecuniary interests.

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

Council notes the project led by Rewilding Britain in the area from Machynlleth and Llanidloes to Aberystwyth, called 'Summit to Sea' that covers 38,000 hectares.

Whilst the Council states its support for conservation work within our communities it is opposed to the activities of Rewilding Britain in Mid Wales. It furthermore calls on the 'Summit to Sea project' to cut ties with Rewilding Britain and for any future management structure to be rooted within the communities, be led by those communities it serves, and include such partners as the farming unions, Mentrau Iaith and local authorities as a fundamental starting point.

In speaking to the motion Councillors Vaughan and Davies argued that the scheme would have a harmful impact on Welsh speaking communities that relied on farming.

By 41 votes to 0 with 1 abstention it was

RESOLVED that Council notes the project led by Rewilding Britain in the area from Machynlleth and Llanidloes to Aberystwyth, called 'Summit to Sea' that covers 38,000 hectares.

Whilst the Council states its support for conservation work within our communities it is opposed to the activities of Rewilding Britain in Mid Wales.

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County Councillors P Davies, J Evans, G Morgan and G Thomas declared personal and prejudicial interests and left the Chamber whilst this matter was considered.

County Councillors J Charlton, MJ Jones and R Powell declared personal, non-pecuniary interests.

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

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In speaking to the motion Councillors Vaughan and Davies argued that the scheme was an imposition on Welsh speaking communities that relied on farming which if implemented would wreck livelihoods.

By 41 votes to 0 with 1 abstention it was

RESOLVED that Council notes the project led by Rewilding Britain in the area from Machynlleth and Llanidloes to Aberystwyth, called 'Summit to Sea' that covers 38,000 hectares.

Whilst the Council states its support for conservation work within our communities it is opposed to the activities of Rewilding Britain in Mid Wales.

It furthermore calls on the 'Summit to Sea project' to cut ties with Rewilding Britain and for any future management structure to be rooted within the communities, be led by those communities it serves, and include such partners as the farming unions, Mentrau Iaith and local authorities as a fundamental starting point.

17. QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION
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17.1. Question to the Portfolio Holder for Finance, Countryside and Transport from County Councillor Gareth Ratcliffe

Over the last couple of years Powys County Council has looked to remove services and place them in control of the communities. Hay Swimming pool

was taken over by a dedicated group of volunteers and presently provide the service to over 450 people. This service would have been lost and is vital to the community as without it the local school would not be able to support the level of provision and would result in a minimum of lessons each year just to meet the national curriculum. This comes at a cost to the local community who are working hard to keep the service going but at times there are large maintenance bills or development that are needed to bring them to a legal and safe standard. For example Hay swimming pool is having to renew its pool lining at a cost in the region of £18k inc VAT. The community have raised with support from residents and local community organisations just over £11k.

With this in light will the portfolio holder look at forming a budget to allow community groups that have taken over service to apply for loans to support the service within their community that have been adopted?

Response

The Council is under significant financial pressure, we are having to prioritise our limited resources on core council services. To introduce a loans scheme would require additional resource that we do not have. Community groups are able to access other sources of funding and we can assist in signposting groups to potential funding streams.

In response to Councillor Ratcliffe's supplementary question, the Portfolio Holder agreed to provide members with details of other funding sources.

17.2. Question to the Portfolio Holder for Finance, Countryside and Transport from County Councillor Karen Laurie-Parry

Powys County Council being such a large rural area, has a large expenditure on Contracted Coach costs, be it public transport or school transport.

I understand that a former Director did ask Cabinet, for All Coach Transport Costs, be it public or school, to be reviewed to ascertain where any savings could be made and I too, did highlight concerns I had, regarding empty coaches operating at certain times of the day. There are probably logical reasons, but as we are expecting a further squeeze on budgets, do you consider that the former Director's professional request should be undertaken?

Whilst realising that again this is a sensitive area, could the Portfolio Holder explain and confirm, whether or not such a Full Public and School Transportation Cost Review has taken place or will be undertaken?

Response

The Council undertook a review of transport in July 2018 when we tendered new home to school and local bus service contracts. The review saw a total of 33 dedicated school transport vehicles being withdrawn. Learners who travelled on those vehicles which were withdrawn have been redistributed to other contracted school or local bus services.

We continue to monitor transport spend on a month by month basis, but we have to continue to meet our statutory obligations by transporting nearly 5500 learners to school on a daily basis and ensure that the 1.1m passengers that use our public transport network of buses annually receive a value for money service.

There was no supplementary question.

County Councillor Aled Davies left the meeting at 16.00.

17.3. Question to the former Portfolio Holder for Learning and Welsh Language from County Councillor James Gibson-Watt

The Portfolio Holder has recently dismissed appeals by parents from the Brecon High School catchment area applying for school transport for their children to Ysgol Calon Cymru Builth Wells campus to study through the medium of Welsh, on the grounds that the Welsh medium provision at Brecon High School is comparable to the provision at Ysgol Calon Cymru, despite the fact that Welsh medium provision at Brecon High School is demonstrably not as extensive as at Ysgol Calon Cymru, especially in Years 10 and 11.

Given the above how does the Portfolio Holder justify her decision to dismiss the appeals in circumstances in which Powys County Council is still providing school transport to some learners from the Brecon High School catchment area to Welsh medium provision at Ysgol Calon Cymru Builth Wells campus; and can she confirm that her decision to dismiss these appeals is compliant with current Equalities legislation and the provisions in Powys County Council's Welsh Education Strategic Plan?

Response

You will be aware that the Authority's Home-to-School Transport Policy states clearly that free transport is provided for eligible pupils to their nearest suitable or catchment school that provides education through the medium of English or Welsh. In the case of learners from the Brecon area, Brecon High School is the nearest provider of Welsh-medium secondary education.

A few years ago, a number of parents from the Brecon area were refused transport to Builth Wells High School for Welsh-medium provision due to Brecon High School being their closest provider. The parents took this decision to a transport appeal and were granted free transport on the basis that the provision at Builth Wells High School was deemed, by the Portfolio Holder for Education at the time, to be more suitable than the provision at Brecon High School.

Upon hearing parental appeals this year, I was provided with information which shows that the difference in terms of number of subjects available in Welsh at Ysgol Calon Cymru and Brecon High School is now of a similar level. There are a similar number of Welsh medium subjects being provided at both school in years 7-9, although there is a greater difference in years 10 and 11.

It was my decision, therefore, not to grant free transport as the provision is comparable in both schools and therefore does not contradict equalities legislation or the aspirations of the authority's WESP.

In response to Councillor Gibson-Watt's supplementary question as to whether she considered her response equitable, the Portfolio Holder noted that there was no

difference in the categorisation between the two schools at Key Stage 3 and therefore no justification to transport to other than the nearest school.

17.4. Question to the Leader from County Councillor William Powell

Given the likelihood of either a General Election or a Confirmatory Vote on Brexit in the coming weeks – and concerns around anomalies in the recent General Election - what is the Leader doing, in liaison with the Returning Officer to review guidance on Purdah, as it affects Powys County Council Officers, Members and County Council assets, to ensure that it is consistent, lawful and proportionate?

Response

Thank you for the question. As you are aware, the running of elections is not an issue for the Leader of Council, but is solely the responsibility of the Returning Officer and her staff. However, I confirm that the Head of Legal and Democratic Services will review any purdah guidance that may be required going forward.

In response to Councillor Powell's supplementary question it was confirmed that purdah guidance to staff would be reviewed.

17.5. Question to the Portfolio Holder for Environment from County Councillor Elwyn Vaughan

What is the portfolio holder's proposed action following the independent report obtained by Abermule residents which suggest that the ecology survey undertaken by PCC was both sub-standard and not in accordance with good practice or the legislation and that consequently the presence of great crested newts on site cannot be properly discounted? Specifically, will the portfolio holder offer categoric assurance that no works will commence on site until the legislation in this respect has been fully complied with?

Response

The ecology mitigation scheme is being undertaken in line with 2001 best practice and in full compliance with the development licence issued for the site by Natural Resources Wales (NRW). The initial great crested newt trapping exercise was undertaken in October and November 2018, which was subsequently approved and signed off by NRW. This is an ongoing process, the next phase of which is the supervised search and clearance of habitat within the site immediately prior to commencement of works to ensure that the site is clear of newts.

The independent report provided by the community group was a desktop exercise with no site visits undertaken by the ecologist and based on information submitted by the group, which does raise the issue of impartiality. The consultant used by the Council is recognised as a professional company and undertakes ecological and biodiversity projects throughout the UK. They have certified environmental and quality management systems and use qualified,

experienced ecologists. NRW have since met the community group and have confirmed to us that they (NRW) are happy with our approach.

We can therefore confirm that all legislation has been, and will be, fully complied with both prior to and during construction.

In his supplementary question Councillor Vaughan asked for assurance that the rest of the site would be for private enterprise and not used for other Council services and that the Council would look for other business park sites in the Severn Valley. The Portfolio Holder gave an assurance that there were no current plans to relocate other Council services to the Abermule site. Other economic development opportunities for the area would be considered as part of the Mid Wales Growth Deal.

County Councillor T Van-Rees left at 16.08.

17.6. Question to the Portfolio Holder for Economic Development, Housing and Regulatory Services from County Councillor James Gibson-Watt

Could the Portfolio Holder outline the efforts made by Powys County Council to promote Welsh Government's 'Targeted Regeneration Investment' grants to town centre retail shop owners and long-term tenants in Powys's market towns?

Response

A press release announcing the funding was circulated in the spring, which initiated enquiries.

Follow up promotion has been centred locally on the specific towns highlighted (for Powys, these are Newtown, Llandrindod Wells and Brecon). Local Officers are working with a number of applicants to develop applications for the grant, as well as speaking with relevant business network groups to promote the opportunity.

There was no supplementary question.

17.7. Question to the Portfolio Holder for Education from County Councillor Jon Williams

When Tesco built their new store in Llandrindod, they gave £700,000 to build a new Scout hut. This was built with extra money added from PCC to add a youth centre on the side. For many years the scouts have had to deal with other users of the building using their space and causing damage. There was an agreement over the use of the building and the formulation of a management committee to run the building. These have not been honoured even though the scouts have tried over many years to get PCC to deal with the issues. A few weeks ago, PCC called a meeting with the users of the building to tell them they had applied for grant funding to make part of the building an office and drop in centre. This is obviously a safeguarding issue for the youth groups who use the building. There are still many unresolved issues over ownership and management of the building, which the scouts have had no reply from PCC since January 2019

when it was stated “we will get back to you shortly”. Can the portfolio holder please tell me, why they have not received a reply, why PCC have not honoured the agreement to form a management committee and why they have gone against the original agreement which states “ It is proposed that use of the new facility by other organisations shall be restricted to youth groups, only. Any future proposal to allow use by non-youth groups will be subject to agreement by the management committee and ultimate approval by the Council's Board following consultation with existing user groups including the Scouts.”?

Response

The Llandrindod Scout Hut and Youth Centre has been used by a number of organisations over the years since it was built – these include the Scouts, Youth Service, and Credu. The building also housed the Pupil Referral Unit until July of this year, which means that the building is now not being fully utilised.

In order to explore opportunities to fully utilise the building, the authority is currently exploring the possibility of developing an Integrated Family Centre to be housed in the building, which will be able to provide valuable support to families in the area. Following the recent departure of the Pupil Referral Unit from the building known as the Llandrindod Youth Centre. Although an application to the Welsh Government for grant support has been made, the outcome of this is not yet known.

Officers called a meeting of all current and potential users at the beginning of September. This was the first meeting to discuss potential future use, and it was very important that all users were round the table from the beginning.

If the grant application is successful and the authority decides to proceed with establishing an Integrated Family Centre on the site, then it will be a fantastic opportunity for all organisations to work together to meet the needs of families and young people in Llandrindod. However, the authority will ensure that it consults with all users to discuss the operational implications of this.

In order to ensure full compliance with any agreement regarding the Centre and its use, I will be recommending that a Centre Management Committee is established as soon as possible.

In his supplementary question Councillor Williams asked if the family centre would be put into the unused part of the building leaving the scouts as the sole users of the rest of the building to honour the original commitment to provide a purpose built scout hall for Llandrindod in return for vacating the Drill Hall. The Portfolio Holder committed to meeting Councillor Williams and all the other parties involved.

17.8. Question to the Portfolio Holder for Young People and Culture from County Councillor Gareth Ratcliffe

Can the portfolio holder please provide an update on the consultation with communities and user groups on the future of libraries across Powys County Council in line with the budget proposals for this year’s budget and also the work planned for the budget round for 2020/21?

Response

The report on the consultation with communities and user groups on the future of libraries has been compiled, and a press release of the headline results has been sent out. The full report is with translation, and will go up on the website once it is completed.

We are very grateful to everyone who took part in all of the consultation meetings or sent us their ideas online, by post or through the libraries, and to those members who took part in all of the meetings held. We had a tremendous response overall, and have been left in no doubt how much residents value their libraries for the wide range of services and support which are available, in particular:

- access to free computers
- book and DVD loans
- story time sessions, coding clubs and the summer reading challenge activities for children
- advice and information from the librarians who double up as council customer service officers.

Libraries are seen as safe and social places for people to use and deemed particularly important in supporting those who may be more vulnerable in society. Respondents also rated highly the volunteers who have been supporting the service and keeping libraries open for longer.

The consultation has highlighted the role of the library service as the front face of Powys County Council in many of our communities, and we need to consider the impact of other decisions and service changes on residents who access support through libraries. The library service supports transformation agendas, particularly digital transformation, through providing the means for those without the technology or the ability to use it, to have supported access and not be disenfranchised.

Libraries and other leisure and cultural services are also key to thriving communities and the prevention of escalated need, increasing overall wellbeing opportunities and the perception of Powys as a good place to live, work and play. There is huge potential to work with Town and Community Councils and the 3rd sector to transform the offer for the better, but we will need every one of you to work with us to achieve this.

We will be considering further all of the views given in order to prepare plans for the future, and are in discussions with various interested community groups to transform service delivery so we can make the savings needed and develop the local offer for a sustainable, long term future. Given the current economic situation for the council, there can be no doubt that the future will remain very challenging, and we will continue to need the help of all local members to reach solutions in your areas, to provide valued services in partnership and through different delivery models. If you have any further suggestions for your local library, or are able to provide sponsorship or practical help and support, please do not hesitate to let me know. The library service will be following up on each and every suggestion on a library by library basis.

The Housing & Community Development service, which includes libraries, has put forward their budget proposals for 2020/21, and these will be considered as part of the budget setting process. The services will be urgently investigating

alternative delivery models, further co-locations and partnership arrangements, and income generation including sponsorship, patronage and Friends of groups.

Councillor Ratcliffe asked if the budget proposals relating to libraries would be the same as were proposed last year. The Portfolio Holder said that there was ongoing work with each community to ensure long term sustainability of the service.

17.9. Question to the Portfolio Holder for Young People and Culture from County Councillor Karen Laurie-Parry

In March, 2019, I was assured by a former Director, that there would be a final financial analysis, as to who might be responsible for the delay in the construction of Y Gaer, Brecon and therefore increased costs.

All reasons would be forensically examined, to consider where fault lies and the former Director even offered to remain available, to Powys County Council to assist with any background information, for as long as is required.

A detailed file was being kept, on all aspects of the construction. This file was to be analysed towards the end of the contract, to identify if claims against any party can be pursued fruitfully. The risks of pursuing a claim, will need careful analysis because Powys County Council knows, that the legal process can be costly, without any guarantee of success.

Whilst appreciating that this is a sensitive area, can the Portfolio Holder explain and confirm, what is the position regarding the forensic analysis? Also, will Powys County Council be able to enforce Court Procedures for reimbursement of payments made, to both the contracted Construction Company and contracted Project Management Company / Quantity Surveyors, if the Contract was not delivered on time and within the Contract budget?

Response

The y Gaer contract sum was fixed at £9.65m in July 2018, so programme delays have not incurred additional expense for the Council since that time. The project, its financial status and progress, is being robustly managed and overseen by the y Gaer Project Board comprising relevant Portfolio Holders and officers. The Project Board, which meets regularly, receives and inspects detailed project management / programme updates along with financial reports outlining progress, issues and matters for consideration, examination and decision.

The overall project will be reviewed once completed and any subsequent recommendations will be implemented. Decisions will be continually reviewed and reflected upon.

Councillor Laurie-Parry had a number of supplementary questions which she was asked to put into writing to the Portfolio Holder.

18.	DIRECT PAYMENTS
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The direct payments video would be shown during the Member Development day on 31st October.

County Councillor B Baynham (Chair)