

**MINUTES OF A MEETING OF THE COUNTY COUNCIL HELD AT BY TEAMS ON
THURSDAY, 26 NOVEMBER 2020**

PRESENT

County Councillors MC Alexander, B Baynham, J Berriman, G Breeze, J Charlton, L V Corfield, K W Curry, A W Davies, D E Davies, P Davies, S C Davies, M J Dorrance, E Durrant, D O Evans, J Evans, L Fitzpatrick, L George, J Gibson-Watt, M R Harris, S M Hayes, H Hulme, A Jenner, E A Jones, D R Jones, E Jones, G Jones, J R Jones, E M Jones, M J Jones, 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 Rijnenberg, L Roberts, P Roberts, K M Roberts-Jones, E Roderick, D Rowlands, K S Silk, D Selby, L Skilton, D A Thomas, R G Thomas, T J Van-Rees, 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

1. ELECTION OF CHAIR

RESOLVED that County Councillor Gwynfor Thomas be elected Chair for the ensuing year.

Councillor Thomas advised that his charity for the year would be the DPJ Foundation a mental health charity working in the agricultural community. He invited members to join with him in Learning Welsh so that by the end of his time in office he would be able to chair a Council meeting bilingually.

2. ELECTION OF VICE-CHAIR

RESOLVED that County Councillor Gareth Ratcliffe be elected Vice-Chair for the ensuing year.

3. ELECTION OF ASSISTANT VICE-CHAIR
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RESOLVED that County Councillor Jon Williams be elected Assistant Vice-Chair for the ensuing year.

4. APOLOGIES

Apologies for absence were received from County Councillors M Barnes and B Davies.

5. ALLOCATIONS, ELECTIONS AND APPOINTMENTS REQUIRED TO BE MADE AT THE ANNUAL MEETING OF COUNCIL
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Council considered the report of the Head of Legal and Democratic Services on the allocations and appointments to be made to committees and outside bodies.

Politically Balanced Appointments to Council Committees

The recommendation at paragraph 5.3 was moved by County Councillor Rosemarie Harris and seconded by County Councillor Pete Roberts

RESOLVED	Reason for decision:
To approve the allocation of seats on Council Committees to the different Political Groups in accordance with Appendix 5.	To comply with statutory requirements (including those concerning the need for political balance) and the Council's Constitution in relation to the allocation and appointment of committee seats and Chairs.

Appointment of Councillors to Committees

Council was advised that in addition to the appointments by made the political groups noted in Appendix 6 to the report, County Councillor Martin Weale had been allocated a place on the Learning and Skills Committee and County Councillor Elwyn Vaughan had been allocated a place on the Democratic Services Committee. The recommendation was moved by County Councillor Kath Roberts-Jones and seconded by County Councillor Edwin Roderick

RESOLVED	Reason for Decision:
To make appointments to Committees in accordance with the wishes of the different Political Groups as set out in Appendix 6 subject to the appointment of County Councillor Martin Weale to the Learning and Skills Committee and County Councillor Elwyn Vaughan to the Democratic Services Committee.	To comply with statutory requirements (including those concerning the need for political balance) and the Council's Constitution in relation to the allocation and appointment of committee seats and Chairs.

Appointment of Chairs of Scrutiny Committees

The recommendation at paragraph 6.5 in the report was moved by County Councillor Graham Breeze and seconded by County Councillor Aled Davies

RESOLVED	Reason for Decision:
To allocate the 3 Scrutiny Committee Chairs to the Political Groups as follows: Economy, Residents, Communities and Governance Scrutiny Committee – County Councillor Matthew Dorrance Health and Care Scrutiny Committee – County Councillor Amanda Jenner Learning and Skills Scrutiny Committee – County Councillor Pete	To comply with statutory requirements (including those concerning the need for political balance) and the Council's Constitution in relation to the allocation and appointment of committee seats and Chairs.

Roberts	
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Appointment of Chair of Democratic Services Committee

County Councillor Elwyn Vaughan was nominated by County Councillor Michael Williams and seconded by County Councillor Edwin Roderick.

RESOLVED that County Councillor Elwyn Vaughan be appointed Chair of the Democratic Services Committee for the ensuing year.

Brecon Beacons National Park Authority (BBNPA)

The nominations set out in paragraph 8.3 of the report were moved by County Councillor Michael Williams and seconded by County Councillor Rosemarie Harris.

RESOLVED	Reason for Decision:
<p>To make appointments to the Brecon Beacons National Park Authority in accordance with the nominations of the political groups as set out below:</p> <p><u>Independent Group</u> County Councillor Michael J. Jones County Councillor Phil Pritchard County Councillor Edwin Roderick</p> <p><u>Welsh Conservatives</u> County Councillor James Evans</p> <p><u>Welsh Liberal Democrats</u> County Councillor Gareth Ratcliffe</p> <p><u>Welsh Labour</u> County Councillor Susan McNicholas</p>	<p>To make appointments in accordance with statute and the Constitution.</p>

Welsh Local Government Association (WLGA)

County Councillors Aled Davies, Matthew Dorrance, Rosemarie Harris and Rachel Powell were nominated. Following a ballot it was

RESOLVED that County Councillors Aled Davies, Rosemarie Harris and Matthew Dorrance be appointed to the WLGA Council.

Welsh Local Government Association Executive Board

County Councillor Rosemarie Harris was nominated by County Councillor Michael Williams and seconded by County Councillor Phil Pritchard.

RESOLVED that County Councillor Rosemarie Harris be appointed to the WLGA Executive Board.

6. MINUTES

The Chair was authorised to sign the minutes of the last meeting held on 24 September 2020 as a correct record.

7. DECLARATIONS OF INTEREST

The Monitoring Officer advised that the motion on support for the wool trade was being withdrawn so members would not have to declare an interest on that. County Councillors Rosemarie Harris and Gwynfor Thomas declared an interest in the motion on the opening of gyms. County Councillor E Michael Jones declared an interest in the motion on Lucy's Law.

8. REVENUE AND CAPITAL VIREMENTS

Pay Award

A virement of £635,000 was recommended for approval to fund the additional 0.75% pay award and associated oncosts for NJC staff across the council, the total pay award being 2.75%, with 2% already included in the base budget. This additional cost would be funded from the centrally held Risk Budget.

Heol y Ffynnon, Brecon, New Build Scheme

Works on the new build scheme at Heol y Ffynnon Brecon were moving at pace so a reprofiling of the budget was requested so that £2.30 million borrowing was brought forward from the 2021/22 allocation. This would ensure that the works would be completed and funded in 2021.

Bowling Green, Newtown, New Build Scheme

This development had been successful in securing £2.19 million Innovative Housing Capital Grant, the request was to update the budget to reflect the grant received. Based on the current cost plan £1.55 million grant will be required in 2020-21. The remaining grant (£0.64 million) together with £1.20 million borrowing was required to complete the scheme in 2021/22.

The recommendation was moved by the Portfolio Holder for Finance and Transport County Councillor Aled Davies and seconded by County Councillor Dai Davies.

RESOLVED to approve the virements to ensure the 2020/21 budgets are aligned with the confirmed changes and grant amount to ensure the updated spend profile outlined above is put in place to ensure robust forecasting.

9. RECOMMENDATIONS FROM THE DEMOCRATIC SERVICES COMMITTEE

Speaking at Council Meetings

The recommendations from Democratic Services Committee were proposed by the Chair of the Democratic Services Committee County Councillor Elwyn Vaughan and seconded by County Councillor Edwin Roderick.

County Councillor James Evans proposed that recommendation 2 in the report be referred back to the Democratic Services Committee so that further consideration could be given to allowing both major and minor amendments to motions during debates at Council meetings rather than having to be submitted three days prior to a meeting. By 40 votes to 25 with 3 abstentions it was

RESOLVED to refer recommendation 2 back to Democratic Services Committee so that further consideration can be given to allowing both major and minor amendments to motions during debates at Council meetings rather than having to be submitted three days prior to a meeting.

With the exception of County Councillors Beverley Baynham and Dai Davies who felt that the proposed reduction in speaking time did not allow enough time for debate, there was general support for the remaining two recommendations.

RESOLVED

- i. to reduce the speaking time for proposers and seconders of motions from 10 minutes and 5 minutes to 5 minutes and 2 minutes respectively and that these changes be trialled at three Council meetings [excluding the annual meeting].**
- ii. that a trial of nominated speakers on behalf of political groups be undertaken at 3 Full Council meetings, followed by a review of the trial by the Democratic Services Committee.**

Amendments to the Constitution

The Democratic Services Committee had proposed amendments to Parts 4 and 7 of the Constitution. The recommendation was moved by County Councillor Roger Williams and seconded by County Councillor Michael Williams.

RESOLVED that the amendments to Parts 4, and 7 of the Constitution be approved.

Welsh Language Forum

The Democratic Services Committee had recommended the establishment of a Welsh Language Forum. The recommendation was moved by County Councillor Myfanwy Alexander and seconded by County Councillor Elwyn Vaughan.

RESOLVED

- i. That a new cross cutting Panel to promote the Welsh Language and provide oversight for Welsh Language provision within the Council be approved.
- ii. That the membership of the Panel as set out in the report be approved with the addition of an officer with equalities knowledge.

Scrutiny Improvement

The Democratic Services Committee had made a number of recommendations to continue the improvement of scrutiny in Powys. The recommendations were proposed by County Councillor Elwyn Vaughan and seconded by County Councillor Rosemarie Harris.

RESOLVED

- That to continue the improvement of scrutiny in Powys that the following proposals be approved:
- Mentoring and coaching for Chairs of scrutiny initially and extended to Vice-Chairs at a later time
- reviews of the Committee's operation with Chairs
- Reviews of members of Committees
- That a mentoring / coaching and review scheme be established and implemented as set out in Appendix 4 of the report.

Council adjourned from 13.01 to 13.30.

10.	UPDATE REPORT FROM LICENSING COMMITTEE - REVIEW OF LICENSING ACT 2003 POLICY
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Council considered the recommendation of the Licensing Act 2003 Committee to publish a revised, updated Licensing Act 2003 policy in January 2021. The policy had been out to consultation with stakeholders for six weeks and there had been no representation or comments received. The recommendation was moved by County Councillor Michael Williams, Chair of the Licensing Act 2003 Committee and seconded by the Vice-Chair County Councillor Francesca Jump.

RESOLVED to approve the revised Licensing Act 2003 policy set out at Annex A for publication and effective from 1st January 2021 To approve the revised Licensing Act 2003 policy set out at Annex A for publication and effective from 1st January 2021.

11. NOTICE OF MOTION - SUPPORT FOR THE AGRICULTURAL SECTOR

The motion was withdrawn.

12. NOTICE OF MOTION - LUCY'S LAW
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County Councillor E Michael Jones declared a personal interest in this item and left the meeting while it was being considered.

Council debated the motion proposed by County Councillor James Evans and seconded by County Councillor Amanda Jenner.

This council calls upon the Welsh Government to immediately ban the deplorable practice of third-party low-welfare puppy and kitten farms, using 'Lucy's Law' (as enacted in England in April 2020) as the legislative basis for the ban. Further, this Council condemns the unnecessary delay by the Welsh Government in bringing forward this basic animal welfare legislation which should be a prerequisite to a civilised society.

County Councillor Jackie Charlton proposed an amendment:

This council calls upon the Welsh Government to immediately ban the deplorable practice of third-party low-welfare puppy and kitten farms, using 'Lucy's Law' (as enacted in England in April 2020) as the legislative basis for the ban and to support the Welsh Government to take this forward by the end of their term in April 2021.

County Councillor Pete Roberts seconded the amendment. The amendment was passed by 30 votes to 26 with 1 amendment.

RESOLVED that this council calls upon the Welsh Government to immediately ban the deplorable practice of third-party low-welfare puppy and kitten farms, using 'Lucy's Law' (as enacted in England in April 2020) as the legislative basis for the ban and to support the Welsh Government to take this forward by the end of their term in April 2021.

County Councillor E Michael Jones returned to the meeting.

13. NOTICE OF MOTION - GYMS IN LOCKDOWN
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County Councillors Rosemarie Harris, Gwynfor Thomas and Michael Williams declared an interest in this item and left the meeting while it was being considered. The Vice-Chair County Councillor Gareth Ratcliffe took the Chair for this item.

Council debated the following motion proposed by County Councillor James Evans and seconded by County Councillor Karl Lewis.

“Powys County Council calls on Welsh Government to make gyms essential in any future lockdowns and firebreaks.

As a key sector of the Welsh Economy, gyms provide essential physical/mental health and well-being opportunities and solutions to a large percentage of the Powys population.

During these testing times gyms have never been more important to all age groups and demographics. Gym owners fully respect and understand the reasons for Fire Breaks and Lockdowns, but continually closing and re-opening gyms is now putting an increasing strain on their financial viability, jobs and more importantly the public who rely on gyms for a wide range of reasons, for both physical and mental health.

We now call on the Welsh Government to re-classify gyms as an ‘Essential Service’, allowing our gyms to continue operating through future lockdowns, in the interest of the public’s physical and mental health.”

The motion was passed by 29 votes to 27 with 4 abstentions.

RESOLVED that Powys County Council calls on Welsh Government to make gyms essential in any future lockdowns and firebreaks.

As a key sector of the Welsh Economy, gyms provide essential physical/mental health and well-being opportunities and solutions to a large percentage of the Powys population.

During these testing times gyms have never been more important to all age groups and demographics. Gym owners fully respect and understand the reasons for Fire Breaks and Lockdowns, but continually closing and re-opening gyms is now putting an increasing strain on their financial viability, jobs and more importantly the public who rely on gyms for a wide range of reasons, for both physical and mental health.

We now call on the Welsh Government to re-classify gyms as an ‘Essential Service’, allowing our gyms to continue operating through future lockdowns, in the interest of the public’s physical and mental health.

County Councillors Rosemarie Harris, Gwynfor Thomas and Michael Williams returned to the meeting. Councillor Thomas took the Chair again.

14.	NOTICE OF MOTION - TO EMBRACE AND AGREE THE VICTIM SUPPORT HATE CRIME CHARTER
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Council debated the following motion proposed by County Councillor Jackie Charlton and seconded by County Councillor William Powell

Council notes for the Motion:-

1. Hate Crime is a legal process and a criminal act which the Justice system deals with regularly. Dyfed Powys Police are signed up to dealing with Hate Crime wherever it occurs.
2. Local authorities have a part to play in combating Hate Crime.
3. Training has been delivered by Victim Support across Wales throughout this year and they will continue to do so.
4. Powys CC has expertise in Hate Crime and it is recognised that rural communities in Wales are not immune to this.

Council is asked to support:-

1. The key priorities in the Hate Crime Charter.
2. The need to raise awareness of Hate Crime through education leads, social care leads and Members.
3. Schools to consider adopting awareness of Hate Crime within the curriculum wherever appropriate.
4. The provision of training for all Members and staff to understand the need to further raise awareness of crimes that include Hate Crime and the impact on rural communities in Powys. Victim Support already deliver bespoke training which can be accessed for free.

This Council therefore resolves to:-

1. Agree that Powys CC accepts the Victim Support Hate Crime Charter which includes help and support for victims and communities.

The Chief Executive advised that there was mandatory equalities and diversity training for members and officers and that if the motion was passed by Council officers would work to facilitate its implementation.

By 58 votes to 1 it was

RESOLVED to agree that Powys CC accepts the Victim Support Hate Crime Charter which includes help and support for victims and communities.

County Councillor G Thomas (Chair)