

County Council

Meeting Venue
By Teams

Meeting date
Thursday, 9 December 2021

Meeting time
10.30 am

For further information please contact
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County Hall
Llandrindod Wells
Powys
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3/12/2021

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
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To receive apologies for absence.

2.	MINUTES
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To authorise the Chair to sign the minutes of the last meeting as a correct record.
(Pages 11 - 46)

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

4.	CHAIR'S ANNOUNCEMENTS
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To receive any announcements from the Chair of Council.

5.	LEADER'S ANNOUNCEMENTS
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To receive any announcements from the Leader.

6.	CHIEF EXECUTIVE'S BRIEFING
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To receive a briefing from the Chief Executive.

7.	ESTYN MONITORING REPORT
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To note the findings of the Estyn Monitoring Visit.
(Pages 47 - 54)

8.	BUDGET VIREMENTS
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To consider budget virements requiring Council approval. Report to Cabinet on budget pressures in Children's Services attached.
(Pages 55 - 66)

9.	DIRECTOR OF SOCIAL SERVICES ANNUAL REPORT
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To receive and consider the Director of Social Services Annual Report.
(Pages 67 - 114)

10.	ARRANGEMENTS FOR THE DEVELOPMENT, SUBMISSION, AND CONSIDERATION OF ALTERNATIVE BUDGET PROPOSALS
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To consider the report of the Head of Finance and Section 151 Officer.
(Pages 115 - 118)

11.	AMENDMENTS TO THE CONSTITUTION
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To consider a report by the Head of Legal and Democratic Services.
(Pages 119 - 404)

12.	AMENDMENTS TO THE INTER AUTHORITY AGREEMENT OF THE WALES PENSION PARTNERSHIP
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To consider the report of the Head of Finance and Section 151 Officer.
(Pages 405 - 418)

13.	APPOINTMENTS TO OUTSIDE BODIES AND COMMITTEES
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To note the following appointments made by political groups and approved by the Monitoring Officer:

Councillor Gwilym Williams appointed to the Brecon Beacons National Park Authority in place of Councillor Jon Williams.

Councillor Karl Lewis appointed to the Brecon Beacons National Park Authority in place of Councillor Iain McIntosh.

Councillor Ange Williams appointed to the Employment and Appeals Committee in place of Councillor Jon Williams.

14.	NOTICE OF MOTION - SUPPORT FOR THE AGRICULTURAL SECTOR
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The agricultural sector is of paramount importance to our economy and communities of Powys as indicated in this this map. With 9.5 million sheep in Wales we have seen one of the main natural products, wool, having extremely low prices in recent times.

We have wool grading centres in Newtown and Brecon, and the sheep sector is of huge importance in Powys. Wool is also a natural, environmentally friendly and fire retardant product.

In view of this, the Council proposes that the authority, as part of the Mid Wales Growth deal, looks at opportunities to add value to our agricultural products and specifically to work with the farming unions and the British Wool Marketing Board with a view of facilitating the establishment of the equivalent of WRONZ, Wool Research Organisation New Zealand in Mid Wales hence being a catalyst for innovative ideas, products and commercial spin offs using wool.

Proposer County Councillor Elwyn Vaughan
Seconder County Councillor Bryn Davies

COST IMPLICATIONS

This motion was received before the requirement for a financial assessment.

(Pages 419 - 420)

15.	NOTICE OF MOTION - RESPONSIBLE AFFORESTATION - A NON-EXPLOITATIVE AND SUSTAINABLE APPROACH
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Council expresses its concern about the purchase of family farms in Powys and the wider region by multinational companies to plant trees for the purpose of creating 'carbon credits' which are sold to polluting companies to meet their carbon offset targets.

While accepting that tree planting on a large scale is recognised as one means of combating climate change, Council regrets that carbon offsetting allows these high carbon-emitting companies to continue with their unsustainable conduct.

Furthermore, Council notes that multinational companies have already claimed over £1.3m from Welsh Government funding via the Glastir Woodland Creation fund, which means that Welsh taxpayers are subsidising the carbon offsetting programmes of companies from outside Wales.

Council supports the principle of responsible afforestation but believes this must be done in consultation with local communities, and should not have a detrimental impact on local employment, culture and community viability.

Councils calls on the Welsh Government to:

- Ensure that funding via the Glastir Woodland Creation scheme can only be claimed by active farmers in Wales
- Introduce planning development legislation to enable local planning authorities such as Powys to control afforestation projects, and to set a limit on the proportion of land on any farm that can be used for afforestation without the need for planning consent
- Deliver its afforestation plans by developing a publicly owned arms-length company to manage Wales' forestry and help reach the Welsh Government's carbon reduction targets

Council recognises the opinion of environmental campaigners that tree planting is not a silver bullet to averting climate change and agrees that only rapid reduction of burning fossil fuels can halt the ongoing and alarming rise in global temperatures.

Proposed by County Councillor Elwyn Vaughan
Seconded by County Councillor Emily Durrant

COST IMPLICATIONS

The Deputy Head of Finance confirms that there will not be any financial consequence from the proposed motion as it only requests that there is correspondence with Welsh Government about the position set out above. There are no further actions nor costs expected.

16. NOTICE OF MOTION - A STEP CHANGE IN ACTION ON THE CLIMATE AND ADOPTING THE ONE PLANET STANDARD

This Council notes that:

Council has an opportunity to make a step change in addressing the crisis we face; progress has been slower than residents and stakeholders anticipated and monitoring and feedback less transparent than they would like.

An increase in pace and openness is needed to tackle the climate and ecological emergency. Ambition and leadership from the Council will be key to taking our community and local stakeholders with us to reach the target set in September 2020 of Net Zero by 2030.

The COP26 international conference in Glasgow left no one in any doubt about the seriousness and urgency of the situation for communities at home and abroad. Our response requires nothing short of a whole-organisation cultural change where we clearly say what we are doing and do what we say, inspiring others to act too.

Swansea Council is piloting a new initiative – the One Planet Standard, launched in time for COP26, which is designed to support organisations like ours to adjust our activities to match our environmental aspirations. Supported by the Welsh Future Generations Commissioner, Sophie Howe, the One Planet Standard could help

Powys Council become resource-efficient, develop circular economic pathways with the engagement of employees, supply chains, customers and anyone affected by our activities. The One Planet Standard supports continuous improvement, with a simple **Plan > Do > Check > Act** virtuous cycle all set against our own goals, milestones, and time scales. At its core it is essentially an integrated reporting methodology to assist an organisation to measure, account for, and improve on, the environmental impact of its activities. The One Planet Standard would embrace the five ways of working:

Long Term – balancing short term needs with meeting long term needs.

Prevention – acting to prevent problems occurring or getting worse, using the precautionary principle.

Integration – considering how all Powys' actions impact upon each other, upon the social and ecological goals, and upon the interests and actions of stakeholders.

Collaboration – with any other person (or different departments) that could help Powys meet its objectives and its social and ecological goals.

Involvement – involving a wide range of people in achieving its social and ecological goals, ensuring that those people are from and reflect the diversity of Powys.

Understanding and adopting the requirements of the One Planet Standard will help the Portfolio Holder for the climate and ecological emergency, and other members of the Cabinet to shape strategic direction, and the senior management team implement change, whilst helping staff shift the corporate culture. Our partners and customers will better appreciate our ambitions and choose to join us on this journey.

This Council calls for:

The reinforcing of its declaration of a climate emergency in September 2020, its divestment decision of 2018 and its pursuit of the Local Nature Recovery Action Plan which is important to reporting on Section 6 of the Biodiversity and Resilience of Ecosystems Duty.

This Council resolves to:

- Call on the cabinet member for Climate Change for a clear and visible step change in activity necessary to deliver Powys' commitment to meet its net zero target by 2030, publishing the agreed baseline assessment and Action Plan for carbon reduction for members, stakeholders and residents to assess urgently.
- Become the second Council in Wales to pilot the One Planet Standard ahead of a decision, post May 2022, on whether to formally adopt it as a new way of working.

- Ask the Chair of Powys Pension Fund to call on the Welsh Pension Fund to use the power it has, including its influence as one of the UK's largest pension funds, to encourage divestment as agreed in the motion of 2018.

Proposed by County Councillor Jackie Charlton

Seconded by County Councillor Jake Berriman

COST IMPLICATIONS

There are no cost implications arising from this motion as the Portfolio holder has already confirmed continuity funding for the Climate Change Officer.

The One Planet Standard is free to use, whilst accreditation costs between £675 and £1,688 according to size of organisation and award level - Bronze, Silver and Gold. Benefits, however, might be expected to include greater corporate awareness and understanding, improved staff motivation, cost savings and greater efficiency, enhance transparency and public engagement

We have already agreed as a council to achieve the Net Zero goal so all budgeting will be integrated already taking account of these measures.

The reporting on the Local Nature Recovery Action Plan is embedded in the Statutory Duty of Section 6 of the Biodiversity and Resilience of Ecosystems Duty so there will be no added cost to this measure.

The Divestment Motion of 2018 set out to achieve the third resolution which has yet to be achieved and has no cost implications.

Actions should also result in savings too.

17.	NOTICE OF MOTION - WHITE RIBBON: CULTURE AND PRACTICE
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This Council Meeting notes:-

- Mid and West Wales MS Joyce Watson championed the White Ribbon cause, at the head of a cross party initiative, early in the Fourth Assembly/Senedd. Cllr William Powell represented Welsh Liberal Democrats at vigils and other events on behalf of Joyce Watson and met many different survivors. Joyce's ongoing leadership in this matter to this day is still an important part of Senedd business;
- Dyfed-Powys Police has raised the profile of domestic abuse, coercive control and violence against women. Our incoming DPP Chief Constable, Richard Lewis, currently Chief Constable of Cleveland, has identified domestic abuse and associated issues as a high priority;

- ONS figures show that almost one in three women aged 16-59 will experience domestic abuse in their lifetime, that two women a week in England and Wales are killed by a current or former partner, that over half a million women are raped or sexually assaulted each year and that a YouGov poll shows that a third of girls have experienced sexual harassment in schools;
- the global pandemic has led to more women and girls being vulnerable to domestic abuse and, according to a BBC news report last July, the initial three months of the first national lockdown saw an 80% increase in calls to the National Domestic Abuse Hotline;
- the recent Fawcett Society report “Tackling sexual harassment in the workplace” - reports on employer actions to prevent and respond to workplace sexual harassment, identifies over 40% of women have experienced workplace harassment and 45% online harassment of a sexual nature with rates highest amongst those with a protected characteristic.
- that, according to crime-survey and other government data, victims disproportionately come from those groups which already experience inequality and additional challenges in our society, including those who are mixed-race, have disabilities, or are transgender;
- as we reflect on the end of the delayed UEFA Euro 2020 tournament, previous research by Lancaster University showed that reported domestic abuse incidents increase whenever any of the home nations play in a major tournament, and the effect is particularly large on the days when those teams lose; and
- the highly disturbing implications of the Sarah Everard case and the subsequent revelations of misogynistic behaviour amongst other members of the police.

This Council Meeting further notes that:-

- White Ribbon UK is the leading charity with a mission to end **male violence against women** and part of the global White Ribbon movement which arose from a campaign started by men in Canada in 2004;
- White Ribbon Day is marked annually on 25th November, the International Day for the Eradication of Violence Against Women, by encouraging men and boys to pledge never to take part in, condone or stay silent about violence against women by wearing a white ribbon on the day and a week or two afterwards; and
- White Ribbon UK, which works across all 3 devolved administrations, operate a system of male Ambassadors, female Champions and youth Advocates, as well as having specific materials to support primary and secondary schools, all with the aim of encouraging men/boys to take the pledge and help to eradicate male violence against women.

This Council Meeting believes male violence against women can never be condoned and Powys County Council should do everything in its power to

ensure women are safe. The Authority has a strong policy on protecting women both in the workplace and in the communities it supports. Training is mandatory for staff and councillors. As part of this motion we ask that the council should facilitate and encourage participation by councillors, staff, and schools in the White Ribbon Campaign.

This Council Meeting therefore resolves to:-

1. Embrace a culture so that all male Councillors can the take White Ribbon pledge, never to take part in, condone or stay silent about violence against women;
2. undertake as soon as practicable the steps necessary to achieve White Ribbon accreditation, joining the large number of public sector bodies including 4 other Welsh councils and Dyfed Powys Police and Mid and West Wales Fire Service which have already done so; and
3. as part of this, encourage the Leaders of each political group to come together to nominate a male Councillor and the Chief Executive to nominate a member of staff as Ambassadors; mark White Ribbon Day on 25th November each year with a fundraising event; and encourage participation among council staff and local primary and secondary schools.
4. Undertake a review of protocols and procedures to determine if the Council is discharging its responsibility as a reputable employer in light of the recommendations of the Fawcett Report and to bring forward any modifications as a matter of urgency.

Proposed by County Councillor Pete Roberts

Seconded by County Councillor Jackie Charlton

COST IMPLICATIONS

It is difficult to find out the exact cost of putting the authority forward to achieve accreditation but a ball park figure would be in the region of other such accreditations according to level. Suggested figure would be between £500 and £2000. Press releases and other such communication activity could be budgeted for an annual focus in November each year.

Actions could also result in savings too.

It would support work being undertaken in school in respect of Anti Bullying policies and raising awareness.

It would fall into line with the new curriculum focus on well being and relationships.

18. QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION

18.1. **Question to the Portfolio Holder for Education and Property from County Councillor William Powell**

I note your response to Cllr Gareth Ratcliffe's *question at any time* in the early autumn on Gwernyfed High School, where you stated that you were pleased that the team were now able to re-commence the work on the Gwernyfed High School project.

Can you please provide the local communities and me with an update and anticipated timelines? As we move forward, I'm sure that you will agree with me that clarity and transparency are vital to ensure that opportunities are not missed to progress this project, prior to the onset of purdah ahead of the elections in May 2022.

(Pages 421 - 422)

18.2. **Question to the Portfolio Holder for Housing, Planning and Economic Regeneration from County Councillor William Powell**

Following the recent debate on rodent management at Full Council initiated by the Welsh Labour Group and subsequent incidents reported to me locally, could you please clarify:

- What arrangements are in place by Powys County Council to address the nuisance and public health implications caused by rodents in Council owned rental accommodation, specifically those designed for and occupied by frail elderly or vulnerable persons and those with additional learning needs or anxiety issues?
- Are reports of rodent infestation made by residents dealt with as matters of urgency and with effective cross portfolio working, from those responsible for Public Protection and Housing?
- Subject to appropriate Covid-19 precautions, will the Portfolio holder(s) make themselves available to meet residents in the South Powys area, whose quality of life is being adversely affected by these issues?

(Pages 423 - 424)

18.3. **Question to the Portfolio Holder for Education and Property from County Councillor Gareth Ratcliffe**

Can the portfolio holder please provide the costs to the Gwernyfed primary cluster (per school) on general maintenance by year since the new schools opened? Several schools are facing the same design issues/ faults, impacting the budgets of these schools. The school process promised fit for purpose schools, yet the same problems highlight poor construction and design across the catchment. Can the council also arrange a meeting with heads and chairs to discuss ongoing issues and identify where Powys needs to support the financial impact. An example is the school new buildings were originally signed off as safe (in the case of the kitchens' roller shutters which have now been classified as not fire-proof, therefore not fit for purpose). If Powys County Council is serious about its schools' programme, then an assessment of this catchment is paramount to ensure its success is delivered.

(Pages 425 - 428)