

County Council

Meeting Venue
Hybrid meeting - Zoom - County Hall

Meeting date
Friday, 22 July 2022

Meeting time
10.30 am

For further information please contact
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County Hall
Llandrindod Wells
Powys
LD1 5LG

15/07/2022

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 meetings held on 24 February and reconvened on 3 March, 3 March and 26 May 2022 as correct records.
(Pages 9 - 96)

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.	ANNUAL SELF-ASSESSMENT REPORT
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To consider a report by County Councillor James Gibson-Watt, Leader and Portfolio Holder for an Open and Transparent Powys.

(Pages 97 - 244)

8.	MARKET STABILITY REPORT SOCIAL SERVICES 2022
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To consider a report by Sian Cox, Cabinet Member for a Caring Powys and County Councillor Sandra Davies and County Councillor Susan McNicholas, Cabinet Members for Future Generations.

(Pages 245 - 368)

9.	REVENUE VIREMENTS
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To consider a report by County Councillor David Thomas, Cabinet Member for Finance and Corporate Transformation.

(Pages 369 - 370)

10.	MEMBER ALLOWANCES AND EXPENSES 2021-22
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To receive for information the report by the Head of Finance.

(Pages 371 - 378)

11.	COMMITTEE MEMBERSHIP
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To note the appointment of members to committees.

(Pages 379 - 390)

12.	APPOINTMENT OF INDEPENDENT (LAY) MEMBER ON THE STANDARDS COMMITTEE
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To consider a report by the Head of Legal and Democratic Services.

(Pages 391 - 392)

13.	APPOINTMENT OF COUNCILLORS TO OUTSIDE BODIES
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To consider making appointments to the following outside bodies:

The Pritchard Trust – 1 appointment. This charitable trust is linked to Ysgol Canol Cymru Builth campus

The Evans Trust – 1 appointment. This charitable trust is linked to Ysgol Canol Cymru Builth campus.

The Reserve Forces' and Cadets' Association for Wales – 1 appointment

Wyese Arts Centre Board – 2 appointments. A trustee role description is attached.

(Pages 393 - 394)

14.	NEWTOWN TOWN COUNCIL REQUEST FOR ELECTION
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To consider a report by the Head of Legal and Democratic Services.

(Pages 395 - 400)

15.	NOTICE OF MOTION - SCHOOL CLOSURES
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The current Welsh school closure programme started when the previous Labour and Liberal Democrat Welsh Government administration was in power, with Kirsty Williams MS as Education Minister. Since then, local authorities throughout Wales have taken decisions to close primary schools. The following three schools now face closure in Powys:

Cradoc CP School
Llanfihangel Rhydithon CP School
Llanbedr Church in Wales School

During the closure process, the proposals to close the above three schools went through the Learning and Skills Scrutiny committee, chaired by the Liberal Democrat Councillor Cllr Pete Roberts.

On 8th December the Learning and Skills scrutiny group met to consider the closure of Cradoc CP School; [2021-12-08 Scrutiny Recs to Cabinet - Cradoc and Mount Street v2.pdf \(modern.gov.co.uk\)](#). The chairman made no objections to the proposal and submitted observations with four additional recommendations.

On 22nd September the Learning and Skills scrutiny group met to consider the closure of Llanfihangel Rhydithon CP School; [2021-09-22 Scrutiny Recs to Cabinet - Llanfihangel Rhydithon.pdf \(modern.gov.co.uk\)](#). The chairman made no objections to the proposal and submitted observations to include the comment "The committee was satisfied that the majority of the arguments set out in the document were justified on all grounds."

On 4th November the Learning and Skills scrutiny group met to consider the closure of Llanbedr Church in Wales School; [2021-11-04 Scrutiny Recs to Cabinet - Llanbedr.pdf \(modern.gov.co.uk\)](#). The chairman made no objections to the proposal and submitted observations to include the comment "There were no recommendations from scrutiny to the cabinet."

Despite the Learning and Skills Scrutiny committee chair's apparent satisfaction with the three primary school closure proposals, Welsh Liberal Democrat candidates now forming the new Powys County Council administration campaigned, and committed,

to reverse the closure of primary schools in Powys during the recent County Council election campaign:

On 29th January 2022, 13th February 2022 and 14th May 2022, several Liberal Democrat Council candidates, Councillors, and current Cabinet members joined Powys residents on protest walks and campaign days to fight against the closure of the three schools above. On 23rd January 2022 several Labour candidates, councillors and a current Cabinet member joined Powys residents on a protest walk to fight against the closure of Cradoc CP School, Mount Street Infants School, and Mount Street Primary School. During this year's County Council election campaign period, Liberal Democrat and Labour candidates informed Powys residents, through campaign literature, social media, and doorstep conversations that if elected, and in control of this authority, they would stop the closure of the three schools above. Since taking control of this authority in May, the new administration has failed to carry out their commitment to Powys residents. Instead, the Leader has announced that Llanfihangel Rhydithon and Llanbedr school closures will be delayed for one calendar year, offering false hope to parents, teachers, and children, as council officers have confirmed that both schools will still close.

The Leader and new Cabinet members have now revealed plans to proceed with the proposal to close Cradoc CP School, going against commitments made to all residents, teachers, parents and children in Powys.

This council therefore calls upon the new Powys County Council administration to:

Keep Cradoc CP School open.

Not propose the closure of Cradoc CP School again during the next five-year term.

Proposed by: Cllr Iain McIntosh

Seconded by: Cllr Karl Lewis

Resource Requirement and Response from S.151 Officer

Cost implications of reversing closure decisions on Cradoc CP school

1. The table below sets out a five-year forecast of both the updated savings projections that are anticipated from the closure of Cradoc CP school and backlog maintenance works required to keep the school open.
2. The savings anticipated have a cumulative effect on the Council of an estimated £52,100 over the next five years. In addition, the backlog maintenance works is split into essential works needed within the next two years totalling £135,200, and other works required over the remaining three years of £594,500. Additionally, at Cradoc CP School there are currently 3 mobile classrooms that will be reaching the end of their useful life in the next 2-3 years. If Cradoc remained open, 3 new mobile classrooms would be required to enable the school to continue, at an estimated cost of between £180,000 and £400,000 each¹, equating to an additional cost pressure of at least £540,000 that would need to be resourced. A

¹ Depending on specification – recent mobile classroom installations have tended towards the higher end of the range

new condition survey of the entire school would be advisable prior to this, to ascertain the best way forward.

- The table shows that the financial impact of the proposals in the Council motion to be over £1.3m if Cradoc CP school were not closed for at least 5 years. Funding would need to be found for the additional maintenance, whilst the reduction in savings means formula budgets would be realigned across more schools, this funding is currently planned for use in implementing the Strategy for Transforming Education 2020 – 2030 to improve the learner entitlement of all learners across Powys, create a more equitable education system and provide facilities that are fit for purpose for the benefit of all pupils, staff and the wider community.

	Undelivered Savings £ *					5 year cumulative undelivered Savings	R & M needed in the immediate term	Estimated Remaining Backlog Maintenance **	New mobiles required ***	Total Cumulative cost implication
	22-23	23-24	24-25	25-26	26-27					
Cradoc CP School ****	0	2,000	0	15,700	12,700	52,100	135,200	594,500	540,000	1,321,800

* *Undelivered savings include the formula funding that would now be allocated to the schools, catering budget that would now be allocated to the catering service, reduced by impact of reduced capacity of new build primary school in Brecon.*

** *The backlog maintenance figures only include works to the school building and not to external area e.g., car parking, access roads, play areas, culverts, bridges, steps, retaining walls, stone, or masonry boundary walls, fencing and gates etc.*

*** *New mobiles – estimated at between £180k and £400k per classroom (total: £540,000 - £1,200,000), Would need to consider if an alternative to build extension cost effective.*

- The requirement for 3 mobile classrooms at Cradoc CP School accounts for 30% of the total school premises on this site, which suggests that the current school building cannot accommodate the needs of all pupils.
- Should the Cradoc CP School closure decision be reversed, there is potential for a reduction in new build costs for a new school in Brecon, as a reduced capacity would be required. It should also be noted that the Cradoc CP school undelivered savings figures above have been reduced by approx. £36,370 per annum as it is assumed that the new build primary school in Brecon would be smaller, reducing the premises top up required for the new school by this amount. However, this would require a new proposal to be developed for the consideration of Cabinet

and further consultation to be carried out, and funding would need to be identified for this.

6. The primary phase formula changes and school closures were expected to redistribute funding from small schools to larger primaries and to secondary phase schools. This motion will limit the ability to move funding as originally planned, continuing the under-investment in our larger primaries and our secondary phase schools.

16.	NOTICE OF MOTION - RURAL FUEL DUTY RELIEF SCHEME
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Poor public transport infrastructure sadly means that many Powys residents have few alternatives for essential journeys, and are dependent on using the car. At 80%, Wales continues to have the highest proportion of people travelling to work by car compared to the regions of England or Scotland.

Rural areas of Wales are currently not supported despite meeting almost all of the criteria. The scheme must be reconfigured to take into account access to local public transport networks, as well as a guarantee of inclusion of Welsh areas within the scheme. In view of this, Council -

- supports calls for rural Wales to be included in the Rural Fuel Duty Relief scheme;
- presses on HM Treasury to update the criteria for the scheme
- and asks for our Powys MPs to work with other Mid Wales opposition MPs in ensuring a united voice in pressing the case at Westminster

Proposed by: Cllr Elwyn Vaughan
Seconded by: Cllr Bryn Davies

Resource Requirement and Response from S.151 Officer

The motion requests council to write to the UK government about the transport networks in rural areas. The motion has minimal financial impact apart from officer time in assisting in drafting of letters that address the identified issues, the costs of which will be accommodated in existing service budgets.

17.	NOTICE OF MOTION - DYDD GWYL DEWI
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1. That the Council asks the Cabinet to officially recognise St David's Day by giving a day's leave to its workforce in order to celebrate our Patron Saint's Day on 1 March 2023 and every year thereafter.
2. That the Council calls on the Westminster Government to devolve to Welsh Government the power to create bank holidays for Wales (via the Banking and Financial Dealings Act 1971) – in the same manner as already happens in Scotland and Northern Ireland.

Proposed by: Cllr Elwyn Vaughan
Seconded by: Cllr Bryn Davies

Resource Requirement and Response from S.151 Officer

1.

The actual impact of an additional bank holiday would have a significant impact on productivity. As an example, the recent bank holiday to celebrate Her Majesty the Queen's Platinum Jubilee on Friday 3 June 2022 resulted in all employees being entitled to a holiday with normal day's pay on the additional bank holiday. The Council did however have to ensure that essential services were maintained, with employees working that day being eligible for enhanced plain time payments or a day off in lieu. Taking this as an example we can provide the following:-

The staff costs for the additional bank holiday on 3rd June 2022 fall into two elements:

1. Unproductive time whereby the staff were on leave on 3rd June or on a later substitute day.
2. The additional public holiday pay enhancements for staff who worked that day.

The quickest calculation for the staffing cost of one day's unproductive time, based on 1/260ths of the Council's pay bill, is circa £700k; however, to establish the actual figure looking at work patterns, this would take a considerable amount of time to calculate more accurately.

For those who worked on 3rd June 2022, some have submitted claims in time for the June 2022 payroll, which totals £6k including oncosts. However, staff tend to claim a month in arrears so there are likely to be more claims, but it is unlikely to be material overall.

In addition, care staff in our supported tenancies, home care and Children's homes are entitled to enhanced pay for that day. The estimated additional cost for that is £72k.

It is also worth noting that as the Jubilee bank holiday fell within the school's half term and the substitute day for School based staff is not until Monday 18th July 2022 (these have however been factored into the estimated unproductive time).

However, for many salaried staff the work uncompleted that day would be completed upon their return and managed within their ongoing work and flexible working arrangements over the following weeks. So, in most cases there would not be an additional financial burden, although the work hours would be lost. There may also be some costs that would be saved from an additional non-working day, e.g. Utility costs, which would also need to be factored in.

2.

The request to write to UK Government to devolve power to create bank holidays will have a minimal impact on resources and can be subsumed within existing budgets.

If Welsh Government created an additional bank holiday, many external providers who require staff to work would pass that enhanced cost onto the Council, the main services affected would be Social Care and Education. The cost of this would be significant to the Council.

18.

**QUESTIONS TO THE PORTFOLIO HOLDER FOR WELSH LANGUAGE
FROM COUNTY COUNCILLOR ELWYN VAUGHAN**

The 2011 Census shows that circa 19% of Powys population is fully bilingual ie in Welsh and English.

Yet in March 2022, the Language Commissioner reviewed a 4 week customer survey which showed that of 17 calls made to Powys only 1 stated that a Welsh service was available, and of the 15 calls answered by staff, only 3 were able to respond fully to the needs of the caller in Welsh.

Furthermore, employment data shows that only 7.59% of Powys staff are fully bilingual in 2021-22 with housing and community development department as low as 5.04%

Yet from April 2021 to March 2022 of the 1,271 jobs advertised, only 64, or 5% showed the need for full bilingualism.

In view of the fact that the authority does not reflect our society, let alone meet its legal obligations, and hence the need for a radical over-all of the situation, what are your proposals to correct this imbalance?

(Pages 401 - 402)