

**MINUTES OF A MEETING OF THE CABINET HELD AT COUNTY HALL / ON TEAMS  
ON TUESDAY, 20 DECEMBER 2022**

**PRESENT**

County Councillor J Gibson-Watt (Chair)

County Councillors J Berriman, J Charlton, R Church, S Cox, S C Davies,  
M J Dorrance, S McNicholas, P Roberts, D Selby and D A Thomas

In attendance: County Councillors A Davies, D Edwards, G Morgan, G Thomas, J  
Thorp and E Vaughan

The Chief Executive gave an update on the issues with water supply in Llandrindod Wells and the surrounding area. Welsh Water had advised that the issue may take up to 48 hours to resolve. In the meantime, Council staff were working with Welsh Water to ensure that vulnerable people were supported. She also advised that due to the high level of demand in Adult Social Care exacerbated by staffing issues including sickness levels, the business continuity plan had been invoked meaning that non-critical services were being stood down so staff could be redeployed to critical services.

<b>1.</b>	<b>APOLOGIES</b>
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There were no apologies for absence.

<b>2.</b>	<b>MINUTES</b>
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The Leader was authorised to sign the minutes of the last meeting held on 13<sup>th</sup> December 2022 as a correct record.

<b>3.</b>	<b>DECLARATIONS OF INTEREST</b>
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County Councillor J Berriman advised that although he did not have a personal or prejudicial interest in item 4, Welsh Medium Provision in Dolau, he was predetermined on the issue and would not therefore be voting.

<b>4.</b>	<b>WELSH MEDIUM PROVISION IN DOLAU</b>
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Cabinet considered a report on the findings of the work undertaken to explore the viability of establishing a Welsh-medium primary school in the current Llanfihangel Rhydithon C.P. School building in Dolau. The report set out options and the estimated costs. Cabinet was advised that the costs were higher than were shown in the report, as it had been worked out based on phasing the English medium provision out from option 1 a year too early. Neither option met the aspiration of the Council's Welsh in Education Strategic Plan to develop new Welsh-medium provision in Powys' main centres of population in order to stimulate demand.

The report also included the results of an engagement exercise carried out to establish the views of parents and prospective parents. Whilst 98 of the 224 respondents had indicated that they would be interested in their children attending Welsh-medium provision in Dolau, a number of concerns were also raised.

Based on the findings of the viability report and the findings of the questionnaire the advice of officers was that establishing Welsh-medium provision in Dolau was not viable.

The Monitoring Officer was asked if this was a decision for the Cabinet given that they were bound by the decision of the previous Cabinet. He advised that as the current Cabinet had decided to delay implementation of that decision while work to establish the viability of establishing a Welsh medium school was undertaken, it was in order for them to take a vote on whether or not to proceed with implementing that decision.

County Councillor Deb Edwards spoke as the local member. She noted the level of support for a Welsh medium school on the site and was disappointed that this was not supported by the WESP.

County Councillor Elwyn Vaughan speaking as Chair of the Welsh in Education Strategic Partnership (WESP) said that the group had looked at the proposal in detail and whilst they welcomed the interest in Welsh medium education being shown by parents in the area, they felt that the Welsh medium units at Trefonnen and Rhayader and making use of the TROCHI immersion scheme was a better option. WESP also wanted secondary education addressed so there was continuity for pupils.

County Councillor Aled Davies speaking as leader of the opposition argued that this was never a viable option and that Cabinet should not have delayed implementation in July. He also queried the costs incurred by delaying the decision.

County Councillor Gwynfor Thomas, Chair of the Learning and Skills Scrutiny Committee reported that the Committee supported the recommendations in the report. He noted, however, that these were recommendations by made the Committee in July which had not been responded to. He advised that he was not happy with the process and with Cabinet assistants participating in the meeting of the Scrutiny Committee. The Leader explained that this had been done in error and he apologised.

County Councillor Geoff Morgan spoke about the lack of Welsh medium education in the area and noted that the public wanted to see small schools retained.

Cabinet asked what was being done to support the Welsh language in places like east Radnorshire and officers advised that there was a commitment to develop provision of groups like Mudiad Meithrin and Ti a Fi in such areas. Cabinet noted that there was strong Welsh medium provision in Trefonnen and Rhayader. Cabinet also asked about the support Welsh Government was giving and was advised that whilst funding was available for capital projects, there was more need for revenue funding. Cabinet was advised that the layout of the school

meant that its capacity was 36 pupils. It was confirmed that transition arrangements would be put in place to support pupils moving school.

Cabinet noted that a delay to implementing the decision would have been necessary because the outcome of a judicial review was awaited and that it was better to move pupils at the start of an academic year rather than in the middle of an academic year. The delay had cost £225,000 from the schools delegated budget but had served to raise awareness of Welsh medium education and the benefits and opportunities it provided.

Having considered the viability report, the outcome of the engagement exercise, the recommendation of the WESP and the comments of the Learning and Skills Scrutiny Committee, it was

### **RESOLVED**

- 1. To note the officer advice that establishment of Welsh-medium provision in Dolau is not viable.**
- 2. To implement the decision made by the previous Cabinet to close Llanfihangel Rhydithon C.P. School from the 31<sup>st</sup> August 2023 as circumstances have not altered since the decision of the former Cabinet on 8<sup>th</sup> February 2022, such that implementation would be “inappropriate altogether”.**

County Councillor Jake Berriman abstained having declared that he was predetermined on the matter.

The Cabinet Member for a Learning Powys advised that officers would be looking to protect the existing Cylch Meithrin and Ti a Fi provision at Dolau and would be working with the community on options for the school site. He also confirmed that measures would be put in place to support pupils and ensure a smooth transition.

<b>5.</b>	<b>CRICKHOWELL AREA REVIEW</b>
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The Leader advised that this report was being deferred to 17<sup>th</sup> January to give the Cabinet an opportunity to consider further information received in recent days.

<b>6.</b>	<b>ANNUAL INFORMATION GOVERNANCE REPORT 2021-22</b>
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Cabinet considered a report on the Information Governance (IG) activities undertaken, practices implemented, and the standards of IG compliance achieved for the financial year 2021/2022. The report had been considered by the Economy Residents and Communities Scrutiny Committee and the Committee's comments and the responses to them were included in the report. The report also contained the Senior Information Risk Owner's statement of partial assurance and the activity planned for 2022/23.

Cabinet noted that there had been an increase in the number of reportable incidents. The Cabinet Member for a Connected Powys advised that he was assured that where the Information Commissioners Office (ICO) had recommended improvements, such as service/role specific training, checking processes employed, then these were implemented by the relevant service area or organisation as appropriate.

<b>7.</b>	<b>THE COUNCIL'S USE OF SURVEILLANCE UNDER THE REGULATION OF INVESTIGATORY POWERS ACT 2000 2021-2022</b>
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Cabinet noted that for the financial year (1 April 2021 to 31 March 2022) the council had not undertaken any directed covert surveillance, nor had it authorised the use of a covert human intelligence source.

Cabinet was advised that in response to concerns raised following an inspection by the Investigatory Powers Commissioner's Office in July 2022, an action plan had been developed. Of the 21 actions identified,

- 15 had been completed,
- 5 were still in progress and within timescales
- 1 was over time scale, being the approval of the Regulatory of Investigatory Powers Act (RIPA) Policy.

The Policy was before Cabinet and they were asked to approve it.

**RESOLVED**

- 1. That Cabinet notes that the Council has not utilised RIPA in the financial year 2021/22 and the activity undertaken in response to the Commissioner's report.**
- 2. To approve the revised RIPA Policy as set out in Appendix A to the report to take immediate effect.**

The Senior Manager Customer Services and Information Governance Manager was thanked for her work.

<b>8.</b>	<b>MEDIUM TERM FINANCIAL STRATEGY</b>
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Cabinet considered the Medium Term Financial Strategy (MTFS). The strategy provided the link between the organisation's long term service objectives and its financial capacity. It sought to ensure that the Council's strategic objectives could be achieved within the confines of the financial resources available.

The provisional settlement was not yet reflected in the MTFS. The strategy would be updated when the implications of the settlement had been fully considered and the final budget proposal prepared. The Head of Finance noted that the Council was still facing significant cost pressures and a considerable budget gap requiring savings. Cabinet noted that the levy from the Fire and Rescue Authority levy would add in excess of 1% to Council Tax. The impact of the energy cost

price cap not being extended was not known yet but could have a significant impact on schools' budgets.

**RESOLVED**

- 1. That Cabinet consider and approve the revised assumptions and the approach outlined in compiling the revised Medium Term Financial Strategy and updated financial model.**
- 2. That Cabinet note the initial information on the Provisional Settlement for Local Government and the allocation for Powys.**
- 3. That Officers update The MTFs and budget plan in light of the provisional settlement for further consideration by Cabinet over the coming weeks before finalising the budget proposal in January 2023.**

<b>9.</b>	<b>FORWARD WORK PROGRAMME</b>
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Cabinet noted the forward work programme.

<b>10.</b>	<b>QUARTER 2 PERFORMANCE REPORT</b>
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Cabinet considered the Quarter 2 performance report. Overall, 5% (3 of 55) of Corporate Improvement Plan (CIP) objectives and 25% (22 of 87) of CIP Measures had no data reported. For the 52 objectives where data had been provided, 35 (64%) were on track (11 (20%) were slightly off track, 6 (11%) were off track). Of the 65 reportable measures, 42 (48%) met their target (10 (11%) were slightly off target, 13 (15%) were off target). Cabinet noted that there had been 61 new council house completions, acquisition of 7 new developer built homes, planning for 56 new council homes secured and progressing to tender subject to funding being secured and acknowledged the work of the previous Cabinet. Cabinet was also pleased to note a 50 day reduction in voids since the housing maintenance service returned in house. The Cabinet Member for a Learning Powys also commended the previous administration for the schools buildings projects underway and welcomed the new virtual school created for Children Looked After.

**County Councillor J Gibson-Watt (Chair)**