

County Council

Meeting Venue
Hybrid meeting - Zoom - County Hall

Meeting date
Thursday, 5 October 2023

Meeting time
10.30 am

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

29/09/2023

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

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| 1. | APOLOGIES |
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To receive apologies for absence.

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| 2. | MINUTES |
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To authorise the Chair to sign the minutes of the meetings held on 20 July 2023 as correct records.
(Pages 11 - 46)

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| 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.

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

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

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| 6. | PUBLIC QUESTIONS |
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6.1. Question for the Cabinet Member for the Cabinet Member for a Learning Powys from Laura Hares

What is being done to promote wellbeing and limit adverse childhood experiences amongst our ALN children in mainstream schools? Why does it take 1-2 years and often tribunal proceedings typically in Powys before our ALN Childrens needs are met? Who is held to account for the neglect of our children's needs and why is early intervention never put in place? My child is now on a very part time timetable and his paediatrician has explicitly expressed how PCC not meeting his needs is creating physical and mental health issues and yet over a year on from the school asking for support via a 1:1 TA for him, nothing is still in place. When will our education body catch up with the support offered over the border in Shropshire? And with the legal requirements?

(Pages 47 - 48)

6.2. Question for the Cabinet Member for a Greener Powys from Philip Ellison

Can you tell me the number of missed collections on recycled bin collections in Llandrindod's four wards and how this compares to the number of missed collections on recycled bin collections in Llansantffraid & Llanrhaeadr Wards and the reason for any discrepancy?

I am making these inquiries as I think it poses a health risk to elderly people who put their bins out every Tuesday in my area and then have to bring them back in again as they not coming for that week

I would also like to take this opportunity as well as point out that Shropshire (and many others) put it on their home page of any changes, and I am sure that this can be done as soon as there is a problem being either the evening before or at 7 am in the morning on Powys Council website.

(Pages 49 - 50)

6.3. Question for the Cabinet Member for a Connected Powys from Penny Higgs

In what circumstances would enforcement action not be taken for serious planning breaches?

(Pages 51 - 52)

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| 7. | APPOINTMENT OF INTERIM RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER |
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To consider a report by the Interim Chief Executive.
(Pages 53 - 54)

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| 8. | SINGLE TRANSFERABLE VOTE |
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To consider a report by the Head of Legal and Monitoring Officer.

(To Follow)

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| 9. | POWYS PSB SCRUTINY COMMITTEE |
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To consider the recommendations of the Democratic Services Committee. The Committee approved the recommendations in the attached report.
(Pages 55 - 68)

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| 10. | APPOINTMENTS TO OUTSIDE BODIES |
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To consider making appointments to

1. Brecon County Scholarship Fund
This group meets once a year to make grants to undergraduate students from Brecknockshire attending or about to attend the University of Wales, Cardiff.
2. Wye Navigation Advisory Committee
The Environment Agency consults the committee on matters substantially affecting the navigation and use of the rivers Wye and Lugg. It meets at least twice a year. The next meeting is on 8 November.

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| 11. | NOTICE OF MOTION - PROPOSAL TO REINSTATE THE UP TO 1 HOUR CAR PARKING CHARGE IN DESIGNATED LONG STAY CAR PARKS. |
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Background

The County Council as part of its budget strategy for the 2023-24 agreed to meet the £50,000 additional Income target for car parking charges in council run car parks within its 2023-24 budget strategy through increasing Car Parking charges by up to 40% in accordance with the table below.

| Length of ticket | Cost per Ticket – 2022-23 £ | Cost per Ticket – 2023-24 £ | Percentage Increase |
|------------------|-----------------------------|-----------------------------|---------------------|
| Up to 1 Hours | 1.00 | 1.40 | 40% |
| 1 – 2 Hours | 2.00 | 2.50 | 25% |
| 2 – 4 Hours | 3.00 | 3.25 | 8% |
| Over 4 Hours | 4.00 | 4.00 | 0% |

Applying these charges to the 2021-22 usage figures below would result in an estimated increased income to the authority of approximately £317,000, six times that of the identified target, less the one-off cost of making changes to the parking machines and signs etc.

Alongside increasing the charges for the three lower time bands the proposal was made and accepted to remove the “up to one hour” ticket option in the many long stay car parks across the county, resulting in the increase in the charge for some one just popping to the shops for a few things or a quick coffee with friends from £1.00 to £2.50 an increase of 150%.

The table below shows that 40% of the Car Parking tickets purchased between August 2021 and July 2022, a year when the Country was still emerging from the COVID 19 pandemic, was for stays of up to an hour, with around 80% of these tickets being purchased in long stay carparks would result in 272,000 tickets being subject to the 150% increase in cost and delivering a further increased income of £299,000 which when added to the £317,000 identified above gives an total additional income of £616,00 against the £50,000 target, before adjusting for any decrease in the number of tickets purchased. It is likely that the full year, non-pandemic, ticket sales would be somewhat higher than in a year when we were still emerging from the Pandemic.

| Length of Ticket | Number of Tickets purchased (August 21 – July 22) | Percentage of purchases |
|------------------|---|-------------------------|
| Up to 1 Hour | 340,562 | 40% |
| 1 – 2 Hours | 299,203 | 35% |
| 2 – 4 Hours | 124,803 | 15% |
| Over 4 Hours | 86,166 | 10% |
| Total | 850,734 | 100% |

With such a significant increase in charges, the authority has expected and accounted for a reduction in the number of tickets purchased, especially of those in

the lower two time bands. Members who represent the larger towns in the authority and as reported in the local press are fully aware of an increase in the number of vehicles being parked on the streets and within local estates and many shopkeepers in the towns have reported that they have seen a reduction in trade that coincided with the introduction of the new car parking charges.

In the Council's meeting in July, the cabinet member for a Greener Powys stated in a response to a question raised by a member of the public that a review of the car parking charges would be undertaken in the Autumn.

Based on this statement I and Cllr Breeze agreed that we would withdraw the motion that was on the agenda to be discussed in respect to car parks at the same July meeting.

It is now our understanding that the proposed working group will not be established and have its first meeting until later in October or even early November and probably not make its recommendations to the Council / Cabinet until the new financial year. This will result in the continuation of the current issues being experienced in many of our towns which we do not find acceptable and therefore we would propose that the up to 1 hour parking charge is reintroduced into the designated long stay car parks while the wider review is being undertaken.

Motion

- 1. To reintroduce the up to one hour parking period into all the current designated long stay car parks run by the authority, which are currently subject to a parking charge with effect from 1st November 2023.**
- 2. That the charge for up to one hour parking in the designated long stay car parks should be set at £1.40 in line with the charge for the same time period in the designated short stay car parks.**

Proposed by County Councillor Gareth E Jones

Seconded by County Councillor Jeremy Pugh

Whilst recognising that there will be some additional costs incurred in changing the parking machines and signage, it is clear based on the figures given above that the additional income achieved from the increase in car parking charges for the 2023-24 will still be above the £50,000 included in the medium term financial plan for the current financial year.

The detailed costings that we have undertaken are detailed in the attached spreadsheet.

Financial Assessment

The analysis provided by the Councillor has previously been reviewed and the methodology behind his modelling is sound. The Service have confirmed that the Car Parking Review Report will be signed off at EMT on the 19th September with consideration being given to the cross party approach, and governance.

In long stay car parks, they now only have the option to pay for a minimum of a 2 hour stay (£2.50), the motion proposes we reintroduce a 1 hour stay option (£1.40).

Based on 1 hour ticket sales at long stay car parks during the period 1st August 2021 to 31st July 2022 where 225,601 tickets were sold, we know that on average car park ticket sales have reduced by 7.4%, so assuming that there will be roughly 208,906 tickets per annum that could be reintroduced at the 1 hour price rate, then this would result in an annual reduction in income of approx. £230k (£96k estimate for 1st November 2023 to 31st March 2024 period).

HTRs current forecast for 2023-24 is to over-recover car park income by £392k, after accounting for the savings target, review costs and staffing, overheads/software development needed in the service. Using this to manage their budget position this year.

If the 1 hour parking period is reintroduced into all long term stay car parks, this will reduce the income by approx. £96k in 2023/24. Expenditure of approximately £7k would be incurred on changing signs/software changes, reducing the forecast over-recovery of income down to £289k. This would push the service into a projected overspend position.

The service would propose to offer this over-achievement of income as a contribution to support budget pressures for the 2024/25 budget.

(Pages 69 - 72)

11.1. Amendment to Notice of Motion - Long Stay Car Parks

Delete 2 and replace with:-

That the charge for up to one hour parking in both short stay and long stay car parks should be reintroduced at £1.00 with effect from 1st November 2023.

Whilst recognising that there will be some additional costs incurred in changing the parking machines and signage, it is clear based on the figures given by the Head of Finance (S151 Officer) in the financial assessment below that the income from resetting the one hour car parking charge to £1.00 for 2023-24, notwithstanding that we would be 7 months into the financial year where £2.50 has been charged, will still be far in excess of the £50,000 included in the medium term financial plan for the current financial year.

The detailed costings show that a reset to £1 would still produce additional income of £239,000 compared with the £50,000 target.

There is financial scope to do this as the latest HTR forecast for 2023-24 states that there is forecast to be a £392,000 overachievement in car park charges income this financial year.

Proposed by County Councillor Pete Lewington
Seconded by County Councillor Iain McIntosh

Financial assessment:

The motion proposes:

- The charge for up to one hour parking in both short and long stay car parks should be reintroduced at £1.00 with effect from 1st November 2023. In long stay car parks this is a reduction from £2.50 to £1.00 (£1.50 reduction per ticket) and in short stay car parks a reduction from £1.40 to £1.00 (£0.40 reduction per ticket).

Impact of the motion:

- Based on 1 hour ticket sales at long stay car parks during the period 1st August 2021 to 31st July 2022 where 216,358 tickets were sold, we know that on average car park ticket sales have reduced by 7.4%, so assuming that there will be roughly 200,348 tickets per annum that could be reintroduced at the 1 hour price rate at £1.00 per ticket, then this would result in an annual reduction in income of approx. £301k (£125k estimate for 1st November 2023 to 31st March 2024 period).
- Based on 1 hour ticket sales at short stay car parks during the period 1st August 2021 to 31st July 2022 where 124,204 tickets were sold, we know that on average car park ticket sales have reduced by 7.4%, so assuming that there will be roughly 115,012 tickets per annum that could be reintroduced at the 1 hour price rate at £1.00 per ticket, then this would result in an annual reduction in income of approx. £46k (£19k estimate for 1st November 2023 to 31st March 2024 period).
- Reducing the charge for 1 hour parking to £1.00 could increase patronage at the car parks which may mitigate some of the income reductions noted above, however this cannot be quantified at this stage. A 1% increase in patronage for 1 hour stays in long and short stay car parks could result in approximately 3,154 additional ticket sales per annum, charged at £1.00 which would equate to additional income of £3,154 per annum (£1,314 estimate for 1st November 2023 to 31st March 2024 period).
- HTRs current forecast for 2023-24 is to over-recover car park income by £392k, after accounting for the savings target, review costs, staffing and overheads/software development needed in the service. Using this to manage their budget position this year.
- If the 1 hour parking period is reintroduced into all long stay car parks, and the price for the 1 hour parking is reduced to £1.00 in both long and short stay car parks, this will reduce the income by approx. £144k (£143k should patronage for 1 hour tickets increase by 1%) in 2023/24. Expenditure of approximately £10k would be incurred on changing signs/software changes, reducing the forecast over-recovery of income down to £238k (£239k should patronage for 1 hour tickets increase by 1%). This would push the HTR service into a projected overspend position.

- Car Parks are budgeted to generate income of £1.703m (inclusive of the £50k savings target and £50k increase in staffing/overhead costs). For 2024/25 assuming no further changes in prices/ticket sale volumes and on the assumption this motion is approved, the income generation for next year is likely to be £1.802m exceeding the budget target by £99k, which the service propose to offer this over-achievement of income as a contribution to support budget pressures for the 2024/25 budget.

12. QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION

12.1. Question to the Cabinet Member for Future Generations from Councillor Elwyn Vaughan

This Council has on several occasions expressed support for the Welsh language and the cross-party political will is clear with regard to that wish. However, whilst recently highlighting English only street signs on a new housing development in Ceri to the Planning Department the response was that they weren't responsible, even though it is a new estate supervised by the Planning Department! It was stated that it was the Highways Department that was at fault.

On questioning the Highways Department the response was it was the developer's fault and the development will be completed within the year. This was even though the development has already been completed and every house has a resident! The only conclusion one can come to is that everyone is trying to blame someone else instead of taking responsibility in the hope that the issue will be forgotten. Well, I can assure you it will not be forgotten.

In light of this, your responsibility for the Welsh language within the Council, the expectations of the Language Standards from the Commissioner, the desire of this Council and common sense. Do you agree with me that this situation is unsatisfactory and that you will try to get to the bottom of the matter to rectify the situation?

(Pages 73 - 74)

12.2. Question to the Cabinet Member for a Learning Powys from Councillor Elwyn Vaughan

During the discussions on the Marches Partnership in the Cabinet meeting on 19/09 it was noted that the education portfolio holder stated - Powys is intending to offer Welsh medium education to children from England as part of a new partnership with the counties over the border. Powys will be co-operating with Monmouthshire, Herefordshire and Shropshire on matters including transport, housing, the environment and energy. The council's education portfolio holder, Pete Roberts said "there are many

families in Oswestry coming from Welsh-speaking backgrounds”. “So I hope one of these opportunities will be working with colleagues in Oswestry and along the border to extend the ability for families to take part in Welsh medium education.”

In noting this, what consideration has been given to the European minority or Regional languages Charter and those powers in this context?

Given that a review is being held of the schools in the Llanfyllin area, including the future of Ysgol Bro Cynllaith, how is it anticipated that the task of providing access to Welsh medium education to those from Oswestry would be undertaken better, and what is the timetable?

(To Follow)

12.3. Question to the Leader from Councillor Aled Davies

How much does WLGA membership cost the Council?

(Pages 75 - 76)

12.4. Question to the Leader from Councillor Gwynfor Thomas

What communications have Powys County Council had with Bute Energy/Green Gen Cymru?

(To Follow)

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| 13. | URGENT QUESTION TO THE LEADER FROM COUNCILLOR ALED DAVIES |
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Could you please clarify the facts which the Cabinet took into consideration when making the decision on the Confidential item 14 at the Cabinet meeting, 19th September 2023, ‘Sale of Property’? Is there additional information that wasn’t available to you at the time of the Cabinet decision that has now come to light? What is this additional information, and will you now revisit the decision, or do you think the original decision was sound? Are you satisfied with how this issue has been dealt with, if not will you write a letter of apology to all those impacted.

The following presentation will take place at 2 p.m.

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| 14. | PRESENTATION BY BRECKNOCK, MONTGOMERYSHIRE AND RADNOR YFCS |
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