

**MINUTES OF A MEETING OF THE CABINET HELD AT COMMITTEE ROOM A -
COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 22 NOVEMBER
2016**

PRESENT

County Councillor W B Thomas (Chair)

County Councillors R G Brown, J H Brunt, M R Harris, S M Hayes, E A Jones,
W T Jones and W J T Powell

In attendance: County Councillors KW Curry, AW Davies, CJ Gibson-Watt, DR Jones,
H Lewis, G Morgan, PC Pritchard

1.	APOLOGIES	C213- 2016
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Apologies for absence were received from County Councillor Avril York and from County Councillor Sandra Davies, leader of the Labour group.

2.	MINUTES	C214- 2016
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The Leader was authorised to sign the minutes of the last meeting held on 1st November 2016 as a correct record.

3.	DECLARATIONS OF INTEREST	C215- 2016
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County Councillor John Brunt declared a personal non pecuniary interest in item C218 – 2016 Schools Transformation Programme Forward Plan as a Local Authority appointed Governor of Llanbister primary school.

County Councillor John Powell declared a personal and prejudicial interest in items C216 – 2016 Welshpool Town Primary Education and C218 – 2016 Unlicensed School Budgets as a member of the Board of Finance for the Diocese of Swansea and Brecon.

County Councillor David Jones declared a personal non pecuniary interest in item C216 – 2016 Welshpool Town Primary Education as a Local Authority appointed Governor of Guilsfield CP School.

4.	WELSHPOOL TOWN PRIMARY EDUCATION	C216- 2016
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County Councillor John Powell left the meeting during consideration of this item having declared a personal and prejudicial interest.

The Portfolio Holder for Education presented the proposals to reorganise primary education in Welshpool.

1. It is proposed that the new English-medium School will be located on land at Welshpool High School. The school will, however, operate from the current sites of Ysgol Maesydre, Gungrog and Oldford

- Schools on a temporary basis before subsequently transferring to the new building at the earliest opportunity;
2. The new build Welsh-medium School will be located on the Ysgol Maesydre site, but will operate from the current site of Ardwyn School on a temporary basis before subsequently transferring to the new building;
 3. The anticipated timescale is for the new schools to be established from September 2017 before transferring into the two new school buildings upon their opening in 2018/19;
 4. The current four schools in Welshpool – Ardwyn Nursery & Infant School; Gungrog Church in Wales Nursery & Infant School; Oldford Nursery & Infant School and Ysgol Maesydre would close from the end of August 2017.

Council had met on 18th November and had endorsed the proposals. Draft minutes from that meeting were circulated and the meeting was adjourned for a short time to give members to read them.

In presenting the options the Portfolio Holder for Education explained the site selection process that had led to the sites being recommended and which had concluded that there would be significant problems with access and parking if both schools were accommodated on the one site. He confirmed that the Cabinet would visit the sites. He also noted receipt of a letter from the Chairman of the Welshpool County (and Grammar) Schools Old Pupils Association to express concern at proposals to demolish the Maesydre buildings.

Cabinet noted the results of the consultation which were largely positive. A proportion of responses had come from the Wales Humanists Association who had encouraged their supporters to oppose the proposal for the English-medium primary school to be a Church in Wales school. Many of the responses were anonymous and it was not clear how many were from Welshpool or Powys and how many came from out of the county. The Cabinet noted that the public meeting held in Welshpool had been very supportive of the proposals.

County Councillor Phil Pritchard spoke as a local member and thanked officers for their work. He welcomed the establishment of a Welsh medium school in Welshpool but was not convinced that the Maesydre site was the best location. He would prefer to see both schools on the one site and thanked the Cabinet for agreeing to visit the sites.

The proposals were welcomed by the Cabinet, People Scrutiny Chair and group leaders. Members expressed disappointment that the meeting was not webcast and the Leader said he would raise this with the Cabinet Manager to ensure that future meetings involving decisions on school reorganisation were webcast. Members sought clarification about the ownership of the Gungrog site and were advised that part of the site was owned by the County Council and part by the Church in Wales but that the Church in Wales had agreed to gift the proceeds of the sale of the site to the County Council. Members also asked about the transportation of pupils and it was explained the Schools Service and Highways would work together to see how bus services in the town could be altered to best suit the needs of pupils. There was no intention to change the Council's school transport policy whereby primary school pupils had to live more than 2 miles from a school to qualify for free school transport.

RESOLVED	Reason for Decision:
<p>1. To receive the Consultation Report and the views of Full Council at its meeting on 18th November 2016 in respect of the proposal to establish a new English-medium Church in Wales (Voluntary Controlled) Primary School and a new Welsh-medium Community Primary School in Welshpool, resulting in the closure of Ardwyn, Gungrog, Oldford and Maesydre Schools.</p> <p>2. To approve the publication of a statutory notice in respect of this proposal.</p>	<p>To provide a sustainable model of English-medium and Welsh-medium primary education in Welshpool town.</p>

County Councillor John Powell returned to the meeting.

5.	SCHOOLS TRANSFORMATION PROGRAMME - FORWARD PLAN 2016 - 18	C217- 2016
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County Councillor John Brunt explained that he would be acting as a local member and would not vote on this matter and went to sit with other members.

Cabinet received the timetable for reports to come to Cabinet on Brecon and Gwernyfed High Schools and Llanbister and Llanfihangel Rhydithon CP Schools.

County Councillor Hywel Lewis spoke as the local member for Llanfihangel Rhydithon CP School to say that he fully supported the dialogue already underway to maintain education on the site.

In response to some criticism about the additional time being taken, the Portfolio Holder for Education noted that in the past the Cabinet had been criticised for taking decisions too quickly, sometimes without local support, and that following the local government elections in May a new administration might choose to take a different approach to schools modernisation. He took on board a comment from the leader of the Liberal Democrat group that communities should be included in the stakeholders consulted.

RESOLVED	Reason for Decision:
<p>1.To note the timescales for new draft recommendations to be prepared for:</p> <ul style="list-style-type: none"> • Brecon and Gwernyfed High Schools <p>2. To note the timescales for new draft</p>	<p>1.It is recommended that discussions begin with the governors, local members, headteachers of Brecon and Gwernyfed High Schools in the summer term 2017, following the conclusion of the forthcoming</p>

<p>recommendations to be prepared for:</p> <ul style="list-style-type: none"> • Llanbister and Llanfihangel Rhydithon CP Schools 	<p>formal consultation on the closure of the Welsh stream at Brecon High School. The consultation is planned to begin at the end of November, and will finish in January 2017. It is anticipated that the Consultation Report will be brought before Cabinet in March 2017, if not earlier.</p> <p>This will ensure that discussions with stakeholders can take place with full clarity about the future provision of Welsh-medium education in the area.</p> <p>2. Discussions have already begun with governors, local members and headteachers of both schools, and it is anticipated that new draft recommendations will be formulated and proposed to Cabinet in the spring term 2017 – this is a change from the original intended timescale of November 2016. This change is required in order to ensure appropriate opportunities for both schools to participate in dialogue.</p>
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6.	UNLICENSED SCHOOL BUDGETS	C218- 2016
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County Councillor John Powell left the meeting during consideration of this item having declared a personal and prejudicial interest.

The Portfolio Holder for Education outlined the position on a number of schools with unlicensed budgets. He acknowledged receipt of a letter from Ysgol Gunradd Llanrhaeadr Ym Mochnant. He explained that there would be further reports to Cabinet on 20 December on Brecon High School and Ysgol Cedewain.

County Councillor Gareth Morgan spoke as the local Member to explain the background to the budget deficit at Llanidloes High School.

The Portfolio Holder for Finance emphasised the seriousness of the situation with 40 schools currently in deficit and a projected deficit greater than the Council's general reserve. He wanted to see the rules on licensing school budgets strengthened so that governors were required to address deficits

sooner. He rejected claims that the Cabinet had cut funding to schools and reminded members that the Fair Funding Formula was worked out by officers and head teachers.

RESOLVED	Reason for Decision:
That the revised Budget plans for Churchstoke C.P. and Ysgol Dolafon are approved and that the revised Budget Plan for Clyro C in W School is licensed.	To comply with the Authority's scheme for the financing of schools
That the budget plan for Llanrhaeadr Ym Mochnant remains unlicensed but the school are required to continue to work with the local authority to further improve this position. The Governing Body have worked closely with and collaboratively with the Local Authority in drafting the recovery plan, it is proposed that no further intervention is taken at this time.	To comply with the Authority's scheme for the financing of schools
That Llanidloes High school and Ysgol Maesydderwen must collaborate in the independent review of their budget, curriculum planning and staffing arrangements. Revised budgets and recovery plans be submitted back to Cabinet for consideration in December. Should the schools not comply the Authority will consider issuing a warning notice.	That an appropriate budget plan is submitted by each school which complies with the Authority's scheme for the financing of schools.

Councillor Powell returned to the meeting.

Cabinet received the observations of the Education Scrutiny Working Group on unlicensed school budgets and noted the need for a response within 2 months.

7.	WELSH IN EDUCATION STRATEGIC PLAN (WESP) 2017-20	C219- 2016
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The Portfolio Holder for Education presented the Welsh in Education Strategic Plan for 2017-20. A number of members commented that the Plan seemed to be limited in the scope of its ambition particularly given the Welsh Government's aim to have 1 million Welsh speakers by 2050. It was acknowledged that one of the lessons learned from the first WESP was to be pragmatic in what could be

achieved in the 3 year life of the plan. In response to comments about the lack of opportunities for post 16 pupils to continue their education in the medium of Welsh, Members were advised that whereas local authorities had a duty to provide Welsh medium post 16 education, colleges and other providers did not, a point which Members felt should be raised with Welsh Government.

RESOLVED	Reason for Decision:
<p>To approve the commencement of consultation on the Welsh in Education Strategic Plan for 2017-20, in line with the requirements of The Welsh in Education Strategic Plans and Assessing Demand for Welsh Medium Education (Wales) Regulations 2013</p>	<p>To meet the statutory requirement to prepare a new Welsh in Education Strategic Plan every three years.</p>

8.	JUDGES LODGINGS PRESTEIGNE COMMUNITY ASSET TRANSFER	C220- 2016
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Cabinet considered proposals for the Museum Service to transfer the Judge's Lodging in Presteigne to the Judge's Lodging Trust by a freehold Community Asset Transfer (CAT). The Portfolio Holder for Property and Commissioning explained that in addition to the transfer of the property it was proposed to provide a capital sum of £50,000 as a maintenance and improvement grant with £10,000 of the capital sum released in advance of the formal completion of the CAT transfer for urgent boiler replacement works. The Council's Principal Lead Museums, Archives & Information Management Services confirmed that she would work with the Trust to help them access grant funding.

RESOLVED	Reason for decision:
<p>1. To forego a potential capital receipt of £100,000 for the freehold of the Judge's Lodging, Presteigne as shown on the attached Plan and instead agree to transfer the property to Judge's Lodging Trust for £1 provided that :-</p> <p>(a) a covenant be contained in the transfer ensuring that the site is maintained and used for community use or a Museum and</p> <p>(b) a clause be inserted into the transfer protecting the County Council in the event that at some future date the Judge's Lodging Trust should wish</p>	<p>The Judge's Lodging will become a community asset managed by a well-established community organisation, bringing long term social and economic benefits to Presteigne and the local area.</p>

<p>to dispose of the site, the Trust must first offer the County Council the opportunity to transfer the property back for the original consideration of £1 but subject to an allowance to reflect the value of any significant capital improvements undertaken by the Trust during their period of ownership.</p> <p>2. £50,000 capital amount made available for the Trust as “maintenance and improvement grants” for building works conditional on the Trust gaining external grant funding.</p> <p>3. £10,000 of this capital payment is released in advance of the formal completion of the CAT transfer for urgent boiler replacement works.</p>	
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9.	COUNCIL TAX BASE	C221- 2016
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Cabinet considered the Council Tax Base for 2017/18.

RESOLVED	Reason for decision:
<p>1. That the calculation of the Council Tax Base for the whole of its area for the year 2017/18 of 61,764.29 be approved,</p> <p>2. That the calculation of the Tax Base for each Town & Community Council contained within section 3.2 of the report be approved.</p>	<p>To meet the legal requirement of the Council to set a Council Tax Base for 2017-18</p>

10.	FINANCIAL OVERVIEW AND FORECAST AS AT 30TH SEPTEMBER 2016	C222- 2016
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The Portfolio Holder for Finance briefed Cabinet on the budget outturn position. The projected forecast was for the revenue budget to overspend by £5.499m (3.42%) against the approved budget, excluding the Housing Revenue Account

(HRA) and Schools Delegated Budgets. He advised that the Chief Executive's budget recovery plan would be available for the Cabinet meeting on 20th December.

The Chair of the Audit Committee expressed the Committee's concern that the rate of overspend would deplete reserves within 4 years and highlighted the overspend in Adult Social Care. The Portfolio Holder for Finance advised that the Adult Social Care budget was being closely examined to ensure that the service was being adequately funded and that he expected the service to make significant additional savings in the last quarter of 2016/17. The Portfolio Holder for Adult Social Care reminded Members of the demographic and inflationary pressures on the service along with the national pressurised position and identified shortfall in funding.

RESOLVED	Reason for Decision:
<p>That:</p> <ul style="list-style-type: none"> a. the contents of this report are noted by Cabinet; and b. Cabinet supports appropriate action by services to curtail or reduce the reported forecasted service deficits. c. the Capital virements set out in paragraph 9.3 are approved, and those over £500k be submitted to full council for approval. 	<p>To monitor the Council's financial performance and ensure that spending remains within approved limits and that the 3% minimum general fund reserve is maintained.</p>

11.	WORKWAYS+ POWYS PROJECT	C223- 2016
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This report was withdrawn for consideration by Cabinet / Management Team on 6th December and Cabinet on 20th December 2016.

12.	SCRUTINY OBSERVATIONS ON THE CSSIW IMPROVEMENT OBJECTIVES	C224- 2016
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Cabinet received the Adult Social Care Scrutiny Group's observations on implementation of the CSSIW recommendations for improvement. The Chair of the People Scrutiny Committee reported concerns that the results of the Commissioning Strategy for Older People had not been reported back to Cabinet but to the Joint Partnership Board which was not a public meeting. The scrutiny Group also had some concerns about the operation of Powys People Direct and would be carrying out a follow-up review.

The Portfolio Holder for Adult Social Care would provide a response within 2 months.

13.	STRATEGIC OVERVIEW BOARD - SUMMARY REPORT	C225- 2016
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Cabinet received the minutes of the meeting of the Strategic Overview Board meeting held on 18 October 2018 and noted that Councillor Wynne Jones was in the chair and not as printed. Councillor Jones confirmed that the next meeting on 13 December would also include financial management reports as well as performance management and he advised that the Chairs of the Audit Committee and Scrutiny Committees would be invited to attend as observers.

RESOLVED	Reason for Decision:
<ol style="list-style-type: none"> 1. That Cabinet/Management Team receive the Strategic Overview Board – Summary Report. 2. That the minutes be submitted for information to Audit and Scrutiny and published in the Members Bulletin. 3. That the reports requested in the minutes referred to in paragraph 2 of the report come back to Cabinet rather than the Strategic Overview Board. 	<p>To ensure effective evaluation and challenge relating to performance against agreed priorities and Objectives.</p>

14.	TREASURY MANAGEMENT QTR 2 REPORT	C226- 2016
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Cabinet received the Treasury Management report for quarter 2.

RESOLVED	Reason for Decision:
<p>That the Treasury Management Quarterly Report be received</p>	<p>To ensure Cabinet remains informed about current Treasury Management performance</p>

15.	CORRESPONDENCE	C227- 2016
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There were no items of correspondence received.

16.	DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING	C228- 2016
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Cabinet received for information details of delegated decisions taken by portfolio holders taken since the last meeting.

17.	FORWARD WORK PROGRAMME	C229- 2016
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The Leader reminded Portfolio Holders that in order to assist the Scrutiny Committees in planning their work he was looking for the programme to be populated for the next 8 months. The Solicitor to the Council advised Cabinet that the following items had been selected for pre-scrutiny:

- Domiciliary Care: 6 December 2016
- PCC Care Homes: 6 December 2016
- School Asset Management Plan: 21 – 23 December 2016
- Education Standards Report: 10 – 16 January 2017
- Health and Care Strategy 10 year plan: 10 – 16 January 2017
- Highways Asset Management Plan: 1- 6 February 2017
- Home to School Transport: 1 – 6 February 2017
- Older Persons Accommodation: 22 – 27 February 2017

18.	EXEMPT ITEMS	C230- 2016
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RESOLVED to exclude the public for the following item of business on the grounds that there would be disclosure to them of exempt information under category 1 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).

19.	FUTURE DELIVERY MODEL FOR INTERNAL AUDIT SERVICES	C231- 2016
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Cabinet considered a confidential report on the provision of the Council’s internal audit provision.

RESOLVED	Reason for Decision:
<p>(a) Subject to (c) below, the South West Audit Partnership (SWAP) is selected to provide the council’s internal audit service with effect from 1st April 2017;</p> <p>(b) The Strategic Director Resources is delegated authority to finalise contractual arrangements including a TUPE transfer of staff within the approved annual budget;</p> <p>(c) The council join SWAP and become part owners of the local</p>	<p>To improve the quality and resilience of the Council’s Internal Audit Service</p>

<p>authority owned company at zero cost – subject to approval by the SWAP Board;</p> <p>(d) The Strategic Director Resources is nominated as the council’s representative Company Director on the SWAP Company Board</p> <p>(e) The Chair of Audit Committee is nominated as the council’s representative on the SWAP Member Board</p>	
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County Councillor W B Thomas (Chair)