

**MINUTES OF A MEETING OF THE CABINET HELD AT COUNCIL CHAMBER -
COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 20 DECEMBER
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 E A York

In attendance: County Councillors MC Alexander, AW Davies, ER Davies, LRE
Davies, S Davies, DC Jones, DR Jones, E Michael Jones, GM Jones, JR Jones, H
Lewis, G Morgan, KM Roberts-Jones, GSI Williams, JM Williams

1.	APOLOGIES	C234- 2016
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Apologies for absence were received from County Councillor WJT Powell and
from County Councillor KW Curry, Chair of the People Place Committee.

2.	MINUTES	C235- 2016
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The Leader was authorised to sign the minutes of the last meeting held on 22nd
November 2016 as a correct record.

3.	DECLARATIONS OF INTEREST	C236- 2016
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County Councillor EM Jones declared a personal non pecuniary interest in C237
– 2016 Review of Day Time Activities for Older People as a trustee of the East
Radnor Day Centre.

County Councillor DR Jones declared a personal non pecuniary interest in C239
– 2016 School Balances as a local authority governor at Castle Caereinion
Primary School.

4.	REVIEW OF DAY TIME ACTIVITIES FOR OLDER PEOPLE	C237- 2016
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The Portfolio Holder for Adult Social Care explained that having considered the
results of the consultation he was proposing that a reduced budget for Day Care
Services for Older People (including Day Centres) be maintained, to enable
assessed needs to continue to be met in those areas which currently have day
centres until such time as a community based home support/early intervention

service could be fully trialled and evaluated. This would involve ongoing discussions with potential partners including Powys Teaching Health Board. The Portfolio Holder emphasised that this recommendation was dependent upon the support of Council for an increase in Council Tax to fund the service. He also stressed that the recommendation did not necessarily mean that all day centres would remain open but it would give a chance for further discussions with potential partners on how to deliver day care services.

County Councillors GM Jones, GSI Williams, JM Williams, G Morgan, JR Jones, EM Jones and LRE Davies spoke in support of the day centres and referred to the role they played in combatting social isolation, preventing elderly people from having to go into hospital and providing respite for carers. Members also referred to inequity in provision across the County. Cabinet also noted receipt of a petition of almost 1,000 signatures opposing the closure of Crickhowell Day Centre.

The Portfolio Holder for Finance stressed that, whilst he supported the recommendation, the Council was facing an extremely difficult financial position with having to find £90m savings in the coming years due to ongoing austerity in addition to £83m savings already found. He advised that the proposal would mean that an additional £1.1m would have to be found in the budget, £430k of which would have to be found from other savings within the Social Care budget and £700k from a 1% increase in Council Tax. He also noted that the service had built up £940k in debt which would have to come from cuts in other services.

The Chair of the People Scrutiny Committee confirmed that the Adult Social Care Scrutiny Group had considered an earlier draft of the report and that four of the five concerns the group had highlighted had been addressed in the report being considered by Cabinet but that he remained concerned over how the proposals would be funded.

RESOLVED	Reason for Decision:
<p>a) To recommend to Council that the 2017-18 Council budget restores £1.1m funding to enable the continuation of a reduced day service in current localities, and to continue to providing this funding until such time as community based support / early intervention services are properly trialled and evaluated, as outlined in the body of the report.</p> <p>b) To authorise the portfolio-holder for Adult Social Care, in conjunction with the Head of Transformation and Director of Social Services, to enter into discussions with Town and Community Councils or other statutory, community, private or third sector bodies and if</p>	<p>Recommendation a) offers a way forward in better meeting the Councils obligations to Part 2 of the Social Services and Wellbeing Act without committing extensive resources beyond the pilot period stated.</p> <p>Recommendation b) provides a window of opportunity for those communities who value and are willing to work with the council to preserve the services they currently have. It also has the potential to addresses the key concerns raised throughout the consultation process.</p>

appropriate conclude partnership arrangements for the funding, management or delivery of Day Time Activities.	
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County Councillor Brunt, who had arrived during the debate, abstained from voting.

5.	YSGOL CEDEWAIN BUDGET	C242- 2016
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The Leader explained that he was changing the running order of the agenda to allow Councillor JM Williams to speak on this item before he had to leave.

The Portfolio Holder for Education explained that the Governors had submitted an unlicensed deficit budget and outlined the actions taken to date and further proposed actions.

County Councillor JM Williams spoke as a local authority appointed governor of the school. He supported the recommendations in the report and hoped that an agreed way forward could be found. He said that the school needed a purpose built building.

The Portfolio Holder for Finance advised that this was a major risk for the Council and he reminded Cabinet that whilst surplus budgets remained with schools, budget deficits were picked up by the Council. He and other members expressed concern that it was taking so long to tackle this issue. The Portfolio Holder for Education confirmed that he was happy to report back on any actions he took under delegated authority.

RESOLVED	Reason for Decision:
<p>1. That Cabinet note that the recovery plan submitted by Ysgol Cedewain does not address the deficit in full.</p> <p>2 The Head Teacher and representatives of the Governing Body of the school are required to attend a meeting with the portfolio holder and officers on 9th January 2017 to analyse the budget recovery plan and to establish what further action is required from the school and the timescales for doing so.</p> <p>3. The portfolio holder to have delegated authority to take such action (if any) as he considers appropriate.</p>	<p>To comply with the Authority's scheme for the financing of schools</p>

The Portfolio Holder for Highways outlined the recommendations. He advised that negotiations were continuing with 4 Town Councils to take on 5 car parks. Most wanted to take them on from the start of the next financial year.

Car Park	Recommendation
Sennybridge Station Yard	To include the car park in the Traffic Regulation Order and implement pay and display charges as per the schedule at 2.4.2 and permit residents within a defined area [to be agreed with locally elected representatives] to purchase residents permits at the current rate which can be used in this car park.
Talgarth Station Yard	To include the car park in the Traffic Regulation Order and implement pay and display charges as per the schedule at 2.4.2 and permit residents within a defined area [to be agreed with locally elected representatives] to purchase residents permits at the current rate which can be used in this car park.
Duckham's Yard, Brecon	To abandon the proposal and exclude the car park from the Traffic Regulation Order
Orchard Street, Brecon	To include the car park in the Traffic Regulation Order and implement pay and display charges as per the schedule at 2.4.2 and allow residents within a defined area [to be agreed with locally elected representatives] to purchase residents permits at the current rate which can be used in this car park.
Bypass Presteigne	To include the car park in the Traffic Regulation Order and implement pay and display as per the schedule at 2.4.2
Market Street, Knighton	Should the Town Council not enter into a lease agreement on this car park then it should be included within the Traffic Regulation Order restricting the use to residents within a defined area [to be agreed with locally elected representatives] to purchase residents permits at the current rate which can be used in this car park
Ridgebourne, Llandrindod Wells	Should the Town Council not enter into a lease agreement on this car park then it should be included within the Traffic Regulation Order restricting the use to residents within a defined area [to be agreed with locally elected representatives] to purchase residents permits at the current rate which can be used in this car park
Tremont Road, Llandrindod Wells	Should the Town Council not enter into a lease agreement on this car park then it should be included within the Traffic Regulation Order restricting the use to residents within a defined area [to be agreed with locally elected representatives] to purchase residents permits at the current rate which can be used in this car park

Church Place, Llanidloes	Should the Town Council not enter into a lease agreement on this car park then it should be included within the Traffic Regulation Order restricting the use to residents within a defined area [to be agreed with locally elected representatives] to purchase residents permits at the current rate which can be used in this car park
Watergate Street, Llanfair Caereinion	Should the Town Council not enter into a lease agreement on this car park then it should be included in the Traffic Regulation Order and implement pay and display charges as per the schedule at 2.4.2 and allow residents within a defined area [to be agreed with locally elected representatives] to purchase residents permits at the current rate which can be used in this car park.
High Street, Llanfyllin	To abandon the proposal and exclude the car park from the Traffic Regulation Order
Town Hall, Llandrindod	To include the car park in the Traffic Regulation Order and implement pay and display charges as per the schedule at 2.4.2
Theatr Brycheiniog, Brecon	To include the car park in the Traffic Regulation Order and implement pay and display charges as per the schedule at 2.4.2

County Councillor VE Evans spoke to oppose the introduction of charges in Llanfair Caereinion. The Portfolio Holder noted the points raised by Councillor Evans and advised that they had been dealt with in the report. He hoped that the new charges would be introduced from 1 April 2017 but that this would be dependent on the Traffic Regulation Orders being drafted and new meters being purchased. Both of these actions had been put on hold when the delegated decision had been called in by Scrutiny. He confirmed that Traffic Regulation Orders did not have to be enacted if a Town Council entered into an agreement with the Council to run a car park.

RESOLVED	Reason for Decision:
<p>1. To make the Traffic Regulation Order in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 introducing control into the car parks as set out above.</p>	<p>To meet income target increase identified in the Medium term financial strategy 2015-18</p>
<p>2. To allow residents within a defined area to be able to purchase residents permits within existing long stay car parks subject to identifying a qualifying zone with Locally Elected representatives and as resources permit.</p>	<p>To ensure a consistent approach where practicable, is taken across the County.</p>

<p>3. That officers contact Town and Community Councils to remind them of the offer to take on the running of car parks and that the offer would be available until 31 January 2017.</p>	
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Cabinet adjourned for lunch at 12.30 p.m. and reconvened at 1.30 p.m.

7.	<p>LEISURE - OPTIONS REVIEW TO ACHIEVE ADDITIONAL SAVINGS IN THE MTFS 2017-18</p>	<p>C255- 2016</p>
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The Portfolio Holder for Commissioning, Procurement and Leisure Services set out the options in respect of Caereinion Leisure Centre, Knighton Sports Centre and Staylitttle Outdoor Centre.

The preferred options were

- Transfer of Staylitttle Outdoor Centre to a commercial full cost recovery model by April 2018 to allow time for market testing and a robust commissioning process to be completed
- To reinstate the budget for Knighton Sports Centre to allow the facility to remain open, with existing management arrangements to continue unchanged.
- Caereinion Leisure Centre Option 3E: To retain Caereinion Leisure Centre without change for an additional 12 months allowing time for further negotiations with the school and community regarding the future of the centre.

The Portfolio Holder referred to the public consultation event held in Knighton and to correspondence received including letters from pupils and staff at Ysgol Gunradd Caereinion and a 140 signature petition opposing the closure of Caereinion Leisure Centre.

County Councillors Viola Evans and Myfanwy Alexander spoke in support of Caereinion Leisure Centre. In response to criticism that it would be unfair on the High School to take on the running of the leisure centre, the Portfolio Holder noted that this arrangement worked successfully at Crickhowell and Gwernyfed. He also explained that Llanfair Caereinion Town Council had not been involved in discussions up to this point because of the ongoing negotiations with the school. It was confirmed that management of the leisure centre to the school could only be transferred with the agreement of the governing body.

It was stressed that the recommendation to retain the facilities was subject to finding £200,000 in savings from elsewhere in the budget. The Leader explained that the recommendation would give the Council an additional 12 months for further negotiations with the school and community to secure the future of the centre.

RESOLVED	Reason for Decision:
<p>1. That subject to securing the £200,000 saving by alternative means retain facilities at Staylitttle Outdoor Centre, and Caereinion Leisure Centre for an additional 12 months, to allow further work on alternative delivery models.</p> <p>2. To retain Knighton Sports Centre as part of the contract with Freedom Leisure with no change to current arrangements.</p>	<p>This recommendation is subject to alternative means being found to secure the £200k saving to be identified against these facilities in transfer or closure.</p>

8.	WORKWAYS+ POWYS PROJECT	C244- 2016
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The Portfolio Holder for Regeneration and Planning explained that the Workways+ Powys project was aimed to help getting economically inactive and long term unemployed older people back into work. The project would be delivered in partnership with PRIME Cymru, a Prince's Trust charitable organisation and was 50% funded by the EU. Approval was sought for the Council to provide match funding.

RESOLVED	Reason for Decision:
<p>1. That the Workways + Project be approved.</p>	<p>This project will meet the Council's objectives of "supporting the local economy."</p>
<p>2. Expenditure of up to £321,994 over 3 years be approved from the Regeneration Strategy Fund.</p>	<p>This will enable match funding to be drawn down from EU sources on a 50% basis supporting 750 local residents to become more economically active.</p>

The Leader noted that this was Councillor York's last meeting and he thanked her for her work as the Portfolio Holder for Regeneration and Planning. He was joined by the other group leaders in wishing Councillor York and her husband well in their move to Hong Kong.

Councillor York left the meeting.

9.	BUDGET RECOVERY PLAN	C240- 2016
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The Chief Executive presented the budget recovery plan he had been asked to undertake by the Cabinet setting out the reasons for the deficit and also outlines proposals to address it. He explained that he had been asked to present the report at the Finance Scrutiny Panel on 6th January and that the Chair of the

Audit Committee, Councillor John Morris, would be reserving his comments until then.

The Chief Executive advised that the overspend was currently £5.56m but that he expected this to come down to £4.26m by year-end. The main cause of concern was the Adult Social Care budget but there was also a deficit in excess of £500k in the Schools Service budget mainly due to overspends in home to school transport, which was now being addressed by a Home to School Transport Board, and redundancy costs.

The Chief Executive set out a suggested way forward for Adult Social Care (ASC). In order to deliver a sustainable Adult Services function that was both affordable and effective a complete review of the Service would be required. The outcome of the review would be a revised Transformation and Financial Strategy for the Service which would need to be closely linked to the emerging Health and Care Strategy which was being jointly produced with the Powys Teaching Health Board. The Service had commenced work on a Vision of Adult Social Care to 2021, which focused on transformation within a strategic and legislative agenda, and would include budget modelling that shapes the financial strategy.

In view of the growth pressures on the service estimated at £10.4m and the inability of ASC to cover in-year overspends from within its overall budget, due to a range of over-commitments, the entire ASC budget would need to be reviewed and consideration given to re-balancing its overall base budget allocations. It was proposed to put an extra £4.85m into the base budget for 2017/18. An additional £2m, found from a review of reserves, could be transferred to a specific Adults Services reserve. The potential gap would have to be addressed through the Vision of Adult Social Care to 2021 document.

Further consideration would be given to the budget recovery plan, including possible governance arrangements.

RESOLVED	Reason Decision:
<p>That:</p> <ol style="list-style-type: none"> 1. The contents of this report are noted by Cabinet 2. The recommendations set out in section 7 as “The Way Forward” are agreed, and a detailed action plan is presented to Cabinet following input from the Audit/Finance Scrutiny Panel. 3. All services must focus on delivering their savings to mitigate budget overspends, with any remaining overspend at year end to be funded from the general reserve. 	<p>To ensure the financial position in 2017/18 is delivered within budget throughout the financial year and adequate time is given to ASC to develop and change its model of service delivery</p>

County Councillor Graham Brown abstained having missed part of the debate.

10.	EXEMPT ITEMS	C256- 2016
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RESOLVED to exclude the public for the following 5 items of business on the grounds that there would be disclosure to them of exempt information under categories 1 and 3 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).

11.	FUTURE ARRANGEMENTS FOR ROLE OF DIRECTOR OF SOCIAL SERVICES	C261- 2016
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With the Strategic Director People leaving at the end of December 2016, the Cabinet considered proposals to fill the statutory post of Director of Social Services. It was proposed that for an initial period of up to 12 months, the Authority appoint Carol Shillabeer, the Chief Executive of Powys Teaching Health Board, as Director of Social Services, reporting to the Chief Executive and becoming a member of his Management Team. To further the integration agenda it was also proposed that Carol Shillabeer be appointed to the role of Interim Strategic Director – People for an initial period of twelve months, with a review to take place prior to the expiry of that twelve month period to determine whether the arrangement should be extended. In the event that it was subsequently proposed to make this arrangement permanent, it was noted that the approval of full Council would be needed. Responsibility for Housing would pass to the Strategic Director Place. It was confirmed that Powys Teaching Health Board supported this proposal.

RESOLVED	Reason for Decision:
<p>1. The Chief Executive as Head of Paid Service is given authority to implement the proposals set out in section 2 of the report.</p> <p>2. In the event of it not being possible to implement the proposals in section 2 of the report, the Chief Executive, in consultation with the Leader and the portfolio holders for Children’s Services, Adult Social Care and Finance, shall have delegated authority to appoint an alternative Director of Social Services provided that the alternative arrangements are reported to Cabinet at the earliest opportunity.</p>	<p>To ensure that the Authority complies with the legal duty to appoint a Director of Social Services and to ensure the Directorate continues to function in an efficient and appropriate manner.</p>

12.	OLDER PEOPLE’S ACCOMMODATION - THE MANAGEMENT AND OPERATION OF COUNCIL-OWNED RESIDENTIAL CARE	C257- 2016
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Cabinet was advised that Bupa had made a revised offer for the running of the Council owned residential homes.

RESOLVED	Reason for Decision:
<p>1. To approve acceptance of the Bupa offer of 29th November 2016 for management of the council's residential homes for two years from 1st May 2017</p>	<p>1 To secure continuity of service provision.</p>
<p>2. Strengthen work on the strategic opportunities offered by a Local Authority Trading Company for delivery of a range of Adult Social Care Services and in relation to other Council directorates and Powys Teaching Health Board.</p>	<p>2 To enable Cabinet to consider the future direction of service management and delivery.</p>
<p>3. Present to Cabinet in June 2017 further reports in relation to the management of residential care and the merits or otherwise of the establishment of a LATC.</p>	

12.1 Scrutiny Observations on Older People's Accommodation

The Chair of the Place Scrutiny Committee urged the Cabinet to give serious consideration to the point raised by the Adult Social Care Scrutiny Working Group with respect to a two tier workforce.

13.	MANAGEMENT OF POWYS COUNTY COUNCIL'S IN-HOUSE DOMICILIARY CARE SERVICE	C258- 2016
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Cabinet was advised that it was necessary to maintain an in-house Domiciliary Care Service to provide a service of last-resort within rural communities where there was no alternative private sector provision. Currently the service was provided in mid and south Powys only. Transformation to a Powys-wide service was proposed over the next 24 months to support the future commissioning of care packages across the county.

To enable this to happen and to minimise the risk of staff departure terms and conditions for the care staff needed to be harmonised. The cost of full harmonisation would be £238k per annum.

RESOLVED	Reason for Decision:
<p>1. That the Head of Operations Adult Services completes the process of harmonisation of staff terms and conditions of staff employed</p>	<p>To develop equity of access across Powys, and to provide additional domiciliary care capacity in some areas of the</p>

<p>within the In-House Domiciliary Care Service to Powys County Council corporate employment terms and conditions. The three month 2016/17 in-year cost of harmonisation is estimated at £59.5k and will be met from in year reserves.</p> <p>2. That the Head of Operations Adult Services refocuses geographic delivery, and to ensure capacity is developed and maintained in all areas of Powys to enable packages of care to be commissioned where there is no alternative external provider. Development of capacity in the north will be developed over the next 24 months as part of wider service transformations and as opportunities arise.</p> <p>3. That the cost of harmonisation from 2017/18 onwards be taken into consideration when considering the revised budget envelope for the service.</p>	<p>county where commissioning external care to meet increasing assessed need remains challenging.</p>
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14.	BRECON CULTURAL HUB - BUDGET POSITION AND PERMISSION TO LET MAIN CONTRACT	C259- 2016
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Cabinet received details of additional costs in excess of the budget allocated to deliver the Brecon Cultural Hub project. Cabinet felt that there should have been more political oversight of the project. The Strategic Director Place reported that a review would be undertaken to better understand how the position could have been avoided alongside a review of project management arrangements.

RECOMMENDED to Council	Reason for Recommendation:
<p>1. That the Powys capital budget contribution be increased by £1,350,000 to provide the balance of funding required to deliver the project.</p>	<p>The Brecon Cultural Hub is started on site and cannot be completed without additional funding as outlined in the preceding report</p>
<p>2. That the Council enters into contract with Kier for the remainder of the works required</p>	<p>The sum required is in excess of the Cabinet's authority to spend</p>

to deliver the project.	
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15.	OUTCOME OF TENDER PROCESS FOR THE POWYS REAL ESTATE PARTNERSHIP (FORMERLY KNOWN AS THE LABV)	C260- 2016
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Cabinet was advised of the outcome of the evaluation of the tender process to establish an LABV (Local asset backed vehicle) now known as the Powys Real Estate Partnership (PREP) and considered possible options.

RESOLVED	Reason for Decision:
To follow Option 2 in the report and to progress a contractual joint venture with Arcadis.	It provides the Council with a specialist property partner which can be called on when it is needed either for standalone strategic advice or for work on a project basis to dispose of one or more properties.

The Cabinet went back into open session.

16.	SCHOOLS BALANCES	C241- 2016
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County Councillor DR Jones declared a personal non pecuniary interest as a local authority appointed governor of Castle Caereinion Primary School.

Cabinet considered a report on school balances and noted with concern that by 2018/19 56 schools were projected to be in deficit with an overall deficit of £3.5m. Several members including the Portfolio Holder for Finance and Place Scrutiny Chair warned that the current model of education was unsustainable, but it was also noted that there was a lack of support from the Council to reconfigure education in the county. The Strategic Director Resources warned that this was a significant risk for the Council, with declining pupil numbers making the situation worse. Opposition group leaders felt that the change to admission age had contributed to the problem by reducing the number of pupils, however, Cabinet noted that the financial position for schools had been worsening before this.

RESOLVED	Reason for Decision
1. There is no clawback applied in respect of the 6 schools Llanidloes CP, Mount Street Infants Priory C in W Ysgol Dafydd Llwyd Ysgol Penmaes Gwernyfed High School identified in the report approved by	To comply with the Authority's scheme for the financing of schools

Cabinet in July 2016.	
2. Schools that have not submitted recovery plans for their projected 2017/18 deficit are required to in draft by the 28th February. Finance will continue to work with these schools to ensure an appropriate budget plan is submitted.	To comply with the Authority's scheme for the financing of schools
3. Financial surgeries continue in the spring term and schools are reminded of the possibility of claw back.	To comply with the Authority's scheme for the financing of schools
4. Existing Loans are monitored.	To comply with the Authority's scheme for the financing of schools

17.	BRECON HIGH SCHOOL BUDGET	C243- 2016
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The Cabinet received a verbal update on the budget position at Brecon High School. The school had submitted a budget recovery plan which was not acceptable because it did not address the deficit and it would mean excessive class sizes.

Following a meeting with the Chair of Governors and Head Teacher, a number of actions had been agreed, including the school moving onto the Council's finance system from April 2017 and Finance were providing additional financial management support to the school. The Governing Body would be required to submit a new recovery plan which would be examined by Finance and there would be further discussions on the actions the school could take including the recommendations of the independent review

Cabinet asked for the revised budget recovery plan to be reported to Cabinet in 7 February.

The Leader advised that he was adjourning the meeting until 2.00 p.m. on 10th January and that the items listed below would be dealt with at that meeting.

18.	MAINTENANCE LIABILITY FOR BRONREVEL / BRON-YR-EFAIL BRIDGE, LLANBISTER	C239- 2016
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19.	USE OF HOMEFINDER RECEIPTS FOR PROVISION OF SUSTAINABLE REVOLVING LANDLORD LOANS TO TACKLE EMPTY PROPERTIES AND DELIVER URBAN REGENERATION	C245- 2016
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20.	REVOCAION OF COUNTY WIDE ADDITIONAL HMO LICENSING SCHEME	C246- 2016
21.	WELSH PUBLIC LIBRARY STANDARDS: POWYS ANNUAL REPORT 2015-16	C247- 2016
21.1	Scrutiny Observations on the Welsh Public Library Standards Annual Report	
22.	OLDER PERSONS ACCOMMODATION	C248- 2016
23.	RECRUITING & RETAINING OUR OWN TALENT AND SKILLS (RROOTS) PROJECT	C249- 2016
24.	SCHOOL IMPROVEMENT	C250- 2016
25.	CORRESPONDENCE	C252- 2016
26.	DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING	C253- 2016
27.	FORWARD WORK PROGRAMME	C254- 2016

County Councillor W B Thomas (Chair)