

**MINUTES OF A MEETING OF THE COUNTY COUNCIL HELD AT BY TEAMS ON
THURSDAY, 24 SEPTEMBER 2020**

PRESENT

County Councillor B Baynham (Chair)

County Councillors MC Alexander, M Barnes, J Berriman, G Breeze, J Charlton, L V Corfield, K W Curry, A W Davies, B Davies, D E Davies, P Davies, S C Davies, M J Dorrance, E Durrant, D O Evans, J Evans, L Fitzpatrick, L George, J Gibson-Watt, M R Harris, S M Hayes, H Hulme, A Jenner, E A Jones, D R Jones, E Jones, G Jones, J R Jones, E M Jones, M J Jones, F H Jump, K Laurie-Parry, H Lewis, K Lewis, P E Lewis, MC Mackenzie, I McIntosh, S McNicholas, DW Meredith, C Mills, G Morgan, JG Morris, R Powell, WD Powell, D R Price, P C Pritchard, G Pugh, J Pugh, G W Ratcliffe, L Rijnenberg, L Roberts, P Roberts, K M Roberts-Jones, E Roderick, D Rowlands, K S Silk, D Selby, L Skilton, D A Thomas, R G Thomas, E Vaughan, M Weale, J Wilkinson, A Williams, G I S Williams, D H Williams, J Williams, J M Williams, R Williams and S L Williams

1.	APOLOGIES
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Apologies for absence were received from County Councillor D Jones-Poston and from County Councillor T J Van-Rees who was on other Council business.

2.	MINUTES
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A mistake in the voting record on the notice of motion on car parking was noted with Councillor Roger Williams recorded as having voted for and against. It was confirmed that his vote was in favour of the motion.

It was pointed out that the note explaining the mistake in the voting record on the notice of motion on the climate emergency should have been prefaced with PS rather than NB.

Subject to these corrections, the Chair was authorised to sign the minutes of the meeting held on 30 July 2020 as a correct record.

3.	DECLARATIONS OF INTEREST
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The Monitoring Officer advised members that if they or close family or friends had properties within Powys which could be considered to be either (a) a second home or (b) a holiday home or (c) a holiday let or (d) a combination of a holiday let and holiday home then they should declare a personal, prejudicial and pecuniary interest.

4.	CHAIR'S ANNOUNCEMENTS
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The Chair advised that the annual meeting would be held on 26th November. She also advised that the ICT team were still looking at options for a simultaneous translation service for meetings.

5. CHIEF EXECUTIVE'S BRIEFING

The Chief Executive noted the statement made to the Senedd by the Minister for Housing and Local Government recognising the progress the Council has made since the Improvement and Assurance Board was established in 2018. The Minister was confident that the Council could effectively manage its own improvement and therefore agreed to move from a statutory Improvement and Assurance Board to local arrangements to oversee and drive improvement. She advised Council that CIW would be carrying out an inspection in October and Estyn would be inspecting in November.

The Chief Executive reported that the numbers of Covid-19 cases in Powys were currently relatively low and stable. The Test Track and Protect team had been very busy and had a 100% success rate tracing those who had tested positive in September and 99% success in tracing contacts. The team was currently assisting Rhondda Cynon Taff.

She advised that the business critical activities list was being kept under review to ensure that activities could be stepped up and down as the situation required.

Finally, she thanked Ness Young who was leaving the Council in November for her contribution and advised that she would be reviewing the senior management team in the autumn.

6. DIRECTOR SOCIAL SERVICES ANNUAL REPORT

The Chief Executive explained that the report was being presented by the Head of Commissioning as the Director of Social Services was taking some well deserved leave having led the service throughout the pandemic.

In presenting the report the Head of Commissioning highlighted the improvement journey that the service had been on and he acknowledged the support of Jack Straw, Phil Hodgson and the Improvement Board. He thanked colleagues in the service, elected members and colleagues in corporate services for their support and paid particular tribute to the front line staff and volunteers who had worked so hard to maintain services throughout the pandemic.

The Portfolio Holder for Adult Social Care and the Portfolio Holder for Young People and Culture paid tribute to the Director for the leadership she had given and the leading role she had taken in Wales during the pandemic. The role of the Scrutiny Committee in providing challenge on the improvement journey was also acknowledged as was the importance of having a full leadership team in place.

It was moved by County Councillor Myfanwy Alexander and seconded by County Councillor Rachel Powell and by 65 votes to 0 it was

RESOLVED that the annual report of the Director of Social Services be received.

7.	LEADER'S ANNOUNCEMENTS
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The Leader thanked the staff who had assisted residents dealing with flooding in Beguildy and Ystradgynlais in August. She reported that she had held meetings with Ministers including the Council General Jeremy Miles on EU transition and economic recovery. She hoped that there would be an announcement on the Economic Resilience Fund making more funding available in the near future. As part of the WLGA Rural Forum she had met the Minister for International Relations and Welsh Language Eluned Morgan to discuss sustainable farming and the rural development programme funding.

8.	AMENDMENT TO THE TERMS OF REFERENCE OF THE POWYS LOCAL PENSION BOARD
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Council was asked to consider approving changes to the terms of reference to the Powys Pension Board to introduce some additional flexibility for retention and appointment of Board members by:

- a) Increasing the membership of scheme member and employer representatives from two, to three.
- b) Introducing some flexibilities in order to stagger Board membership commencement and cessation dates.

It was moved by County Councillor Aled Davies and seconded by County Councillor Peter Lewis and by 64 votes to 0 it was

RESOLVED that the revised local Pension Board Terms of Reference set out in Appendix to the report are approved and implemented with immediate effect.

County Councillor Huw Williams advised that he had not voted as he had joined the meeting part way through the debate.

9.	NOTICE OF MOTION - DECLARATION OF A CLIMATE EMERGENCY AND CALL TO ACTION ON LOCAL ENERGY
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Council debated a motion combining the motion proposed by County Councillor Jake Berriman and seconded by County Councillor Jackie Charlton and the motion by proposed by County Councillor Iain McIntosh and seconded by County Councillor Lucy Roberts.

This Council resolves to:

1. Join with other councils across Wales in declaring a Climate Emergency
2. That this council will endeavour to reduce its carbon emissions to net zero, in line with the Welsh Government target of 2030 and, call upon the Welsh Government to provide adequate support and resources to achieve this target to

support the implementation of Prosperity for All: A Low Carbon Wales (March 2019) to make Powys County Council a net zero carbon local authority by 2030.

3. Request the Portfolio Holder for Economic Development, Housing and Regulatory Services lead on Climate Change mitigation and continue to actively engage with all members and stakeholders by:

A. working with the established cross-party working group and,

B. establishing a Powys-wide multi-stakeholder group, to develop a baseline picture @2020 and bring forward a strategy and action plan @2021 for a truly sustainable Powys.

4 That this council, with the assistance of the appropriate portfolio holder, newly appointed climate change officer and climate change working group, builds on the achievements to date and develops a working strategy and associated action plans to achieve this target.

5. That this council reviews all relevant policies, strategies and plans, to include its corporate plan and local development plan, to support the achievement of the above targets.

6. That this council promotes and publishes best working practices in limiting global warming whilst encouraging residents and businesses to take their own suitable actions to also reduce their carbon emissions in line with the Welsh Government target of 2030.

7. That this council, together with appropriate support and resources from the Welsh Government, works with partners, other local authorities and organisations to help develop and implement best working practices, to publicise this declaration of a climate emergency, limit global warming and enable effective carbon reductions and transition to a green Powys economy.

8. Support our MPs to ensure the Local Electricity Bill succeeds in an Adjournment Debate to encourage and enable the local supply of electricity and facilitate more resilient Powys communities.

The motion was jointly moved by Councillor Jake Berriman and Councillor Iain McIntosh and jointly seconded by Councillor Jackie Charlton and Councillor Lucy Roberts. The proposers and seconders welcomed the positive approach taken to find a collective way forward.

An amendment was proposed by County Councillor Matthew Dorrance and seconded by County Councillor Sarah Williams:

This Council resolves to:

1. Join with other councils across Wales in declaring **and recognising that there is** a Climate Emergency

2. That this council will endeavour to reduce its carbon emissions to net zero, in line with the Welsh Government target of 2030 and, call upon the Welsh Government **and UK Government** to provide adequate support and resources to achieve this target to support the implementation of Prosperity for All: A Low

Carbon Wales (March 2019) to make Powys County Council a net zero carbon local authority by 2030.

3. Request the Portfolio Holder for Economic Development, Housing and Regulatory Services lead on Climate Change mitigation and continue to actively engage with all members and stakeholders by:

A. working with the established cross-party working group and,

B. establishing a Powys-wide multi-stakeholder group, to develop a baseline picture @2020 and bring forward a strategy and action plan @2021 for a truly sustainable Powys.

4 That this council, with the assistance of the appropriate portfolio holder, newly appointed climate change officer and climate change working group, builds on the achievements to date and develops a working strategy and associated action plans to achieve this target.

5. That this council reviews all relevant policies, strategies and plans, to include its corporate plan and local development plan, to support the achievement of the above targets.

6. That this council promotes and publishes best working practices in limiting global warming whilst encouraging residents and businesses to take their own suitable actions to also reduce their carbon emissions in line with the Welsh Government target of 2030.

7. That this council, together with appropriate support and resources from the Welsh Government **and UK Government**, works with partners, other local authorities and organisations to help develop and implement best working practices, to publicise this declaration of a climate emergency, limit global warming and enable effective carbon reductions and transition to a green Powys economy.

8. Support our MPs to ensure the Local Electricity Bill succeeds in an Adjournment Debate to encourage and enable the local supply of electricity and facilitate more resilient Powys communities.

The proposer and seconder of the amendment said that the inclusion of the UK Government in the wording gave the maximum opportunity for the council to make representations. The amendment was passed by 40 votes to 21 with 4 abstentions.

Council voted on the substantive motion and by 61 votes to 1 with 3 abstentions it was

RESOLVED to:

- 1. Join with other councils across Wales in declaring and recognising that there is a Climate Emergency**
- 2. That this council will endeavour to reduce its carbon emissions to net zero, in line with the Welsh Government target of 2030 and, call upon the Welsh Government and UK**

Government to provide adequate support and resources to achieve this target to support the implementation of Prosperity for All: A Low Carbon Wales (March 2019) to make Powys County Council a net zero carbon local authority by 2030.

- 3. Request the Portfolio Holder for Economic Development, Housing and Regulatory Services lead on Climate Change mitigation and continue to actively engage with all members and stakeholders by:
 - A. working with the established cross-party working group and,**
 - B. establishing a Powys-wide multi-stakeholder group, to develop a baseline picture @2020 and bring forward a strategy and action plan @2021 for a truly sustainable Powys.****
- 4 That this council, with the assistance of the appropriate portfolio holder, newly appointed climate change officer and climate change working group, builds on the achievements to date and develops a working strategy and associated action plans to achieve this target.**
- 5. That this council reviews all relevant policies, strategies and plans, to include its corporate plan and local development plan, to support the achievement of the above targets.**
- 6. That this council promotes and publishes best working practices in limiting global warming whilst encouraging residents and businesses to take their own suitable actions to also reduce their carbon emissions in line with the Welsh Government target of 2030.**
- 7. That this council, together with appropriate support and resources from the Welsh Government and UK Government, works with partners, other local authorities and organisations to help develop and implement best working practices, to publicise this declaration of a climate emergency, limit global warming and enable effective carbon reductions and transition to a green Powys economy.**
- 8. Support our MPs to ensure the Local Electricity Bill succeeds in an Adjournment Debate to encourage and enable the local supply of electricity and facilitate more resilient Powys communities.**

10. NOTICE OF MOTION - CARBON EMISSIONS

This motion was withdrawn in view of the joint motion passed earlier.

11. NOTICE OF MOTION - HOLIDAY HOMES

County Council 24 September 2020

County Councillors David Evans, James Evans, James Gibson-Watt, Rosemarie Harris, E Michael Jones, Gareth Jones, Karen Laurie-Parry, Gareth Morgan, Rachel Powell, David Price, Martin Weale and Gwilym Williams declared personal, pecuniary and prejudicial interests in this item and left the meeting whilst it was being discussed.

Council considered a notice the following notice of motion proposed by County Councillor Elwyn Vaughan and seconded by County Councillor Bryn Davies:

Powys has circa 1262 holiday/second homes within the Council Tax list paying the current premium of 50% which generates circa 700k

In view of the huge social concern about the effect of high numbers of such properties in many communities Council calls:

- for the current premium to be increased to 75% in the next financial year thus generating an extra circa 350k for the authority
- and for the authority to work with other rural authorities through the WLGA to ensure that Welsh Government and Valuation Office have a consistency of approach in assessing Business Rates applications for such properties in that they have to be let for 140 days in order to have a genuine business.

In proposing the motion Councillor Vaughan explained that he was looking for the Council to send a clear message that it stood with young people who could not afford to live in their own communities.

An amendment was proposed by County Councillor Sarah Williams and seconded by County Councillor Matthew Dorrance for the premium to be increased to 100%. The amendment was lost by 21 votes to 30 with 1 abstention.

Council voted on the motion and by 33 votes to 17 with 1 abstention

RESOLVED to call

- **for the current premium to be increased to 75% in the next financial year thus generating an extra circa 350k for the authority**
- **and for the authority to work with other rural authorities through the WLGA to ensure that Welsh Government and Valuation Office have a consistency of approach in assessing Business Rates applications for such properties in that they have to be let for 140 days in order to have a genuine business.**

The members who had declared an interest returned to the meeting.

12.	NOTICE OF MOTION - SPEED LIMITS IN SMALL TOWNS
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Council considered the following motion proposed by County Councillor Stephen Hayes and seconded by County Councillor Jackie Charlton:

Power over national speed limits was devolved to Wales in 2018.

In 2019, First Minister Mark Drakeford said: ‘Local authorities have to have discretion to retain 30mph zones on key arterial routes, but outside that, and in residential areas, we know that 20mph zones reduce speed of traffic, reduce accidents - particularly accidents to children, and we want to see that become the default position right across Wales.’ Labour AM John Griffiths said there was cross-party support for a policy he felt had many benefits for society. ‘Older people will feel happier if they're able to walk along the streets with 20mph limits in place and parents will feel much happier in enabling their young people to play outside.’

On 15th July this year, the Senedd voted to institute a default 20mph speed limit in residential streets, subject to consultation and final decision, with a target date of 2023 for implementation.

The current guidance document with respect to speed limits is contained in Welsh Assembly Government Circular No 24/2009 **Setting Local Speed Limits in Wales**, dated October 2009. It states *inter alia* that:

- The underlying aim should be to achieve a ‘safe’ distribution of speeds which reflects the function of the road and the impacts on the local community. The needs of vulnerable road users and communities must be fully taken into account.
- The characteristics of the road and the needs of the vulnerable road user should be considered as factors when setting a speed limit.
- The needs of vulnerable road users must be fully taken into account in order to further encourage their mobility and improve their safety. Setting appropriate speed limits is a particularly important element in urban safety management, with significant benefits for pedestrians and cyclists.

Motion:

Council welcomes the recent Senedd vote to introduce a default 20mph speed limit in residential areas from 2023. Recognising that Powys contains a number of small towns of exceptional historic interest where the speed of traffic adversely affects the safety and enjoyment of residents and visitors, Council agrees to:

1. Work collaboratively with communities which wish to assess the potential benefit of, and if appropriate institute, a 20mph speed limit in their town centre area
2. Take full advantage of the opportunities offered in Circular 24/2009, to improve the safety of vulnerable road users and consider the impact of traffic speed limits on communities
3. Demonstrate and evidence proper regard to the needs of road users other than those in motor vehicles (for example, those on foot, on horseback and cyclists) and those with impaired mobility or sensory deprivation when designing and implementing new traffic orders.

By 59 votes to 1 it was

RESOLVED to welcome the recent Senedd vote to introduce a default 20mph speed limit in residential areas from 2023. Recognising that Powys contains a number of small towns of exceptional historic interest where the speed of traffic adversely affects the safety and enjoyment of residents and visitors, Council agrees to:

- 1. Work collaboratively with communities which wish to assess the potential benefit of, and if appropriate institute, a 20mph speed limit in their town centre area**
- 2. Take full advantage of the opportunities offered in Circular 24/2009, to improve the safety of vulnerable road users and consider the impact of traffic speed limits on communities**
- 3. Demonstrate and evidence proper regard to the needs of road users other than those in motor vehicles (for example, those on foot, on horseback and cyclists) and those with impaired mobility or sensory deprivation when designing and implementing new traffic orders.**

13. QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION

13.1. Question to the Portfolio Holder for Environment from County Councillor Gareth Ratcliffe

Businesses in Hay are overwhelmingly positive about the impact that 2 hours free parking has had on trade throughout the month of August, with some businesses attributing between 20 and 30% increases on last year to the fact that visitors and residents can now park for longer, for free. This has been a hugely successful initiative - thank you very much for doing it. With this in mind and with many businesses also stating they need all the help they can get as we go into the quieter winter months, has PCC done any impact on the free parking for businesses in Powys and how are the council looking support businesses through the winter. Also in light of the feed back would Powys County Council extend this at least through winter to give businesses the best possible support? It really could make or break things for some businesses in the town and support is vital to ensure we do not have ghost towns in mid Wales come early 2021?

Response

The decision for free parking over the summer holiday period was made in these unprecedented times to reflect our commitment to the #supportlocalpowys campaign, to promote the re-opening of the high street and support our local businesses. It is pleasing to hear that this was greatly received and helped to achieve positive results for the businesses within Hay on Wye.

With no sound baseline from which to measure in such extraordinary times, and no information of the free use, there is unfortunately no formal assessment or measure that can be made of the impact on car parking numbers or footfall associated with the free parking provided, limiting any assessment to anecdotal or subjective opinions that could be drawn.

You will recall that providing free parking for August would generate an additional budget pressure of £85,000 and that this was agreed to be funded Corporately from reserves. The motion to support the extension of this free parking was tabled at the 30 July meeting of full council where it was resolved not to support its continuance with 23 votes for the motion of extending the free parking for 6 months compared to 30 against, with 3 abstentions.

Given this, there is no clear mandate to give this matter any further consideration.

There was no supplementary question.

13.2. Question to the Portfolio Holder for Finance, Countryside and Transport from County Councillor Jeremy Pugh

Who and which department is responsible for the failure to provide face masks for our young people travelling on Powys school transport to and from schools as they did not arrive at the schools until several days after?

Response

On the afternoon of Wednesday 26th August Welsh Government recommended that children over 11 were advised to wear face coverings on School Transport. Powys CC decided that it would provide two reusable face coverings to each pupil in line with the Welsh Government recommendation. This recommendation provided the Council with very little time to provide the response necessary and to be able to source get delivered and distribute the products required

Commercial services sourced 7,000 face coverings and then undertook the necessary checks supporting certification and accreditations including liaison with Health and Safety to check their suitability. The supplier agreed to deliver the 3,500 face coverings on Tuesday 1st September (following the Bank Holiday Monday) with a further 3,500 being scheduled for delivery on Monday 7th September.

The supplier failed to deliver on the agreed time scale but did deliver the 4000 disposable masks as a gesture of goodwill.

1500 reusable masks were delivered on the 3rd September. Face coverings were available to pupils on Friday 4th September, one day after the partial return to school.

Due to the original order not meeting agreed delivery dates the Council responded quickly and sourced masks from another supplier, 4100 which were delivered on Friday 4th September with the balance being delivered w/c 7th September.

All Secondary Schools have now received 2 face coverings for each learner who is transported to school on a Powys CC bus.

There was no supplementary question.

13.3. Question to the Portfolio Holder for Finance, Countryside and Transport from County Councillor Karen Laurie-Parry

Am I correct in my understanding that Powys County Council owns 10 Coaches used for Public Transport, that are used by Coach Operators?

Having recently travelled on a contracted Coach used for Public Transport, in another Authority, I noticed the coach company itself, was able to advertise its full details on the outside of that particular Authority's Public Transport Coach and inside too, along with other advertisements.

As I am sure, my fellow County Councillors are also trying to identify means of income generating to support revenue, do we have a Policy of charging for Advertisements on Coaches which we own? If not, could it possibly be a consideration?

Response

The Council owns 20 service buses which were grant funded by Welsh Government to be deployed on TrawsCymru bus routes across the County. The vehicles are been covered in the TrawsCymru livery which is protected by Welsh Government and does not allow for adverts to be placed on the internal or external surfaces of the vehicles.

In response to Councillor Laurie-Parry's supplementary question the Portfolio Holder confirmed that the buses were recorded as assets on the Council's Balance Sheet (Asset Register) at their purchase price and depreciated over their useful life and that they were allocated to the following routes:

- 6 x buses T4 (Newtown – Brecon then on to Cardiff)
- 6 x buses T14 (Hereford – Brecon then on to Cardiff)
- 2 x buses X43 (Brecon to Abergavenny)
- 3 x buses T12 (Wrexham – Newtown – Machynlleth)
- 3 x buses X75 (Llanidloes – Newtown – Shrewsbury).

County Councillor B Baynham (Chair)