

**MINUTES OF A MEETING OF THE CABINET HELD AT COMMITTEE ROOM A -
COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 12 APRIL 2016**

PRESENT

County Councillor W B Thomas (Chair)

County Councillors R G Brown, J H Brunt, E A Jones, W T Jones, W J T Powell,
P C Pritchard and E A York

In attendance

County Councillors AW Davies, DR Jones, PE Lewis, DJ Mayor, JG Morris, WD
Powell, KM Roberts-Jones and RG Thomas.

1.	APOLOGIES	C60- 2016
-----------	------------------	------------------

Apologies for absence were received from County Councillor SM Hayes.

2.	MINUTES	C61- 2016
-----------	----------------	------------------

The Leader was authorised to sign the minutes of the last meeting held on 22nd
March 2016 as a correct record.

3.	DECLARATIONS OF INTEREST	C62- 2016
-----------	---------------------------------	------------------

County Councillors EA Jones and AW Davies declared personal and prejudicial
interests in item C65 – 2016 Options for the Recovery of Llanfyllin High School's
Use of Delegated Funds for Transport as they had relatives employed at the
school.

4.	OUTCOME OF CONSULTATION ON THE PROPOSED CHANGE TO THE AGE OF ADMISSION IN TO PRIMARY SCHOOLS	C63- 2016
-----------	---	------------------

Cabinet considered responses to the consultation on the proposal to raise the
age of admission to primary schools for the 2017-18 school year from the start of
the term in which a child has their 4th birthday to the start of the school year
following a child's 4th birthday. This would bring the policy in line with the majority
of Welsh authorities along with the neighbouring English authorities. It was
further recommended that funded 3+ provision is extended from the current 2
terms to up to 5 terms of provision and that the funded hours are increased to
12.50 hours per week from the current 10.00 hours per week.

8 consultation meetings had been held and a total of 679 responses to an online
questionnaire had been received, together with a further 43 paper responses.
The majority of the responses were received from parents of current or
prospective primary aged pupils. The responses showed that 80% of the
respondents were against the proposed change to the age of admission, with

16% of the respondents being in favour of the Council's proposal and 4% with no strong view either way.

The report addressed the four main issues that had been raised in the consultation process:

1. The impact that the change would have on the educational outcomes and progression of Nursery aged children prior to their admission to school at the start of the Reception year.
2. The availability of adequate places in the enhanced 3+ provision for all entitled children.
3. The number of hours of pre-school provision offered and funded by the Authority
4. The impact the proposal will have on parental childcare costs with children having a delay in commencing full time school provision of up to 3 terms.

The Portfolio Holder for Education and officers answered questions from the Chair of the People Scrutiny Committee and political group leaders. It was confirmed that there would be continuity of provision for those children accessing Flying Start at 12½ hours a week. The Chair of the People Scrutiny noted that flexible provision could mitigate the impact on childcare but that this had not been considered in the report. Officers advised that there would be opportunities to consider flexible provision when services were recommissioned.

The impact on school budgets was approximately £3,200 per child which, for the school with the largest number of children affected, would amount to £135,000. Officers confirmed that the proposals would result in a funding reduction of £2.7m equivalent to 60 teaching posts. Any redundancy costs would be funded centrally. The Portfolio Holder for Finance noted that the estimated saving resulting from the proposals was £1,226,000 in a full year. The Medium Term Financial Strategy had required £1.5m savings and he asked that the Schools service come forward with proposals on how to make up the shortfall.

County Councillor William Powell spoke against the recommendations citing the findings of the consultation and parents' concerns over childcare and education standards. He asked the Cabinet to defer a decision for 12 months to give families time to make alternative provision. Responding to the point made about standards, it was explained that the impact on standards had not been assessed as significant. The Head of Schools confirmed that each setting had teacher support and each was subject to inspection by Estyn.

Cabinet noted the comments made but also noted the need to deliver services within the budget set by Council and for all services to contribute to the savings target.

RESOLVED	Reason for Decisions:
<p>1. That the Authority as the admission authority for Community and Church Controlled Primary Schools approve that the age of admission to Primary Schools be amended to</p>	<p>To confirm admission arrangements into primary schools for the 2017-18 school year by 15th April 2016 as required under the Admission Code of Practice arrangements.</p>

<p>the start of the school year following a child's fourth birthday for the 2017-18 Admissions Year and future years.</p> <ol style="list-style-type: none"> 2. That the level of funded 3+ pre-school provision is increased from 10 hours per week to 12.50 hours per week from the start of the 2017-18 School Year. 3. That officers bring forward proposals for implementing changes to the primary school Fair Funding Formula arrangements in respect of the above change for the 2017-18 and 2018-19 and future years. 4. That the Council undertakes a tender process for the recommissioning of the extended 3+ provision. 5. That officers undertake any required consultation under the School Organisation Code in respect of pre-school and primary school provision following the recommissioning of the extended 3+ provision. 6. That further work is undertaken with the schools in the Llanfyllin Catchment area, Llanelwedd C in W School and Llangattock C in W School to identify the proposed actions required to meet the Authority's responsibility in respect to pre-school provision, together with any required capital investment requirements. 7. That the Authority undertakes further work to identify and develop the required places for the delivery of 3+ provision in the identified areas. 8. That officers monitor the proposals for funded childcare provision following the outcome of the Welsh Government elections in May. 9. That Cabinet approve the Senior Manager – Central Services as the Project Sponsor to the project. 10. That a detailed project plan be developed and presented by the Project Sponsor to the 	<p>To provide and commission an extended sustainable network of pre-school settings.</p> <p>To provide funding arrangements for 2017-18 and 2018-19 to reflect the admission arrangements.</p> <p>To register the provision provided through schools and maintained settings correctly.</p> <p>To allow all children to have access to a funded 3+ pre-school place</p> <p>To ensure that the project is managed and reported through the Authority's Transforming Learning Programme Board.</p>
--	--

<p>Transforming Learning Programme Board.</p> <p>11. That the Council approve the recruitment of a Project Manager on a fixed term contract to 31st December 2017 to support and lead the re-commissioning of extended 3+ provision and to support schools in reducing staffing levels as a result of the reduction in funding. The post to be funded through the management of change budget at a cost of approximately £39,000 (pending Job Evaluation)</p> <p>12. That settings which propose to have 2 year olds in the same setting as 3 and 4 year olds are required to submit a business case on how they will meet the required educational outcomes.</p>	<p>To maintain education progression and standards.</p>
---	--

5.	SCHOOLS SERVICE ASSET MANAGEMENT PLAN - SECTION A PUPIL PROJECTIONS, CAPACITY AND SUFFICIENCY	C64- 2016
----	--	------------------

Cabinet considered the first section of the revised Schools Service Asset Management Plan and the current and projected position in relation to pupil numbers up to 2019 against the available capacity within the Authority's Primary and Secondary Schools. The report identified those schools with significant surplus places and those schools with a potential shortage of places. Cabinet accepted the point made by the leader of the Welsh Liberal Democrat group that any review of Section 106 agreements should include those of the relevant National Park Authorities. It was also confirmed that the Schools Service did use data from Powys Teaching Health Board on births within the county.

RESOLVED:	Reason for Decision:
<p>That officers be authorised to</p> <p>1. Undertake the further work identified in the Proposal section of the report on those schools identified in Appendices A and B that will have potential pupil place and suitability issues in the period to 2019.</p> <p>2. Identify those schools that have significant surplus spaces and bring forward proposals on how the</p>	<p>To develop a robust methodology for pupil number projections.</p> <p>To ensure efficient use of resources.</p>

<p>Authority and school reduces and / or removes a level of the surplus spaces to provide occupancy levels of between 85% and 105%.</p> <p>3. Implement a 5 year rolling programme of building condition re-assessments, commencing with schools previously assessed as grade C or D with the funding being allocated from the £48,000 centrally retained budget for repairs and maintenance.</p> <p>4. Develop Business Justification Cases in respect of schools with a projected shortage of pupil places and other identified factors.</p> <p>5. Undertake a review of the Authority's Section 106 strategy to include National Parks.</p>	<p>To update the Authority's understanding of the condition of its school stock and to inform future investment strategies.</p> <p>To meet the aims of the Authority's and Welsh Government's 21st Century School aspirations in respect to school building condition and suitability.</p> <p>To ensure developer contributions to required school developments are maximised.</p>
--	--

6.	OPTIONS FOR THE RECOVERY OF LLANFYLLIN HIGH SCHOOL'S USE OF DELEGATED FUNDS FOR TRANSPORT	C65- 2016
-----------	--	------------------

County Councillors EA Jones and AW Davies left the meeting while this item was being considered having declared personal and prejudicial interests.

Cabinet considered options for the recovery of funds from Llanfyllin High School for the period over the previous 5 years in which the school did not comply with the Powys Scheme for the Financing of Schools. Cabinet also considered measures to ensure compliance and measures to ensure the school demonstrates appropriate financial management of its delegated budget.

In presenting the report the Portfolio Holder for Finance acknowledged the emails he had received from County Councillors PE Lewis, DJ Mayor and RG Thomas calling for the report to be deferred whilst the investigation was carried out. He advised that he had decided not to accede to that request because the report was not concerned with the past but about the present and the future. He confirmed that he had shared the emails with the Cabinet and that they had read them. He also advised that he had received many emails from parents of pupils at the school that he had acknowledged and that as a result of the representations made he was prepared to amend his recommendation to the Cabinet in respect of the recovery of delegated funds. Instead of calling on the Governors to reimburse the schools delegated budget by 100% from 1st September 2015 he was recommending that 50% be reimbursed from 1st April 2016.

County Councillors PE Lewis and DJ Mayor spoke against the recommendations. Councillor Lewis contended that the Council had been aware of what had been going on and were content to let it continue because of the financial benefit to the Council and because Powys pupils benefited as well as pupils from Shropshire. The Section 151 Officer advised Cabinet that this was not the case and explained how the funding formula worked. Councillor Mayor said that he would never condone the breaking of regulations and that he had assurances that the Governors had been acting properly. He welcomed the investigation and hoped that those responsible would be held to account. He asked to Cabinet to give the school two years in which to become fully compliant.

The Portfolio Holder for Finance said he could not recommend that the Cabinet agree to that as all of the High Schools had to be treated the same.

County Councillor RG Thomas speaking on behalf of the Welsh Conservatives asked why an equality impact assessment had been carried out and was advised that this could not be done until the Governors decided what they were going to do. In response to questions about pupils being educated in the medium of Welsh the Head of Schools advised that Welsh medium learners from inside Powys would be entitled to free transport to their nearest school providing education in the medium of Welsh.

In response to a question from the leader of the Welsh Liberal Democrats, officers confirmed that each of the High Schools operated their own financial management systems but that these were closely monitored by the Council's Finance section. Assurances had been sought and received from all of the High Schools that none were subsidising transport.

RESOLVED	Reason for Decision:
<p>1. Cabinet confirms its decisions taken on 22nd March 2016, that require the governors of Llanfyllin High School to:</p> <ul style="list-style-type: none"> • ensure that by the start of the 2016/17 academic year, the school is fully compliant with PCC policy with regards the use of delegated funds by schools in relation to home to school transport; and • Advise how Llanfyllin High School proposes to address the issue of compliance with EU procurement procedures. <p>2. That Governors take action to reimburse the schools delegated budget for 50% the cost of subsidised transport from the 1st April 2016, the method of recovery would be a matter for the school.</p> <p>3. That monthly meetings be held</p>	<p>The school will be policy compliant for the current and future academic years and also be required to demonstrate it complies with financial and budget management regulations.</p>

<p>between council officers and school representatives to review expenditure and income to ensure compliance with the Scheme for the Financing of Schools. Regular reports of these meetings be submitted to Cabinet and Audit Committee.</p> <p>4. To ensure future compliance with Scheme for the Financing of Schools, the School be required to use the Council's financial system as its primary accounting system.</p> <p>5. The school provide documentary evidence to demonstrate compliance with financial regulations and/or EU procurement procedures in relation to the procurement of transport at the school in general, but in particular in relation to home to school transport arrangements made by the school.</p>	
--	--

7.	POWYS PRIVATE SECTOR HOUSING GRANTS AND LOANS POLICY	C66- 2016
-----------	---	------------------

Cabinet considered the Powys Private Sector Housing Grants and Loans Policy 2016 which set out how all financial assistance for private sector housing renewal would be distributed including mandatory funding of disabled facility grants as well as discretionary funding for all other forms of housing renewal. The policy incorporated recommendations from the adaptations review completed in 2015 and Welsh Government criteria for distribution of interest free loan capital. The ultimate aim of the policy was to facilitate future sustainable housing investment and encourage urban regeneration by tackling empty properties and providing housing suitable for the needs of Powys citizens.

RESOLVED:	Reason for Decision:
<p>That the Powys Private Sector Housing Grants and Loan Policy in Appendix A to the report is adopted.</p>	<p>The policy describes both statutory and discretionary financial products for housing investment available to Powys citizens and how they will be distributed. The policy also aligns delivery of housing investment within Powys with that of the rest of Wales and in accordance with Welsh</p>

	Government funding criteria.
--	-------------------------------------

8.	THE REDUCTION OF COMMUNITY RECYCLING (BRING) SITES AND RURAL REFUSE STORAGE CONTAINERS (POINT BINS)	C67- 2016
-----------	--	------------------

Cabinet considered proposals to reduce the number of community recycling (bring) site and the number of rural refuse storage containers (point bins). This was necessary to make the savings required by the Medium Term Financial Strategy, maximise recycling and reduce flytipping.

The Portfolio Holder for Environment and Sustainability explained that the presence of the community recycling sites and rural refuse storage containers often attracted flytipping. He confirmed that sites would be individually assessed in consultation with local Members.

RESOLVED:	Reason for Decision:
1) To review and reduce where appropriate the number of Community Recycling Sites, and range of materials collected, following an assessment of individual locations. To be carried out on an area by area basis in consultation with the local member during 2016/17 with approval from the Portfolio Holder for any proposed changes.	To make savings as required under the Medium Term Financial Strategy, maximise the quality of recycle and reduce flytipping at these sites.
2) To review and reduce where practicable the number of rural refuse storage containers (point bins) following an assessment of individual locations. To be carried out on an area by area basis in consultation with the local member during 2016/17 with approval from the Portfolio Holder for any proposed changes	To provide a consistent service across the County, ensuring that recycling is maximised at the kerbside and flytipping is minimised at these sites.

9.	FINANCIAL OVERVIEW AND FORECAST AS AT 29TH FEBRUARY 2016	C68- 2016
-----------	---	------------------

Cabinet considered the financial overview and forecast report for the period ended 29th February 2016. The Portfolio Holder for Finance expressed concern that the figure for unrealised savings being carried forward this year would be higher than that carried forward last year. He advised that Heads of Service would be challenged on this regularly, starting with a budget challenge event being held the following day. In response to questions on the commissioning of contracts and the increase in cemetery fees, Members were advised that the Commissioning and Procurement Board was monitoring contracts due for renewal and that the increase in cemetery fees still only recovered approximately 70% of costs.

RESOLVED	Reason for Decision:
That: 1. the contents of this report are noted by Cabinet; and 2. Cabinet supports appropriate action by services to curtail or reduce the reported forecasted service deficits. 3. That the Capital virements under £500,000 as set out in paragraph 5.3.	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.

RECOMMENDED to Council	Reason for recommendation
That the virements over £500,000 listed in paragraph 5.3 of the report be approved.	In accordance with Financial Standing Orders

10.	DEVELOPMENT AND IMPLEMENTATION OF PCC STAFF VALUES AND BEHAVIOUR FRAMEWORK	C69- 2016
------------	---	------------------

Cabinet considered the implementation of an internal Council Staff Values & Behaviours Framework.

RESOLVED	Reason for Decision:
To approve Option two: To implement the newly developed staff values and behaviours framework and phase out the outward facing values as described in the One Powys Plan.	Demonstrate that we are working together with our staff to create public services that are driven by the right culture, and behaviours. Appropriate values and behaviour indicators in place to support values based recruitment process.

11.	WELSH PUBLIC LIBRARY STANDARDS: CULTURAL SERVICES SCRUTINY GROUP RECOMMENDATIONS ON POWYS ANNUAL REPORT 2014-15	C70- 2016
------------	--	------------------

Cabinet considered a response to the Scrutiny review of the Library service. The Chair of the People Scrutiny Committee congratulated the Portfolio Holder for the service's quick response to the review.

RESOLVED	Reason for Decision:
That the recommendations of the Cultural Services Scrutiny Group on the outcomes in Welsh Government's Annual Report on the Library Service 2014-15 in Appendix A to this report be duly noted, and considered in forward planning.	To aid compliance with the requirements of the Welsh Public Library Standards 2014-2017.

12.	UPDATE FROM THE ANTI-POVERTY CHAMPION	C71- 2016
------------	--	------------------

County Councillor Joy Jones, the Council's Anti-Poverty Champion gave an update of the work of the Anti-Poverty Social Research Group. The Group had three recommendations for consideration by the Cabinet:

Poverty Assessments – that Cabinet require all services to assess the impact on those in poverty situations when deciding on actions and that for each decision the Cabinet report to the Anti-Poverty Social Research Group on what was considered and the outcome of that consideration.

Economic Development/Job Creation– that Cabinet would support the group in meeting with the Welsh Government to explore ways of ensuring that the lack of good, well paid employment in the area in comparison to other areas is recognised. The group felt that it would be appropriate to involve the Leader and AMs and MPs. The focus would be on Powys failing in terms of attracting businesses to operate from the County.

Resource – that Cabinet identify resource to enable the group to deliver on its priority areas. There has been a prior commitment by the Leader to support the work of the group, however, specific identify resource to be used to move forward on matters would be important to allow the group to fulfil its functions.

The Portfolio Holder for Regeneration and Planning agreed to attend the group to speak about the new Economic Development strategy and Growing Mid Wales. The Strategic Director for Place referenced the work of the Stronger Communities Programme Board that had responsibility for Neighbourhood Management that had been mentioned by Cllr Joy Jones and suggested a similar briefing on this area of work. It was also agreed that the Anti-Poverty Champion would be invited to future meetings of the Welfare Reform Stakeholders Group. With regard to the recommendation on resources, it was noted that additional resources had been made available.

13.	CORRESPONDENCE	C72- 2016
------------	-----------------------	------------------

The Portfolio Holder for Finance reported receipt of a letter from the Executive Headteacher of Llangedwyn, Llanfechain and Llansantffraid Primary Schools, thanking the Cabinet for its efforts in securing additional from the Welsh Government and protecting the schools delegated budget. The Portfolio Holder for Finance would reply to the letter.

14.	DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING	C73- 2016
------------	---	------------------

Cabinet received details of delegated decisions taken by Portfolio Holders since the last meeting.

15.	FORWARD WORK PROGRAMME	C74- 2016
------------	-------------------------------	------------------

Cabinet received the forward work programme.

16.	RADNORSHIRE INDOOR BOWLING CENTRE, LLANDRINDOD WELLS	C75- 2016
------------	---	------------------

Cabinet considered a proposal to transfer the Radnorshire Indoor Bowling Centre (RIBC), by freehold Community Asset Transfer, to the Radnorshire Indoor Bowls Association. It was confirmed that a covenant would be written into the transfer to protect the Council's interests.

RESOLVED	Reason for Decision:
<ol style="list-style-type: none"> 1. To transfer the freehold of the Radnorshire Indoor Bowling Centre, Llandrindod Wells, including the car parking area to the west of the adjacent Tennis Courts, to the Radnorshire Indoor Bowls Association, with suitable repurchase agreements in place to recognise the Council's transfer at less than market value. 2. To approve the transfer of the Buildings and Renewal Fund to the Radnorshire Indoor Bowls Association. 	<p>To ensure the long-term security and survival of the RIBC, in the face of increasing financial constraints and the removal of the Council's management budget.</p>

County Councillor W B Thomas (Chair)