

**MINUTES OF A MEETING OF THE CABINET HELD AT COUNTY HALL / HYBRID
ON TUESDAY, 5 JULY 2022**

PRESENT

County Councillor J Gibson-Watt (Chair)

County Councillors J Berriman, J Charlton, R Church, S Cox, S C Davies,
M J Dorrance, S McNicholas, P Roberts and D A Thomas

In attendance: County Councillors A Davies, I McIntosh, G Thomas and E Vaughan.

1.	APOLOGIES
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Apologies for absence were received from County Councillor D Selby.

2.	DECLARATIONS OF INTEREST
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County Councillor J Berriman declared a personal and prejudicial interest in agenda item 11 Llanfihangel Rhydithon CP School as he had made a financial contribution to the save the school fund.

The Monitoring Officer confirmed that County Councillor J Charlton did not have an interest in respect of item 12 Llanbedr Church in Wales School as a governor of Crickhowell High School.

3.	ANNUAL SELF-ASSESSMENT REPORT
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Cabinet considered the Annual Self-Assessment report which incorporated the annual monitoring of the Council's performance against its Corporate Improvement Plan and Strategic Equality Objectives and provided a holistic view of the organisation working towards delivering its well-being objectives. The report had been considered by the Governance and Audit Committee which believed it to be a fair and accurate representation of organisational health. The Committee had not made any formal recommendations for Cabinet consideration.

RESOLVED

- 1. that the Cabinet is satisfied itself that the following criteria have been met:**
 - That the Self-Assessment Report fulfils the Authority's obligations under the Local Government and Elections (Wales) Act 2021.**
 - That the conclusions presented in the Self-Assessment Report are considered corporately to be a fair and accurate evaluation of the Authority's performance in 2021/22.**
 - That the self-assessment report offers an open, balanced, and realistic picture of the Council's achievements and challenges over the previous year.**

- **That the document is clear and provides the right level of information to make it meaningful and relevant to all audiences.**

2. That the Self-Assessment Report is recommended to Full Council for approval on 21st July 2022.

4. DISCRETIONARY COST OF LIVING SUPPORT SCHEME

Cabinet considered proposals for a discretionary cost of living support scheme in addition to the main Cost of Living Support Scheme, utilising £924,373 allocated to the Council by Welsh Government, plus any surplus from the main scheme. The report set out a proposed scheme. The discretionary nature of the scheme would allow Powys to consider other categories of people who pay Council Tax as well as tackling broader cost of living support issues that residents of Powys may have.

Cabinet also considered four recommendations from the Economy, Residents and Communities Scrutiny Committee. A formal response would be given within the agreed times, but the Deputy Leader and Cabinet Member for a Fairer Powys indicated that he was in broad agreement with the recommendations and that the Member and officer working group would have an important role in agreeing priorities, outcomes and guidelines. Cabinet also noted the need for better insulation in homes, including retrofitting.

RESOLVED

- 1. To approve that any underspend on the main Cost of Living Support Scheme (COLSS) is transferred to the Discretionary Scheme fund.**
- 2. To approve the establishment of a Councillor and Officer Group as advised in Section 3.3 of the report.**
- 3. To approve the Cost-of-Living crisis Discretionary Scheme set out in paragraph 3.4 of the report.**

5. STRATEGIC RISK REGISTER REPORT QUARTER 4 2021/2022
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Cabinet considered the Strategic Risk Register which set out details of 15 risks together with mitigating actions. Two further risks had been identified to add to the register:

PROC0008: Russian Invasion and Other Market Pressures leading to Increased risks of price variations and labour & material shortage caused by rising inflation.

ASC0069: If there is insufficient capacity to respond to the longer-term demand in children's and adults' services in timely manner.

The Head of Finance confirmed that she was arranging for an assessment of the Council's risk appetite to be carried out which she would share with Cabinet. It

was further confirmed that Senior Leadership Team met quarterly to review risks across services and that this would identify individual risks that if taken collectively would increase the level of risk for the Council, the Risk Officer also monitored risks across services. Cabinet also asked about the risk register for the housing maintenance service which had transferred back from HoWPS and was advised that a register would be maintained but the risks would be reviewed as these will change as the transition proceeds.

RESOLVED that Cabinet notes the current Strategic Risk and COVID-19 Risk Registers and is satisfied with progress against mitigating actions for quarter 4, approves the revision of PROC0008 and escalation of ASC0069 (detailed under points 3.5 & 3.6) to the Strategic Risk Register.

6.	FINANCIAL OUTTURN FOR THE YEAR ENDED 31ST MARCH 2022
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Cabinet considered the revenue budget outturn for the 2021/22 financial year. The final outturn produced a net underspend, after contributions to specific reserves, of £7.408 million against the £202.619 million budget a 3.7% variance (excluding Schools and the Housing Revenue Account). Cabinet noted that the Council's financial position had benefited from significant Welsh Government support but that this was not recurring funding.

The report also set out details of virements to specific reserves approved by the Chief Executive in consultation with the Head of Finance during the period after the election when there wasn't a Cabinet in place, which now needed ratifying by the Cabinet. Other budget virements were also recommended::

Transport fund – An underspend of £1,054,400 in Fleet Management Services (due to delayed replacement of the waste and recycling vehicles and keeping existing vehicles longer). The service had asked to utilise this underspend with an additional contribution to the vehicle replacement reserve to assist in managing the increasing pressure on the transport fund arising from significant inflation on purchase costs and where possible this funding would be used to purchase “green” vehicles.

During the year Fleet Management Services generated £226,086 of income from the sale of vehicles/equipment and it was requested that this be transferred to the vehicle replacement reserve to be used to fund the purchase of future vehicles and/or equipment, where possible this funding would be used to purchase “green” vehicles.

RESOLVED

- 1. That Cabinet note the budget position and the full year position to the end of March 2022.**
- 2. That Cabinet ratifies the approval given by the Chief Executive for the virement request to specific reserve as set out in section 6.4.4 of the report and at Appendix B.**

- 3. That the virement request set out in section 8.1.2 of the report is approved and the virement at 8.1.1 is recommended to Council for approval as this complies with the Councils' virement rules being in excess of £500,000.**

7. CAPITAL POSITION AS AT 31ST MARCH 2022

Cabinet noted the revised programme at the 31st March 2022 was budgeted at £94.74 million following the successful award of additional grants and the reprofiling of budgets between financial years. Actual spend amounted to £72.60 million, representing 77% of the total budget. This included the Housing Revenue Account (HRA) capital spend which totalled £19.78 million against a budget of £23.73 million.

RESOLVED that the report is noted.

8. TREASURY MANAGEMENT QUARTER 4 REPORT AND ANNUAL REVIEW

Cabinet considered the Treasury Management report for Quarter 4 and the Annual Review.

RESOLVED that the report is noted.

9. DIRECTOR OF SOCIAL SERVICES ANNUAL REPORT

The Chief Executive presented the Director of Social Services' Annual Report which Alison Bulman had written before leaving the Council to take up a post with Cornwall Council. An interim structure had been put in place, with Nina Davies being appointed as Director of Social Services and Housing and Lynette Lovell taking on the role of Director of Education and Children.

The report set out the pressures facing Children's and Adult Services as demand increased during the pandemic. The Deputy Leader and Cabinet Member for a Fairer Powys asked about press reports about children in Wales being placed in hotels or Air B&Bs because of a shortage of accommodation. The Head of Commissioning confirmed that there had been infrequent occasions when the service had to place children in unregistered settings including holiday accommodation. The service was focused on increasing the number of places in Powys and on working to keep children safely with their families.

Cabinet thanked staff for their work throughout the pandemic and the former Director, Alison Bulman.

RESOLVED that the report is noted and referred to Council on 22 July.

10. MARKET STABILITY REPORT SOCIAL SERVICES 2022

Cabinet considered the Market Stability report for Social Services which was being submitted to the Council, the Health Board, the Regional Partnership Board and Welsh Government. The report set out the challenges in the market

and proposals for actions to be taken in future years via the Area Plan and Commissioning strategies. The report showed how Powys County Council, Powys Teaching Health Board and third sector colleagues and other partners would plan for and deliver service for children, adults with disabilities and older people. Cabinet asked about the funding model for commissioning domiciliary care and was advised that officers were looking at pooled funding with the Health Board.

RESOLVED that the report is noted and referred to Council on 22 July.

11.	CLEAN ME - CASE FOR DOMICILIARY CARE AGENCIES TO USE ELECTRIC VEHICLES
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Cabinet considered a proposal to utilise £400,000 Welsh Government funding to enable local authorities to increase their domiciliary support service capacity through funding driving lessons and providing access to electric vehicles for domiciliary care workers.

Cabinet was advised that with domiciliary carers travelling 1.3 million miles a year, rising fuel costs were having a significant impact and that the current rate of 35p a mile was insufficient. Cabinet asked that the costs of purchasing and leasing vehicles be evaluated and that carbon savings be calculated. A pilot scheme for the purchase of e-bikes was suggested. Officers advised that a working group would work on the details of the scheme and would report back to Cabinet and to Scrutiny.

RESOLVED

- 1. To approve the proposed spend and governance arrangements of the unhypothecated Welsh Government funding for the purposes identified in this report.**
- 2. That a virement is approved to draw down the £400,000 funding from the specific reserve.**
- 3. That a report is brought back to Cabinet to review the outcome of the project and if it has achieved the intended outcomes.**

Councillor Church left the meeting.

12.	LLANFIHANGEL RHYDITHON CP SCHOOL
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The Leader explained that his Cabinet was committed to schools transformation but wished to achieve it in a consistent manner. They felt that it had been unwise of the previous Cabinet to take decisions without having undertaken catchment reviews and therefore had brought forward reports proposing delays in implementing the decisions to close Llanfihangel Rhydithon CP School and Llanbedr Church in Wales School.

Councillor Jake Berriman advised that he had a personal and prejudicial interest in this item as he had made a financial contribution to the save the school fund and he left the meeting while it was being considered.

Cabinet considered a proposal to delay implementation of the decision taken by the previous Cabinet to close Llanfihangel Rhydithon C.P. School from the 31st August 2022 to the 31st August 2023 to further consider the impact on the community and to identify steps that the Council could take to mitigate the impact of closure of the school on the community. This could potentially include the transfer of the school building to the community to be utilised for community use. It would also provide an opportunity to explore the viability of establishing a Welsh-medium primary school in Dolau.

The Cabinet Member for a Learning Powys explained that the Cabinet could choose either to accept the decision of the previous Cabinet, to delay the decision or to abandon it. His party had made a commitment in the elections to review the proposal, so acceptance was not an option. He argued that to simply abandon the proposal without providing evidence to the Minister would risk school closures and possible Ministerial intervention. The option to delay closure for 12 months would give time to explore the viability of establishing a Welsh medium primary school as had been recommended by the Learning and Skills Committee when he had been Chair. To be viable, demand for provision of Welsh Medium education and scope for growth would have to be demonstrated.

The Chair of the Learning and Skills Scrutiny Committee, County Councillor Gwynfor Thomas, reported the Committee's observations that whilst it was supportive of the establishment of a Welsh medium school in East Radnorshire, it was concerned at the significant cost of delaying the closure with no additional educational benefits for pupils.

County Councillor Elwyn Vaughan, the Chair of WESP Partnership, argued that it would take three years to establish a Welsh medium school and that the money would be better spent on funding Mudiad Meithrin and immersion.

County Councillor Iain McIntosh argued that the proposal was giving false hope to parents and pupils as the school would still close in 12 months.

County Councillor Aled Davies challenged the Cabinet on the costs of keeping the schools open for 12 months.

The Cabinet Member for a Learning Powys rejected the comments made by the speakers, explaining that he was seeking to provide an even playing field for those who wished to access Welsh medium education in the area. The Cabinet Member for Finance and Corporate Transformation advised that the financial implications would be covered by the contingency budget and would not have an impact on the delegated schools budgets. The additional costs of £32k in 2023/24 from the schools delegated budget were minimal when spread out amongst the budgets of all the schools.

Having considered the observations of the Scrutiny Committee and the comments of members it was moved, seconded and

RESOLVED

- 1. To delay implementation of the proposal to close Llanfihangel Rhydithon C.P School for 12 months to the 31st August 2023.**
- 2. To identify the steps that the Council could take to mitigate the impact of the closure on the community.**
- 3. To explore the viability of establishing a Welsh-medium primary school at Llanfihangel Rhydithon.**
- 4. A virement from delegated school contingency budget for £76,800 is approved to balance the budgets in this financial year. Noting in 2023-24 that the additional £32,300 requirement will be contained within the overall schools delegated budget.**

County Councillor Sandra Davies advised that she was abstaining.

Councillor Berriman returned to the meeting.

13. LLANBEDR CHURCH IN WALES SCHOOL
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Cabinet considered a proposal to delay implementation of the proposal to close Llanbedr C. in W. School from the 31st August 2022 to the 31st August 2023, and to commence an area review of the Crickhowell catchment.

The Portfolio Holder for a Learning Powys noted that a judicial review of the previous Cabinet's decision was still outstanding. He further noted that changes to senior staff in schools could result in a change to arrangements to governance arrangements at schools in the cluster. He was therefore proposing a catchment review in Crickhowell to be commenced as a priority.

County Councillor Iain McIntosh asked about the process for stopping closures and was advised that the Council would need to write to the Minister with reasons, but that the consent of the Minister was not required.

The Chair of the Learning and Skills Scrutiny Committee, County Councillor Gwynfor Thomas, reported the Committee's observations. He was concerned that staff, parents and pupils would be given false hope when the school was still earmarked for closure in August 2023. In response the Cabinet Member noted that the proposal for a cluster review was already in the programme and that the proposal would bring this forward. The proposal would remove the risk of pupils being moved to a school only to be moved again. The Director of Corporate Services confirmed that this work would be prioritised. The Committee also had concerns over the costs of keeping the school open for a year with no additional educational outcomes.

The Cabinet Member for Finance and Corporate Transformation advised that the contingency budget would cover the costs so there would be no impact on

delegated school's budgets and that there would be a minimal impact on budgets in 2023/24.

Having considered the observations of the Scrutiny Committee and the comments of members it was moved, seconded and

RESOLVED

- 1. To delay implementation of the proposal to close Llanbedr C. in W. School by 12 months to the 31st August 2023.**
- 2. To commence an area review of the Crickhowell catchment.**
- 3. To bring a further paper outlining the proposed way forward for the Crickhowell catchment to a future Cabinet meeting.**
- 4. A virement from delegated school contingency budget for £59,000 is approved to balance the budgets in this financial year. Noting in 2023-24 that the additional £41,000 requirement will be contained within the overall schools delegated budget.**

County Councillor Sandra Davies advised that she was abstaining.

County Councillor J Gibson-Watt (Chair)