

**MINUTES OF A MEETING OF THE CABINET HELD AT COUNTY HALL / ON ZOOM
ON TUESDAY, 13 DECEMBER 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, D Selby and D A Thomas

In attendance: County Councillors B Baynham, Aled Davies, Angela Davies, H Hulme,
GD Jones, K Lewis, P Lewis, G Morgan, G Preston and G Thomas

1.	APOLOGIES
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There were no apologies for absence.

2.	MINUTES
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The Leader was authorised to sign the minutes of the last meeting held on 22nd
November 2022 as a correct record.

3.	DECLARATIONS OF INTEREST
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There were no declarations of interest reported.

4.	YSGOL Y CRIBARTH PROPOSAL PAPER
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Cabinet considered a proposal to make a regulated alteration to introduce a Welsh-medium stream at Ysgol y Cribarth from September 2023. The school currently operated as a single stream English-medium school, but since September 2021, the school had operated a Welsh-medium Foundation Phase class as part of a pilot scheme. There were currently 20 pupils in the Welsh-medium class.

The introduction of a Welsh-medium stream would ensure that all pupils attending the school would have the opportunity to choose this provision, which would give them the opportunity to become fluent in Welsh and English. This would support the Council's aims and aspirations as outlined in the Welsh in Education Strategic Plan (WESP) for 2022-32 and the Strategy for Transforming Education in Powys.

County Councillor Elwyn Vaughan, the Chair of the Welsh in Education Strategic Plan, welcomed the proposal.

County Councillor Aled Davies, the Leader of the opposition, argued that the Cabinet should change the language category of Ysgol y Cribarth to Welsh-medium on a phased basis. It was explained that this was the start of the consultation process and that if there was clear support for this approach the Cabinet was to be advised of this. The proposal had the full support of the school.

RESOLVED that Cabinet approves commencing the statutory process on the following proposal to move Ysgol y Cribarth along the language continuum:

To make a regulated alteration to introduce a Welsh-medium stream at Ysgol y Cribarth from September 2023.

5.	MOUNT STREET INFANT SCHOOL, MOUNT STREET JUNIOR SCHOOL AND CRADOC CP SCHOOL
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Cabinet considered a proposal to delay implementation of Phase 1 of the proposal to close Mount Street Infant School, Mount Street Junior School and Cradoc CP School from the 31st August 2023 to the 31st August 2024.

Cabinet was advised that following approval of the proposal in March 2022, an application was made for a judicial review of the Council's decision. However, this had not yet been considered by the Court, due to a backlog of cases. The delay in determining whether or not to allow this matter to proceed to a judicial review meant that there was now insufficient time to appoint a headteacher and complete all other necessary processes in time to implement the proposal in September 2023.

In response to comments from County Councillor Liz Rijnenberg which were read out, officers confirmed that an indicative timeline would be sent to staff, parents and governors although firm dates could not be given as they were dependent on when the judicial review was determined. Officers confirmed that learners and staff would be supported through the period of change.

RESOLVED to delay implementation of the proposal to close Mount Street Infant School, Mount Street Junior School and Cradoc CP School for 12 months to the 31st August 2024.

6.	UK SHARED PROSPERITY FUND: ACCEPTANCE OF FUNDING AND IMPLEMENTATION ARRANGEMENTS
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Cabinet considered the governance and management arrangements for the UK Shared Prosperity Fund ("UKSPF") in Mid Wales and Powys.

They also noted that formal acceptance of the Mid Wales Regional Investment Plan that had previously been submitted to the UK Government had been received from them last week.

The Economy Residents and Communities Scrutiny Committee had made two recommendations in respect of the report which were accepted by the Cabinet.

RESOLVED

- 1. To note the public version of the Mid Wales Regional Investment Plan in Appendix 1 to the report and approve its publication.**

2. **To approve the proposed implementation and delivery arrangements of the Fund as set out in Section 3 of the report.**
3. **To approve for the S151 Officer of Ceredigion Council to receive the funding from UK Government on behalf of Mid Wales, and to sign the Memorandum of Understanding with UK Government**
4. **To give delegated authority for Powys' Monitoring Officer and Executive Director for Economy and Environment in consultation with the Leader and Portfolio Holder for a Prosperous Powys, to agree and sign the Service Level Agreement with Ceredigion Council on behalf of Powys County Council.**
5. **To give delegated authority for Powys' S151 Officer to sign off claims and to approve the process for receiving funds on a local basis on behalf of Powys County Council as will be set out in the Service Level Agreement.**

7.	LEISURE SERVICES - ENERGY COST INCREASE MITIGATION PROPOSALS 2022-23
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Cabinet considered a report on emergency measures proposed by Freedom Leisure who manage and deliver leisure services on behalf of the authority to mitigate a predicted budget deficit position of £287k for the financial year 2022-23. Energy price inflation was causing an extreme financial challenge for Freedom Leisure in line with the leisure sector across the UK.

Freedom Leisure have proposed the following -

- a) To temporarily close the leisure centre buildings to the public in Llanfair Caereinion, Llanfyllin & Presteigne from 23rd December 2022 – 31st March 2023 (high schools to retain access to 'dry side' facilities only).
- b) To temporarily close the swimming pools in Llanidloes, Rhayader & Builth Wells from 23rd December 2022 – 31st March 2023 (to the public and schools).
- c) All other leisure centres/pools (not listed above) to close over Christmas from 23rd December 2022 – 3rd January 2023.
- d) To implement an increase to fees & charges (in line with CPI) from January 2023.

County Councillors Aled Davies, Beverley Baynham, Gareth D Jones, Karl Lewis, Elwyn Vaughan, Glyn Preston, Peter Lewis, Gwynfor Thomas and Angela Davies expressed their considerable disappointment at the proposal and the lack of consultation with local members. Several called for the matter to be considered by Scrutiny.

The Cabinet Member for a More Prosperous Powys committed to engaging with communities on the future of leisure services. He advised that the Cabinet had no part in negotiations with Freedom Leisure. The Monitoring Officer confirmed that as the proposals were emergency temporary there was no requirement to carry out a consultation.

All Cabinet members confirmed that they had read the report and the associated impact assessment.

RESOLVED

- 1. That Cabinet acknowledge the significant impact of the current energy crisis on Freedom Leisure (and the Powys leisure centres) and accepts that the suggested emergency measures be implemented to mitigate and reduce the in-year deficit position.**
- 2. That Cabinet note that the service and Freedom Leisure agree communications to ensure staff, schools, the public and other stakeholders receive messages and information as appropriate.**
- 3. That a further report is brought to Cabinet or Portfolio Holder in the event that despite the measures in paragraph 3.4 there is a deficit at the end of the financial year.**
- 4. That Cabinet agree further work will be needed to provide options and proposals to determine the longer-term future and sustainability of the leisure facilities in Powys.**

8. QUARTER 2 PERFORMANCE REPORT
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The Quarter 2 performance report was deferred until each of the Scrutiny Committees had considered it.

9. QUARTER 2 TREASURY MANAGEMENT REPORT
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Cabinet considered the Treasury Management report for quarter 2. The report set out details of the Council's borrowing and financing costs of the capital programme.

10. CORPORATE SAFEGUARDING POLICY

Cabinet considered the Corporate Safeguarding Policy and the terms of reference of the Corporate Safeguarding Board. Cabinet was reminded by safeguarding was the responsibility of every member of staff and Councillor. Details of the policy would be made available on the intranet.

RESOLVED to adopt the Corporate Safeguarding Policy and the terms of reference of the Corporate Safeguarding Board.

11. DELEGATED DECISIONS TAKEN SINCE THE LAST MEETING

Cabinet noted the delegated decisions taken by Cabinet members since the last meeting.

12. FORWARD WORK PROGRAMME

Cabinet noted the forward work programme.

13. EXEMPT ITEMS

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

14. COMMERCIAL WASTE AND RECYCLING PRICE REVIEW

Cabinet reviewed the pricing structure for the commercial waste and recycling service provided by the Council to businesses and organisations.

RESOLVED

- 1. To approve the review of the pricing structure for the commercial waste and recycling service provided by the Council to businesses and organisations to take effect from 1st April 2023. This is to ensure that the service is sustainable going forward and furthermore to comply with the Non Domestic Premises Recycling Regulations which are due to come into force in 2023.**
- 2. To continue to authorise the Service to have flexibility over the setting of future prices in order to be able react to market conditions and compete effectively.**

15.	S28A AGREEMENT WITH PTHB
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Cabinet considered the report of the Head of Legal Services and the Monitoring Officer and the Head of Finance and Section 151 Officer in respect of a settlement to a longstanding issue with Powys teaching Health Board. The terms of the settlement had been agreed by the Board.

RESOLVED to approve the recommendations in the report.

County Councillor J Gibson-Watt (Chair)