

**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 3rd DECEMBER 2014

DECISION WILL COME INTO EFFECT ON: 3rd DECEMBER 2014

SUBJECT: CALL IN 'BUILDING THE ESTABLISHMENT AND CAPACITY FOR ENTERPRISE' (CABINET 5TH NOVEMBER 2014)

DIVISION//WARD AFFECTED: ALL

PURPOSE:

Strong Communities Select committee considered a call-in on 24th November 2014, in relation to the Cabinet decision dated 5th November 2014:

To build the establishment and capacity for the Enterprise directorate, both in terms of the management structure and where appropriate the relevant services' staffing structures.

The select committee decided to refer the report back to Cabinet with a recommendation that paragraphs (f) and (g) of the recommendations be removed.

DECISION:

To agree to the establishment of the proposed management and staff structures for the Enterprise directorate, recognising that ongoing service reviews will result in further reports needing to be subsequently brought forward.

To agree to the creation and deletion of posts contained within 3.5 of this report.

To agree that any amendments to the structure that may arise through the consultation exercise (currently underway) be approved by the Chief

Officer for Enterprise in consultation with the relevant cabinet members subject to any alternations continuing to provide the savings required in the approved budgets.

- a) The creation of a Place Manager and Estates Manager post;
- b) The creation of a one year fixed term Project Manager post, funded from capital resources
- c) The creation a Sports, Community Development and Events Manager post, a Business Manager (Tourism, Leisure & Culture) post and a Green Infrastructure and Countryside Manager post;
- d) The creation of a Museums Manager post, subject to the outcome of the Museums review;
- e) The creation of a Business Insight Manager post, a Business Enterprise Manager post, a Digital Project Delivery post, a Human Resources Manager post and an Organisational Development Manager post;

That paragraphs f) and g) of the original decision will be considered once consultation is concluded.

REASONS:

This is not a restructure report. This report allows for the Enterprise directorate to ensure that it has the management and leadership capacity in place to allow the directorate to move forward and manage the significant challenges ahead. In order to successfully navigate the next few years the directorate needs to ensure that it has the optimum capacity to deliver the required savings, as well as enabling its three customers: staff, communities and businesses, to successfully navigate the challenges ahead.

The management structures that have been inherited following the creation of the Enterprise directorate are not fit for purpose in allowing for effective and effective decision making. This report will allow Heads of Service to be able to more effectively manage and lead their service portfolios through a rationalised leadership and management structure.

RESOURCE IMPLICATIONS:

The proposed structure for Community Led delivery will result in a combined saving of £303,404, necessary to deliver savings required from budget mandates being considered separately by Cabinet on this agenda. The proposals include the creation of a one-year fixed term Project Manager post to oversee a pilot property development. It is intended that this post will be funded though capital as a result of an anticipated enhanced capital value.

The proposed structure for Tourism, Leisure and Culture will result in a combined cost of £40,418. These costs will be met by savings generated from within the Museum, Leisure and Countryside budgets, and that are separate to savings to be achieved in 2014/15 and being proposed within budget mandates for 2015/16.

The proposed structure for Commercial and People Development will result in a net cost of £169,935. The proposals include the deletion of a Senior Innovation Officer that is currently being funded from earmarked reserves (£44,000). These proposals remove the need to draw on such reserve funding. The net cost of £169,935 is being met by savings resulting from a fundamental overhaul of departmental non-pay budgets (£144,935), combined with targeted savings from a pending review of Human Resources (£25,000).

Costs associated with redundancies are reliant upon the implementation of the Council's employment protection policy. To the extent that any costs associated with redundancy cannot be managed within existing revenue budgets, a further report will be brought back to Cabinet to secure the necessary reserve funding.

It is anticipated further to this report, and adjacent to developing budget proposals for 2015/16 to 2018/19, that a case will need to be put forward for any specific skills and expertise that will need to be secured to ensure that budget mandates are delivered successfully, on time and to budget. Any request for further funding for additional posts will be subsequently considered alongside the developing budget proposals.

CONSULTEES:

Cabinet
Senior Leadership Team
People Development Manager
Head of Legal Services
Union representatives

CABINET MEMBERS PRESENT:

County Councillors G. Burrows, P. Fox, R. Greenland, E. Hackett Pain, Hobson, G. Howard, B. Jones and P. Murphy.

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni, S. Howarth, R. Harris and M. Powell

INTEREST DECLARED:

None

AUTHORS:

Debra Hill Howells – Head of Community Led Delivery
Ian Saunders – Head of Tourism, Leisure and Culture
Peter Davies – Head of Commercial and People Development

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**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 3rd DECEMBER 2014

DECISION WILL COME INTO EFFECT ON: 12TH DECEMBER 2014
(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: TARGET SETTING AT A TIME OF CONTRACTING BUDGETS

DIVISION//WARD AFFECTED: AII

PURPOSE:

1. To seek approval to mid-year revisions to a number of targets contained in the Council's Improvement Plan and Outcome Agreement with Welsh Government and to re-state existing targets to ensure absolute clarity on expected performance.
2. To remind members of past performance against key performance indicators and ensure that members consider the likely impact of budget decisions the trajectory of future performance.

DECISION:

1. To approve the changes to targets specified in this report.
2. To use this target matrix as their baseline when considering the likely impact of future budget decisions on key areas of performance, set targets accordingly and ensure that these targets are communicated clearly to citizens.

REASONS:

1. To ensure that Cabinet are able to make informed decisions on the extent to which future budget proposals will impact on a range of performance measures.

2. To ensure there is clarity on performance targets that have been agreed and to amend a number of targets provide Cabinet with timely information to ensure that the authority is well-run and able to maximise its contribution to achieving the vision of sustainable and resilient communities.

RESOURCE IMPLICATIONS:

If the authority is unable to sustain performance in line with the targets and milestones set in its Outcome Agreement with Welsh Government then the grant of c£840,000 per annum will be placed at risk

CONSULTEES:

Senior Leadership Team
Cabinet

CABINET MEMBERS PRESENT:

County Councillors G. Burrows, P. Fox, R. Greenland, E. Hackett Pain, Hobson, G. Howard, B. Jones and P. Murphy.

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni, S. Howarth, R. Harris and M. Powell.

INTEREST DECLARED:

County Councillor R. Greenland declared a personal interest as the Chair of the Education Achievement Service Board.

AUTHORS:

Policy and Performance Team

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**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 3RD DECEMBER 2014

DECISION WILL COME INTO EFFECT ON: 12th DECEMBER 2014
(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: FRIENDSHIP AGREEMENT WITH XIANGSHAN COUNTY, CHINA

DIVISION//WARD AFFECTED: ALL

PURPOSE:

To propose the development of an international relationship with Xiangshan Local Government in China, which includes the signing of a 'Friendship Agreement' to share best practice and inform opportunities around culture, tourism and economic development.

DECISION:

1. To agree the development of a long-term strategic relationship with Xiangshan Local Government, to focus specifically on progressing issues and opportunities of common interest such as tourism, culture and economic growth.
2. To symbolize this intent through the signing of a Friendship Agreement.

REASONS:

Developing a strategic relationship with Xiangshan County is important because:

- The relationship with Xiangshan County and its main enterprise, Huaxiang Group, is critical to continuing investment in high order jobs at NAS in Gilwern;
- Given the global growth profile of Huaxiang, the potential for future investment exists and we must work hard to build relationships that ensure Monmouthshire and Wales do not get overlooked when such decisions may come to be made;

- Given the strong similarities and differences that exist between Monmouthshire and Xiangshan, significant opportunities exist to share information, knowledge and opportunities around tourism, cultural and economic growth and development
- Welsh Government supports the development and we will continue to work with them to grow the relationship and optimise benefits to Monmouthshire and Wales

RESOURCE IMPLICATIONS:

There are no resource implications connected with this report.

CONSULTEES:

All Cabinet Members
Leadership Team
Chairman of Monmouthshire County Council
Enterprise Leadership Team
Economy and Enterprise Team
General Manager, NAS, Gilwern
BETS, Welsh Government

CABINET MEMBERS PRESENT:

County Councillors G. Burrows, P. Fox, R. Greenland, E. Hackett Pain, Hobson, G. Howard, B. Jones and P. Murphy.

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni, S. Howarth, R. Harris and M. Powell.

INTEREST DECLARED:

None.

AUTHOR:

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**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 3rd DECEMBER 2014

DECISION WILL COME INTO EFFECT ON: 12th DECEMBER 2014
(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: REVENUE & CAPITAL BUDGET MONITORING 2014/15 MONTH 6 OUTTURN FORECAST STATEMENT

DIVISION//WARD AFFECTED: ALL

PURPOSE:

1. The purpose of this report is to provide Members with information on the forecast outturn position of the Authority at the end of month 6 for the 2014/15 financial year.
2. It also seeks to provide summary performance indicator information alongside financial data to allow Members a better opportunity to consider how services are provided and whether resources are being utilised efficiently.

DECISION:

1. To consider the position concerning 2nd quarter revenue monitoring and seek assurance of the action Chief Officers are taking to address the over spends in their service areas.
2. To approve the decommitment of specific reserve funded expenditure in current year evidenced in para 3.1.4, and re-introduction in 2015-16.
3. To consider the position concerning school balances and note the potential for in year withdrawal of school improvement grant by Welsh Government.
4. To approve a revision in school governor practice to require any governing body that anticipates a deficit reserve position to submit a recovery plan prior to the Council agreeing to the school moving into a deficit reserve position, rather than in arrears of the decision

reached by the governing body as currently. The change would have the effect of withdrawing the automatic right of any governing body to incur a deficit reserve position without prior consultation and agreement of the Council.

5. To note the variances in approach and progress concerning the mandates identified in para 3.3.3, and endorse the alternate savings and virements proposed by Directors to replace original proposals where it is unlikely that savings will be manifest during 2014-15 as per para 3.3.4.
6. To consider the position concerning 2nd quarter capital monitoring and concerns over the limited actual expenditure incurred to date, and note the slippage identified, and net underspends forecast by managers.
7. To approve the change in approach advocated in para 3.5.3 that the balance of LCHO capital receipts should be made available to fund the additional costs (arising from differences in equity from purchase to resale) in relation to Castlewood and Home Finder schemes as and when they come up.
8. That Members reflect upon the comparative information included alongside traditional financial data to consider whether it assists them in providing a better link between inputs and outputs and allows them to better consider whether resources are being economically and efficiently utilised.

REASONS:

To improve budget monitoring and forecasting information being provided to Senior Officers and Members.

RESOURCE IMPLICATIONS:

As contained in the report.

CONSULTEES:

Strategic Leadership Team
All Cabinet Members
All Select Committee Chairman
Head of Legal Services
Head of Finance

CABINET MEMBERS PRESENT:

County Councillors G. Burrows, P. Fox, R. Greenland, E. Hackett Pain, Hobson, G. Howard, B. Jones and P. Murphy.

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni, S. Howarth, R. Harris and M. Powell.

INTEREST DECLARED:

County Councillors R. Harris and M. Powell declared personal interests as Governors of Deri View School.

AUTHOR:

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**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 3rd DECEMBER 2014

DECISION WILL COME INTO EFFECT ON: 12th DECEMBER 2014
(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: COUNCIL TAX BASE 2015/16 AND ASSOCIATED MATTERS

DIVISION//WARD AFFECTED: COUNTYWIDE

PURPOSE:

To agree the Council Tax base figure for submission to Welsh Government, together with the collection rate to be applied for 2015/16 and to make other necessary related statutory decisions.

DECISION:

1. That in accord with the Local Authorities (Calculation of Tax Base) (Wales) Regulations 1995, the amount calculated by the Council as its Tax Base for 2015/16 shall be notified as £44,561.34 and the Collection Rate set at 98%.
2. That no Special Resolution declaring Drainage Rates as Special Expenses be made.
3. That any expenses incurred by the Council in performing in part of its area a function performed elsewhere in its area by a Community Council shall not be treated as a special expense for the purpose of Section 35 of the Local Govt. Finance Act 1992.
4. That Council Tax setting continues to be a function of full Council.

REASONS:

1. To agree the council tax base figure and the collection rate for the forthcoming financial year as required by legislation.
2. To determine whether a special resolution should be made declaring Drainage Rates a special expense

3. To determine whether or not any expenses incurred in part only of the area should be treated as special expenditure in accordance with the relevant legislation.
4. To confirm that the important matter of tax setting should continue to be a function of full council rather than be devolved for executive decision.

RESOURCE IMPLICATIONS:

The Council Tax base calculated for 2015/16 has risen by 0.82% compared to 2014/15. The income derived from the increase in the Council Tax Base (£391k) will be taken into account in the budget proposals report which is to be considered by Special Cabinet on 7th January 2015.

CONSULTEES:

Strategic Leadership Team
All Cabinet Members
Head of Legal

CABINET MEMBERS PRESENT:

County Councillors G. Burrows, P. Fox, R. Greenland, E. Hackett Pain, Hobson, G. Howard, B. Jones and P. Murphy.

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni, S. Howarth, R. Harris and M. Powell.

INTEREST DECLARED:

None.

AUTHORS:

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**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 3RD DECEMBER 2014

DECISION WILL COME INTO EFFECT ON: 12th DECEMBER 2014
(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: MONMOUTHSHIRE LOCAL DEVELOPMENT PLAN AFFORDABLE HOUSING SUPPLEMENTARY PLANNING

DIVISION//WARD AFFECTED: ALL

PURPOSE:

The purpose of this report is to seek Cabinet's endorsement of Draft Supplementary Planning Guidance (SPG) on Affordable Housing to support the policies of the Monmouthshire Local Development Plan (LDP), with a view to issuing for consultation purposes and to recommend to Council accordingly.

DECISION:

To endorse the Draft Affordable Housing SPG with a view to issuing for consultation purposes and to recommend to Council accordingly.

REASONS:

Under the Planning Act (2004) and associated Regulations, all local planning authorities are required to produce a LDP. The Monmouthshire LDP was adopted on 27 February 2014 and decisions on planning applications are now being taken in accordance with policies and proposals in the LDP. The Affordable Housing SPG provides further explanation and guidance on the way in which the affordable housing policies of the LDP will be implemented.

RESOURCE IMPLICATIONS:

1. Officer time and costs associated with the preparation of the SPG document and carrying out the required consultation exercises. These will be within the existing Development Plans budget and carried out by existing staff.
2. A new funding stream will arise from processes introduced in association with the Affordable Housing SPG. LDP Policy S4, Affordable Housing, makes provision for financial contributions to be required to assist in funding affordable housing in the County where residential developments do not meet the thresholds for providing such housing on site. In addition, a process is set out in the SPG for requiring financial contributions in the exceptional circumstances where it is not appropriate or feasible to provide affordable housing on site.

CONSULTEES:

Strong Communities Select
Planning Committee
SLT
Cabinet

CABINET MEMBERS PRESENT:

County Councillors G. Burrows, P. Fox, R. Greenland, E. Hackett Pain, Hobson, G. Howard, B. Jones and P. Murphy.

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni, S. Howarth, R. Harris and M. Powell.

INTEREST DECLARED:

None.

AUTHOR:

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**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 3rd DECEMBER 2014

DECISION WILL COME INTO EFFECT ON: 12TH DECEMBER 2014
(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: RECYCLING REVIEW

DIVISION//WARD AFFECTED: ALL

PURPOSE:

To seek Cabinet agreement on the proposed way forward for the Recycling Review including the decision on the future of recycling collections in Monmouthshire to align with the revised Waste Framework Directive (rWFD) requirements for separate collections (subject to conditions) by January 2015.

DECISION:

Agreed:

- I. That the existing method kerbside collection of dry recycling materials be continued subject to further Review given the lack of a strong evidence base on the "necessity" to change with a report to be brought forward in summer-autumn 2015;
- II. That food and garden waste kerbside collections should be split on demonstration of a robust business case, with food waste to be treated via AD and garden waste via open windrow; the former of which is the subject of a separate Cabinet report (3rd Dec AD MoU Report) and the latter (garden) is subject to a study as part of the wider Recycling Review; and
- III. That MCC should explore the opportunities for community benefit from local provision specifically focusing on reuse at CA sites and community composting

REASONS:

Separate collections' for glass, paper, plastics and metals are required by January 2015 subject to necessity and TEEP tests. Current data does not evidence that MCC is not compliant with the rWFD framework, but in the spirit of the Directive, given that we do not offer kerbside sort source separated collections the Council will continue to review and pending further evidence and data will report to Cabinet in 2015 with a full costed business case on the proposed way forward.

RESOURCE IMPLICATIONS:

There are no immediate financial implications from this report.

Whilst indications on savings have been referenced in the report no figures for savings feature within the current MTFP as it would be premature to do so. The figures provided do not also take fully into account the capital investment required. However if a change was proposed the Business Case, in line with the principles on capital investment would need to explore the implications of using any savings to enable borrowing to fund this capital expenditure or make such a strong case that other schemes contained within the capital programme were displaced.

CONSULTEES:

Cabinet
Senior Leadership Team
Head of Service
Chief Internal Auditor
Head of Finance
Head of Legal Services
Strong Communities Select Committee (meeting of 18th Nov)
WRAP
Welsh Government

CABINET MEMBERS PRESENT:

County Councillors G. Burrows, P. Fox, R. Greenland, E. Hackett Pain, Hobson, G. Howard, B. Jones and P. Murphy.

OTHER ELECTED MEMBERS PRESENT:

County Councillors S. Howarth, R. Harris and M. Powell.

INTEREST DECLARED:

None.

AUTHORS:

Rachel Jowitt, Head of Waste and Street Services
Amy Bowen, Senior Policy and Performance Officer

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**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 3rd DECEMBER 2014

DECISION WILL COME INTO EFFECT ON: 12th DECEMBER 2014
(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: ANAEROBIC DIGESTION, MEMORANDUM OF UNDERSTANDING, HEADS OF THE VALLEYS PARTNERSHIP

DIVISION//WARD AFFECTED: ALL

PURPOSE:

To seek approval for:

- a) the Head of Waste & Street Services to conclude negotiations for MCC to enter into a Memorandum of Understanding with the Heads of the Valleys Partnership to progress the development of an Outline Business Case for the delivery of appropriate food waste treatment (via Anaerobic Digestion) in the region;
- b) the Cabinet Members for County Operations (Cllr Bryan Jones) and Finance (Phil Murphy) be appointed to the Joint Committee.

DECISION:

Agreed that::

- MCC enter into a MoU with the partnering authorities;
- That Cllr Jones and Cllr Murphy be appointed to the Joint Committee.

REASONS:

MCC needs a long term, sustainable and cost effective solution for the treatment of its organic waste. Garden waste is being reviewed through the Recycling Review. Signing the MoU with the Heads of the Valleys LAs allows MCC to fully assess the impact and benefits of MCC being part of a regional collaborative AD procurement process.

RESOURCE IMPLICATIONS:

1. Apart from staff resources there are no direct financial implications from signing the MoU. Indeed WG have indicated (at Annex 2) that further financial support would be available to the partnership to undertake the procurement process if MCC were to join. The project manager has also indicated that no further financial contributions will be required at this time given MCC will be leading the financial workstream of the project. However like all procurements financial monitoring is closely undertaken and should authority contributions be required then due process of reporting to Joint Committee for inclusion within internal budget setting processes would be followed.
2. The Recycling Review report outlines that a split of food and garden waste collection and a move to open windrow and AD should have a positive effect on the MCC budget position over the life time of the project. Whilst the table below indicates potential savings to justify MCC being involved in this work, these savings do not feature within the current MTFP as accurate projections on actual savings cannot be provided until the procurement is nearing completion.

Revenue	Current service	Current service with garden and food split
Staff	1,243,391	1,252,055
Vehicles	1,076,926	1,172,923
Containers	391,183	391,183
Organics Processing	487,438	294,622
Garden Waste Charge	-230,000	-230,000
Sup & Overheads	840,950	831,918
Total	3,809,889	3,712,701
<i>Diff from enhanced baseline</i>		<i>-97,189 (p/a)</i>

3. The modelling on cost savings will also need to take into account the one off costs that will be required to ensure regulation compliant transfer stations for the appropriate management of this material. In line with the principles on capital investment the business case for change would need to explore the implications of using any savings to enable borrowing to fund this capital expenditure or make such a strong case that other schemes contained within the capital programme were displaced.

<i>Table 3: Site</i>	Description	Cost
Llanfoist	Building bay in old transfer station	£15,000
Five Lanes*	Covered food bay in skip storage area	£40,000
Five Lanes*	Concreting skip storage area	£75,000
Total:		£130,000 (one off)

CONSULTEES:

Cabinet
 Senior Leadership Team
 Head of Service
 Chief Internal Auditor
 Head of Finance
 Head of Legal Services
 Procurement Strategy Manager

CABINET MEMBERS PRESENT:

County Councillors G. Burrows, P. Fox, R. Greenland, E. Hackett Pain, Hobson, G. Howard, B. Jones and P. Murphy.

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni, S. Howarth, R. Harris and M. Powell.

INTEREST DECLARED:

None.

AUTHOR:

Rachel Jowitt, Head of Waste & Street Services

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**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 3rd DECEMBER 2014

DECISION WILL COME INTO EFFECT ON: 12th DECEMBER 2014
(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: USE OF 2013-14 EDUCATION ACHIEVEMENT SERVICE UNDERSPEND

DIVISION//WARD AFFECTED: ALL

PURPOSE:

1. To provide members with an update on the proposed use of the 2013-14 underspend from the Education Achievement Service (EAS).
2. To seek approval to transfer the £69,000 underspend back to the EAS for the uses detailed in this report.
3. The total underspend for the EAS was £534,528 the MCC share of this was £69,000.

DECISION:

To approve this transfer of the £69,000 underspend from the reserves of Monmouthshire County Council to the EAS.

REASONS:

1. To ensure that the services of the EAS are maintained to support our schools and to minimise the impact of in year grant reductions for schools.
2. To allow the EAS to make the necessary investments in ICT to allow schools and authorities to realise efficiency savings.

RESOURCE IMPLICATIONS:

The total investment proposed above for the whole EAS region is:

Investment in ICT (MySID)	£116,000
Restructure costs	£176,000
Support to in-year grant reductions	£276,264
Total investment	£568,264
Total EAS Underspend to support the above	£534,528
MCC share of the above	£ 69,000

Balance of £33,736 to be found within EAS resources.

CONSULTEES:

DMT
CYP Select Committee
Assistant Section 151 officer
EAS Finance Officer

CABINET MEMBERS PRESENT:

County Councillors G. Burrows, P. Fox, R. Greenland, E. Hackett Pain, Hobson, G. Howard, B. Jones and P. Murphy.

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni, S. Howarth, R. Harris and M. Powell.

INTEREST DECLARED:

County Councillor R. Greenland declared a personal interest as the Chair of the Education Achievement Service Board

AUTHOR:

Nikki Wellington – CYP Finance Manager

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**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 3rd DECEMBER 2014

DECISION WILL COME INTO EFFECT ON: 12th DECEMBER 2014
(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: MANAGEMENT OF COMMERCIAL OBSTRUCTIONS ON THE HIGHWAY

DIVISION//WARD AFFECTED: ALL

PURPOSE:

To seek approval for the adoption of a policy titled 'Provision of a Management of Commercial Obstruction on the Highway'. The Policy will cover various occasions when a business wants to use the Public Highway for reason of benefit to that company. It will bring a consistency to the policy, both within MCC processes and the wider Local Authority community by using a specific licensing and charging mechanism for any organisation seeking to make use of the public highway.

DECISION:

Agreed that the report 'Management of Commercial Obstructions on the Highway' would be deferred to a future cabinet after further comprehensive consultation with interested parties'

REASONS:

1. It is not unreasonable that the beneficiaries of service requests made to MCC should pay for the cost associated with those requests, especially when a failure to comply, with The Highway Act 1980, would normally lead to enforcement action being taken and possible fines and costs being charged.

2. An interest by Companies to use the public Highway as a site to benefit their business is evident throughout MCC. This benefit, usually through advertising or by the direct use of the Public Highway as a premise from which to sell goods or to supply a service, needs to be managed. However, this benefit can conflict with MCC's statutory Duty to '... assert and protect the rights of the public to the use and enjoyment of any highway....', Highway Act 1980 : Section 130, and needs to be managed effectively
3. It is the Duty of Monmouthshire County Council to control such activities. The use of licences that are free, the use of licences that have associated nominal fees and licences that have charges that reflect the market value are all used in this policy.
4. Feedback was received from Strong Community Select Committee, their concerns have been incorporated within the revised policy.
5. The use of a third party company to provide the marketing, selling and financial controls on the advertising space was considered. However to optimise income to MCC it is recommended that it is managed in house and performance reviewed in twelve months of implementation.

RESOURCE IMPLICATIONS:

1. Staff resources are currently engaged in guidance and enforcement. A shift to guidance and licensing will require additional resources. An additional post is recommended to provide the detailed administrative support and financial control that the scheme demands.
2. Income generated by this proposal are outlined in the Section 2 'Management of Commercial Obstruction on the Highway report' (Appendix 1 part 2). With a 55% take up and with current proposed charges a gross income of £95,000 is anticipated in a full year. This addresses the relevant 14/15 and 15/16 budget mandates (assumed financial gain of £70,000) plus the administrative support estimated at £25,000.

CONSULTEES:

Cabinet Members
Strong Community Committee
Town and Community Council
CAIR

CABINET MEMBERS PRESENT:

County Councillors G. Burrows, P. Fox, R. Greenland, E. Hackett Pain, Hobson, G. Howard, B. Jones and P. Murphy.

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni, S. Howarth, R. Harris and M. Powell.

INTEREST DECLARED:

None.

AUTHOR:

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**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 3rd DECEMBER 2014

DECISION WILL COME INTO EFFECT ON: 12th DECEMBER 2014
(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: WELSH CHURCH FUND WORKING GROUP

DIVISION//WARD AFFECTED: ALL

PURPOSE:

The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications for 2014/15 meeting 4 held on the 13th November 2014.

DECISION:

We resolved that the following grants be awarded to:

- (1) Andrew Henley requested £500 to assist with living expenses whilst studying in further education
Recommendation – The Committee felt that they could not support the request of this applicant for advanced educational funding
- (2) Usk Baptist Church requested £1,000 for essential maintenance to the entrance of the church
Recommendation - £1,000 was awarded for restoration of this listed building due to Health & Safety concerns
- (3) St. Thomas the Martyr Church, Monmouth requested £2,000 for the essential maintenance to prevent water egress into the church
Recommendation – £1,000 awarded for maintenance work to prevent further damage to the structure of the church

- (4) Monmouthshire Youth Service (North) requested £500 to provide sports equipment to encourage the youth of Monmouth to become active and participating citizens.

Recommendation - £250 to encourage meaningful interaction of the youth of Monmouth with their fellow citizens through this community group

- (5) Abergavenny Action Group 50+ Mark 2 requested £500 for the purchase of a printer to produce their monthly magazine.
Recommendation – £500 for the community group that provides information to fellow residents and enable better use of the Action Groups' limited financial resources.

- (6) Chepstow Street Pastors requested £1,000 towards the of providing Volunteer provisioning, training and administration
Recommendation – £1,000 was awarded to this voluntary group that assists and protects citizens within the community

- (7) Christchurch – Coed Y Paen requested £500 for essential tree surgery within the churchyard
Recommendation – £500 was awarded towards the cost of providing essential tree surgery for environmental protection work

- (8) Women's Aid Monmouthshire requested £500 towards assisting with the purchase of 'White Ribbon' marketing material and hosting of the associated sports event in aid of 'Violence against Women'.

Recommendation - £250 was awarded on a caveat and confirmation that the funding would still be required due to the immediate staging of the event.

Deferred Applications:

- (9) Chepstow Tennis Club requested £5,000 to assist in the refurbishment of the all weather tennis courts
No recommendation made – agreed to defer pending due to the request for further information.

REASONS:

A meeting took place on Thursday, 13th November 2014 of the Welsh Church Fund Cabinet Working Group to recommend the payment of grants as detailed in the attached schedule.

County Councillors in attendance:

D. Edwards (Chairman), D Evans, B. Strong and A. E. Webb

Officers in attendance:
Mr D. Jarrett and Miss N. Perry

Apologies for absence:
None

Declarations of Interest:

County Councillor A. E. Webb declared an interest pursuant to the Members Code of Conduct, Local Government Act 2000, within the capacity of signatory of the application from the Chepstow Street Pastors, and took no part in the decision.

County Councillor B. Strong declared an interest pursuant to the Members Code of Conduct, Local Government Act 2000, within the capacity of signatory of the application from the Usk Baptist Church and took no part in the decision.

RESOURCE IMPLICATIONS:

A total of £4.500 was allocated at meeting 4 of the Welsh Church Fund Committee, Thus, £14,774 remains available for distribution within the financial year.

CONSULTEES:

Senior Leadership Team
All Cabinet Members
Head of Legal Services
Head of Finance
Central Management Accountant

CABINET MEMBERS PRESENT:

County Councillors G. Burrows, P. Fox, R. Greenland, E. Hackett Pain, Hobson, G. Howard, B. Jones and P. Murphy.

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni, S. Howarth, R. Harris and M. Powell.

INTEREST DECLARED:

None.

AUTHOR:

David Jarrett – Central Finance Management Accountant

CONTACT DETAILS

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