

**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: 3rd JUNE 2015

DECISION WILL COME INTO EFFECT ON: 12TH JUNE 2015
(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: DRAFT REVENUE & CAPITAL OUTTURN 2014/15

DIVISION//WARD AFFECTED: ALL AUTHORITY

PURPOSE:

The purpose of this report is to provide Members with information on the outturn position of the Authority for the 2014/15 financial year. The position is regarded as draft prior to external audit of Statement of Accounts.

It also seeks to provide summary information about the Council's reserve position as a consequence of year end movements and given recent reports in last quarter that have significant future implications.

DECISION:

1. That Members consider the information contained within this report noting that the figures may be subject to adjustment through the external audit process.
2. That Members consider the position concerning revenue monitoring outturn resulting in the favourable replenishment of Council Fund reserves by £31,000 compared to the budgeted draw of £296,000.
3. That Members agree to the review of earmarked reserves resulting in the following adjustments:
4. Single status and Equal pay reserve - £1.052 million, redistributed to the following reserves:
 - Fixed Assets disposal reserve - £257k
 - Pension and Redundancy reserve - £600k

- Schools library reserve - £195k to extinguish a deficit balance
- 5. That Members approve the redundancy payments identified in paragraph 3.1.6 included within the outturn figures
- 6. That Members consider the position concerning school balances and the implications on 2015-16 school budgets.
- 7. Members note the progress concerning the delivery of the saving mandates in 2014/15 and seek further reports to identify alternate savings and virements proposed by Directors to replace original proposals to ensure further pressure on the 2015/16 budget is reduced.
- 8. That Members consider the position concerning outturn capital monitoring resulting in an overall underspend
- 9. That Members approve the slippage schedule as identified in Appendix 2, building upon the recommendation at month 9 to review these at outturn.
- 10. That Members approve the planned capital financing position as reported in para 3.7.
- 11. That Members approve the use of the capital outturn underspend to fund the capital priorities identified in 3.5.6 and therefore obviate the need for 2015/16 capital budgets to be top sliced.

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

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni and J. Crook.

INTEREST DECLARED:

None

AUTHOR:

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DECISION DETERMINED ON: 3rd JUNE 2015

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(Subject to "Call-in" by appropriate Select Committee)

SUBJECT: MEDIUM TERM FINANCIAL PLAN and BUDGET PROCESS 2016/17 TO 2019/20

DIVISION//WARD AFFECTED: WHOLE AUTHORITY

PURPOSE:

1. To highlight the context within which the Medium Term Financial Plan (MTFP) will be developed for 2016/17 to 2019/20
2. To agree the assumptions to be used to update the MTFP, and provide an early indication of the level of budget savings to be found.
3. To agree the process for developing the MTFP and budget for 2016/17

DECISION:

1. That the budget assumptions outlined in paragraphs 3.5 to 3.15 in the report are agreed and updated during the budget process should better information become available.
2. That the budget process as outlined in paragraph 3.22 is adopted including member budget scrutiny and consultation conducted through all-member seminars, Member and Officer Working Groups, Community Engagement, Select, and Consultation meetings (for Business Rate purposes).

REASONS:

1. To ensure that short and medium term budgets are constructed to maximize available resources in favour of the Council's priorities and based on the best available knowledge of local and national funding and expenditure pressures.

2. To provide the opportunity for full and informed engagement, consultation on and scrutiny of budget proposals and processes.

RESOURCE IMPLICATIONS:

Nil at this stage.

CONSULTEES:

Strategic Leadership Team
All Cabinet Members
Head of Legal Services
Head of Finance

CABINET MEMBERS PRESENT:

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

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni and J. Crook.

INTEREST DECLARED:

None

AUTHOR:

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DECISION DETERMINED ON: 3rd JUNE 2015

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SUBJECT: COUNCIL TAX REDUCTION ANTI-FRAUD POLICY

DIVISION//WARD AFFECTED: COUNTY BOROUGH WIDE

PURPOSE:

The purpose of this report is to present the Council's new anti-fraud policy detailing the investigation process for Council Tax Reduction Fraud.

DECISION:

It is recommended that Cabinet approve the following:

- That the new Council Tax Reduction Anti-Fraud Policy is approved
- That the Policy is scrutinised on a regular basis by the Adults Select Committee

REASONS:

To ensure the Council has an approved policy in place for the investigation of Council Tax Reduction Fraud.

RESOURCE IMPLICATIONS:

There are no financial issues as a result of this proposed policy. The approach being taken will ensure fraud and associated overpayments of benefit are prevented or minimized.

CONSULTEES:

Senior Leadership Team
Cabinet Members
Head of Legal Services
Head of Finance

CABINET MEMBERS PRESENT:

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

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni and J. Crook

INTEREST DECLARED:

None

AUTHOR:

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DECISION DETERMINED ON: 3rd JUNE 2015

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SUBJECT: VALE OF USK LOCAL DEVELOPMENT STRATEGY

DIVISION//WARD AFFECTED: ALL

PURPOSE:

To approve the Vale of Usk Local Development Strategy 2014-2020 (LDS) the overarching document which will inform the activities to be delivered and funded through the Rural Development Programme (RDP).

DECISION:

1. To approve the Vale of Usk LDS to be reviewed on an annual basis, in line with Welsh Government (WG) requirements.
2. To underwrite a 20% match funding contribution requirement to fund the RDP activities in the Monmouthshire wards, acknowledging that a level of budget provision already exists within the existing 2007-2013 RDP activities.
3. To establish a designated earmarked reserve to carry forward any unspent MCC match fund contribution in any given year that will be required to match fund the 2014-2020 programme.
4. To endorse the current Partnership with Newport City Council (NCC) with MCC acting as Administrative Body.

REASONS:

Monmouthshire communities benefited significantly during the 2007-2013 RDP to the tune of £11.2M. The new 2014-2020 RDP brings £2.79M of funding to the Vale of Usk area which has the potential to:

- Make the area more connected in terms of rural programme identity and linking common assets for mutual benefit;
- Provide more opportunity for communities to learn from each other with the opportunity for Monmouthshire as a mature rural development area to share lessons learnt with Newport whilst also trialling new ideas and projects;
- Consolidate the significant investment that has taken place in Monmouthshire through previous rural development programmes and extend the reach in terms of physical and digital improvements and community led initiatives;

RESOURCE IMPLICATIONS:

1. The RDP provides the authority with the means, through a 20% match funding contribution, to access a significant revenue grant funding opportunity. The proposed vision outlined in 3.5 above is consistent with the Authority's vision to build sustainable and resilient communities and is wholly aligned with the Whole Place approach.
2. This is a significant programme with a £2.79M RDP funding provision. The costs for administering and managing delivery of the programme amount to £697,500 and are 100% funded.
3. The total implementation programme amounts to £2.62M with the Authority and NCC's funding packages amounting to £2.14m and £473,000 respectively. EU/WG funds 80% of these costs, with constituent authorities match funding the remaining 20%. This requires the Authority to underwrite match funding of £428,573 based on Monmouthshire's eligible wards. The remaining £94,552 will be underwritten by NCC.
4. The revenue match funding contribution for MCC will be payable over the seven year life of the 2014-2020 RDP programme. An estimated profile has been established that indicates that greater levels of expenditure will be incurred in the latter stages of the programme. The match funding contribution therefore peaks in year seven at £103,557 (4%) with lower levels of match funding being required in the earlier years of the programme. Given that the average match funding contribution per annum of £61,225 falls within the existing 2014/15 revenue budget that exists to support the previous programme it is proposed that a designated earmarked reserve is used to carry forward any unspent MCC match funding contribution in any given year that will be required to fund the latter years of the 2014-2020 programme.

CONSULTEES:

Senior Leadership Team
 Economy and Development Select Committee Members
 Cabinet Members
 Head of Legal Services
 Vale of Usk LAG
 Wider Monmouthshire and Newport Communities

CABINET MEMBERS PRESENT:

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

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni and J. Crook.

INTEREST DECLARED:

None

AUTHOR:

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Cath Fallon, Head of Economy and Enterprise

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DECISION DETERMINED ON: 3rd JUNE 2015

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SUBJECT: MANAGEMENT OF COMMERCIAL OBSTRUCTIONS ON THE HIGHWAY STATIC ADVERTISING

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', in relation to 'Static Advertising opportunities' 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:

That Cabinet approves the adoption of the new policy 'Commercial Obstruction on the Highway' having given due consideration to its constituent parts as listed below:

1. Static Advertising Policy
2. That a post be created to administer the various aspects of the policy (licensing, advertising, invoicing etc.) and that the post be funded from income generated through the scheme

In the future, further policy may be presented under the 'Commercial Obstruction on the Highway' banner. This will provide a single point of reference for all similar obstructions and their management. These will include.

3. 'A' Board Policy
4. Flyposter Policy
5. Commercial Provision Policy
6. Community Provision Policy

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 a licence that has a charge that reflects the market value is used in this policy.
4. There is a clear need to offer, local business, the opportunity to advertise. Companies currently request to advertise away from their business, these are rejected because our Flyposter policy allows for only charitable organisations to do so. The ability to allow business to advertise while protecting Monmouthshire's liabilities in relation to its statutory duties can be seen a progressive policy. 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:

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.

Income generated by this proposal are outlined in document 3 'Management of Commercial Obstruction on the Highway report' (Appendix 1 part 2). With a 55% take up and with current proposed charges an average net surplus of £70,037 is anticipated in a full year inclusive of additional admin support. This addresses the relevant 14/15 and 15/16 budget mandates.

CONSULTEES:

Cabinet Members
Strong Community Committee
Town and Community Council
CAIR

CABINET MEMBERS PRESENT:

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

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni and J. Crook.

INTEREST DECLARED:

None

AUTHOR:

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SUBJECT: CROESONEN SECTION 106 FUNDING

DIVISION//WARD AFFECTED: CROESONEN AND MARDY

PURPOSE:

To consider the process for allocating £40,000 of funding from the Croesonen (Farm and Infants School) Section 106 Agreements.

DECISION:

1. That a new application/allocation process be undertaken in respect of the £40,000 available to be spent on adult and youth recreation projects in the Llantilio Pertholey Community Council area;
2. That a new Assessment Panel be set up to consider the applications received and to formulate recommendations for future consideration by Cabinet.

REASONS:

1. There is no established procedure for dealing with unused Section 106 balances that have already been allocated to previously approved projects;
2. It is the usual practice to carry out an independent assessment of applications received before a recommendation is made to Cabinet on how to allocate Section 106 balances.

RESOURCE IMPLICATIONS:

There are no resource implications arising from this report as the £40,000 has already been received by the County Council and is available to spend once agreement is reached on which scheme(s) to support.

CONSULTEES:

Cabinet Members
Strategic Leadership Team
Local County Council Members for Croesonen and Mardy
Head of Legal Services
Llantilio Pertholey Community Council
Monitoring Officer
Assistant Head of Finance/Deputy S151 Officer

CABINET MEMBERS PRESENT:

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

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni and J. Crook.

INTEREST DECLARED:

None

AUTHOR:

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SUBJECT: WELSH LANGUAGE MONITORING REPORT 2014/15

DIVISION//WARD AFFECTED: ALL

PURPOSE:

To ask Cabinet to note the contents of the attached Welsh Language Monitoring Report 2014 – 2015 that has been produced in line with the requirements of the Welsh Language Act 1993. The Monitoring report details our compliance with the action plan in our Welsh Language Scheme, gives details of specific Welsh Language records all evidence of good practice carried out by the Council over that 12 month period.

DECISION:

To approve the report as a record of the Council's activities over the last year in respect of its compliance with its Welsh Language Scheme. The report will then be forwarded to the Welsh Language Commissioner's Office by the 30th June 2015 for their scrutiny, response and formal approval.

REASONS:

Monmouthshire County Council has a statutory responsibility to produce an Annual Monitoring Report under the Welsh Language Act 1993.

RESOURCE IMPLICATIONS:

1. There are no additional financial or human resource implications arising out of this monitoring report.
2. The Scheme will be published, on approval, on the Council's intranet and corporate website.

CONSULTEES:

All Cabinet members, Deputy Leader and Equality Champion, Welsh Language Support Officer, The Urdd, Menter Iaith BGTM, Monmouthshire Welsh Speakers, Head of Youth Services.

CABINET MEMBERS PRESENT:

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

OTHER ELECTED MEMBERS PRESENT:

County Councillors D. Batrouni and J. Crook

INTEREST DECLARED:

None

AUTHOR:

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