

**CABINET
DECISION RECORDING LOG**

DECISION DETERMINED ON: Wednesday, 2 December 2015

**DECISION WILL COME INTO EFFECT ON: Friday 11th December 2015
(Subject to “Call-in” by appropriate Select Committee)**

CABINET MEMBERS PRESENT:

County Councillors P.A. Fox, R.J.W. Greenland, E. Hackett Pain and P. Murphy

OTHER ELECTED MEMBERS PRESENT:

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

SUBJECT: Effectiveness of Council Services - Quarter 2 update

DIVISION/WARD AFFECTED:

PURPOSE:

To provide Cabinet with the latest quarterly update on how Council is performing against a set of measures that are important when forming an opinion on the current effectiveness of Council services.

DECISION:

1. That Cabinet use this report to help their continuous monitoring and evaluation of the effectiveness of services and the extent to which they are contributing to the council's priorities of the education of children, support for vulnerable people, enterprise and job creation and maintaining locally accessible services.
2. That Cabinet use this report as an opportunity to identify any action that may need to be taken to drive improvement, ensuring that services are as effective and efficient as possible in the context of current resources.

REASONS:

To provide Cabinet with timely information to ensure that the authority is well-run and able to maximise its contribution to achieving the vision of building sustainable and resilient communities.

RESOURCE IMPLICATIONS:

None

CONSULTEES:

Senior Leadership Team
Cabinet

INTEREST DECLARED

None

AUTHOR:

Matthew Gatehouse, Richard Jones, Sian Schofield

CONTACT DETAILS

E-mail: matthewgatehouse@monmouthshire.gov.uk,
richardjones@monmouthshire.gov.uk, sianschofield@monmouthshire.gov.uk
Tel: Tel: 01633644397, ,

DECISION 2

SUBJECT: Recovery Plan for the current year revenue budget 2015/16

DIVISION/WARD AFFECTED:

PURPOSE:

1. To provide members with the recovery plans for all service areas to ensure the expenditure is brought back in line with the budget.
2. To identify alternative proposals where approved savings cannot be achieved

DECISION:

That Members approve the recovery plans and alternative savings proposals outlined in this report.

REASONS:

To ensure that action is taken to manage expenditure within the Council's approved budget.

RESOURCE IMPLICATIONS:

The proposals in the report will ensure that the overspend situation will be managed so that the expenditure is brought back in line with the budget.

CONSULTEES:

SLT
Cabinet
Head of Legal

INTEREST DECLARED

None

AUTHOR:

Joy Robson

CONTACT DETAILS

E-mail: joyrobson@monmouthshire.gov.uk
Tel: 01633 644270

SUBJECT: Adjustments to the Capital budget during 2015/16

DIVISION/WARD AFFECTED:

PURPOSE:

To consider adjustments to the capital budget in 2015/16 to be recommended to Council.

DECISION:

1. That Cabinet resolve the extent of funding/works for improvements to the public realm in Abergavenny Town Centre and recommend to Council the creation of a capital budget of up to £1,050,000 in 2015/16, the budget to be taken from the £3,433,000 capital released when the decision was taken not to build a new library in Abergavenny (Council, 26th February 2015). The funding of which is proposed to be capital receipts.
2. That the creation of a capital budget of £275,000 in 2015/16 for the development of a car park off Rockfield Road be recommended to Council. The budget to be created by prudential borrowing funded from car park income over a period of 10 or 20 years – to be agreed with finance colleagues.
3. That the creation of a capital budget of £45,000 in 2015/16 for the development of a car park at Rogiet Playing field (adjacent to Severn Tunnel Junction) be recommended to Council. The budget to be created by prudential borrowing funded from car park income over a period of 10 or 20 years – to be agreed with finance colleagues
4. That the creation of a capital budget of £1,100,000 for various works at Usk HQ be recommended to Council. The budget to be created by prudential borrowing (£500,000) funded from the reduction in office costs elsewhere as and when staff transfer to J and E blocks and by top slice of the property planned maintenance budget (600,000).

REASONS:

The four projects described above represent amendments to the Council's approved capital budget. To approve additional capital expenditure and hence a change to the capital budget, requires a decision of council.

This report seeks a recommendation from cabinet to Council to approve a revised capital budget in 2015/16.

RESOURCE IMPLICATIONS:

1. The capital budget for the Abergavenny Public realm project (£1,050,000) is taken from the budget released when the decision was taken in February 2015 to no longer build a new library in Abergavenny (£3,433,000). The expenditure will be split over 2015/16 and 2016/17 at this time officers estimate that the split of funding between these years is £450,000 and £600,000 respectively.
2. The funding assessments for both the Wyebridge street car park and Rockfield Road car park were included within the report to Cabinet in September 2014 (see link below to the relevant appendix)

<http://democracy.monmouthshire.gov.uk/Data/Cabinet/20140903/Agenda/Full%20Cabinet%20Agenda.pdf>

However the costs need to be revised from £250,000 (as reported in September 2014) to £275,000 for the Rockfield Road development (based upon the detailed design and estimates). The higher capital budget remains affordable by extending the prudential

borrowing period (say from 10 years to 15 years) or by absorbing the increased revenue spend from the assumed increased surplus of £37,788 (as reported in September 2014). **Members are reminded that the expenditure and income profile reported in September 2014 assumed the adoption of a revised car park order. The new order, including the outcome of the consultation, will be reported to members in February 2016 but in the event of there being significant change to the proposals in the draft order then this may impact upon the ability to pay for the new car parks (and other improvements). If this is the case it is recommended that the Head of Operations and Head of Finance review the funding assumptions as described in the link above and prioritise works accordingly, this to be done in consultation with the Cabinet members for Resources and Community Development on the assumption that it remains cost neutral and prudential borrowing remains affordable.**

The expenditure will be incurred in 2015/16 assuming progress with the new car park order.

3. The Rogiet Playing field car park can be developed for £45,000. It will generate income estimated at £22,000 per annum. Whilst custom will be affected when the bridge is replaced the cost of parking at Rogiet playing field coupled with the growing number of passengers travelling by rail from Severn Tunnel Junction suggests that custom levels will remain sufficient to fund the investment and thereafter offer revenue sufficient to justify the car park being created. The £45,000 budget will be funded by prudential borrowing although the period of borrowing (and hence revenue implication) will be ascertained by accountancy staff. It is anticipated that all works will be completed in 2015/16 assuming no delay in relation to authority to proceed and the adoption of the new car park order.
4. The cost of refurbishment of offices at Usk HQ and the creation of extra parking is dependant upon the final approved design.
5. Funding is through prudential borrowing (£500,000 with a revenue implication of £34,000 over 20 years, generated by the rationalisation of office accommodation). The remaining £600,000 will be taken from the property maintenance capital budget £200,000 in 2015/16 and £400,000 in 2016/17. The expenditure will be split over 2015/16 and 2016/17 at this time officers estimate that the split of funding between these years is £700,000 and £400,000 respectively.

CONSULTEES:

SLT

Cabinet members

Head of Community delivery

Head of Property services and FM

INTEREST DECLARED

None

AUTHOR:

Roger Hoggins

CONTACT DETAILS

E-mail: rogerhoggins@monmouthshire.gov.uk

Tel: Tel: 01633644134

DECISION 4

SUBJECT: Capital budget proposals 2016/17 to 2019/20

DIVISION/WARD AFFECTED:

PURPOSE:

To outline the proposed capital budget for 2016/17 and the indicative capital budgets for the three years 2017/18 to 2019/20.

DECISION:

1. That Cabinet issues its draft capital budget proposals for 2016/17 to 2019/20 for consultation purposes as set out and referred to in Appendix 2.
2. That Cabinet affirms the capital strategy, which seeks to work towards a financially sustainable core capital programme without recourse to further prudential borrowing or use of capital receipts so that these resources can be directed towards the Council's priority of 21st Century Schools Programme, whilst recognizing the risks associated with this approach.
3. That Cabinet approves the revised budget allocations on 21st century schools as outlined in paragraph 3.3
4. That Cabinet reviews the priorities in the Capital programme in the light of the issues raised in 3.6 and other demands for capital resources
5. That Cabinet reaffirms the principle that new schemes can only be added to the programme if the business case demonstrates that they are self financing or the scheme is deemed a higher priority than current schemes in the programme and therefore displaces it.
6. That Cabinet agrees to maximize the use of capital receipts when received to fund the capital programme (therefore reducing the need to borrow) and/or set aside to repay debt as outlined in paragraph 3.9.
7. That Cabinet agrees to the sale of the assets in accordance with the Asset Management Plan and identified in the exempt background

paper in order to support the capital programme, and that once agreed, no further options are considered for these assets.

REASONS:

To provide an opportunity for consultation on the capital budget proposals.

RESOURCE IMPLICATIONS:

Resource implications are noted throughout the report both in terms of how the core programme is financially sustainable, the key issues that require further quantification and also the risks associated with not addressing the pressures outlined in Appendix 1.

CONSULTEES:

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

INTEREST DECLARED

None

AUTHOR:

Joy Robson

CONTACT DETAILS

E-mail: joyrobson@monmouthshire.gov.uk

Tel:

DECISION 5

SUBJECT: Council Tax base 2016/17 and associated matters

DIVISION/WARD AFFECTED:

PURPOSE:

To agree the Council Tax base figure for submission to Welsh Government, together with the collection rate to be applied for 2016/17 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 2016/17 shall be notified as **£45,102.03** and the Collection Rate set at **98.5%**.
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:

Overall the Council Tax base calculated for 2016/17 has risen by 1.2% compared to 2015/16. This increase takes into account both the anticipated changes in dwellings and the adjustment in the collection rate. Collectively the estimated income derived from these changes (£621k) has been included in the developing budget proposals which are being considered by Cabinet.

CONSULTEES:

Strategic Leadership Team
All Cabinet Members
Head of Legal

INTEREST DECLARED

None

AUTHOR:

Sue Deacy, Ruth Donovan

CONTACT DETAILS

E-mail: suedeacy@monmouthshire.gov.uk, ruthdonovan@monmouthshire.gov.uk

DECISION 6

SUBJECT: Update on draft budget proposals for 2016/17

DIVISION/WARD AFFECTED:

PURPOSE:

To provide the outline proposals to meet the remaining gap in the 2016/17 budget.

DECISION:

1. That Cabinet approves the revisions to the draft budget savings proposals for 2016/17.
2. That Cabinet approves that the additional draft budget saving areas identified for 2016/17 are worked on further, including consultation with key stakeholders.

REASONS:

Further work has been undertaken to meet the remaining budget gap, and given the uncertainty regarding the assumptions on the settlement in the MTFP model, various options have been identified for further work.

RESOURCE IMPLICATIONS:

As identified in the report and appendices

CONSULTEES:

SLT
Cabinet
Head of Legal services
Head of Personnel

INTEREST DECLARED

None

AUTHOR:

Joy Robson

CONTACT DETAILS

E-mail: joyrobson@monmouthshire.gov.uk
Tel: 01633 644270

DECISION 7

SUBJECT: Wellbeing of Future Generations Act - Wales Audit Commentary on our preparedness, and timeline for implementation

DIVISION/WARD AFFECTED:

PURPOSE:

1. To share the results of the Wales Audit Office report “Monmouthshire County Council: The Wellbeing of Future Generations Act: a commentary on preparedness” which was carried out alongside the Corporate Assessment.
2. To outline the key steps that Monmouthshire County Council needs to put in place to implement the Act.

DECISION:

1. That Members note the content of the WAO report.
2. That Members note and agree to the steps outlined in the timeline to get us ready for the Act.

REASONS:

1. The legislation comes into force in April 2016. We will be subject to review by the Future Generations Commissioner for Wales and for examination by the Auditor General for Wales. In addition, MCC will have responsibility for scrutinising the decisions and actions of the PSB.
2. In order to meet the requirements of the legislation, both in terms of compliance, but also embracing the “spirit” of the legislation, we need to learn from the WAO report and our early adopters work and implement the measures outlined in the timeline.

RESOURCE IMPLICATIONS:

The work outlined in this report will be carried out within existing staff resources. At this time there are no additional financial requirements.

CONSULTEES:

Senior Leadership Team
Cabinet

INTEREST DECLARED

None

AUTHOR:

Hazel Clatworthy

CONTACT DETAILS

E-mail: hazelclatworthy@monmouthshire.gov.uk
Tel: 01633 644843

DECISION 8

SUBJECT: Welsh language standards

DIVISION/WARD AFFECTED:

PURPOSE:

1. To provide Cabinet with a broad overview of the new Welsh Language Standards which underpin the Welsh Language (Wales) Measure 2011.
2. To ensure that Cabinet has an understanding of the changes required to ensure that the authority is able to comply with the standards.

DECISION:

1. That officers are tasked with further developing options and producing a set of recommendations to ensure that the authority is able to meet the requirements of the standards in the most cost-effective way. Some potential options are identified in appendix A, members are not being asked to make a decision on these at the present time.
2. That the financial cost of implementing the standards is incorporated as a pressure in the Medium Term Financial Plan.

REASONS:

1. To ensure that people who wish to receive a service through the medium of Welsh are treated no less favourably than those who wish to use English while minimising the financial pressures on the council's budgets.
2. To ensure that the Council is able to comply with section 44 of the Welsh Language (Wales) Measure 2011.

RESOURCE IMPLICATIONS:

It is estimated that implementing the standards could cost an additional £45,000 per annum. We have sought to minimise the pressure although this figure is hard to state with absolute certainty as some of the costs will be demand-led. A mandate has been completed to ensure this informs the budget process. The authority faces an increased risk of fines for non-compliance of up to £5,000 for each breach upheld by The Commissioner. This risk will be higher in the early stages of implementation as we seek to embed new ways of working.

CONSULTEES:

Senior Leadership Team
Cabinet
Equalities and Welsh Language Officer

INTEREST DECLARED

None

AUTHOR:

David Barnes, Alan Burkitt, Matthew Gatehouse

CONTACT DETAILS

E-mail: davidbarnes@monmouthshire.gov.uk, alanburkitt@monmouthshire.gov.uk, matthewgatehouse@monmouthshire.gov.uk

DECISION 9

SUBJECT: Sale of Old County Hall site, Croesyceiliog - Revised bids

DIVISION/WARD AFFECTED:

PURPOSE:

To receive a report about revised bids for the sale of the county hall site, Croesyceiliog and to resolve whether to accept the recommendations proposed by TCBC officers.

DECISION:

1. That Cabinet acknowledge the tender and negotiation process undertaken by Torfaen CBC officers to progress the sale of the county hall site and that Cabinet accepts on a "Subject to Contract" basis the offer for the purchase of its half share of the freehold interest in the former County Hall site to the preferred bidder offering the following sums depending on the eventual affordable housing scenario, with full payment being made on completion of sale.

Affordable Housing Percentage	Amount Offered for Entire Site	MCC Share (50%)
20%	£5,148,000	£2,574,000
30%	£4,662,000	£2,331,000

2. That Cabinet authorises the Torfaen CBC Legal and Asset Management Services to negotiate detailed contract terms for the disposal of the former County Hall site and manage the conveyancing process on behalf of both landowners.
3. That Cabinet grants specific delegated authority to the Head of Operations and Head of Finance in consultation with the Cabinet member for Resources to determine any issues pertaining to the disposal of MCC's half share of the former County Hall site that may require further executive approval.

REASONS:

Whilst the report in February 2015 delegated some decision making to senior officers in consultation with cabinet members, the change in the original bid was such that further cabinet approval is considered necessary.

4.2 Torfaen CBC has considered the report attached (appendix 1) on the 3rd November 2015. All recommendations (section 12) were approved. For the sale to proceed requires MCC cabinet approval of the recommendations above (which mirror the TCBC recommendations).

RESOURCE IMPLICATIONS:

1. Generation of a capital receipt of either £2,331,000 or £2,574,000 depending upon the affordable housing allocation on the site.
2. MCC is liable to pay 50% of the costs incurred by TCBC in the management of the sale of the site. This figure is yet to be calculated by TCBC but the cost will be netted from the capital receipt.

CONSULTEES:

SLT
Cabinet members
Estates Manager

INTEREST DECLARED

None

AUTHOR:

Roger Hoggins

CONTACT DETAILS

E-mail: rogerhoggins@monmouthshire.gov.uk
Tel: Tel: 01633644134

DECISION 10

SUBJECT: Fields in Trust - Centenary Fields Initiative

DIVISION/WARD AFFECTED:

PURPOSE:

To consider designating two areas of land in the county as Centenary Fields as part of an initiative developed by Fields in Trust, which is the operational name of the National Playing Fields Association.

DECISION:

That the Bailey Park in Abergavenny and the Hardwick Village Open Space in Chepstow be designated as Centenary Fields under the Fields in Trust Initiative

REASONS:

To enable the County Council to play a part in this national initiative and to work in partnership with Fields in Trust and local Town & Community Councils in helping to protect recreational open spaces in a number of communities in Monmouthshire for use by future generations.

RESOURCE IMPLICATIONS:

No revenue or capital expenditure will be incurred as a result of this proposal but there will be some staff time involved in the nomination and designation process for the two sites in question

CONSULTEES:

Cabinet Members
Local County Council Members
Strategic Leadership Team
Abergavenny Town Council
Head of Legal Services
Chepstow Town Council
Head of Tourism,
Leisure and Culture Monitoring Officer
Assistant Head of Finance/Deputy S151 Officer
Members of the Bryn y Cwm and Lower Wye Area Committees

INTEREST DECLARED

None

AUTHOR:

Mike Moran

CONTACT DETAILS

E-mail: mikemoran@monmouthshire.gov.uk
Tel: 01633 644611

DECISION 11

SUBJECT: Section 106 Funding - Magor GRIP Report

DIVISION/WARD AFFECTED:

PURPOSE:

To consider an underwriting request from Section 106 balances.

DECISION:

1. The Council gives an underwriting guarantee up to a maximum of £30,000 towards the cost of a feasibility study, in line with GRIP requirements, relating to the possibility of establishing a walkway railway station in Magor;
2. Any costs incurred as a result of this underwriting guarantee be taken from the Section 106 balances held in the 2015/16 Capital Budget on Project Code 90723 (Magor & Undy Community Hall).

REASONS:

To enable the GRIP Feasibility Study and Report to be commissioned - this will be a critically important factor in determining the feasibility of a walkway railway station being established in Magor in the foreseeable future.

RESOURCE IMPLICATIONS:

1. It is proposed to utilise existing Section 106 funding to underwrite, up to a maximum of £30,000, the commissioning of a GRIP Study and Report by specialist consultants. If this is agreed by Cabinet, it will enable the local group to proceed and commission the study in January 2016.
2. The local group (MAGOR) has applied to the Great Western Community Fund, Railfutures and also to the Welsh Government for financial assistance towards cost of the GRIP Study. Should any of those applications be successful then the underwriting guarantee proposed in this report would either not be paid or would be repaid in whole or in part, depending upon the amount of external grant aid secured.

CONSULTEES:

Cabinet Members
Local County Council Members
Strategic Leadership Team
Head of Legal Services
Monitoring Officer
Head of Tourism, Leisure & Culture
Assistant Head of Finance/Deputy S151 Officer
Transport Planning & Policy Officer

The report has been amended to take into account the comments received as a result of the consultation process.

INTEREST DECLARED

None

AUTHOR:

Mike Moran

CONTACT DETAILS

E-mail: mikemoran@monmouthshire.gov.uk
Tel: 01633 644611