

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held on Thursday, 25th October, 2018 at 2.00 pm

PRESENT: County Councillor P. Clarke (Chairman)
County Councillor S. Woodhouse (Vice Chairman)

County Councillors: D. Batrouni, M. Powell, V. Smith, D. Dovey, A. Easson, R. Edwards, D. Evans, R.J.W. Greenland, L. Guppy, R. Harris, J. Higginson, D. Jones, P. Jones, S. Jones, S.B. Jones, P. Jordan, P. Murphy, B. Strong, A. Watts, A. Webb, K. Williams, J.Becker, L.Brown, A.Davies, L.Dymock, M.Groucutt, R.John, L.Jones, M.Lane, P.Pavia, J.Pratt, R.Roden, T.Thomas, J.Treharne and J.Watkins

OFFICERS IN ATTENDANCE:

Matthew Phillips	Head of Law/ Monitoring Officer
Paul Matthews	Chief Executive
Peter Davies	Chief Officer, Resources
Roger Hoggins	Head of Operations
Will McLean	Chief Officer for Children and Young People
Nicola Perry	Senior Democracy Officer
Frances Williams	Chief Officer, Enterprise
Deb Hill-Howells	Head of Commercial and Integrated Landlord Services
David Jones	Head of Public Protection

APOLOGIES:

County Councillors D. Blakebrough, P.A. Fox, G. Howard, S. Howarth, F. Taylor and M.Feakins

2. Public open forum

There were no matters for the public open forum.

3. Declarations of interest

County Councillor P. Pavia declared a personal, non-prejudicial interest in relation to item 6b as a member of ADSS Cymru, and chair of governors at St. Mary's RC Primary School.

County Councillor B. Strong declared a personal, non-prejudicial interest in relation to 6d as relatives are business owners in Usk. Cllr Strong did not take part in the debate and did not vote.

County Councillor R. Hoggins declared a personal, non-prejudicial interest in relation to 6d as a member of the Wales Valuation Tribunal Service. Cllr Harris did not take part in the vote.

County Councillor S. Jones declared a prejudicial interest and left the meeting during discussion of item 6d in a professional capacity as Head of the Welsh Retail Consortium.

County Councillor P. Clarke declared a prejudicial interest and left the meeting during discussion of item 6d as a payer of business rates relating to Glen-yr-Afon Hotel and Three Salmons Hotel.

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County Councillor R. J. Higginson declared a personal, non-prejudicial interest in relation to item 6d as a member of the Wales Valuation Tribunal Service.

4. Chairman's announcement and receipt of petitions

We noted the Chairman's announcement.

Councillor Thomas presented a petition on behalf of the residents of Park Crescent, Park Avenue and streets in Abergavenny to call upon MCC to take urgent action to address the issues of traffic speed on residential roads that provide walking routes to 3 local schools, and dangerous driving at Fairfield Car Park.

5. Presentation to Council - The development of My Mates and its success to date.

The Chairman welcomed members from the My Mates scheme who were present to inform and update Council of the success of the scheme to date.

My Mates, is a project originating from the My Day, My Life workings which provided unpaid support, friendships that are not paid, to work on creating social opportunities and networks. The team work with lots of departments and hold workshops and have had great success and ending isolation and encouraging individuals to utilise their local communities, building self-esteem and confidence.

Council welcomed the update and expressed congratulations to the team.

6. Notices of motion:

6.1. From County Councillor D. Batrouni

County Councillor Batrouni submitted an alteration to the motion, which now reads:

That Monmouthshire County Councillors believe all staff, either directly or indirectly, employed by the Council should be offered a permanent contract if they work a regular minimum amount of hours over the course of a couple of months. Notes anecdotal evidence that some of our commissioned care providers regularly use zero hour contracts and pay minimum wage to their carers visiting Monmouthshire residents. That we ask the Adults Select Committee to investigate the scale of this issue and bring forward recommendations to Council to encourage our commissioned care providers to pay their staff a decent level of pay and offer them secure contracts for the incredible work they do.

The motion was seconded and upon being put to the vote became the substantive motion.

Councillor Batrouni referred to a case and was asked to provide detail to the Cabinet Member for Social Care, Safeguarding and Health, or Chief Officer. He explained that the alteration to the motion was intended to allow Adult Select Committee to investigate said practices amongst our commissioned care providers.

The Cabinet Member went on to explain that currently, MCCs commissioned independent domiciliary care providers offer both guaranteed hour and zero hour contracts to their staff with many paying the National Minimum Wage, whilst other agencies pay above the NMW to support better staff recruitment and retention. Recent WG regulations have been brought in to curb zero hour contracts in this sector. There is evidence that the current system can lead to less person centred outcomes, difficulties in the recruitment of carers and providers struggling to continue to operate.

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The need to transform the current model of care at home was recognised and a new design aspires to achieve predictable payments based on patches, which has been a challenging but important exercise. We need to move towards giving providers a budget to allow financial certainty and flexibility to support people in their patch. A report around this had been presented to Adult Select in February 2018, and remains on the work programme.

Following discussion Councillor Groucutt proposed an amendment to the motion, to read:

*That Monmouthshire County Councillors believe all staff **indirectly** employed by the Council **in the care sector** should be offered a permanent contract if they work a regular minimum amount of hours over the course of a couple of months. Notes anecdotal evidence that some of our commissioned care providers regularly use zero hour contracts and pay minimum wage to their carers visiting Monmouthshire residents. That we ask the Adults Select Committee to investigate the scale of this issue and bring forward recommendations to Council to encourage our commissioned care providers to pay their staff a decent level of pay and offer them secure contracts for the incredible work they do.*

The amendment was seconded and upon being put to the vote the substantive motion was carried.

6.2. From County Councillor P. Murphy

The motion was seconded by County Councillor Greenland.

Councillor Greenland expressed disappointment regarding a recent speech by the Cabinet Secretary, and believed this to be a back door way of local government reform. He stated that it is time that we all speak against the way this government is mishandling the finances of Wales.

The Cabinet Member for Social Justice questioned the cumulative assessment of the budget, and how much WG have looked at the cumulative impact of the decisions it is making and the LG settlement it is putting in place. She added that the budget narrative states that LG will benefit from other grants and funding streams, but questioned the calculations around the statement. Councillor Jones also questioned the engagement process around the budget, and considered the budget not only bad for finance but bad for democracy.

Councillor Pavia requested that seminar be arranged with WLGA for explanation of the elements of the funding formula.

Concerns were raised around the implications on schools across the County, and the lack of support of improvements to our schools.

The Leader of the Opposition echoed the comments made.

Upon being put to a recorded vote, the motion was supported unanimously.

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6.3. From County Councillor A. Davies

Councillor Groucutt seconded the motion.

Councillor Murphy welcomed the motion and was pleased to see the level of constructive input, particularly from the Economy and Development Select Committee around our procurement approach.

Councillor Greenland proposed an amendment which was seconded by Councillor Batrouni:

*That this council **continues the urgent action it is taking** to provide the necessary resources to carry out a detailed review of our current procurement systems with a view to identifying and implementing potential cost savings.*

Upon being put to the vote this became the substantive motion and was agreed by Council.

6.4. From County Councillor M. Feakins

Councillors Higginson and Harris declared a personal interest as members of the Valuation Tribunal Service, and took no part in the vote.

Councillors Watts, Clarke, B. Jones, S. Jones declared prejudicial interests and left the chamber during discussion.

In the absence of Councillor Feakins, Councillor Greenland presented the motion, which was seconded by Councillor Murphy.

There was support for the motion and what was considered an outdated tax, which is not fit for purpose.

The Liberal Democrats firmly supported the motion, as one of their flagship proposals.

It was confirmed that the business rate relief scheme policy is that everyone who qualified automatically received the relief.

Following debate a vote was taken and the motion was carried.

7. Members Questions:

7.1. From County Councillor D. Batrouni to County Councillor R. Greenland

How many Christmas banquets have been booked at Caldicot castle this year?

Councillor Greenland responded that there have been no bookings for medieval banquets for this Christmas period. The management structure has yet to be fully implemented, and when it is in place he would expect to see more efficiency coming out of the running of Caldicot Castle. The Castle has been challenged every year to reduce its budget, and each year it has found difficulty doing so but this year it has done extremely well.

As a supplementary Councillor Batrouni commented on the previous success of medieval banquets when it was run by a local company, employing local people and how a Council decision had given the contract to an outside contractor and it had never quite recovered. He asked if the administration had any regrets of moving the contract from a local company to an outside contractor.

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In response Councillor Greenland stated there were reasons behind the business contract being finished which could not be discussed in the meeting. He added should another company approach the Council wishing to organise banquets at Caldicot Castle we would certainly enter discussions.

7.2. From County Councillor D. Batrouni to County Councillor R. John

How many schools in Monmouthshire have received the Learning with Autism training programme?

Councillor John advised that currently 20 schools in Monmouthshire have completed the Learning with Autism, Train the Trainer programme, with 11 more scheduled for the next three training months. This enables school staff to deliver the learning with autism training within their own schools. 177 schools staff have been trained to date, and 393 pupils. Archbishop Rowan Williams and Cantref Schools have received the whole school award.

As a supplementary Councillor Batrouni question why only two schools have achieved the whole school award, while Newport has trained all their schools bar two, and Torfaen have completed all their schools.

Councillor John responded that to achieve the whole school award schools will need to ensure that all teaching staff, and learning support staff have completed the certification programme, all school governors must have completed the ASD aware scheme and the majority of key stage 2 pupils must have signed up to the autism superhero charter. The training programme has been recently discussed with headteachers so it is being progressed, but it was recognised that there are a number of challenges for our schools.

7.3. From County Councillor J. Pratt to County Councillor P. Murphy

Why is the funding for the next year from Welsh Government a reduction of 1% when the Secretary of State, Rt Hon Alun Cairns MP has agreed a new funding package for Wales that gives £120 for every £100 spent in England? Does Councillor Murphy agree that for the Labour Administration to keep blaming Westminster is not a true reflection of the situation and what representation are we making to the Welsh Government in Cardiff?

Councillor Murphy responded that he was pleased that the Labour Group were able to support the point for challenging our settlement. He added that the Leader is on the distribution sub-group and speaks of the inequality on our behalf. The WLGA is constantly lobbying. Whenever Cabinet meet with a Minister the opportunity is taken to express frustrations. He stated that local government won't vote for a change in formula as it disadvantages most of them, and only advantages a handful. It is regrettable that despite the lobbying we don't see a change.

As a supplementary Councillor Pratt asks if Councillor Murphy agrees with the Labour Council Leader from Swansea that the Local Government Secretary Alan Davies is characterising himself as Mr. Bumble of the WG, the cruel overseer of the poorhouse. Councillor Murphy agreed.

7.4. From County Councillor Reverend M. Lane to County Councillor R. John

What steps is the authority taking to prepare for the introduction of 30 hours free childcare from January 2019?

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Councillor John responded that he was pleased that MCC are an early implementer of the scheme which is due to be rolled out Wales wide September 2020, and is pleased it will be countywide, unlike a number of authorities. It will be available to parents of 3 and 4 year olds for 48 weeks of the year as long as they work a minimum of 16 hours per week and earn under £100,000. In terms of what is being done to introduce the scheme in January, regular meetings are taking place with Newport City Council who are delivering the childcare offer on our behalf. A number of information sessions have been held for child minders. All childcare settings catering to 3 and 4 year olds have been visited to inform them of the offer and encourage them to sign up to the scheme, with support being provided as necessary. The application process for parents opens on 12th November 2018.

As a supplementary Councillor Reverend Lane asked what we are doing to make this scheme its full awareness across the County.

Councillor John explained it will be a support to families who already have children aged 3 and 4 in childcare but hopefully the scheme will also be available to people who want to go back to work but had been deterred by the high cost of childcare. We have a responsibility to ensure awareness is as high as possible and anyone who is eligible is able to take part. Leaflets to raise awareness are being distributed through childcare settings, schools and the Family Information Service, as well as information on the website and through local media.

7.5. From County Councillor A. Easson to County Councillor B. Jones

With respect to scrutiny of the Heads of the Valley's anaerobic food waste digestion process, a collaboration between this authority, Blaenau Gwent and Torfaen Borough Council, is Cllr Jones, the Cabinet Member responsible, confident that the operation is viable? Is he confident that scrutiny by our Strong Communities Select (of the procurement process carried out by the Lead Authority) was in possession of all facts relating to options for its operation?

County Councillor B. Jones responded that it could be argued that it is for the scrutiny committee to assure itself that all relevant information has been provided for Members to effectively scrutinise the matter in question. However he understood that Strong Communities Select Committee had been comprehensively briefed on options for the future delivery of a food waste service and on the details of the contract being considered prior to the decision to enter the contract. This is a joint contract between BGBC, TCBC and MCC, and as a member of the Joint Project Board Cllr Jones is aware that the project was supported by legal, financial and environmental specialists, along with Welsh Government. He also noted that WG is part funding the ongoing costs of the contract. Based on the facts Cllr Jones believes the operation to be viable.

As a supplementary Cllr Easson asked how we can stand by our decision to aim to create a plastic free county when we seem to be prepared to use up to 4 million plastic bags a year to support this enterprise, and was all information available to scrutiny?

In response the Chief Officer for Enterprise explained that the contract provides for the collection of the food waste within the cornstarch bags and the contract and the contractor is able to and will collect in the cornstarch bags. The contractor has approached the procurement partnership to ask whether the three local authorities wish to collect the material in plastic bags. The reason being that the food waste cornstarch bags hold the food waste and food will stick to those bags. The contractor then has to rip the bags off when it enters the facility, and sent separately to the Energy from Waste Incinerator. The contractor has said plastic bags can be used instead as the same process will be used, and is a cheaper alternative.

Councillor Easson asked that this information be taken back to Strong Communities Select Committee.

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8. To confirm the minutes of the meeting of County Council held on 20th September 2018

The minutes of the meeting of County Council held on 20th September 2018 were confirmed and signed by the Chair.

In doing so it was noted that County Councillor J. Treharne had presented apologies for the meeting.

9. To receive the minutes of Audit Committee meeting held on 5th July 2018

Noted and received.

10. To receive the minutes of Democratic Services Committee meeting held on 16th July 2018

Noted and received.

11. Reports of the Chief Officer for Social Care, Safeguarding and Health

11.1. Statement of Gambling Policy and Proposals for Casinos

Council were presented with a report to consider the Council's existing resolution to not permit casinos within the County Of Monmouthshire, and to agree the Council's 'Statement of Gambling Policy 2019'.

In terms of the number of betting shops, there is no saturation policy in place but every application is considered on its own merit.

The Head of Public Protection will provide clarity on the funding of the Gambling Commission following the meeting.

Upon being put to the vote Council resolved to agree the recommendations:

To refuse any casino applications made under the Gambling Act 2005, and stated within the Authority's Gambling Policy.

To adopt the 'Statement of Gambling Policy 2019' for Monmouthshire County Council, provided in Appendix A (changes to the existing policy is highlighted in red).

12. Reports of the Chief Officer for Resources

12.1. To consider whether to exclude the press and public from the meeting during consideration of the following item of business in accordance with Section 100A of the Local Government Act 1972, as amended, on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 12 and 14 of Part 4 of Schedule 12A to the Act.(Proper Officer's view attached).

Council resolved to exclude the press and public from the meeting during consideration of the following item.

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12.2. J Block refurbishment and County Hall car park scheme - additional budget provision

Council resolved to accept the recommendations as set out in the report.

The meeting ended at 5.00 pm