

**Minutes of the meeting of Monmouthshire County Council held
at County Hall, Usk on Thursday, 10th April 2014 at 2.00 p.m.**

PRESENT: County Councillor D.L.S. Dovey (Chairman)

County Councillors: D. Batrouni, D. Blakebrough, G.C. Burrows, J.E. Crook, G.L. Down, A. Easson, D.L. Edwards, D.J. Evans, P.S. Farley, P.A. Fox, R.J.W. Greenland, L. Guppy, E.J. Hackett Pain, R.G. Harris, R.J.C. Hayward, M. Hickman, R.J. Higginson, P.A.D. Hobson, G. Howard, S.G.M. Howarth, D.W.H. Jones, P. Jones, S. Jones, S.B. Jones, R.P. Jordan, J.I. Marshall, M. Powell, J.L. Prosser, V.E. Smith, B. Strong, F. Taylor, P.A. Watts, A.E. Webb, S. White, K.G. Williams and A.M. Wintle.

OFFICERS IN ATTENDANCE:

Mr. P. Matthews	Chief Executive
Mr. M. Andrews	Monitoring Officer
Mrs. K. Beirne	Chief Officer: Enterprise
Mrs. S. McGuinness	Chief Officer: Children and Young People
Mrs. J. Robson	Head of Finance/Section 151 Officer
Mrs T. Harry	Head of Democracy & Regulatory Service
Mr. W. McLean	Head of Strategic Partnerships
Miss H. Ilett	Scrutiny Manager
Mr M. Moran	Community Infrastructure Coordinator
Mrs. B. Barnett	Project Support Worker
Mrs. S. King	Senior Democratic Services Officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from County Councillor R. Chapman, R. Edwards, J. George, P. Murphy and A. Watts.

2. CHAIRMAN'S REPORT AND RECEIPT OF PETITIONS

Members noted the Chairman's engagements.

There were no petitions presented.

3. DECLARATIONS OF INTEREST

Declarations of Interest are recorded under the relevant minute heading.

4. MINUTES

**Minutes of the meeting of Monmouthshire County Council dated Thursday
10th April 2014 continued**

- (a) We resolved that the minutes of the Extraordinary County Council meeting 27th February 2014 be approved as a correct record and signed by the Chairman.
- (b) We resolved that the minutes of the County Council meeting 27th February 2014 be approved as a correct record and signed by the Chairman, with the following amendments:
- Page 8 – County Councillor L. Guppy declaration of interest.
Delete: *Monmouthshire Comprehensive School* change to *Ysgol y Fin*
 - Page 9 – Diary of meetings for 2014/15 Councillor Howarth Amendments:
Delete *'On being put the vote we resolved that meetings were moved from the Easter Holidays in 2015 and this became the substantive motion. Upon being put to the vote the substantive motion, we agreed that planning site visits would be decided by the Planning Committee.'* Change to:
Upon being put to the vote the amendments were agreed as one and became the substantive motion.
We received an amendment to the substantive motion, which was duly seconded, as follows:
Meetings moved from the Easter Holidays in 2015 and Planning Site visits would be decided by the Planning Committee.
 - Page 12 Addition to County Councillor D. Batrouni amendment: **Council Tax collection was increased from 98% to 99%**
 - Page 13 Addition to County Councillor amendment 3) Sweating assets:
Clarified as commercial opportunities, which included advertising in open spaces and car parks.
 - Page 13 Addition to County Councillor R.J.C. Hayward amendment:
Discussions were held regarding collection rate of 98% income tax, but 99% collected. Potential extra income could be received through building of additional houses.

5. PUBLIC FORUM ITEMS

We welcomed Mrs J. Barnes on behalf of CAIR and concerns were expressed regarding lack of service provision for profoundly disabled children and young adults. A question was directed to County Councillor G. Burrows:

'CAIR is asking that MCC decides on provision for this most vulnerable section of the community, by providing a hub that has accessible projects and facilities, in the area, and specialist facilities not too far away. We ask that decisions about facilities are communicated to parents and CAIR as soon as possible.'

The Chairman thanked Mrs Barnes for attending and the comments were noted.

In response, members raised the following points:

**Minutes of the meeting of Monmouthshire County Council dated Thursday
10th April 2014 continued**

- County Councillor Burrows thanked representatives of CAIR for attending the meeting. We were informed that all councils had managed serious pressures, in order to ensure fairness and there was a requirement to review how services were operated. The reconfiguration had not cut direct services and staff had discussed individual needs with service users.
- Gratitude was expressed to parents and users and it was recognised that there was a need for accessible sites across Monmouthshire, which would be fit for purpose.
- 'My Day My Life' principle had been established at one venue, there would be opportunity to contribute to progress and an open day would be arranged. A date would be set for concerned individuals to raise points discussed and would be opportunity for change and improvement.

6. COMMITTEE MINUTES

We resolved that the following minutes be received:

(a) Democratic Services Committee 3rd February 2014

In relation to the minutes, Councillor Easson advised that seating arrangements within the chamber had been discussed. It was noted that this issue would be discussed by group leaders.

County Councillor Blakebrough requested clarification regarding resources and training for paperless meetings. The Head of Democracy and Regulatory Services advised that Democratic Services were working with members to ascertain needs.

In terms of personal development, it would be the intention for a member to identify their own needs.

Some concerns were expressed regarding cost implications for electronic equipment, we were advised that there was a budget available due to reduced paper and printing.

It was requested that page numbers were the same on paper and electronic copies.

We resolved to receive the minutes.

(b) Internal Monitoring Board 25th March 2014

We resolved to receive the minutes.

7. NOTICE OF MOTION

We received the following notices of motion:

(a) Submitted by County Councillor G. Down

**Minutes of the meeting of Monmouthshire County Council dated Thursday
10th April 2014 continued**

"Monmouthshire provides the gateway to the Wales Coastal Path. As such, this Council is deeply concerned to note the recent research published by the Marine Conservation Society (MCS) about the quantity of litter on Welsh beaches, and calls upon the Welsh Government to work with the MCS and other interested parties to implement a marine litter strategy as a matter of urgency."

In moving the motion Councillor Down highlighted the following points:

- Welsh Government were commended for the work that had been undertaken, the huge boost to tourism in Monmouthshire and across Wales.
- One of the Welsh beaches was within the top 10. However, it was recognised that many suffer from serious problems, such as sewerage related rubbish, fly tipping, medical waste (inhalers, syringes, plasters), passing shipping waste, fishing paraphernalia (lines, weights, hooks), rubbish from members of the public and waste within tidal flows.
- Council were asked to endorse motion and call on Welsh Government to implement marine litter strategy.

During the debate, the following points were noted:

- Support was expressed for the motion. It was highlighted that environment and protected habitat, had to be considered in relation to cleaning of public beaches. A clean coast week would be operated, through tidy towns funding, to clean areas of the coast.
- The importance of keeping the coastal path clear was imperative and measures should be implemented for this.
- Concerns were expressed regarding the debris and waste, on beaches and coastal pathways. The clean coast initiative was welcomed.
- A query was raised whether there would be financial implications associated with the motion.
- It was requested that the minister was contacted in relation to the progress on the pilot for coast care officers, tidy towns and the action plan.
- It was highlighted that the motion related to the implementation of a marine strategy and it was hoped that sensitive habitat and funding issues would be addressed.

(b) Submitted by County Councillor D. Batrouni

"This Council believes it is unacceptable that Monmouthshire is rock bottom out of all Welsh local authorities (by benchmarked quarters) for pupils achieving 5 GCSE grades A- G; is dismayed that Monmouthshire was second from bottom for pupils achieving grades A- C; condemns the Conservative-led administration for failing these children; recognises any Monmouthshire child leaving school without 5 GCSEs severely limits their life chances; the controlling groups of this Council utilises all options available to them to ensure these children are helped and offered guidance into further education, an apprenticeship or employment;

Page 5
Minutes of the meeting of Monmouthshire County Council dated Thursday
10th April 2014 continued

and makes sure Monmouthshire drastically improves its performance for this year's GCSEs."

In moving the motion, Councillor Batrouni highlighted the following issues:

- Monmouthshire had been at the bottom of school tables for five GCSEs, second from bottom on grades A-C, performance had been well below average in relation to achieving 5 GCSEs.
- It was recognised that there was a problem with boys achieving a lower result.
- Education is an effective means for a child from any background to climb the ladder and better standards of education would be deserved for children.

During debate we noted the following points:

- The Cabinet member concurred that Estyn had shown Monmouthshire County Council had shortfalls in terms of education and significant progress was required to assist children reaching their potential and make the best of their education. The authority was in special measures and recommendations were being implemented.
- We were advised that individual target setting was in place for individual pupils and achievement for particular genders were being addressed.

Councillor Hackett Pain proposed an amendment to the motion, which was duly seconded, this became the substantive motion:

As a result of the recent Estyn inspection and their recommendations, Monmouthshire County Council has a rigorous intervention plan in place to address fundamental shortfalls in teaching and learning.

This Council recognises that any Monmouthshire child leaving school without 5 GCSE's limits their life chances.

We as a Council should utilise all options available to ensure all children are helped and offered guidance into further education, an apprenticeship or employment and makes sure Monmouthshire drastically improves its performance for this and subsequent years.

During debate the following points were noted:

- The Leader of the Council advised that measures were in place at the Council and within schools, to address issues within the action plan, work was being undertaken with heads of schools.
- Difficulties within secondary education were recognised and it was noted that it would take time for interventions to take place.
- Opportunities should be used to get education in the spotlight and it was appreciated that there was a strong team leading intervention and changes.
- Staff and Heads were commended for the hard work that was on-going.

**Minutes of the meeting of Monmouthshire County Council dated Thursday
10th April 2014 continued**

- It was noted that performance within KS1 and KS2 was positive, however, there was a requirement to look at comprehensive level education and management of the education system.

On being put to the vote, the amendment was carried, became the substantive motion, and was carried.

'As a result of the recent Estyn inspection and their recommendations, Monmouthshire County Council has a rigorous intervention plan in place to address fundamental shortfalls in teaching and learning.

This Council recognises that any Monmouthshire child leaving school without 5 GCSE's limits their life chances.

We as a Council should utilise all options available to ensure all children are helped and offered guidance into further education, an apprenticeship or employment and makes sure Monmouthshire drastically improves its performance for this and subsequent years.'

8. RECOMMENDATION FROM CABINET: CALDICOT 3G PITCH PROJECT

We were presented with a report from Cabinet which sought approval for the establishment of a revised budget for the Caldicot 3G pitch project and for the use of some Section 106 (S106) balances to help offset the increased cost of the project.

The Cabinet member advised that Cabinet had approved expenditure as reported. An over spend had occurred due to the project being delayed, it was discovered that there were some previously uncharted sewer and water pipes running under the site that needed to be diverted before work could start either on the new 3G pitch or on the construction of the new supermarket. There was a requirement for the over spend to be met and in addition there was expenditure of £101,000, following receipt of a letter from MUSLA there was possibility to use money from Magor/Undy for the project, as it would be used by people across the whole of Severnside.

Recommendations within the report were as follows:

- 2.1 Council approves the gross capital budget for the Caldicot 3G pitch project be revised from £600,000 to £660,000.
- 2.2 That funding of £101,000 (£41,000 contribution to the Sewer scheme and £60,000 to the additional costs of the 3G scheme) be identified as follows:

Section 106 Agreement	£
Merton Green, Caerwent	17,500
Kingfisher Rise, Magor	17,500
Church Road (3), Caldicot	17,500

**Minutes of the meeting of Monmouthshire County Council dated Thursday
10th April 2014 continued**

Magor/Undy Community Hall	<u>17,500</u>	
Total	70,000	
Leisure Services Budget (contribution to capital)	31,000	(revenue)
Grand Total funding	£101,000	

- 2.3 In respect of the four S106 receipts highlighted in 2.2. above, the Council has had the Magor/Undy receipt for 12 years, the remaining three are anticipated in 2014-15 but a timing issue is anticipated necessitating expenditure on the 3G pitch in advance of actual receipts and so approval is also sought in respect of short term temporary bridge funding where necessary.

It was moved and duly seconded that a further clause was included as follows:

Monmouthshire County Council has long supported the community bid for a sports and leisure facility in Magor. In the event that MUSLA is successful in bringing together the funds to build the community hall, Monmouthshire County Council will re-instate the £17,500 contribution referred to in 2.2 as "Magor/Undy Community Hall" but when future developer contributions are available from new housing in the area it will apply £17,500 as a contribution from the Magor and Undy area towards the 3G pitch now being constructed in Caldicot for the benefit of the Severnside area.

Delete 2.3. and replace with "There may be delay before some of the funding referred to in 2.2 becomes available, so approval is also sought in respect of short term temporary bridge funding where necessary."

During discussion the following points were noted:

- County Councillor D. Evans declared a personal interest, pursuant to the members' code of conduct, as an LEA Governor of Caldicot Comprehensive School.
- County Councillor A. Easson declared that he had a personal interest and closed mind regarding the issue. Councillor Easson left the meeting.
- County Councillor L. Guppy declared a personal interest, pursuant to the members' code of conduct, as an LEA Governor.
- We were advised that S106 does not accrue interest, the amount received would be allocated for the project. However, if the authority held cash then interest would be accrued on the balance held.
- Discussions were held regarding problems that had occurred on site, in relation to unchartered sewer and water pipes running under the site that needed to be diverted before work could start.
- Member concerns were noted in relation to responsibility of assets of Welsh Water.

**Minutes of the meeting of Monmouthshire County Council dated Thursday
10th April 2014 continued**

- The importance of the development was recognised and members were encouraged by progress of the project.
- It was noted that best use of S106 funding should be considered and local members, of Magor/Undy, had not been consulted.
- We were advised that the issue was a Council Decision and even though it had been considered by Cabinet, was not subject to call-in. The decision related to the capital programme, which was a matter for Council.
- We agreed that a note would be added to any Cabinet reports 'not subject to call-in' as appropriate.
- Further information was requested regarding the vision for Magor/Undy.
- It was recognised that the project would benefit the whole of Severnside, as well as wider use from the whole of the County.
- In response to member concerns, we were informed that infrastructure support was acceptable use of S106 monies. The course of action for Magor/Undy related to community developed scheme with MUSLA and bids had been submitted to the big lottery fund. Whole place plan and mechanisms were in place to progress the issues.
- *Councillor Farley left at 4.25pm.*

It was moved and duly seconded to approve recommendations within the report, with the additional changes. Upon being put to the vote this was carried.

We resolved to recommend the following:

1. Monmouthshire County Council has long supported the community bid for a sports and leisure facility in Magor. In the event that MUSLA is successful in bringing together the funds to build the community hall, Monmouthshire County Council will re-instate the £17,500 contribution referred to in 2.2 as "Magor/Undy Community Hall" but when future developer contributions are available from new housing in the area it will apply £17,500 as a contribution from the Magor and Undy area towards the 3G pitch now being constructed in Caldicot for the benefit of the Severnside area.
2. Council approves the gross capital budget for the Caldicot 3G pitch project be revised from £600,000 to £660,000.
3. That funding of £101,000 (£41,000 contribution to the Sewer scheme and £60,000 to the additional costs of the 3G scheme) be identified as follows:

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**Minutes of the meeting of Monmouthshire County Council dated Thursday
10th April 2014 continued**

Magor/Undy Community Hall	<u>17,500</u>	
Total	70,000	
Leisure Services Budget (contribution to capital)	31,000	(revenue)
Grand Total funding	£101,000	

4. There may be delay before some of the funding referred to in 2.2 becomes available, so approval is also sought in respect of short term temporary bridge funding where necessary.

9. REPORT OF THE MONITORING OFFICER: REVIEW OF CONSTITUTION

We received a revised draft model constitution for consideration, which included elements that require decisions by Council.

Council thanked the Monitoring Officers and members that had contributed to discussions surrounding the draft constitution.

It was proposed and duly seconded that due to the important nature of the document, the Review of Monmouthshire County Council constitution was postponed and considered at a special meeting of Council.

Some concerns were expressed that the document would be delayed.

The Monitoring Officer advised that the document would be presented by his successor, if a special meeting was agreed.

Upon being put to the vote, we resolved that the review of Monmouthshire County Council constitution would be considered at a special meeting, to be held in approximately 8-10 weeks.

10. REPORTS OF THE HEAD OF DEMOCRACY AND REGULATORY SERVICES

We received reports from the Head of Democracy and Regulatory Services as follows:

(a) CO-OPTION OF ACTION 50+ ONTO ADULT SELECT COMMITTEE

We received a report to agree the appointment of a Member of Action 50+ Abergavenny onto the Adults Select Committee on a permanent basis without voting rights.

County Councillor R. Harris declared a personal interest, pursuant to the members code of conduct, as a board member of Action 50+.

**Minutes of the meeting of Monmouthshire County Council dated Thursday
10th April 2014 continued**

It was moved and duly seconded to accept recommendations within the report.

We resolved:

To agree the Co-option of Delia Hudson, Action 50+ Abergavenny onto the Adults Select Committee on a permanent basis without voting rights.

(b) APPOINTMENT OF A MEMBER AS 'SCRUTINY CHAMPION'

We received a report to appoint a Member as 'Scrutiny Champion' following resignation of the existing Member.

The existing member was thanked for contributions to scrutiny and it was recognised that there had been improvements to the function.

It was proposed and duly seconded that County Councillor J. Prosser be appointed as 'Scrutiny Champion'. Upon being put to the vote the motion was carried.

We resolved that County Councillor J. Prosser be appointed as 'Scrutiny Champion'.

**11. REPORT OF THE HEAD OF PARTNERSHIPS AND ENGAGEMENT
AGEING WELL IN WALES PROGRAMME**

Council were presented with the report entitled Ageing Well in Wales: Age Friendly Cities and Communities; The Dublin Declaration.

The report recognised Monmouthshire's commitment to supporting Age Friendly Communities and participation with the Ageing Well in Wales Programme. The demography of Wales and other developed countries is changing. People are living longer, healthier lives and this brings the twin challenges of budgetary pressure and an ageing population.

During discussion the following points were raised:

- As Cabinet Member, Councillor Burrows, welcomed the report and expressed support.
- Principles within the report were supported by members.
- Concerns were expressed that charging for 60+ swimming had been discussed at the last Council meeting and had been included within the budget.

It was proposed and duly seconded to approve recommendations within the report. We resolved to agree recommendations as follows:

1. Council agreed to sign the Dublin Declaration.

**Minutes of the meeting of Monmouthshire County Council dated Thursday
10th April 2014 continued**

2. Council recognised Monmouthshire's commitment to supporting an Age Friendly Community
3. Monmouthshire participates and supports Age Friendly Communities within the Ageing Well in Wales Programme

14. MEMBERS QUESTIONS

(a) From County Councillor D. Batrouni to County Councillor P. Murphy

"Could he confirm the amount the Council has spent on private consultants the previous financial year?"

- In the absence of Councillor P. Murphy, we resolved that the question would be carried forward to the next meeting.

The meeting ended at 4.55 p.m.