

Public Document Pack



Neuadd y Sir
Y Rhadyr
Brynbuga
NP15 1GA

County Hall
Rhadyr
Usk
NP15 1GA

Wednesday, 1 November 2017

Notice of meeting / Hysbysiad o gyfarfod:

County Council

Thursday, 9th November, 2017 at 2.00 pm,
Council Chamber - Council Chamber

AGENDA

Prayers will be said prior to the Council meeting at 1.55pm. All members are welcome to join the Chairman for prayers should they wish to do.

Item No	Item	Pages
1.	Apologies for absence	
2.	Public open forum	
3.	Chairman's announcement and receipt of petitions	1 - 2
4.	Declarations of interest	
5.	To confirm the minutes of the meeting of County Council held on 21st September 2017	3 - 8
6.	To receive the minutes of Audit Committee	
6.1.	6th July 2017	9 - 18
6.2.	19th September 2017	19 - 26
7.	To receive the minutes of Democratic Services Committee	
7.1.	5th June 2017	27 - 30
7.2.	11th September 2017	31 - 34
8.	Notices of Motion	

8.1. Motion from County Councillor M. Groucutt

Monmouthshire County Council congratulates and supports the current efforts of local people in the Abergavenny area who are campaigning for full access to the platforms of Abergavenny railway station. It believes that it is a disgrace that in 2017 people with a physical disability, the elderly, parents with young children in pushchairs, or passengers with heavy luggage do not yet have this.

This Council calls upon Network Rail and Arriva Trains Wales to expedite such full access as a matter of urgency. It calls on those responsible to ensure that sufficient funding is set aside to create facilities that will enable all passengers to freely access all parts of the station during opening hours as a matter of the highest priority.

8.2. Motion from County Councillor A. Easson

The Aneurin Bevan University Health Board has started consultations regarding the future of Adult Services across Gwent. The suggestion is to centralise dementia care to hospitals in Blaenau Gwent, Caerphilly, Newport and a unit in Torfaen; after the Grange Hospital is commissioned in 2021. This would suggest the closure of St Pierre Ward at Chepstow Hospital, which is currently employed for dementia care. Support for dementia care in the north of Monmouthshire would be at Ysbyty Tri Cwm Hospital in Ebbw Vale and from the south at St Woolos in Newport.

"I move that this Council works in conjunction with ABUHB and the ABCHC to find positive and futuristic ways of removing this threat to Chepstow Hospital, which has 10 years of the PFI initiative to complete the contract, and that the use of this facility should be enhanced not reduced."

8.3. Motion from County Councillor P. Pavia

Monmouthshire County Council understands the demographic challenges the county faces over the coming decades. It recognises that the increase in older people will inevitably place more demands on our health and social care system, as an ageing population is more likely to have at least one and often multiple chronic conditions like dementia. Therefore, it is concerned by Aneurin Bevan University Health Board's proposals to redesign older adult mental health services, which could potentially mean the closure of the St. Pierre dementia ward in Chepstow Hospital and the transfer of patients to Ysbyty Tri Chwm in Ebbw Vale and to St. Woolas in Newport.

It calls upon Aneurin Bevan University Health Board to:

1. Enter into 'robust' and 'meaningful' engagement with patients, stakeholders and local communities in Monmouthshire, regarding its redesign proposals and listen to appropriate concerns that any transfer of care outside of the county will naturally generate;
2. Regularly meet with the Cabinet Member responsible for Social Care, Safeguarding and Health and senior officers, to explore new, co-produced and sustainable models of care for older adults with mental ill health, as part of the Council's overarching strategic plan to deliver quality integrated social care right across the county.

8.4. Motion from County Councillor D. Batrouni

That this Council is concerned that the real terms cuts placed upon schools in Monmouthshire for the past four years is unsustainable; that these cuts could result in staff reductions and hinder the performance of those schools; and therefore makes a commitment to halt these ongoing cuts and to instead increase the overall education budget for 2018/19 by at least £1m to help ease ongoing financial pressures. The Labour group will work with all elected members to bring this proposal to fruition.”

8.5. Motion from County Councillor D. Batrouni

That this Council disapproves of the process whereby a decision on the future of two Monmouthshire secondary schools was submitted to Welsh Government without any consultation with full council, Cabinet or the CYP select committee; believes it sets a worrying precedence where local members, particularly Chepstow members in this instance, are not informed of big decisions affecting their residents; worries about the consequences for Chepstow School; and believes not all options have been explored as a result

9. Reports of the Chief Officer, Enterprise

9.1. Remote attendance at Council meetings

35 - 48

9.2. Timing of Council meetings

49 - 56

10. Report of the Head of Operations

10.1. Recycling Review - Final Business Case, approval of capital expenditure on vehicles and boxes

To Follow

11. Members Questions

11.1. From County Councillor P. Pavia to County Councillor R. John

Will the Cabinet Member for Education provide an update regarding the activities of the External Reference Group, which was established by the Council following ESYTn’s Inspection of the authority in 2015?

11.2. From County Councillor A. Easson to County Councillor P. Murphy

With respect to the 2017/2018 budgeted Area Committee grants of £5000. It is half way through the financial year ,yet the allocations have not been released for distribution. Local groups benefit from these small grants. Would you release them as soon as possible?

11.3. From County Councillor A. Easson to County Councillor R. Greenland

Since 2008;

- 1) How many houses have been built year on year in Monmouthshire?
- 2) How many year on year were affordable homes?
- 3) What were the waiting lists year on year over the same period?

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

11.5.	<p>Can the Cabinet Member report if there any discrepancies between the notional and actual spend on delegated SEN expenditure in (i) 2016/17 (ii) 2015/16 and (iii) 2014/15?</p> <p>From County Councillor D. Batrouni to County Councillor S. Jones</p> <p>What assessment, if any, has the Council made of the prevalence of 'period poverty' in the county?</p>	
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Paul Matthews

Chief Executive / Prif Weithredwr

MONMOUTHSHIRE COUNTY COUNCIL
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillors:

D. Batrouni
D. Blakebrough
M. Powell
V. Smith
P. Clarke
D. Dovey
A. Easson
R. Edwards
D. Evans
P.A. Fox
R.J.W. Greenland
L. Guppy
R. Harris
J. Higginson
G. Howard
S. Howarth
D. Jones
P. Jones
S. Jones
S.B. Jones
P. Jordan
P. Murphy
B. Strong
F. Taylor
A. Watts
A. Webb
K. Williams
J.Becker
L.Brown
A.Davies
L.Dymock
M.Feakins
M.Groucutt
R.John
L.Jones
M.Lane
P.Pavia
J.Pratt
R.Roden
T.Thomas
J.Treharne
J.Watkins
S. Woodhouse

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Welsh Language

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with adequate notice to accommodate your needs.

Aims and Values of Monmouthshire County Council

Sustainable and Resilient Communities

Outcomes we are working towards

Nobody Is Left Behind

- Older people are able to live their good life
- People have access to appropriate and affordable housing
- People have good access and mobility

People Are Confident, Capable and Involved

- People's lives are not affected by alcohol and drug misuse
- Families are supported
- People feel safe

Our County Thrives

- Business and enterprise
- People have access to practical and flexible learning
- People protect and enhance the environment

Our priorities

- Schools
- Protection of vulnerable people
- Supporting Business and Job Creation
- Maintaining locally accessible services

Our Values

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

Chairman's Report 12th September – 31st October 2017

Tuesday 12 th September 7.30 p.m.	Abergavenny Borough Band – National Final Rehearsals Abergavenny Community Centre
Friday 15 th September 10 – 1 p.m.	Volunteer Achievement Awards Judging Panel GAVO Ty Derwen, Church Road, Newport
Saturday 16 th September 6 – 8 p.m.	Gwent Powys Army Cadet Force – Reception and Beating Retreat Cadet Training Centre, Cwrt-y-Gollen, Powys
Sunday 17 th September 2.30 p.m.	Merthyr Tydfil Civic Service St Mary's Roman Catholic Church, Pontmorlais, Merthyr Tydfil
Sunday 1 st October 4 p.m.	Vale of Glamorgan Civic Service Coastlands Family Church, Barry
<i>Thursday 5th October</i>	<i>Citizenship Ceremony</i>
<i>Thursday 5th October</i> <i>7 p.m.</i>	<i>Chairman's dinner for Officials & Heads of Service</i> <i>Shire Hall, Monmouth</i>
Friday 6 th October 6 p.m.	Honorary Burgess – Award to Douglas Edwards Council Chamber, Town Hall, Abergavenny
Monday 16 th October 2.30 p.m.	Healthy Schools National Quality Award Gilwern Primary School
Tuesday 17 th October 9.30 a.m.	Bronze Ambassador Conference County Hall, Usk
Friday 27 th October 6 for 6.30 p.m.	Annual GAVO Volunteer Achievement Awards Ceremony Caldicot Choir Hall
Saturday 28 th October 12 noon	Funeral – Sir Richard Hanbury-Tenison KCVO St Woolos Cathedral, Newport
Sunday 29 th October 1 p.m.	Crosstober Wales Cycling Festival Abergavenny
Tuesday 31 st October 7 p.m.	Gwent Music - The Gwent Youth Wind Orchestra in Concert St Mary's Priory Church, Chepstow

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Public Document Pack Agenda Item 5

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of County Council held
at Council Chamber - Council Chamber on Thursday, 21st September, 2017 at 2.00 pm**

PRESENT: County Councillor M. Powell (Chairman)
County Councillor P. Clarke (Vice Chairman)

County Councillors: D. Batrouni, D. Blakebrough, V. Smith, D. Dovey, A. Easson, R. Edwards, D. Evans, P.A. Fox, R.J.W. Greenland, R. Harris, J. Higginson, G. Howard, D. Jones, P. Jones, S. Jones, S.B. Jones, P. Jordan, B. Strong, F. Taylor, K. Williams, J.Becker, L.Brown, A.Davies, M.Feakins, M.Groucutt, R.John, L.Jones, M.Lane, P.Pavia, J.Pratt, R.Roden, T.Thomas, J.Treharne and J.Watkins

OFFICERS IN ATTENDANCE:

Paul Matthews	Chief Executive
Kellie Beirne	Chief Officer, Enterprise
Peter Davies	Chief Officer, Resources
Roger Hoggins	Head of Operations
Will McLean	Chief Officer for Children and Young People
Joy Robson	Head of Finance/Section 151 Officer
Robert Tranter	Head of Legal Services & Monitoring Officer
Matthew Gatehouse	Head of Policy and Governance

APOLOGIES:

County Councillors L. Guppy, S. Howarth, P. Murphy, A. Webb, L.Dymock and S. Woodhouse

2. Public Open Forum

No public open forum items were received.

3. Chairman's Announcement and Receipt of Petitions

County Councillor P. Jones presented a petition to the Chairman on behalf of the residents of Raglan signed by 1067 signatories requested safety measures on the A40 bypass.

County Councillor J. Watkins presented a petition to the Chairman on behalf of the residents of Church Road, Caldicot and users of the school situated on the road, requesting a safe crossing location for children and a drop off point for the school.

4. Declarations of Interest

Declarations of interest were received from County Councillors P. Clarke, B. Strong, S.B. Jones in relation to item 10c, Vetholon 2018.

Declarations of interest were received from County Councillor D. Evans in relation to item 9a, MHA changes in rules and extension to VAT shelter.

5. To confirm the minutes of the meeting held on the 27th July 2017

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held at Council Chamber - Council Chamber on Thursday, 21st September, 2017 at 2.00 pm

The minutes of the meeting of Council held on 27th July 2017 were approved and signed by the Chair.

In doing so County Councillor Batrouni made an amendment to page 10, which stated Welsh Government had contributed £2m in total. Cllr Batrouni had intended this to refer to the leisure offer for the pool, and in total had actually been a contribution of £40m.

6. To note the action list of the meeting held on the 27th July 2017

County Councillor D. Blakebrough thanked the leader for writing to the Welsh Government in relation to a previous motion regarding '63 is the new 60' pension proposals however stressed her disappointment at the response received from the Government. The leader agreed to the request from Councillor Blakebrough to respond to the Government requesting a more detailed response.

7. Notices of Motion

7.1. Motion from County Councillor G. Howard

County Councillor G. Howard put forward his motion to Council regarding the pedestrians access at Llanellen Bridge.

The motion was duly seconded.

8. Reports of the Chief Officer, Resources

8.1. MCC audited accounts 2016/17 (Formal Approval) / ISA260 Report - MCC Accounts

Council were presented with the reports, MCC audited accounts 2016/17 (Formal Approval) and ISA260 Report - MCC Accounts by the leader of the Council on behalf of the Cabinet Member for Resources.

Terry Lewis attended the meeting on behalf of the Wales Audit Office and provided members with an overview of the accounts. He informed members that they were happy with the accounts and raised no concerns. He also thanked officer for their support throughout the review and welcomed the accounts being submitted to them earlier than expected.

Members raised concerns in relation to school budget in particular school deficits going forward. The Chief Officer for Children and Young People informed Council that significant improvements are being made on reducing the deficits and there is ongoing support and commitment with head to teachers to continue to the reduction.

Councillor Batrouni questioned why the authority received more council tax than originally anticipated and also why the authority didn't pay out as much as expected on council tax benefits. The Head of Finance informed Council that the council tax base and estimates are formed in December the previous year and can alter depending on the number of houses built/inhabited within the area. The Head of Finance also confirmed that council tax benefits is led by demand so can depend on the number of people who rely on the service as to the actual expenditure incurred.

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

9. Report of the Chief Officer, Social Care, Health and Housing

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held at Council Chamber - Council Chamber on Thursday, 21st September, 2017 at 2.00 pm

9.1. MHA - Change in rules and extension to VAT Shelter

Council was presented with the report in relation to Monmouthshire Housing Association (MHA) changes in rules and VAT shelter by the Cabinet Member for Enterprise, Innovation and Leisure. The Cabinet Member also welcomed the Chief Executive of MHA, John Keegan and Deputy CEO Steve Higginson to the meeting.

John Keegan outlined the report and informed Council that due to changes in the way Welsh Government are legislating in respect of registered social landlords (RSL) there is a need to review its regulatory framework and reduce the Council membership on the MHA board.

Members raised concerns around the reduction in members of the board and their ability to hold MHA to account. Additionally, members wanted a commitment from MHA that their focus would remain within the local authority area and that they would not seek to expand outside of the County.

The Cabinet member for Enterprise, Innovation and Leisure proposed amendments to the recommendations contained in the report and members voted on each recommendation separately.

First, it was put to a vote that members agree to enter into a deed of variation to extend the VAT Set-Off Agreement which members agreed. County Councillor V Smith abstained from all votes on this item.

Secondly, the amendment proposed by the Cabinet Member for Enterprise, Innovation and Leisure, which was seconded, stated that the recommendation should read 'that members agree to MHA making rules changes to reduce the current 4 Council nominees to 2, and in making the appointments Monmouthshire County Council will endeavour to meet the skillset required by MHA.' Upon being put to the vote members agreed to the recommendation.

Finally, a new recommendation was proposed and seconded, also by the Cabinet Member which stated that 'MHA will enter into a memorandum of understanding that their commitment to Monmouthshire remains and welcome a report from a senior manager of MHA to Council annually.' Upon being put to the vote members agreed to the recommendation.

10. Report of the Chief Officer, Enterprise

10.1. Stage 2 Improvement Plan - 2016/17

Council was presented with the Stage 2 Improvement Plan by the Cabinet Member for Governance.

Members were provided with an overview of the report which sets out how well the authority performs against five set measures. Overall three objectives were classified as making good progress and two measures making adequate progress. Monmouthshire is one of the top performing council in Wales with many services performing well however there are still areas for improvement including visit to leisure centres and affordable housing.

Councillor Batrouni questioned whether for future improvement plans Housing should contain its own section given the pressures in the area and the authority's wellbeing goals. He also added that now there is a Cabinet Member for Social Justice, it could be useful to develop key measures to assess the success of the portfolio against the wellbeing act. The Councillor was also disappointed to see the highest gap in Wales for young people in Wales attaining GCSE's between those pupils who are entitled to free school meals and those who are not.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held at Council Chamber - Council Chamber on Thursday, 21st September, 2017 at 2.00 pm

Members also raised concerns around future funding arrangements for the authority and how standards could be maintained within the improvement plan if funding is not available to deliver the services, particularly in schools.

The Leader agreed with members that the authority cannot rely on the Welsh Government for additional funding to keep delivering services in the same way.

The Cabinet Member for Governance summarised that the authority has to do things differently to maintain the current standards.

Upon being put to the vote members resolved to agree the recommendations in the report.

10.2. Approval of a Capital Budget for the provision of Waste and Recycling Vehicles

This item was deferred.

10.3. Velethon 2018

County Councillor A. Easson left the meeting at 15:26

County Councillor B. Strong, S.B.Jones and P. Clarke left the room for consideration of this item due to personal or prejudicial interests.

Council were presented with the report on the Velethon 2018 by the Cabinet Member for Enterprise, Innovation and Leisure. The cabinet member informed Council that the event has already received approval from the other four local authorities involved in the event.

It was noted that whilst there were challenges initially with organising the event, significant improvements have been made year on year to address the concerns of the authority. For 2018, the organisers have removed the pro race which should reduce delays in areas due to road closures, particularly in the Govilon area. Officers are also working with the event organisers to try and hold a short race beginning in Usk and ending in Cardiff.

The Cabinet Member praised the communication team within the authority for their initiative of placing bright coloured bikes around the Usk area which has engaged visitors to the area even outside the event.

Members raised concerns of supporting the event without knowing the proposed road closures and timings. Concerns were also raised regarding litter and toilet facilities and the need for the authority to undertake cleaning exercises that should be completed by the event organisers.

Upon being put to the vote the Council resolved to accept the report.

11. Members Questions

11.1. From County Councillor D.Batrouni to County Councillor P. Murphy

The leader of the Council responded to the question in the absence of the Cabinet Member for Resources as follows;

The Council has sold a total of 170.4 acres since 2014. 155 acres was the sale of two Council owned farms. 6.08 acres were sold for housing purposes. 9.05 acres were sold for commercial development. The authority is currently working on the disposal of Rockfield Farm and Crick Road sites which equates to an additional 16 acres.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held at Council Chamber - Council Chamber on Thursday, 21st September, 2017 at 2.00 pm

Councillor Batrouni followed up requesting how much land has been sold under S123 of the Local Government Act 1972. The leader agreed to forward the information on following the meeting but it was noted that any sale under this arrangement must be agreed by full Council beforehand.

12. From County Councillor P. Pavia to County Councillor P. Fox

The leader responded to the question as follows:

Monmouthshire County Council has a local transport plan which sets out key areas and flow of traffic through the County. Included in the plan is a review of the train and bus services from Chepstow as well as the upgrade of cycle and footpaths.

The Cabinet has also set up a Strategic Transport Group which lobbies service providers to increase access to services.

The leader confirmed he had already met with the leaders of Forest of Dean and Gloucestershire Council to discuss the Chepstow Bypass and the need to review infrastructure within the area due to the opportunities of the City Deal arrangement, as well as the proposal to remove tolls on the Severn Bridge.

The leader also agreed to give a commitment to meet with the Welsh Government, along with the Cabinet Member for Transport, to highlight these issues.

10.4. Payment Guarantee to Welsh Government - City Deal Compound Semiconductor Project

Council received the report Payment Guarantee to Welsh Government – City Deal Compound Semiconductor Project from the Leader. The report outlined the need for Monmouthshire, as the lead authority on the project with City Deal, to provide a payment guarantee to Welsh Government of £2million to purchase premises to be used for the Compound Semiconductor project. It was noted that whilst Monmouthshire were approving the guarantee as the lead authority on the project, the liability for the amount would be shared amongst all authorities that have signed up to the City Deal.

The Chief Executive addressed Council and informed that due to time extremely tight timescales on the project, Cabinet approved a decision that would otherwise have been made by Full Council. Members expressed concerns at the process and were keen to ensure that decisions weren't taken away from Full Council regularly going forward. The Chief Executive re-affirmed that decisions that need to be made by Full Council, will be made at Full Council.

The Chief Executive summarised that the project is a big opportunity for the area and has taken 16 months of Chief Officer time to deliver. Additionally, whilst the project is to be delivered outside the area and the authority will not be able to claim benefit for the project or see direct impacts in the authority's improvement plan, the tangible benefits of thousands of new jobs and business opportunities will have a positive impact in the area.

The Deputy Chief Executive informed the committee that businesses in Monmouthshire are already seeing benefits due to the project and engaging in manufacturing supply chains and opportunities.

On the whole, members were in full support of the project and the opportunities it brings to the area.

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of County Council held
at Council Chamber - Council Chamber on Thursday, 21st September, 2017 at 2.00 pm**

The meeting ended at 17:30

Public Document Pack Agenda Item 6a

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Audit Committee held
at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 6th July, 2017 at 2.00 pm

PRESENT: Mr. P. White (Chairman)
County Councillor J. Higginson (Vice Chairman)

County Councillors: P White, J. Higginson, A. Easson, P. Murphy,
B. Strong, J. Watkins, M. Feakins, M. Lane and V. Smith

OFFICERS IN ATTENDANCE:

Mark Howcroft	Assistant Head of Finance
Joy Robson	Head of Finance/Section 151 Officer
Non Jenkins	Wales Audit Office
Roger Hoggins	Head of Operations
Wendy Barnard	Democratic Services Officer
Matthew Gatehouse	Policy and Performance Manager
Richard Jones	Policy and Performance Officer
Terry Lewis	Wales Audit Office
Dave Walton	Audit Manager
Lesley Russell	Accountant

APOLOGIES:

County Councillors P. Clarke and S. Woodhouse

1. Declarations of Interest

Declarations of interest were made as follows:

- County Councillor A. Easson: In relation to Items 8 (Draft Statement of Accounts) and 9 (Internal Audit Outturn Report 2016/17) - a personal non-prejudicial interest under the Members' Code of Conduct as a Governor of Ysgol Y Ffin.

2. Public Open Forum

There were no members of the public present.

3. To confirm minutes of the previous meeting held on 25th May 2017.

The minutes of the meeting held on the 25th May 2017 were confirmed as a true record and signed by the Chair.

4. To note the Action List from 25th May 2017

Youth Service: It was clarified that the report detailing the Youth Service element of the whole directorate review will be presented to Committee when the business plan is finalised this financial year. It was added that the Head of Tourism Leisure Culture & Youth has offered to attend the September meeting to provide further information.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Audit Committee held at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 6th July, 2017 at 2.00 pm

The Zone: It was noted that a response regarding the £70,000 grant for The Zone building had been provided by the Youth and Community Officer. Whilst this was a good response, a Member questioned what happens to the grant awarded to The Zone Management Committee if provision is moved to the Leisure Centre and what happens to the asset. It was agreed to ask the Head of Tourism Leisure Culture & Youth to respond to these questions at the next meeting.

Risks (Events): It was noted a follow up review is currently in progress and will be reported in September.

Anti-Fraud/Bribery Policy: The Employee's Code of Conduct has been circulated to Committee Members.

Implementation of Internal Audit recommendations: Chief Officer, Children and Young People to be asked to provide a report with details of actions and plans to address the audit opinions.

Unsatisfactory Audit Opinions: The requested review of historic audit opinions will be included in the January 2018 report

Internal Audit recommendations: Arising from discussion at the last meeting, the Head of Operations attended the meeting regarding car parking income. An update was provided that the action plan and many of the recommendations relies upon new equipment and signage. Background information was provided that existing equipment is approximately 20 years old and largely obsolete. A Cabinet report has approved a complete review to improve equipment, disability access and signage, review charges and consider investment opportunities.

Considering the recommendations, it was noted that the contract for the new equipment will be awarded shortly, and work is scheduled to renew signage and disability access. A procedural manual is completed (subject to reference to new equipment). New payment methods will be facilitated. Demarcation between cash collector and reconciliation of cash collected will be achieved through utilisation of a new cash counting machine. Annual inflationary increases do not currently occur annually; implementation will require Member decision.

It was accepted that the outstanding actions are being addressed and will be subject to follow up review and regular reports, in common with all internal audit recommendations.

In response to a query, it was noted that progress regarding car parking income is expected in approximately 3 months.

Zero Hours Contracts: This matter was deferred. A gender breakdown was requested at Council and this information is being collated.

Social Services and Wellbeing Act: See agenda item 14

Annual Audit Committee Report: The Chair presented the report to Council on 29th June 2017.

Report back on Zero Hours Contracts: The Chair presented a report to Council on 29th June 2017.

5. Review of Reserves Outturn.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Audit Committee held at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 6th July, 2017 at 2.00 pm

The purpose of the report is to appraise Audit Committee Members of the prospective reserve usage in conjunction with continuing to highlight the revised reserves protocol endorsed by Cabinet.

In terms of resource implications, it was summarised that earmarked reserves in 2017/18 have reduced by £5m (approx. one third). Whilst there is some replenishment of budgets, due to the favourable outturn last year, the position is less than the starting point of the period.

With regard to general reserves, it was explained that Council Fund planning assumes 4-6% reserves and currently, the level is 4.8% which is within acceptable limits. It was explained that earmarked reserves are set up for a specific purpose and unlikely to facilitate wide scale re-engineering of services; this position is common to other public sector bodies currently.

A Member queried the amount attributed to “Handsets (Connected Worker) – Invest Redesign” and asked if this was a good case for more efficient working, why it has been deferred. It was clarified that the system was valued by a lot of teams and its inclusion is in recognition that the capital project is a more widespread development than originally thought with ring fenced funding for the latter stages rather than the start.

A Member queried the “Insurance Provisions” at £153,000 and it was explained that the amount refers to provision for known cases and expected excesses. A prudent approach is taken when claims are received, they are assessed on the likelihood of progressing.

The report was noted.

6. 2016 Treasury Outturn Report

The Treasury Outturn Report was presented by the Assistant Head of Finance.

The Council’s treasury management activity is underpinned by CIPFA’s Code of Practice on Treasury Management (“the Code”), which requires local authorities to annually produce Prudential Indicators and a Treasury Management Strategy Statement on their likely financing and investment activity.

Key aspects at outturn were as follows:

External borrowing

	£m	£m	
	April 16	Mar 17	Average Rate
Short Term	26.6	19.5	0.6%
Long Term	68.2	69.8	4.5%
Total Borrowing	94.8	89.3	

Investments

Short Term & Cash & Cash Equivalents	11.4	4.5	0.35% Avg investment period 3 days @ 31/3/17
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MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Audit Committee held at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 6th July, 2017 at 2.00 pm

<u>Net Borrowing</u>	<u>83.4</u>	<u>84.8</u>
<u>Capital Financing Requirement</u>	£m	
31 March 2017	134.6	
1 April 2016	114.1	
Movement	<u>20.5</u>	

It was confirmed that treasury consultants, Arlingclose, will provide training on treasury policy for new members in October 2017. Members were invited to reflect on the CIPFA self-assessment return prior to the next meeting, to assess the skills level of the Committee and development needs to influence the training content.

Having received the report, Members made the following observations:

A Member questioned, if the authority is undertaking structural change, could costs be assigned as a capital expense and then borrow against the capital expense as opposed to cash flow. It was replied that capital definitions related to assets are subject to 3 stringent tests (whether it enhances its value, its life or its use) and restructuring doesn't normally fall into these categories. (There is a specific exemption in the Welsh Government's capital directive that excludes the capitalisation of redundancy costs where there is a proven case). Whilst this could be done, historically the capital programme is restricted and provides little headroom to use in this way. The biggest priority has been the provision of two secondary schools in the county.

A Member questioned the term "Bail ins" and the explanation was provided that it means government regulations to avoid banks being taken into government control when running into difficulty. Under regulations, private investors' funds are protected to a limit of £85,000 however institutional lenders such as LAs would be required to bear a proportion of the risks and costs of a failed bank. Therefore, it would not be prudent to place large amounts of funds with weak banks. Consequently, cash investments are restricted, hence the preference to use internal borrowing and utilisation of our cash to avoid borrowing from fragile banks. It was added that it is increasingly difficult to identify banks that meet with the ratings requirement set in the treasury strategy.

A Member commented that the Capital Financing Requirement (CFR) has increased by £20.5m and asked for additional information. It was answered that this is the element of capital expenditure funded by borrowing. Projects funded by capital receipts or specific grants don't increase the CFR. It is important to pay a Minimum revenue Provision (MRP) and a percentage of the CFR; a prudent measure to ensure the CFR isn't too high. The Council decides what to add into the capital programme and in 2016/17 it was agreed to increase Future Schools spending, to invest in solar farms and to replace vehicles at the end of their useful life raising the CFR by £20.5 M. Whilst not imprudent, the ability to sustain MRP payments is monitored and currently it is a sustainable prospect.

A Member observed that, on the latest information, the solar farm investment is a worthwhile investment as it is producing significant amounts of electricity.

Members agreed the recommendations to note the results of treasury management activities and the performance achieved in 2016/17.

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7. Draft Statement of Accounts (as a prelude to audit process) including Annual Governance Statement

The Committee received the draft statement of accounts for 2016/17 and were provided with a presentation. Following this, questions were invited:

A Member queried if any internal rates of return are applied when borrowing internally. It was responded that for projects, there may be an internal rate of interest charged but not for cash borrowing (to make a saving against the cost of external borrowing, noting that e.g. investment of the amount borrowed would net approximately 0.4% and the cost of borrowing would be approximately 1.5% - a saving in the region of 1% in the Revenue account).

Secondly, it was questioned if a significant capital expense would be amortised over time or written off in year 1. If the latter, it was queried how cash flow is worked out of the project. It was explained that costs are amortised over the life of assets. In the case of the Solar Farm, this would be for 20 years. The business case took a prudent approach and considered the borrowing rate from the Public Works Loan Board but, took out an interest free loan from the Welsh Government Salix scheme.

Considering the build of two new secondary schools, a Member questioned and it was confirmed that the new properties become an asset on the balance sheet and are assessed to determine appropriate useful life to calculate depreciation (in this case between 50-60 years). It was further explained that there are three types of schools, maintained, voluntary controlled and voluntary aided. The buildings in the category of voluntary controlled and voluntary aided would not be held on the asset register with the exception of the playing field.

It was also questioned if there were any tax implications in relation to depreciation of assets. It was confirmed that public sector has a different context for capital gains and losses than the private sector. There is a periodic revaluation of every asset every 4 years. An adjustment is made for any variation in value in the revaluation account.

A Member, referring to Monmouthshire Farm School Endowment Trust Fund, Llanelly Hill Social Welfare Centre Accounts and any other such funds, sought clarification regarding their management and whether or not this is an appropriate role for the Council. It was commented that it is difficult to break trustee status as there is no other body better placed to hold the role. Clarification was provided that historically, some small charity funds were transferred to the Community Fund but it was not felt appropriate to transfer the management of larger funds.

County Councillor B. Strong declared a personal non prejudicial interest as a member of the Welsh Church Fund Committee.

The Cabinet Member for Resources reported that the figures have been through full scrutiny.

The Chair noted that there are unusable reserves that are negative that correspond to the pension fund. It was explained that the pension reserve reflects the level of liability of the fund for its members against the contributions being made and consequently shows a negative position. Over the next three years employers will make increased contributions for its members. It was added that it is less problematic to have an open scheme that all new employees are entitled to join. A number of schemes have closed and new members' contributions are not then received into the fund. In an open scheme the current members pay for the liability of the costs as a member retires and the fund will be replenished in turn as they retire. Sensitivity of markets also has a key influence on pension funds. It was acknowledged that there is a paper loss in the unusable reserve and also commented that pension funds in the public sector aren't fully funded.

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In response to a question, it was confirmed that it is a Defined Benefits Scheme.

As recommended, the Committee reviewed the draft Monmouthshire County Council Statement of Accounts for 2016-17, as presented for audit, reviewed the draft statements of accounts listed of the following:

- Monmouthshire County Council Welsh Church Act Fund;

It was noted that the final figures in relation to following Trust Funds, are yet to be supplied:

- i. Monmouthshire Farm School Endowment Trust Fund
- ii. Llanelly Hill Social Welfare Centre Accounts.

8. Internal Audit Outturn Report 2016/17

The Internal Audit Outturn Report for 2016/17 was presented by the Audit Manager. The purpose of the report is to provide feedback on the findings of audit work undertaken in the course of the year and to provide commentary on the performance of the audit team.

The key points were:

- The report is the Chief Auditor's Annual Report as required in the Public Sector Internal Audit Standards.
- Based on the audit work completed, the internal control measures were assessed by the Chief Auditor as providing "Reasonable" assurance (adequately controlled although some risks identified that could compromise the overall risk environment with improvements required). This status was determined with reference to the 28 audit opinions given during course of year.
- Overall, there were 8 "Limited" assurance opinions for which regular reports on progress will be provided to the Audit Committee.
- This year there were 12 instances of special investigations and unplanned work (internal investigations, new risks and unforeseen work).
- Team members are encouraged to undertake appropriate professional training and networking.
- Performance indicators show that 75% of the plan was delivered within the year. The target was 80%. 98% of audit recommendations have been accepted and a client survey has an outcome of 100% satisfaction.

A Member queried what progress has been made on "Limited" opinions and it was responded that:

- **School meals:** Parent Pay is being implemented throughout primary schools and should be finished before the end of the academic year. A follow-up audit will be undertaken in the autumn to assess the effectiveness of implementation.
- **Ysgol Gymraeg Y Ffin:** A follow up audit has been arranged in December. County Councillor A. Easson declared a personal, non-prejudicial interest as a Governor of Ysgol Gymraeg Y Ffin.
- **Events:** A follow up review is in progress and will be reported upon in September.
- **Policy Review (People Services):** An action plan has been agreed and a number of new or updated policies have been presented to Cabinet. The issue is to ensure that policies are regularly reviewed and updated as required. This matter will be revisited in the current financial year.

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- **External Placements:** An action plan is agreed and will be followed up in the current financial year.
- **Compliance with the Bribery Act:** An action plan is agreed and will be followed up this financial year.
- **Volunteering:** It was established that there was generally a good framework developed centrally but implementation and compliance across the authority requires improvement. An action plan has been agreed.
- **Mobile phones:** An action plan has been agreed and there is a new contract in place. A follow up review will consider impact.

The Committee endorsed the outturn report from Internal Audit.

9. Internal Audit Plan 2017/18 - Update

The Internal Audit Plan 2017/18 was presented by the Audit Manager, and Committee Members were invited to ask questions:

The Chair queried if there are sufficient resources to deliver the plan and it was responded that, as part of the planning process, the number of days required is calculated. With the current full complement of staff, an achievable plan has been developed in accordance with audit standards. It was acknowledged that unforeseen work can impact on plans and an allocation is included accordingly. Quarterly progress reports will be provided to this committee and will highlight any slippage.

A Member asked if there were enough staff to complete the necessary work. It was responded that, if there were more staff members then the team could complete more work and provide greater assurance but the current staffing level is sufficient to discharge the duties required in legislation and the Public Sector Internal Audit Standards.

A Member referred to the figure of 75% performance and it was confirmed that any outstanding audits from the previous year will be rolled forward.

A Member asked if the Committee is required to define the scope of an audit and it was explained that usually, meetings will be held with operational managers and the team will develop the scope. The Committee would not normally be involved.

The Committee accepted and endorsed the plan.

10. Progress Report: Wales Audit Office Proposals for Improvement

The Progress Report was presented by the Policy and Performance Officer covering the period up to June 2017. Following the introduction to the report, the Committee were invited to ask questions.

A Member asked if there was any comments from Wales Audit Office (WAO) regarding overlapping work from previous reports and it was confirmed that the council's own tracker can be used for this purpose.

A question was asked if there were any areas that are particularly problematic and it was confirmed that, when judging progress, both progress against actions and the appropriateness of the action to address the issue are considered. The update is reviewed, and if sufficient improvements have been made, the recommendation will be removed.

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It was explained that Check in/Check out is the staff appraisal process undertaken on an annual basis.

The Committee considered the paper as requested.

11. Wales Audit Office Savings Planning report and the Council's Management response

The Wales Audit Officer presented the report explaining that it focused on work to identify, plan for and deliver savings. The work examined the extent to which the Council achieved its 2015-16 savings plans, the quality of its medium term financial plans and the robustness of its 2016-17 savings plans.

It was explained that three savings proposals for 2016-17 were sampled and the underlying assumptions, whether there are adequate mechanisms to ensure they can be delivered in the planned timescale were considered.

The 2015-16 review concluded that the Council had generally effective financial governance but its financial planning and control arrangements were not fully embedded or delivering effectively, in the face of some significant financial challenges. In respect of financial planning specifically, it was concluded that the Council's financial planning arrangements continued to improve although the medium term financial plan was not fully balanced, some budget mandates did not define how savings would be achieved and some planned savings were unlikely to deliver.

The review concluded that the Council's longer term financial planning arrangements are hampered by a Medium Term Financial Plan (MTFP) that is underdeveloped and may not support future financial resilience.

It was reported that this is a slightly improved position from 2015-16. The Council has improved the quality of information supporting budget savings mandates but the lack of a detailed MTFP to provide a clear financial planning framework, and reducing reserves to provide an ongoing financial 'safety net', indicate that the Council continues to plan for the annual budget cycle instead of the longer term.

It was explained that the proposals for improvement have been made with a view to strengthening financial planning arrangements.

Following presentation of the report, Members made the following comments:

The Chair commented that the improvements to the Medium Term Financial Plan were accepted and will now form part of the budget setting process.

The Head of Finance referred to the response and was pleased that the WAO recognises MTFP is improved, whilst understanding there is still work to do and to align the plan with the requirements of Future Monmouthshire. This will provide a projection of the resources available over next four years enabling a realistic assessment of what is viable.

The Committee noted the report and the County Council's response.

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12. Wales Audit Office Good governance when determining significant service changes and the Council's Management response

The Wales Audit Officer presented the report and explained that the focus of the review is on the effectiveness of the Council's governance arrangements for determining significant service changes (defined as any significant change in delivering services and/or any significant change in how services are experienced by external service users). The review provides the Council with a baseline, from which further improvement can be planned. The assessment, undertaken during the period

September to November 2016, looked at aspects of decision-making arrangements in relation to a range of significant service change proposals including:

- Feasibility of developing a not-for profit service delivery model
- Promoting responsible business waste management at household waste recycling centres
- Income generation from planning services
- Funding of local services by town and community councils
- Revisions to car parking

The review concluded that the Council has a clear strategic approach for significant service changes, although, better information would help Members when deciding the future shape of the Council.

To provide context, it was explained that the review was conducted across all Wales as a national study to enable councils to learn from each other.

The importance of considering different options when making decisions was emphasised, ensuring a record is kept of how and why options have been discarded. A Member commented that elected members need to be given the full picture to be to be involved. In response, the view was explained that option appraisal is not well developed in the Council and budget mandate choices did not include sufficient detail.

Five proposals for improvement were reported and the Policy and Performance Manager reported on the management response acknowledging that the Council is encountering an unprecedented scale and pace of change that will require new ways of working. Decision making and governance arrangements will be a priority and this has been recognised, for example, through the creation of a new Cabinet post with responsibility for Governance. The Cabinet Member has discussed his expectations and the issues raised in the report which has led to a review of arrangements for decision making and report writing. The improvements will enable members and officers to see where and when key decisions were made, not only when the matter entered Select or Council processes but earlier decisions at e.g. Directorate Management Teams. Additionally, reports will make clear not just who was consulted but what key views were expressed and how the report was altered to reflect those views. Tracking of the decision making process can be addressed through ModGov system or Sharepoint and consideration is ongoing.

A Member said that the Alternative Delivery Model has not been addressed, and is unresolved. It was agreed that the Policy and Performance Manager will seek and circulate a response regarding this matter prior to the next meeting.

The Committee noted the report and the Council's management response.

13. Progress implementing the well-being of future generations act

The Policy and Performance Manager provided an update on progress implementing the Wellbeing of Future Generations Act. It was clarified that there are two acts; the Wellbeing of

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Future Generation Act 2015 and the Social Services and Wellbeing Act 2014. It was agreed to circulate two Welsh Government guides that provide the essential aspects of each act.

The Wellbeing of Future Generations Act focusses on the economic, cultural and social wellbeing of communities in Monmouthshire and Wales. It places responsibilities on all public bodies in Wales and Public Service Boards. The Council has to set wellbeing objectives each year. The previous Council completed this through the wellbeing assessment "Our Monmouthshire". The Public Service Board has responsibility for the wellbeing assessment, and scrutiny is through the Public Service Board Select Committee. The Act focuses on the principles of sustainable development. There are seven wellbeing goals and early intervention and prevention is the basis.

Progress to date includes:

- ensuring members were clear on the principles through training and seminars;
- all decision-making reports have a Future Generations assessment; and
- completion of a wellbeing assessment to identify the challenges and opportunities facing our communities was completed;

Next steps include:

- the objectives will be scrutinised by Select Committees;
- Audit Committee will receive regular updates on the effectiveness of improvement arrangements; and
- Council will make an annual decision on the improvement objectives.

Following presentation of the report, questions were invited.

A Member asked how outcomes will be measured and it was responded that outcomes will depend upon the challenges identified. There are forty six wellbeing indicators and the impact of different public bodies can be identified, but this might be more in terms of milestones and opportunities.

A question was asked about the annual report, and how often a response is required to the commissioner. It was explained that there is a very open and regular dialogue with the commissioner's office. There are also some statutory points in the process e.g. an annual report is a legal requirement.

It was queried how the views of stakeholders will be taken into consideration and confirmed that the wellbeing assessment contained views from stakeholders, e.g. affordable housing.

In receiving the update, the Committee developed its understanding of the Wellbeing of Future Generations Act.

14. Forward Work Programme

The Forward Work Programme was noted.

15. To note the date and time of the next meeting as TUESDAY 19th September 2017

The meeting ended at 4.36 pm

Public Document Pack Agenda Item 6b

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Minutes of the meeting of Audit Committee held
at County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 19th September, 2017 at 2.00
pm

PRESENT: County Councillor P White (Chairman)
County Councillor J. Higginson (Vice Chairman)

County Councillors: A. Easson, B. Strong, M. Feakins and V. Smith

OFFICERS IN ATTENDANCE:

Mark Howcroft	Assistant Head of Finance
Joy Robson	Head of Finance/Section 151 Officer
Andrew Wathan	Chief Internal Auditor
Non Jenkins	Wales Audit Office
Peter Davies	Chief Officer, Resources
Tracey Harry	Head of People and Information Governance
Wendy Barnard	Democratic Services Officer
Terry Lewis	Wales Audit Office
Ann-Marie Harkin	Wales Audit Officer

APOLOGIES:

County Councillors P. Murphy, J. Watkins, M. Lane and S. Woodhouse

1. Declarations of Interest

No declarations of interest were made.

2. Public Open Forum

No members of the public were present at the meeting.

3. To confirm minutes of the previous meeting held on 6th July 2017

The minutes of the previous meeting held on 6th July 2017 were confirmed and signed by the Chairman.

4. To note the Action list from 6th July 2017

- **Youth Service - The Zone:** Confirmation was provided that there will be no clawback of the grant attached to The Zone; the asset will remain with the authority.
- **Youth Service – Business Plan:** It was explained that the business plan for the Youth Service will be part of the wider business plan on Alternative Delivery Model (ADM) that will be reported to Council in the coming months.

The Member who raised the initial question was satisfied with both responses. It was established that Cabinet would be consulted informally on the finalised business plan ahead of a Members' seminar being held and proceed to Council for decision (currently

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scheduled for 9th November 2017). It was noted that Audit Committee would not consider the plan.

A Member expressed the view that members had not had significant engagement on ADM and would require much more information. The Chair advised that, if Audit Committee members have concerns, they can request that the matter is raised as an item for consideration on a future agenda.

- **Events Risks:** This work is in progress and will be reported on in October. In response to a question, it was clarified that the work does not include the Velothon as the event was not identified as part of the original scope for this work 2016/17 and the expected report is the secondary follow up report. It was added that the Council is considering a report on the Velothon this week.
- **Internal Audit - Implementation of recommendations:** There was no update on the item that the Chief Officer, CYP, was to be asked to provide details of measures taken or plans to address audit opinions. A report will be provided at a future meeting.
- **Unsatisfactory audit opinions:** This will be reported in January 2018.
- **Zero hours contracts:** The information on gender was provided to Council.
- **Wellbeing of Future Generations Act /Social Services and Wellbeing Act:** The links to the Welsh Government "Essential" guides to the Acts were circulated on 21st July 2017.
- **Self Assessment of Skills for Committee Members and Treasury Training:** It was agreed that Self Assessment of Skills would be deferred to the October meeting and Treasury Training would be moved to the November meeting. The Chair asked that the form was re-circulated in the meantime.

5. Audited Statement of Accounts

The purpose of the report is to consider the annual accounts for the Authority for 2016-17, subsequent to the audit process undertaken by Wales Audit Office, appreciating Audit Committee acts as the scrutiny function for the formal Accounts process prior to endorsement or otherwise of the Statements to September full Council meeting.

The attention of the Audit Committee was drawn to the requirement to reduce the preparation time for the final statement of accounts by one month over the next four years. The authority has reduced its preparation time by three weeks already and will have to find just one week in the remaining time. The Statements in relation to the Trust Funds, will follow at a future meeting, once those audits has been completed.

This and the following item were considered together.

6. ISA260 Response to Accounts

The Wales Audit Officer (WAO) presented the ISA260 response to the Statement of Accounts noting that the results of the audit found that the format was as specified in Audit Standards and reported that the Audit was complete apart from a final review of the WAO team's work. The audit had gone exceptionally well, and it was remarked that the accounts were received 21 days ahead of the agreed deadline.

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The intention of the Auditor General to issue an unqualified audit report was confirmed. It was explained that reasons for uncorrected misstatements were included in a letter of representation and didn't detract from the unqualified status. Some other misstatements and explanations are also included that have been adjusted by management and some rounding errors will be addressed from next year. It was suggested that it would be beneficial to utilise the CIPFA disclosure checklist.

Following presentation of the Audited Statement of Accounts and the ISA260 response, questions were invited

A Member asked if it was correct that the discounted cash flow of Morrisons lease (£1m) hadn't been accounted for or was incorrect in the accounts. In response it was explained that it was reflected in the accounts as a deferred capital receipt as WAO had suggested that, as it was to be paid over 25 years, effectively there was an implied interest rate and it was preferable that it was reflected as £3m capital receipt and £1m interest. It was added that in cash terms, the Council receives £4m with no adverse effect on the balance sheet. It was agreed that, as this will be a standing item in the accounts for 25 years, it should be amended.

The Member asked if it was a flat line figure of £160,000K per annum for 25 years and if there were any implications on external funding. It was answered that a revenue stream had been converted to use for capital purposes and Committee Members were reminded that the agreement was an upfront payment of £13.75m from Morrisons and a further £4m payable over 25 years.

Considering school budgets, WAO were asked if there was any risk in the council's position regarding school balances. It was noted that, in the previous financial year, six schools were in deficit but at the end of the year approximately twenty eight schools were estimated to be in deficit. It was highlighted that nine or ten schools had substantial surpluses.

It was clarified that the role of WAO is to evaluate the accounts to ensure that balances are reported accurately. The committee were referred to the annual governance statement and noted that periodic monitoring information is provided. The Member stated that there was an overall surplus last year but a £600,000 deficit forecast for next year, and asked for possible solutions.

The Head of Finance confirmed that Cabinet, and Children and Young People's Select Committee, have received a report regarding school balances and possible actions to improve the situation next year. The report is publicly available.

It was agreed to provide information outside of the meeting to a Member to clarify strategic risk assessment and added that the corporate strategic risk assessment is presented to Audit Committee for detailed consideration periodically.

It was agreed to endorse the Audited Statement of Accounts 2016/17 for Full Council approval and the ISA260 Response to the Accounts.

7. Internal Audit Progress Report 2017/18 Quarter 1

The Internal Audit Progress Report 2017/18 (Quarter1) was presented.

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The team has achieved 13% of the Audit Plan which is in line with last year's performance. Audit reports have been issued to service managers in draft within 8 days and 17 days for a final report.

It was explained that in 2016/17 maintaining a full complement of staff impacted positively on performance; 75% of the plan was achieved thus providing more assurance last year. In response to a question, it was noted that special audit investigations cause additional pressure and, whilst some time is planned, they are unpredictable in terms of time and resources. In Quarter 1 the services of a former chief auditor were engaged to undertake one special investigation.

The report was noted.

8. Review of Reserves Quarter 1

The report was presented and it was explained that earmarked reserves are created for a specific purpose.

Committee Members were reminded of the financial planning assumption that levels of reserves should be between 4-6% as a contingency for unplanned events; these exclude earmarked reserves. It was explained that current levels of reserves are just over 5% noting that some other councils hold larger reserves. However, it was noted that Welsh Government issues regular advice that Councils should not hold large reserves in this period of austerity.

A Member commented that using earmarked reserves quicker than anticipated is not an issue unless they are being used for a different purpose and asked for assurance that this was not occurring. It was confirmed that this is not the case but that the purposes for some earmarked reserves are quite wide. Last year it was possible to use the £884,000 surplus to replenish some of the reserves under strain (e.g. redundancy and invest to redesign).

Regarding any budget surplus, it was queried if they are used to offset borrowing. It was confirmed that they can often be used for the Council's internal borrowing requirement before considering a loan.

A Member asked about the overall schools fund and asked if it could be used by one school to balance another school in deficit. It was explained that the collective deficit for all schools necessitated the recent report to Cabinet, but added that individual schools have no control over the combined fund.

It was questioned if this was an incentive for schools to behave in a different way but countered that school reserves should provide flexibility to absorb any future volatility and should not be used as core funding. It was agreed that settlements in the County are one of the worst in Wales.

Regarding earmarked reserves, a Member asked if there was a need to firm up arrangements that if an earmarked reserve is not used for its original purpose, it is returned to the general reserves. The Head of Finance explained that a review was carried out 12-18 months ago, when the use and application of each reserve was analysed. As a consequence processes were tightened to ensure the Council uses reserves in the most effective way and to make the necessary savings in the future.

The report was received for information.

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9. Revised Information Strategy

The Chief Officer, Resources introduced the report to revise and update the Information Strategy. The purpose is to ensure the strategy is fit for purpose to safeguard the integrity and security of our data while taking-steps towards becoming a truly data-led organisation to drive effective decision making.

It was noted that the Information Governance Group, chaired by Senior Information Risk Owner (SIRO) Mrs. T. Harry, will oversee delivery against the strategy. The proposed strategy has a 3 year timeframe with annual reviews.

Regarding data, and data protection, it was commented that Members are required to register with the Information Commissioner's Office (ICO) and it was queried if all Members are compliant. It was agreed to report on the position at the next meeting. It was further commented that Members have been receiving subscription demands and reminders. It was queried if there was any delay in processing fee payments.

A Member asked about the management and storage of data particularly in respect of payments and future payments. In response it was explained that there are a variety of storage methods for different services including data being hosted by SRS, third party providers and The Cloud. Work is in progress to map all systems to ensure the organisation is General Data Protection Regulation (GDPR) ready.

It was further questioned if there are any residual payments to third party provider for services and confirmed that it depends on the system in question, noting that sometimes a third party provider is paid to host data as well as the application.

Regarding data protection, it was questioned if responsibility could be taken for all Members. In response, it was explained that the registration also covers Members work with constituents and has to be recorded accordingly. The registration is not just for a Member's responsibilities as a councillor requiring individual registration. It was agreed to check this point with the ICO.

A new and additional focus of the strategy was the enhancement of business insight and the ability to make maximum use of data. For example, narrative information received can be tagged and added to core themes to simplify analysis and identify patterns. Open and non-personal data held will be put on the website to enhance better public accountability and be more open to analysis by other developers and external bodies. By openly publishing location data (e.g. coordinates for council buildings), companies producing apps and websites can use the information which will add civic value at no cost.

In response to a question, it was confirmed that councils are supported by Welsh Government on open data as part of the Cardiff Capital Region City Deal to encourage easier interaction. In term of compliance, there is consistency across Wales to comply with the GDPR. The approach to using data and the digital programme is unique to Mon CC.

The Committee was satisfied that it had reviewed the Information Strategy which now proceeds to Single Cabinet Member decision.

10. Annual Improvement Report 2016-17

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A Wales Audit Officer noted that this item was a summary of the work of WAO and other regulators over a year, and previously supplied with responses from the Council, to provide an overall statement on how likely it is that the Council will meet its statutory requirements.

It was concluded that the opinion of WAO is that the Council is likely to meet its statutory requirements for continuous improvement provided it responds constructively and in a timely manner to statutory recommendations.

The proposals for improvement have been supplied to authority as well as a report regarding the safeguarding arrangements for the Kerbcraft scheme, a summary of work undertaken in the Council, the summary annual audit letter from last year and national reports and recommendations to local government.

It was responded that the Committee has seen the content of the report in detail individually and received information on how the Council has responded to issues. Twice a year the Committee receives a report of progress against improvement recommendations covering all of the activity in report. More audit work proceeds through 2017/18 and there will be new reports later in the year that will have responses. Such reports provide the opportunity to consider the effectiveness of arrangements for improvement.

It was confirmed that the report is published on the WAO website. The Auditor General's letter is presented to Council.

Following presentation of the report, questions were invited:

It was noted that WAO commented that the Constitution was not up to date particularly the Senior Leadership Team. Wales Audit Officers stated the expectation that the Constitution should be a live document to ensure clear accountability. On behalf of the Council, it was responded that Constitution amendments must be endorsed by County Council and it was accepted that where senior management changes have occurred, it must be kept up to date to ensure clear lines of delegation.

A Member queried progress with the three Kerbcraft scheme recommendations. It was explained that there is a sliding scale of recommendations. Statutory recommendations were issued for Kerbcraft and consequently warranted the attention of full Council. Council has considered the recommendations and consequent actions accepting that this was a very serious issue involving systems. Whereas no child was harmed the systems presented a risk to children.

The Chair asked Officers to consider reporting all such recommendations and action to Audit Committee for information, as the Kerbcraft matter had not previously been brought to Audit Committee's attention. The Committee received information that a preliminary internal review was undertaken by the service area and a secondary review by the Internal Audit Team is in progress. When concluded, recommendations will be made and actions taken accordingly. It was explained that the report wouldn't normally come to Audit Committee but to senior management. Senior management can report back to Committee to provide assurance that matters have been adequately addressed.

A Member queried if the council is confident that it can respond to all the recommendations. It was responded that everything highlighted is analysed and responses made according to availability of resources whilst prioritising front line services. It was added that Committee members have opportunity to comment on and to challenge responses, if not considered adequate.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Audit Committee held at County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 19th September, 2017 at 2.00 pm

A Member observed that there was no reference to single member decisions in the Constitution and requested that this point is checked. Assurance was provided that the Constitution is fit for purpose and that single member decision is implied rather than explicitly referred to. Wales Audit Officers stated that there is a variety of approaches across Wales and commented that it would be expected that there would be some reference to single member decision to clarify levels of decision - making.

It was noted that the Committee had considered the report.

11. Forward Work Programme

The Forward Work Programme was noted.

12. To note the date and time of the next meeting as Thursday 12th October 2017 at 2.00pm

The meeting ended at 3.25 pm

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Public Document Pack Agenda Item 7a

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Democratic Services Committee held
at Council Chamber - Council Chamber on Monday, 5th June, 2017 at 2.00 pm

PRESENT: County Councillor D. Evans (Chairman)
County Councillor T. Thomas (Vice Chairman)

County Councillors: L.Dymock, T.Thomas, J.Treharne,
S. Woodhouse and J.Watkins

OFFICERS IN ATTENDANCE:

Nicola Perry	Senior Democracy Officer
Kellie Beirne	Chief Officer, Enterprise
Matthew Gatehouse	Policy and Performance Manager

APOLOGIES:

Councillors G. Howard, P. Clarke and F. Taylor

1. To note the appointment of Chairman

We noted the appointment of County Councillor D. Evans as Chair of Democratic Services Committee.

2. To appoint a Vice-Chairman

We appointed County Councillor T. Thomas as Vice-Chair

3. Declarations of interest

We agreed to take declarations of interest under the relevant item.

4. Public open forum

There were no items for the public open forum.

5. To confirm the minutes of the previous meeting

The minutes of the meeting of Democratic Services Committee held on 3rd April 2017 were confirmed as an accurate record and signed by the Chair

6. Cabinet Member introduction and priorities

As the Cabinet Member was unable to attend the meeting, the Chief Officer for Enterprise provided an update around the new portfolio.

We heard the following areas fall under the Governance portfolio:

Governance
Legal and capabilities

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Democratic Services Committee held at Council Chamber - Council Chamber on Monday, 5th June, 2017 at 2.00 pm

Democracy
Scrutiny
Elections
Policy, improvement and performance

Members were invited to comment:

There was disappointment that the Cabinet Member had not been able to attend, particularly for the first meeting. It was agreed that he would be invited to the next meeting.

7. Our Monmouthshire - what matters to our communities

The Policy and Performance Manager presented a report to highlights issues raised by communities during the engagement work that informed the development of the Well-being Assessment.

We heard that staff from public services and the volunteer sector had attended more than 80 events and conversations had been held with over 1400 people of all ages.

Following a presentation Members were invited to comment, during which time the following points were noted:

A Member believed there to be a huge dichotomy within the County between families in terms of access and ease of use of service. It was disappointing that things had not seemed to change since the 1980s /1990s, and there is a huge responsibility on the Authority to not only have a plan, and to talk to people, but to act on the plan. The importance of affordable transport was noted.

A Member commented that it was pleasing to see that Caldicot Town Team is very active but with properties being owned outside the County there were concerns on how to incorporate that into regeneration for the town.

The Chief Officer highlighted the importance of identifying the right problems, for example, in terms of access to leisure centres, we should promote our countryside as our fifth leisure centre. One of the findings from the well-being assessment was that people would love to access their surroundings but these were not open or accessible.

A Member expressed that she had been pleased with the consultation events, and iterated the importance of engagement with Town and Community Councils. The Policy and Performance Manager agreed and added that in future more time would be spent with Town and Community Councils, as on a number of occasions there had been good involvement.

It was suggested that all Members would benefit from receiving the detail of the outcome of the survey.

8. Discussion item and paper on New Directions in Democracy

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Democratic Services Committee held at Council Chamber - Council Chamber on Monday, 5th June, 2017 at 2.00 pm

The Chief Officer for Enterprise, presented a paper requested by the last Committee, on the New Directions in Democracy.

The Policy and Performance Manager explained the Monmouthshire MadeOpen digital engagement platform, describing it as a social platform, for social good. People can use it to raise issues in their community and invite other people to help shape solutions

Following presentation, Members were invited to share thoughts and opinions on how to get people involved and make a key difference.

A Member thought it interesting on the question of how comfortable are the public on visiting a meeting at the Council Chamber. A more relaxed environment would be more inviting and if we want more increased public attendance, we should give thought to this. The Chief Officer recognised the point but noted the need to live stream, to maintain openness and transparency.

Concerning the participation in the democratic process of those 30 and under, we should consider electronic voting.

Praise was given to One Stop Shops and Community Hubs, but thought should be given to satellites coming off that to benefit people less able to travel.

A member questioned the statistics surrounding those using the My Monmouthshire app, and the majority age category of users.

To summarise we concluded that the following be added to the agenda for the next meeting:

- An active demonstration of MadeOpen;
- Further information on the Community Development Office,
- My Mon App – key statistics, facts and figures.

9. Review of Member induction process and feedback/ input

The Chief Officer for Enterprise invited Members for comments regarding the recent induction process. The following points were noted:

Members had overall enjoyed the induction process.

There had been some issues surrounding the timings of sessions.

There had been some surprise regarding the amount of sessions, particular when arranging childcare arrangements.

Members would benefit from written information, or copies of slides.

Whole days dedicated to induction would have been preferable to a couple of hours here and there.

The possibility of skyping into training sessions was questioned.

Members would have appreciated a tour of the building.

It would be useful to ask all new members their opinion of the induction.

The IT training had been very useful.

Overall, the training had been well thought out, and it had helped that it was gradual.

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Democratic Services Committee held
at Council Chamber - Council Chamber on Monday, 5th June, 2017 at 2.00 pm**

10. Future Work Programme

The Chair commented that complaints surrounding new equipment should be discussed as part of the future work programme.

11. To note the date and time of next meeting as Monday 4th September 2017 at 2.00pm

We noted that date of the next meeting. In doing so, we agreed to discuss timing of meetings at next meeting.

The meeting ended at 3.45 pm

Public Document Pack Agenda Item 7b

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Democratic Services Committee held
at Council Chamber - Council Chamber on Monday, 11th September, 2017 at 2.00 pm**

PRESENT: County Councillor D. Evans (Chairman)
County Councillor T.Thomas (Vice Chairman)

County Councillors: D. Dovey, L.Dymock, M.Groucutt, G. Howard,
J.Treharne, F. Taylor and J.Watkins

OFFICERS IN ATTENDANCE:

John Pearson	Local Democracy Manager
Kellie Beirne	Chief Officer, Enterprise
Matthew Gatehouse	Head of Policy and Governance

APOLOGIES:

Councillors L.Jones and S. Woodhouse

1. Declarations of Interest

None received

2. Public Open Forum

There were no public open forum items.

3. To confirm the minutes of the previous meeting

The minutes of the meeting of Democratic Services Committee held on 5th June 2017 were confirmed as an accurate record and signed by the Chair.

4. Cabinet Member Priorities and Work Programme

The Cabinet member for Governance addressed the committee and informed them that one of his principal priorities within his portfolio is performance data. The cabinet member informed the committee that there is a need to present the information to members in a more digestible format to allow clear understanding of the information being presented to them.

Members of the committee requested that the data that is being used and presented is comparable in order to provide a true picture of the issue. The cabinet member informed the committee that there is a commitment to having 'open data' so that anyone interested can take the information they need and use it for their own analysis.

Another of his priorities is the integration of back office functions within the authority, that will be a priority for the Welsh Government for local authorities to implement, and will be working with cabinet members from other authorities to ensure its delivery. Back office functions can be considered as payroll, HR and legal services.

5. Member Support Services

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Democratic Services Committee held at Council Chamber - Council Chamber on Monday, 11th September, 2017 at 2.00 pm

The committee discussed the digital and technology support that members received. It was raised that online training modules would be useful as it could record progress and allow members to complete the training at their leisure. The local democracy manager informed the committee that the WLGA had been looking at online training modules through learning pool but were not available easily for members to undertake.

Members also questioned when remote attendance for training and meetings might become a possibility to allow members to participate without physically attending the meeting. Members were informed that equipment is being installed in the Conference Room at County Hall, Usk which may enable remote attendance and further testing will be completed following its installation.

A discussion also took place around whether mobile phones should be provided to all elected members. It was agreed that at the next meeting of the committee an IT report will be presented with costings and options as well as an update on the remote attendance.

6. Report of Head of Paid Service - Designation of Statutory Head of Democracy

The Chief Officer for Enterprise left the meeting for this item and it was presented by the Chief Executive.

The Chief Executive presented his report to the committee recommending that the Chief Officer for Enterprise be appointed to the role of Head of Democracy, a statutory position that has to be appointed to an officer of the Council.

The committee accepted the recommendation and resolved to appoint the Chief Officer for Enterprise as the Head of Democracy for the authority.

7. Flat Pack Democracy - Monmouth Example

The Head of Policy and Governance presented an update on participatory democracy or 'Flatpack Democracy' to the Committee, with a view to representatives from Monmouth Town Council attending a future meeting to provide further detail.

During discussion the Committee expressed an interest in holding meetings away from the Council Chamber, feeling that this would encourage public participation, however it was recognised this had not been effective in the past. Members suggested examples of sustainable participation in democracy would be helpful.

The committee referred to a previous idea of inviting businesses to a breakfast meeting and suggested that this could have been more widely publicised.

We recognised the importance to items for engagement, rather than asking general questions. We should focus on what is most important and understand the need to continue with that. It was suggested there could be a place beyond the committee where members meet with officers to discuss ideas and priorities.

To conclude the committee resolved to meet as a small group and assess information in order to support the cabinet member on a particular theme or issue that the committee wishes to progress over the next 12 months.

8. Timing of Council Meetings

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Democratic Services Committee held at Council Chamber - Council Chamber on Monday, 11th September, 2017 at 2.00 pm

The Local Democracy Manager informed the committee that under the Local Government Wales Act 2011, local authorities have a duty to review the timing of its Council meetings and requested that the committee put forward a recommendation to the next meeting of Full Council as to the most suitable timing for all Councillors.

Members debated various options and concluded that the start time of Full Council meetings should alternate between 14:00 and 17:00 throughout the year with the next council meeting due to start at 14:00 and the following from 17:00 to ensure that councillors who work are not disadvantaged by holding meetings solely at a time that they would not be able to attend.

9. Local Government White Paper - Moving Forward Proposals

The Deputy Chief Executive advised the committee she had attended a Local Government Reform Task and Finish Group, with Chief Executives across Wales, to agree terms of reference and purpose for the steering group. The outcome of the meeting was that task and finish groups will report to the steering group, who then report to the Cabinet Secretary, including a finance group, governance and accountability group, and a group to consider the role of local government in the future.

Information, issues or matters arising would be shared with Committee Members.

10. Welsh Government Consultation - Electoral Reform

The Local Democracy Manager presented the consultation document to the committee and providing an overview to members.

Members of the committee were in support of the legislative change to allow 16 year olds the right to vote. Members also requested a member seminar on the consultation but accepted that with the tight deadline for responses it may be difficult to arrange.

It was agreed that if possible a members seminar will be co-ordinated to allow all members to contribute to the consultation and that members provide the Local Democracy Manager with their views independently, to draft a response that will be agreed with the Chair and submitted on behalf of the committee. Members were also reminded that they are entitled to submit their own individual responses to the consultation.

11. Work Programme and Frequency of Meetings

Members of the committee queried whether the current cycle of meetings for the committee was frequent enough to ensure a full debate could be had to cover the work programme for the committee. It was agreed that the committee should meet more frequently and meetings diarised with those dates distributed to members.

The meeting ended at 4.40 pm

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SUBJECT: Remote Attendance at Council Meetings

MEETING: Council

DATE: 9th November 2017

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

To consider changes to the Constitution that would allow members to take part in meetings remotely.

2. RECOMMENDATIONS:

2.1 To adopt the changes to rules 8 and 9 of Standing Orders in the council's Constitution as detailed in appendix 3 to the report so that the council will permit remote attendance of meetings of the council, its committees, and any other meeting of the council where the technology is available in the meeting room.

2.2 Paragraph 1.9 of the Executive Procedure Rules in the Constitution is amended to allow remote attendance at meetings of the Cabinet.

3. KEY ISSUES:

Rule 9 in Part 4 of the council's constitution – its "Standing Orders", currently do not allow meetings to take place remotely through the use of facilities to enable compliance with the requirements of section 4 of the Local Government Measure 2011 is prohibited.

Section 4 of the Local Government Measure 2011 introduced the power for councils to allow remote attendance at council meetings. The idea behind the legislation is to allow members attending remotely to fully participate and vote in meetings as if the member was physically attending in the council chamber or meeting room. Section 4 is reproduced in full at appendix 1 to the report. The section sets a number of conditions that must be met to allow a member to attend remotely. The conditions are:-

(a) the member in remote attendance is able at that time:-

(i) to see and hear, and be seen and heard by, the members in actual attendance,

(ii) to see and hear, and be seen and heard by, any members of the public entitled to attend the meeting who are present in that place and who exercise a right to speak at the meeting, and

(iii) to be seen and heard by any other members of the public so entitled who are present in that place;

(b) the member in remote attendance is able at that time to hear, and be heard by, any other member in remote attendance in respect of whom the condition in paragraph (a) is satisfied at that time;

(c) use of facilities enabling the conditions in paragraphs (a) and (b) to be satisfied in respect of the member in remote attendance is not prohibited by the standing orders or any other rules of the authority governing the meeting.

(d) the standing orders of a local authority must secure that there is no quorum for a meeting of the local authority at any time when the number of members in actual attendance constitutes less than 30% of the total number of members in attendance at the meeting.

The council must also have regard to the statutory guidance of the Welsh Government issued on 2nd April 2014 in respect of remote attendance at council meetings. The guidance is attached to this report at appendix 2.

The council trialled remote attendance at its meeting of the cabinet on 4th October 2017 where the technology allowed compliance with the conditions in section 4(3) of the Local Government Measure 2011 so that the member in remote attendance was, when they were speaking, able to be seen and heard by the members who were physically attending the meeting and the remote attendee was able to see and hear those members in actual attendance.

The council needs to consider the quorum for a meeting where remote attendance is permitted. Section 4(4) says that to be quorate at least 30% of those eligible to attend the meeting must be present at the main meeting place. Does the council want to increase this percentage?

The council also needs to consider a technical solution to provide simultaneous interpretation for non-Welsh speakers attending at a meeting where both Welsh and English will be used. Members will note at paragraph 12 of the guidance that it is the Welsh Government's policy that remote attendance should not be permitted if, for technical or other reasons, it would not be possible to provide simultaneous interpretation. The guidance suggests that the council asks members to their language preference in terms of speaking at meetings.

Further, the council needs to consider what should happen if a technical difficulty results in the breakdown of the remote technology. Does the chair of the meeting postpone the meeting to another date or does the meeting carry on without contributions and the votes from the remote attendees.

In this year's White Paper from the Welsh Government on Reforming Local Government: Resilient and Reformed it mentions, *Councils will be required also to allow Members to attend Council meetings remotely if they have domestic, business or travel difficulties preventing them getting to the main meeting place.*

Currently no council in Wales permits remote attendance at its council or cabinet meetings, although some allow remote attendance at scrutiny and Democratic Services Committee meetings.

4. REASONS:

If the technology is available that meets the requirements of section 4 of Local Government Measure then remote attendance by members is a useful tool to enable full participation at meetings of the council. It will also allow members to cut down on travel time to County Hall, Usk. Members will be able to take part in meetings that they would otherwise be unable to attend.

5. RESOURCE IMPLICATIONS:

Officer time. The cost of the technology that would enable members to attend meetings remotely is already in place.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

The significant equality impacts are identified in the assessment attached to the report. The actual impacts from this report's recommendations will be reviewed every year by the Democratic Services Committee.

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:

NONE.

8. CONSULTEES:

Group leaders, Chair of Democratic Services, Cabinet member for Governance, Chief Executive, Head of Democratic Services, Local Democracy Manager.

The Democratic Services Committee considered the report at its meeting on 23rd October 2017 where a range of opinions were given on the proposal. Some members were worried about the cost of technology; its reliability and the consequences for democracy. Others saw the proposal as an enabling power which could lead to increased participation by members in the democratic process. Members did not foresee that remote attendance would become the norm so that members would remotely attend rather than physically attend meetings. The option would only be used where necessary. Some members were concerned that no other councils in Wales had not used the legislation for meetings of their cabinet and council.

9. BACKGROUND PAPERS:

None.

10. AUTHOR:

Robert Tranter, Monitoring Officer and Head of Legal Services

11. CONTACT DETAILS:

Tel: 01633 644064

E-mail: roberttranter@monmouthshire.gov.uk

APPENDIX 1

Local Government Measure 2011 Section 4

Remote attendance at meetings

(1)A reference in any enactment to a meeting of a local authority is not limited to a meeting of persons all of whom are present in the same place.

(2)For the purposes of any such enactment, a member of a local authority who is not present in the place where a meeting of that authority is held (a “member in remote attendance”) attends the meeting at any time if all of the conditions in subsection (3) are satisfied.

(3)Those conditions are that—

(a)the member in remote attendance is able at that time—

(i)to see and hear, and be seen and heard by, the members in actual attendance,

(ii)to see and hear, and be seen and heard by, any members of the public entitled to attend the meeting who are present in that place and who exercise a right to speak at the meeting, and

(iii)to be seen and heard by any other members of the public so entitled who are present in that place;

(b)the member in remote attendance is able at that time to hear, and be heard by, any other member in remote attendance in respect of whom the condition in paragraph (a) is satisfied at that time;

(c)use of facilities enabling the conditions in paragraphs (a) and (b) to be satisfied in respect of the member in remote attendance is not prohibited by the standing orders or any other rules of the authority governing the meeting.

(4)The standing orders of a local authority must secure that there is no quorum for a meeting of the local authority at any time when the number of members in actual attendance constitutes less than 30% of the total number of members in attendance at the meeting.

(4A)Subsection (4) does not prevent a local authority from making standing orders which require more than 30% of the total number of members in attendance at a meeting to be in actual attendance for the meeting to be quorate.

(5)A local authority may make other standing orders about remote attendance at meetings of a local authority.

(6)A local authority must have regard to guidance given by the Welsh Ministers in relation to meetings of the authority attended remotely in accordance with this section.

(7)This section applies in relation to a meeting of a committee or sub-committee of a local authority as it applies in relation to a meeting of a local authority.

(8).....

(9)For the purpose of this section—

(a) a reference to a person (A) seeing another person (B) is to be interpreted as a reference to A seeing B when B is speaking at the meeting;

(b) a reference to a person (C) being seen by another person (D) is to be interpreted as a reference to C being seen by D when C is speaking at the meeting.

(10) In this section—

- “member in actual attendance” (“”), in relation to a meeting of a local authority, means a member of the authority who is attending the meeting at the place where the meeting is held.



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Statutory Guidance made under Section 4 of the Local Government (Wales) Measure 2011

Remote attendance at council meetings

REMOTE ATTENDANCE AT COUNCIL MEETINGS

Statutory Guidance made under Section 4 of the Local Government (Wales) Measure 2011

1. Part 1 of the Local Government (Wales) Measure 2011 (“the Measure”) was intended to strengthen local democracy by, in particular, introducing reforms which support councillors outside of the executive or executive members when acting in a non-executive capacity. One of these reforms, at section 4 of the Measure, was the introduction of the possibility of remote attendance at council meetings. This was intended to make it easier for those who, for instance, may have to travel long distances, those with domestic responsibilities and those in employment to attend.
2. This guidance is statutory guidance under section 4(6) of the Measure, to which a local authority must have regard, in relation to meetings of an authority attended remotely in accordance with section 4.

What section 4 of the Measure says

3. Section 4 provides that attendance at a council meeting is not limited to a meeting of persons who are all present in the same place. By “council meeting” we include any committee or sub-committee of the council as well as the full council itself. However, the section places certain limitations as to what constitutes remote attendance.
4. Any member attending a meeting remotely (“remote attendee”) must, when they are speaking, be able to be seen and heard by the members who are attending the meeting at the place where the meeting is held (“members in actual attendance”) and the remote attendee must, in turn, be able to see and hear those in actual attendance. In addition, a remote attendee must be able to be seen and heard by, and in turn see and hear any members of the public entitled to attend the meeting and who exercise a right to speak at the meeting. If there is more than one remote location, all the members attending remotely must be able to hear – but not necessarily see – the other remote attendees.
5. Meetings can only take place remotely if not prohibited by the local authority’s standing orders/rules of procedure. It is therefore up to each local authority to decide whether it wishes to make remote attendance available. The standing orders/rules must also secure that any meeting with remote attendees is not quorate if there are less than 30% of those eligible to attend present at the main meeting place. Authorities may set a higher quota for attendance at the main meeting place if they wish.
6. Each local authority may make other standing orders/rules in relation to remote attendance at meetings and must have regard to any guidance

given by Welsh Ministers. Our intention is to publish this guidance at the same time as the section of the Measure is brought into force.

Supporting remote attendance

7. The Welsh Government accepts that there are technical and staffing implications connected with the introduction of remote attendance. Where a number of councillors are expected to attend remotely at the same location, probably though not necessarily in a different council office from the place where the meeting is held, there may be a need for an officer to be present, both to support the members attending remotely but also to ensure that the equipment needed for remote attendance to function is operating correctly.
8. Local authorities will need to decide whether or not they wish to permit members of the public to be able to be present at a remote location. If so, an officer presence may be required to make arrangements for them.
9. There will clearly be a need to provide appropriate training for officers who might become involved in remote attendance, both to familiarise them with the requirements of the legislation and to cover the practical issues involved. The WLGA should be able to assist in this process.
10. The need to recognise equality between the Welsh and English languages has great significance when considering remote attendance. Local authorities will have their own Welsh language schemes but it is likely that facilities will exist – or could be made available – to cater for members who are unable to understand Welsh. It will be for each authority to ensure that any use of remote attendance is in keeping with their Welsh Language Scheme
11. It is also important for authorities to ensure that the needs of any disabled members are taken into account when considering the practicality of a remotely attended meeting.
12. It is proposed that standing orders should contain a provision that members should, whenever possible, be able to participate at a remotely attended meeting in either Welsh or English. However, it is the Welsh Government's policy that remote attendance should not be permitted if, for technical or other reasons, it would not be possible to provide simultaneous interpretation for non-Welsh speakers attending a meeting where both Welsh and English will be used. As such, local authorities may wish to ask members to note their language preference (in terms of speaking at meetings) and whether or not they would require simultaneous interpretation should any other participant speak in Welsh.
13. The Welsh Government does not take for granted that local authorities will possess the equipment or technological know-how to make remote attendance work to suit everyone. Someone attending remotely at home or work may have bandwidth limitations which affect their ability to take

part fully. Local authorities will need to decide for themselves the extent to which they will invest or assist members to have the necessary facilities to attend remotely.

14. There are times when council meetings are not open to the public, when confidential, or “exempt” issues – as defined in Schedule 12A of the Local Government Act 1972 – are under consideration. It would be important to ensure that there are no members of the public at remote locations able to hear or see the proceedings during such meetings. Any member in remote attendance who failed to disclose that there were in fact persons present who were not so entitled would be in breach of their Code of Conduct responsibilities.
15. Local authority standing orders can determine which types of meetings can be attended remotely. In the first instance, practical issues might dictate that the number of meetings which could enjoy this facility would be quite limited, though over time it would be hoped that the number of meetings where remote attendance were possible would increase.
16. The Measure requires that, for a remotely attended meeting to be quorate, a certain proportion of councillors must be in actual attendance at the meeting. Should this be disturbed by members in actual attendance at the main meeting place leaving the meeting before it is finished, bringing about a higher than permitted proportion of councillors attending remotely, the chair would have no choice but to close the meeting.
17. Standing orders should also make provision about what should happen if a technical difficulty results in the breakdown of the communications facility. Such occurrences are not unknown in video conferenced meetings. If this occurred, it is the Welsh Government’s view that the chair should declare a recess while the fault is addressed. If necessary, the meeting would have to be abandoned and the meeting should not continue without the involvement of the remote members. Standing orders could, however, make different provision for different types of meetings etc, for example that a meeting taking an urgent decision or one which is time-limited, might either not be allowed to take place with remote attendees or that the meeting would proceed in the event of a communications failure, so that those attending remotely would be aware and accept that the meeting would continue and a vote would be taken without their attendance in the event of a communications failure.
18. Finally, there is the issue of voting. Local authorities will have to build into standing orders arrangements to provide for voting to take place simultaneously at the main and remote location(s). It may not always be possible for remotely attending members to vote electronically even if that is the norm in council meetings. Standing Orders will need to cover this issue so that chairs of meetings are aware of the correct procedure to follow.

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APPENDIX 3

PROPOSED CHANGES TO STANDING ORDERS

8. Quorum

8.1 The quorum of a meeting will be one quarter of the whole number of members. During any meeting if the Chair counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date to be fixed by the Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

8.2 In the case of the planning committee, the quorum must be 50% of the whole number of members – the Local Authorities (Standing Orders)(Wales)(Amendment) Regulations 2017.

8.3 In respect of meetings where remote attendance is permitted, there will be no quorum at the meeting if the number of members in the room where the meeting is held is less than 30% of all the members eligible to attend – Section 4(4) Local Government Measure 2011.

9. Remote Attendance

9.1 Remote attendance at meetings of the council will only be permitted where the conditions of section 4(3) of the Local Government Measure 2011 are met which means any member attending a meeting remotely (the “remote attendee”) must when they are speaking, be able to be seen and heard by the members who are attending the meeting at the place where the meeting is held (“members in actual attendance”) and the remote attendee must, in turn, be able to see and hear those in actual attendance. In addition, a remote attendee must be able to be seen and heard by, and in turn see and hear any members of the public entitled to attend the meeting and who exercise a right to speak at the meeting. If there is more than one remote location, all the members attending remotely must be able to hear, but not necessarily see, the other remote attendees.

9.2 Members wishing to attend remotely must give at least 4 days notice of their wish to the Head of Democratic Services. On receiving such a notice, the Head of Democratic Services will make the necessary arrangements (including the provision of translation) to allow the member to attend remotely if that is possible.

9.3 The failure of any technological provision whether that leads to a partial or complete loss of contact between the remote attendees and those members in actual attendance during the meeting shall not invalidate any part of the deliberations or any vote taken. The Chair may postpone the meeting if they deem that appropriate.

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REPORT

SUBJECT:	TIMING OF COUNCIL MEETINGS
MEETING:	FULL COUNCIL
DATE:	9th November 2017
DIVISION/WARDS AFFECTED:	N/A

1. PURPOSE:

To consider the recommendation from Democratic Services Committee, in line with the Local Government Wales Measure, to review the timing of Full Council meetings for the current term of Council.

2. RECOMMENDATIONS:

That future meetings of Full Council alternate start times between 14:00 and 17:00 for a 12 month period, following which Democratic Services Committee will review the impact of the change in times and report back to Council with further recommendations.

3. REASONS:

Each local authority is required to review the times at which council meetings are held at least once in every term of the Council.

Guidance from the Welsh Government state that as a rule of thumb meetings will be held at times, intervals and locations that are convenient to the majority of members and that the Council should be willing to make changes to their pattern of working in order to retain new councillors with outside responsibility. Councils should also consider rotating meeting times due to the impossibility of pleasing all of their members all of the time.

4. KEY ISSUES / OPTIONS APPRAISAL:

The requirement to review the timing of council meetings was introduced as part of the Local Government Wales Measure in 2012.

Democratic Services Committee considered the item at its meeting on the 11th September 2017 and was presented with information and feedback from the review under the previous term of Council which consulted on holding meetings at 10:00, 14:00, 16:00 and 19:00.

The committee debated different options for timing of Council meetings and concluded to propose that alternating meeting times between

14:00 and 17:00 would ensure that councillors who work are not disadvantaged by holding meetings solely at a time that they would not be able to attend. Whilst holding meetings earlier in the day was considered such as 9:00 or 10:00, some members of the committee still felt this excluded councillors in employment and could also lead to the need to attend more frequently as pre-meetings could not be held on the same day, as they are currently.

Following the meeting, all members were invited to provide feedback on the proposal and those responses are included at appendix A for information. For comparison against other local authorities in Wales, appendix B shows the start times of other local authority full council meetings.

5. RESOURCE IMPLICATIONS:

No resource implications

6. EQUALITY IMPLICATIONS:

There are no sustainability implications of the timing of meetings. However working members may be adversely affected by a council meeting start time between the normal office working hours of 9 am to 5 pm.

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

Where members have governor responsibilities meetings which start at 5pm or later may interfere with their ability to attend meetings of their governing body.

8. BACKGROUND PAPERS:

Local Government Wales Measure 2011 and supplementary Welsh Government statutory guidance.

9. CONSULTEES:

All Members
Democratic Services Committee

10. AUTHOR:

John Pearson, Local Democracy Manager
Email: johnpearson@monmouthshire.gov.uk
Telephone: 01633 644978

Appendix A – Survey responses.

NAME	<u>For</u>	<u>Against</u>	<u>Comments</u>
Councillor D. Batrouni			
Councillor J. Becker	yes		Less trouble with childcare from 5pm, 11am would have been my optimum
Councillor D. Blakebrough	yes		Happy to be flexible
Councillor L Brown		no	<p>I would prefer them to be kept as they are, as there are already evening meetings for community councils and sometimes they go on until after 10pm, having had council meetings in the morning and afternoon, making it a very long day on occasions.</p> <p>I appreciate that those with work commitments prefer the evening meetings, when we tried a similar idea when a Borough Councillor at Cheshire East, those who requested the later meetings when we tried it out did not seem to increase the frequency of attendance despite requesting the change and imposing it on both elected members and Council staff, who no doubt would prefer to spend the evening at home with their family.</p> <p>It also created problems of member access to the staff in the daytime due to staff taking flexi- time for attending the late evening meetings, so had an unhelpful knock on staff resources effect. The majority of members wanted the day time meetings adjusted for the minority who still failed to attend, leading to the annoyance of those who tended to regularly attend, to have to put up with a period of both long and late Council meetings. So it then reverted back to the daytime meetings. I hope that Monmouthshire County Council does not have to go through this same process.</p> <p>In my opinion, in addition prior to implementation, the impact also on Council staff who would have to attend the later meetings should be surveyed. They will also be effected by these changes and there could be</p>

			<p>implications for their own family care such as child care or care of elderly relatives (where there is school or day time provision) during most of normal daytime working hours. For example, after school clubs only go on for a certain time after the end of the school day. It would also make it a long day for staff who have worked all day.</p> <p>I should imagine it may create difficulties for those with transport difficulties which are easier to arrange during day time hours.</p> <p>In summary, in my view, it would have a detrimental impact but appreciate others may have other views.</p>
Councillor P.R. Clarke			
Councillor A. Davies			
Councillor D.L.S. Dovey			
Councillor L. Dymock			
Councillor A. Easson			
Councillor R. Edwards			
Councillor D.J. Evans			
Councillor M. Feakins	yes		
Councillor P.A. Fox			
Councillor R.J.W. Greenland			
Councillor M. Groucutt			
Councillor L. Guppy			
Councillor R.G. Harris			
Councillor R.J. Higginson		no	<p>Who wants to attend a meeting convening at 5pm that could finish later than 9pm meaning return home not before 9-30pm at least.</p> <p>However, I appreciate Members will have their varying views but, I would prefer as stated.</p>
Councillor G. Howard	yes		
Councillor S.G.M. Howarth			
Councillor R. John			
Councillor D. W. H. Jones			
Councillor L. Jones			
Councillor P. Jones			
Councillor S. Jones	yes		<p>I welcome meetings being held in the evenings, whilst it makes little difference to me these days I would rather see us be flexible like this to help</p>

			those that have work commitments.
Councillor S.B. Jones			
Councillor R.P. Jordan		no	Leave it at 2pm
Councillor M. Lane		no	
Councillor P. Murphy		no	My concern about that is that we attend lots of evening meetings anyway and some Council meetings go on long enough now. We could be in them well into the night on some.
Councillor P. Pavia		no	To be honest, later meetings are more challenging because of the issues with childcare.
Councillor M. Powell		no	We tried it once before and the attendance was no better. There are many School Governors meetings and Town Councils already meeting in evenings. When I was Chairman 5years ago, we had a couple of meetings run late. I hate to think what time we would finish if we start in the evenings.
Councillor J. Pratt	yes		<p>I feel that Council Meetings should be held in the evening. The benefits of this would be:</p> <ol style="list-style-type: none"> 1. The general public, the majority of which work would be able to attend if they wish to 2. It would enable people from a more diverse range of backgrounds and communities to become Councillors, we have to attract younger Councillors and those from different backgrounds and communities that could make an important contribution. <p>I understand that it would be difficult for some committees to be held in the evening, for example planning when there are site visits and meetings that take place after these, but I would be very happy for Stronger Communities Select which I chair to be held in the evening. I suspect I am in the minority. I think we are probably an unusual Authority holding so many meetings during the day, I would welcome any facts and figures you may have on this.</p>

			I would feel very happy to attend evening meetings, I have sat in Budget meetings till past midnight in the past, this was all part of being a Councillor.
Councillor R. Roden		no	Leave at 2pm but willing to be flexible
Councillor V.E. Smith	yes		
Councillor B. Strong		no	We did trial starting a few meetings at 5pm a couple of years ago, but these meetings seemed to be less well attended than those that started at the earlier time.
Councillor F. Taylor	yes		
Councillor T. Thomas	yes		5pm meeting might clash with meetings as a member of Abergavenny Town Council.
Councillor J. Treharne		no	But I am happy to go with the consensus and cross any bridges that come my way nearer the time. I am also aware that there isn't one single time that will suit everybody.
Councillor A.C. Watts			
Councillor J. Watkins		no	I am a member of the Democratic Services committee and unfortunately my proposal was not taken forward. I was asked by a number of parents to represent the view that meeting should take place in school hours – if we were rotating meeting times I suggested some should start at 11am to minimise disruption to children. 2pm meetings already involve childcare being arranged. In terms of 5pm – this is a terrible time for parents – and some councillors have sole parental responsibility. 5pm (with an hour pre meeting) is not a time you can get a paid babysitter for as it involves the school run, tea, bathtime and bedtime. A parent or family member is needed for that time. I imagine that I will not attend as many full council sessions as I would do so at either 2pm or 11am.
Councillor A.E. Webb	yes		

Councillor K. G. Williams	yes		
Councillor S. Woodhouse	yes		During the winter months a 2pm start would be preferable to a 5pm start due to possible inclement weather conditions .

Timing of Full Council Meetings - Wales

Authority	Time of County Council Meeting
Blaenau Gwent	10:00:00
Carmarthenshire CC	10:00:00
Denbighshire	10:00:00
Pembrokeshire	10:00:00
Torfaen CBC	10:00:00
Conwy CBC	10:00:00
Ceredigion CC	10:00:00
Powys CC	10:30:00
Gwynedd CC	13:00:00
Anglesey	14:00:00
Flintshire	14:00:00
Neath Port Talbot	14:30:00
Cardiff City Council	14:30:00
Bridgend CC	15:00:00
Wrexham CBC	16:00:00
Caerphilly CBC	17:00:00
Newport Council	17:00:00
Rhondda Cynon Taf	17:00:00
Swansea City Council	17:00:00
Merthyr Tydfil	17:30:00
Vale of Glamorgan	18:00:00