

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 24th
September, 2015 at 2.00 pm

PRESENT: County Councillor B. Strong (Chairman)
County Councillor (Vice Chairman)

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

OFFICERS IN ATTENDANCE:

Paul Matthews	Chief Executive
Kellie Beirne	Chief Officer, Enterprise
Tracey Harry	Head of Democracy and Regulatory Services
Roger Hoggins	Head of Operations
Sarah McGuinness	Chief Officer, Children & Young People
Will McLean	Head of Policy & Engagement
Joy Robson	Head of Finance/Section 151 Officer
Robert Tranter	Head of Legal Services & Temporary Monitoring Officer
Mark Howcroft	Head of Operations
Gillian Cox	Service Manager, Childrens Services
Matthew Gatehouse	

APOLOGIES:

Councillors G. Down, J. Marshall and P. Watts

3. Chairman's report and receipt of petitions

We received and noted the Chairman's report.

There were no petitions presented.

4. Declarations of interest

County Councillor F. Taylor declared a personal non-prejudicial interest pursuant to the members' code of conduct, as an independent member of ABHB.

Councillor P. Clarke, S.G.M. Howarth and B. Strong declared personal and prejudicial interests pursuant to the members' code of conduct, in relation to the Velothon motion. The members left the chamber during consideration of the item.

5. Police and Crime Commissioner Briefing

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Council welcomed Police and Crime Commissioner, Mr Ian Johnston. Members had previously been addressed in March 2014. We discussed crime in the County and members were invited to provide feedback regarding community attendance and police at meetings.

During discussion we noted the following:

- Members confirmed that officers were attending local communities and town/community council meetings.
- In response to a question raised regarding police managing parking issues, we were advised that the police force had been criticised for officer time used for parking issues, however, there was an opportunity for issues to be raised at 'your voice' meetings.
- Police and Crime Commissioners in England had agreed with the home office to put in place a governance model 'blue light'. This was not on the agenda in Wales, as fire and rescue was devolved to Welsh Government.
- Members discussed PCSO's policing streets. Council were informed that powers of PC's and PCSO's were being re-examined, roles and responsibilities would be addressed as part of the recruitment programme.
- Further information was requested regarding permanent dispersal order on car parks in Abergavenny and it was confirmed that this would be addressed.
- It was important that local issues were discussed with local inspectors and that communication between the police and Council was continued.
- We welcomed police support in speed watch campaigns and that speed limits were enforced as a result of police presence.
- Members commended local police teams, and welcomed attendance in local areas and communities.

6. To confirm and sign the minutes of the following meetings:

7.1. Special Council Meeting 30th July 2015

We resolved that the minutes of the Special County Council meeting held on 30th July 2015 be approved as a correct record and signed by the Chairman.

7.2. Council Meeting 30th July 2015

We resolved that the minutes of the County Council meeting held on 30th July 2015 be approved as a correct record and signed by the Chairman, subject to the following amendment:

13. Solar Farms Business Case, 2nd Paragraph Page 14

Delete 'The Council was required to identify new revenue funding streams,...' change to

'There was a need for the Council to identify new revenue funding streams,'

2. Public Open Forum

We welcomed Mr John Burrows, who presented information regarding the 200 year celebration of Chepstow Bridge.

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Council were informed that in celebration and to mark the significance of the bridge, members were encouraged to attend the event, which would be a re-enactment of the original opening ceremony.

The event would be held on 24th July 2016.

8. Notices of Motion:

8.1. Submitted by County Councillor P. Fox

'Given the horrific refugee crisis resulting from the wars in Syria and elsewhere this Council will make contact with Her Majesty's Government and offer to provide humanitarian aid for a limited number of refugees. In such a fast moving situation it is difficult to assess the most beneficial forms of support.

Consequently we ask our Strong Communities committee to liaise with others to best target the Council's response. We will seek financial support from HMG and the Welsh Government and assurances from WG that medical aid will be offered by the Welsh Health Service.

We recognise there is a danger that accepting refugees, gathering throughout Europe, is likely to encourage others to make the hazardous journey into the EU. To discourage this, we therefore urge the British Government to establish registration units in refugee camps set up in Turkey and other non EU countries to process refugees into the UK.'

In presenting the motion, Councillor Fox highlighted that colleagues across Council would share concerns and there was a need to clearly signal Monmouthshire County Councils will to offer humanitarian aid.

Interested in joining Syrian vulnerable peoples relocation scheme and everything it encompasses. Collaborative working with other partner agencies in order to map out levels of support and aid that can be offered. The programme would provide aid and help for a 5 year period and if things change then can apply for citizenship, training, education, benefits and other initial support services.

Members discussed the motion and the following points were noted:

- Members expressed support for the motion.
- We discussed the most beneficial way forward in progressing the motion. The Leader confirmed that the issue would be discussed with relevant officers, in order to progress as quickly as possible.

Upon being put to the vote the motion was carried.

8.2. Submitted by County Councillor D. Batrouni:

Please note this minute was amended at the next meeting of Council. Please see the minutes of Council on the 19th November 2015 to note any amendments.

This Council notes with concern the significant year on year drop in A level grades in Monmouthshire schools. In some cases achievement dropped significantly leaving our young people at a serious disadvantage when seeking employment or university places. Despite the hard work of teachers and students, the Conservative-led cabinet continue

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to let down sections of our young people in education. The Labour Group call on this administration to explain exactly what it intends to do to remedy this situation'

In presenting the motion, County Councillor Batrouni highlighted that congratulations were to be conveyed to children who had achieved grades and to the hard working teachers who had assisted the children. However, it was recognised that Monmouthshire schools were below Welsh average in every group, with a significant drop from last year.

During discussion of the motion we noted the following:

- The Cabinet member highlighted that significant work had been undertaken to ensure that students and families were of primary concern.
- Some members felt strongly that vocational qualifications were as important as A levels and this should be promoted.
- Teachers, pupils, schools and the authority were commended for the hard work.
- County Councillor R. Greenland declared a personal interest, pursuant to the members' code of conduct, as the Chairman of the EAS Company Board.
- Council were advised that figures presented recently to the EAS Company Board, identified that Monmouthshire County Council figures had significantly improved and were top within the area.

Upon being put to the vote the motion was carried.

County Councillors R. Edwards, S. Jones, P. Murphy and A. Webb left at 5pm

13. Emergency Motion Submitted by County Councillor P. Jones

Please note this minute was amended at the next meeting of Council. Please see the minutes of Council on the 19th November 2015 to note any amendments.

County Councillors Clarke, Howarth and Strong left the meeting during consideration of the following item. Councillor Higginson took the Chair.

'Monmouthshire is a beautiful County and an outstanding place for people to visit. Tourism is an important sector and events that take place here are important. We are justifiably proud of the reputation we have built over the years as the Cycling Capital of Wales having recognised this as a growing sport that lends itself well to our beautiful countryside. We have hosted some of the nation's biggest events and done so in a way that has been sensitive to the needs of competitors whilst recognising that minimal disruption to residents is paramount.

The Velothon that took place this year, which we are led to believe is seen as a great success at national level, did not feel that way to all residents and businesses in my Ward. Organisers of Velothon 2016 are now pushing us to re-commit to the event. I would urge Council at this point, ONLY TO DO SO IN PRINCIPLE. Before offering our full consent I would urge Council to satisfy itself that:

1. *the route through our County that is selected has been shared with Members and an assessment made of the impact of road closures on businesses / citizens*

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2. *there are cast iron guarantees on the adequacy and timeliness of communication with impacted communities. This was poor this year*
3. *the call centre / contact arrangement put in place to disseminate information has to have awareness and understanding of the geography of Monmouthshire so it can be helpful to citizens*
4. *an assurance that the event will not cost MCC any money and costs we incur for things like notices, stewarding, road-sweeping will be reimbursed*
5. *Whilst recognising that a business compensation scheme is unlikely all that can be done to mitigate impact on traders will be done.*

We should ask that this work is done before our next Council meeting so we know what assurances are in place before we make a final decision.'

- Council supported that further information was required prior to future events being held.
- Members sympathised with those Councillors directly affected by the events.
- Council recognised the high profile and prestige that came alongside the event and some members welcomed involvement.
- We recognised the importance of how the event could positively impact on businesses in the County.
- Council were reassured that officers would negotiate on the basis of the motion, in order to ensure that the county would benefit from the event.
- Following the member seminar held regarding the Velothon, it was clear that lessons had been learned and further dialogue was required.

Upon being put to the vote the motion was carried.

County Councillors D. Edwards and S.B. Jones left at 5.25pm

9. To receive the minutes of the following meetings:

9.1. Democratic Services Committee 29th June 2015

We received the minutes of the Democratic Services meeting held on 29th June 2015.

10. Report of the Chief Officer, Social Care and Health:

10.1. Corporate Parenting Annual Report

Please note this minute was amended at the next meeting of Council. Please see the minutes of Council on the 19th November 2015 to note any amendments.

The Cabinet member presented Council with the 3rd Annual Corporate Parenting report. We were informed that Monmouthshire County Council had the lowest rate of looked after children, however, the service was under pressure. Fostering was a vital part of the service, existing skilled foster carers and protection of vulnerable children were high priorities.

A section within the report informed of issues which surrounded Looked After Children in general. Reference within the report, by CSSIW, were general and for national adoption.

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Care leaver representatives had been appointed to the Corporate Parenting Panel and this was a welcomed and beneficial appointment.

During discussion, we noted the following:

- It was recognised that formatting within the report had to be amended.
- In response to a query regarding accommodation, there were statutory demands placed on the authority, however, the issue was very complex in relation to benefit entitlements. The authority was committed to supporting young people to stay in placements and trying to work out financial support that can be obtained. The Cabinet member confirmed that appropriate placements would be administered through management of resource.
- Officers confirmed that the Corporate Parenting Strategy was for 3 years and was reviewed regularly through the Corporate Parenting panel.
- A member requested clarification as it was felt that the report was generic and further detail was required regarding the number of looked after children in specific wards. In response, Council were reminded that Corporate Parents have a responsibility to all looked after children and their needs. Information would remain private and confidential, due to vulnerability issues.
- The importance of foster carers was highlighted and their work was vital in looking after vulnerable young people. The authority had continued to recruit high quality and supportive foster carers.
- In terms of reflecting on feedback from care leaver, two children in care council apprentices had been appointed to the Corporate Parent Panel, this had been advantageous as they provided an opportunity for a voice for looked after children.
- We thanked the officer and Cabinet Member for the report and commended the work of the team and carers.

We resolved to agree the recommendation within the report:

It is recommended that Councillors take note of the attached report and give further consideration to their personal role and commitment as Corporate Parents.

County Councillors D. Evans, M. Hickman, P. Jordan and M. Powell left at 6pm

11. Reports of the Head of Finance/S151 Officer:

11.1. Audit of Financial Statements report and Annual Accounts 2014-15

The Leader presented the Financial Statements report and Council were invited to adopt the accounts.

The Wales Audit Office highlighted pertinent issues and thanked the Head of Finance, Assistant Head of Finance and their teams for support.

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We resolved to approve the report and its content.

11.2. Car Park at Mardy Park Resource Centre

The Cabinet Member presented a report which sought approval for the Mardy Park car park to be incorporated into the 2015/16 Capital Budget.

During discussion we noted the following points:

- Members supported the report.
- Further information would be provided regarding, permission for staff to use opposite car park and work on caretakers bungalow.
- Council welcomed progress of the issue and noted that development of Mardy Park had been considered by the Adults Select Committee.

We resolved to agree recommendations within the report:

1. That Council approve the inclusion of a capital budget for £171,000 for the Mardy Park car park into this year's Capital budget
2. That funding for the capital budget is:
 - £146,000 from the Intermediate Care Fund
 - £25,000 revenue contribution to capital (from revenue saving due to maintaining a current management post vacant)

12. Report of the Head of Policy and Engagement:

12.1. Stage 2 Improvement Plan

The Leader presented the Stage 2 Improvement Plan which sought council approval of the Stage 2 Improvement Plan for 2014/15 and ensured that members had access to comparative performance information for 2014-15.

County Councillors J. Crook and G. Howard left 6.40pm

During discussion we noted the following:

- Total number of waste incidents was 306, the figure was reported through the cleansing team.
- In response to a question raised regarding KS5 tiers, Council were informed that the exam result related to 2014 and there was a clear difference between two cohorts. Finalised figures from Welsh Government would be published and free school meals gap would be included and specific detail available for members.
- An objective of the LSB was to ensure that alcohol and low birth weight babies, was addressed. This information was contained within the LSB report and work had been undertaken with health visitors.

We resolved to agree recommendations within the report:

That the Stage 2 Improvement Plan 2014/15 be approved.

13. Members' Questions

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13.1. From County Councillor S. White to County Councillor G. Howard:

'At a Planning Meeting in August the agenda for Wonastow Road LDP Developers informed members that money will be set aside for the maintenance and upkeep of the encased Wonastow Brook with pavement covering it to make a footpath.

Which department of the Council will be responsible for the recovery of the money for the maintenance and upkeep of said brook and pavement? How many times a year will it be dredged to clear debris?

How much money will we receive, will it be a one off payment and when it runs out where will the funds come from as we know MCC has no money for extra works?'

The Leader read out the response on behalf of Councillor Howard:

"Currently, as you are aware, the section of the brook referred to is open, and the proposals are to culvert it to enable a footpath over the top. As a separate matter, this will require an 'ordinary watercourse consent' with approval from Natural Resources Wales, since the responsibilities of the drainage board have been subsumed into it.

Whilst a private management company will manage the open space and landscaped areas, the brook will become the responsibility of this authority. The mechanics for working out future maintenance and upkeep of both the culvert and footpath would require a Section 278 agreement. The negotiation for this would be post planning consent, resulting in a commuted sum for such purposes. Commuted sums are normally for a 20 year period, but this can vary depending on the nature of the asset

You are absolutely correct in highlighting these issues that having a future maintenance or management plan is critical to ensuring longer term effectiveness of SUDS, or sustainable urban drainage systems.

The outline planning permission for the site was subject to a number of conditions, one of which relates to drainage of surface water. This condition is now subject to a discharge application. Normally conditions are dealt with by officers as they are usually of a technical nature and do not require consultation in the same way as other types of application.

However, I am advised that the report for the discharge of condition application is being written up for the October planning committee meeting. This includes other conditions and the site layout, which was a reserved matter. The proposed surface water management of the site will be explained to members at that meeting

I hope that goes some way to answering your question, but that you will appreciate that the exact details will be forthcoming."

As a supplementary question, Councillor White asked where funding would come from.

We agreed that this would be passed on to Councillor Howard as Cabinet Member.

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Officers in attendance confirmed that there was a commuted sum agreed with the developer. The Management and watercourse falls with the highways team and revenue budget, emergency responses would be actioned as normal.

13.2. From County Councillor V. Smith to County Councillor S.B. Jones:
'Can the Cabinet Member please advise of what progress has been made with regard to consultation with various bodies over speed limits along the A472 between Coleg Gwent Equestrian Centre and Alexandra Terrace.'

The Leader responded:

- Advice had been received that 50mph was more appropriate along this road and it was understood that the local member would like 40mph, however, this was not supported by the police.
- Highways had established double white lines, which would prevent overtaking and this was supported by the police and local residents.
- Minded to ask officers to introduce 50mph, but only with agreement of the local member.

13.3. From County Councillor Blakebrough to County Councillor Greenland:
Council will have noted the recent announcement from Morrisons of declining profits, the closure of a number of outlets and the sale of their convenience stores. The company has also withdrawn from a number of new build projects. Given that state of affairs, will the Cabinet Member inform us as to when he last met with Morrisons Management, what assurances he has been given about the Abergavenny development, what timescale is envisaged for completion of the project and whether he remains confident that it will in fact go ahead?.'

In response the Cabinet member advised:

- Morrisons and other supermarkets are re-thinking strategies, shunning large superstores, in favour of modest in town stores. There is a legally binding contract in place with Morrisons and they have paid 10% deposit, balance due by June 2016.

13.4. From County Councillor Batrouni to County Councillor G. Howard
'How many fixed penalties notices did the Council issue for dog fouling in (i) 2015 to date, (ii) 2014, (iii) 2013 and (iv) 2012?'

The Leader read out the response on behalf of Councillor Howard:

*'Calendar year 2012 – 0; 2013 – 1; 2014 - 0 but prosecuted the fpn that was served in 2013 and not paid; 2015 to date – 0.
There are a number of points I would like to highlight, to explain further, or that have been taken by way of mitigation:*

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1) *The Environmental Health team has no officers available to carry out proactive patrolling, as resources are targeted to meeting our statutory responsibilities. However, the team will consider information provided by a resident where an individual is not picking up after their dog or allowing their dog to go unattended in a public area. This would generally entail a letter to the dog owner pointing out their responsibilities. If the resident was prepared to provide a statement that they witnessed an offence and prepared give evidence in court, we would consider, if satisfied that the evidence was robust, the service of a fixed penalty notice on the owner (£75 payable in 14 days reducing to £50 if paid within 10 days).*

In addition our officers provide signs/stickers where appropriate and give advice where complaints are received. Number of complaints we have received in recent years range from 155 in 2010, to 147 in 2014:

2) *In May 2011 we agreed a Memorandum of Understanding with Gwent Police authorizing their officers to issue fixed penalty notices on our behalf if they witnessed an offence. Environmental Health administers the process. Huw Owen has given training to the PCSOs and issued them with FPN books (27 out of 28 PCSOs active in the Authority in May 14 had been issued with the books). However no FPNs have been issued in recent years by PCSOs and the feedback we have has is that they see very few incidents when out patrolling, and if dog owner spots a uniformed officer they tend to pick it up. Also fouling tends to occur outside normal working hours.*

3) *Environmental Health and the Waste team took the lead in developing a scheme called ' Give Dog Fouling the Red Card', which was piloted for 6 months in the Severnside area in 2014. The participating Town and Community Councils did perceive a reduction in fouling although it's very difficult to quantify this. We tried to roll this out in Monmouthshire and details were sent to Town and Community Councils in January. Twelve councils who decided to participate and in May resources were handed out, all designed to raise awareness of the problem of dog fouling under the brand of 'Give Dog Fouling the Red Card'. (signs, spray paint, fouling bags etc provided).*

This project follows the theme of local solutions to problems with the County Council providing guidance and some resource to T&CCs. There will be a further meeting later this year to get feedback and if considered useful and Tidy Towns funding is still available. Huw Owen will again write to all councils early next year inviting their participation.

4) *The idea of engaging with a private company to carry out enforcement was considered by Graham Perry and Phil Murphy (as previous Cabinet Member for RER) in 12/13. As members will be aware some Local Authorities have gone down this route and in Blaenau Gwent for example hundreds of FPNs are served each year for littering/fouling.*

It was decided not to go down this road for a number of reasons - the dog fouling element is not cost neutral as the contractors do not get the numbers of fpons served to make it so (littering especially cigarette butts are easily found outside bus/train stations, pubs etc but fouling offences are less easy to find); there is often negative publicity that can accompany the schemes, as was seen within Torfaen; and the officer time needed to administer the system and pursue prosecutions, because of the high level of non-payments is lengthy.

5) *Lastly there are examples of where Town and Community Councils have joined together to provide dog bins in their community and have the waste removed by a separate contractor. Amongst others, Llanelly Community Council, Abergavenny Town*

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and Llantilio Pertholey run this and would, no doubt, confirm that they are very well used.'

The meeting ended at 7.15 pm