

**INDIVIDUAL CABINET MEMBER DECISIONS
DECISION RECORDING LOG**

DECISION DETERMINED ON: Wednesday, 23 September 2015

**DECISION WILL COME INTO EFFECT ON: Friday 2nd October 2015
(Subject to "Call-in" by appropriate Select Committee)**

DECISION 1

SUBJECT: MENTAL HEALTH SERVICES REMODELLING

DIVISION/WARD AFFECTED: All Wards

PURPOSE:

To seek approval for the implementation of a small remodelling in Mental Health Services following the redirection of resources to fund the Safeguarding restructure.

DECISION:

That the remodelling is agreed; resulting in:

Group manager increase from 3 days a week to 5 days a week.

Re-defining the role of senior practitioners in the mental health service to become team leaders.

REASONS:

In order to fulfil our statutory responsibilities around safeguarding and having secured the safeguarding resources from internal remodelling via both the Commissioning TTam and the Mental Health Team; this next phase of remodelling of the management and practitioner roles within Mental Health Services is now required.

RESOURCE IMPLICATIONS:

This will be fully funded from within existing resource.

Despite this being a new pressure burden within a statutory part of delivery we have looked creatively at how this can be resourced with the SCH budget and the remodelling of both the Group Manager and lead practitioner/team lead roles alongside the remodelling of a commissioning role will enable to be managed within existing resources.

SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

An Equality Screening Form is attached which identifies neutral impacts.

The significant equality impacts identified in the assessment (Appendix 1) are summarised

below for members' consideration:

Complete

The actual impacts from this report's recommendations will be reviewed every xxx years and criteria for monitoring and review will include:

Complete

SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

None

CONSULTEES:

The Social Care and Health Directorate Management Team
SCH Finance Team
Employee Services
Post holders

AUTHOR:

Julie Boothroyd Head of Adult Services

CONTACT DETAILS

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SIGNATURE:

In taking this decision, I declare that I have no personal interest as defined under the County Council's Code of Conduct for Members.

Signed:

Dated:

Cabinet Member for Social Care, Safeguarding and Health

DECISION 2

SUBJECT: RELEASE OF RESTRICTIVE COVENANT AT THE LONG BARN, AT BEILIAU FARM, GILWERN

DIVISION/WARD AFFECTED: Llanelly Hill

PURPOSE:

To obtain approval for the release of the restrictive covenant at the Long Barn, Beiliau Farm, Gilwern, NP7 0EB.

DECISION:

Agreed that the covenant can be released on terms to be agreed by the Estates Manager.

REASONS:

Release of the restrictive covenant will generate a capital receipt for the council and enable an unused agricultural barn to be converted into a dwelling.

RESOURCE IMPLICATIONS:

The sale of the land will generate a capital receipt.

SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

Complete – No significant impacts

SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

None

CONSULTEES:

Ben Winstanley – Estates Manager, Estates
Robert Tranter – Legal Services and Monitoring Officer
Mark Davies – Highways Officer
Cllr Simon Howarth – Local Member
Cllr Giles Howard – Local member

AUTHOR:

Nicholas Keyse, Estates Surveyor, Estates

CONTACT DETAILS

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SIGNATURE:

In taking this decision, I declare that I have no personal interest as defined under the County Council's Code of Conduct for Members.

Signed:

Dated:

Cabinet Member for Environment, Public Services & Housing

DECISION 3

**SUBJECT: PERMANENT CHANGE TO STAFF STRUCTURE IN PLANNING POLICY:
INCREASE BY 0.5FTE**

DIVISION/WARD AFFECTED: All Wards

PURPOSE:

To seek Cabinet Member approval to make a permanent change to the staff structure in the Planning Policy team, by increasing the permanent structure by 0.5FTE.

This post already exists and is occupied, but on a temporary contract expiring in November 2015.

The costs of the proposal are met fully by existing budgets (nil net cost).

DECISION:

That the following amendment to the staff structure be approved:

<u>Existing structure</u>	<u>Proposed structure</u>
1.0FTE Planning Policy Manager (JC and MD)	No change
0.5FTE Principal Policy Officer (vacant but MD's substantive post)	No change
0.5FTE Principal Planning Officer – permanent (RL)	Becomes 1.0FTE permanent post
0.5FTE Principal Planning Officer – temporary to Nov 2015 (RL)	see above
1.0FTE Senior Planning Officer (SJ)	No change
1.0FTE Policy Monitoring Officer (JE)	No change
0.5FTE Admin support (vacant)	No change

REASONS:

To continue to provide adequate staffing levels to meet the team's significant and corporately important workload, with potential to reduce reliance on external consultants/advisors;

to retain an experienced, skilled and valued member of staff and provide them with stability and job security;

The proposal is cost-neutral.

RESOURCE IMPLICATIONS:

As set out above, the proposal will ensure the correct level of staffing resource is retained for current and foreseeable workload.

As set out below, the proposal would be cost neutral, with all additional costs met within

existing budgets.

The additional permanent 0.5FTE Principal Officer post would cost £25,276 (including on-costs and assuming a 1% pay award).

The proposal is fully met by existing budgets, with all options considered in terms of the current Manager post job share arrangement:

Option 1: The current Manager job share arrangement continues:

The proposal is fully funded by the budget for MD's substantive post, as the salaries are identical.

The net cost increase is £0 (nil).

Option 2: The current Manager job share arrangement ends:

MD would return to his substantive post, which is fully funded in the existing budget. It is assumed that the Manager post continues to be occupied on a full time basis.

The additional permanent 0.5FTE Principal Officer post would cost £25,276 (including on-costs and assuming a 1% pay award).

This would result in an increase to the total staffing budget of £5,387. This modest increase would be offset by a reduced budget for consultant/external advice.

The net cost increase is £0 (nil).

SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

The significant equality impacts identified in the assessment (Appendix 1) are summarised below for members' consideration:

The proposal maintains the employment of a skilled and educated officer, and makes most efficient use of MCC resources by maximising the amount of work that can be undertaken in-house.

The work undertaken by Planning Policy directly relates to promoting and ensuring sustainable development. It is important to ensure this team is adequately resourced, which this proposal seeks to achieve. Full consideration has been given to the financial implications, which are sustainable in the foreseeable future in the context of the challenging financial climate facing Local Authorities.

In terms of the protected characteristics of age, disability, gender reassignment, race, religion or beliefs, gender, sexual orientation, marriage or civil partnership, the post in question is already occupied. MCC is an equal opportunities employer. Recruitment was undertaken in accordance with HR requirements which ensure no discrimination on the basis of protected characteristics. Any necessary future recruitment would be subject to the same requirements.

The actual impacts from this report's recommendations will not need to be reviewed. The proposal relates to a permanent change to the staff structure of the Planning Policy team. Future recruitment, if needed, would be undertaken in accordance with HR policies in place at that time, which themselves will have been evaluated in terms of equalities impact and sustainability. The staff structure will be reviewed as workloads change or as finances dictate, and any future changes would be subject to their own EqIA and

sustainability impact assessment.

SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

There are no implications, positive or negative, for corporate parenting or safeguarding

CONSULTEES:

Cabinet Members

Kellie Beirne, Chief Officer – Enterprise (supports the proposal)

Sue Caswell, People Management Lead (supports the proposal)

Natalie Davies, Accountant (costs can be fully met within the existing budget)

AUTHOR:

Mark Hand, Head of Planning

CONTACT DETAILS

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SIGNATURE:

In taking this decision, I declare that I have no personal interest as defined under the County Council's Code of Conduct for Members.

Signed:

Dated:

Cabinet Member for Resources

DECISION 4

SUBJECT: CHANGES TO TEAM STRUCTURE INCLUDING JOB EVALUATION AND REGRADING OF POSTS WITHIN THE POLICY AND ENGAGEMENT TEAM

DIVISION/WARD AFFECTED: All Wards

PURPOSE:

To seek agreement to a number of staffing changes within the Chief Executive's Policy and Engagement service area, including the re-grading of roles following job evaluation within the Policy and Performance Team and a small restructure within the Communications and Engagement Team to ensure that it is effectively focused to deliver its objectives in the next period.

DECISION:

That the post of 'Communications, Marketing and Engagement Manager' be regraded from Band I to Band K. This post was previously titled Communications and Engagement Manager.

That the post of Data Analyst (Education) be regraded from Band G to Band H. This post was previously titled School Management Information Officer.

That the post of Data Analyst (Education) be transferred to the Policy and Performance team within the Chief Executive's Department.

That the post of Equalities and Welsh Language Officer be regraded from Band H to Band I.

That the posts of 'Communications Officer' and 'Engagement Officer' be deleted.

That a new post of 'Communication and Engagement Officer' be created

That one of the current Policy and Performance Officers is granted flexible retirement and the saving is used to secure additional resource.

REASONS:

The job evaluation scheme provides a structured process to ensure that jobs are graded appropriately and in an equitable way across the organisation.

The roles have evolved over a number of years and it is important to ensure that new responsibilities are recognised within the job description and are rewarded appropriately in line with the council's agreed Job Evaluation Scheme.

The changes to the Communication and Engagement team are necessary to meet the ongoing expectations of the organisation in terms of community engagement and income generation through improved marketing.

The flexible retirement will allow us to meet the request of a valued member of staff,

retaining their skills for a proportion of the week whilst also funding additional resource that will provide additional research and evaluation capacity.

RESOURCE IMPLICATIONS:

The cumulative costs compared to current pay bands will be £4,027 (£5,275) in 2015-16; £6,427 (£8,419) in 2016-17 and £9,129 (£11,959) in 2017-18. The figures in brackets show the values inclusive of pension and National Insurance Contributions. Within the Policy and Performance Team this change will be met within existing resources. The funding of the re-grading in the Communications and Engagement team is addressed in paragraph 5.3.

The flexible retirement cited at paragraph 3.9 will save the organisation £14,265. This resource will be used to fund the Cardiff University Graduate Placements. We are proposing to use two per annum at a cost of £13,000 leaving a residual benefit to the team's budget of £1,265.

The restructure of the Communications and Engagement Team will accrue a full year benefit to the team of £23,588.

As is - Core Funded				Grade	FTE	Salary	Oncosts	Full Costs
						£	£	£
Communication and Engagement Manager				I	1	35,662	10,699	46,361
Communications Officer				G	2	28,746	8,624	74,740
Engagement Officer				F	1	25,440	7,632	33,072
Digital Marketing Officer				H	1	31,846	9,554	41,400
					5	121,694	36,508	195,572
To be - Core Funded								
Communication, Marketing and Engagement Manager				K	100%	42,957	12,887	55,844
Communications Officer				G	1	28,746	8,624	37,370
Communications and Engagement Officer				G	1	28,746	8,624	37,370
Digital Marketing Officer				H	1	31,846	9,554	41,400
					4	132,295	39,689	171,984

It is proposed that the £15,588 of the financial benefit is retained to ensure the continuation of a shared service arrangement with Torfaen County Borough Council. This will have the benefit of providing additional resources to the team in a cost effective, flexible manner. The two individuals who provide support bring with them particular skills in crisis communications and more general public relations and have proven to be a great asset to the team over the past 13 months. The remaining £8,000 will be offered as a saving.

SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

This report relates to the employment terms and conditions for an individual employees and the implementation of the job evaluation scheme already approved by Council. As such an EqIA is not considered necessary.

SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

None

CONSULTEES:

Communication and Engagement Manager
Equality and Welsh Language Officer
Data Analyst (Education)
Policy and Performance Officer
Communications and Engagement Team
Senior Leadership Team

AUTHOR:

Will Mclean

CONTACT DETAILS

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SIGNATURE:

In taking this decision, I declare that I have no personal interest as defined under the County Council's Code of Conduct for Members.

Signed:

Dated:

Cabinet Member for Resources

DECISION 5

SUBJECT: DISPOSAL OF LAND ADJACENT TO 114 MERTHYR ROAD, ABERGAVENNY FOR USE AS CAR PARKING.

DIVISION/WARD AFFECTED: Grofield

PURPOSE:

To seek approval for the disposal of the land outlined red to the property owners of 106-114 Merthyr Road, Abergavenny to create residents a private parking area for their properties.

DECISION:

That the land be disposed of for the above purpose.

REASONS:

The disposal will generate a capital receipt for the council, as with all capital receipts this will be used to support the Council's commitment to the 21st Century School programme.

RESOURCE IMPLICATIONS:

A capital receipt will be generated and a contribution towards the council's cost will be paid by the purchasers.

SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

No significant impacts.

SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

None

CONSULTEES:

Local Member for Grofield – Cllr D Edwards
Highways
Countryside – Matthew Lewis
Planning – Andrew Jones
Monitoring Officer – Robert Tranter
Legal Services – Robert Tranter
Land Charges – Tudor Baldwin

AUTHOR:

Gareth King

CONTACT DETAILS

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SIGNATURE:

In taking this decision, I declare that I have no personal interest as defined under the County Council's Code of Conduct for Members.

Signed:

Dated:

Cabinet Member for Environment, Public Services &
Housing

DECISION 6

SUBJECT: AGREE THE LETTING OF WELSH CHURCH TRUST LAND IN LLANMARTIN

DIVISION/WARD AFFECTED: All Wards

PURPOSE:

To seek approval for the letting of Welsh Church Trust [WCT] Land located in Llanmartin on a new farm business tenancy.

DECISION:

That the Council as the trustees of the Welsh Church Estate grant a new farm business tenancy on the land outlined in red for the purpose of arable and general farming.

REASONS:

The letting of the land secures an increased income for the Welsh Church Trust as well as preventing the land from becoming vacant and unmanaged.

RESOURCE IMPLICATIONS:

The letting will generate an income for the Welsh Church Trust and well reducing the management costs via the introduction of the newer style tenancy agreement.

SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

Complete – No significant impacts

SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

None

CONSULTEES:

Cabinet Member for Estates
Dave Jarrett – Finance
Monitoring Officer
Estates Manager

AUTHOR:

Gareth King

CONTACT DETAILS

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SIGNATURE:

In taking this decision, I declare that I have no personal interest as defined under the County Council's Code of Conduct for Members.

Signed:
Cabinet Member for Resources

Dated:

DECISION 7

SUBJECT: EMPLOY CONSULTANT TO UNDERTAKE PROTECTED SPECIES SURVEYS FOR TROY HOUSE

DIVISION/WARD AFFECTED: Mitchel Troy

PURPOSE:

To seek cabinet member approval to engage a consultant to undertake protected species surveys for Troy House, Mitchel Troy, at a cost of £9,665. The costs of the proposal are met fully by existing budgets.

DECISION:

That a consultant be employed to undertake protected species surveys (bats, otter, water vole, and preliminary ecological assessment) with the production of necessary reports to inform a decision on the redevelopment of this site.

IES Consulting has been selected via a tender exercise having assessed both the cost quoted and the quality of their proposed work. The work will cost £9665. VAT is not payable.

REASONS:

The protected species surveys are essential for the planning application to be progressed (legislation and case law dictates this).

The Council's offer to meet this cost was a pragmatic response to make progress on this complicated but important site in the interests of saving and restoring this important Listed Building.

Should current negotiations fail, the surveys will still be required by the Council for it to undertake enforcement action. Such action would be a last resort, would ultimately be more expensive, and would require separate Member approval. The proposal to assist with funding is therefore a pragmatic solution in the unique circumstances surrounding this property.

Other options were considered but discounted:

a) do nothing: the current planning application could not be progressed, the building would fall into greater disrepair and either be lost or more expensive and protracted enforcement action would be required. The protected species surveys would be needed in any case.

b) do more: additional surveys are needed, included flooding consequences and viability appraisal. However, it is considered that the costs of bringing forward this proposal should be shared with the applicant, and agreement has been reached in this

regard, with the applicant funding these other surveys. Additional expenditure was not considered an appropriate or affordable use of public funds at this time.

RESOURCE IMPLICATIONS:

As set out above, expenditure of £9665 is required from the existing revenue budget for Development Management. There are no additional staff costs over and above those associated with any other planning application/Listed Building case.

SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

The proposal is to engage external consultants to undertake protected species surveys. These will inform the decision on a current planning application to refurbish a Listed Building that would otherwise continue to fall into disrepair. The proposal itself seeks to address the short to long term needs of protected species (a key environmental consideration) and enable a decision to be made on a planning application that balances these considerations with bringing this important Listed Building back into use (economic and social considerations). The surveys are essential to enable the building to be saved in the long term. The end outcome is bringing this important vacant building back into use and saving it for future generations to enjoy, as well as providing homes and employment in the process.

SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

There are no implications, positive or negative, for corporate parenting or safeguarding.

CONSULTEES:

Cabinet Members
Kellie Beirne, Chief Officer – Enterprise (supports the proposal)
Natalie Davies, Accountant (costs can be fully met within the existing budget)

AUTHOR:

Mark Hand

CONTACT DETAILS

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SIGNATURE:

In taking this decision, I declare that I have no personal interest as defined under the County Council’s Code of Conduct for Members.

Signed:

Dated:

Cabinet Member for Environment, Public Services & Housing

DECISION 8

SUBJECT: CAPITAL RECEIPTS SALE OF LAND ADJOINING HILLSIDE ROAD ABERGAVENNY

DIVISION/WARD AFFECTED: Cantref; Lansdown

PURPOSE:

To obtain consent for the sale of the area of land adjoining Hillside Road Abergavenny, (shown outlined red) on the attached plan 1, and the granting to the purchaser of full vehicular and pedestrian rights of access over Hillside Road, (shown hatched brown on the attached plan), known as Hillside Road.

DECISION:

Agreed to the sale subject to completion of a conditional contract on such terms to be agreed and determined by the Estates Manager

REASONS:

The Leisure Department has been consulted and has confirmed that there is no operational need to retain the land.

The proposed sale represents a windfall capital receipt to the Authority.

The developer constitutes a special purchaser, given its role in developing the wider site.

The affordable housing element of the site comprises 9 units (retirement apartments) so traffic generation will be limited. However, given that Hillside Road is not adopted, it is prudent to obtain a contribution towards its upkeep until such time as it becomes adopted. The developer is content to enter into an agreement subject to this condition.

The sale will be subject to the developer obtaining full planning permission for the wider development. To safeguard the Authority's interests it is proposed that the agreement also be subject to a clause requiring achievement of the required planning permission within 24 months of exchange of contracts. Such longstop date to be extendable for non-determination, appeal and judicial review of the developer's planning application.

The consideration will be payable upon completion of the sale contract, which will be either a) 12 months after the grant of planning permission for the development site or b) commencement of development of the development site whichever is the earlier

RESOURCE IMPLICATIONS:

The sale will generate a one-off capital receipt together with revenue income as a contribution towards maintenance and repair of Hillside

SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

There are no material sustainable development and/or equality implications.

SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

There are no safeguarding and corporate parenting implications.

CONSULTEES:

SLT

All Cabinet Members

Head of Legal Services

Monitoring officer

Ward Members James George / Paul Jordan

Ian Saunders (Leisure)

Tim Bradfield (Landscape and Country Side)

Christian Lowe (Highways)

AUTHOR:

Cerys Halford

CONTACT DETAILS

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SIGNATURE:

In taking this decision, I declare that I have no personal interest as defined under the County Council's Code of Conduct for Members.

Signed:

Dated:

Cabinet Member for Resources