

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of County Council held
at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 1st December, 2016 at 2.00 pm**

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

County Councillors: D. Batrouni, J. Prosser, M. Powell, G. Burrows, R. Chapman, P. Clarke, J. Crook, D. Dovey, G. Down, A. Easson, D. Edwards, P. Farley, P.A. Fox, R.J.W. Greenland, L. Guppy, E. Hackett Pain, R. Harris, M. Hickman, P.A.D. Hobson, G. Howard, D. Jones, P. Jones, S. Jones, S.B. Jones, P. Murphy, B. Strong, F. Taylor, A. Watts, P. Watts, A. Webb, K. Williams and A. Wintle

OFFICERS IN ATTENDANCE:

Kellie Beirne	Chief Officer, Enterprise
Peter Davies	Chief Officer, Resources
Will McLean	Head of Democracy, Engagement and Improvement
Joy Robson	Head of Finance/Section 151 Officer
Robert Tranter	Head of Legal Services & Monitoring Officer
Nicola Perry	Senior Democracy Officer
Ian Bakewell	Housing & Regeneration Manager

APOLOGIES:

Councillors D. Blakebrough, V. Smith, R. Edwards, D. Evans, J. George, B. Hayward, S. Howarth, J. Marshall and S. White

2. Chairman's report and receipt of petitions

Upon opening the meeting the Chairman requested that Council were upstanding and held a minute silence in memory of former MCC councillor, Pam Birchall, who had recently passed away. Members were keen to express their condolences, and fond memories of Ms. Birchall, who would be sorely missed.

The Chairman congratulated the Leader of the Opposition, County Councillor D. Batrouni, who had recently completed his PhD.

Council received the Chairman's report.

County Councillor G. Howard presented a petition in relation to National Cycle Route 46, at Clydach Gorge, particularly referencing a short section which never opened, requesting that Council uses its powers to enable the opening of this section.

3. Declarations of Interest

Declarations of interest were made as follows:

County Councillors R.J. Higginson, S.B. Jones, J. Crook, R. Harris, P. Clarke, B. Strong, A. Watts declared personal, non-prejudicial interests in relation to agenda item 8.1.

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County Councillor S. Jones declared a prejudicial interest in relation to agenda item 8a, as a director of the Welsh Retail Consortium, and a member of the Rate Payers Forum. In doing so, she advised that she would leave the Council Chamber for the duration of the discussion.

County Councillors P. Clarke, A. Wintle and A. Webb declared personal, non-prejudicial interests in relation to agenda item 10.1, as board members of MHA.

County Councillors P. Farley, J. Crook, D. Dovey declared personal, non-prejudicial interests in relation to agenda item 11,1.

4. Public Open Forum

4.1. Question from Mr. J. Thurston to County Councillor P. Fox

The Chairman welcomed Mr. Thurston, who was in attendance to present his question to County Councillor P. Fox.

In response, The Leader thanked Mr. Thurston and recognised that the question related to the petition presented by Councillor Howard. The importance of the issue was acknowledged along with the importance of opening the 700m cycle route in question for safety reasons.

The Leader advised that he would support the completion of the walking and cycling path along in whatever way possible to try to bring this to a satisfactory conclusion. The Leader advised that he would liaise with officers to ensure that every opportunity had been explored before any formal offers were made,

Mr. Thurston expressed thanks to the Leader, and as a supplementary question, asked if the Leader would confirm that no option would be ruled out, including compulsory purchase?

The Leader reiterated that all options would be explored prior to any formal processes.

4.2. Monmouthshire County Citizens Advice Bureau - Annual Report Update

The Chairman welcomed Shirley Lightbound, from the Citizens Advice Bureau, who was in attendance to provide an update on the Monmouthshire County Citizens Advice Bureau (MC CAB) Annual Report 2015-2016.

The following comments were noted:

- Members welcomed the report and expressed thanks for the hard work of the CAB.
- It was recognised that it would be useful to strengthen the links between MCC and MC CAB, particularly in this time of reduced funding and resources, as well as the links with other agencies.
- The Leader stated that the messages were understood and issues would be explored further. He looked forward to attending the upcoming AGM for further discussion.
- Congratulations were expressed on progress, particularly in light of the merge of individual bureaux.
- Councillor Easson noted that, in terms of deprivation there did not seem to be many clients, and asked if Councillors were missing something in that they may not be guiding people to the CAB. In response we heard that the all needs of the the population were not being met, and any assistance would be gratefully received.

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- Councillor A. Watts mentioned food banks and we heard that there was a trend that food banks were being more frequently used, for reasons such as the general drop in the economy, and delays in benefit applications.
- When asked if trends could be identified specifically from changes in Council policies Mrs. Lightbound stated that there were no specific indications but she could refer to statistical analysis for further information. Changes to Council Tax, Social Care and benefits impacted the trends.
- Councillor Batrouni referred to 'sofa-surfing' and we were advised that CAB were seeing this issue becoming more of a trend, and one of the biggest problems was dealing with homelessness. Working together and improving links would be useful.

The Chairman thanked Mrs. Lightbound and commended the work of the CAB.

5. To confirm the minutes of the meeting held on 20th October 2016

The minutes of the meeting held on 20th October 2016, were confirmed as a correct record and signed by the Chairman.

6. To note the action list of the last meeting

Council noted the Action List of the meeting held on 20th October 2016.

County Councillor F. Taylor requested that the when terms surrounding Zero Hour Contracts are discussed at Audit, the outcomes are shared with all Members.

County Councillor Easson advised that further information regarding Flex Contracts had been shared the Interim HR Manager.

7. To receive the minutes of Democratic Services Committee 17th October 2016

County Councillor F. Taylor commended the minutes of the Democratic Services Committee held on 17th October 2016. In doing so she expressed thanks to all Members who had shown commitment to recent Democracy Week events.

It was suggested that recommendations of the Committee be recorded at future meetings and be recorded in the minutes.

8. Notices of Motion

8.1. Motion from County Councillor R.J.W. Greenland

The recent proposed revaluation of non-domestic rates (NNDR – business rates) has thrown up some very alarming increases for businesses in Monmouthshire. 65% of businesses in the County have found their draft rates increase with a number hiked by more than 200%. In practice this means if these proposals are confirmed, some businesses face increases next year running into tens of thousands of pounds. There seems to be a pattern of rural counties facing increases whilst the larger towns and cities are decreasing. As the system is based upon notional rental values, it seems unlikely that the shift in rental values of business premises between 2010 and 2015 reflects the increases in rateable values proposed for some Monmouthshire businesses. If this revaluation is not challenged it may well see some of our leading retailers and hospitality businesses in particular being unable to continue trading.

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If businesses are forced to pay huge increases based on these revaluations whilst they await the outcome of appeals, severe cash flow problems may endanger the future for some. At the very least we urge WG not to impose increases until the results of appeals are known.

It is also of concern to this Council that whilst the WG has announced a transitional scheme for small businesses affected by the increase, it has not done the same for the larger businesses which will be harder hit. We call for sympathetic transitional arrangements for all businesses.

The Welsh Government has the power to implement or postpone these proposals. In the light of the concern expressed by this Council and many businesses in Monmouthshire, we urge the WG to postpone these draft proposals to give time for a thorough review of the methodology and results thrown up from this revaluation to be considered.

Prior to the presentation of the motion, Councillor Easson addressed Council and requested clarity surrounding the validity of the motion on the basis that Councillor Easson had himself submitted a motion which had been declined for inclusion at the meeting as it was deemed outside standing order 12.3.. The Monitoring Officer advised that he had made the decision that the motion submitted had not complied with 12.3, whereas the motion being raised by Councillor Greenland refers to specific Monmouthshire businesses. He added that if Council wished, they could amend the wording in the constitution.

During debate we noted the following:

- Members agreed that village halls were at the heart of the community and would also be affected. At present village halls receive 80% discount on business rates as a grant from the Council.
- The Leader of the Council recognised the pressures on businesses and added that we owe it the businesses of Monmouthshire to support this motion. He expressed thanks to Councillor Greenland for the work behind raising the motion, and Members for their support.
- Councillor G. Howard highlighted it was clear that no business rates would be paid by empty shops and hotels, but expressed disappointment in Welsh Government regarding the impact the valuation would have on green shoot businesses aiming to increase footfall.
- The Leader of the Opposition noted that the assessment had been carried out by the independent Valuation Office, and questioned if the Conservative Group were disputing the independence of the Valuation Office. Councillor Batrouni declared that there was no opposition to the motion from the Labour Group, but felt the statement was a political motion regarding Welsh Government.
- Councillor G. Down declared that he supported the motion. He added that village halls would see an increase in business rates, and invited Councillor Murphy to consider whether 80% relief was sufficient. Few businesses could survive a 200% rise in rates, and it was thought some businesses would close as a result. Councillor Down thought National and Welsh Governments should look at the relationship between business non-domestic rates, and council tax in order to find a way to rebalance the contributions for local services. He considered the fault was not with the Valuation office, but lay with Welsh Government.
- Councillor A. Watts highlighted that the number of small businesses paying no business rates had increased, and we should be clear on the conflicting evidence and would like to see further clarity.
- County Councillor Greenland responded that in raising the motion he had not aimed to be political and thought it to be a subject on which all could agree on. He acknowledged

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that the Valuation Office Agency is an independent body, part of HM Customs and Excise, carrying out duties of valuations of business premises in Wales on behalf of Welsh Government. The final decisions are a Welsh Government issue.

The day previously, Councillor Greenland, along with the Chief Executive, The Head of Enterprise and Innovation and David Cummings, a representative of the business community, had met with the Chief Valuer of Wales to discuss issues and gain an understanding of the methodology and process. The meeting had been harmonious and provided information for further discussion going forward.

The motion was duly seconded, and upon being put to the vote the motion was carried.

8.2. Motion from County Councillor A. Easson

My perception is that Monmouthshire is considered to be a Cinderella Authority in relation to plans for the Metro System within the City Region. I therefore move that far greater emphasis is made upon the fact that Monmouthshire exists and is not just a blip on the map of S E Wales. Furthermore that our Leader, and appropriate Cabinet members who are part of the wider Combined Authority give greater voice to strengthen our presence -- which appears to be missing.

Councillor G. Howard questioned if the motion should be on the agenda, or if it should be worded differently. In response the Chairman noted that the motion had been allowed and debate ensued, during which time the following points were noted:

- Councillor J. Prosser stated that he agreed with some of the sentiments of the motion, but took exception with the statement surrounding the Leader, and therefore could not support the motion.
- The Leader of the Council thanked Councillor Prosser for his support and thanked for the opportunity to address the subject raised. He would ask the Select Chairs to host a joint meeting early in 2017 in readiness for a future Council meeting, and to provide Members with deeper understanding of City Deal and Metro.
- The Leader rejected that MCC is a Cinderella Authority within the city Deal, nor would it become one, and pledged he would always ensure the interests of MCC were represented in whichever forum he would be involved with. He declared that he could not support the motion.
- It was questioned what plans were in place to ask what people of Monmouthshire wanted from the City Deal, and if what was required was being taken into consideration.

Upon being put to the vote the motion was defeated.

9. Report of the Head of Finance

9.1. Proposal to revise the policy on Minimum Revenue Provision (MRP) in respect of Supported Borrowing for 2016/17 onwards

The Cabinet Member presented a report in order to:

- To reflect the outcome of the review into the Council's annual Minimum Revenue Provision (MRP) charge related to supported borrowing financing element of capital expenditure;
- To provide Full Council with a proposal to revise the Minimum Revenue Provision Policy Statement for 2016/17 in respect of Supported Borrowing.
- To outline both short to medium term revenue consequences of the proposal as well as introducing a fairer and simpler approach to be adopted for current and future council tax payers

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There were no comments from Members, and upon being put to the vote Council resolved to accept the recommendations in the report:

- A change to the approach concerning the Minimum Revenue Provision calculation on Supported Borrowing (Option 2 approach) moving it from a 4% reducing balance basis to a 2% straight line basis, in common with many Welsh authorities.

10. Report of the Head of Planning, Housing and Place Shaping

10.1. Monmouthshire Housing Association - Request to De-Pool Service Charges

We welcomed Mr Higginson of Monmouthshire Housing Association who presented a report submitted by the Housing and Communities Manager. The purpose of the report was to consider a request for the Council to provide consent to Monmouthshire Housing Association (MHA) to disaggregate service charges from rents paid by social housing tenants. This is known as de-pooling. MHA is seeking the Council to consent to waiving compliance with a part of the Stock Transfer Agreement.

During discussion we noted the following points:

- Councillor A. Watts expressed disappointment that the warden service had been disbanded some time ago. We heard that a recent Housing and Communities Service restructure intended to allow visiting tenants, in their own homes, on a more frequent basis.
- It was clarified that there would be no effect on Housing Benefit
- A full tenant consultation process was to be undertaken, to include events, leaflets and forums, in order to ensure full understanding of what tenants would be paying for. It was anticipated that the start date would be September/October 2017 in order ensure full consultation. Members could be included in the distribution of information.
- In terms of demographics two thirds of tenants were aged 50+, and concerns were expressed that elderly people would be paying more for service charges.
- The Chair of Adults Select, Councillor Farley noted that the report should have been presented to Adult Select Committee for Scrutiny. The Leader explained that Council was the ultimate scrutiny process.
- The Deputy Chief Executive suggested that a further, detailed report be presented to Adults Select Committee.

Council resolved to agree the recommendation in the report:

- To agree to provide consent to Monmouthshire Housing Association to de-pool their service charges, subject to MHA undertaking a programme of resident consultation to ensure all affected tenants are fully aware of the proposals and their affect.

11. Report of the Head of Democracy, Engagement and Improvement

11.1. Children and Young People Chief Officer Annual Report

Council were presented with the Children and Young People Directorate, Chief Officer Annual Report.

Following which we noted the following comments:

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- The Leader of the Opposition acknowledged the successes and tremendous progress made on safeguarding, but noted a continuing gap between key stage 2 and 3, and there seem to be a lack of achievement, considering the demographic, in key stage 4. In response the Head of Democracy, Engagement and Improvement explained that the shift between key stage 3 and 4 was always a challenge, partly due to the move into examination settings. This year's increase in performance levels in key stage 3 should be noted.
- We were advised that further detailed information would be presented to CYP Select Committee, new-year including the measures on key stage 4 and 5.
- In terms of concerns surrounding issues with levels of exclusions at primary school level, officers were working closely with schools.
- Issues regarding schools funding and deficit budgets were highlighted. We were informed that over a third of Council's resources goes towards education, with officers ensuring the best impact and value.
- Councillor Farley commended the presentation and recommended that for future reports reference should be made to address the well-being of the workforce.

County Councillor P. Fox left the meeting at 16:55pm.

- Reference was made to childhood obesity, and the complex challenge surrounding the issue was acknowledged.
- The gender gap at foundation phase remains and different ways were being sought to engage boys in order to stimulate interest.
- In terms of the EAS, there was a high level of assurance on the work being carried out by this highly valued partner.

County Councillors S. Jones, D. Edwards and L. Guppy left the meeting at 17:05pm

- Councillor Easson commended the work of Monmouthshire Flying Start and questioned the capacity to retain the service. The Head of Democracy, Improvement and Engagement echoed the sentiments and explained that Flying Start is a grant funded collaborative programme with ABUHB , and there was a need to maximise the benefits of other programmes, such as Families First, and how they align to the service
- The Chair of CYP Select Committee added that, regarding obesity, the committee had requested that ABUHB attend a meeting to discuss and work together, with progress being scrutinised. All Members were welcome.

The Cabinet Member expressed thanks for the report and suggested a lunch meeting prior to the next Council meeting may be appropriate to continue questions.

12. Members Questions

12.1. From County Councillor A. Easson to County Councillor E. J. Hackett

Two schools in Monmouthshire have signed up to receive Independent HR support. Do you, as Cabinet Member for education, support these actions and do you have an express view about any other schools who may intend to resort to employing outside HR providers?

The Cabinet Member thanked Councillor Easson for the question and advised that this would be an appropriate question for governors of the school. She explained that her role, as executive member, is to hold the schools to account for the outcomes and achievements of the children in our schools.

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As a supplementary question Councillor Easson added:

Do you believe that County Council appointees on governing bodies should support these moves into independent HR? For example, should a group of schools come together to take independent HR support, and what would be the consequence on the Authority? If certain schools feel the freedom to take these sort of moves, should we work together with the schools?

In response the Cabinet Member reiterated that HR issues should be addressed by governors.

The meeting ended at 5.20 pm