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Neuadd y Sir
Y Rhadyr
Brynbuga
NP15 1GA

Dydd Mercher, 8 Mehefin 2016

Hysbysiad o gyfarfod

County Council

Dydd Iau, 16eg Mehefin, 2016 at 5.00 pm

AGENDA

**BYDD CYFARFOD CYN I AELODAU'R PWYLLGOR 30 COFNODION CYN I'R
CYCHWYN Y CYFARFOD**

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Prif Weithredwr

CYNGOR SIR FYNWY

MAE CYFANSODDIAD Y PWYLLGOR FEL SY'N DILYN:

Cynghorwyr Sir:

D. Batrouni
J. Prosser
D. Blakebrough
M. Powell
V. Smith
G. Burrows
R. Chapman
P. Clarke
J. Crook
D. Dovey
G. Down
A. Easson
D. Edwards
R. Edwards
D. Evans
P. Farley
P.A. Fox
J. George
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
J. Marshall
P. Murphy
B. Strong
F. Taylor
A. Watts
P. Watts
A. Webb
S. White
K. Williams
A. Wintle

Gwybodaeth Gyhoeddus

Mynediad i gopiâu papur o agendâu ac adroddiadau

Gellir darparu copi o'r agenda hwn ac adroddiadau perthnasol i aelodau'r cyhoedd sy'n mynychu cyfarfod drwy ofyn am gopi gan Gwasanaethau Democrataidd ar 01633 644219. Dylid nodi fod yn rhaid i ni dderbyn 24 awr o hysbysiad cyn y cyfarfod er mwyn darparu copi caled o'r agenda hwn i chi.

Edrych ar y cyfarfod ar-lein

Gellir gweld y cyfarfod ar-lein yn fyw neu'n dilyn y cyfarfod drwy fynd i www.monmouthshire.gov.uk neu drwy ymweld â'n tudalen Youtube drwy chwilio am MonmouthshireCC. Drwy fynd i mewn i'r ystafell gyfarfod, fel aelod o'r cyhoedd neu i gymryd rhan yn y cyfarfod, rydych yn caniatáu i gael eich ffilmio ac i ddefnydd posibl y delweddau a'r recordiadau sain hynny gan y Cyngor.

Y Gymraeg

Mae'r Cyngor yn croesawu cyfraniadau gan aelodau'r cyhoedd drwy gyfrwng y Gymraeg neu'r Saesneg. Gofynnwn gyda dyledus barch i chi roi 5 diwrnod o hysbysiad cyn y cyfarfod os dymunwch siarad yn Gymraeg fel y gallwn ddarparu ar gyfer eich anghenion.

Nodau a Gwerthoedd Cyngor Sir Fynwy

Cymunedau Cynaliadwy a Chryf

Canlyniadau y gweithiwn i'w cyflawni

Neb yn cael ei adael ar ôl

- Gall pobl hŷn fyw bywyd da
- Pobl â mynediad i dai addas a fforddiadwy
- Pobl â mynediad a symudedd da

Pobl yn hyderus, galluog ac yn cymryd rhan

- Camddefnyddio alcohol a chyffuriau ddim yn effeithio ar fywydau pobl
- Teuluoedd yn cael eu cefnogi
- Pobl yn teimlo'n ddiogel

Ein sir yn ffynnu

- Busnes a menter
- Pobl â mynediad i ddysgu ymarferol a hyblyg
- Pobl yn diogelu ac yn cyfoethogi'r amgylchedd

Ein blaenoriaethau

- Ysgolion
- Diogelu pobl agored i niwed
- Cefnogi busnes a chreu swyddi
- Cynnal gwasanaethau sy'n hygyrch yn lleol

Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.

Chairman's Report 16th May – 7th June

DATE	ENGAGEMENT/ VENUE
Monday 16 th May	Opening of Art Shop Caldicot
Monday 16 th May 2 p.m.	Conferment of the Freedom of the Borough on Mr Matthew James and Mayor's Good Citizen Awards Park and Dare Theatre
Thursday 19 th May	Royal Garden Party Buckingham Palace
Sunday 22 nd May 12 noon	VIP Invite – Velothon King Henry VII Avenue, Cardiff
Friday 3 rd June 7 for 7.30 p.m.	Supper Party Bishopstow
Saturday 4 th June	Monmouthshire Food Festival Caldicot Castle
<i>Sunday 5th June 3 p.m.</i>	<i>MCC Civic Service St Mary's Church, Caldicot</i>
Tuesday 7 th June 9 a.m.	Official Opening of the Fifth National Assembly for Wales Senedd, Cardiff Bay

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Public Document Pack Agenda Item 5a

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held
at Council Chamber - Council Chamber on Wednesday, 4th May, 2016 at 4.00 pm

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

County Councillors: D. Batrouni, J. Prosser, M. Powell, V. Smith,
G. Burrows, P. Clarke, D. Dovey, D. Evans, P. Farley, P.A. Fox,
L. Guppy, E. Hackett Pain, M. Hickman, P.A.D. Hobson, P. Jones,
S.B. Jones, P. Jordan, P. Murphy and F. Taylor

OFFICERS IN ATTENDANCE:

Paul Matthews	Chief Executive
Nicola Perry	Democratic Services Officer
Claire Marchant	Chief Officer Social Care, Health & Housing
Sally Thomas	Interim HR Manager

APOLOGIES:

Councillors D. Blakebrough, R. Chapman, J. Crook, G. Down, A. Easson,
D. Edwards, R. Edwards, R.J.W. Greenland, R. Harris, B. Hayward, G. Howard,
S. Howarth, D. Jones, S. Jones and S. White

2. Declarations of Interest

There were no declarations of interest received.

3. Appointment to the role of Monitoring Officer/Head of Legal

The Chief Executive thanked Members for their attendance and explained that the purpose of the session was to appoint a Monitoring Officer. Structural changes had been discussed at the Cabinet meeting prior to the meeting, and it was considered an appropriate time for permanent arrangements to be made for a Monitoring Officer/ Head of Legal Services.

We heard that the current Head of Legal Services and Acting Monitoring Officer, Mr. R. Tranter, had been through an interview process throughout the morning and was now in attendance for interview by full Council.

We welcomed the candidate who gave a presentation and was interviewed by the Council. The Candidate was then asked to leave the chamber.

The Chief Executive outlined the feedback received. The Leader of the Council recommended that Mr. Tranter be offered the position, which was seconded by the Leader of the Opposition. Members agreed unanimously with the recommendation.

Mr. Tranter returned to the meeting, accepted the appointment, and was congratulated by Members and officers.

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of County Council held
at Council Chamber - Council Chamber on Wednesday, 4th May, 2016 at 4.00 pm**

The meeting ended at 5.00 pm

Public Document Pack Agenda Item 5b

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held
at County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 10th May, 2016 at 5.00 pm

PRESENT: County Councillor B. Strong (Chairman)
County Councillor R.J. Higginson (Vice Chairman)

County Councillors: D. Batrouni, J. Prosser, M. Powell, V. Smith, G. Burrows, P. Clarke, J. Crook, D. Dovey, A. Easson, D. Edwards, D. Evans, P. Farley, P.A. Fox, J. George, 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. Jordan, P. Murphy, F. Taylor, A. Watts, P. Watts, A. Webb, S. White, K. Williams and A. Wintle

OFFICERS IN ATTENDANCE:

Paul Matthews	Chief Executive
Kellie Beirne	Chief Officer, Enterprise
Peter Davies	Head of Commercial & People Development
Will McLean	Head of Policy & Engagement
Joy Robson	Head of Finance/Section 151 Officer
Robert Tranter	Head of Legal Services & Monitoring Officer
Nicola Perry	Senior Democracy Officer

APOLOGIES:

Councillors R. Chapman, G. Down, R. Edwards, S. Howarth and J. Marshall

2. Declarations of Interest

None.

3. To elect a Chairman of the County Council for the Civic Year 2016/17

The Chairman, County Councillor B. Strong, addressed the council and thanked all who had supported him during his year of office, particularly Mrs Mary Strong, his consort, and Rev. Paul Baxter, his Chaplain. The Chairman referred to the great honour of being able to represent Monmouthshire as Chairman and highlighted some outstanding moments, which included the opportunity to speak with young people who took part in the Walking with Wounded charity event, Remembrance Day services, the opening of the new Raglan Primary School and the opportunity to attend Gwent Music concerts. The Chairman urged all Member, where possible, to support Gwent Music. Funding of in excess of £12,000 had been raised for the Chairman's charities, Wales Air Ambulance and Noah' Ark Children's Hospital Charity.

The Leader of the Council, County Councillor P.A Fox addressed the Council and thanked the Chairman, and his consort, for their work as first class ambassadors for the Council. All were in agreement that the Chairman was highly respected, easy to work with and able to demonstrate the qualities important in leadership. The Leader praised the fantastic fundraising, noting it being the most ever raised by a Chairman of this Council since it had started.

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Minutes of the meeting of County Council held at County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 10th May, 2016 at 5.00 pm

The Leaders of the Political Groups, County Councillor D. Batrouni and P.A.D. Hobson, and on behalf of the Independent Group, County Councillor F. Taylor echoed the sentiments of the Leader, and thanked the Chairman and his family for their tremendous work as ambassadors.

It was moved by County Councillor D. Batrouni, duly seconded by County Councillor P. Fox, and resolved, that County Councillor R.J. Higginson be elected as Chairman of the County Council for the Civic Year 2016/17.

County Councillor Higginson made and signed the Declaration of Acceptance of Office, was invested with his Chain of Office by the outgoing Chairman, and took the Chair.

The newly elected Chairman thanked Members for their support, and announced that Mrs. Pauline Collier would be his consort; Rev. Dennis Richards his Chaplain; and that his charities would be Tŷ Hafan and St. David's Foundation.

The Chairman then presented the outgoing Chairman with the Past Chairman's Badge of Office.

4. To appoint a Vice-Chairman of the County Council for the Civic Year 2016/17

It was moved by County Councillor R.J.W. Greenland and seconded by County Councillor E.J. Hackett Pain, that County Councillor P. Jordan be appointed as Vice Chairman of the County Council for the Civic Year 2016/17.

We resolved that County Councillor P. Jordan be appointed as Vice Chairman of the County Council for the Civic Year 2016/17.

County Councillor Jordan made and signed the Declaration of Acceptance of Office, was invested with his Chain of Office by the Chairman, and took his position as Vice Chairman.

The Vice Chairman thanked Members for their support, and introduced Mrs. Katherine Jordan as the Vice Chairman's Consort.

The programme concluded with the presentation of the Chain of Office to the incoming Chairman's Consort, Mrs. Pauline Collier; a pendant to the outgoing Chairman's Consort, Mrs. Mary Strong; and the Chain of Office to the incoming Vice Chairman's Consort, Mrs. Katherine Jordan.

5. The following items will be deferred to the meeting of the County Council to be held on the 12th May 2015:

We resolved that the remaining items of business be deferred to the meeting of the County Council to be held on Thursday 12th May 2016.

The meeting ended at 5.45 pm

Public Document Pack Agenda Item 5c

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held
at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 12th May, 2016 at 2.00 pm

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

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

OFFICERS IN ATTENDANCE:

Paul Matthews	Chief Executive
Kellie Beirne	Chief Officer, Enterprise
Tracey Harry	Head of Democracy and Regulatory Services
Sarah McGuinness	Chief Officer, Children & Young People
Will McLean	Head of Policy & Engagement
John Pearson	Local Democracy Manager
Joy Robson	Head of Finance/Section 151 Officer
Robert Tranter	Head of Legal Services & Monitoring Officer
Nicola Perry	Senior Democracy Officer

APOLOGIES:

Councillors R. Chapman, G. Down, R. Edwards, D. Evans, J. George, J. Marshall and K. Williams

2. Public Open forum:

2.1. Question from Mr M. Smith to County Councillor P. Fox:

We welcomed Mr. Mike Smith to the meeting, who provided Council with photographs supporting his concerns, and highlighted that as well as being a cycle path the route in question is also part of Wales Coastal Path, and expressed that the Authority has a moral duty, or legal responsibility of maintaining the coastal path.

Councillor P. Fox responded:

- Thanked the member of the public for the question
- Advised that the concerns were understood and appreciated the frustrations.
- Explained that the section is in private ownership by local farmers, but the Authority would still want to improve the route.
- The Active Travel Act would allow officers to make bids for funding.
- A public consultation would be arranged where all members could contribute, hopefully providing a positive outcome.
- Apologised that there was no immediate solution.

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As a supplementary question:

Had the Authority received a commuted sum of money as part of the development of the National Cycle Route?

In response, the Leader of the Council welcomed the interesting challenge and would investigate further to establish if there was a commuted sum, as suggested.

3. Chairman's Announcement and receipt of petitions

There were no announcements made, and no petitions presented.

4. Declarations of Interest

There were no declarations of interest received.

5. To confirm and sign the minutes of the meeting held on 10th March 2016

The minutes of the meeting held on 10th March 2016 were confirmed as a correct record and signed by the Chairman, subject to the following amendment:

Correction: PRESENT: Councillor P. Fox (not apologies).

6. To receive the Action List from 10th March 2016

We received the action list from the meeting held on 10th March. In doing so the following points were noted:

- Councillor P. Murphy advised that with regards to the action relating to European Grants, all information available had been passed to Councillor Batrouni.
- Councillor P. Fox advised that a letter had been written, as requested, regarding the 'Black Route on Magor Services' and a response from the minister received, both had been circulated to members.

7. To elect the Leader of the Council and to receive notifications of Leader delegations (appointments to the Cabinet)

County Councillor R.J.W. Greenland moved that County Councillor P.A. Fox be elected as Leader of the Council. This was duly seconded by County Councillor P. Jones.

On being put to the vote, the proposal was carried.

County Councillor P.A. Fox expressed thanks to the Council for his re-election stating that it was a privilege to lead Monmouthshire County Council and highlighted that for the last year of this Council, there were new challenges and opportunities ahead.

The Leader announced that Cabinet portfolios and personnel would remain unchanged:

R.J.W. Greenland Innovation, Enterprise and Leisure
(Deputy Leader)

P.A.D. Hobson Community Development
(Deputy Leader)

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E.J. Hackett Pain	Schools and Learning
G. Burrows	Social Care, Safeguarding and Health
P. Murphy	Resources
S.B. Jones	County Operations

A Member congratulated the Leader on his re-election and questioned if he intended to do anything differently this year, or if there were, retrospectively, any regrets. In response the Leader commented that he always challenged and questioned himself but felt reassured from the progress the Authority had made of the last few years. He stressed that it would be remiss not to regret the education issues of a few years ago, but was pleased that we had moved away from that situation and were now positioned as one of the best authorities in Wales. The Leader stated he was now looking ahead with some trepidation, but being bold enough to push boundaries and looking for locally accessible services.

8. Representation of Political Groups - Political Balance

The Chairman suggested that Democratic Services should be notified of any changes.

Some concerns were expressed regarding the number of members on Select Committees, and the issue of attendance. It was suggested that the issues of members not attending at all, should be addressed in order to give opportunity to the members wishing to attend. It was requested that the Leader revisit and deliver what is fair for everyone.

The Leader suggested that further work be carried out through Democratic Services Committee, particularly with the introduction of the Public Service Board Select, in readiness for the new administration.

9. Appointment of Select Committees

The Chairman suggested Democratic Services be notified of any changes.

The Leader agreed that Group Leaders would notify Democratic Services in due course.

We were advised that Terms of Reference for the Public Service Board Select would be set following the first meeting.

It was agreed that the list of co-opted membership in 2.2 would be updated.

Upon being put to the vote we agreed to approve the recommendations within the report.

10. Appointment of Audit Committee

We received a report recommending that the Audit Committee be appointed, with the attached terms of reference.

We resolved:

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- That the membership of the Committee comprise 11 members of the Council, to be appointed in accordance with political balance, plus one lay member.
- That it be noted that the Chair of the Audit Committee will be appointed by the Committee.

Upon being put to the vote we agreed to approve the recommendations within the report.

11. Appointment of Regulatory and other committees

We resolved that the following Committees, together with their terms of reference, be appointed, with membership to be notified by the political groups

- Planning (16 Members)
- Licensing and Regulatory (12 Members)
- Sub-Committees under the Licensing Act 2003
- Appeals Committee (3 members)
- Appointment of Local Authority Governors Committee (7 Members)
- Standing Advisory Council on Religious Education (SACRE) (6 Members)
- Appointment Committee (5 members)
- Coordinating Board
- Remuneration Committee (Chief Executive) (5 members)
- Investigation Committee (3 members)
- Disciplinary Committee (3 members)

Upon being put to the vote we agreed to approve the recommendations in the report.

12. Appointment of Democratic Services Committee and appointment of Chairman of the Committee

We received a report in order to appoint a Democratic Services Committee, to agree terms of reference and membership of the Committee, and to appoint a Chair of the Committee.

County Councillor S.G. Howarth appointed County Councillors F. Taylor, V. Smith and S. Howarth to the Democratic Services Committee, and also proposed that County Councillor F. Taylor be appointed as Chair of the Committee. This was seconded by County Councillor D. Batrouni.

On being put to the vote we unanimously agreed the proposal.

13. Appointment of Area Committees

We resolved that the following Area Committees, together with their membership and terms of reference, be appointed:

- Bryn y Cwm
- Central Monmouthshire
- Lower Wye
- Severnside

A Member referred to a Governance Review for Area Committees and questioned if the Head of Service could offer an opinion. The Head of Policy and Engagement explained that we had

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convened a small working group in order to review Area Committees. The details were being finalised and proposals would be brought back to Council at a future date.

Upon being put to the vote we agreed to approve recommendations in the report.

14. Appointment of Standards Committee

We resolved that the Standards Committee, together with membership and terms of reference be appointed.

The report recommended the membership of the Committee comprise 3 members of the authority other than the Leader, 5 voting co-optees and one community member.

Upon being put to the vote we agreed to approve the recommendations within the report.

15. Appointments to Outside Bodies

We resolved that members be appointed to outside bodies, as set out in the report. We agreed that the following amendments be noted, and the report be updated:

Category A – Regional National

- 2. Caldicot and Wentloog Levels Drainage Board – no longer exists, now part of Caldicot and Wentloog Advisory Group.
- 7. National Resource Wales – now known as the Caldicot and Wentloog Advisory Group. County Councillor P. Murphy (substitute), County Councillor A. Easson to be lead member.
- 12. WJEC/CBAC Ltd – no longer exists.
- 23. S.E. Wales Strategic Planning Group - Change membership to Cabinet Member for Resources, Cllr. P. Murphy.
- 26. Welsh European Funding Office Objective 3 Monitoring Committee – check if exists.

Category C – Joint Committees and Local Authority Companies

- 5. Education Achievement Service - Cllr E.J. Hackett representative member of the Joint Executive Group, not company.
- 6. SRS Business Solutions Lts – Kellie Beirne as Director from an officer point of view.
- 6. Include SRS Public – Board member Cllr P. Murphy, and officer representative Peter Davies.

The Chief Officer explained that SRS Public is a shared entity across Monmouthshire, Torfaen, Blaenau Gwent and Gwent Police, around which our collaboration model for IT is built. SRS Business Solutions is a company owned jointly by Torfaen and Monmouthshire, and the trading subsidiary of SRS Public.

A member requested that it be recorded that two members are appointed to the Audit and Risk Assurance Committee.

It was questioned if Monmouthshire Housing Association could have representatives from each group. The Chief Executive explained that the number of representatives was governed by the transfer agreement.

Category D – Voluntary Organisations

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- 6. Coleg Gwent Corporation – to be removed, no longer has representation from an elected member.

Category E – Local Interest

- 6. Chepstow Senior Citizens Centre Management Committee – now known as Chepstow Senior Citizens Welfare Trust.
- 18. Clydach Ebenezer Chapel Fund Committee – Cllr. G. Howard to replace Cllr. S. Howarth

A Member requested that consideration be given to including the trust responsible for the Drill Hall, Chepstow. The Chief Executive advised Council would consider at a future date.

Category F - Other

3. Monmouthshire Sportlot Community Chest Committee – Cllr. B. Strong to replace Cllr. S. Jones

16. Members' Salaries and Payments

The report set out the determinations of the Independent Remuneration Panel for the civic year 2016/2017 and invited the Council to determine the scope of senior salaries. The Council would be able to pay up to 17 senior salaries plus 2 civic salaries (to the Chairman and Vice-Chairman of Council).

The Leader of the Council moved that Council retain the current pay structures for Cabinet, but recognise the extra workload. With regard to other committees it was considered right and proper that the current scheme of allowances be reviewed, and the partnership recognised the difference in workload between committees. It was therefore, moved that Chairs of Licensing and Regulatory and Democratic Services Committees be paid at level 2. This was duly seconded and, upon being to the vote, was approved by Council.

17. To adopt a revised Code of Conduct for Members

We received a report in order for members to consider the adoption of a revised code of conduct for members. The Welsh Government passed the Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 (“the Order”) on 27th January 2016 which introduced a revised model code of conduct for members. All relevant authorities, that is, county/county borough councils, community and town councils, fire and rescue authorities and the national park authorities must within six months of the date of the Order, adopt the revised code of conduct, hence the report to members for their consideration.

The Monitoring Officer advised that the changes to the Code of Conduct were relatively minor and highlighted in the report. Members were advised that their original declarations of acceptance of office covered subsequent changes to the code. Where members were dual-hatted, as Town and Community Councillors, it was important to note some minor differences in the respective codes, and to act under the appropriate code. One of the main differences being that as a County Councillor declarations were declared ‘up front’ through the register of interests, rather than ‘as and when’ at a Town and Community Council meeting. It was important to note that Town and Community Council Clerks should be made aware that the revised code of conduct should be adapted by July 2016.

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Upon being put to the vote we agreed to approve the recommendations within the report.

18. To receive the Improvement Plan 2016-2017

The Leader presented a report to provide members with the Improvement Plan for 2016-17.

The report recommended that Council approve the Improvement Plan including the five improvement objectives it describes, subject to any changes to data and targets that may be required as part of the year-end data validation and internal audit process.

Performance data for 2015-16 has been included where appropriate, to allow members to understand the objectives for the year ahead in the context of the most recent performance. The year-end 2015-16 data collection process is still ongoing, where included data should be treated as provisional as it has not yet been subject to audit. Targets for 2016-17 are being finalised. Members were made aware that some data and targets may change before final publication to reflect the most up to date information. If this made significant changes to the context of the plan these would be recirculated to members prior to final publication of the plan.

A Member questioned what improvements had been made regarding the rate of delayed transfers of care for social care reasons, and the percentage of children looked after who have had three or more placements during the year.

The Cabinet Member explained that there may be a number of comments relating to numbers in decline as this report was a 'work in progress', and not all the information had been collated. The final results would be shown in October 2016. He reassured members that there was not a DTOC issue in Monmouthshire.

The Policy and Performance Manager explained that placements of looked after children was monitored closely by Children's Services. There had been a number of challenging issues in Children's Services over the course of the last year, and there was now a weekly monitoring process.

A Concern was raised regarding Disabled Facilities Grants, and the time taken to make necessary changes. The Cabinet Member responded, explaining that there was a wide debate around DFGs due to the numbers and resources necessary needed to address the issues. Members were reminded that the final position would be reflected in October 2016. The Chief Executive reassured Members that when we receive the final report, many red areas would be green. Some would remain red, as was the nature of running a complex organisation. It was suggested that routinely, through Select meetings, a question should be raised along the lines of 'Can you reassure us that every movement of a child has been in the best interest of that child?'

County Councillor R. Hayward agreed that the quality of the question was important rather than the quantity of words, and should reflect if we care as a Council. He referred to an incident in his ward where a wall had fallen upon a child five or six years ago, resulting in severe injury. There was great concern that no report had been issued following an inquiry by the Health and Safety Executive. It was questioned why the report had not been issued, and why no-one had reported back to Council to explain why the child had been injured. The Cabinet Member advised that the report had been received and there had been no action taken by the Health and Safety Executive. Cllr Hayward would be furnished with the report.

We resolved to agree recommendations within the report.

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19. To ratify the written response to the Welsh Government consultation on the proposed new section of the M4 motorway (copy attached) and consider what further comment, if any, members may wish to provide to Welsh Government.

Members were invited to ratify the written response to the Welsh Government consultation on the proposed new section of the M4 motorway and consider what further comment, if any, members may wish to provide to Welsh Government.

During discussion the following points were noted:

One Member raised the following concerns, and comments to be added to the response:

- Such an important matter had not been debated fully at Council, and the response did not reflect work done within the County. The M4 relief is Monmouthshire's version of Spaghetti Junction.
- There was disregard of the Development Plan for Rogiet and Undy
- There was disregard of the areas of historical importance, Llanvihangel and Rogiet. No mention of listed buildings
- Using up prime farmland in the area, affecting people's livelihoods in Llanvihangel. No regard to agricultural loss and flooding of farmland.
- Concern surrounding noise and poor air quality
- There may be no fatalities, but accidents are frequent at Llanvihangel.
- No mention of the traffic through Rogiet.
- How would traffic from the west side of Rogiet get to Severn Tunnel Junction? No viable route. No comment on the excess expense this route would take.
- In view of sustainable transport, the car parking access at Severn Tunnel Junction should be addressed. Station Road could not take any more traffic.

A Member, agreeing with the comments made, added:

- The B4245 becoming a trunk road would be dangerous. P
- Plans for a footpath between Rogiet and Undy would now not be appropriate.
- The report should be stronger to reflect the concerns of Members.
- A stronger argument should be made to remove traffic from the M48 on the Caldicot to Rogiet link.
- A footpath costing £300,000 would come out of sustainable transport money. It was argued that this should come out of the money for the development.
- There should be more thought and action from developers.

A Member commented that the plans were not clear, and impacts could not be fully anticipated. The response should ensure clearer details from Welsh Government.

A member added that there were wider questions about the way the proposals would detract from other infrastructure projects for the rest of Wales. She agreed with previous comments that the Council should be clearer and stronger in their response. In addition the following points were highlighted, to be added to the response to Welsh Government:

- Progress on public transport, such as Metro, should be outstripping the progress on the M4. If we had better integrated public transport it would potentially negate the need for this particular solution.

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- In terms of integrated public transport, it should be noted that the transport grant had been cut by 40%.
- It should be added that there is a debate within the Council to whether the Magor and Undy by-pass is the best solution.
- The proposed junction east of Undy is over-engineered and not located appropriately should we want to progress our proposals around Severn Tunnel Junction. It would not assist with removing some of the traffic from the B4245, but simply move traffic into Rogiet.
- The current mitigation is entirely insufficient, and had been agreed by Welsh Government's noise expert, Peter Ireland, at consultations.
- The footpath from Rushwall to Barecroft Common does not meet Active Travel requirements.
- The footway potentially becoming a trunk road, meaning it is more dangerous to walk or cycle along. Previous requests to Welsh Government to reconsider this had simply resulted in the responsibility being referred back to Monmouthshire County Council.
- It was requested that further liaison with Welsh Government be undertaken.

A Member added that he felt strongly that the relief road was outdated and would simply move queues from one place to another. The Metro and other transport options should be the priority. Comparing the proposals to options in other European cities shows the project to be hopeless. Therefore he was unable to support the letter under discussion.

A Member urged that there be representation from this Council at Welsh Government, to be paid for by Welsh Government for engagement in the scheme.

In terms of the Metro, a Member added that rather than focusing on one scheme or the other, we should be concentrating on both, as much of the traffic comes from England, particularly with the likely increase of traffic with the reduction of the bridge tolls. The Metro would not take the pressure of the traffic from England.

The Cabinet Member for Community Development agreed with the comments raised and noted that the entire budget should not be focused on one project, particularly when we are being told there is no money to address problems within Monmouthshire in need of attention. There was some surprise that the letter had stated that the proposal fitted into the Integrated Transport Plan, and in fact the letter did not address work already agreed upon. It had been agreed for the M48 junction between Rogiet and Caldicot, with a direct link into Severn Tunnel Junction, with plans being drawn up and submitted to Welsh Government, yet this was absent from the letter. It was suggested that this be added to the new response.

The Cabinet Member for County Operations accepted the comments and noted the difficulty in timescales for submitting the original letter. The number of different views were noted but it was agreed there was a common thread that the scheme was outdated.

Upon being put to the vote we resolved to agree with the recommendation in the report. It was agreed that the letter should reflect that a number of Members had refused to ratify the letter.

The Chief Executive suggested that the final letter expresses the strong views within the Council. It should reference that there was a split view, but on balance, Members support the letter.

The meeting ended at 4.05 pm

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Public Document Pack Agenda Item 6a

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Democratic Services Committee held
at County Hall, The Rhadyr, Usk, NP15 1GA on Monday, 21st March, 2016 at 2.00 pm

PRESENT: County Councillor D. Evans (Chairman)
County Councillor R. Harris (Vice Chairman)

County Councillors: J. Higginson, S. Jones, J. Prosser, V. Smith and
F. Taylor

OFFICERS IN ATTENDANCE:

Tracey Harry	Head of Democracy and Regulatory Services
John Pearson	Local Democracy Manager
Richard Williams	Democratic Services Officer

APOLOGIES:

County Councillors P. Clarke, D. Edwards, P. Jones and A. Webb

1. Declarations of Interest

There were no declarations of Interest made by Members.

2. Confirmation of minutes

The minutes of the Democratic Services Committee meeting held on 26th January 2016 were confirmed and signed by the Chairman subject to the following amendment:

County Councillor R.J. Higginson had sent his apologies for this meeting.

In doing so, it was noted that:

- The Members Role Description was to be circulated but this had not been done.
- The LSB will be shown in the Council Diary as the Public Service Board Scrutiny.

3. List of Actions from the previous meeting

We received a list of actions arising from the Democratic Services Committee Meeting on 26th January 2016. In doing so, the following points were noted:

- The sound settings in the Council Chamber had been checked and issues had been addressed.
- The Communications Team had been asked to make a video regarding good microphone usage within the Council Chamber.

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- The induction information for new Members, outlined in the previous action list, had not been presented to the Committee. Neither has information regarding Members' role description been circulated. Clear timescales were required.
- The training package for new Members was being reviewed by the WLGA. This will be discussed on an all Wales basis before it is tailored for Monmouthshire County Council's new Members in 2017. Members' have been given an opportunity to respond to the document with the consultation period ending in March 2016. The document will be presented to a future meeting of the Democratic Services Committee.

Members considered that this matter had already been discussed at a previous meeting and had therefore not added any further information.

The Local Democracy Manager informed Members that Local Democracy Week was being held in October 2016 and it will be at this event that Members of the public will be encouraged to stand for the local Elections in 2017. All authorities across Wales, with the aid of the WLGA, will be promoting the local elections in 2017.

- There is a dedicated Welsh Government Team looking at the Local Democracy and Diversity issues. The Head of Democracy and Regulatory Services would invite the team to the next Democratic Services Committee meeting to outline what they are doing regarding this matter.
- In response to an issue raised by a Member of the Committee regarding new members of staff not being aware of the political process of the Council, the Head of Democracy and Regulatory Services stated that a seminar could be held during Local Democracy Week for staff to attend or could view via live stream in which Members would be invited to address staff to explain their role as a County Councillor. County Councillor F. Taylor stated that she would be willing to address staff in this way.
- It was noted that Officer training was provided for officers who regularly attend and present reports to Member meetings. It was noted that select committee meetings generally have a good working relationship with officers when presenting reports.

We resolved that the following items be presented to the next Democratic Services Committee Meeting:

- Induction training for new Members.
- The Welsh Government Team that is looking at the Local Democracy and Diversity issues to be invited to attend the next meeting.

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4. Members' online library

We received a verbal update by the Local Democracy Manager regarding the Members' Online library. In doing so, the following points were noted:

- Democratic Services is looking to create a home page on the Hub (currently under construction) for officers and Members, creating easy links for all to use when accessing / inputting information into Democratic Services. Members will be able to upload information to their site on the Hub via the Intranet.
- The home page could be operational in September 2016 and training for Members would be provided.
- Information via Modern.Gov is currently available on the Hub for Members via their laptops but the Hub is not compatible with Members' I Pads.
- In response to a question raised by a Committee Member regarding difficulty searching for information via the Hub, it was noted that the Performance Team could provide a dashboard on the Hub specific to the Member to allow specific information to be received.

We resolved to receive the update and noted its content.

5. Draft protocol for dealing with Council Motions

We received a verbal update from the Head of Democracy and Regulatory Services regarding the draft protocol for dealing with Council Motions. In doing so, the following points were noted:

- When a motion is carried it was considered that a lead officer / responsible officer needed to be identified and added to the paper so that the Member might go back to that person to ascertain progress regarding the matter.
- A Motions tab could be added to the Hub.

We resolved to receive the report and noted its content.

6. Frequency of Democratic Services Meetings

We received a verbal update regarding the frequency of meetings for the Democratic Services Committee. In doing so, the following points were noted:

- One Member considered that the Democratic Services Committee needed to meet more frequently than on a quarterly basis in order to address the Committee's business and it was considered that the Independent Remuneration Panel report should have been presented to the Democratic Services Committee for consideration.

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- It was noted that many Members were not using their allowances and it was considered that it was up to the Democratic Services Committee to address this matter. The Head of Democracy and Regulatory Services stated that Members' allowances had never been considered previously by the Democratic Services Committee. Instead, it had been presented to Full Council for debate.
- Another Member considered that the Democratic Services Committee's remit was to put mechanisms in place to ensure that the democratic process was adhered to. The frequency of meeting should remain quarterly with the Chairman's discretion to call a special meeting if required.

We resolved to receive the update and noted its content.

7. Next Meeting

We noted that the next meeting would be held on 27th June 2016 at 2.00pm.

The meeting ended at 2.55pm.

Public Document Pack Agenda Item 6b

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Audit Committee held
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 26th
May, 2016 at 2.00 pm

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

County Councillors: D. Batrouni, A. Easson, D. Edwards, P. Jordan,
P. Murphy, J. Prosser, and B. Strong.

County Councillor V. Smith attended the meeting by invitation of the
Chairman

OFFICERS IN ATTENDANCE:

Joy Robson	Head of Finance/Section 151 Officer
Andrew Wathan	Chief Internal Auditor
David Walton	Audit Manager
Terry Lewis	Wales Audit Office

APOLOGIES:

Councillors P. Clarke and B. Hayward

1. Election of Chair

We elected Mr. P. White as Chair.

2. Appointment of Vice-Chair

We appointed County Councillor R.J. Higginson as Vice-Chair.

3. Declarations of Interest

There were no declarations of interest made by Members.

4. Public Open Forum

There were no members of the public present.

5. Confirmation of minutes

The minutes of the Audit Committee dated 26th May 2016 were confirmed and signed by
the Chairman.

6. Action list from the previous meeting

We received the Action List from the meeting held on 21st April 2016. In doing so, the
following points were noted:

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- The Audit Committee will receive a progress report, on a six monthly cycle, in respect of unsatisfactory / unsound Audit opinions regarding reference to workforce planning arrangements within markets.
- The Chair will report the Audit Committee Annual Report 2015/16, Annual Report 2014/15 to Full Council on 16th June 2016.
- The Chair had prepared a letter to be sent to a member of the public in response to issues raised regarding Chepstow School. It was proposed by County Councillor D. Edwards and seconded by County Councillor B. Strong that the letter be sent to the member of the public and that a copy be sent to the Audit Committee, for information.

Upon being put to the vote, the following votes were recorded:

In favour of sending the letter	-	5 votes
Against sending the letter	-	0 votes
Abstentions	-	1 vote

The proposition was carried.

We resolved that the letter be sent to the member of the public and that a copy be sent to the Audit Committee, for information.

One of the Audit Committee Members had abstained from voting as he had had reservations about some of the issues raised in respect of this matter. He agreed to speak to the Chair after the meeting regarding his concerns.

- In consideration of the draft Annual Governance Statement 2015/16 and the freedom of information requests, the Chief Internal Auditor informed the Committee of the following points:
 - Regarding the strategic risk assessment, it was noted that officers had taken into account the risk of this issue without mitigation on a year by year basis and then if the mitigation has been successful it is categorised in the second column which is post mitigation.
 - Regarding the Freedom of Information (FOI) requests, it was noted that 98% of FOI requests had been responded to within the expected timescale of 20 days. The ICO acceptable standard is 85%. A question remained why others had not been responded to in those time scales. There were a number of reasons in which more information was required from other departments across the Authority, there had been pressures on staff holding that particular information regarding current workloads, there was sickness and leave to contend with and from time to time there will be human error. 60% of the requests had been dealt with within 10 days, 70% of the requests were dealt with within 12 days, 80% of the requests were dealt with within 15 days, 85% of the requests were dealt with within 17 days, 90% of the requests were

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dealt with within 19 days and 95% of the requests were dealt with within 20 days.

7. Annual Governance Statement - final

We received an early draft of the Council's Annual Governance Statement (AGS) prior to inclusion into the Statement of Accounts 2015/16. In doing so, the following points were noted:

- It was a comprehensive report which could have benefited from having a summary. The Chief Internal Auditor explained that the document was a standard framework used by all authorities. However, he would incorporate a summary into the final version of the report.
- It was noted that the quality of the services provided by Monmouthshire County Council was higher than the Welsh average.

We resolved to endorse the Annual Governance Statement 2015/16.

8. Internal Annual Audit report 2015/16

We received the Annual Audit Outturn Report for 2015/16. Members were informed of the following:

- The Chief Internal Auditor has to give an overall opinion on the adequacy of the internal control environment operated within the systems and establishments of Monmouthshire County Council.
- 28 audit opinions were issued during 2015/16 ranging from Good to Unsatisfactory. The overall opinion was **Reasonable**, which indicates the systems were well controlled although some risk had been identified which needed addressing.
- No reviews were deemed to be Unsound.
- The Internal Audit team achieved 74% of the agreed 2015/16 audit plan against a target of 80%.

Having received the report, the following points were noted:

- In response to a Member's question regarding the three unsatisfactory Audit Opinions in 2015/16, it was noted that these were new reports and did not refer to last year's unsatisfactory Audit Opinions.
- The report was a good reflection of the work that that been carried out.

We resolved to endorse the Annual Outturn Report 2015/16.

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9. Internal audit 2016/17 Plan - final

We received the draft Internal Audit Operational Audit Plan for 2016/17.

Having received the report, the following point was noted:

- It was hoped that a report on residential care at Mardy Park could be brought to the Committee later in the year. The Chief Internal Auditor stated that if it is within the plan then the team would be looking at this matter. The opinion would be reported back to the Audit Committee and if there were any concerns, then this matter would also be reported back to the Committee.

We resolved to receive:

- (i) the report and noted its content;
- (ii) a more detailed plan by the end of the first quarter.

10. Work Programme

We resolved to receive and note the Audit Committee Work Plan for 2016/17.

11. Exclusion of the Press and Public

With regard to minute 12 – Update on Special Investigations, the Committee considered that it was likely that sensitive information might be revealed in respect of individuals. We therefore resolved to exclude the press and public from the meeting during consideration of the following item of business in accordance with paragraphs 12 and 13 of Part 4 of Schedule 12A to the Local Government Act 1972.

12. Update on Special Investigations

We received an update report on special investigations.

Having received the report, the following point was noted:

- In response to a Member's question regarding any deficiencies that have been identified, the Chief Internal Auditor informed the Committee that appropriate advice and training is provided. The Head of Services is informed of the findings and what has been identified with a view to this person disseminating the information down to all of his/her staff.

13. Next Meeting

The next Audit Committee meeting will be held on Thursday 30th June 2016 at 2.00pm.

The meeting ended at 3.15 pm

SUBJECT:	Update on the Syrian Resettlement Programme
MEETING:	COUNCIL
DATE:	16th June 2016
DIVISION/WARDS AFFECTED:	All

1. PURPOSE:

To provide Members with an update as to the arrangements for Monmouthshire County Council's participation in the Home Office's Syrian Resettlement Programme.

2. RECOMMENDATIONS:

It is recommended that Council: notes the progress made in preparing for the arrival of the first arrivals from Syria in the summer of 2016; and that the Member / Officer working group continues to oversee the arrangements for their arrival.

3. KEY ISSUES:

The Member / Officer Group [from herein 'the working group'] has met three times to discuss the arrangements for the arrival of the Syrians under the UK Government Syrian Resettlement Programme.

In order to effectively and efficiently plan for arrivals of Syrian families into the south Wales area the Home Office have chartered transport to arrive in Cardiff this summer.

Monmouthshire County Council has previously advised the Home Office of our intention to receive 20 families over the life time of the scheme. This summer will see the arrival of the first three families.

Housing

The key issue for Monmouthshire's participation in this scheme is the availability of suitable housing for the families. Through close working with our colleagues in both Monmouthshire Housing Association and Melin Homes we have been able to secure suitable properties. Due to the scarcity of suitable properties in Monmouthshire we have only been able to secure properties when they become available which has meant that we have not been able to be prescriptive over the placement of the families. This was an area of concern for some members of the working group although further discussions with both the Community Cohesion Officer and David Phillips suggested that these concerns could be overstated.

Education

Working with colleagues from the Children and Young People's Directorate (CYP) we have worked to identify where there are school places. This is a situation that requires attention on a regular attention given changing school rolls but at the moment schools in the area of potential resettlement have adequate places to accommodate the children from September 2016.

Medical Support

Prior to arrival in the United Kingdom all individuals being placed under the scheme are subject to medical screening and approval by the Deputy Medical Director of the relevant NHS body. We are working closely with Aneurin Bevan University Health Board (ABUHB) to ensure that any special requirements can be fulfilled.

Integration Support

All of the individuals resettled under the scheme have been assessed as vulnerable by the United Nations. They are displaced from their country of origin and in settling in Wales will be experiencing a very different life to the one that they have experienced to date. We are currently commissioning support from a specialist provider to ensure that integration and orientation support that they require is in place. Members of the working group have been keen to ensure that we learn lessons from both those authorities that participated in Phase 1 of the scheme (prior to Christmas 2015) and those areas that have been identified dispersal areas for the longer term. Officers are liaising with colleagues in the local government and third sectors to ensure that the provision is as broad and supportive as it needs to be.

There have been discussions with ESOL teachers about the provision of intensive English for Speakers of Other Languages (ESOL) and we will continue to review how this provision is best made. Working with colleagues in CYP we will liaise with our Gwent wide in school support services but are hopeful that the families' arrival prior to the summer holiday will allow for greater assimilation and language acquisition prior to the children starting school.

Religious considerations

The proximity of suitable religious facilities was, and remains to be a concern for the working group. There is a Mosque in Blaenau Gwent and there are several in Newport all of which are accessible via public transport. This will remain an area where we have to give support to the families and will work with our commissioned orientation provider to understand the risks associated with this.

Partner agencies

All of our partner agencies have worked closely with the County Council throughout the planning stages. The clear role in assessment by ABUHB is just one part of the wider support of partners. The housing association have played a critical role in sourcing suitable accommodation. Gwent Police have also been involved in the planning process. The arrivals are all security cleared prior to arrival in the UK but we have kept in close contact with the police throughout. Upon arrival the families will all have the opportunity to

access the POLICESOL orientation scheme. The relationship that these families might have had with the law enforcement agencies in their countries of origin will be very different to the policing by consent model that is deployed in the UK. Gwent Police will provide face to face briefings as to the role and function of policing in Wales today.

Volunteer Support

From the outset the public in Monmouthshire have been vocal about their desire to support people displaced by the conflict in Syria. The offers of support have continued to arrive and range from ESOL provision to counselling services. The working group has agreed that the Partnership Team will act as a point of coordination for all public offers of support to the new arrivals. It also agreed that it would seek to arrange a shared training programme between Owen Wilce, Programme Lead a County that Serves, and Shereen Williams, Community Cohesion Officer for any volunteers who wanted to work with the families as they arrive.

Emerging risks

Whilst the Council has been committed to participation in the Syrian Resettlement Scheme there are risks associated with participation in the programme. The working group has worked to ensure that arrangements mitigate the key risks such as suitability of housing and educational arrangements. However, there are some wider societal issues that are less easy to mitigate and will require consideration and attention prior to the families' arrival. Given the likely settlement of the families in one town we are minded to undertake some community engagement prior to arrival along with partner agencies to inform them of the arrivals. We will, of course, work closely with the relevant ward members too.

4. REASONS:

Council agreed in September 2015 to participate in the Syrian Resettlement Scheme and this is the first opportunity we have had to receive Syrian families in the formalised scheme. Officers and members have worked to ensure that Monmouthshire is able to fulfil its commitment that it made in agreeing to participate.

5. RESOURCE IMPLICATIONS:

The costs associated with the resettlement are met by the UK government.

6. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING)

There are a number of equalities and safeguarding issues concerning the safe resettlement of the Syrian families. These are captured in the Wellbeing of Future Generations Impact Assessment.

7. CONSULTEES:

**Senior Leadership Team
Cabinet**

8. BACKGROUND PAPERS:

9. **AUTHOR:**
Will McLean

10. **CONTACT DETAILS:**

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E-mail: willmclean@monmouthshire.gov.uk



SUBJECT: Revision of Planning Scheme of Delegation

MEETING: Council

DATE: June 2016

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

To adopt a revised Planning Scheme of Delegation.

2. RECOMMENDATION:

- 2.1 That Council endorses the revised Planning Scheme of Delegation attached to this report, for adoption by Council.
- 2.2 That the Head of Planning be authorised to update the above documents in the future in relation to factual corrections to job titles.

3. KEY ISSUES:

- 3.1 The Planning (Wales) Act 2015 sets out a series of legislative changes to reform the planning system in Wales. Its Positive Planning Implementation Plan introduces changes to secondary legislation, policy and guidance and also introduces measures to support culture change.
- 3.2 The Planning (Wales) Act 2015 has made a series of improvements to modernise the planning enforcement system. The provisions will reduce the opportunities to delay effective enforcement action by preventing developers from repeatedly submitting either applications or appeals where they have already failed to obtain planning permission in circumstances set out in secondary legislation by the Welsh Ministers. Improvements introduced by the Act include:
 - providing local planning authorities with the power to require the submission of retrospective planning applications where unauthorised development can be regularised and controlled by planning conditions by the use of Enforcement Warning notices
 - providing a power to decline to determine retrospective planning applications for development that is subject to an enforcement notice.
 - The Act has also introduced the use of Temporary Stop Notices.
 - With regard to development management procedures the Act introduces the use of Invalid Notices to which there is a right of appeal to the Planning Inspectorate.

3.3 The introduction of new legislation and procedures requires Authorities to review their schemes of delegation to include the issue of Temporary Stop Notices, Enforcement Warning Notices, invalid notices and to determine the Council's case in appeals against such notices and decline to determine an application for planning permission where an enforcement notice has been served prior to its submission. The Planning Scheme of Delegation to officers is proposed to be amended at A.3 to include "issue Invalid notices and determine the Council's case where there is an appeal against an Invalid Notice" and A.5 to include "and Section 32 where an enforcement notice has been served prior to the submission of the application. Section B is proposed to be amended to include g) enforcement warning notices under Section 43 and h) temporary stop notices under Section 171E. Clarification is also proposed regarding delegated powers for taking enforcement action at B.1. Also recent changes to the structure of the authority have resulted in the necessity to amend the titles of the officers and section to which the scheme of delegation relates.

3.4 The delegation to officers should be amended to read:-

- Chief Officer Innovation and Enterprise
- Head of Planning Housing and Place-Shaping
- Development Services Manager
- Planning Applications and Enforcement Manager
- Heritage Manager

Paragraph A.1 (d) should also be amended to read "... employee within the planning section or working closely with the planning section as a consultee e.g. Highways or housing officer. The reason for this is due to the size of the Enterprise Directorate with employees who have no connection with the planning function.

3.5 Following recent correspondence with the Ombudsman it is considered that the guide should make it clear that Town and Community Councils are not included in the "5 or more separate households or organisations" as they have their own rights to address Planning Committee. The guide is therefore proposed to be amended to clarify this at A.1(b).

3.6 The proposed changes to the Scheme of Delegation are shown in green in Appendix 1 below.

4. REASONS

The recommended changes will allow officers to issue Temporary Stop Notices and Enforcement Warning Notices, issue Invalid Notices and determine the Council's case where there is an appeal against an Invalid Notice, and decline to determine an application where an enforcement notice has been served prior to the submission of the application under delegated powers, reflect the present structure of the Authority and clarify the guidance.

5. FINANCIAL IMPLICATIONS

The proposed changes to the scheme of delegation reflect legislative changes which introduce additional tools or procedures into the Development Management service. Any additional work will be undertaken within existing budgets, and therefore there are no financial implications resulting from the proposed changes to the Scheme of Delegated Powers.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

Sustainable Development: The proposals will improve the service to the Council's customers.

The Future Generation Assessment is attached at Appendix 2. It is considered that the proposals which aim to ensure consistency and equality of treatment on planning matters do not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person. The Scheme of Delegation and Code of Practice will be regularly monitored to address equality implications.

7. CONSULTEES:

Senior Leadership Team
All Cabinet Members
Head of Legal Services
Head of Planning
Planning Committee
County Councillors
Community and Town Councils

8. AUTHOR: Philip Thomas, Development Services Manager

Tel: **01633 644809** Email: **philipthomas@monmouthshire.gov.uk**

Appendix 1

Scheme of Delegation to Officers – Planning Service A Guide to the Officer Delegation Scheme

The scheme aims to achieve an effective balance between

- efficiency of determination on the majority of non-contentious applications that have limited community impact,
- being reasonably simple and easy to understand, and
- the member/community aspect by ensuring member involvement on contentious applications through committee or the Delegation Panel and local ward member request for applications to be presented to committee;

The Delegation Panel consists of the Chair, Vice Chair and Opposition Spokesperson of Planning Committee. The Panel does not determine applications or enforcement matters. Its role is to assess whether officers should determine those applications presented to it or to refer them to Planning Committee for determination.

Definitions

“The Act” means the Town and Country Planning Act 1990 as amended [and to the Planning \(Wales\) Act 2015](#)

“Local Ward Member” means the member for the electoral division in which the application site is located.

Planning Application means

- (a) Applications for planning permission and approval of reserved matters.
- (b) Applications for Listed Building Consent.
- (c) Applications for Conservation Area Consent.
- (d) Applications for Express Consent to Display Advertisements.
- (e) Applications for Certificates of Lawfulness of Existing Use or Development under Section 191 of the Act (jointly with the Head of Legal Services).
- (f) Applications for Certificates of Lawfulness of Proposed Use or Development under Section 192 of the Act (jointly with the Head of Legal Services).
- (g) Applications to retain works or uses already carried out.
- (h) Applications to remove or modify conditions of planning permissions [or to make minor material amendments to an approved scheme under Section 73 of the Act](#).
- (i) Applications for an approval required by a development order.
- (j) Proposals by statutory undertakers
- (k) Notices of Proposed Development by Government Departments.

- (l) Hedgerow removal notices under the Hedgerow Regulations 1997.
- (m) Applications for non-material amendments to a planning permission.

Delegation to Officers

The delegation scheme authorises the following officers as set out in the scheme:

- Chief Officer Innovation and Enterprise
- Head of Planning Housing and Place-Shaping
- Development Services Manager
- Planning Applications and Enforcement Manager
- Heritage Manager

A. Planning Applications

A.1 To determine or make observations subject to A.2 on all applications unless:

- (a) The officer recommendation is contrary to a development plan policy or proposal or other planning policy of the Council
- (b) The application is to be recommended for approval and any of the following circumstances apply:
 - unresolved written objections on material planning grounds have been received from 5 or more separate households or organisations, (excluding Town or Community Councils) or
 - it is contrary to the advice of a statutory consultee, or
 - the community or town council has objected on material planning grounds and wishes to address Planning Committee
- (c) The application is:
 - by or on behalf of the Council and unresolved objections on material planning grounds have been received, or
 - for development on Council-owned land or in which the Council has a direct interest
- (d) The application is submitted by an employee of the Council who works within the Planning Section or one who has close involvement in the planning application process or a member or co-opted member of the Council or by a close relative of such an employee or member or where the application relates to land in which any of them have an interest
- (e) The local ward member has requested in writing that the application is presented to Planning Committee giving planning reasons for that request.

A.2 In consultation with the Delegation Panel to determine or make observations on applications except for those relating to householder development, advertisement applications and applications for Listed building and Conservation Area Consent where the application is to be recommended for approval and:

- unresolved written objections on material planning grounds have been received from 1 – 4 separate households or organisations, **excluding Town and Community Councils** or the **Community or Town Council** has objected **on material planning grounds** and does not wish to address Planning Committee, or
- the application is one to which A.1 (c) relates and no unresolved objections on material planning grounds have been received, or
- the Local Ward Member has requested in writing the application is referred to the Delegation Panel **giving planning reasons for that request.**

For the avoidance of doubt applications for householder development, advertisement consent, and Listed building and Conservation Area Consent, shall be determined by officers unless the Local Ward Member has requested in writing the application is referred to Planning Committee or the Delegation Panel, giving planning reasons for that request. All other applications are delegated to officers to determine, including Non Material Amendments, applications for an approval required by a development order, proposals by statutory undertakers, Notices of Proposed Development by Government Departments and Hedgerow removal notices under the Hedgerow Regulations 1997.

A.3 To determine:

- the Council's case where there is an appeal against non-determination of an application
- the discharge of planning conditions requiring the specific approval of the Local Planning Authority
- to enter into obligations under Section 106 of the Act jointly with the Head of Legal Services, where it has been decided that planning permission should be granted subject thereto
- that an application is a departure from the development plan
- whether an Environmental Assessment is required **and scoping the content of that Assessment**
- whether an Appropriate Assessment is required under the Conservation (Natural Habitats etc.) Regulations 2010 (as amended).
- **Local Impact Reports for Development of National Significance**
- **Whether an application is valid, issue an Invalid Notice and determine the Council's case where there is an appeal against such a Notice.**

A.4 To make observations on planning consultations received from Brecon Beacons National Park and adjoining authorities.

A.5 To decline to determine an application for planning permission under the powers of Section 70A of the Act **and Section 32 (where an enforcement notice has been served prior to the submission of the application).**

A.6 To make all necessary decisions on procedural matters in connection with the processing of applications and appeals.

B. Enforcement of Planning Control

B.1 In consultation with the Delegation Panel to determine that it is expedient to take action and to issue the following notices ~~other than those specified in Part B.4~~ and thereafter to take all necessary steps to remedy the breach .

- (a) Enforcement Notices **and Stop Notices** under Section 174 of the Act
- (b) Listed Building Enforcement Notices under Section 38 of the Listed Building and Conservation Areas Act 1990
- (c) **To take prosecution proceedings and/or injunctions and/or action under the Proceeds of Crime Act, in consultation with the Head of Legal Services.**
- (d) Notices under Section 215 of the Act

B.2 In consultation with the Delegation Panel to determine that it is not expedient to take enforcement action.

B.3 To determine that it is expedient to take action and to issue the following notices and to take all necessary steps to remedy the breach:

- (a) Planning Contravention Notices under Section 171C of the Act (to require information).
- (b) Breach of Condition Notices under Section 187A of the Act.
- (c) Enforcement Notices where planning permission has been refused for the development.
- (d) Listed Building Enforcement Notices under Section 38 of the Listed Building and Conservation Areas Act 1990
- (e) Breach of Condition Enforcement Notices.
- (f) Hedgerow Replacement Notices under the Hedgerow Regulations 1997.
- (g) **Enforcement Warning Notices under Section 43**
- (h) **Temporary Stop Notices under Section 171E**

B.4 To consider offers and representations made under Section 171C(4) of the Act (responses to Planning Contravention Notices).

B.5 To remove **or obliterate** unauthorised advertisements, placards and posters under Sections 224 and 225 of the Act.

C. Heritage

C.1 In consultation with the Delegation Panel

- To serve building preservation notices under Section 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in cases of emergency.
- To authorise urgent works under section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

C.2 To approve grants for historic buildings under Historic Town Schemes.

D. Entry onto Land

D.1 To authorise persons to enter land under

(a) Sections 196A, 214B and 324 of the Act

(b) Section 95 of the Building Act 1984

(c) Section 293 of, and paragraph 7 of Schedule 12A to, the Highways Act 1980

(d) Section 71 of the Road Traffic Regulation Act 1984.

E. Miscellaneous

E.1 To respond on behalf of the Council to HGV operator's licence applications.

E.2 To respond to Welsh Government consultations on planning policy or development management or related matters.

Appendix 2



<p>Name of the Officer completing the evaluation Philip Thomas</p> <p>Phone no: 01633 644809 E-mail: philipthomas@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>Revision of Planning Scheme of Delegation and Code of Practice</p> <p>To adopt the revised Planning Scheme of Delegation and Code of Practice.</p>
<p>Name of Service</p> <p>Planning</p>	<p>Date Future Generations Evaluation form completed</p> <p>April 2016.</p>

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Does your proposal deliver any of the well-being goals below? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.



Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Positive: An efficient development management process is underpinned by a high degree of officer delegation to ensure timely decisions on planning applications and enforcement of planning control are made that can provide economic investment and growth, and can protect acknowledged interests such as local amenity and townscape. In addition, this provides the capacity for Planning Committee to scrutinise and decide larger scale or more contentious proposals that have a strategic dimension or are of more than localised concern.</p>	<p>Better contribute to positive impacts: The changes proposed in the report reflect new legislation introduced by Welsh Government that will work most effectively where delegation is provided to officers, enabling timely additional enforcement powers to be used, as well as reflecting changes to the titles of officers who have responsibility for pursuing such action.</p> <p>Mitigate any negative impacts: Where necessary, the scheme of delegation allows for consultation with the elected Members of the Council's</p>




Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	<p>Negative: Delegation of decision-making can lead to a perception that the democratic processes have been circumvented.</p>	<p>Delegation Panel to ensure democratic scrutiny of decision-making takes place.</p>
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>Positive: The current scheme of delegation allows for officers who are decision-makers to consider the impacts of decisions on ecological interests. This system would not change as a result of the proposed revisions to the scheme of delegation.</p> <p>Negative: None identified.</p>	<p>Better contribute to positive impacts: Speeds up the delivery of sustainable development.</p> <p>Mitigate any negative impacts: None</p>
<p>A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood</p>	<p>Positive: The revised scheme of delegation would speed up the making of planning decisions and the pursuit of appropriate enforcement action, which could improve Monmouthshire citizens' access to local services, such as shops and health facilities, or prevent inappropriate development from harming the amenity of an area, or indeed the health of local people.</p> <p>Negative: None identified.</p>	<p>Better contribute to positive impacts: The approval and delivery of development proposals can have a positive impact on health and well-being and foster social and community pride, while taking enforcement action can stop harm occurring which can lead to negative well-being impacts.</p> <p>Mitigate any negative impacts: None</p>
<p>A Wales of cohesive communities Communities are attractive, viable, safe and well connected</p>	<p>Positive: The area of work undertaken by the planning section directly and indirectly influences the appearance, viability, safety and connectivity of communities via planning policy, land use planning decisions and via enforcement action. Making such decisions in a timely fashion would assist in achieving this well-being goal.</p>	<p>Better contribute to positive impacts: The timely approval and delivery of sustainable development proposals can have a positive impact on the character and appearance of an area, promote well-being and foster social and community pride, while taking appropriate enforcement action can</p>

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	Negative: None identified.	prevent harm occurring which can lead to negative well-being impacts. Mitigate any negative impacts: None
<p>A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing</p>	<p>Positive: The area of work undertaken by the planning section directly and indirectly influences local social, economic and environmental well-being via planning policy and land use planning decisions. However, the global-scale effect is acknowledged as being limited.</p> <p>Negative: none.</p>	<p>Better contribute to positive impacts: None</p> <p>Mitigate any negative impacts: None</p>
<p>A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation</p>	<p>Positive: Planning decisions promote the value and significance of the historic built environment by ensuring that it is a direct consideration in planning policy and land use planning decisions. Planning decisions generally facilitate the provision of playing fields and recreational schemes in general. The Welsh language is now a material planning consideration.</p> <p>Negative: none.</p>	<p>Better contribute to positive impacts: Timely planning decisions will ensure that proposals foster civic pride through well-designed development in historic areas or through the removal of development that has a negative impact on a heritage designation via enforcement action.</p> <p>Mitigate any negative impacts: None</p>
<p>A more equal Wales People can fulfil their potential no matter what their background or circumstances</p>	<p>Positive: Appropriate development management decisions should bring positive benefits to all members of Monmouthshire’s population through policies that seek to achieve the five main aims of the Welsh Spatial Plan, namely Building Sustainable Communities, Promoting a Sustainable Economy, Valuing our Environment,</p>	None.

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	Achieving Sustainable Accessibility and Respecting Our Environment Negative: none.	

2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
<p>Page 40</p>  <p>Long-term</p> <p>Balancing short term need with long term and planning for the future</p>	<p><i>We are required to look beyond the usual short term timescales for financial planning and political cycles and instead plan with the longer term in mind (i.e. 20+ years)</i></p> <p>The LDP covers the period 2011-21. The development management function which makes planning decisions seeks to implement the policies of the LDP. By its nature, therefore, it cannot look beyond the next five year period but the SA/SEA of the LDP would have ensured consideration of the impact on future generations.</p>	<p>Ensure that the LDP and its policies have been subject to an appropriate level of scrutiny</p>
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>The revised scheme of delegation has been subject to consultation with Members of Planning Committee, whose Members have a specific interest in the subject, as well as senior officers of the Council.</p>	<p>Any observations offered by Committee have been taken into account as part of the single cabinet member approval process.</p>

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Involvement Involving those with an interest and seeking their views</p>	<p><i>Who are the stakeholders who will be affected by your proposal? Have they been involved?</i></p> <p>The revised scheme of delegation has been subject to consultation with Members of Planning Committee, whose Members have a specific interest in the subject, as well as senior officers of the Council.</p>	<p>As above.</p>
 <p>Prevention Putting resources into preventing problems occurring or getting worse</p>	<p>The revised scheme of delegation would provide the legal basis for designated officers to make timely planning decisions at an appropriate level. The scheme, as amended, should therefore enable sound planning decisions to be made.</p>	<p>N/A</p>
 <p>Integration Positively impacting on people, economy and environment and trying to benefit all three</p>	<p><i>There is space to describe impacts on people, economy and environment under the Wellbeing Goals above, so instead focus here on how you will better integrate them and balance any competing impacts</i></p> <p>The work undertaken by the development management service directly relates to promoting and ensuring sustainable development and its three areas: environment, economy and society.</p>	<p>The revised scheme of delegation would facilitate the implementation of the LDP which has been subject to a Sustainability Assessment that balances the impacts on Social, Economic and Environmental factors.</p>

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
<p>Positive: The revised scheme of officer delegation within the Development Management service of the Council should bring positive benefits to all members of Monmouthshire's population through policies that seek to achieve some of the main aims of the Welsh Spatial Plan, namely Promoting a Sustainable Economy, Valuing our Environment and Respecting Our Environment, be it through making timely decisions on planning or related applications, or via the taking of appropriate enforcement action to prevent harm to acknowledged interests, such as amenity, public safety or biodiversity.</p>			
Age	None	None	See above
Disability	None	None	See above
Gender Reassignment	None	None	See above
Marriage or civil partnership	None	None	See above
Race	None	None	See above
Religion or Belief	None	None	See above
Sex	None	None	See above
Sexual Orientation	None	None	See above
Welsh Language	<p><i>Under the Welsh Language measure of 2011, we need to be considering Welsh Language in signage, documentation, posters, language skills etc.</i></p> <p>Welsh is treated on equal terms as English in the planning process, including the making of decisions at Committee or under officer delegated powers.</p>	None	Provision of Scheme of Delegation in Welsh Language.

4. **Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities?** For more information please see the guidance note <http://hub/corporatedocs/Democratic%20Services/Equality%20impact%20assessment%20and%20safeguarding.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	None.	None	n/a
Corporate Parenting	None.	None.	n/a

5. **What evidence and data has informed the development of your proposal?**

The changes are proposed via legislative changes introduced by Welsh Government through The Planning (Wales) Act 2015. Through government policy, including Technical Advice Wales and WG Circular 24/97: Enforcing Planning Control, Welsh Government expects local planning authorities to have delegated processes in place that facilitate timely decision-making on planning (and related) applications and to take vigorous enforcement action to remedy serious breaches of planning control.

6. **SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

This section should give the key issues arising from the evaluation which will be included in the Committee report template.

The work undertaken by the Council's Planning Service, and in particular the Development Management function, directly relates to promoting and ensuring sustainable development. The revised scheme of delegation would provide an appropriate degree of authority to officers to ensure effective management of the planning process for future generations to facilitate much-needed sustainable development, helping to create jobs and investment, while protecting material interests such as amenity, public safety and biodiversity.

In terms of the protected characteristics of age, disability, gender reassignment, race, religion or beliefs, gender, sexual orientation, marriage or civil partnership, there are no direct implications as a result of this guidance.

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

7. Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

N/A

What are you going to do	When are you going to do it?	Who is responsible	Progress

8. Monitoring: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

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<p>The impacts of this proposal will be evaluated on:</p>	<p>Speed of decisions and the scope of delegation are considered as part of the Welsh Government's Annual Performance Report on Welsh planning authorities, and within the WG's Development Management Quarterly Returns and would be taken into account via customer satisfaction surveys all of which will be publicly available.</p>
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**SUBJECT: AUDIT COMMITTEE
 ANNUAL REPORT 2015/16
 ANNUAL REPORT 2014/15**

**DIRECTORATE: Chief Executive's
MEETING: Council
DATE: 16th June 2016
DIVISION/WARDS AFFECTED: All**

Final

1. PURPOSE

To present the Chair of the Council's Audit Committee's Annual Report for 2015/16 and 2014/15.

2. RECOMMENDATION(S)

On behalf of the Audit Committee I submit this combined annual report for 2014/2015 and 2015/2016 for consideration by the Council. I believe that it shows that, over this period, the Committee has fulfilled its role as defined in terms of reference.

The report shows that the workings of the Committee have been both valuable and productive and that it provides assurance to the Council regarding the Committee's activities in the effective governance of financial affairs and other matters by the Authority.

3. KEY ISSUES

4. REASONS

- 4.1 The Council's Audit Committee has responsibility for ensuring that there are procedures in place to guarantee the adequacy and effectiveness of financial control and corporate governance arrangements.

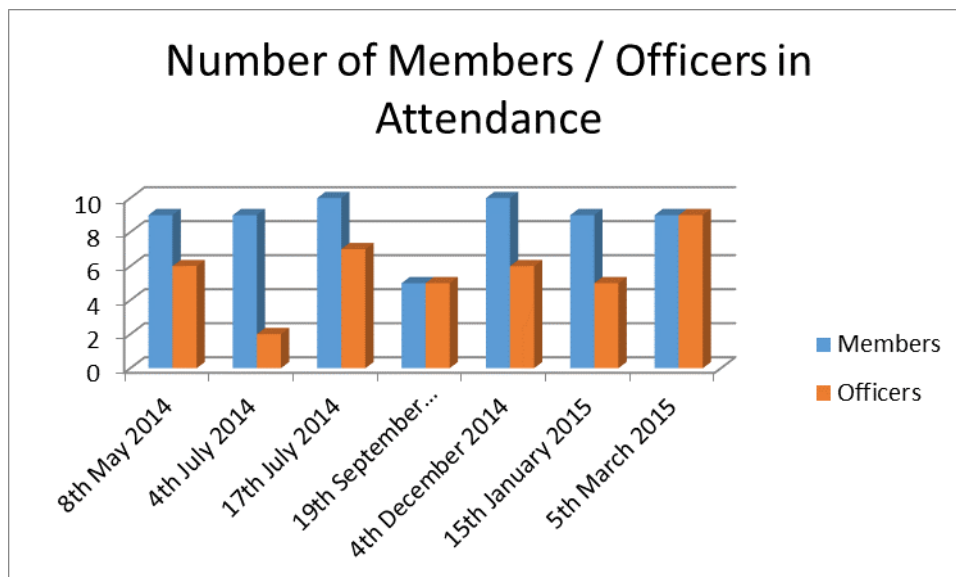
The terms of reference are:

- To review and scrutinize the authority's financial affairs;
- To make reports and recommendations in relation to the Authority's financial affairs;

- To review and assess the risk management, internal control and corporate governance arrangements of the Authority;
 - To make reports and recommendations to the Authority on the adequacy and effectiveness of those arrangements;
 - To oversee the Authority's internal and external audit arrangements;
 - To review the financial statements prepared by the Authority.
- 4.2 The Committee consists of 11 councillors and includes one lay member (co-opted) who is not a councillor. The Lay member is the Chair of the Audit Committee. The Committee's main responsibilities include:
- Approving the internal audit strategy, plan & performance;
 - Review internal audit reports and seek assurances of change where required;
 - Consider the reports of external audit and inspection agencies;
 - Consider the effectiveness of the authority's risk management arrangements;
 - Maintain an overview of the Council's Constitution in respect of contract procedure rules and financial regulations;
 - Make recommendations, as appropriate, to Cabinet and Council on any matters reported through the Audit Committee.
- 4.3 The terms and conditions of the Audit Committee are set out in the Council's Constitution amended and agreed by Council in September 2014 which are in accordance with the Local Government (Wales) Measure (2011).
- 4.4 The Audit Committee is supported by Democratic Services with the Head of Finance, Chief Internal Auditor and External Audit in attendance at all meetings. During 2014/15 the Council's Audit Committee formally met 7 times, with all meetings being quorate.

2014/15

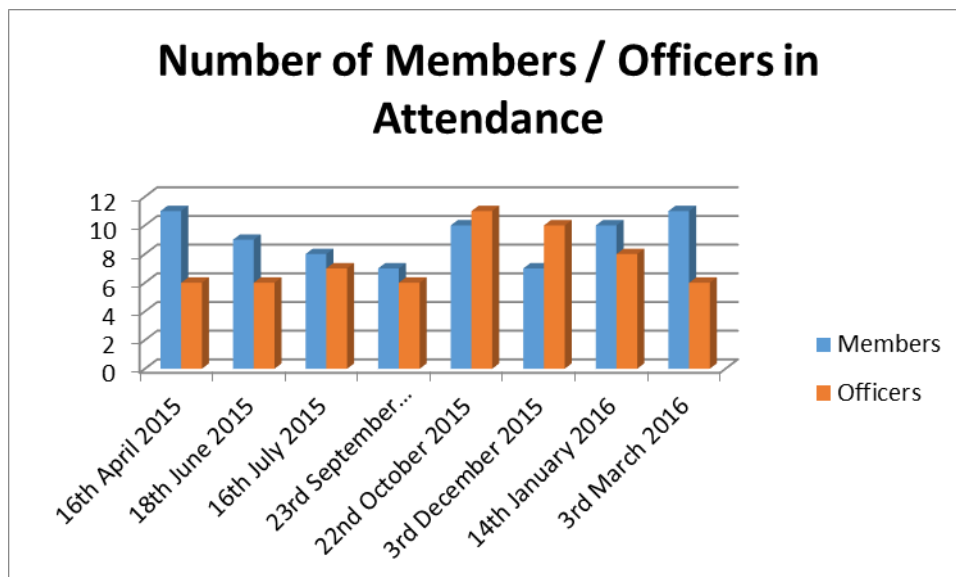
Audit Committee meetings 2014/15
8 th May 2014
4 th July 2014
17 th July 2014
19 th September 2014
4 th December 2014
15 th January 2015
5 th March 2015



- 4.5 Regular reports were received and endorsed by the Audit Committee throughout the year. All Members contributed to the challenge process where officers were held to account for improving identified systems weakness. Members contributed positively to the process and took the responsibility of being on the Audit Committee seriously.
- 4.6 During 2015/16 the Council's Audit Committee formally met 8 times, with all meetings being quorate.

2015/16

Audit Committee meetings 2015/16
16 th April 2015
18 th June 2015
16 th July 2015
23 rd September 2015
22 nd October 2015
3 rd December 2015
14 th January 2016
3 rd March 2016



- 4.7 A standard agenda item for the Audit Committee is an Action List, where named officers are responsible for updating the Committee on previous matters discussed or questions raised. This ensures appropriate responses are received and accepted by the Committee on issues they felt were important enough to challenge and holds officers to account.

To oversee the Authority's internal and external audit arrangements

- 4.8 Reports were received and noted from the external audit, the Wales Audit Office (WAO) including Audit Fees, Financial Audit Outlines, Assessment of MCC Performance, Certificate of Compliance 2014/15 (July 2015), Performance work and fees 2014/15, MCC / WAO Joint progress report 2012/13, ISA 260, Progress against WAO Proposals for Improvement, Review of Whistleblowing, Annual Audit Letter 2013/14 (December 2014), Financial Position Assessment, Managing Early Departures Across Public Bodies in Wales (April 2015), Certification of Grants and Returns 2013/14 (April 2015), Financial Resilience of Councils in Wales (June 2015), Review of the Shared Resource Service (July 2015), Improvement Plan Audit (July 2015), SRS Strategy Report and update on WAO recommendations (October 2015), MCC / WAO Joint Progress 2014/15 (December 2015), Annual Audit letter 2014/15 (December 2015), Wellbeing of Future Generations Act - WAO commentary on our preparedness (December 2015), Wales Audit Office - Certification of Grants and Returns 2014-15 (March 2016),
- 4.9 The Internal Audit outturn reports and the annual plans were presented to and endorsed by the Committee. Members challenged the performance of the Internal Audit Team and robustness of the planned work in order to satisfy themselves that they were being provided with adequate assurances on the adequacy of the Council's internal control environment and that public money was being used effectively, efficiently and economically.

- 4.10 Quarterly progress reports on the performance of the Internal Audit Team and the audit opinions issued were presented to the Committee regularly by the Chief internal Auditor. Members have challenged the data and performance provided to ensure continual improvement.

To review and assess the risk management, internal control and corporate governance arrangements of the Authority

- 4.11 Partnership and Collaboration Audit reports were received from the Policy and Partnership team (May 2014 and July 2014) which clarified the governance arrangements of the Council's partnership arrangements. This tied in with the Committee receiving and endorsing the Code of Corporate Governance as the framework for the Council's governance arrangements. The Committee also continued to have an opportunity to comment on and shape the Annual Governance Statement before it is presented with the Annual Statement of Accounts (draft April 2015).
- 4.12 A report on the Whole Authority Complaints 2013/14 was considered and accepted in January 2015. A report on the Whole Authority Complaints 2014/15 was considered and accepted in October 2015.
- 4.13 Information Governance, Management and Security arrangements were considered by the Committee in March 2015 following a presentation from the Digital and Technology Manager.
- 4.14 An overview of the Council's Performance Management arrangements was presented to the Committee by the Head of Policy and Engagement in March 2015. Members received a presentation from the Policy and Performance Officer to provide an update on the effectiveness of the Authority's performance management arrangements in December 2015.
- 4.15 The Policy and Performance Manager introduced the published Annual Improvement Report 2014/15, incorporating the Corporate Assessment to the Committee in January 2016.
- 4.16 The Chief Internal Auditor presented six monthly progress reports on previously issued unsatisfactory audit opinions. The intention of these reports was to provide assurance to the Committee that previously identified system weaknesses had been appropriately addressed and improvements made by the operational manager. Where unsatisfactory, or very little progress had been made by the operational manager then the Committee, via the Chairman, invited that operational manager and relevant Head of Service to attend Audit Committee where Members held them to account for future improvements.
- 4.17 During 2014/15 and 2015/16 operational managers were invited to attend Audit Committee which gave Members the opportunity to challenge why significant action had not been taken following the initial audit report and secure a commitment for future improvements.

- 4.18 Following concerns raised in the Internal Audit report and an unfavourable audit opinion, the Headteacher and Chair of Governors of Chepstow School were invited to attend Audit Committee. They presented how they were addressing the issues raised and were subject to robust challenge by Members in June 2015.
- 4.19 Members requested an update from the Council's Strategic Procurement Manager following concerns raised in the Internal Audit report in October 2015. The Strategic Procurement Manager attended December 2015 Audit Committee and provided an update on progress against internal audit recommendations. Members raised further questions and held the officer accountable for future improvements.
- 4.20 The Committee welcomed the Passenger Transport Unit Manager in January 2016, who had been invited to present to the Committee, following concerns expressed by Members regarding an unsatisfactory audit opinion, relating to areas within the service. The Committee were reassured that actions were being taken to address the unsatisfactory audit opinions within the Passenger Transport Unit. The Passenger Transport Unit Manager advised the Committee of the steps taken in each area. Members were invited to comment.
- 4.21 The Head of Adult Services attended the Committee in March 2016 following concerns raised in previous Internal Audit reports regarding Monmouthshire Enterprises. Assurance was given that the recommendations had been addressed and that service provision had improved.
- 4.22 The Audit Committee also received a six monthly update from the Chief Internal Auditor on any exemptions from the Council's Contract Procedure Rules. The Contract Procedure Rules exist to ensure that the Authority operates a fair, consistent and effective procurement policy to procure works, goods and services on behalf of the Council and to minimise allegations of fraud and corruption against managers. Although exemptions are permissible, Members were given the opportunity to challenge officers where they felt the reasons given were not justifiable.
- 4.23 In July 2014, the Manager of the Passenger Transport Unit was invited to attend Audit Committee due to the numerous exemptions requested and the then Head of Innovation was requested to provide further information on the governance structure for the engagement of consultants. A response re the Procurement of Consultancy Services was presented to the Committee in December 2014. The Passenger Transport Unit Manager presented a case study to the Committee in June 2015 re the purchase of used vehicles for use within the PTU through a fair and objective process.
- 4.24 In July 2015, the Committee welcomed questions from a member of the public re Chepstow School challenging comments made by the School's management when they attended a previous Audit Committee meeting. Members agreed that the questions would be investigated further and appropriate responses provided through the Audit Committee.

- 4.25 The Chief Officer for Enterprise presented a draft Income Generation Strategy to the Committee in September 2015. Members were recommended to consider any comments or changes on the draft Income Generation Strategy before Cabinet considered the strategy.
- 4.26 The Head of People and Commercial Development presented a report in September 2015 to provide Audit Committee Members with supplementary information on early departures and vacant posts in response to queries previously raised by the Committee.
- 4.27 Members received a report from the Policy and Performance Officer to provide Audit Committee with an update on the Authority's progress against the Wales Audit Office (WAO) proposals for improvement up to the end of October 2015 (December 2015).
- 4.28 In January 2016 the Committee received a report from the Scrutiny Manager to present the Scrutiny Service Plan 2015-2018 (updated for Quarter 2) in order for Members to monitor the performance of the function and assess the fitness of purpose of the Council's Scrutiny arrangements. Members questioned and challenged the Scrutiny Manager around the robustness of the process and welcomed a positive response.

To review the financial statements prepared by the Authority

- 4.29 The Committee is asked to consider the Council's Statement of Accounts prior to and following the external audit of them; the draft accounts are presented in July with the final in September. In addition the Committee receive the annual accounts of Monmouthshire County Council Welsh Church Act Fund, Monmouthshire Farm School Endowment Trust Fund, and Llanelly Hill Social Welfare Centre Accounts.
- 4.30 Proposed changes to Accounts and Audit Regulations 2014 were presented to the Audit Committee by the Head of Finance in October 2015.
- 4.31 The Treasury Outturn Report 2013/14 was presented and noted by the Committee in July 2014 with a mid year Treasury Report for 2014/15 presented in December 2014. The Council's Treasury Management Advisors, ArlingClose Ltd, gave Members a presentation on Treasury management in June 2015 which helped support their understanding of the information they were being presented by Finance Officers.
- 4.32 The Treasury Outturn Report 2014/15 was presented and noted by the Committee in July 2015 with a mid year Treasury Report for 2015/16 presented in October 2015.
- 4.33 In March 2016 the Committee received a report in which Members were provided with details of the proposed annual Treasury Management Policy Statement and the Treasury Management Strategy Statement including the Investment and Borrowing Strategies for

2016/17 to 2019/20 and the Minimum Revenue Provision (MRP) Statement for 2016/17 for deliberation by the Committee in advance of Full Council consideration.

- 4.34 A Proposal to revise the Policy on Minimum Revenue Provision (MRP) for 2016/17 was presented to the Committee by the Assistant Head of Finance in December 2015. Members considered the proposal, challenged the officer and then formally voted on the recommendation within the report.

Self Assessment

- 4.35 The Audit Committee itself agreed to undertake a self assessment exercise led by WAO in March 2015 to gauge its effectiveness in line with good practice. This involved a workshop and a self assessment questionnaire which took place in April 2015; feedback was provided to the Committee in July 2015. The attached Appendix 1 'Audit Committee Self Assessment Workshop on 16 April 2015' summarises the recommendations made and the Committee's considered response.
- 4.36 The Committee will continue to look for ways to improve its effectiveness by examining its own working practices, by seeking appropriate information and training for its members and by influencing the content of the Committee's work programme.

5 RESOURCE IMPLICATIONS

- 5.1 None.

6 CONSULTEES

- 6.1 N/A

7 Results of Consultation:

- 7.1 N/A

8 BACKGROUND PAPERS

- 8.1 Audit Committee Minutes 2014/15 and 2015/16

9 AUTHORS AND CONTACT DETAILS

Philip White, Chairman, on behalf of the Audit Committee

Appendix 1

Audit Committee Self Assessment Workshop on 16 April 2015.

In the course of this review a number of proposals were made by those attending for improvements in the way the committee carries out its functions. The proposals were considered at the meeting of the Audit Committee held on 16 July. The committee's assessment of each proposal is given below.

- 1 Consider a pre-meeting among Members immediately prior to each Audit Committee.

The committee did not feel this was appropriate for a statutory committee as any discussions would not be made available to the public. Members can, however, request occasional meetings to discuss possible new agenda items and new business.

- 2 Obtain greater clarity on roles
- 3 Review the terms of reference in regard to the following:
 - a. What does 'scrutinise' actually mean in practice
 - b. Check requirements against the measure

In discussion, it was felt that an initial step would be to obtain training for Members on the role and function of the Audit Committee. This was organised via the Welsh Audit Office and took place on 10 November 2015.

- 4 Consider extending the Terms of Reference of the Audit Committee to allow the committee to invite feedback from Select Committees and subsequent scrutiny.

The Members of the Audit Committee felt that whilst it was appropriate for the committee to ask for the attendance of chairs or other members of Scrutiny Committees at meetings where concerns had been identified, this should not amount to a regular review of the activities of the other committees.

- 5 The Council should increase communication with the Chair so (as to make him) better aware of Council wide matters.

It was suggested that the Chairman could receive agendas for all Council meetings, and have the opportunity to attend any meetings, but it was noted that much of the relevant material is currently available from the MCC website, including live streaming of meetings.

- 6 The Committee should be held to account and an Annual Report should be produced to facilitate this.

Accepted. A report has been drafted for 2014/15 and 2015/16 combined.

- 7 Members should not be concerned about asking questions that may be considered as 'naive'.

Noted.

- 8 The Committee should consider holding occasional private meetings with the external auditors.

Accepted. The Committee may request briefings if the need arises.

- 9 Consider how the Audit Committee can help shape the programme of work of the external auditor.

Not accepted. The Committee Members considered it was proper for the external auditors to determine their own programme.

- 10 Assess the merits of appointing another lay member to the Committee.

The concern is that as the lay member of the Committee has been elected to be the Chair, his skills as an impartial adviser may not be being used to best effect. Council should consider whether they wish to appoint another lay member. Up to one third of the Committee could, in principle, be lay appointees.

- 11 Split the agendas into what is statutory, essential business and what is for noting etc.

Not considered practical as there is no overall editor who can make these judgements. Not considered in practice a significant issue.

- 12 Formalise the decision making arrangements, e.g., introduce a voting system.

Standing orders for Rules of Procedure already exist. The Chair will make use of them as appropriate.

- 13 Consider whether summary introductory papers should be consistently provided.

Accepted as good practice, but noted that this already happens in general.

14 Consider more detailed training on the Accounts to 'demystify' them.

The Committee members welcome opportunities to obtain further training, such as that proposed above on the role of the Audit Committee and a recent session on Treasury Management.

15 Undertake a skills audit on a regular basis.

Committee members will propose topics for further training, as appropriate.

16 Consider setting up sub-groups of Committee members to look at particular areas.

Committee Members noted that this was already possible but the Chair has been informed that secretarial support would not be available.

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SCHEDULE 12A LOCAL GOVERNMENT ACT 1972 EXEMPTION FROM DISCLOSURE OF DOCUMENTS

Date of Meeting: 16th June 2016

Report: Compulsory Purchase Order – Caerwent House, Caerwent

Author: Phil Thomas – Development Services Manager

I have considered grounds for exemption of information contained in the background paper for the report referred to above and make the following recommendation to the Proper Officer:-

Exemptions applying to the report:

Information relating to a particular individual as described in Paragraphs:

- 3 Information likely to identify an individual
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)
- 5/6 Information which reveals that the authority proposes:
 - a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b) to make an order or direction under any enactment

of Part 4 of Schedule 12A to the Local Government Act 1972.

Factors in favour of disclosure:

Planning is an open process and the protection of listed buildings is in the public interest

Prejudice which would result if the information were disclosed:

Disclosure would reveal the identity of the property and by implication the owner/occupier. The owner could be caused anxiety if the report were public. The report also identifies;

1. The Council's proposed course of action
2. The organisations that would also be involved with the Council
3. The financial implications of the action

My view on the public interest test is as follows:

Although the planning process is normally open the sensitivity of taking enforcement action, the potential for anxiety to persons with an interest, the proposed course of action by the Council with another organisation and the financial implications lead me to consider that it is not in the public interest to disclose the report.

Recommended decision on exemption from disclosure:

That the report is exempt from disclosure

Date: 16/06/2016

Signed:



Post: Development Services Manager

I accept/~~I do not~~ accept the recommendation made above

Signed:



Date: 16/06/2016

By virtue of paragraph(s) 12 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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of the Local Government Act 1972.

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