

# Public Document Pack

## MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held  
on Thursday, 10th May, 2018 at 2.00 pm

**PRESENT:** County Councillor P. Clarke (Chairman)  
County Councillor S. Woodhouse (Vice Chairman)

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

### **OFFICERS IN ATTENDANCE:**

Paul Matthews	Chief Executive
Kellie Beirne	Deputy Chief Executive
Peter Davies	Chief Officer, Resources
Roger Hoggins	Head of Operations
John Pearson	Local Democracy Manager
Nicola Perry	Senior Democracy Officer
Claire Marchant	Chief Officer Social Care, Health & Safeguarding
Mark Hand	Head of Planning, Housing and Place-Shaping
Deb Hill-Howells	Head of Commercial and Integrated Landlord Services

### **APOLOGIES:**

County Councillors V. Smith

#### **2. Receipt of petitions**

No petitions.

#### **3. Declarations of interest**

The following Members declared a non-prejudicial interest in respect of item 13.b Review of Communities and Electoral Arrangements, in relation to their roles as Town Councillors:

County Councillors D. Dovey; J. Pratt; J. Higginson; P. Jones; T. Thomas; M. Groucutt; L. Brown; J. Treharne; R. Harris; P. Clarke; D. Evans; P. Fox; D. Jones; M. Feakins; J. Becker; L. Guppy; R. Roden; P. Pavia; A. Easson; P. Murphy; B. Strong.

County Councillor P. Fox declared a prejudicial interest and left the meeting during discussion of item 15.a Strategic Asset Management Plan.

#### **4. Public open forum**

No matters for the public open forum.

#### **5. To confirm the minutes of the meeting of County Council held on 19th April 2018**

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The minutes of the meeting of County Council held on 19<sup>th</sup> April 2018 were confirmed and signed by the Chairman.

#### **6. To receive the County Council Action list**

Council noted the Action List.

Councillor Howarth questioned if there was a response to a petition he had previously presented regarding Monmouthshire Housing issues in Clyddach, and Welsh Government and the Heads of the Valleys road. The Deputy Chief Executive advised that she had not received a response to a formal letter written to MHA and would re-establish contact, and report back to Council with a response.

#### **7. To elect the Leader of the Council and to receive notification of Leader delegations (appointments to 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. Murphy.

There were no further nominations, and following a vote the proposal was carried.

Councillor Fox expressed thanks to Council for his re-election stating that it was a great privilege to be elected as Leader of MCC once again. He paid thanks to the Deputy Leader and Cabinet Members.

He expressed thanks to the Chief Executive and Senior Officers.

The Leader announced the Cabinet portfolios remain unchanged, as follow:

County Councillor P.A. Fox (Leader)	Whole Authority, Strategy and Direction
County Councillor R.J.W. Greenland (Deputy Leader)	Enterprise
County Councillor P. Murphy	Resources
County Councillor S.B. Jones	County Operations
County Councillor S.L. Jones	Social Justice, Community Development
County Councillor P. Jones	Social Care, Safeguarding, Health
County Councillor R. John	Children and Young People
County Councillor P. Jordan	Governance.

#### **8. Representations of Political Groups**

Council were presented with a report to review the representation of different political groups on the bodies to which the Council makes appointments.

**Upon being put to the vote Council resolved to agree the recommendation:**

**To accept the report (and appendices) as a review under Section 15 of the Local Government and Housing Act 1989 and to appoint the ordinary committees with the numbers and adjustments as indicated below:**

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Committee	Cons	Lab	Lib Dem	Ind
Select (x 5) (9)	26	10	3	6
Licensing & Regulatory (12)	7	3	1	1
Planning (16)	9	4	1	2
Democratic Services (12)	7	3	1	1
Audit (11 excluding 1 lay)	7	2	1	1
Aggregate Entitlement (85)	56	22	7	11

#### **9. Appointments to Committees**

Council received a report to appoint committees together with their membership and terms of reference in accordance with the Council's Constitution.

We noted that Coordinating Board is no longer in existence.

It was agreed that a recommendation be added to the report, that in accordance with the Democratic Services Committee Terms of Reference, a Chair be elected at this meeting.

Councillors D. Evans, F. Taylor and J. Watkins were nominated and addressed Council.

Following a secret ballot County Councillor D. Evans was appointed as Chair of Democratic Services Committee

The Leader wished to add a further recommendation in reference to Appendix D – SACRE Committee, in order to strengthen political and officer governance. He proposed that the authority appoint the chair person to the SACRE Committee, and asked that this be the Cabinet Member for Children and Young People.

There was objection to the proposal, particularly considering SACRE had always elected a chair person in the usual, agreed method of a democratic vote.

Members expressed disappointment that there was a need to impose a chair to a committee, as well as lack of officer response to the issues raised.

Councillor Fox clarified that there was no intention to alter representation on the committee, and wished to return the committee to a harmonious body.

The Chief Executive clarified that Council does have the ability to nominate a Chairperson for SACRE, and are being asked to vote on that.

It was suggested that SACRE meetings be held at County Hall and recorded.

Upon being put to the vote the motion was carried.

**Council resolved to agree the recommendations in the report:**

**That the committees be appointed together with their membership as set out in the report.**

**That County Councillor D. Evans be appointed as Chair of Democratic Services Committee.**

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#### **10. Appointments to Outside Bodies**

Council received a report to appoint representatives to serve on outside bodies.

We agreed that the report be taken as is, with exceptions being announced.

Changes to Outside Bodies:

Gwent Joint Records Committee:

Cllr Sheila Woodhouse to replace Cllr D. Edwards

Reserve Forces and Cadets Association for Wales:

Cllr L. Jones to replace Cllr S. Jones

S.E. Wales Strategic Planning Group:

Cllr Greenland to replace Cllr Murphy

Monmouthshire Sportlot Community Chest Committee:

Cllr Pavia to replace Cllr Howarth.

Aneurin Bevan Community Health Council:

Cllr D. Evans to replace Cllr V. Smith

Gwent Association of Voluntary Organisations:

Cllr Easson to replace Cllr J. Watkins

Llandogo Village Hall Committee – no longer in existence.

**Upon being put to the vote Council resolved to agree the recommendation:**

**That the Council make appointments to the outside bodies set out in the attached schedule, with the exception of joint committees listed in Category B, which are Cabinet appointments.**

#### **11. Members' salaries and payments**

Council received a report to set out the determinations of the Independent Remuneration Panel for the civic year 2018/2019 and to give Council the opportunity to determine which roles should receive a senior salary.

Upon being put to the vote Council resolved to agree the recommendations:

That members note the determinations of the Panel that:

**i. An annual basic salary of £13,600 is paid to all members with effect from 1st May 2018.**

**ii. The County Council may pay senior salaries to up to 17 members. In addition, the Chair and Vice Chair may also receive a civic salary each making a total of 19 senior salaries.**

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iii. A further change to the report for 2018-19 is that the option for paying varying levels to Cabinet members and committee chairs has been removed with a single salary level now payable to post holders.

- a. Cabinet members will receive a salary of £26,300
- b. Committee Chairs will receive a salary of £22,300

iv. Care allowance for care of dependent children and adults shall be payable for actual and receipted costs up to a maximum of £403 per month.

v. Daily fees of £256 (pro rata for ½ days) be paid to co-opted Chairs of Standards and Audit Committees

vi. Daily fees of £198 (pro rata for ½ days) be paid to ordinary co-opted members of Standards, Education Scrutiny, Crime and Disorder Scrutiny and Audit committees

vii. Travel and subsistence allowances are set out in report at Appendix

**2.2 That members determine:**

i. Which roles should attract a senior or civic salary, up to a maximum of 19 including the civic and deputy civic head.

ii. The level of senior or civic salary to be paid where appropriate.

### **12. Report of the Chief Executive:**

#### **12.1. City Deal Update**

Council received a report to provide Council with an update on the City Deal programme.

Following a robust recruitment and selection process Kellie Beirne was the successful candidate. As the Accountable Body, Cardiff CC facilitated a rigorous recruitment and selection process with cross party representation from across the 10 local authorities.

Kellie Beirne's substantive post is Deputy CEO. She will commence her new role as the City Deal Programme Director, on a secondment basis from MCC, over the next few months.

The post of City Deal Programme Director is included in Monmouthshire's Pay Policy published for 2018.

**Council resolved to accept the recommendation:**

**To seek approval for Monmouthshire County Council to ratify the secondment of Kellie Beirne (current post Deputy CEO) to the temporary post of City Deal Programme Director post for a three-year period.**

### **13. Reports of the Deputy Chief Executive:**

#### **13.1. Local Development Plan Delivery Agreement**

Council received a report to seek Council's approval to submit the Monmouthshire Local Development Plan (LDP) 2018-2033 Delivery Agreement (DA) to the Welsh Government for

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agreement. Approval of the DA by the Welsh Government triggers the commencement of Monmouthshire's new LDP.

Concerns around timescales were raised particularly with the reduction of bridge tolls, and effect on house prices. Officers responded that processes presented a challenge in terms of timescales, recognising the difficult balance between a quick plan and a sound outcome based plan that meets with our communities want. Quick consultations would shorten the process but would that be a good plan at the end.

**Upon being put to the vote Council resolved to agree the recommendations:**

**That Council endorses the Delivery Agreement for submission to the Welsh Government.**

#### **13.2. Review of Communities and Electoral Arrangements**

Council received a report to seek approval to publish and forward to the Local Democracy and Boundary Commission for Wales for final consultation and approval, the draft proposals for the community and electoral arrangements in Monmouthshire.

**Council resolved to agree the recommendation:**

**That Council receive the final proposals formulated by the working group for the Review of Communities and Electoral Arrangements.**

**That Council approve publication of the final proposals for final consultation to be undertaken by the Local Democracy and Boundary Commission for Wales as an independent body.**

#### **14. Report of the Chief Officer for Social Care, Safeguarding and Health:**

##### **14.1. Corporate Safeguarding Policy**

Council received a report to inform Members of some proposed changes to the Corporate Safeguarding Policy adopted in July 2017:

- Firstly to simplify and reflect training requirements as outlined in the Safeguarding Learning and Development Strategy
- Secondly to provide clarity within the role description for the Directorate Safeguarding Lead and confirm that representation on the Whole Authority Safeguarding Group is Head of Service or Chief Officer.

DBS checks for Councillors aren't required legally, as set out in the MCC DBS Policy. Those who sit as School Governors would need a DBS check. The DBS check is one element of safeguarding.

The Chief Officer was confident that data held is safeguarded and we are compliant with legislation.

**Upon being put to the vote Council resolved to agree the recommendation:**

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It is recommended that Members agree and adopt the amended Corporate Safeguarding Policy

### 15. Report of the Chief Officer for Resources:

#### 15.1. Strategic Asset Management Plan

The Cabinet Member for Resources presented the report to seek approval of the updated Asset Management Strategy, County Farms Strategy and the Asset Investment Policy. He informed Council of amendments to the report as follows:

#### **Proposed Amendments to Agenda Item 15a Asset Management Strategy and Supporting Policies**

We are proposing the following amendments to the above report as follows:

Recommendations:

- 1.1 To approve the Asset Management Strategy, County Farms Strategy and supporting policies.
- 1.2 To agree to the adoption of the Asset Investment Policy and the approval of up to £50,000,000 of prudential borrowing to fund acquisitions over a three year period.
- 1.3 To agree to the amendment of the Constitution to include an Investment Committee that will have delegated authority to make decisions on the acquisition of Investment Assets as prescribed in the Asset Investment Policy.
- 1.4 To agree to the formation of an Investment Committee as outlined in 3.10 of the amended report.
- 1.5 The delegation of authority to an Investment Committee to approval Business Cases, approve spend for at risk due diligence surveys and reports and agree to the acquisition of land and property assets in line with agreed evaluation criteria and subject to annual performance reviews.
- 1.6 To approve earmarked reserve cover to the sum of £100,000 from the Capital Receipts Generation reserve to fund initial pre-acquisition due diligence costs.

#### **Paragraph 3.10 of the report is amended as follows:**

Decision making will be delegated to an Investment Committee which will be made up of the Leader, Deputy Leader, Cabinet Member for Resources and the leaders of the two largest opposition parties (3:1:1). The committee will be supported by the Resources Chief Officer and colleagues from Estates, Finance and Legal Services. Annual reports on performance will be submitted to Audit committee. It is expected that expert advice will be procured with initial acquisitions to supplement expertise and capacity.

#### **Paragraph 6.4 of The Asset Investment Policy (pg 780 of your bundle) has been amended as follows:**

- 6.4 The Business Case will be presented to the Investment Committee which will be made up of the Council Leader, Deputy Leader, Cabinet Member for Resources and the Leaders of the two largest opposition parties (political balance 3:1:1). The Committee will be advised by the Resources Chief Officer and Officers from Finance, Estates and Legal Services.

During discussion the following points were4 noted:

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In response to a concern the Cabinet Member reassured Members we were not borrowing beyond means.

Officers confirmed that in terms of the evaluation criteria, explanation of performance indicators to which we are accountable can be found on page 773 of the agenda pack.

As well as holding ourselves to account, the specific acquisitions we intend to enter into, performance updates will be brought through Audit Committee.

It was questioned how the Leader would be able to be involved with the Investment Committee given his interest under County Farms. It was confirmed that the Leader would continue to declare his interest in that area, and it was considered important that the Leader be a member of the panel.

Councillor Taylor referred to para 3.10 which discusses the delegated decision making and states that the committee will be made up of the leaders of the two opposition parties, and proposed an amendment that the Leaders of all 3 opposition groups be included.

The amendment was seconded, and upon being to the vote the amendment was defeated.

**Discussion returned to the substantive recommendation, upon being put to the vote Council resolved to agree the recommendation:**

**To approve the Asset Management Strategy, County Farms Strategy and supporting policies.**

**To agree to the adoption of the Asset Investment Policy and the approval of up to £50,000,000 of prudential borrowing to fund acquisitions over a three year period.**

**To agree to the amendment of the Constitution to include an Investment Committee that will have delegated authority to make decisions on the acquisition of Investment Assets as prescribed in the Asset Investment Policy.**

**To agree to the formation of an Investment Committee as outlined in 3.10 of the amended report.**

**The delegation of authority to an Investment Committee to approval Business Cases, approve spend for at risk due diligence surveys and reports and agree to the acquisition of land and property assets in line with agreed evaluation criteria and subject to annual performance reviews.**

**To approve earmarked reserve cover to the sum of £100,000 from the Capital Receipts Generation reserve to fund initial pre-acquisition due diligence costs.**



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#### 16. Members Questions:

##### 16.1. From County Councillor J. Pratt to County Councillor S.B. Jones

*The road closures on the A465 which have been many of late are causing unreasonable and unacceptable suffering for the residents of my ward.*

*Can the Cabinet Member please tell us why we have not seen any police monitoring the situation or trying to reduce the speed and aggressive behaviour of motorists especially on road closure nights and weekends? Please can he call upon the Police to have a greater presence at these times when these small lanes, especially in Maesygartha as a lot of the traffic that normally goes along the Heads of the Valley is travelling along what is essentially an old tram road? The residents are very angry that the road is never policed and has become a 'lawless zone.*

County Councillor B. Jones responded:

'I have discussed with our officers the problems being encountered by local residents and what arrangements are presently in place to try to improve matters for them. I have also attended meetings and more recently the mid construction consultation event run by Costain so I have some knowledge of the problems.

I also have a great deal of sympathy for the residents; the project is causing huge disruption and inconvenience for residents and local businesses, and there is still a great deal of work to be done before the project is completed. The challenge is what can further be done to improve things.

I am told that local community police officers are attending site and liaising with residents. However I will write to the superintendent to ask that the routes receive increased presence especially during closures on the A465.

I also know that other road diversions and closures have been considered in the past but none received support. I will be suggesting that our officers ask the Engagement Group to revisit.

##### 16.2. From County Councillor J. Pratt to County Councillor S.B. Jones

*The residents concerned are not being effectively dealt with by the Welsh Government and residents are putting up with unacceptable noise e.g. the farm at Cwm Nant Gam had to put up with the machines fired up at 9am on Sunday morning 2 weeks ago and when the Welsh Government have met with the residents of the farm they are not prepared to compensate them for their losses. They are telling residents they are over budget on the scheme and there is no money. The current Liaison Meetings are not working and there needs to be better engagement at a higher level. Will the Cabinet member agree to setting up an Engagement Group that residents can attend. Minutes from the 'Gateway Review' should be made available to residents by MCC and we need to see better mechanisms in place to improve communication and transparency. Residents have told me that the Liaison Manager for Costain is just there in their opinion to take the flak and is protecting the corporate interest. A more effective Engagement Group with local residents that operates at a more senior level is needed. Will the Cabinet Member consider and implement this as the current set up is not working and the residents are being ignored. The whole situation is broken.*

Councillor B. Jones responded:

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'Regards the disruption I am told the weekend working and closures are necessary to reduce disruption for the travelling public but obviously it adds to the misery for residents in the area, although I am not sure that 9:00am is excessively early. Obviously compensation is a matter for Welsh Government but I would be surprised if the decision not to award compensation is linked solely to the cost of the scheme.

I know that a public meeting has been held in the past, and some members and officers attended, and there has been the more recent consultation through the Costains public event.

If a public meeting or members of the public attending the Engagement Group is helpful then I am happy to arrange this but I suspect members of the public will want to know what can be done rather than simply attend a meeting. So prior to this I will attend the next Engagement Group along with WG and our senior officers, and invite the AM, where we can agree what action is feasible to try and alleviate the situation for residents. Also to provide a platform for residents grievances.

As a supplementary Councillor Pratt added that this project is about public funds and questioned why resident's concerns are not being taken into account and suggested there should be a transparent forum at a senior level not run by the contractor. It was thought that notes received following residents meetings with Costain and Welsh Government did not accurately reflect the discussions taken place.

**The meeting ended at 16:20**