

Public Document Pack

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of County Council held
at Council Chamber - Council Chamber on Thursday, 5th March, 2020 at 2.00 pm**

PRESENT: County Councillor S. Woodhouse (Chairman)
County Councillor S.B. Jones (Vice Chairman)

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

OFFICERS IN ATTENDANCE:

Matthew Phillips	Head of Law/ Monitoring Officer
Paul Matthews	Chief Executive
Peter Davies	Chief Officer, Resources
Will McLean	Chief Officer for Children and Young People
Frances O'Brien	Chief Officer, Enterprise
Julie Boothroyd	Chief Officer Social Care, Safeguarding and Health
Matthew Gatehouse	Head of Policy and Governance
Sally Thomas	HR Manager
Jane Rodgers	Head of Children's Services
Mark Hand	Head of Place-making, Housing, Highways and Flood
Wendy Barnard	Democratic Services Officer

APOLOGIES:

County Councillors D. Evans, A. Watts and K. Williams

The Chairman requested that Council observe a minute silence in remembrance of members of staff, Gwen Phillips (Children and Young People Directorate) and Christine Jones (Passenger Transport Unit).

The Chairman thanked Canon Mark Soady for his service as Chairman's Chaplain, and presented him with a gift.

1. Declarations of interest

The Leader, County Councillor P. Fox, declared a personal, prejudicial interest in item 12 – Monmouthshire Replacement Local Development Plan Preferred Strategy and Revised Delivery Agreement as his farm is situated within one of the sites under consideration. He withdrew from the meeting during consideration of this item.

2. Public Questions

No members of the public raised questions.

3. Chairman's announcement and receipt of petitions

Council received the Chairman's announcement.

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The Chairman referred to the impact of the recent serious flooding in the County and paid tribute to the Chief Executive and many officers, especially those on the front line, the emergency services and to the people of Monmouthshire who helped however they could.

The Chair of the Recovery Co-Ordination Group, Matthew Phillips, provided an update that contact has been made by 370 residences, businesses and community assets (includes 159 residences, 42 businesses and 9 locations where a statutory report must be submitted); numbers are likely to increase.

It was announced that the work on the Llanwenarth Bund has been completed. The A466 Tintern is also a key priority plus other bunds, roads and bridges. The cost of damage is likely to be significant.

Members were impressed with the swift response to the crisis of the Council and thanked all staff and the emergency services involved accordingly.

County Councillor B. Strong presented a petition on behalf of more than 800 residents of Usk who object to the proposed re-routing of the A472 through the residential streets of Usk.

County Councillor J. Higginson, on behalf of County Councillor D. Evans, presented a petition from 324 residents of Caldicot who object to the proposed removal of both squash courts from Caldicot Leisure Centre.

4. Members Questions:

5. From County Councillor S. Howarth to County Councillor P. Fox, Leader of the Council

Would the leader of the council please say whether he feels happy with the outcomes of the concerns from Monmouthshire residents with reference to the Heads of the Valley A465 Road scheme operated by the Welsh Government and contracted to build and design by Costain Group plc?

The Leader responded by explaining that this Welsh Government project is being undertaken by Costain. Costain employs a Public Liaison Officer for this scheme who works closely with the local community as well as MCC. In addition, Costain holds monthly meetings for Traffic Management with MCC and other organisations such as the emergency services, quarterly meetings with Members and the Local Community Council, as well as holding ad hoc public exhibitions and meetings on progress of the works etc. Costain employs local people and runs an apprentice scheme, as well as engaging with local schools and other community groups, offering visits and talks about the scheme and in particular on local heritage interest.

Due to the unforeseen ground conditions and engineering difficulties, the number of planned road closures has been much higher than originally foreseen and this has been a challenge in terms of managing disruption on the local roads and a major concern from residents. However the Welsh Government is working closely with MCC officers, and listening to local members and residents in order that they can minimise disruption; there will be far fewer closures this year, with a maximum of eight expected.

To help ensure that the works are carried out with as little disruption to the local community as possible, our engineers are in discussions with WG on the handing back of the side roads, which includes maintenance arrangements for embankments and drainage systems.

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For the duration of the scheme, there has been ongoing positive proactive engagement between Environmental Health officers and Costain representatives. The complexity of many aspects of the scheme have merited regular monthly meetings, with further detail generally discussed on a weekly basis. This has been to try to ensure that all appropriate noise and dust mitigation measures have been considered and implemented, and that residents in the proximity of works undertaken outside normal working hours are properly notified. The contractor has been requested and undertaken noise and dust monitoring.

It is regrettable that Costain and Welsh Government are currently in dispute since last year, which has undoubtedly prolonged the finish of the scheme, now estimated to be 2021, but as we know this seems to be a moving feast often changing.

The previous Project Manager, left last Summer and has been replaced. The position will be supported by an Arcadis employee to manage the Legacy of the Project. Having said all of that, it is fair to say that the continued suffering of the local residents is becoming intolerable; especially in Maesygartha and surrounding lanes on both sides of the valley, which are seeing traffic volumes not intended for their use, where residents parking is often on the street, making passing difficult especially at the weekends when the road is closed.

MCC Officers are currently looking at ways in which we could possibly improve the situation in Clydach and Maesygartha, including discussions with the Police to support any restrictive orders that are being considered to improve the situation. You will recall that in January last year at our meeting with the Minister, Ken Skates, it was agreed that there would be greater police support plus Costain Staff positioned at the Brynmawr end to deter non-residents from entering the narrow lanes and getting stuck in a jam; encouraging them to use the official diversion route instead. This action was welcomed by the residents but I know you and a community council member had concerns about the legality of these measures and as a result this no longer takes place however Operatives are still present to deter HGV's.

The residents of the bungalows at Dan Y Coed in Clydach have suffered a great deal following changes to the design of the footbridge. As you are aware MHA, MCC and locally elected members are still in discussions to secure a solution that provides greater privacy and security at the back of the affected properties.

The final part of the road construction is now taking place which will shortly include a switchover to the higher road. Two plans are currently being considered and we are waiting for the Welsh Government decision regarding this. Locally elected members have been consulted and are confident that the scheme will keep the traffic moving whilst the road over the gorge is constructed.

Residents, businesses and locally elected members want the road finished as soon as possible and, following recent discussions with Costain and Welsh Government, have impressed upon them to keep traffic moving so that it will not be advantageous to use the side lanes; and to minimise the weekend closures which cause the most disruption.

The roundabouts at Saleyard and at the old Costain Offices are due to be removed shortly and this will help to speed up the flow of traffic. MCC will continue to work closely with Costain and Welsh Government and their representatives to minimise further disruption whilst we look forward to the completion of the road.

It would not be correct to say that we are happy, especially as the scheme is currently two years behind and £100 million over budget, however we have had to deal with circumstances beyond our control such as the dispute between Welsh Government and Costain, and the challenges

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faced by the Contractor in this challenging topography, which probably could have been better managed by the Welsh Government who are ultimately responsible for the Project.

MCC looks forward to the benefits of the completed scheme; currently expected to be in the Spring of 2021. Although there are times when local members and community remain frustrated by these works, it would be fair to say that WG and Costain are listening to the concerns of the local residents and are working closely with MCC to address problems that arise.”

As a supplementary Councillor Howarth reminded Council of a petition received from residents of Danycoed and assurances of a full investigation, questioned progress and requested that Council urge the Minister to resolve the situation.

The Leader appreciated the concerns raised and will meet with the Chief Executive to review progress.

5.1. From County Councillor D. Batrouni to County Councillor P. Jones

Can the Cabinet Member give Council an update on any plans being made around the potential spread of the Coronavirus in Monmouthshire?

The Cabinet Member for Social Care, Safeguarding and Health stated that an internal COVID – 19 (Coronavirus) Emergency Response Group has been established, chaired by The Chief Officer, Social Care, Safeguarding and Health. The Group is meeting weekly to keep the situation under review. Appropriate and proportionate action is being taken as necessary with reference to the Public Health Wales website which is updated daily. Any required response is prioritised around vulnerable groups.

Planning is underway regarding the potential impact on business continuity. Mitigation plans are being developed to keep services running. Various options, including redeployment of staff, will be explored if and when required. Weekly cross directorate meetings and briefings for staff and members have commenced.

People Services are dealing with queries on a case by case basis and Pandemic Flu Plans are in place; these can be adapted to respond to an outbreak if, and when, required.

Councillor Batrouni asked a supplementary on plans and actions for more publicity to reassure residents, and also enquired if there are any concerns concerning interruption to supply. It was agreed that there was a need to keep residents informed and the Cabinet Member would talk to officers about doing more advertising especially to take on board government advice to wash hands frequently. No issues with supplies have been identified to date.

6. COUNCIL TAX RESOLUTION and REVENUE AND CAPITAL BUDGETS FOR 2020/21

Council was presented with the report as it is bound by Statute to specific timescales for Council Tax setting and is also required to make certain defined resolutions. The recommendations that form the major part of this report are designed to comply with those Statutory Provisions.

The recommended resolutions also draw together the Council Tax implications of precepts proposed by the Office of Police and Crime Commissioner for Gwent and Town and Community Councils, thereby enabling the County Council to establish its headline Council Tax levels at the various property bands within each Town or Community area.

The Leader of the Liberal Democrats expressed relief that the proposals to reduce school budgets and impose VAT on Sports Clubs were discarded. Concern was noted about increasing pressures on Children’s Services in view of the upward national trend in children being taken

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into care. Councillor Watkins called on the Conservative and Labour Groups to communicate with their parties to call for improved funding to address the root causes.

The Leader of the Opposition commented that the budget could have been better planned and, referring to the lowest settlement in Wales, queried what rigorous challenge had been made. There was an unexpected £4.8m received from Welsh Government which allowed the proposal to cut school budgets to be abandoned, and suggested that schools were panicked unnecessarily. Additionally, fines of up to £180,000 for not achieving recycling targets are predicted.

Councillor D. Batrouni proposed, as an amendment to the recommendation, to include a Council Tax increase of 150% on second homes vacant for 6 months. The amendment was seconded by Councillor T.Thomas.

A Member sought clarification on the number of such homes. The Cabinet Member for Innovation, Enterprise and Leisure stated that other councils consider that second homes qualify for business rates, and claim small business rate relief from them. Councils that put the proposal into operation previously lost money. Councillor Batrouni referred to a report that stated the opposite; that all councils made money.

Upon being put to the vote, the amendment to the recommendations was defeated.

Concerns were expressed about the late withdrawal of a 2% cut to school budgets, cuts to the Youth Service and also about a proposal that schools can take out loans to cover deficit budgets.

It was welcomed that no services will be discontinued. Council was reminded that an offer was declined of help from the Labour Group to speak to Welsh Government about the low settlement in Monmouthshire

The Cabinet Member for Infrastructure and Neighbourhood Services responded to criticisms levied at Waste Services that services have been improved, and there should be no fines thanks to a successful advertising campaign. During the flood crisis, waste has been accepted from other counties. The Cabinet Member urged Councillor Batrouni to contact her direct with concerns about waste services.

The Leader of the Independents observed that we are agreeing a deficit budget and referred to the additional costs arising from the recent floods and promises to provide funding for damaged infrastructure. Pressures in Social Care and Children's Services were also commented upon. Support was given to an unified approach to Welsh Government about the low settlement.

The Cabinet Member for Children and Young People explained that this budget protects schools by fully funding pay and pension increases (£2.9m). The proposal to cut £800,000 from school budgets was not a preferred option. Schools with deficits are being worked with. Schools that plan investment are able to utilise loans. £1.5m has been added for additional learning needs. The school estate is being renewed in both secondary and primary phases. Budget is committed to local services that improve physical activity and wellbeing. The Cabinet Member agreed that it is disappointing that Welsh Government has failed to introduce a funding floor but thanked the Leader for making robust representations.

It was suggested that Welsh Government consider more appropriate recycling targets.

The Leader referred to his attendance at a forum of local councillors held to make the case again for better funding for Monmouthshire to Rebecca Evans, Minister for Finance, and Julie

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James, Minister for Local Government but there are no current plans for the distribution formula to be reviewed. The rise in Council Tax of 4.95% is regrettable.

The Chair of the Economy and Development Select Committee agreed public tolerance of Council Tax increases is at a limit and that the funding formula needs to be reviewed. All Members are invited to a Economy and Development Select Committee Workshop on 31st March 2020 at 2.00pm with the Welsh Local Government Association to examine the funding formula in detail. He supported the provision of more information to residents to explain how money for services is spent throughout the year.

Upon being put to the vote, Council resolved to accept the recommendations as per section 2 of the report.

7. TREASURY POLICY AND STRATEGY 2020-21

Council received the Treasury Policy and Strategy Report in order to agree the 2020-21 Treasury Policy and Strategic Framework for officers to follow. This is to ensure that an appropriate level of care is taken of the Authority's funds and that a prudent budget is set to cover these activities.

The Leader of the Opposition observed that the report does not take into account the financial markets in the Coronavirus crisis as the stock market is in chaos, and questioned how the strategy will cover such major issues.

The Cabinet Member for Resources responded that there is a flexible management strategy that is carefully scrutinised by Arlingclose (the County's Treasury advisers). The Chief Officer for Resources added that some of the response to market volatility has led e.g. the US to reduce interest rates. The Council, as a borrower, keeps investments minimal.

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

That Council approves the following reports endorsed by Audit Committee on the 13th February 2020:

- a) **the proposed Treasury Management and Minimum Revenue Provision Policy Statement for 2020/21 (Appendix 1); and**
 - b) **the proposed Treasury Management Strategy 2020/21 (Appendix 2) including the Investment & Borrowing Strategies, be approved together with the Treasury Limits as required by section 3 of the Local Government Act 2003.**
- 2.1 To approve the Prudential Indicators supplied in Appendix 3 and that will be used in the performance monitoring of the treasury function during 2020/21.**
 - 2.2 That Council agrees that Audit Committee should continue to review the Council's treasury activities on behalf of the Council by receiving & scrutinising the mid-year report and year-end report and also scrutinising the Treasury Policy & Strategy before passing to Council for approval.**

8. CORPORATE PLAN 2017-22: MID-TERM REFRESH

The Council received a report containing a mid-term refresh of the Corporate Plan. This articulates the authority's purpose and values, alongside an update of the ambitious programme

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that will continued to be delivered during the course of the current Council, which runs until the local elections in May 2022.

The Leader of the Opposition commented that it was not easy to see how the authority is performing from the plan providing the example that it is difficult to identify comparison and trends from the report.

The Leader explained that the Plan demonstrated the drive for continuous improvement. The Head of Policy and Governance clarified that the Plan is forward setting and not a monitoring report; detailed performance is considered by Select Committees in June /July each year. The brightly coloured boxes throughout give an indication of highlights and the appendix provides more detail.

Upon being put to the vote, Council resolved to agree the recommendations as follows:

- a) **To approve the Corporate Plan.**
- b) **To approve the adoption of the objectives contained in the plan as the Council's Well-being Objectives and Improvement Objectives in accordance with the requirements of the Well-being of Future Generations Act and the Local Government (Wales) Measure 2009.**

9. STRATEGIC EQUALITY PLAN 2020-24

Council received the report to seek approval of the Strategic Equality Plan and Strategic Equality Objectives in accordance with the requirements of The Equality Act 2010 and to show actions that will be taken to address issues of inequality identified in the county.

The Leader of the Opposition voiced his concerns about housing and homelessness and questioned why the focus was on young people, and not in general. The Councillor also questioned how we define poverty in order to accurately measure the impact of actions. There was no reference to British And Minority Ethnic (BAME) children nor evidence of liaison with the BAME Community in the Plan, and the promised better reporting system to record race related incidents in schools has not occurred. He questioned if Wales Audit Office best practice guidance to devise recommendations through consideration of weaknesses in the plan, and previous plans, is taken into account.

The Chair of the Strong Communities Select Committee responded by commending the work with the Armed Forces, Monmouthshire Youth Service Diversity Festival, My Mates, Disability Sports Wales etc.

Members asked for more clarity between proposals, actions and outcomes plus details of how outcomes would be monitored.

The Cabinet Member for Social Justice responded that uniquely, the Council includes poverty as an indicator in impact assessments. Work at a forthcoming event will look at the detail of a definition to measure and define poverty. Regarding race crime and incidents, the Cabinet Member and officers are working hard to stamp out racism in our communities and schools. It was agreed that it would be useful to reflect on previous plans and reports, and confirmed that annual monitoring reports are compiled. Actions and outcomes in the Plan will be strengthened. Regarding housing and homelessness, the focus on young people comes from a Gwentwide strategy. It was shared that there is cross party work in progress in one ward on children's issues and the Cabinet Member reached out to all Members with an offer of collaboration.

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Upon being put to the vote, the Council resolved to approve the Strategic Equality Plan 2020-2024.

Councillor V. Smith left at 16.38

10. SAFEGUARDING EVALUATION REPORT APRIL 2018 - MARCH 2019

The Council received the report:

- To evaluate the progress of Monmouthshire County Council's key safeguarding priorities during 2018/19, highlighting progress, identifying risks and setting out clear improvement actions and priorities for further development.
- To inform Members about the effectiveness of safeguarding in Monmouthshire and the work that is in progress to support the Council's aims in protecting children and adults at risk from harm and abuse.
- To inform Members about the progress made towards meeting the standards in the Council's Corporate Safeguarding Policy approved by Council in July 2017, amended January 2019 (see appendix 4).

The Leader of the Opposition asked 1) if any adverse scenarios were predicted for the coming year and 2) when the inspection report will be available.

The Cabinet Member for Social Care, Safeguarding and Health, in response to members' concerns about scores of 3 for safe working and safe services, responded that the self-evaluation group is sparing with scores. Additionally, a process change is in progress to collect all information in one new database. Regarding safe services, contractors are required to have the same high safeguarding standards as the authority.

The Chief Officer, Social Care, Safeguarding and Health confirmed that it is not possible to assume nothing else will happen but referred to the rigour arising from the learning from inspections. There is a whole authority workshop approach where each directorate has to complete a thorough safe audit. This process has identified areas to address. The Estyn inspection report is expected on 21st April 2020. The Care and Social Services Inspectorate (Wales) reports are not published but will be sent to Members and Cabinet. The Wales Audit Office report is already published and forms part of action plan.

Upon being put to the vote, Council unanimously resolved to receive the Annual Safeguarding Evaluation Report and Action Plan.

11. URGENT ITEM OF BUSINESS

The Chairman agreed to consider the following item of business regarding the flood emergency response.

12. BUDGET DECISION - FLOOD RECOVERY RESPONSE

Council received this report at short notice in accordance with Constitutional rules following an urgent decision, taken in consultation with the Leader and relevant Select Committee Chairs, to allocate funding outside of the budget framework to deal with ongoing recovery work following the recent flooding.

The Chief Officer, Resources, explained that this is abnormal and unbudgeted expenditure for urgent initial works and predicated on receiving full funding from Welsh Government. There will

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be much more extensive costs going forward and the Council is in discussions with Welsh Government accordingly.

Members highlighted that funding is available to request from Central Government as well as Welsh Government.

Upon being put to the vote, Council unanimously resolved:

1. **To note this report and the decision made; and**
 2. **Requested that a further report be brought back to Council in due course once the wider implications of the recent flooding is known and understood to the County, Council and its residents and businesses. Together with recovery action taken and planned and the resultant financial consequences for the Council.**
13. **MONMOUTHSHIRE REPLACEMENT LOCAL DEVELOPMENT PLAN PREFERRED STRATEGY AND REVISED DELIVERY AGREEMENT**

The Leader left the meeting at this point

The Cabinet Member for Enterprise, Innovation and Leisure introduced the report. The purpose is to inform Council of the preparation of the Replacement Local Development Plan (RLDP) Preferred Strategy and to seek Council's endorsement of the Preferred Strategy to be issued for statutory consultation/engagement and stakeholder involvement. The responses received will inform the next key stage of the RLDP process, the Deposit Plan.

The Report also seeks Council's agreement of the RLDP Revised Delivery Agreement, which amends the project timetable for Plan preparation, for submission to the Welsh Government for the Cabinet Secretary's approval.

Councillor L. Dymock left at 17.00

Councillor Taylor questioned the weightings used for settlements to determine sustainability and resilience, hoped that the recent flooding informs strategy going forward and in proposing development, that protection of outside recreational spaces should be taken into account.

Councillor F. Taylor left at 17.10

The Cabinet Member for Infrastructure and Neighbourhood Services reported on a successful meeting with the Chair of the SE Wales Transport Commission where it was stated that the Commission wanted to support work already in progress. The Commission has been informed that our priority transport schemes and projects are:

1. Abergavenny Railway Interchange;
2. Severn Tunnel Junction;
3. Magor Walkway Station;
4. Declassification of M48;
5. B4245; and
6. Improved public rail and bus transport.

The Commission's report will be available in December 2020.

The Leader of the Opposition welcomed the 50:50 split for affordable homes but questioned why the poverty factor not added as an impact. An indication of Social Rent as opposed to Intermediate Rent was requested. Infrastructure must follow housing development and account

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must be taken of recent flooding. Action should be taken to get empty homes back into use and to ensure that local people have access to affordable housing.

The Leader of the Liberal Democrats expressed dismay that 8232 new homes are to be built, and that those in the south of the county are likely to be commuter homes and also noted that there had been no evidence of ability to create jobs. There should be no growth without plans to improve road infrastructure, and no developments on flood plains.

Members had concerns about the number and types of houses, deliverability and demands on the roads from housing development within and outside the county. A suggestion was made that the County should build its own housing to meet needs and that land should be identified where sustainable jobs can be created for existing residents.

Councillor D. Blakebrough left at 17.35

Councillor G. Howard left at 17.45

Members raised questions about the accuracy of the definition of a main village and emphasised the need to provide employment as well as residential areas noting that too many young people are living with their parents.

The Cabinet Member for Enterprise, Innovation and Leisure responded that we will insist that the Metro is brought as far into the county as possible and agreed that improvements to road infrastructure are necessary to support development. The Edge Analytics reports will be available for Members. Regarding the protection of open spaces, it is planned to identify those spaces as part of this process. Affordable housing was agreed as essential, however to deliver 50:50 affordable houses there will have to be input from Welsh Government and the authority to make it reality. It was confirmed that there has not been building on flood plains in the county other than in very exceptional circumstances. Processes later in the development of the plan will identify how we build sustainable houses. Infrastructure needs in the south of the county are noted and infrastructure will be considered very carefully for housing development in all areas. It was accepted that sites for jobs were not previously placed in the right places and this will be considered again.

The Head of Placemaking, Housing, Highways and Flood responded that the LDP is a land use plan, and will be accompanied with an infrastructure plan and local transport plan to be considered with the economic ambition strategy and inward investment strategy. It was confirmed that the next stage will provide more detail on the types of housing to be built, climate emergency and protection of amenities. It was confirmed that the Council works closely with its neighbours including Forest of Dean District Council, Blaenau Gwent County Borough Council, Brecon Beacons National Park and Torfaen County Borough Council. Regarding affordable housing, the differences between Social Rent, Intermediate Rent and Low cost home ownership were explained and there is commitment to provide opportunities for everyone.

Upon being put to the vote, Council resolved to:

- 1. endorse the RLDP Preferred Strategy for statutory consultation/ engagement and stakeholder involvement for a six week period.**
- 2. agree the Revised Delivery Agreement, which amends the project timetable, for submission to the Welsh Government for the Cabinet Secretary's approval.**

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14. PUBLICATION OF PAY POLICY STATEMENT AS REQUIRED BY THE LOCALISM ACT

*Councillor B. Jones left at 18.25
All Officers bar the HR Manager and Democratic Services Officer*

Council received the report to approve the publication of Monmouthshire County Council's Pay Policy, in compliance with the Localism Act.

Upon being put to the vote, Council resolved to approve the Pay Policy for the year 1st April 2019 to 31st March 2020.

15. To confirm the minutes of the meeting held on 16th January 2020

The minutes of the previous meeting were confirmed and signed subject to the following amendment:

P. 6 Remove C.C. R. John as leaving the meeting at that point.

The meeting ended at 6.30 pm

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