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## MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held  
at County Hall, The Rhadyr, Usk, NP15 1GA on Thursday, 21st January, 2016 at 2.00 pm

**PRESENT:** County Councillor B. Strong (Chairman)  
County Councillor (Vice Chairman)

County Councillors: D. Batrouni, J. Prosser, M. Powell, V. Smith, G. Burrows, P. Clarke, J. Crook, D. Dovey, G. Down, A. Easson, D. Edwards, R. Edwards, D. Evans, P. Farley, P.A. Fox, R.J.W. Greenland, L. Guppy, E. Hackett Pain, R. Harris, B. Hayward, J. Higginson, G. Howard, S. Howarth, D. Jones, P. Jones, S. Jones, S.B. Jones, P. Jordan, J. Marshall, P. Murphy, 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
Peter Davies	Head of Commercial & People Development
Tracey Harry	Head of Democracy and Regulatory Services
Roger Hoggins	Head of Operations
Sarah McGuinness	Chief Officer, Children & Young People
Will McLean	Head of Policy & Engagement
Joy Robson	Head of Finance/Section 151 Officer
Robert Tranter	Head of Legal Services & Temporary Monitoring Officer
Claire Marchant	Chief Officer Social Care, Health & Housing
Sian Hayward	Digital and Technology Manager
Mark Howcroft	Head of Operations
Hazel Ilett	Scrutiny Manager
Sarah King	Senior Democratic Services Officer

### APOLOGIES:

Councillors D. Blakebrough, R. Chapman, J. George, M. Hickman, P.A.D. Hobson and K. Williams

## **2. Public Open Forum**

### **2.1. Question from H. Cullen-Jones to County Councillor P. Murphy:**

*'Bridges Community Centre recently applied for a leasehold Community Asset Transfer in accordance with the Asset Management Plan accepted by Cabinet on 5 November 2014. The transfer was refused by the Estates department and within the current plan there is no procedure for appeal. In light of this, would Councillor Murphy allow Bridges to present their case to the Strong Communities Select Committee so it can be reviewed by the democratically elected members?'*

Councillor Murphy responded:

- Thanked member of the public for the question.

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- Commended work that had been undertaken at Bridges, as a successful social enterprise.
- Cabinet were yet to take a view and welcomed that the issue was considered by the select committee.

As a supplementary question:

Was there possibility of ongoing lease of minimum 50 years?

In response, the Cabinet member advised that this would be passed to the team to consider.

#### **2.2. Question from R. Jeffries to County Councillor E. Hacket Pain:**

*'Parents and governors are against the closure of the Deri View Special Needs Resource Base and over 1,000 local people have signed the petition supporting them. Could the Cabinet member for education explain why she still feels there are more reasons to close the unit than to keep it open?'*

County Councillors R. Harris and M. Powell declared personal non prejudicial interests, pursuant to the Members Code of Conduct as LEA appointed Governors of Deri View School.

Councillor Hacket Pain responded:

- Deri View School has excellent standards of teaching, with skilled staff.
- Proposal for closure had been considered over some time.
- Intended to provide interim support, as most children were now being taught mainstream.
- Welcome receipt of petition and very keen to speak to signatories.

As a supplementary question:

Have Education professionals been liaising with Health professionals?

The Cabinet Member responded and confirmed that Education and Health Officers would meet. Individual cases could not be discussed, however, welcomed a separate meeting.

#### **2.3. Question from C. Fookes to County Councillor E. Hacket Pain:**

*'The Council says that savings in the region of £140k can be made by closing the Deri View Special Needs Resource Base. Can the Cabinet member provide us with the on-going costs of educating 1) the current pupils elsewhere, and 2) the possible 12 pupils it has been suggested could be using the unit from September 2016. In particular the costs for:*

- *transporting the children out of catchment: transport and chaperone costs*
- *Redundancies at Deri View SNRB*
- *1-1 Sapre costs'*

County Councillors R.Harris and M.Powell declared personal and non-prejudicial interests as LEA appointed Governors of Deri View School.

Councillor Hacket Pain responded:

- Information was presented at the parents meeting at Deri View School.

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- The closure relates to the facility and not the learning provision. Designation of resource base was for moderate needs, which could be addressed through mainstream learning. Deri View is not full to capacity and has not been for a number of years.

As a supplementary:

Please keep rights of child and parents at the front of mind when discussing whether this should stay open.

The Cabinet Member reassured that the Children were always at the front and centre.

#### **3. Chairman's Report and receipt of petitions**

Council received and noted the Chairman's report.

County Councillor D. Batrouni presented a presentation:

*'The special needs base at Deri View is a fantastic resource with expertly skilled staff, a sensory room, and sensory garden and is importantly the only local provision for children with additional learning needs in the immediate area. The current proposal wishes to close this provision and for these children to travel by bus for 30 minutes to the next closest provision in Monmouth, or even further to out of county special schools. This petition is to request that the Council protects Deri View's special needs unit which would protect these children's education, will save jobs and will promote the local community school.'*

The petition was presented to the Chairman and would be presented to the appropriate officer.

#### **4. Declarations of Interest**

Noted under the appropriate agenda item.

#### **5. To confirm and sign the minutes of the meeting held on 17th December 2015**

We confirmed and signed the minutes of the meeting held on 17<sup>th</sup> December 2015.

#### **6. To receive the minutes of the following:**

##### **6.1. Minutes of meeting Monday, 19 October 2015 of Democratic Services Committee**

We received, for information, the minutes of the Democratic Services Committee meeting held on 19<sup>th</sup> October 2015.

##### **6.2. Minutes of meeting Monday, 7 September 2015 of Democratic Services Committee**

We received, for information, the minutes of the Democratic Services Committee meeting held on 7<sup>th</sup> September 2015.

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## 7. Notices of Motion

There were no notices of motion raised by members.

## 8. Reports of the Head of Finance/S151 Officer:

### 8.1. Revenue and Capital Budget 2016/17 - final proposals following budget consultation

Council were presented with the Revenue and Capital Budget 2016/17, final proposals following budget consultation. The purpose was:

1. To update Council with the consultation responses to the budget proposals issued by Cabinet on the 7th October 2015 and 3rd December 2015 in respect of the Capital and Revenue budgets.
2. To update members with implications arising from the provisional Settlement announcement of the Welsh Government.
3. To make recommendations to Council on the Capital and Revenue budgets and level of Council Tax for 2016/17.
4. To receive the Responsible Financial Officer's Prudential Indicator calculations for capital financing.
5. To receive the statutory report of the Responsible Financial Officer on the budget process and the adequacy of reserves.

The Cabinet Member thanked Officers and members of the public.

County Councillor D. Batrouni opposed the budget, reasons included DFG, cuts to vital areas, effect on schools and transport issues surrounding Deri View.

County Councillor S. Howarth proposed an amendment that, two mandates B14 & B15 were retained in budget, this was duly seconded.

In presenting the amendment County Councillor Howarth highlighted the following regarding mandates:

- **B11** – Further information was requested at the select committee regarding savings and reorganisation. £315k, further information was awaited.
- **B14** – Explanation was requested as to why urbanised areas would still retain cuts.
- **B15** – Reduction of crews and vehicles. Clarification was requested regarding how work would be undertaken and how services would be delivered.
- **B21** – Working with town and community councils. Requirement for further transparency and a need to work together.

During debate we noted the following:

- A member opposed to the reduction in highways budget. The importance of service delivery and appropriate infrastructure was highlighted. It was felt that cutting would improve appearance throughout the county.
- Council were reminded that the authority were under significant pressure, priority areas were schools and social services.
- Officers confirmed that hedge cutting in urban areas was undertaken twice a year. Particular focus was maintained on rural routes and lanes.
- A number of Members commended officers in making the efficiency savings that were required.

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- Significant concerns were expressed regarding the Future Generations Assessment, which appeared to be incomplete and that final versions should be available. The authority had been an early adopter of the Future Generations Act and the detail would be helpful, so that members could have identified the impact on future generations.
- It was suggested that additional funding could be found through an increase in Council Tax. Opposing views were that Council Tax should not be increased and the public could not afford constant increases.
- Further information was requested regarding the demographic breakdown of consultees during budget engagement. In response, council were informed that a lot of engagement was undertaken and responses were evaluated.

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

We debated the original recommendation:

- Detail was requested regarding the accumulation of debt, through council tax collection and what was written off.
- A member highlighted that an increase in council tax would result in more income for the authority.
- We recognised that the Welsh Government funding formula did not recognise rurality, which resulted in Monmouthshire being at a disadvantage in funding terms.
- It was understood that references had been made at consultation which opposed cuts to the highways budget. However, this had not been reflected in updated mandates.
- Council Tax had not been subject to increase for a number of years with a significant increase recently.

County Councillor F. Taylor proposed an amendment, which was duly seconded, to increase the council tax from 3.95% to 4.95% increasing Band D by £10.95 per annum. Money prioritised for mandates mentioned by Councillor Howarth.

In debating the amendment we noted:

- Healthy at home preventative work was highlighted as important as restorative work. Funding was provided and contributions were made from the supporting people budget.
- A member indicated that emphasis had been directed towards Town and Community Councils taking on services. There was a need to ensure that this was done in an appropriate manner with necessary funding being reserved.
- In summing up, the member highlighted that the income would allow the highways budget to be retained and income for healthy homes.

A recorded vote was proposed and agreed. We recorded the following:

FOR: County Councillors R.J.C. Hayward, S.G.M. Howarth, D.W.H. Jones, F. Taylor and A.M. Wintle (6)

AGAINST: County Councillors G.C. Burrows, P.R. Clarke, D.L.S. Dovey, G.L. Down, D.L. Edwards, R. Edwards, P.A. Fox, R.J.W. Greenland, E.J. Hackett Pain, G. Howard, P. Jones, S. Jones, S.B. Jones, R.P. Jordan, P. Murphy, M. Powell, J.L. Prosser, B. Strong, A.E. Webb and S. White (21)

ABSTAINED: County Councillors D. Batrouni, J.E. Crook, A. Easson, D.J. Evans, P.S. Farley, R.G. Harris, R.J. Higginson, V.E. Smith, A.C. Watts and P.A. Watts (10)

**The amendment was defeated.**

Following a 10 minute adjournment, Council debated original recommendations.

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- Council recognised the importance of delivering service to an expected level and that budget pressures would be ongoing over future years. There would be considerable financial burdens in all areas, which would have to be addressed.
- The public had been consulted and engaged during the budget setting process, in addition there had been significant scrutiny, which was supported by members.
- Officers were commended in proposals that had been presented.
- Clarification was requested regarding the position of Skutrade and whether the project had been completed, which Cabinet had agreed contribution of £100k.

It was proposed by County Councillor Hayward and duly seconded, that £100k funding was withdrawn from Skutrade.

- Officers clarified that the authority had been working closely with Skutrade and information had been presented to the Economy and Development select committee (early 2015). The funding would be issued as a loan, recovered over a 5 year period and could not be displaced elsewhere. The progress was being assessed, due diligence had been apportioned to the Cabinet Member, Head of Finance and Chief Officer Enterprise.
- The Chair of Economy and Development Select committee confirmed that the item would be reconsidered by the select committee.

Upon receipt of information it was clarified that money given to Skutrade did not form part of the budget, therefore no further comments were made.

In summing up, Councillor Murphy highlighted that Council Tax collections were in excess of 99%.

Clarification was requested regarding the amount that was written off and whether Welsh Government would provide monies for rural authorities.

The Cabinet Member confirmed that necessary information would be provided to members.

It was proposed and duly seconded that recommendations within the report were approved.

A recorded vote was proposed and agreed:

- FOR: County Councillors G.C. Burrows, P.R. Clarke, D.L.S. Dovey, D.L. Edwards, R. Edwards, P.A. Fox, R.J.W. Greenland, L. Guppy, E.J. Hackett Pain, G. Howard, P. Jones, S. Jones, S.B. Jones, R.P. Jordan, P. Murphy, M. Powell, J.L. Prosser, B. Strong, A.E. Webb and S. White (20)
- AGAINST: County Councillors D. Batrouni, J.E. Crook, A. Easson, D.J. Evans, P.S. Farley, R.G. Harris, R.J. Higginson, S.G.M. Howarth, D.W.H. Jones, J.I. Marshall, V.E. Smith, F. Taylor, A.C. Watts, P.A. Watts and A.M. Wintle (15)
- ABSTAINED: County Councillors G.L. Down and R.J.C. Hayward (2)

Upon being put to the vote, recommendations within the report were carried.

Council resolved that recommendations within the report were approved:

1. That Council approves (subject to Final Settlement from WG):
  - The 2016/17 revenue budget as attached in Appendix I
  - The 2016/17 to 2019/20 capital programme as attached in Appendix J1, including the revisions to the 21st century schools programme highlighted in paragraph 3.34.
  - A 3.95% increase in the Band "D" equivalent Council Tax for the County in 2016/17.

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2. That Council notes the necessary saving proposals and the release of £1.822 million from earmarked reserves to deliver the changes required and support the 2016/17 revenue and capital budget.
3. That Council notes the draft response to Welsh Government on the provisional settlement, and that the Final settlement is due to be published on 2nd March 2016.
4. That Council approves the disposal of assets identified in the exempt background paper at best value.
5. That Council considers the Responsible Financial Officers report on the robustness of the budget process and the adequacy of reserves issued under the provisions of the Local Government Act, 2003.
6. That Council adopts the Responsible Financial Officers report on Prudential Indicators.
7. That Council formally notes that the Schools based budgets are currently protected at cash flat line.
8. That Council notes that further work will be undertaken on the following:
  - Further work is undertaken to develop a balanced MTFP over the 3 year period 2017/18 to 2019/20
  - Regular review of the MTFP to ensure it remains up to date

#### **8.2. Council Tax Reduction Scheme**

Council were presented with the Council Tax Reduction Scheme, the purpose was to:

- present arrangements for the implementation of the Council Tax Reduction Scheme and to approve it for 2016/17
- affirm that, in the absence of any revisions or amendments, annual uprating amendments will be carried out each year without a requirement to adopt the whole Council Tax Reduction Scheme

On 22<sup>nd</sup> January 2015 Council adopted the Council Tax Reduction Scheme for 2015/16, in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013.

We resolved to agree recommendations:

1. To note the making of the Council Tax Reduction Scheme and Prescribed Requirements (Wales) Regulations ("the Prescribed Requirements Regulations") 2013 by the Welsh Government on 26 November 2013.
2. To adopt the provisions within the Regulations above ("the Prescribed Requirements Regulations") and any 'annual uprating regulations' in respect of its Scheme for the financial year 2016/17 including the discretionary elements previously approved as the Council's local scheme from 1<sup>st</sup> April 2016.

#### **9. Report of the Chief Officer Enterprise:**

##### **9.1. ICT in Schools - Update to the business case**

Council were presented with a report which updated on the ICT in schools business case and the number of schools signing up to the ongoing SLA agreement with the SRS.

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All members who were LEA appointed governors declared personal and non-prejudicial interests.

In presenting the report the Cabinet Member reiterated that Council had agreed investment in infrastructure in schools.

It was clarified that three schools had not signed up to the agreement, Goytre Fawr, Canfref and Llantilio Pertholey.

Members recognised that some schools did not want to agree to the service, particularly in relation to budget pressures.

We resolved to agree recommendations within the report:

That Council agree to continue with the phase 1 investment to upgrade ICT infrastructure in schools in the light of 3 schools declining to enter into the SLA agreement with the SRS.

#### **10. Report of the Head of Democracy and Regulatory Services:**

##### **10.1. Co-option of two members onto the Education Achievement Service (EAS) Audit Committee**

Council were presented with a report which agreed the appointment of two non-Executive Members on to the Education Achievement Service (EAS) Audit and Risk Assurance Committee.

It was proposed and duly seconded that the Chair and Vice Chair of the Children and Young People Select Committee were appointed.

We resolved to agree recommendations:

1. That the Council appoints two non-executive Members to represent the Council on the EAS Audit and Risk Assurance Committee. The EAS Audit and Risk Assurance Committee will ensure robust accountability for the governance, financial stability and strategic direction of the EAS.
2. That the two non-executive members appointed are Chair (Councillor P. Jones) and Vice-Chair (Councillor P. Farley) of Children and Young People Select Committee.

##### **10.2. Future Generations Act: Scrutiny Arrangements**

We received the Future Generations Act: Scrutiny Arrangements report which advised Members of the requirements of the Future Generations Act in relation to Local Authority scrutiny and provided guidance to Members on the establishment of fit for purpose scrutiny arrangements for Monmouthshire.

Council welcomed the report and recognised the benefit of scrutiny and support within the authority. Members particularly welcomed bespoke scrutiny arrangements to scrutinise the Public Service Board (PSB).



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We resolved to agree recommendations within the report:

1. That the Council agrees to the proposal recommended in this report to establish a bespoke scrutiny arrangement to scrutinise the Public Service Board (PSB) in line with the Acts' requirement.

### **11. Standing Advisory Council on Religious Education (SACRE) Annual Report 2014-15**

We received the Standing Advisory Council on Religious Education (SACRE) annual report 2014-15.

The Council received and noted the report.

### **12. Members Questions**

There were no questions from members.

**The meeting ended at 5.40 pm**

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