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MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of County Council held
on Thursday, 18th May, 2017 at 2.00 pm

PRESENT: County Councillor M. Powell (Chairman)
County Councillor P. Clarke (Vice Chairman)

County Councillors: D. Batrouni, D. Blakebrough, V. Smith, 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. Webb, K. Williams, J. Becker, L. Brown, A. Davies, L. Dymock, M. Feakins, M. Groucutt, R. John, L. Jones, M. Lane, P. Pavia, J. Pratt, R. Roden, T. Thomas, J. Treharne and J. Watkins

OFFICERS IN ATTENDANCE:

Kellie Beirne	Chief Officer, Enterprise
Roger Hoggins	Head of Operations
Will McLean	Chief Officer for Children and Young People
Joy Robson	Head of Finance/Section 151 Officer
Robert Tranter	Head of Legal Services & Monitoring Officer
Nicola Perry	Senior Democracy Officer
Claire Marchant	Chief Officer Social Care, Health & Housing

APOLOGIES:

Councillor A. Watts

2. Chairman's announcements and receipt of petitions

In opening the meeting, the Chairman led a minute silence as a mark of respect for the passing of Rhodri Morgan. Group Leaders expressed the condolences of Council.

There were no petitions presented.

3. Declarations of interest

Members' declarations of interests are recorded against the agenda item in the minutes.

4. Public Open Forum

4.1. Question from Mr. M Smith to County Councillor P. Fox

We welcomed Mr. Smith., who was in attendance in order to present a question to County Councillor P. Fox.

Councillor Fox responded:

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'Following debate and approval at Council in May 2016 the Council wrote to Welsh Government to confirm support for the new M4 route. A subsequent letter went from officers, which discussed in more detail various aspects of the proposed route. This highlighted concern about the impact upon the Llanfihangel conservation area. The letter from Council is available in the Council minutes on the website but I am also arranging that the officer letter be placed on the website for information.

LDP planning policy HE1 reflects the statutory duty to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The same principles for making decisions on planning applications apply to the M4 proposal, namely that the benefits of the proposal must be weighed up against the harm caused.

The Council's response to the M4 proposal explicitly notes that the M4 would cause significant and permanent harm to the Llanfihangel Rogiet Conservation Area. The Council's response properly takes into account LDP policy HE1 and the statutory duty. Amendments and mitigation were sought to minimise this harm to the Conservation Area, including changes to the slip road and landscaping, and it is understood that the proposals have incorporated these changes.

The matter of the M4 proposal is currently at an advanced stage of a public inquiry, at the end of which an independent Inspector will make a recommendation to the Welsh Cabinet Secretaries, who will make the final decision."

As a supplementary Mr Smith stated that he disagreed with the Council's position and suggested an alternative route, the Green Route. He questioned the connection with a letter from County Councillor B. Jones dated 3rd May 2016. Councillor Fox reiterated his response, and added that the inquiry process should come to a considered answer, which should satisfy the residents of Monmouthshire.

5. To confirm the following minutes:

5.1. County Council - 9th March 2017

The minutes of the meeting of County Council held on 9th March 2017, were confirmed as a correct record and signed by the Chairman.

5.2. County Council - 20th March 2017

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

In doing so Councillor Howarth referred to a petition relating to public rights of way at 118, Clydach Gorge, Gilwern and Llanelli Hill. He expressed disappointment that to date no response had been received. The Deputy Chief Executive agreed to look into the matter following the meeting.

Councillor S. Jones noted that it had been agreed to review meeting times, and requested that this be added as an agenda item for next Council.

6. 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. Jones.

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

Following a recorded vote where 33 voted for the proposal, and 9 against, the proposal was carried.

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County Councillor P. Fox expressed thanks to the Council for his re-election stating that it was a privilege to lead Monmouthshire County Council, in what would be his 10th year as Leader. He took the opportunity to welcome new Members. He thanked Councillor Greenland for his work as Deputy Leader, at a national level as well as a Monmouthshire level. He paid tribute to past Members, particularly to Cabinet Members P. Hobson, E. Hackett Pain and G. Burrows.

The Leader announced that Cabinet portfolios and personnel would be:

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

In response to a question regarding collaborative working, and the benefits to residents of Monmouthshire, Councillor Fox

The Leader of the Opposition congratulated the Conservatives adding that the opposition would present challenge to ensure effectiveness and hold Conservatives to account where appropriate, adding there would be no apology for scrutiny. He added that he was pleased with the welcome appointment of a Cabinet Member for Social Justice.

7. Representation of Political Groups-Review

Council were presented with a report to review the representation of different political groups on the bodies to which the Council makes appointments. We noted that Audit Committee is now subject to the political balance rules and therefore there is now 96 seats across committees.

Councillor Howarth referred to previous discussions surrounding select committees and asked that they be reviewed in 12 months, with regards to attendance. The Leader recognised the importance of continuity, and added that Democratic Services Committee may wish to consider adding a review as part of their work programme

In response to a request for clarity regarding substitutions at meetings, we heard that Group Leaders could advise of a substitution up to one hour prior to the meeting. It was noted that this would not be the case with Planning Committee due to the requirement for statutory training. In terms of long-term absence it was expected that the member would be replaced.

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

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- 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:

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

8. 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.

In accepting the recommendations we noted the following:

2.1 Area Committees

That Area Committees be appointed, with the terms of reference in appendix A.

Bryn Y Cwm, Ward Members for:

Castle
Llanelly Hill
Grofield
Priory
Lansdown
Croesonen
Llanover
Goetre Fawr
Llanwenarth Ultra
Mardy
Llanfoist Fawr
Crucorney
Cantref

Central Monmouthshire, Ward Members for:

Mitchel Troy
Llangybi Fawr
Raglan
Llantillio Crossenny
Dixton with Osbaston
Wyesham
Usk
Llanbadoc
Trellech United

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Overmonnow

Drybridge

Lower Wye, Ward Members for:

St Christopher's

St Kingsmark

Shirenewton

Devauden

St Mary's

Thornwell

St Arvans

Larkfield

Caerwent

Severnside, Ward Members for:

Dewstow

West End

Portskewett

Rogiet

The Elms

Severn

Mill

Green Lane

Caldicot Castle

2.2 AUDIT COMMITTEE

That the Audit Committee be appointed, with the terms of reference in appendix B.

That the membership of the Committee comprises 11 members of the Council, to be appointed in accordance with political balance, plus one lay member.

That the current lay member be appointed by Council for a further term.

That it be noted that the Chair of the Audit Committee will be appointed by the Committee.

It was noted that Mr. P. White has expressed a wish to continue as Lay Member for the Committee, and the guidance of the 2011 Measure states that the lay member can be appointed for one further term, being a decision for Council.

2.3 DEMOCRATIC SERVICES COMMITTEE

That a Democratic Services Committee be appointed, with the terms of reference in appendix C.

That the membership of the Committee comprises 11 members of the Council, politically balanced.

That the Chair of the Democratic Services Committee be appointed by the Council.

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We understood that the role of Chair is reserved for a member of the opposition.

Upon being put to the vote, it was agreed that County Councillor D. Evans be appointed as Chairman of Democratic Services Committee.

2.4 REGULATORY AND OTHER COMMITTEES

That the following Committees, together with their terms of reference in appendix D, be appointed, subject to any changes to be notified by the political groups.

(a) Planning (16 Members)

(b) Licensing and Regulatory (12 Members)

(c) Sub-Committees under the Licensing Act 2003

- Three sub-committees of three members to be established to meet on Monday, Wednesday and Friday.

- The Chairman, Vice Chairman and Opposition spokesman of the Licensing and Regulatory Committee to be appointed as Chairman of each sub-committee

- The nine remaining members be called to attend sub-committee meetings on a rota basis in discussion with the Chairman of the relevant sub-committee.

(d) Appeals Committee (3 members) 3 members to be nominated on an ad hoc basis.

(e) Appointment of Local Authority Governors Committee (7 Members)

(f) Standing Advisory Council on Religious Education (SACRE) (6 Members)

Persons representing such Christian denominations and other religions and denominations in such religions as in the opinion of the County Council will approximately reflect the principal religious traditions in the area. Persons to represent such associations representing teachers as in the opinion of the County Council ought to be represented, having regard to the circumstances of the area.

i. Monmouthshire County Council 6 members

ii. Christian denominations and other religions and denominations as set out below:
12 members

The Church in Wales 1 member

The Roman Catholic Church 1 member

Free Churches 4 members

Baha'I Faith 1 member

Buddhist Faith 1 member

Hindu Faith 1 member

Muslim Faith 1 member

Jewish Faith 1 member

Sikh Faith 1 member

Teachers' Associations 7 members

Co - opted 2 members

(g) Collaboration Agreement with Community and Town Councils (3 members)
Membership to be confirmed.

(h) Appointment Committee (5 members) Note: under the Council's Constitution, this Committee must include at least one member of the Executive but must not comprise a majority of members of the Executive.

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- (i) Coordinating Board: Chairman of each Select Committee; the Leader and Deputy Leader; the Chairman of each Area Committee; the Scrutiny Champion; the Chief Executive. The Chairman of the County Council will also be invited to attend.
- (j) Remuneration Committee (Chief Executive) (5 members)
- (k) Investigation Committee (3 members)
- (l) Disciplinary Committee (3 members)

2.5 SELECT COMMITTEES

That the following Select Committees be appointed, together with their terms of reference, appendix E:

- Economy and Development (9 Members)
- Strong Communities (9 Members)
- Children and Young People (9 Members)
- Adults (9 Members)
- Public Service Board (9 Members)

That the following members be co-opted to the Children and Young People Select Committee:

Voting on Education Issues only

Revd. Dr. Daly (Church in Wales)

Mr. M. Fowler (Parent Governor Representative)

Vacancy (Parent Governor Representative)

Vacancy (Catholic Church)

Non-Voting

Vacancy (ASCL)

Vacancy (NAHT)

Vacancy (NASUWT)

Vacancy (NUT)

Vacancy (Free Church Federal Council)

Mr. K. Plow (Association of School Governors)

That each Select Committee shall be entitled to recommend to Council the appointment of a maximum of five people as non-voting co-optees.

2.6 STANDARDS COMMITTEE

That the Standards Committee be appointed with the terms of reference, appendix F.

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

We were advised that the last item on the agenda related to the appointment of the Community Member.

9. Appointment to Outside Bodies

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

The report recommended that the Council make appointments to the outside bodies set out in the schedule, with the exception of joint committees listed in Category B, which are Cabinet appointments.

County Councillor Easson declared a personal, non-prejudicial interest as a family member is employed by Y Prentis.

County Councillor Woodhouse declared a personal, non-prejudicial interest as her husband, C. Woodhouse is also appointed to King Henry VIII Foundation Governors.

Upon being put to the vote, the appointments were agreed as attached:

[Representation on outside bodies May 2017.doc](#)

10. Members' salaries and payments

Council received a report to set out the determinations of the Independent Remuneration Panel for the civic year 2017/2018 and to give Council the opportunity to determine which roles should receive a senior salary.

The Monitoring Officer advised that all Members would be recorded as declaring a personal, non-prejudicial interest under paragraphs 10(2)(c)(i) and 12(2)(b)(iv).

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

2.1 That members note the determinations of the Panel that:

- i. An annual basic salary of £13,400 is paid to all members with effect from 9 May 2017.
- 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.
- iii. The level of senior and civic salaries that may be paid for relevant duties, some of which may now be paid at different levels at the discretion of the Council. A summary of the options is detailed below:
 - a. Level 1 (£26,100) or Level 2 (£23,500) payments for members of the executive
 - b. Level 1 (£22,100) or Level 2 (£20,100) payments made to Chairs of committees dependent on the level of responsibility attached to that role as determined by the Council.
- 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

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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.

11. Appointment of a Community Committee Member to the Standards Committee

Council received a report to consider the reappointment of Community Councillor Irene Cameron for a further term to the council's Standards Committee as the community committee member.

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

- That Community Councillor Irene Cameron is appointed for a further term to the Council's Standards Committee as the community committee member.

The meeting ended at 4.00 pm

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