

**CYNGOR SIR POWYS COUNTY COUNCIL**

**County Council  
23<sup>rd</sup> April 2015**

**REPORT AUTHOR: County Councillor John Powell, Portfolio Holder for Environment and Sustainability**

**SUBJECT: Question from County Councillor Graham Jones**

**The Deputy Minister for Culture, Sport and Tourism recently outlined the importance of Tourism to Mid –Wales stating that Tourism is the number one industry in Wales. Wales Rally GB have won the Best Large Event Tourism Award, generating over £10 million into the Welsh economy.**

**All Powys County Councillors have some kind of Tourism in their ward.**

**In Powys Rally cars are built, motorcycles are sold, businesses supply parts to the industry etc and Motorsport events are run by volunteers which generates business for Hotels and B&B in the area.**

**There has been for many years concerns from Motorsport organisations. Such have been these concerns that complaints have been directly addressed with Edwina Hart, Minister for Economy, Science and Transport. Organising events can be, and are becoming a nightmare for clubs.**

**It is also widely known that the Minister has written scathing letters to Powys County Council on more than one occasion expressing grave concerns that Council's approach could put Powys at an economic disadvantage on this very important issue of Tourism.**

**The Minister has indicated that she has received no complaints from any other Councils relating to this matter.**

**My question would be to the Portfolio Holder of the Rights of Way.**

**While these concerns are known to people in Motorsport, when are all of Powys County Councillors going to be briefed on these concerns of Edwina Hart as it appears that Section 33 Licences are issued by other Councils by the highways Department, but in Powys, in recent years it's been by Rights of Way Department. Therefore what is going to be done regarding the concerns of the Minister to safeguard the future of Motorsport and Tourism and wellbeing of businesses in Powys?**

The Cabinet and Leader are of course very supportive of the organised motorsport in Powys.

I and other Cabinet members have met with organisers and been shown best practice recently. In granting section 33 authorisations, you will of course be aware that the County Council must ensure that it complies with other legislation. In particular, it is imperative that the Council ensures that public rights of way are protected, to safeguard the public who may use them and that any damage to their surfaces are repaired.

Further, the authority has a role in protecting any Sites of Special Scientific Interest that are affected by a motor sport application, which requires the organisers to consult with the Natural Resources Wales, and also requires the Council to do so. Regrettably, despite the application form asking for evidence of pre-application consultation with the NRW, this rarely is provided meaning that consultation may have to be rushed and information sought hastily.

It is of note to see that Ceredigion County Council have recently adopted this authority's approach to seeking assurances from organisers that statutory wildlife sites are protected, and they now directly consult with NRW too.

In seeking authorisation from the Council, applicants must also legally provide evidence of landowner consents. Unfortunately, it is all too common that applicants do not supply landowner consents, nor consult with the NRW to ensure SSSIs or other protected sites and species are protected. Receiving an application with only days to go before an event is due to occur is also not uncommon. I am fully aware that in seeking to comply with the law, that this can mean delays.

As for where the applications process should fall, since the processing relates to environmental matters such as safeguarding public rights of way and protected habitats and species, this matter was transferred to the Rights of Way Service some while ago. Since it does not impact upon management of public roads, there is no reason to change the management arrangements.

I have instructed Legal Services to further seek independent advice on some of the issues, to see how we may streamline the processes involved, if we can, and to further clarify points of finer legal detail.

Once this matter has been concluded, I intend to further instruct officers to write to all known motor sport organisers with updated guidance on the key issues. I also intend to make it clear on the application form what is expected of applicants in a tick-box style, and that applications will only be processed if all information is received upfront with the application.