

MINUTES OF A MEETING OF THE ECONOMY, RESIDENTS, COMMUNITIES AND GOVERNANCE SCRUTINY COMMITTEE HELD AT COMMITTEE ROOM A - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON MONDAY, 13 JANUARY 2020

PRESENT: County Councillor M J Dorrance (Chair)
County Councillors K W Curry, D O Evans, J Gibson-Watt, E M Jones, G Jones, I McIntosh, J Pugh and D Selby

Cabinet Portfolio Holders In Attendance: A W Davies (Portfolio Holder for Finance, Countryside and Transport), R Powell (Portfolio Holder for Young People and Culture) and G Breeze (Portfolio Holder for Corporate Governance and Engagement)

Officers: Nigel Brinn (Corporate Director - Economy and Environment), N Davies (Head of Housing and Community Development), Wyn Richards (Scrutiny Manager and Head of Democratic Services), Sian Barnes (Acting Professional Lead - Countryside Access & Recreation) and Kay Thomas (Principal Librarian)

1.	APOLOGIES
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Apologies for absence were received from County Councillors P. Pritchard and M. Barnes.

2.	MINUTES OF PREVIOUS MEETINGS
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The Chair was authorised to sign the minutes of the previous meeting held on 25 November, 2019 as a correct record.

3.	DECLARATION OF PARTY WHIPS
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There were no declarations of party whips which have been given in relation to the meeting in accordance with Section 78(3) of the Local Government Measure 2011.

4.	DISCLOSURES OF INTEREST
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The Committee received a disclosure of Personal Interest from County Councillors G. Jones, E. M. Jones, K. Curry and A. Davies in relation to item 5 - Revised Protocol for Authorising Motor Vehicle Events Affecting Footpaths, Bridleways and Restricted Byways under S.33 Road Traffic Act 1988.

The disclosures were made as the revised protocol could affect bridleways and footpaths that cross the land that the Councillors own or rent.

5.	REVISED PROTOCOL FOR AUTHORISING MOTOR VEHICLE EVENTS AFFECTING FOOTPATHS, BRIDLEWAYS AND RESTRICTED BYWAYS UNDER S.33 ROAD TRAFFIC ACT 1988
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The Committee undertook a pre-decision scrutiny of the report of the Portfolio Holder for Finance, Countryside and Transport.

The revised protocol seeks a balance between safety and access to rights of way. Whilst these events are not trials of speed they are events where there will

be many people as well as vehicles. Advice from Counsel was sought who advised that temporary closure notices should be used for rights of way where such events take place. The benefits of this is to protect public safety as well giving the public access to other footpaths instead of those affected by the event. The Committee was advised that the Section 151 Officer had commented that whilst the closures would cause the Council additional administrative costs, the charges would cover this additional work.

Question / Comment: Is public liability in place if the footpath remains open and is this covered by the application?

Response: This is what has led to the revised protocol due to the risk. The liability remains with the driver. However if a member of the public uses a path which is closed then this is an offence.

Question / Comment: How many of these events have been in the last 2 years?

Response: 30 events in 2019 up to 45 in previous years.

Question / Comment: Whilst the law has not changed, the protocol has changed regularly. Organisers want a period of calm. This revision will cause more work and lead to less events. There is an economic benefit from these events which should not be slowed down. As a number of events have been arranged the start date at the end of July is not helpful, so can this be delayed? As there's been so much change, can the new protocol be reviewed after 12 months and then a moratorium on changes for 5 years. Other Council also charge different rates with some not charging at all due to economic benefits.

Response: There have been no changes to the protocol in the last few years. There have been discussions with organisers. With regard to costs, if the organisation does the work then it will cost less. There is also no element of profit in the costs to be levied, they will just cover the Council's costs. The consultation process has been a lengthy process. It is also difficult to measure the economic benefits from such events.

Question / Comment: If an event is on a bridleway and on a road does this process cover both? Is there monitoring of these events?

Response: Yes where use of public rights of way are concerned. The process can also be applied to trials of average speed which is a bit of a grey area. The process does not absolve drivers from driving with due care and attention.

Question / Comment: Will the new protocol apply to new events rather than from a specific date: There also needs to be a single point of contact for events seeking advice for all aspects of the event.

Response: The start date suggested is when the new process will apply to applications received. Any events which have been arranged or applied for prior to the start date will operate under the current process. The application form is a simple checklist to assist organisers.

Question / Comment: How will temporary closures be advertised.

Response: As these will be a maximum of 5 day closures, there will be notices on site and contact with Town and Community Councils, and path

user groups. The intention of the new process is to speak to people earlier about events than happens under the current process.

Question / Comment: If an organisation submits an application before July, will they use the current protocol? Can the new protocol be reviewed after 12 months, including fees?

Response: Yes it is the current protocol for applications before July. Organisers will be contacted after 12 months to see if changes are needed. The review will also consider fees.

Question / Comment: How does the protocol work within the National Park Area?

Response: The protocol will apply to the National Park area within Powys.

Outcome:

The report and responses to questions were noted.

6. WELSH LIBRARY STANDARDS REPORT

The Committee undertook a pre-decision scrutiny of the report of the Portfolio Holder for Young People and Culture.

The Committee was advised that the Council was continuing to work with communities in relation to libraries. The quality indicators in the report showed an improvement on the previous year. The contribution of partners and volunteers was very important to the service. The report was for 2018/19 and is an interpretation by Welsh Government of library standards in Wales which includes 12 core entitlements and 16 quality indicators, 10 of which have targets.

Question / Comment: There is no reference to dilemmas for the future in the documents. Are maintaining and improving standards possible with the future financial position for the Council?

Response: Yes as long as the Council works with volunteers and continues partnership working. It should be possible to maintain services for the future.

Question / Comment: Does this mean that all libraries can be kept open in future?

Response: If the Council gets the relationship right there is no reason why we cannot keep the current number of libraries, but there is a need to work with communities.

Question / Comment: The Council is willing to work with communities. There has been a review of libraries over 12 months and evidence that a reduced number of opening hours has reduced usage of libraries. There is a need from the Council to assist libraries as well.

Response: The long term stability of libraries is important. The model in Herefordshire is that some smaller libraries are volunteer led. There is a long way to go and assurances cannot be given about libraries. There needs to be some voluntary led services but supported by specialist library staff.

Question / Comment: The Communities are on side at present, but they may not be in 12 to 18 months.

Response: The Portfolio Holder indicated that she wanted to visit all libraries in Powys again and continue the dialogue with communities.

Question / Comment: Why are we supporting buildings such as Y Gaer rather than libraries?

Response: Each library is unique. However, all the libraries either large or small need volunteer involvement.

Question / Comment: Events for people with special requirements – is this disabled people or those with other requirements?

Response: The definition of special requirements is very broad. In relation to events for people with special requirements, the Council badges all events as inclusive.

Question / Comment: For some of the individuals who are reluctant to come along, can the Council target those groups / individuals as its concerning that the target is not being met?

Response: With Integrated Care Funding and other funding, the Council in 2019/20 is working with various groups and volunteers to try and improve on this target.

Question / Comment: How does the Council improve on the target regarding reading material?

Response: It would take a budget increase of £100k for the Council to meet this target.

Question / Comment: When the Council decides on access to libraries there is no consultation with communities on what times of day and days are best for communities.

Response: It is agreed that there should be consultation with communities as there's a need to maximise the availability of libraries for the benefit of residents.

Question / Comment: Welsh Government has published indicators of deprivation. How are we going to use libraries to engage with people?

Response: There is a need to engage people and make libraries more relevant to them as well as make them more aware of what is already on offer. Work can be undertaken with individual libraries to see what can be done.

Question / Comment: Despite austerity, libraries are successful. What is the Council doing to value its staff?

Response: Staff have been recognised by means of the staff awards.

The Committee expressed its thanks to the service for its work.

Outcome:

The report and the responses to questions were noted.

The Committee was asked to appoint a Member as an observer on the Local Development Plan Working Group to replace County Councillor P. Pritchard who had been appointed on behalf of Montgomeryshire Members to the Working Group.

RESOLVED that County Councillor D. Selby be appointed as the Committee's observer representative on the Local Development Plan Working Group.

8.	WORKING GROUP RECOMMENDATIONS
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The Committee received and noted the recommendations of the Digital Powys Strategy Working Group held on 20 November, 2019.

9.	SCRUTINY WORK PROGRAMME
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The Committee received a copy of the Scrutiny Forward Work Programme. It was suggested that a request be made to the Co-ordinating Committee for the following items to be included on the scrutiny forward work programme:

- Progress on Council house building programme.
- Refurbishment and re-development of County Farms.

The Committee asked for progress on the Mid Wales Growth Deal. The Committee was advised that there would be a presentation to the next meeting of Council. A Joint Scrutiny Working Group was also being arranged with Ceredigion to scrutinise the Mid Wales Growth Deal.

County Councillor M J Dorrance (Chair)