

CYNGOR SIR POWYS COUNTY COUNCIL.

County Council – 7th March, 2017

REPORT AUTHOR: Democratic Services Committee

SUBJECT: Area (Shire) Committees

REPORT FOR: Decision

1. Summary.

1.1 The report from the Democratic Services Committee recommends to the County Council that the Area (Shire) Committees be abolished as from the Annual General Meeting in May 2017, but that the civic role of Chair and Vice-Chair of the Shire be retained.

2. Background.

2.1 Powys County Council came into existence on 1st April 1996 as a result of the Local Government (Wales) Act 1994. As part of the creation of the new Council in 1996 it was accepted that there should be a formal recognition of the distinct former counties of Montgomeryshire, Radnorshire and Brecknockshire in any arrangements.

2.2 The Local Government (Wales) Act 1994 contains provisions for a formal scheme of delegation of responsibilities, including to area committees which at the time required the approval of the Secretary of State. However Powys County Council did not utilise this formal route, and established three Area (Shire) Committees which exist to the current time. It is within the gift of the Council to amend these arrangements at any time, including the discontinuation of the Area (Shire) Committees, without the need for any external approval.

2.3 Prior to 2002, these Area (Shire) Committees determined matters relating to a range of the Council's services in each Shire area. However with the change to a Board and subsequently Cabinet Model of Executive Arrangements following the Local Government Act 2000, the Cabinet took over the responsibility for decision making on operational matters, and the role of the Area (Shire) Committees diminished. A very small number of delegated responsibilities have been given to Area (Shire) Committees by the Cabinet. There has also been no appetite from the Council or successive Cabinets to increase this level of delegation since 2002. In fact powers have been withdrawn. However it would be a fair assessment that since 2002 the Area (Shire) Committees have struggled with the role they are asked to play, and the question of the role and responsibilities of these committees has been revisited on numerous occasions over the years, including in 2015 when the frequency of meetings was revised and a review of the new arrangements requested for report to Council early in 2017.

2.4 One additional role which was considered was a scrutiny role. However following clarification with Welsh Government it was made clear that Area (Shire)

Committees cannot be scrutiny committees. The role of these committees has been drawn further into question with the Council establishing the Local Environment Initiative / Neighbourhood Management, with the decentralisation of services to smaller groups of Members in consultation with Area Managers, Town and Community Councils etc.

3. Current Position.

3.1 In January 2015 the County Council decided that all Area (Shire) Committees should meet on a bi-monthly basis with additional meetings only being called in an emergency and that this position should be reviewed in 2017. In 2016 the Radnorshire Committee considered the frequency of meetings and concluded that it would prefer to meet on a monthly basis as previously. However it was suggested that the views of all Members should be sought. A survey was undertaken in the Autumn of 2016 the results of which were reported to the Democratic Services Committee on 23rd January, 2017.

3.2 The responses to the survey were as follows:

Shire	Number of Shire Members	Number That Responded	Percentage Response
Montgomeryshire	34	12	35% of the shire
Radnorshire	15	5	33% of the shire
Brecknockshire	24	6	25% - of the shire
Totals	73	23	31.5%

Of those who responded - Number who Support Holding Shire Meetings

Shire	Support Holding Shire Meetings	Don't Support
Montgomeryshire	11	1
Radnorshire	5	0
Brecknockshire	2	4
Totals	18 (78% of those who responded)	5 (22% of those who responded)

Of those who supported the holding of Shire meetings, below is the result of those who felt that there should be the same or a different frequency of meetings in each Shire

Shire	Same Frequency	Different
Montgomeryshire	6	4
Radnorshire	2	3
Brecknockshire	3	0
Totals	11 (61% of those who supported holding shire meetings)	7 (39% of those who supported holding shire meetings)

3.3 In considering the results of the survey the Democratic Services Committee noted the low response by Members and felt that the majority of Members had an apathy towards the operation of the Shire Committees.

4. Roles and Responsibilities.

4.1 Roles and Responsibility of the Area (Shire) Chair.

4.1.1 The Area (Shire) Chair has two separate and distinct roles:

- Civic Role as Chair of the Shire within the particular Shire e.g. Citizenship Ceremonies, and to assist the Chair of Council with civic roles within the County as required.
- To Chair meetings of the Area (Shire) Committees.

4.1.2 The Democratic Services Committee considered that the civic role of the Chair and Vice-Chair of a Shire was an important function within the Council which should be continued irrespective of whether the Council continued to have Area (Shire) Committees.

4.2 Roles and Responsibilities of Area (Shire) Committees.

4.2.1 The following Executive functions are currently delegated:

Highways Functions:

Within a framework agreed by the Executive, and within an annual budget to be allocated by the Executive, and subject to an individual project limit of £50,000 :

All decisions in relation to highway maintenance within the overall plans determined by the Executive relating to:

- (a) Local Improvement Programmes;
- (b) The general Highway Maintenance Programme;
- (c) Non-structural Bridge Maintenance.

The making of permanent Traffic Regulation Orders (with certain limited exceptions which are to be decided by Cabinet i.e. Water Break it's Neck, Moelfre City and car parks and car park charging). Temporary Traffic Regulation Orders are the responsibility of the Cabinet.

Promoting and developing local road safety initiatives.

5. Costs of operating the Area (Shire) Committees.

5.1 The revenue budgets for Members and Democratic Services are not broken down by Shires. The total budget expenditure for Members in 2015/16 was £2,849,239. The budget for 2016/17 is £2,408,160. The total expenditure for Democratic Services in 2015/16 was £97,289. The budget for 2016/17 is £108,970.

5.2 Officer Costs – For the period April 2016 to March 2017 the costs of officer attendance at Shire meetings is:

Montgomeryshire	£3285.28	17 officers
Radnorshire	£3285.28	17 officers
Brecknockshire	£2815.95	17 officers
Total	£9386.51	

These costs are based on an attendance by a Senior Officer and clerk of 3 hours each, and an attendance by other officers of 1 hour each. These costs do not include any travelling and subsistence expenses, nor do they include the time spent preparing reports. They are non cashable savings.

5.3 The cost of Members' travel is as follows:

Montgomeryshire	£2754.00
Brecknockshire	£1458.00
Radnorshire	£1701.00

5.4 Cabinet Member Costs.

The cost of Cabinet members from other Shires attending:

Montgomeryshire	£295.00
Brecknockshire	£405.00
Radnorshire	£472.50

5.5 Costs of Photocopying Agendas – agendas are now produced electronically.

5.6 There has been no capital expenditure.

5.7 Refreshments.

The Council meeting on 30th April 2014 decided to end the provision of refreshments at meetings. Refreshments are not provided for Shire Meetings.

5.8 A very rough indication of the total costs for Shire Committees for April 2016 to March 2017 is set out below:

Item	Montgomeryshire	Radnorshire	Brecknockshire
Officer Costs	£3285.28	£3285.28	£2815.95
Members' Travel	£2754.00	£1701.00	£1458.00
Cabinet Members attending other Shires	£295.00	£472.50	£405.00
Total:	£6334.28	£5458.78	£4678.95

Total Cost for 3 Shires – £16,472.01

These costs do not include officers travelling costs.

6. Frequency of Meetings.

- 6.1 Montgomeryshire and Radnorshire meet bi-monthly, whilst Brecknockshire meets on a quarterly basis.

7. Officer Support for the Committees.

- 7.1 Currently the Council's Management Team has a rota of attendance at Area (Shire) Committee meetings but due to the day to day pressures of diary management, senior officer attendance cannot be guaranteed. As a result of the response to the Williams Commission report, from January, 2015 the Management Team has changed its meeting days to Wednesdays so that joint meetings with the Powys Teaching Health Board can be undertaken. This has clashed with meetings of the Area (Shire) Committees so that officer attendance at these meetings has been revisited.
- 7.2 Given the limited decision making power of the Area (Shire) Committees, attendance of senior officers at these meetings is not cost effective.

8. Decisions Taken:

- 8.1 Montgomeryshire has taken 9 decisions to date in 2016/17 relating to Highways, parking and road safety matters at 3 meetings.
- 8.2 Brecknockshire has taken 7 decisions to date in 2016/17 relating to Highways, parking and road safety matters at 4 meetings.
- 8.3 Radnorshire has taken 5 decisions to date in 2016/17 relating to Highways, parking and road safety matters at 1 meeting.

9. Options for Further Delegation of Executive Functions.

- 9.1 In discussions with the Area (Shire) Committees it is difficult to identify any additional Executive Functions which could be delegated to these committees. The former Board and subsequent Cabinets have not extended the scheme of delegation. In fact the scheme of delegation has reduced since it was first commenced in 2002. It is also difficult to conceive that any functions other than those of a minor nature would be delegated as the majority of Cabinet decisions are strategic decisions which require an all-County approach and would be inappropriate to delegate.
- 9.2 The need to hold decision makers to account in a clear and transparent way could lead to a conflict for Members if decisions are taken by members of Area (Shire) Committees who also have a scrutiny role. Any decisions taken under delegated authority from the Cabinet e.g. Highways matters, can be subject to a call-in by a scrutiny committee.

10. Local Environment / Neighbourhood Management.

- 10.1 To further progress the work of the Local Environment Initiative and to support a community approach to service delivery, Locality Forums have been established in

Local Environment Areas within the County. The Locality Forum is an opportunity for local Members for the area together with officers and the Portfolio Holders for the service, to focus on any local issues that may impact on the delivery of a seamless and efficient service for the residents of Powys. Discussions can focus on the budget and the extent to which it is possible to meet local priorities.

- 10.2 The neighbourhood management pilot that was held in Newtown, has resulted in the development of a toolkit which is available for all communities to use. The toolkit is a guide for residents who want to start their own neighbourhood management group in order to tackle quality of life issues. The toolkit has useful contact details for Powys County Councillors, Town & Community Councillors, Neighbourhood Policing Teams, the Fire Service, Kaleidoscope Substance Misuse and many others.
- 10.3 The Community Delivery project supports the County Council's vision for 'Stronger Communities in the Green Heart of Wales'. It is the County Council's intention to become a place maker and enabler of local communities rather than the traditional provider of services. We will work with our partners in the public, voluntary and independent sector to support community leaders and volunteers, to develop initiatives through the transfer of assets and services, that will enable their communities to be vibrant and sustainable for the future. A large number of property assets including playgrounds, allotments and similar open spaces, have transferred to Town & Community Councils. A growing number are also taking on the delivery of services i.e. public conveniences, grounds maintenance, street cleaning, and Libraries and Day Care Centres.

11. Impact of the changes to Local Government over the next few years.

- 11.1 There is no indication from Welsh Government that there will be a move in Wales away from an Executive Model of governance in Councils i.e. a Cabinet System, so the likelihood of any further delegated responsibilities being transferred to the Area (Shire) Committees is remote. In fact with a more regional approach to service delivery it is anticipated that the Council's involvement will centre around the Cabinet and Scrutiny Committees.
- 11.2 The expectation from Welsh Government is that other organisations / bodies such as Town and Community Councils and Voluntary Organisations would be expected to take on more responsibilities currently being undertaken by County Councils either jointly or under contractual arrangements. As part of the Council's reconfiguration as a commissioning authority and in the face of severe budget cuts, the Council is already undertaking the transfer of services / facilities to Town and Community Councils and others which will reduce the input which Area (Shire) Committees will have in such matters, as these committees do not have a scrutiny function.

11. Rotational Arrangements for the Chair of Council.

- 11.1 Since 1996 the Council has operated a system where the Chair of Council is selected on a rotational basis from the Area (Shire) Committees with each Shire having the same number of opportunities to select as the others i.e. 1 in 3 in a 3 year rotation. There are no proposals to amend this process.

12. Comments.

- 12.1 Legal – The recommendation can be supported from a legal point of view.
- 12.2 Finance – The removal of these committees will realise an estimated annual cashable saving of £7,000 and there is also the opportunity cost of releasing time that can be used effectively elsewhere by officers.
- 12.3 Communications - The report is of public interest and requires use of news release and appropriate social media to publicise the decision.

13. Statutory Officer Comments.

13.1 Section 151 Officer.

The Strategic Director – Resources (Section 151 Officer) has commented as follows: “The comments made by Finance about savings arising from the abolition of the current structures is noted”.

13.2 Monitoring Officer

The Solicitor to the Council (Monitoring Officer) has commented as follows: “I note the legal comment and have nothing to add to the report”.

Recommendation:	Reason for Recommendation:
(i) that the Area (Shire) Committees be abolished as from the Annual General Meeting in May 2017. (ii) that the civic role of Chair and Vice-Chair of the Shires be continued and that an annual meeting of members from the relevant Shire area be held to undertake the election of the Chair and Vice-Chair.	(i) to complete the review in respect of the Area (Shire) Committees; and (ii) to continue the civic role of the Chair and Vice-Chair of the Shire and to establish a process for the annual election of the Chair and Vice-Chair of the Shire on an annual basis.

Relevant Policy (ies):			
Within Policy:	Y / N	Within Budget:	Y / N

Relevant Local Member(s):	
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Person(s) To Implement Decision:	Clive Pinney / Wyn Richards
Date By When Decision To Be Implemented:	May 2017

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Background Papers used to prepare Report: