

Monmouthshire Select Committee Minutes

Meeting of Place Scrutiny Committee held at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA with remote attendance on Wednesday, 19th April, 2023 at 2.00 pm

Councillors Present

County Councillor Lisa Dymock (Chairman)
County Councillors: Louise Brown, Emma Bryn, Ben Callard, Tomos Davies, Jane Lucas, Maria Stevens, Jackie Strong, Catrin Maby, Paul Griffiths, Sara Burch, Catherine Fookes and Ann Webb

Officers in Attendance

Hazel Ilett, Scrutiny Manager
Robert McGowan, Policy and Scrutiny Officer
Frances O'Brien, Chief Officer, Communities and Place
Matthew Gatehouse, Head of Policy, Performance and Scrutiny
David Jones, Head of Public Protection
Huw Owen, Principal Environment Health Officer (Public Health)
Daniel Fordham, Project Manager
Claire Sullivan, Regeneration Project Manager

APOLOGIES: Councillor Ian Chandler

1. Declarations of Interest

Councillor Davies declared a personal interest in relation to the petition in Item 4, being employed by a compostable packaging company.

2. Public Open Forum

The lead petitioner Ffion Maidment Cardenas spoke on the subject of the petition in Item 4.

3. Petition: Single Use Plastic Bags - To agree whether to refer to the Executive or full Council for action

To agree whether to refer to the Executive or full Council for action. Councillor Lucas introduced the petition. The committee agreed to refer the petition to the Cabinet Member, Catrin Maby.

4. Public Spaces Protection Order (PSPO) for Dog Controls - For members to inform how to proceed with the next stage of the draft PSPO

Cabinet Member Paul Griffiths introduced the report. Huw Owen presented the report and answered the members' questions with David Jones.

Challenge:

We can pass laws and establish fines but enforcement and its method is always the challenge, when it comes to having an impact.

The PSPO process itself is helpful as a reminder to the public about picking up waste, where to take their dogs, etc. If we declare any dogs on leads exemption areas, they will be signposted appropriately. One option for enforcement is for authorisations to be spread across a number of directorates/departments. We also have parking enforcement officers who carry out proactive patrolling of car parks etc.; we are already discussing whether they can be authorised. The review of littering and flytipping will address this area, too, as it relates to fixed penalty notices and community support officers, in particular. Officers are also working on intelligence in following up complaints, particularly as owners tend to walk their dogs in the same places.

How would the new controls affect trustees of land? For example, in relation to the land in Caldicot for which the trustee is the Town Council, and which includes a play park and sports field.

As stated in Recommendation 2.3, we have sent correspondence to all town and community councils, setting out the proposed dogs on leads and dogs exemption areas for each council. They can come back to us with any concerns and questions, which might pertain to the land in Caldicot, in that instance. Those details will be considered on a case-by-case basis. If a certain area such as a park is included in a PSPO, it becomes an offence to breach the rules that are to be agreed. Beyond that, the Trust's control of the land should not be affected.

Would an officer be allowed to implement a ticket on a trustee's land? Some owners disregard the signs in Caldicot, leading to big problems with the field. The Police have said that nothing can be done without a by-law. Where would a by-law come in, if at all?

The PSPO will set out exactly the areas that are covered, on the Council's website and by explicit signage in the area concerned. So, the rules should be absolutely clear to anyone entering an area, and a resource implication in the report therefore concerns signage.

Regarding enforcement, is there more information about what is available? How many authorised officers are there in the county? What is the budget for enforcement?

Currently, the authorised officers are across Environmental Health and the Waste and Street Cleaning sections, for the current designation order that's in place, and the Fouling of Lands Act. It is unlikely there will be scope to substantially increase budgets to take on Enforcement Officers but that's to be considered in one option. But there could be authorised officers in other sections such as Estates, Leisure, etc. We have 5 Environmental Health officers and a number of potential officers in Waste and Street Cleaning who could be authorised, as well as 4-5 civil parking enforcement officers. From experience, dedicating technical officers to proactive patrolling for dog fouling isn't cost effective or efficient. It is more a case of ensuring that there are officers to act on intelligence i.e. from public complaints.

How would the public know that they are dealing with authorised officers, and what will be the reporting mechanism?

Our Environmental Health officers have been carrying out enforcement for decades. When officers approach dog owners they explain who they are and show their authorisation, so they don't have to be in uniform. There are set procedures that need to be followed when dealing with the public. If officers from other departments are authorised they will be trained in what to do and say, as we did with the community support officers a few years ago.

Would officers show an MCC I.D. or would they need a card to show that they are authorised to carry out enforcement? What are the practicalities? Will there be a separate email address or any publication for anonymous crime reporting?

An officer would approach somebody who are believed to have committed an offence, introduce themselves and explain that they are an authorised officer. We would not expect them to show authorisation from the council or head of public protection at that time. If the member of the public is issued with a fixed penalty notice, the order would clearly set out where appeals could be made and contact numbers, contact emails, etc.

I approve of Dogs Trust's comments about off-lead exercise, but it needs to be in appropriate areas. Perhaps the inclusion of marked sports areas perhaps needs further scrutiny. Is there any evidence that signage has an effect on behaviour or are regular campaigns more effective?

I'm not aware of evidence about the effectiveness of signage. We do know that we need to make the rules clear. In our neighbouring local authorities where PSPOs are in place, the signs in the parks are clear as to exactly what can be done and where. This would also be a useful opportunity to take down old signs, and to have one clear message to dog owners, which could include a map of the park showing where the leads and exemptions areas are. Awareness will be an incremental process, working with Comms on a campaign, and having information on the website about the PSPO coming in, and the expectations. And it will be a case of building on the improvements in recent decades in terms of high street dog fouling – changing attitudes is the best way to get people to comply. Town and Community Councils will be empowered to communicate with their residents about the expectations, hence Recommendation 2.3.

Recommendation 2.2 is vitally important: if someone isn't carrying bags to pick up after their dog then they obviously have no intention of doing so. Though someone might simply run out. How would that situation be handled?

Consistency of enforcement is really important. There also has to be judgement from the enforcing officer e.g. if someone says they don't have bags because their dog has already gone and the bags have been used. Each case needs to be taken on its merits, and officers will also often be acting on intelligence rather than just on how a situation presents itself in the moment.

Is it expected that a resource/budget would need to be found to support officers to pursue these fixed penalty notices? Would there be any wider impacts to the current operation of the dog waste contract that's administered on behalf of town and community councils?

No, this report doesn't touch on the dog waste collection aspect. As for additional resources, proactive patrolling would not be effective in delivering enforcement. So, if we were given a sum of money to employ another officer or two and report back on how many fixed penalty notices have been issued, we would have concerns about being able to demonstrate efficiency and effectiveness.

Chair's Summary:

Cabinet Member: Implementation is unlikely to succeed without investment in effective signage – orders can't be issued if the public hasn't been warned. Some of the figures suggested are around £20k; as an Executive, we will need to face up to that. I am persuaded that there can be a sensible training programme of staff, and that there shouldn't therefore be a revenue implication on staffing. From experience in another authority, the change from existing signage which has a voluntary look to it, to PSPO signage led to more self-policing, with people feeling it is legitimate for them to police their neighbours. We can learn a lot from elsewhere.

Chair: Thank you to the officers. The recommendations 2.1-2.5 have been scrutinised in detail. Members raised concerns about how we can ensure robust enforcement, how controls will affect Trustees of Open Spaces, resources and the budget for enforcement, how will the public identify the enforcement officers and how will intelligence be received. There are questions about whether we know how effective signage is on behaviour and will there be any resource implications. It was suggested that if someone doesn't have the right receptacles on their person, they could be given a warning letter. I think it's vitally important that we continue to raise awareness around picking up after your dog and work with many partners and stakeholders to tackle the issue. But it is equally important to offer dog exclusion zones for other members of the public. Members of the public and Town and Community councils will welcome the recommendations outlined in this report as we know it's a very emotive subject, especially on neighbourhood social media accounts and something that we as counsellors receive a large number of complaints on.

5. Monnow Street Design - To scrutinise the proposed design for Monnow Street following community engagement and consultation

Cabinet Member Paul Griffiths introduced the report. Daniel Fordham presented the report and answered the members' questions with Claire Sullivan.

Challenge:

In reality, the thoroughfare of cars is an important part of Monmouth, especially if something happens e.g. when emergency vehicles need to access areas. So another avenue for cars is important.

One of the core elements of the proposal is that Monmouth needs to maintain traffic for exactly that reason e.g. when the dual carriageway is closed. So, it's not pedestrianised, we're not creating a shared space, so the volume of traffic that Monnow Street can deliver will be exactly the same as now. The existing situation is itself not perfect though, and when one of the two routes is blocked it causes problems elsewhere, but it's not negatively affected by these proposals.

Are there not too many crossings e.g. one either side of the bus station?

The number of crossings has been the subject of much discussion. There were more in earlier versions of the design, so we've taken out some and have tried to find a balance i.e. not overburdening the street with crossings but ensuring that wherever someone wants to cross there is a convenient and safe opportunity to do so nearby. The balance might not be perfect yet but that's the direction of travel.

It is a worry that the carriageway will be even narrower than it is currently as, even now, buses have problems turning on to Monnow Street. It only takes one person parking badly to cause a problem. Would the change to the crossing places by the Robin Hood make it too tight for large vehicles?

The Monnow Street carriageway has historically been very wide – were a street like this built now, it would be much narrower. That would not affect its capacity to deliver traffic through. The proposed width is 6.3 metres, which is still more than enough for two HGVs or buses to pass each other. With buses exiting from the bus station, and the corner at the Robin Hood, the designers have tracked those to make sure that large vehicles can make those turns. If this design proceeds we would revisit that tracking at detailed design stage to confirm that those movements can be made.

If the parking spaces go in at the angles they are currently – albeit they are only temporary – it will encourage people to get into spaces that aren't really there. So that needs to be looked at.

Vehicles parked illegally always have the potential to block Monnow Street, and that risk would not be removed through this design. But the fact that there's more formal parking provision, in particular for loading and unloading – which is one of the things that tends to be a source of illegal or antisocial parking – should improve that situation. Nevertheless, as always, some level of enforcement will be required.

Disabled bays left out of the bus station could be wider to give security to the drivers. Can that be done?

Our understanding is that the disabled parking spaces would be wider than standard parking. That might mean that some of the adjacent standard parking spaces would also be wider, but that's exactly to create more space for disabled people to exit vehicles safely.

Has the amount of electric charging that will be required in future been factored in to these plans?

The existing short stay parking on Monnow street is for 30 minutes only; our assumption is that that would continue. I'm not sure to what extent that provides a meaningful opportunity for EV charging; nevertheless, we could make passive provision for that infrastructure to be delivered and if it would be useful to install it then we could potentially deliver that as part of the scheme. Parking colleagues could say what's going on in terms of EV infrastructure in car parks more generally.

We want more people to come into the town but we are getting rid of many of the parking spaces.

There are 631 parking spaces in Monmouth and an additional 20+ being created in the new car park. There is no significant loss of parking between the existing situation and what is proposed here, and the reduction in parking from the pre-Covid situation is only a dozen spaces or so which, in the context of the 600+ spaces elsewhere in Monmouth – most of which are very close to Monnow Street – is not a significant number. The vast majority of people visit Monnow Street to do things which would take longer than half an hour, so the short stay parking is not really appropriate for most of the people who currently visit. If one of the objectives, generally, is to encourage people to visit more often but also spend time there then longer stay parking is going to be of significance.

521 responses from a population of 10,000 seems like a very small number to risk £6.1m? We haven't asked residents the simple yes/no question of whether they would like to return to the situation pre-Covid, or move forward with something different.

The question about the return to the previous pre-Covid layout was in effect asked in the consultation in phase one of this piece of work, in late 2020. One of the options considered as part of that was a return to the pre-Covid layout, and the report discusses this. The majority of respondents were in favour of options that delivered some sort of change along these lines. In the appraisal of options that's been done by consultants and by colleagues, a return to that previous layout would not address any of the issues that have been identified in Monnow Street and there's no evidence that that would address the wider concerns around the town centre economy.

Can we not wait until we are past this cost of living crisis, so that businesses don't suffer too much? How can this be implemented without disrupting businesses? How will it be managed?

Yes, there's no way of delivering a scheme like that which would not entail some disruption to businesses. Our job would be to ensure that we minimize that as far as possible by carefully planning and phasing the works in terms of time scales. If this scheme were to proceed, we then move on to detailed design, which would take another 9-12 months and then there's work to be done on securing funding. That funding question will be the subject of a report that's coming to Cabinet in June, so we can perhaps revisit that one at that point.

Is it possible for public consultations go out on My Monmouthshire emails with a link and reminders for people to take part in them?

This will be raised with the Comms team. – **ACTION**

How many disabled parking spaces are there?

The proposal has 6 disabled spaces in Monnow Street and an additional 3 around the corner, created near the toilet block. But there would be space to increase that by enlarging other spaces, if that was the preference.

How will features in the proposal meet the objectives stated? A tabular format would be very helpful for showing this.

This can be provided – **ACTION**

Would removal of the only controlled crossing on Monnow Street contravene the objective to improve accessibility to all, with a specific emphasis on visual impairments? Can we be reassured that clear routes will remain for residents with disabilities?

There isn't a proposal to remove the existing signal-controlled crossing – it would just be moved slightly – so there would still be one in broadly the same place, in addition to the other courtesy crossings that are proposed. We're looking at clearly demarcating, possibly through physical marks on the footway zones, in which activity could take place that are designed to ensure that there's a clear route through for all users, but that's particularly of interest to disabled users and partially-sighted users. Those zones would be marked with tactile paving to make it easier for them to be navigated.

Does short-term parking on both sides not run counter to the objective for the scheme to contribute to the carbon reduction agenda and improve cyclability on the street?

One of the impacts of both the reduction in the width of the carriageway and in other design features, such as the greening and the introduction of some very gentle curves in Monnow Street, will be to slow vehicles down. The additional crossings are likely to do that as well, which will bring safety benefits for cyclists.

How does this plan complement other schemes to improve connectivity and accessibility?

It's out of the scope of this particular piece of work but where we know there is potential for those to come forward is, for example, the planning application for Hebron Hall, just off Monnow Street, where a connection through is proposed – we've allowed for that in the design here. If other proposals for those kind of lateral connections were to come forward when we're designing the scheme we can ensure they are marked in the same way. More generally, the Placemaking Plan would look to pick up the issue of how we can improve that kind of connectivity. We need to make sure that in the future design development of this scheme, assuming it proceeds and if there's any future design development of the Blestium Street scheme, that we keep in mind the need to make them sit together as a single piece even if they couldn't be delivered at the same time.

Was a feasibility study carried out, taking into account the underground structures and differences in levels on Monnow Street?

Some initial work has been done on that but we would normally expect to do the bulk of that at the detailed design stage. It's inevitable that some changes will need to be made during that stage as the evidence from surveys and so on comes forward, so we've done that initial piece of work but we'll do more of that in the next phase to ensure that the scheme is deliverable.

Is it possible to have further information on the expected duration of planned engineering works, should they go ahead?

It's probably too early to be able to say with confidence but something like this should be 6-9 months in total. That wouldn't be the whole street at once – we'd like to take a phased approach so that the effect on businesses is minimised.

Can you confirm whether the gateway infrastructure will include raisable bollards?

They don't currently feature in the proposals but that's not to say that they could not.

Would pedestrian crossings prevent the free flow of traffic, given that 84% of those answering the survey arrive by car?

We asked people for all of the modes of transport that they use, so people – particularly those who live close by – might on some occasions drive to town but might also walk or cycle, or on other occasions use public transport. So, although 84% of respondents use a car to travel to Monnow Street, 61% of respondents also walk. There's probably fairly significant overlap between those two i.e. people are sometimes cycling, sometimes walking, and sometimes using the car.

But the results are split up as if they don't overlap – should the question not have been "What's your main mode of transport to the high street?"

It's not intended to be understood in that way. We thought it was important to understand all of the different modes by which people travel to Monnow Street and then we've looked at the results by all of those who said that they drive (even if they also use other modes of transport), all the people who say that they walk (even if they also use other modes of transport), and the variation in the responses that we get from that is quite interesting. The responses to the proposal from those who drive is broadly in line with the overall response: people are generally in favour of most aspects of the design proposals.

What is the current number of spaces for able-bodied and disabled people, and what would be the situation in regard to this?

There are 600+ parking spaces in Monmouth, most of which are very close to Monnow Street. There are 33 spaces in the proposal, which is a reduction of 12 from the pre-Covid layout and no significant reduction from the existing arrangements. In the context of those 600+ parking spaces it's a relatively small reduction, and the parking on Monnow Street has always relied on people not parking on the High Street.

With many saying that they use Monmouth for top-up shopping, it's helpful to have a close space – has that been properly taken into account?

Top-Up shopping has been part of the rationale for retaining some on-street parking on Monnow Street, keeping roughly the existing levels and it comes back to finding a balance. Most of the parking spaces in Monmouth are within easy walking distance of Monnow Street and therefore are accessible for most people who are doing that kind of Top-Up shopping.

Wider pavements would mean a drainage issue – where will the water go? Looking at engineering and water flow is an important point.

The drainage issues that have arisen have been worsened by the temporary Covid measures that are in place now – they were designed and installed at speed. Some of

the very careful design that we would expect to do for a scheme such as is proposed here, which is a permanent scheme, perhaps wasn't possible at the time. We would look to address all of the issues that have arisen from the temporary scheme in the design of the permanent scheme.

Where are the resources for the £6.1m budget?

£6.1m is an estimate that was done for a similar scheme last year so we wouldn't say that that's exactly the cost but it will likely be similar. A separate paper coming to Cabinet in June will consider regeneration priorities and funding for this and other schemes, so perhaps that can be picked up then.

Match funding would be about £3m – is that in the budget already and where would the rest come from?

For the most likely sources of funding for this scheme, the match funding requirement is either 10% or 30%, so it's unlikely to be 50%. We've not yet discussed how that budget is allocated. What we intend to do through the current process, subject to the comments today, and the decision when this reaches Cabinet, is to have an adopted scheme which we can then progress in terms of design and use as a tool for securing funding for delivery.

Is there a strong business case for this to go forward, in view of the expenditure involved?

This is effectively a binary question about whether or not this scheme should proceed. That question was effectively asked in consultation at an earlier stage and the work that's been done subsequently shows that a return to the pre-Covid layout wouldn't deliver against the objectives that have been set for the scheme. The response from businesses in the one-to-one business consultation was overwhelming. There is some evidence in the report – case studies from elsewhere – of the economic impact of similar schemes which demonstrate the value of this kind of activity.

Will we lose the bays for the tourist coaches? Will they be able to turn around, rather than being sent back up the street?

There's no current proposal as part of this scheme to remove the coach parking on Blestium Street and there are no changes that are proposed in the area around the toilets that would prevent them turning around, but we can check that – **ACTION**

Chair's Summary:

The committee discussed whether there could be a further round of consultation, ideally with a simple yes or no question as to whether there should be a return to the pre-Covid layout.

Officers noted that there have been three rounds of consultation on this scheme already, over two and a half years. Given that it is difficult to engage people in consultations on this sort of scheme, having 500 people attend the drop-in sessions and more than 500 responses to a survey in a town of Monmouth's size is quite positive. It

would be very unusual to receive an overwhelming endorsement for any scheme of this type. The responses give a clear picture on most questions, with roughly 60-40 in favour.

Members were largely split on the matter, with many different and nuanced views. The committee can't require that further consultation takes place, but requested that officers note the strong opinions and arguments concerning re-consultation, and take away the points that were raised today.

Ward Member for Monnow Street: The designs are undoubtedly an improvement on the confusing situation as it stands – Monnow Street is beautiful but tired. I know several Osbaston residents who love the proposals; overall, it seems to be about 60/40 of my residents in favour, with all wanting something done. The consultations were really well attended – the Saturday consultation in Monmouth was very busy, in particular. Previous consultations have had large numbers of respondents because the proposal was very unpopular, so that should be borne in mind. Some businesses said they would like only loading bays and disabled parking in the high street – these proposals seem to be a good compromise in that regard. Extra loading bays will help with blockages. Young people like the idea of crossings in more places and the safety they will bring.

Cabinet Member: I've found the debate very constructive and useful. The Cabinet discussion on this has been deferred for a few weeks so there's going to be plenty of time, and I will ensure that the Cabinet report reflects as clearly as possible the range of points that have been made relating to a whole range of subjects.

Chair: Our high streets and town centres provide vitally important functions such as being focal points for local communities, a centre point for economic activity, job creation and retention, draw many of the visitors and tourists to Monmouthshire, and spaces for leisure. We need to continue to want to make our towns more attractive and listen to our residents' views.

The number of people who engaged in these consultations was quite disappointing and that's something we need to take away but I'm pleased with the comments raised, such as: it's important to maintain the two-way traffic, potentially the use of herringbone parking, some felt that there were too many crossings, were concerned about the size of disabled bays, asked if cabling will be installed ready for electric power points for bikes and cars, and asked whether consultations can go out on MyMonmouthshire emails with the link to try to increase participation.

A number of members wanted to go back to reconsultation on whether we return to the pre-Covid layout. We must ensure that we minimize the impact on businesses for the works. Questions were raised around tourist coaches returning, the features and how they meet the objectives, accessibility, especially for blind and partially-sighted, whether a feasibility study has been carried out, how we will work with the conflict between vehicles and cyclists, and accessibility for either side of Monnow Street. There were questions around the drainage and engineering options that have been considered and where will the 3.1 match funding come from.

There's a mixed view of the proposals made by officers today, which is likely a true reflection on residents' views, so I hope officers and Cabinet members will go away and consider what's been said today.

6. Place Scrutiny Committee Forward Work Programme and Action List

A member asked that a report about the Community Improvement team be added to the work programme – ACTION

7. Cabinet and Council Work Planner

8. To confirm the following minutes:

Ordinary Meeting of Place Scrutiny Committee dated 12th January 2023

The committee approved the minutes.

Special Meeting of Place Scrutiny Committee dated 2nd February 2023

The committee approved the minutes.

9. Next Meeting

Thursday 25th May 2023 at 10.00am.

The meeting ended at **4.43 pm**.