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MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Strong Communities Select Committee held
at on Monday, 26th February, 2018 at 10.00 am**

PRESENT: County Councillor J.Pratt (Chairman)

County Councillors: A.Davies, L.Dymock and A. Easson.

Also in attendance County Councillor(s): R. John and S.B. Jones

OFFICERS IN ATTENDANCE:

Roger Hoggins	Head of Operations
Paul Keeble	Traffic and Network Manager
Hazel Ilett	Scrutiny Manager
Paula Harris	Democratic Services Officer

Apologies for absence

County Councillors L. Jones, V. Smith, A. Webb and R. Roden.

Declarations of Interest

None.

Mitchel Troy Toilets - Verbal Update

Context:

Members were circulated the following information from Mark Emmett, Area Manager, Network Management Division, Department for Economy and Infrastructure, Welsh Government, South Wales Traffic Management Centre for comments or observations;

I've been asked to contact you in relation to a proposal we have to close the toilet facilities at the A40 Mitchel Troy rest area.

As you may know, the toilet block has been in place for many years and is currently costing us in the region of £30k per annum for regular/basic maintenance via the SLA the Agent has with Monmouthshire DWO. However, the fixtures and fittings are now beginning to fail and a quote received solely for replacement of the 25-year old automatic hand wash dryers has come in at over £10k. We are also aware that 2 of the toilet cisterns are now failing and will cost around £2k each for full replacement. In addition to the issues linked to the condition and ongoing maintenance of the block, we are still continuing to experience problems with inappropriate use of the building and vandalism.

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Consequently, SWTRA have come to WG with a suggestion that the toilet facilities should be closed along with removal of the picnic benches. Having reviewed DMRB standard TA57/87, they have rightly established that picnic areas should have a drinking water supply and toilet facilities and if the toilet block is removed, the Welsh Government may be criticised for not complying with standards and creating a hygiene risk. When we closed the toilets on the A449 at Newbridge-on-Usk (principally due to their inappropriate use), the picnic benches were also removed solely on hygiene grounds, as wash facilities were no longer available.

We appreciate that the removal of any toilet facilities is not ideal, but the decision to consider closure is partly based upon the availability of toilets at Raglan Services (24 hours) and in Monmouth during the day. At this moment in time, there is no programme for closure, but the intention is for all works including demolition to be completed in the current financial year. I understand that the local County Councillor may already be aware of this proposal via discussions with DWO staff and they were led to believe that all public toilet facilities including those at Mitchel Troy were under the ownership/management of the Council.

We received the following response from local Member County Councillor Richard John;

I've discussed this with some local residents and community councillors and there were very mixed views. Some felt that with the newly opened services at Raglan that the toilets at Mitchel Troy are no longer required, but others felt strongly that they should be kept open.

Whenever I drive past, they always seem quite busy. Once they are closed, they will never reopen and that's a local amenity lost. I would be concerned about them becoming even more neglected should they be closed and they could become a focus for anti-social behaviour. If they were closed, what would happen to the building and the lay-by? Would the building be demolished and lawned or just left to ruin?

I think the Welsh Government should keep them open, but I have had views both for closure and retention expressed to me by residents.

Member Scrutiny:

County Councillor Richard John attended the meeting and reiterated his points on the toilets.

A Member raised the point that if the services were closed, that they were removed in their entirety and not allowed to become an eyesore.

Committee's Conclusion:

The committee broadly supported the closure of the toilets, although voiced that the closure of any facility was disappointing.

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There was strong feeling that in the event of the toilets being closed it would be the responsibility of Welsh Government to ensure the plot did not become an eyesore or a magnet for anti-social behaviour.

Civil Parking Enforcement

Context:

This report seeks member support for officers to proceed with applying to the Welsh Government for Monmouthshire County Council to take on Civil Parking Enforcement within the county, the approval of additional funding to validate and prepare a new consolidated order for all parking traffic regulations throughout the county, along with associated works to ensure the order is enforceable and the implementation of the necessary arrangements to manage CPE within the county.

Key Issues:

Gwent Police have historically undertaken enforcement of contraventions of formal Traffic Regulation Orders, such as parking restrictions. All other Welsh Police Authorities have withdrawn from on street parking enforcement with the local authorities taking up responsibility for CPE, Gwent Police have given notice that they will cease to undertake such enforcement on 31st December 2018.

In response to this, the Gwent G7 meeting of Chief Executives agreed to investigate the introduction of Civil Parking Enforcement (CPE) as a replacement for the role of the Police and on this basis a feasibility study report was subsequently prepared as part of joint G7 initiative.

Subsequently a feasibility study was commissioned jointly by the Gwent authorities. The report provides initial financial and operational information around the development of a Civil Parking Enforcement regime.

CPE will allow the Council to enforce parking contraventions within Monmouthshire County Council through a civil law regime, as opposed to enforcement by the Police in a criminal law context. Those parking contraventions that fall under a civil law regime specifically relate to traffic lines and signs (e.g. double yellow lines, parking bays, etc.). Therefore, the enforcement of vehicles contravening such lines and signs will be the responsibility of the Council, not the Police.

All other parking offences, such as obstruction of the highway, parking on the footway etc.) remain with the Police to enforce.

If CPE powers are not acquired, the Council will not be able to manage and enforce Traffic Regulation Orders within the county and this would lead to a detrimental impact on the efficiency and safety of the highway network.

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To acquire CPE powers, the Council must apply to the Welsh Government for a Designation Order for Monmouthshire County Council to become a Civil Enforcement Area and a Special Enforcement Area for the purposes of part 6 of the Traffic Management Act 2004. As part of the application, it is essential that the Traffic Regulation Orders (TRO) that form the Council's Traffic Management network are correct. Work to achieve this would require reviewing the existing TROs and then proceed to incorporate a new schedule within a Consolidated Order that accurately reflects the physical signs and lining on the highway. The feasibility Report jointly commissioned by the Gwent authorities has indicated an estimated cost of £90k for this review process in Monmouthshire.

A further requirement of the application to WG to acquire CPE powers is to produce a business plan setting out how the Council proposes to operate the scheme. The options are shown within the feasibility study commissioned by the Gwent LA's (appendix 1) and should be considered based upon resilience and cost efficiency.

MCC is currently in discussions with neighbouring authorities on how CPE may be delivered. The preferred option at present would be for MCC to combine the 'front line' element with the in-house off-street parking service and 'back office'; to provide the ticketing section via a collaborative arrangement using either an existing local authority back office or similar service offered by the private sector.

The outline timescale for the implementation of CPE is:

- Council Select Committee consideration of the implications for MCC introducing CPE (February 2018)
- Council approval to proceed with the development of an application to Welsh Government for the introduction of CPE (March 2018)
- Complete draft Consolidation Order (April 2018)
- Public Consultation on Consolidation Order (June 2018)
- Draft CPE application to Welsh Government (August 2018)
- Full CPE application to Welsh Government (November 2018)

Member Scrutiny:

The Cabinet Member for Operations, County Councillor B. Jones attended the meeting to speak on this item.

It was asked if we provided back office support for other authorities, along with ourselves, would it have a financial benefit for us and would it be worth investigating.

It was asked if a common approach from the five authorities would be the best way forward for reasons of costs and continuity.

It was asked why there has been no provision from Welsh Government to enable collaborative working from the start.

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Questions were raised on the frontline provision of the service, in house rather than tendering out.

Reassurance was sought that sufficient resource was in place so that all areas of Monmouth would be policed.

It was asked how Councillors will interact with the team and what influence Councillors would have on the allocation of staff.

Committee's Conclusion:

It was felt that excellent scrutiny had taken place with a number of points highlighted by the committee;

- Backroom staff and resources
- Fairness and service distribution
- Benefits and enforcement

The Committee agreed to accept the recommendations as follows;

- That Monmouthshire County Council take on the responsibility for the enforcement of on street parking.
- That officers should prepare an application to take on Civil Parking Enforcement to the Welsh Government and funding of £90,000 for the preparation of a consolidated order.
- That a budget of £150,000 be made available for works required to ensure the order may be effectively enforced.
- That the provision of the front line of the service be provided in house i.e. by directly employed staff.
- That the selection and commissioning of the provision of the back office service (i.e. administration of penalties, fines, appeals etc.) be delegated to the relevant Chief Officer (Head of Operations) in consultation with the Cabinet member for Operations.

The meeting ended at 11.19 am

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