

**CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY
COMMITTEE**

28 September 2023

Present:-

Councillors A Dewhirst (Chair), P Bullivant (Vice-Chair), J Brook,
R Chesterton, R Hannaford, J Hodgson, C Slade, I Roome, M Squires,
J Trail BEM and J Wilton-Love

Apologies:-

Councillors M Asvachin, P Crabb and R Radford

Members attending in accordance with Standing Order 25(1)

Councillors R Croad and S Hughes

* 121

Minutes

RESOLVED that the Minutes of the meeting held on 22 June 2023 be signed as a correct record.

* 122

Items Requiring Urgent Attention

There was no matter raised as a matter of urgency.

* 123

Public Participation

In accordance with the Council's Public Participation Rules, the Committee received and acknowledged oral representations made by Cllr C Cottle-Hunkin, Torridge District Council, Mr J Smith, Vice Chairman, Coldridge Parish Council and Ms C Bury. A statement was also read out on behalf of Ms Baker. The representations were on a matter to be considered by the Committee that day, namely the Call-in of Cabinet Decision - Mobile Library Service (Minute *359 of 12 July 2023).

The Chair responded, thanking the public for all their representations which would be taken into account by the Committee during its subsequent deliberations.

* 124 **Call-In of Cabinet Decision - Mobile Library Service (Minute *359 of 12 July 2023)**

Councillor Croad, Cabinet Member, for Public Health, Communities and Equality attended in accordance with Standing Order 25(1) and spoke to this item in support of the Cabinet resolution of 12 July 2023 (i.e. decommissioning the mobile library vehicles and providing £25k transition support for vulnerable users to continue to access alternative library provision).

In accordance with Section 4(d), Paragraph 17, of the Scrutiny Procedure Rules, the Chair of the Corporate, Infrastructure and Regulatory Services Committee (Councillor Dewhirst) had invoked the call-in procedure in relation to the decision of the Cabinet (Minute *359 of the 12 July 2023) in relation to the Mobile Library Service in Devon.

The grounds for this call-in were:-

“1. When Cllr Connett spoke, the issue of leasing was raised. Then during the Cabinet meeting, it was revealed by the Head of Communities that officers had looked at leasing mobile library vehicles as an option to continue the service. However, this was not mentioned in the report to Cabinet, so Cabinet members had no opportunity to consider leasing as an alternative option to sustain the service. It was only in response to Cllr Connett's comment that the Head of Communities revealed leasing had been considered. However, the report did not set out how officers looked at this, what the financial considerations were and why it was not considered a viable option.

2. The report is unclear on whether the £217,000 being saved by axing the mobile library service is a genuine revenue saving to the council or is the money being 'recycled' into Libraries Unlimited to help meet service costs? This was not made clear during the meeting. It was stated that that the saving was a 'saving to the council'. It was also said it would support Libraries Unlimited who, without it, would have to make other cuts. Therefore, the Cabinet has decided to axe the mobile library service without the knowledge of what other cuts the library contractor would make - and therefore the Cabinet did not compare and consider the range of cuts and their likely impact on communities. The only option was to axe the mobile libraries.

3. Two councillors from Torridge District Council presented a petition at the start of the Cabinet meeting against the cuts. The petition was presented to the Leader of the Council. However, the Cabinet did not consider the petition, refer to it, or take it into account in any way before deciding to cut the mobile library service.

4. The Report before the Cabinet was silent or obscure on how any costs of the mobile libraries closure would be dealt with - for example, redundancy, pension costs etc. Therefore, the Cabinet has failed to consider the full

financial impact on other budgets of the council - including identifying how the proposed one-off grant of £25,000 in Option 2 would be funded, and where any redundancy costs would be met from.

5. The Cabinet had not considered the adequacy of the proposed £25,000 for mitigation measures of withdrawing the mobile library vans. The report did not describe how the figure of £25,000 was arrived at, what the evidence is to show it would be sufficient, nor how long the proposed mitigations proposals would last. The Cabinet was not clear on the detail of the proposed mitigations, what the various schemes are and how they would work in detail so that they had assurance about residents still being able to access books and library services.

6. There appeared to be confusion about the figures used to support the recommendation to axe the mobile library service. Figures, it was said, described a fall in the number of users but it was not clear that analysis was on a like for like basis in that there used to be 8 vans, then four which included the use of a 'stand-in' replacement vehicle, resulting in vans not being able to operate if they were in for servicing or had broken down... all leading to fewer customers being recorded. Cllr Cheryl Cottle-Hunkin (Torridge, petition presenter) in her commentary suggested there had been an increase in customers from 2019 to 2022."

The Committee noted Councillor Croad's response to the above 6 grounds of the call-in. The Committee also considered the original Cabinet Report containing proposals for the Mobile Library Service, associated Impact Assessment, as well as the respective minutes of the Cabinet meeting. Two further representations had been received from Sir Michael Morpurgo OBE, Children's Laureate and the Chair of Torridge District Council.

The Chair referred to additional representations sent to Members by Cllr Cottle-Hunkin, Torridge District Council, including comments that women, making up the majority of mobile library users, were often disadvantaged, living in rural communities, isolated and in unpaid caring roles.

Members' discussion and comments included:-

-acknowledgement of Councillor Croad's ongoing support for static libraries and alternative library provision, including for those within rural communities and vulnerable users, irrespective of supporting the decommissioning of the mobile library vehicles. This view was also supported by some members of this Committee, however;

-Committee members considered that further investigations should be carried out on a range of issues prior to a decision about decommissioning the mobile library vehicles was made;

-the potential educational, social/health and wellbeing effects on the more rural, isolated and disadvantaged communities, who had seen the reduction of other community provision and transport over recent years;

-the environmental and sustainability considerations of continuing the use of mobile library vehicles;

The Communities Business and Commissioning Lead responded to questions during the debate.

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor Hodgson that the Committee recommends that Cabinet:

- (a) reconsiders the decision to decommission the mobile library vehicles and looks again at continuing to provide the mobile library service;
- (b) gets precise figures on leasing vehicles to review opportunities to continue to provide a cost effective service;
- (c) looks into opportunities to reduce the cost of delivery including commercial sponsorship opportunities on vehicles, crowdfunding and/or support from Parish Councils and community groups;
- (d) develops alternative library provision before taking the decision to remove services; and
- (e) reports findings back to this Committee.

Councillor Brook then **MOVED** an amendment, **SECONDED** by Councillor Trail that the Committee recommends that Cabinet:

approve the recommended Option 2 (as set out in Cabinet's Report SC/23/4) – Decommission the Mobile Library vehicles and provide £25k transition support for vulnerable users to continue to access alternative library provision, on the proviso that the Council looks at various areas to actively find solutions so that users can still effectively access a service.

The amendment was put to the vote and declared **CARRIED** and became the substantive motion.

Councillor Dewhirst then **MOVED** an amendment, **SECONDED** by Councillor Hodgson that this Committee recommends to Cabinet:

that should Cabinet decide not to continue with the mobile library service, the budget for Libraries Unlimited remain unchanged for the next financial year.

The amendment was put to the vote and declared **LOST**.

The substantive motion (as detailed above) was then put to the vote and declared **LOST**.

Councillor Hannaford then **MOVED, SECONDED** by Councillor Hodgson

that the Committee recommends that Cabinet:

- (a) reconsiders the decision to decommission the mobile library vehicles and looks again at continuing to provide the mobile library service;
- (b) gets precise figures on leasing vehicles to review opportunities to continue to provide a cost effective service;
- (c) looks into opportunities to reduce the cost of delivery including commercial sponsorship opportunities on vehicles, crowdfunding and/or support from Parish Councils and community groups;
- (d) develops alternative library provision before taking the decision to remove services; and
- (e) reports findings back to this Committee.

The Motion was put to the vote and declared **CARRIED**.

(The Committee adjourned the meeting after this item from 1218hrs until 1230hrs).

* 125 **Scrutiny Work Programme**

The Head of Scrutiny updated the Committee as to the work programme. In accordance with good governance, Members were encouraged to attend the masterclasses, visits and standing overview group meetings that had been scheduled.

The last DCC Council meeting (minute 232) had also referred the matter of the Call to Protect Ticket Offices Across Devon, following plans announced to close up to 1000 rail ticket offices across England in the next 3 years. Council recommended that: Scrutiny invite representatives from the relevant rail

operators(s) to attend a Scrutiny meeting at the earliest possible point to discuss future plans for ticket offices and staffing in Devon.

Members had no further items to add to the work programme.

The work programme was available at: [Scrutiny Work Programme - Democracy in Devon](#)

It was **MOVED** by Councillor Chesterton and **SECONDED** by Councillor Hodgson and **RESOLVED**:

(a) that rail companies be invited to attend the next meeting of this Committee to discuss future plans for ticket offices and staffing in Devon; and

(b) that the rail and bus companies be invited to attend an annual meeting/ provide an annual report, to give an opportunity for regular discussion and review.

* 126 **Moving Traffic Offences Spotlight Review - Progress on Recommendations**

Councillor Hughes, Cabinet Member attended in accordance with Standing Order 25(1) and spoke to this item, giving its one year update.

The Committee considered the Report of the Director of Climate Change, Environment and Transport (CET/23/64) on progress to date on Devon's application as one of a handful of local authorities in England applying to the Department for Transport (DfT) for powers to enforce Moving Traffic Offences (MTOs). MTOs were actions taken by drivers in direct violation of the rules of the road (e.g. driving through a no entry sign, making banned turns, entering a yellow box junction when the exit wasn't clear and driving on routes that were for buses and taxis only). The Council was considering ANPR (Automatic Number Plate Recognition) camera systems to be located at a number of locations around the county.

Public consultation closed 25 September 2023 and was to be reviewed before any application was made.

A further update was proposed following the provision of powers to the Authority and updating on progress on launching enforcement at the 8 sites identified in this Report.

Discussions and responses included:-

-This aimed to improve road safety, ease congestion and improve public services (e.g. by including driving in bus lanes as an MTO), as well as to be cost neutral, or marginally in deficit in accordance with national Guidance;

-MTOs were to be a last option, once Officers had reviewed highway restrictions in any given location. This was not about revenue generation;

-the Council was looking to procure cost effective and efficient technology to implement MTOs;

-Officers continued to work closely with the Police to best utilise the use of all types of highway cameras;

It was **MOVED** by Councillor Dewhirst and **SECONDED** by Councillor Bullivant and **RESOLVED**:

that the Committee fully supports the Report and progress made on the recommendations from the Moving Traffic Offences Spotlight Review and the current position on the application to Department for Transport for Moving Traffic Enforcement powers and hopes that this can be developed swiftly, to enable other notable locations around the County with regular enforcement to be included.

(Councillor Roome requested that his abstention from voting be recorded).

* 127

Highways Performance Dashboard - Summer 2023

Councillor Hughes, Cabinet Member for Highways Management, attended in accordance with Standing Order 25(1) and spoke to this item.

The Committee considered the Report of the Director of Climate Change, Environment and Transport (CET/23/65). In response to the recommendations of the Planned & Reactive Maintenance: Potholes & Drainage Task Group presented to this Scrutiny Committee in March 2019 an updated Performance Dashboard Report had been produced, giving an overview of the performance of the Highways and Traffic Management Team over the summer period.

Discussion included:-

-Members acknowledged the ongoing highways underfunding due to the financial pressures on the Council as a whole and ways to manage the main highway network priorities and the issues for local roads;

-the extension of the successful 'Elastomac' trial to the end of October, a seasonal treatment only (see paragraph 2.2 of the Report);

-monitoring of any safety defects in work carried out;

-reduction of two gritters whilst maintaining the winter maintenance service;

- gully cleaning: reliability and currently behind schedule due to weather and flooding since May 2023;
- the costs and difficulties associated with contractors being unable to undertake planned work when impeded by parked cars;
- consistency of quality of work undertaken;
- success of cycleway surface trials;
- the issues for pedestrians including vulnerable groups, such as those with visual or mobility impairments, where there were no pavements through villages and a poor quality highway surface;
- public portal to report faults and how to improve mis-reportings (e.g. of pothole and flooding issues);
- welcoming the forthcoming Scrutiny visits to the materials lab on 11 and 18 October 2023.

It was **MOVED** by Councillor Dewhirst and **SECONDED** by Councillor Trail and **RESOLVED**:

that Cabinet be requested to look at ways of ensuring contractors can undertake planned work and are not impeded by parked cars.

* 128 **Report of the Corporate Infrastructure and Regulatory Services Standing Overview Group: Climate Change**

The Committee received the Report of its Climate Change Standing Overview Group, which had considered the draft Devon, Cornwall and Isles of Scilly Climate Adaptation Strategy, available at [Adaptation Strategy – Climate Resilient Devon, Cornwall and Isles of Scilly \(climateresilient-dcios.org.uk\)](https://climateresilient-dcios.org.uk)

It was **MOVED** by Councillor Dewhirst and **SECONDED** by Councillor Bullivant and **RESOLVED**:

that the Corporate Infrastructure and Regulatory Services Scrutiny Committee accepts this Report as an accurate record of the meeting and makes the following recommendations to Cabinet, namely that:

- (a) Cabinet be asked to write to Government to request more robust controls that developers must adhere to under the Future Homes Standard, in relation to the climate including: making solar panels mandatory for new builds on buildings which it is possible and appropriate to do so; and ensuring that new builds are required to put measures in place to reduce water usage below the Building Regulations Part G Optional Requirement of 110 litres per person per

day. This would be to reduce the need for new, strategic energy and water infrastructure;

(b) Cabinet be asked to further write to Government and to South West Water asking them to commit to working together to maintain existing infrastructure (particularly applying greater efforts for leakage reduction) before developing new water storage infrastructure and to prioritise these above the energy-intensive process of desalination; and

(c) Cabinet also encourages organisations responsible for strategic infrastructure to prioritise collaboration between one another to ensure that management decisions will not negatively affect the integrity or maintenance requirements of nearby or related infrastructure. This would be to ensure the implications of any such decision do not negatively impact community resilience to climate change, and that such decisions are taken in line with the Devon, Cornwall and Isles of Scilly Climate Adaption Strategy.

* 129 **Anaerobic Digestion Plant Visit, June 2023**

The Committee received the site visit report, which included key messages around processing, challenges, benefits to local businesses and conclusions as to the inexpensive benefits to the gas and energy grid and farmers, being environmentally friendly and completely renewable, providing clean energy and reducing the amount of landfill waste. The Chair welcomed the excellent and informative visit to the Plant.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.30 am and finished at 1.40 pm