



Shropshire Council
Legal and Democratic Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: 21 May 2020

**Committee:
Cabinet**

Date: Monday, 1 June 2020

Time: 1.00 pm

Venue: THIS IS A VIRTUAL MEETING - PLEASE USE THE LINK ON THE AGENDA TO LISTEN TO THE MEETING

Members of the public will be able to listen to this meeting by clicking on this link:

[Cabinet Link 1 June 2020](#)

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You are requested to attend the above meeting.
The Agenda is attached

Claire Porter
Director of Legal and Democratic Services

Members of Cabinet

Peter Nutting (Leader)
Steve Charmley (Deputy Leader)
Gwilym Butler
Dean Carroll
Lee Chapman
Steve Davenport
Robert Macey
David Minnery
Lezley Picton
Ed Potter

Your Committee Officer is:

Amanda Holyoak

Tel: 01743 257714

Email: amanda.holyoak@shropshire.gov.uk

AGENDA

1 Apologies for Absence

2 Disclosable Pecuniary Interests

3 Minutes (Pages 1 - 4)

To approve as a correct record and sign the minutes of the Cabinet meeting held on 29 April 2020, attached

4 Public Question Time

To receive any questions from members of the public, notice of which has been given in accordance with Procedure Rule 14. Deadline for notification is not later than 1.00pm on 28 May 2020

5 Member Question Time

To receive any questions of which Members have given due notice, the deadline for notification for this meeting is 5.00 pm on Wednesday 27 May 2020

6 Scrutiny Items (Pages 5 - 28)

Report of the Performance Management Scrutiny Committee – Report of Signs, Boards and Banners Task and Finish Group attached

Chair of Performance Management Scrutiny Committee: Cllr Claire Wild

Contact: Danial Webb, Overview and Scrutiny Officer, tel 01743 258509

7 West Midlands Design Charter (Pages 29 - 34)

Lead Member – Councillor Gwilym Butler - Portfolio Holder for Communities, Place Planning and Regulatory Services.

Report of Director of Place attached

Contact: Mark Barrow 01743 258916

8 Quarter 4 2019/20 Corporate Performance Report (Pages 35 - 46)

Lead member: Councillor Lee Chapman, Portfolio Holder - Organisational Transformation and Digital Infrastructure

Report of Intelligence and Insight Manager attached

Contact: Tom Dodds 01743 258913

9 Exclusion of Press and Public

To resolve that in accordance with the provisions of Schedule 12A of the Local Government Act 1972 and Paragraph 10.4 [3] of the Council's Access to Information Rules, the public and press be excluded from the meeting during the consideration of the following items

10 Housing Revenue Account Sewage Treatment Plants - Future Management Report
(Pages 47 - 58)

Lead Member: Councillor Robert Macey - Portfolio Holder for Housing and Strategic Planning

Report of Director of Place

Contact: Mark Barrow 01743 258916



Committee and Date

Cabinet

1 June 2020

CABINET

Minutes of the Virtual Meeting held on 29 April 2020

11.00 am - 12.29 pm

Responsible Officer: Shelley Davies

Email: shelley.davies@shropshire.gov.uk Tel: 01743 257714

Present

Councillor Peter Nutting (Chairman)

Councillors Steve Charmley (Deputy Leader), Dean Carroll, Lee Chapman, Steve Davenport, Robert Macey, David Minnery, Lezley Picton and Ed Potter

75 Apologies for Absence

An apology for absence was received from Councillor Gwilym Butler.

76 Disclosable Pecuniary Interests

None were declared.

77 Minutes

RESOLVED:

That the minutes of the meeting held on 4th March 2020 be approved as a correct record and signed by the Leader.

78 Public Question Time

A public question relating to active travel by foot and cycle was received from Mark Fermor, Chair of Shropshire Cycle Hub.

A public question relating to the temporary pedestrianisation of Town Centres following COVID-19 was received from Rob Wilson.

A public question relating to the Shropshire County Pension Fund was received from Joanna Blackman.

A public question relating to the Climate Emergency was received from Jackie Jones.

A public question relating to the temporary pedestrianisation of Town Centres following COVID-19 was received from Mike Streetly.

A public question relating to support given to care and residential homes was received from Slawomir Fejfer.

A public question relating to Climate Change was received from Adam Shipp.

The full questions and responses provided are attached to the signed minutes and are available on the [webpage for the meeting](#)

79 Member Question Time

Member questions and in some cases supplementary questions were received as follows:

relating to support for the retail economy following the lockdown period, from Councillor Andy Boddington;

relating to support for Care Homes and the North West Relief Road, from Councillor David Vasmer;

relating to the Local Transport Plan 4 (LTP4) and the continuation of Scrutiny Committees, from Councillor Julian Dean;

relating to financial support to businesses and schools were received from Councillor Roger Evans.;

relating to Covid-19 deaths in Shropshire, from Councillor Ruth Houghton;

relating to the Highways Improvement Plan, received from Councillor Chris Mellings;

A Member question relating to reported Covid-19 cases in Shropshire Care Homes was received from Councillor Heather Kidd;

The questions submitted and the responses provided are attached to the signed minutes and the [webpage for the meeting](#)

80 Scrutiny Items

There were no scrutiny items.

81 West Mercia Energy - Treatment of WMS Pension Liability

The Leader introduced the report and stated that Shropshire Council, together with Worcestershire County Council, Telford & Wrekin Council and Herefordshire Council, was one of the member authorities of West Mercia Energy Joint Committee, formerly known as West Mercia Supplies (WMS). He explained that the paper proposed to transfer the pension deficit relating to the former West Mercia Supplies staff directly to a new body, the deficit had been retained within the continuing West Mercia Energy business when the WMS stationery division was sold in 2012. It was added that an equivalent version of this paper had been approved by the Executives at Worcestershire County Council and Telford & Wrekin Council and was due to be approved by Herefordshire Council on 30 April 2020.

RESOLVED:

That subject to the Executives of Worcestershire County Council, Telford & Wrekin Council and Herefordshire Council agreeing to the same recommendations, Cabinet agreed to:

- A. Remove the responsibility for the discharge of its function in relation to the pension deficit liability in relation to former WMS employees (including Compensatory Added Years Benefits) as identified in this report from the business of the WME Joint Committee with effect from 1 April 2020;
- B. Allocate the pension deficit liability identified in Recommendation A above to a new employer within the Shropshire County Pension Fund, called 'WMS Pension';
- C. Establish a joint committee pursuant to section 101(5) of the Local Government Act 1972, with Worcestershire County Council, Telford & Wrekin Council and Herefordshire Council known as the WMS Pension Joint Committee and delegate responsibility with effect from 1 April 2020 to the WMS Pension Joint Committee to discharge the functions of Shropshire Council relating to the pension deficit liability from former WMS employees (including Compensatory Added Years Benefits) as set out in Section 5 below allocate to the WMS Pension employer within the Shropshire County Pension Fund;
- D. Approve the proposed governance arrangements set out in Appendix 1, and confirm that the Council's appointed Executive Members to the WMS Pension Joint Committee shall be the Leader of the Council and the Portfolio Holder for Housing and Strategic Planning, the Council's current representatives on the West Mercia Energy Joint Committee;
- E. Delegate authority to the Director of Finance, Governance & Assurance (Section 151) to progress and agree the arrangements as set out in Section 5, including a relevant payment mechanism and finalise a Joint Agreement for the WMS Pension Joint Committee incorporating the terms set out in Appendix 1, in consultation with Section 151 Officers from the remaining Owning Authorities.
- F. Approve the treatment of the WME asset share to be fully funded with effect from 1 April 2020 using IAS19/FRS102 actuarial assumptions with the resulting additional cost of this funding option allocated to the WMS Pension employer within the Shropshire County Pension Fund.
- G. Delegate authority to the Director of Finance, Governance & Assurance (Section 151) to agree the final figures, of which estimates are set out in Section 6, and in consultation with the Section 151 Officers from the remaining Owning Authorities.

82 Shropshire Safeguarding Partnership

The Portfolio Holder for Children's Services presented the report which proposed to amalgamate partnership arrangements and the respective Boards for Community Safety, Children and Adult Safeguarding.

In response to questions, the Portfolio Holder for Children's Services stated that the proposal would bring the three bodies together removing the current overlap and therefore reducing the number of meetings. He added that there was no additional financial impact envisaged and once up and running the Board would welcome Scrutiny attention on how safeguarding was being managed during the current situation.

RESOLVED:

1. That the partnership arrangements and the respective Boards for Community Safety, Children and Adult Safeguarding be amalgamated.
2. That Shropshire Council be approved as the accountable body on behalf of the newly formed Partnership.

Signed (Chairman)

Date:



Cabinet

1 June 2020

1.00 pm

Item

Public

Performance Management Scrutiny Committee -

Report of the Signs, Boards and Banners Policy Task and Finish Group

Responsible Officer

Danial Webb, overview and scrutiny officer

01743 358509

1.0 Summary

1.1 This report concludes the work of the Signs, Boards and Banners Policy Task and Finish Group. In the report, the group examines a number of street scene issues that Shropshire Council faces. It makes recommendations to Cabinet that could:

- ensure clear policy with regard to banners, bunting and Christmas decorations
- protect pedestrians and provide certainty to businesses with a permit scheme for A boards
- ensure Shropshire Council retains a sustainable pavement permit scheme and
- provide additional income to allow more effective administration of the council's housing development sign permit scheme.

2.0 Recommendations

2.1 The Performance Management Scrutiny Committee recommends that:

- Shropshire Council redraft its policy for banners, bunting and Christmas decorations, to include where appropriate, provisions for specific retail centres;
- Shropshire Council set and actively enforce a policy for A boards;
- the policy for A boards should include the regulations contained in the body of this report;
- the cost of an A board permit should reflect the total cost of administering and enforcing the scheme;
- Shropshire Council consult with town and parish councils on supplementary policies A boards for their local area;
- Shropshire Council proceed with its intention to increase its charges for pavement permits to a level that fully recovers the cost of administering and enforcing the scheme. These fees will then be subject to an annual review;

- Shropshire Council does not proceed with an additional cost recovery fee of £200 on new and annual renewals of pavement permits; and
- Shropshire Council revise its scheme of charges for the housing development sign permit scheme, to a level that fully recovers the cost of administering and enforcing the scheme.

3.0 Opportunities and risks

- 3.1 Agreeing a new policy and permit scheme for A boards will provide certainty to businesses that wish to use them. It will also provide expected standards of design and location that will mitigate the impact of A board on footpath users. It will also provide the opportunity for town and parish councils to contribute additional policy that is relevant to their local area.
- 3.2 Revised fee charges for A boards, pavement permits and for housing development signs will ensure that services remain sustainable and that the businesses that benefit from the amenity are those that pay for their licensing and management.
- 3.3 A failure to achieve any of these outcomes would risk unsustainable or ineffective services, which would in turn have a detrimental effect on Shropshire's street scene, particularly in retail centres. Negative impacts could include reduced access to retail centres for some groups of vulnerable adults.

4.0 Financial assessment

- 4.1 A revised scheme of charges for housing development signs would provide additional income for Shropshire Council.
- 4.2 Delegating powers under Section 115E of the Highways Act 1980 would be likely to incur administrative costs. Any delegation of powers would still require Shropshire Council to retain its own competence and administrative capacity, which would mean there would be no ongoing cost saving to Shropshire Council.
- 4.3 An increase in charges for pavement permits will increase permit income to a level that reflects the cost to the council of administering the scheme.
- 4.4 Introducing a fee-based permit scheme for A boards would provide additional income for Shropshire Council to administer the scheme. However this income could not be greater than the costs incurred in administering and enforcing the permit scheme.
- 4.5 Agreeing to withdraw the deficit recovery charge of £200 on new and renewed permits will result in unrealised income to Shropshire Council of approximately £56,000.

5.0 Background

- 5.1 During 2018 and 2019, the Place Overview Committee received a number of reports on street scene matters. These included:
- advertising boards placed outside businesses, known commonly as A boards
 - banners, bunting and Christmas decorations alongside or above the highway and
 - pavement permits.
- 5.2 In December 2018, the Place Overview Committee received a report from the council's Traffic Manager that outlined potential new guidelines for A boards in Shropshire. These sought to limit the number of A boards a business could use, to minimise their impact on other highway users. The committee decided that although it welcomed revised guidelines, they questioned whether they contained sufficient detail to be able to manage the unique situation in each of Shropshire's market towns. Some members were unsure whether the guidelines do enough to protect pedestrians, in particular people with a visual impairment or those with young children. It recommended that the Traffic Manager consult on the proposed guidelines for A boards, and should also consult with town and parish to determine their wish to receive delegated powers to manage their own permit schemes.
- 5.3 At the same meeting, the Traffic Manager briefed the committee on current arrangements for granting permission for towns, parishes and community groups to erect banners, bunting or Christmas decorations along or above the highway. The committee heard how Shropshire Council lacked the necessary resources to administer effectively the existing application system, relying on town and parish councils to determine matters for themselves. The manager suggested that town and parish councils were far better placed to advise on appropriate and safe locations for banners and bunting, and on appropriate designs and content for their local area. The committee agreed that the Traffic Manager should therefore consult on proposals to delegate administration of the licensing scheme for banners, bunting and Christmas decorations to town and parish councils.
- 5.4 A joint consultation on draft guidelines for banners, bunting, Christmas decorations and A boards took place in the summer of 2019. The consultation also asked town and parish councils whether they would welcome delegation of powers over these matters. It also invited them to identify any potential problems that they saw with any delegation of powers to them.
- 5.5 In February 2019, Cabinet approved revised charges for pavement permits, which allow businesses to trade on the footpath directly outside their premises. The cost of new permits would rise from £135 to £413, and the cost of the annual renewal of the permit rose from £50 to £311. This cost increase was in part due to a

decision made that the cost of the permit should reflect the cost of administering and enforcing the permit scheme. However, contained within the increase was an additional £200 charge that was applied to recover an historic and accumulating deficit, which had incurred as a result of administering the permit scheme in previous years at a financial loss. Following concern raised by a number of businesses about these increases in fees, the Portfolio Holder for Communities, Place Planning and Regulatory Services agreed to freeze the increase in fees and to refer the matter the Place Overview Committee.

- 5.6 In September 2019, the Trading Standards and Licensing Operations Manager presented the proposed changes to fees for pavement permits to the Place Overview Committee. At this meeting, the committee noted the wide range of separate but related street scene matters that it had recently considered over the course of several meetings. It therefore decided that it would be useful to set up a task and finish group to look at all of these closely related street scene matters in a single task and finish group workshop. In particular, this group would look how towns and parish councils, with their considerable local knowledge, could be empowered where possible to make decisions on these matters.
- 5.7 The group had initially planned to complete its work in a single group meeting in October 2019. It invited officers from the various services to brief the group, and invited town and parish councils, community groups and campaigners to give evidence at the meeting. The group considered each of the street scene matters in turn, identifying for each one or two key recommendations to support the ongoing development and sustainability of the services.
- 5.8 The group presented its final report to a meeting of the Place Overview Committee on 16 January 2020. The committee agreed that the report required further work, and that the group should reconvene to further discuss potential policy for A boards. The group therefore met again on 13 February 2020, to discuss policy for A boards and pavements permits. This report reflects the decisions made in this additional meeting.
- 5.9 On 20 May 2020 the Performance Management Scrutiny Committee agreed to submit this report to Cabinet for further consideration.
- 5.9 The group's final report is attached as **appendix 1**.

Background Papers

- *Highways Act 1980*, London HMSO
- *Conditions and regulation for the erection of temporary signage on footpaths and carriageways*, Shropshire Council
- *Conditions and regulation for the erection of banners, bunting and Christmas lights over footpaths and carriageways*, Shropshire Council

Cabinet Member (Portfolio Holder)

The Portfolio Holder for Communities, Place Planning and Regulatory Services

Local Member

All

Appendices

Appendix 1 – Report of the Signs, Boards and Banners Policy Task and Finish Group



Place Overview Committee

Report of the Signs, Boards and Banners Policy Task and Finish Group

March 2020

Acknowledgments

The group would like to thank the town and parish councils that took part in the consultation and attended the workshop. They would also like to thank the charities, community groups and campaigners who came to our meetings and contributed their valuable personal experiences to the group.

Members of the Task and Finish Group

- Joyce Barrow (Chair)
- Roy Aldcroft
- Andy Boddington
- Paul Milner
- Pam Moseley
- Alan Mosley

Introduction

Shropshire Council, as the highway authority, has a duty to ensure safe passage on the highways in the local authority area, be it road, footpath or cycle route. At the same time, being able to erect a banner along or over the highway to promote a community event, festival decorations or to guide potential new residents to a new housing development is an important community benefit. Effective licensing arrangements can strike a good balance between maximising the community benefit of public space, while mitigating against any hazard caused by unplanned signage.

Shropshire Council has guidelines, policies and licensing arrangements in place for many of the common ways in which people use the highway for their businesses or community activities, such as placing Christmas decorations over the high street or tables and chairs outside a café. However, limited resources and a wide geographical area mean that it is often unable to enforce those guidelines as well as it might wish to. How can Shropshire Council therefore ensure that its policies and guidelines for street furniture support business and protect pedestrians? How can it ensure that those policies reflect the needs of its market towns?

This report of the Signs, Boards and Banners Policy Task and Finish Group reviews current policies and licencing arrangements for a number of related street scene matters. It makes recommendations to ensure that the permit schemes that support those policies remain sustainable and effective, and examines opportunities to delegate decision making to town and parish councils. The group believes that its recommendations strike a good balance between central and local decision making, and between the needs of local businesses, community groups and highways users.

Scope and focus of the work

The task and finish group sought to:

- understand existing policies, charges and administrative arrangements for:
 - banners, bunting and Christmas decorations;
 - A boards on high streets;
 - Pavement permits; and
 - housing development signs;
- scrutinise existing guidelines and make recommendations to strengthen them;
- identify opportunities to set and administer policy and licencing arrangements with town and parish councils; and
- look at how other local authorities set and administer policy, to identify potential ways to improve arrangements in Shropshire.

What has the task and finish group done?

The group carried out its work in two half-day workshop sessions. It heard from the following people:

- Network Co-ordination and Compliance Manager, Shropshire Council
- Trading Standards and Licensing Service Manager, Shropshire Council
- Planning Services Manager, Shropshire Council
- Licensing Team Manager, Shropshire Council
- Town Clerk, Shrewsbury Town Council
- Operations Manager, Shrewsbury Town Council
- Mayor, Ludlow Town Council
- Sight Loss Shropshire representative
- Guide Dogs for the Blind representative
- Local campaigners on street scene matters

The group looked in turn at

- banners, bunting and Christmas decorations
- A boards
- pavement permits and
- housing development signs.

As it looked at the existing council arrangements for each of these, common issues became apparent, which guided the group's recommendations. For example, the group noticed that although there are common issues with A boards and other retail street furniture, Shropshire Council administered them very differently. This suggested that a common administrative function to manage all street furniture matters might be more effective.

Banners, bunting and Christmas decorations

Section 178 of the Highways Act 1980 makes it an offence to fix an "*overhead beam, rail, pipe, cable, wire or other similar apparatus over, along or across a highway*" without the permission of the highway authority for the highway in question. This includes banners, bunting and Christmas decorations placed over the highway, those placed alongside the highways, such as banners attached to railings or barriers, and signs attached to street furniture, such as temporary traffic signs attached to lampposts. Shropshire Council is the highway authority for the Shropshire Council area.

Section 115E of the Highways Act 1980 gives Shropshire Council, as the highway authority, the power to permit items such as Christmas decorations over the highway, or advertising such as A boards on the highway itself. It also gives the power to administer a licensing scheme for such items, and to charge a fee for a licence. The

fee should cover the costs of administering the licensing scheme; the council must not however profit from the scheme.

The group heard from the Network Co-ordination and Compliance Manager that *“the current application and approval process is handled by the street works team, who look to ensure banner content is community based and not for general business advertising and also that the positions of said items cause no potential hazard or hindrance to highway users. An application is made containing details of the required banner, bunting or lighting type, location and confirmation of sufficient public liability insurance (£5m) to protect the council in the event of any possible incidences resulting from the placement of said items on the highway.”*

The group identified a number of possible issues with the current process. Shropshire Council made no charge for applications to hang banners, bunting and Christmas decorations, which meant that it invested little into administering the application process. As a result the team was largely unable to check individual applications, relying instead on the town or parish council in question to know the location and strength of the fixings in its local area when seeking to erect overhead hangings for community events or Christmas decorations. Furthermore Shropshire Council did not systematically enforce its own application process. This meant that although town and parish councils were diligent in submitting applications to put up Christmas decorations, community groups and businesses often failed to make a formal application to erect a banner alongside the road. It also meant that banners erected without permission were rarely taken down by Shropshire Council. This latter point could be particularly frustrating for town and parish councils as it was not clear to them whether they had any authority to remove accumulations of unsightly, unauthorised banners that were blighting town centres.

The group discussed whether it would be possible to delegate powers under sections 115E and 178 of the Highways Act 1980 to town and parish councils, an option that some town councils were keen to explore. The Network Co-ordination and Compliance Manager thought that delegation offered several advantages. He told the group that towns and parishes knew their town centres and local areas far better than Shropshire Council officers, so were best placed to make appropriate and safe decisions on when and where to hang items over or alongside the highway. This point was echoed in both meetings by town council officers. As Shropshire Council, in practice, largely relied on town and parish councils to safely install and operate Christmas decorations, delegating powers would formalise current operational decision-making, which happens largely at town or parish council level. Delegation would also allow town and parish councils to set their own guidelines, empowering them to tackle issues specific to their local area, such as banning banners in high-footfall areas.

The group heard from officers that Shropshire Council could formally delegate these powers to town and parish councils should both parties agree, but to do so would

entail considerable legal and political process. This would include, but would not be restricted to:

- Drafting and consulting on a proposed policy of delegation of powers
- Ascertaining which town and parish councils wished to adopt local powers
- Drafting a memorandum of understanding for each delegation of powers
- Maintaining a policy to apply to areas that did not have delegated powers
- Maintaining an appeals process and providing legal support for any appealed or disputed decisions.

The group therefore concluded that delegating powers to town and parish councils would be an inefficient way of empowering local decision making. Because the delegation would not be universal, as some town and parish councils would choose not to take on the new powers, Shropshire Council would still need to maintain a central process. Furthermore, although some town and parish councils might welcome administering their own schemes, they might not necessarily have the capacity to manage any legal disputes resulting from their administration. As the result, as the highway authority Shropshire Council would be obliged to deal with any legal disputes.

A more simple way of providing towns and parishes with the ability to create policy that works for their local area would be to draft a policy for Shropshire that contained criteria for a specific local area. For example, the policy could ban banners entirely alongside certain roads in a given town centre.

Shropshire Council could also consider instead splitting the process for managing Christmas decorations, banners and bunting placed over the road from banners and bunting placed alongside the road. Shropshire Council manages relatively few applications annually for Christmas decorations and other decorations over the road. These applications require particular care as they carry a greater risk of damage or injury, as well as requiring the highway to be closed temporarily to put them up and take them down. Shropshire Council is therefore best placed to provide advice and guidance to town and parish councils, and to co-ordinate any required road closures. Any policy for banners alongside the highway could then be included in its policies for A boards and other street furniture or advertising.

The committee recommends that Shropshire Council does not seek to delegate powers for permitting banners, bunting and Christmas decorations to town and parish councils. It instead recommends that Shropshire Council redraft its policies for banners, bunting and Christmas decorations, to include, where appropriate, provisions specific to individual towns and parishes.

The committee also recommends that Shropshire Council create separate policies for banners, bunting and decorations placed over the highways, from those placed alongside the highway.

A-boards

Although the group looked at other advertising such as banners, it focussed much of its work on A boards. These are free-standing wooden, metal or plastic boards that shops and businesses place outside their shops. They provide visible advertising to passing pedestrians that might not otherwise see the shop's sign above the door.



Image 1: A boards at Buttercross, Ludlow

Businesses in retail centres, particularly in market towns, use them as a cheap and easy way to promote themselves to passers-by. However, disability advocacy groups such as Guide Dogs for the Blind regard them as a serious hazard to people with disabilities using the footpath. Many of them would like to see an outright ban.

Shropshire Council has no agreed policy for A boards, and operates no permit scheme for them. It does however provide guidelines for businesses and organisations that want to use them. The guidelines state that:

- The A board must relate to the trade of the premises and be placed along the front width of the retail outlet.
- The equipment must be fit for purpose and cause no potential hazard, nuisance or obstruction.
- A maximum of two A boards (which will include any advanced board or notification board) will be permitted per premise, if appropriate and approved by your local town or parish council.
- Advanced directional 'A' boards will be permitted away from the premises in special cases at the discretion of the Streetworks Manager.

The council recently consulted towns, parishes and interested group on its guidelines, for A boards. It wanted to understand how the current guidelines were working, and sought ideas for future policy. This consultation received feedback from around a dozen organisations, from whom some key points emerged:

- Some businesses used more than two A boards, and sometimes placed A boards in other locations in the town centre away from their businesses. This created additional hazard and visual blight.
- It was common to see A boards placed in the middle of the pavement, rather than against the front wall of the business premises. This created an additional hazard for some people.
- Some community and disability groups wanted to see a total bans on A boards. One group listed a number of councils with an outright ban.
- A boards that were open at the base, or lacked a tap rail, were a particular hazard to people with limited vision. Some local authorities specifically forbade these.
- Some town councils welcomed the opportunity to be able to administer A board schemes themselves. However they expressed concern that they were not equipped to manage legal disputes or challenges potentially arising from any delegated powers.
- Some towns had a noticeable problem with an excess of A boards, or an excess of A boards in prime locations within their town centres.
- Other town and parish councils, lacking a retail centre, had no such issues. These councils generally did not wish to administer their own schemes.

The group discussed the current guidelines and the consultation responses. It was clear to the group that Shropshire Council's existing guidelines did not strike the right balance between businesses and the needs of pedestrians. They resulted in too many A boards along some popular high streets, which could be both a visual blight and a hazard to mobility. The lack of specific design guidelines for A boards posed a particular hazard for visually impaired pedestrians. These issues were exacerbated by a lack of Shropshire Council officers to enforce the guidelines.

The group concluded that Shropshire Council required a more robust response to A boards than its current set of guideline. To begin with, the group agreed that a Shropshire Council policy, endorsed through Cabinet in a similar manner to the policy for pavement permits, would provide clearer guidance to businesses wishing to use A boards. In particular it would allow Shropshire Council to protect vulnerable groups by insisting on minimum design specifications for A boards, and limiting their number and placement.

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|--|
| <p>The group therefore recommends that Shropshire Council draft and consult on a policy for A boards.</p> |
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The group discussed how a revised policy could minimise the hazard to pedestrians while maximising the ability of retail businesses to promote themselves. Disability groups who attended the task and finish group meetings told the group that the three

biggest issues people faced with A boards were with the large number of them, their design, and a lack of consistency of placement.

As noted in the recent consultation, many businesses use more than one A board. They will sometimes have a board outside their premises plus additional boards pointing their way to their premises. Collectively, this proliferation of boards can make a footpath too crowded to navigate safely, as well as causing a visual blight. A boards without a solid base, or a rail at the base, were more difficult for visually-impaired people to spot when using a walking stick. A failure to keep A boards against the premises wall created uncertainty for people navigating by touch, as well as making the footpath more difficult navigate with a buggy.

In considering these issues, the group agreed that more policy detail was required than that offered in the existing guidelines.

The group therefore suggested the following regulations:

- **There should be a maximum of one board per premises, irrespective of the number of businesses within the premises. This would minimise the risk of too many boards creating an obstruction.**
- **The board should be placed against the wall of the property. This would provide consistency of placement that would be useful to pedestrians with limited mobility.**
- **The board should be sufficiently heavy so it does not blow over, should be a maximum size, and must always have a tap rail to the base. This allows visually impaired pedestrians to navigate footpaths more safely by identifying boards in good time.**
- **There would be a one-year period of grace once the policy came into force, to allow businesses time to purchase appropriate boards.**

The group noted that operating a permit scheme for A boards would impose a considerable administrative burden on the council. This would therefore require the council to charge permit holders the costs of administering the scheme. The group agreed that the cost of managing the impact of A boards should be paid by the businesses that wished to use them. Although the group is aware that this would place an additional financial cost on these businesses, A boards would remain a cost effective way to promote a business to passers-by. Furthermore, the permit would limit the number and location of A boards, improving the appearance of high streets and making them easier to navigate. Smarter, more inclusive streets would benefit all businesses.

The group noted that Shropshire Council already charges businesses for a permit to place other items on the footpath, such as café tables and chairs, and concluded that a similar permit scheme ought to operate for A boards. However this would then mean

that Shropshire Council would then operate a permit scheme for A boards within its highways service and a separate scheme for pavement permits within its public protection service. The group concluded that this would be an ineffective way to carry out such closely related tasks, and that it would be far more efficient if a single service managed and enforced both permit schemes.

The group therefore recommends that Shropshire Council transfers responsibility for A board policy, and any agreed permit scheme to manage them, to its public protection service.

The group wanted to find out whether other local authorities ran a permit scheme, and how much they charged for a permit. Although some local authorities have banned A boards outright, most permit them to some extent. Many local authorities offer a blanket permission and provide guidelines regarding their use. However many other local authorities require users to apply for a permit. Table 1 below shows that charges vary from £25 to £408, with most charging between £100 and £200.

| Local Authority | Charge | Notes |
|-----------------|----------|--|
| Liverpool | £100 | £50 if placed on private land. |
| Chester | £250 | Included in a pavement permit licence. |
| York | £110 | Largely banned. |
| Islington | £125-408 | Price depends on footfall. |
| Cardiff | £185 | |
| Middlesbrough | £104 | |
| Kirklees | £110 | |
| Brighton | £111 | Banned in some areas |
| Harrow | £147 | |
| Solihull | £186 | |
| Bradford | | Banned |
| Colchester | | Banned |
| Leeds | | Banned on public land |

Table 1: A board permit fee in selected local authorities

The group discussed with public protection officers the level of fee Shropshire Council should charge for administering a permit scheme for A boards. Officers suggested that the group that the fee for a pavement permit ought to reflect the cost of administering the licence, as is the case with the pavement permit scheme. The group agreed with this approach.

Operating a permit scheme for A boards was likely to cost a similar amount to the scheme for pavement permits. This would mean that the permit fee for both schemes would likely be a similar amount. The group accepted that this would be the case.

The group recommends that the cost of an A board permit should reflect the total cost of administering and enforcing the permit scheme.

As with banners, bunting and Christmas decorations, the group was also keen to explore some delegation of powers to town and parish councils that sought them. This would allow towns such as Ludlow, which has a particular problem with A boards blighting busy junctions, to draft a policy that responded to their local concerns. At the meeting, representatives from Shrewsbury and Ludlow town councils expressed a wish to be able to administer their own schemes. Responding to our consultation, other towns such as Oswestry and Market Drayton felt that delegation could be useful too.

However as with banners, bunting and Christmas decorations, the town councils highlighted potential barriers to delegating powers. A lack of legal capacity meant that they were unsure whether they able to manage the powers without some ongoing support from Shropshire Council. For example, town councils might be unable to enforce their own regulations or respond to an appeal of a decision.

As before, instead of a formal delegation of powers it would more straightforward for Shropshire Council to draft policy for the entire local authority area. There is also no reason why Shropshire Council could not include within that policy specific criteria for individual town and parish councils, providing the overall policy was consulted on and agreed by the relevant councils. Town and parish councils could then agree on and submit additional policies for their local area, for example to allow more A boards in certain prominent areas where there was no or little pedestrian footfall, or to forbid them entirely in other public areas.

The group therefore recommends that Shropshire Council consult with town and parish councils on supplementary policies for their local area.

Pavement Permits

As with A boards, Section 115E of the Highways Act 1980 gives Shropshire Council the power to permit businesses to operate on the footpath directly in front of their premises. In common with many other local authorities, Shropshire Council operates a licensing scheme for which it charges business to apply.

In a report to the Place Overview Committee in September 2019, the Trading Standards and Licensing Service Manager noted that *“by using pavement areas that span the frontages of premises, businesses are able to expand their trading space and, in effect, make business use of public land. This has clear commercial benefits for businesses in that it attracts customers, boosts business income and profit and supports the local economy. On this basis, it was and continues to be considered appropriate that those businesses gaining a financial advantage from holding a*

Pavement Permit ought to bear the cost of the administration and regulation of the scheme and that this ought not to fall to the local tax payer.” The group agreed with this principle.

Shropshire Council currently charges £135 for a new pavement permit, with an annual renewal fee of £50. It has charged these fees since April 2017. In the September 2019 report to the Place Overview Committee, the service manager told the group that the charge did not reflect the cost of administering the scheme. To cover the cost, the licence would need to rise to £213 for a new licence and £111 for a renewal. The group agreed that licence charges should reflect the cost of the work in administering the licence scheme.

The report also noted that registered charities were exempt from any charge when applying for a permit. The service manager proposed to remove this exemption as it placed charity shop at an unfair advantage with other businesses in town. The report also noted that charities operating from a stall on the pavement had to pay £494 for an annual licence to do so. The group also agreed with this change.

The group wanted to understand more about charges for pavement permits, and how they compared with other local authorities. The service manager briefed them that *“there are numerous examples of councils across the country that have pavement permit schemes for which a charge is made. This includes several immediately neighbouring councils (Cheshire East Council, Cheshire West and Chester Council, Stoke-on-Trent City Council, City of Wolverhampton Council, Herefordshire Council, Worcestershire County Council, Worcester City Council, Malvern Hills District Council, Wyre Forest District Council). There is no consistency in respect of the basis upon which charges are set and examples range from as low as £25 up to sums that are over £1,000.”*

A search for charges made by other local authorities, listed in Table 2 below, showed that Shropshire’s proposed fees to be in the middle of a wide range of charges. Urban areas tended to charge more, with central London charges (not included in the table below) being particularly high.

| Local authority | New permit | renewal | 3 year cost |
|-------------------|------------|------------|-------------|
| Pontypridd | 30.5 | 30.5 | 91.5 |
| Durham | 205 | 51.5 | 308 |
| Surrey | 105 | 105 | 315 |
| Bath NE Somerset | 117 | 100 | 317 |
| Leicestershire | 175 | 100 | 375 |
| Shropshire | 213 | 111 | 435 |

| | | | |
|---------------|-----|-----|-----|
| Colchester | 295 | 145 | 585 |
| Derbyshire | 300 | 150 | 600 |
| Hertfordshire | 342 | 171 | 684 |
| Solihull | 240 | 240 | 720 |
| Plymouth | 256 | 256 | 768 |

Table 2: pavement or café permit charges in selected local authorities

The group therefore recommends that Shropshire Council proceed with its intention to increase its charges for pavement permits to a level that fully recovers the total unit costs applicable to obtaining a new permit and an annual renewal. These fees will then be subject to an annual review.

The group wanted to look at an additional £200 charge that Shropshire Council sought to add to the permit fee, to recover an historic and accumulating deficit that had incurred as a result of administering the permit scheme in previous years at a financial loss. The group learned that the permit fees had never covered the cost of administering the permit scheme. The council calculated the total deficit to be £53,402 for the period 2015 to 2018.

In setting its permit fees, the council can legitimately seek to recover costs incurred in previous years by charging current and future licence holder an increased fee. To do this, the service proposed to place an additional charge of £200 per licence or annual renewal for a period three years. This made the total cost of a licence of £413 for a new licence and £311 for an annual renewal. This additional fee would continue until the historic costs had been recovered.

The group is very concerned by this proposed cost recovery. It understands that Shropshire Council is entitled to recover this cost, but it does not believe that it would appear fair to the public to impose this additional, historic charge on current and future businesses, in particular to a sector that was a vital part of the recovery of ailing town centres such as cafes, bars and restaurants. Whilst it was quite easy to link licencing street furniture to good civic enforcement, it was very hard to justify a cost relating to local authority service.

The group therefore recommends that the Shropshire Council does not include an additional cost recovery fee of £200 on new and annual renewals of pavement permits.

The group asked whether the council's civil enforcement officers were able to take action against businesses that operated without a licence, or used A boards inappropriately. Officers advised that the officers could report on breaches and other issues that they encountered, but were limited in what they could do. Their primary

role was parking enforcement. As enforcement was limited, officers reported that businesses sometimes spread beyond agreed boundaries. This was more likely to be enforced by the council if businesses limited the width of pedestrian space to below 1.2m, or where there was a threat to safety.

The group was also keen to look further into how the council could ensure that more businesses who traded on the pavement had the appropriate licence. It noted that there was limited capacity to enforce licencing within Shropshire Council. Members of the group suggested that as with A boards town and parish councils would be better placed to administer pavement permit schemes themselves. They would be more likely to identify businesses without permits, as well as being to enforce the specifics of the permit. However to delegate powers to town and parish councils would require overcoming considerable constitutional, legal and consultative hurdles in order to put new arrangements in place. Given the huge variance in size and scope of councils, many councils would neither need nor be able to administer the delegated powers. As with A boards, Shropshire Council would still have to administer any appeal against a town or parish council condition. The group also notes that the current arrangements within Shropshire Council are stable and sustainable, and disrupting them would have uncertain benefits. The group therefore does not recommend delegating the administration of pavement permits to town and parish councils.

Housing development signs

A typical housing development may take several months or years to complete. During this time, the developer will seek to sell the properties they are developing before they complete them. As many potential buyers are travelling from outside the immediate area, and because the development is unlikely to feature on road maps or navigation software, the developer often seeks to erect temporary signs to guide potential buyers to the site.

There is no law governing such signs, however local authorities are able to license such signs and to charge for the licence. They are also able to ban development signs, as some local authorities do.

Shropshire Council operates a licencing scheme for housing development signs. It does this in order to ensure that signs:

- do not overhang the footpath at a height of lower than 2.1m, or 2.3m if it is a joint foot and cycle path
- are not erected at the peak traffic times of 08:00 to 18:00
- are only erected from when work commences on the site, until six months after the sale of 80% of the development
- comply with statutory Traffic Sign Regulation Design and General Directions, 1994 Diagram 2701 Section 7, Part VII and
- do not impede the visibility of other signs.

Shropshire Council permits developers to erect a maximum of six signs, charging £90 for each successful application.

The group wanted to know how this charge compared to other local authorities. Very few councils, such as Bromley, ban signs outright. A few more, such as Sheffield and Gateshead, permit signs but operate no licencing scheme. However most local authorities operate a licensing scheme, and as Table 3 below shows, charges for permits vary considerably.

| Local Authority | Charge | Charge for six signs for twelve months |
|------------------------|--|---|
| Shropshire | £90 application charge | £90 |
| York | £371-£494 application fee and £16 per sign per month. | £1513 |
| Wirral | £198 application fee and £60 per sign. Renewal every six months. Renewal cost £165 application and £50 per sign. | £1023 |
| West Sussex | £547.30 for up to six signs for 12 months, £109.48 per additional sign | £547.30 |
| Manchester | £112 application, maximum four signs for six months, £359 | £471 for four signs for six months maximum |
| Peterborough | £100 application, no other charges | £100 |
| Rotherham | £150 application for six months, £150 renewal every six months | £300 |
| Tameside | £55 application, £23.50 per sign, for twelve months. Excludes VAT | £235.20 |
| North Lincolnshire | £100 application, no other charges | £100 |
| Bracknell Forest | £362 application plus £57 per street signposted | £533 (assumes two signs per street) |

Table 3: housing development sign charges in selected local authorities

Officers told the group that although the council administered a licence scheme, it did not erect signs on behalf of developers. The council also did not actively monitor development signs, but would remove old signs when operatives noticed them. A group member noted that there were several broken, outdated signs erected around Oswestry. Officers also told the group that the current charges did not reflect the cost of administering the scheme properly.

The group concluded that as with A boards and pavement permits, the fees that Shropshire Council charge for permission to put up housing development signs should

reflect the cost of administering the scheme. Higher charges would justify a more rigorous administration of the scheme, including checking whether outdated signs had been removed. Although it was unlikely that the current or future scale of development would justify a dedicated officer to administer the scheme, better funding could make effective administration a greater priority.

The group also concluded that the permit scheme for housing development signs should be more straightforward in the time limit for which signs could be left up. The current rule of allowing signs to stay up until six months after 80% of the development had been built risked allowing signs to remain in place for years, making it less likely that they would then be taken down at the right time. The group therefore suggests that any permit should be for a fixed period of no more than twelve months before requiring renewal.

The group therefore recommends that Shropshire Council revise its charges for its housing development sign permit scheme, to better reflect the work required to administer the scheme effectively.

The group also recommends that any permit scheme limits the duration of a permit to 12 months before requiring renewal.

Conclusion and recommendations

The group recommends that:

- Shropshire Council redraft its policy for banners, bunting and Christmas decorations, to include where appropriate, provisions for specific retail centres;
- Shropshire Council set and actively enforce a policy for A boards;
- the policy for A boards include the following regulations:
 - *There should be a maximum of one board per premises, irrespective of the number of businesses within the premises. This would prevent forests of board that could constitute too great a hazard.*
 - *The board should be placed against the wall of the property. This would provide consistency of placement that would be useful to pedestrians with limited mobility.*
 - *The board should be sufficiently heavy so it does not blow over, should be a maximum size, and must always have a tap rail to the base. This allows visually impaired pedestrians to navigate footpaths more safely by identifying boards in good time.*
 - *There would be a one-year period of grace once the policy came into force, to allow businesses time to purchase appropriate boards.*
- the cost of an A board permit should reflect the total cost of administering and enforcing the scheme;

- Shropshire Council consult with town and parish councils on supplementary policies A boards for their local area;
- Shropshire Council proceed with its intention to increase its charges for pavement permits to a level that fully recovers the cost of administering and enforcing the scheme. These fees will then be subject to an annual review;
- Shropshire Council does not proceed with an additional cost recovery fee of £200 on new and annual renewals of pavement permits; and
- Shropshire Council revise its scheme of charges for the housing development sign permit scheme, to a level that fully recovers the cost of administering and enforcing the scheme.

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Cabinet

1 June 2020

1.00 pm

Public

West Midlands Design Charter

Responsible Officer

e-mail: lan.kilby@shropshire.gov.uk

[Tel:01743 258718](tel:01743258718)

1. Summary

This report seeks to endorse the West Midlands Combined Authority Design Charter which was launched in Birmingham on 23rd January 2020, to be used to inform planning decisions and policy development, notably the review of the Local Plan. The purpose of the Design Charter is to improve design quality and place-making across the West Midlands region by supplementing existing Local Planning Authority documents, and not to supersede or replace them.

2. Recommendations

That Cabinet endorses the West Midlands Combined Authority (WMCA) Design Charter, attached at Appendix 1, and acknowledges that this can be taken into account as a material consideration to inform planning decisions and to inform policy development, notably the review of the Local Plan

REPORT

3. Risk Assessment and Opportunities Appraisal

Analysis of the effects on equality

The Charter takes into account key accessibility design principles to ensure inclusivity is achieved for a wide range of groups.

Data protection

There are no data protection implications arising from the recommendation of this report

Human Rights

No issues identified

4. Financial Implications

No issues identified

5. Background

- 5.1 Design Quality for new development is becoming increasingly important in planning decisions. The Government has recognised this by publishing a National Design Guide in October 2019 and locally work is underway to capture what we mean by “good design”, a point raised in work emerging through the development of the Big Town Plan where the concept of a “Shrewsbury Test” was launched.
- 5.2 In addition the Council is now highlighting and promoting design quality through its award scheme and furthermore working to respond to the climate emergency challenges which inevitably will impact on building design and place making.
- 5.3 The WMCA Housing and Land Delivery Board resolved to develop a new regional design guide to align Local Authority and WMCA aspirations to and to raise the standard of design quality generally in new developments.
- 5.4 The Board agreed that the Charter would be non-statutory, concise and would seek to supplement and complement, not supersede, the existing documents of Local Planning Authorities.
- 5.5 The Charter’s purpose is not to set local design policies but seeks to provide a clear and consistent understanding of the West Midlands’ place-making expectations and create a level playing field for developers across the region. An additional purpose of the Charter is to enable the WMCA to define ‘good design quality’ when this is included as a funding condition in its investment decisions and in its commercial negotiations.
- 5.6 Since May 2019 the WMCA has been working with local authorities across the region to develop the charter and a number of officer meetings and workshops have taken place to consider the scope, principles and format. Officers from Shropshire Council have attended meetings and supported this process contributing to the development of the Charter. Comments from Council officers have been taken on board in finalising the Charter.
- 5.7 The Charter is consistent with the Council’s Core Strategy and Site Allocations and Management of Development (SAMDev) Plan but goes further in some areas, notably Theme 3 ‘future readiness’ in relation to Principle 6 (Delivering Low Carbon Development) and Principle 7 (Technological Resilience). This is however timely insofar as Shropshire Councils decision to create a task force to deliver a climate change strategy.

5.8 The Charter was received by the WMCA Housing and Land Delivery Board meeting on 30 September 2019 and was formally launched in Birmingham on 23rd January 2020.

5.9 The WMCA Regional Design Charter consists of 12 principles based around the following six themes:

Character

- Principle 1: Regional Ambition
- Principle 2: Local Distinctiveness

Connectivity and Mobility

- Principle 3: Regional Network
- Principle 4: Modal Shift

Future-readiness

- Principle 5: Climate Resilience
- Principle 6: Delivering Low Carbon Development
- Principle 7: Technological Resilience

Health and Wellbeing

- Principle 8: Building Active Communities
- Principle 9: Promoting Wellbeing

Engagement and Stewardship

- Principle 10: Engagement
- Principle 11: Stewardship

Delivery

- Principle 12: Securing Social Value.

5.10 The Charter is capable of being a material planning consideration in the determination of planning applications although the weight that can be attached to it will depend on individual circumstances.

5.11 The Charter is intended to be published in hard copy and digital formats, and is envisaged as being a living document to be reviewed on a biannual basis. It will include:

- A two-page printed format, including the principles only; and
- A longer, web-based version, including principles, supporting information and case studies.

5.12 The WMCA has committed to carrying out monitoring and evaluation of the autumn 2019 Charter to test its impact in practice on specific development schemes, with the expectation that it will be reviewed on a biannual basis.

5.13 A copy of the short form charter is set out within Appendix 1 of this report.

6.0 Climate Change Appraisal

6.1 The Charter is focused on improving quality of life for all residents of the West Midlands region through better place-making and design. It includes 12 principles organised around six key themes. Principles 5 to 7 focus on how developments should address matters of climate resilience, delivering low

carbon development and harness technological innovation under a broad theme of future readiness.

7.0 Conclusions

The Regional Design Charter aims to provide a clear understanding of the West Midlands' place-making expectations, providing a level playing field and baseline of design quality across the region and is presented to Cabinet for endorsement. Shropshire Council officers have played an active role in its development and it aligns with a number of the Council's priorities for place making and climate change. The Charter does not replace or supersede any existing locally set design policies within Shropshire, rather its intention is to complement them and be a consideration to improve design quality outcomes for planning decisions and to inform policy development as part of the review of the Local Plan.

| |
|---|
| List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information) |
| None |
| Cabinet Member (Portfolio Holder) Councillor Gwilym Butler, Portfolio Holder - Communities, Place Planning and Regulatory Services |
| Local Member All Members |
| Appendices Appendix 1 – The West Midlands Design Charter |



WEST MIDLANDS DESIGN CHARTER

IS INTENDED TO PROMOTE,
INSPIRE AND ENCOURAGE
GREAT DESIGN INITIATIVES
AND QUALITY PLACE-MAKING
ACROSS OUR REGION.

The West Midlands Design Charter is built on 12 principles that fall into 6 themes.

West Midlands Design Charter is part of our region's ambition to encourage creative design and innovation to flourish, as we build a future that delivers inclusive growth for all of our communities.

THIS IS THE WEST MIDLANDS. THE UK'S GROWTH CAPITAL.

Take the next step
and find out more.

wmca.org.uk



West Midlands
Combined Authority



West Midlands
Combined Authority

WEST MIDLANDS DESIGN CHARTER

Shaping the Future



1 CHARACTER

PRINCIPLE 1

Regional Ambition

Developers will be expected to produce unique, innovative proposals that are grounded in a sound understanding of the local context and acknowledge the diversity of the West Midlands' communities and geography.

PRINCIPLE 2

Local Distinctiveness

New development should respond to the qualities that characterise the locality's 'spirit of place' for residents, businesses and visitors. Schemes should contribute to the creative and cultural identity of the local environment and benefit local communities.

2 CONNECTIVITY & MOBILITY

PRINCIPLE 3

Regional Network

New development must contribute to enhancing regional connectivity by integrating effectively to existing and planned transport networks, thinking beyond both site and administrative boundaries.

PRINCIPLE 4

Modal Shift

Proposals should demonstrate an understanding of the changing face of transport and movement patterns across the West Midlands; promoting walking, cycling and public transport use.

3 FUTURE-READINESS

PRINCIPLE 5

Climate Resilience

Developments should incorporate climate adaptation measures that respond to the short and long term impacts of climate change and address the environmental impact of the proposal across its lifecycle.

PRINCIPLE 6

Delivering Low Carbon Development

Development proposals should seek to reduce greenhouse gas emissions by making clear, specific commitments to carbon reduction. The potential for new schemes to meet zero net carbon should be considered from the outset.

PRINCIPLE 7

Technological Resilience

New development should harness technological innovation from the outset, to deliver adaptable buildings that respond to the rapidly changing digital, communication and infrastructure requirements of our businesses and communities.



4 HEALTH & WELLBEING

PRINCIPLE 8

Building Active Communities

Development proposals should support healthy living environments and address health inequalities by providing access to nature and spaces for physical activity.

PRINCIPLE 9

Promoting Wellbeing

New development should promote wellbeing and good mental health by fostering community, identifying opportunities to reduce social isolation and minimise loneliness.

5 ENGAGEMENT & STEWARDSHIP

PRINCIPLE 10

Engagement

Consultation should reflect local social, economic and geographic diversity and enable key stakeholders to shape design solutions from an early stage.

PRINCIPLE 11

Stewardship

Public spaces and facilities should be designed to encourage long term civic pride in local places. Developers must give early consideration to management and stewardship of places and put long term sustainable solutions in place.

6 DELIVERY

PRINCIPLE 12

Securing Social Value

WMCA expects developers to promote social value throughout the development process and will seek to align all housing and regeneration investment decisions with its inclusive growth objectives through its Single Commissioning Framework.





| <u>Committee and Date</u> | <u>Item</u> |
|---------------------------|---------------|
| Cabinet | |
| 1 June 2020 | <u>Public</u> |

Quarter 4 Performance Report 2019/20

Responsible: Tom Dodds, Intelligence and Insight Manager

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01743 258518

1. Summary

- 1.1. This report presents Cabinet with the Council's Performance against its key Outcomes for Quarter 4 2019/20.
- 1.2. The Corporate Plan for 2019/20 and the High Level Outcomes provide the shape and focus of the updated Performance Management Framework. The measures in the framework have been refined to reflect the updated strategic action plans for the year.
- 1.3. The framework is presented with seven key outcome areas: A Healthy Environment, A Good Place to do Business, Sustainable Places and Communities, More People with a Suitable Home, Embrace our Rurality, Care for those in Need at any Age and Your Council
- 1.4. The online performance portal has continued to be developed to present performance information to be used in conjunction with this report, and can be accessed here -

<https://shropshireperformance.inphase.com/>
- 1.5. This is part of improving access to performance information and that of data transparency. Member and user feedback will help to inform further developments of performance information, which will form part of the IT system developments.
- 1.6. The new Corporate Plan 2019/20 to 2021/22 which sets out new priorities for the Council was agreed at Council at their meeting on the 13 December 2018. A revised framework of measures and milestones is being developed to demonstrate impact and progress against these new priorities and will be reported from Quarter 1 of 2019/20.

2. Recommendations

Members are asked to:

- A. Consider the emerging issues in this report
- B. Review the performance portal and identify any performance areas that they would like to consider in greater detail or refer to the Performance Management Scrutiny Committee.

3. Risk Assessment and Opportunities Appraisal

- 3.1. Poor performance could have implications for vulnerable people (including children) who are supported by Council services and economic growth in Shropshire. In turn, there may be significant financial, legal and reputational risk to the Council, Schools (and Academies), and partners from across the public and voluntary and independent care sectors.
- 3.2. Effective monitoring and follow-up against key measures of success provides the opportunity to manage risks and ensure that Children and Young People and vulnerable adults in Shropshire remain safe and achieve the desired outcomes.

4. Financial Implications

- 4.1. This report does not have any direct financial implications but presents service and financial information to support decision making. Accountable officers and senior managers may use the information to inform actions or interventions for improving service performance and the prioritisation and use of resources.
- 4.2. Full financial details are presented as part of the Financial Reports.

5. Introduction

- 5.1. Each of the seven outcome areas contains a number of sub-outcomes with a range of associated performance measures. The frequency of the availability of the data varies from monthly and quarterly updates to annual updates. All measures, regardless of frequency will be available on the performance portal to improve accessibility to information.
- 5.2. Quarterly reports will be used to highlight performance exceptions and changes to measures reported annually.
- 5.3. The quarter 4 report is written and presented under unusual and unforeseen circumstances. The quarter 4 report covers the period from 1st January 2020 to 31st March 2020. The corporate performance measures are presented

against the backdrop of major flooding during February which affected many parts of the county and of the Covid 19 crisis, which resulted in a national lockdown before the end of the reporting period.

5 A Healthy Environment

6.1 The sub outcomes for A Healthy Environment are; The Council is Improving Energy Efficiency, Providing access to Shropshire's Great Outdoors, A Clean and Attractive Environment is maintained, Participation in Positive Activities for Health and Well being, Improving Public Health Keeping People Safe.

6.2 Following long-term increases in patron numbers the number of visitors to the Theatre Severn and the Old Market Hall Cinema have reduced. Both services were particularly affected by the February floods and the closure to the public from 17th March following government advice concerning COVID-19.

Theatre attendance figures for the year to March 2020 was 194,993 this is a 2.19% reduction for the year compared to March 2019. The annual reduction has been offset by strong performance during the first 3 periods for the year. In quarter comparisons show that quarter 4 attendance for 2019/20 is 21% down on the same quarter in the previous year.

The annual attendance for the Old Market Hall to March 2020 was 68,272 a very slight reduction of 0.37% on the previous year. The annual reduction has been offset by strong performance during the first 3 periods for the year. In quarter comparisons shows that quarter 4 attendance for 2019/20 was 18% down on the same quarter in the previous year.

6.3 Since closure on 17 March due to COVID-19, theatre staff have retained a Box Office service for customers (10-2 Mon-Fri) via home working for enquiries and to process refunds/credits for cancelled and rescheduled events. Online booking for future events remains available 24/7. All events scheduled in April 2020 have also been cancelled or rescheduled and work is currently underway on cancelling or rescheduling of May 2020 events and selected events into June and July.

6.4 Visitor numbers to libraries for the year to March 2020 was 855,405. This is a 6.9% reduction when compared to the period to March 2019.

Libraries mostly remained open during the February floods but visitor numbers were significantly down particularly for the largest branch at Shrewsbury. All Libraries were then closed from the 20th March. Libraries continue to offer a range of online services, which have been strengthened and remain fully available. There has been increased use of e-books, e-audiobooks and other online resources. The Libraries website now has a 'Libraries from Home' page

which brings together our online services and signposts to other resources to support people during the covid crisis. As a service the team have generated online content to share via social media (e.g. video Rhyme Times, online Manga art courses). A number of library staff have also been re-deployed to the Community Reassurance Teams that are offering local support where it's needed most.

6.5 The projected Recycling and Composting rate for quarter 4 2019/20 is 54.5% which is above the target of 52.5%. The long-term trend shows that recycling rates continue to improve gradually, albeit with seasonal variations. Current performance exceeds the national targets for English councils to recycle 50% of household waste by the end of 2020. The next challenge is to meet the 65% target by the end of 2035. The floods didn't have a significant impact on the service but the closure of the Household Recycling Centres and the lockdown will have an impact on waste tonnages in the last week of March and going forward.

7 A Good Place to do Business

7.1 The sub outcomes for A Good Place to do Business are; A Well Qualified Workforce, A Good Place to Start, Grow or Locate a Business, Employment Opportunities, Employment Conditions and Infrastructure and Conditions.

7.2 The number of major applications received during quarter 4 was 20, with 19 being approved. Planning have managed to maintain near normal service provision across the service with all staff able to work remotely to process electronic transactions. There has been a decline in the volume of work coming for some sections such as Land Charges, as house sales have been temporarily halted during this period. Planning applications are submitted electronically and are still being received, although numbers are now starting to reduce. Building Control applications are following a similar pattern. Planning, and Building Control Officers are continuing to deliver the statutory functions of the service whilst adhering to government guidelines for social distancing.

7.3 Claimant count figures to March 2020 show that the number of claimants aged 16+ stands at 4035 an increase of 650 (19.2%) compared to March 2019. Please note: Under Universal Credit a broader span of claimants are required to look for work than under Jobseeker's Allowance. As the Universal Credit Service is rolled out the number of people recorded as being on the Claimant Count will increase.

Shropshire claimant rates continue to compare favourably with comparator groups:

| | Shropshire | West Midlands | Great Britain |
|---------|------------|---------------|---------------|
| 18 – 21 | 4.4% | 5.5% | 4.4% |
| 18 – 24 | 3.9% | 5.2% | 4.2% |
| 25 – 49 | 2.3% | 4.3% | 3.3% |
| 50+ | 1.6% | 3.2% | 2.5% |

7.4 The latest employment figures for the year January 2019 to December 2019 have been published. These show that 155,700 residents aged 16 to 64 are in employment. The rate of employment is 80.7%. This compares to 77.7% in the West Midlands and 78.9% in Great Britain.

7.5 The number of self employed in Shropshire now stands at 32,800 or 15.1% of the workforce. Self employment is typically higher in rural areas. Rates for the West Midlands are 9.7% and 10.9% for Great Britain.

7.6 Qualifications data from the 2019 annual population survey has been published. The qualification rates for residents in Shropshire continue to show that the county has a well-qualified population.

| | Shropshire | West Midlands | Great Britain |
|----------------------|------------|---------------|---------------|
| NVQ 4 and above | 39.6% | 34.1% | 40.3% |
| NVQ 3 and above | 61.8% | 52.9% | 58.5% |
| NVQ 2 and above | 78.2% | 71.7% | 75.6% |
| NVQ 1 and above | 88.9% | 82% | 85.6% |
| Other qualifications | 5.7% | 7.8% | 6.7% |
| No qualifications | 5.4% | 10.2% | 7.7% |

7.7 The economic and employment measures tracked in the corporate plan are highly likely to be impacted by the current lockdown situation. Many economic measures are reported annually, towards the end of the year, therefore it will take some time before the scale of impact and rate of recovery emerges in official statistics.

8 Sustainable Places and Communities

8.1 The sub outcome for Sustainable Places and Communities are; Community Volunteering, Communities Feel Safe and quality of life for adult social care users.

8.2 The rate of permanent admissions of adults for those aged 65+ into residential or nursing homes is lower (better) than the profile. Admissions for those aged

18 – 64 is higher (worse) than in previous years and above target. The actual number of admissions of those aged 18 – 64 remains relatively low and therefore a small increase in numbers shows a higher percentage variance. The service remains committed to enabling people to remain in their homes and maintain a decent quality of life for as long as possible. The service also confirms that it assesses the needs of each person to ensure that the right service is provided at the right time ensuring that residential and nursing care is provided at the most appropriate time.

8.3 Due to staff providing support in response to the lockdown emergency it has not been possible to collate all of the volunteer hours of support provided to all libraries, museums and outdoor recreation service sites during the reporting period.

9 More People with a Suitable Home

9.1 The sub outcomes for More People with a Suitable Home are; Creating the Conditions for Housing Supply, Meeting the Demand for Suitable Housing, Prevention of Homelessness and Access to Affordable Homes.

9.2 Cornovii Developments Limited is the newly formed housing development company for Shropshire Council. The company has been formed to address unmet housing needs and to generate income for the Council. The key milestone for quarter four has been met, with both Cornovii Developments Limited and STaR Housing Business Plans published. Plans are now in place to submit planning applications for the first development site.

9.3 The draft housing strategy for Shropshire was due to be presented to Cabinet in March 2019. Due to covid 19 lockdown and cancellation of the Cabinet meeting, the strategy is now re-scheduled for presentation to Cabinet on 15th June 2020

9.4 The draft Homelessness strategy was due originally due to be presented to cabinet in December 2019. This deadline was extended in agreement with Ministry of Housing, Communities and Local Government (MHCLG). Due to resources having to be directed to work on flooding and Covid19 this has still not been finalised. The aim is to have a draft document ready for consultation towards the end of summer.

10 Embrace our Rurality

10.1 The sub outcomes for Embrace our Rurality are; Creating the Vision for our Rural Landscape and Communities, Rural Housing, Rural Transport and Rural Infrastructure.

10.2 Shropshire is a large rural and sparsely populated county with a population estimated at 320,530 (Source: ONS mid-year estimates, 2018), this gives a

density of only 1.00 persons per hectare. This presents challenges both for our communities who live and work in rural and often isolated communities and for the delivery of services to these areas.

Shropshire Council is working to develop a Community and Rural strategy which will set out the vision to develop local economies, to help communities to support one another, to optimise physical assets and to improve access for the benefit of those who live, study, work or visit the county.

An evidence base of rural and community data has been compiled. This was shared with representatives of town and parish councils, the voluntary sector and Shropshire Councillors during November. Information and feedback from these sessions is being used to help inform the development of the strategy.

10.3 The development of the next Local Transport Plan for Shropshire (LTP4) is due to be recommenced shortly following the changes in the local and national context that were required to be incorporated. The re-scoping process will include enhancing links to economic growth and to the local plan review and the local economic plans for each area, as well as incorporating Shropshire Council's aspirations in relation to tackling carbon emissions and climate change, and the exploration of transport hubs and developmental Train strategy, the movement strategy for Shrewsbury, review of the Park and Ride services.

10.4 The bids that are being submitted to the Department of Transport for the better deal for Buses that we will be submitted in the next month and the impact on cross boarder working with the announcement of funding for the Pant/Llanymynech bypass. The development of LTP4 will continue to be commissioned to Shropshire Council's term engineering consultants, WSP, and as such appropriate climate related expertise will be sought and used. From the point that the next stage of the commission commences, it is anticipated that the LTP will take just over one year to complete, due to fixed timescales associated with some required elements and meeting the fast moving agenda in Shropshire's transport ambitions.

11 Care for those in Need at any Age

11.1 The sub outcomes for Care for those in Need at any Age are; Young people receive appropriate and timely care, Young people are supported to achieve their potential and Adults receive appropriate and timely care.

11.2 During January 2020, Ofsted and the Care Quality Commission (CQC) conducted a week long joint inspection of the Special Educational Needs and/or Disabilities (SEND) services provided in Shropshire. SEND services cover a broad range of educational and health needs and is delivered under the management of the Local Authority and National Health Service (NHS)

Inspectors spoke with children and young people with special educational needs and/or disabilities (SEND), parents and carers, as well as local authority (LA) and National Health Service (NHS) officers. They visited a range of providers and spoke to leaders, staff and governors about how they are implementing the SEND reforms. Inspectors looked at a range of information about the performance of the area, including the area's self-evaluation. Inspectors met with area leaders from health, care and education. They reviewed performance data and evidence about the local offer and joint commissioning.

Whilst the report identified some positive outcomes for young people it also identified significant areas of weakness. The inspectors determined that a Written Statement of Action is required because of significant areas of weakness in the area's practice. HMCI has also determined that the local authority and the area's clinical commissioning groups (CCGs) are jointly responsible for submitting the written statement to Ofsted.

Preparations are being made with the CCG to develop a written statement of required actions. Initial actions are to review the governance structure for SEND to ensure greater accountability across all partners and increased scrutiny of work undertaken to secure improvement.

A copy of the inspectors letter can be viewed at:

<https://files.ofsted.gov.uk/v1/file/50150938>

- 11.3 At the end of quarter 4 2019/20, there were 401 Looked After Children in Shropshire. This is an increase from the 395 children looked after at the end of March 2019.

The overall rate in the increase of looked after children has slowed during 2019/20, with a net increase of 6 children. In 2018/19 there was a net increase of 58 children over the full year.

The rate of children looked after has increased during quarter 4 to 67 children per 10,000 Under 18s. This is higher than the 2018/19 Statistical Neighbour average (59) and England average (65). (As at March 2019)

- 11.4 Delayed Transfer of Care measures the number of patients who are delayed in their transfer from hospital. The aim is to reduce bed blocking to less than 3.5% of all available NHS beds.

Performance by Shropshire Adult Social Care has seen a significant improvement in rates when the target was introduced in 2017. Performance levels have been maintained with teams pro-actively working with different

hospital trusts on a day-to-day basis. Latest performance figures are available in the Performance Portal.

Performance for the year to date shows that Shropshire Council is remaining on target and remains within the top quartile of performers.

12 Your Council

12.1 The sub outcomes for Your Council are; a financially stable council, an excellent workforce, Transforming services and Compliments and Complaints.

12.2 The 2019/20 end of year finance figures will be updated after they are presented to cabinet.

12.3 The number of Full Time Equivalent (FTE) employees as at the end of quarter 4 has risen to 2649 which is an increase of 40 during the financial year. The increase during the year is due to a number of factors:

- Recruitment of additional Social Workers to reduce the reliance on agency staff
- Additional new starters in Building Control and planning due to ongoing pressures and filling historical vacant posts.
- Restructuring in Highways resulting in a number of new lower graded posts being put into the structure.
- A number of casual staff in leisure services who have now been contracted.

Previous end of year FTE numbers are shown in the table below.

| | |
|------|------|
| 2020 | 2649 |
| 2019 | 2609 |
| 2018 | 2547 |
| 2017 | 2474 |
| 2016 | 2661 |
| 2015 | 2876 |
| 2014 | 3089 |
| 2013 | 3552 |

12.4 The total number of complaint investigations for 2019/20 was 1156 compared to 1281 in 2018/19.

| Period | Total Complaints | Complaints Statutory Children's Investigations | Complaints Statutory Adults investigations (inc provider) | Corporate Complaints Investigations |
|-----------------------|------------------|--|---|-------------------------------------|
| Q4 2018/19 | 324 | 14 | 27 | 283 |
| Year - 2018/19 | 1,281 | 46 | 150 | 1,085 |

| | | | | |
|-----------------------|--------------|-----------|------------|--------------|
| Q1 2019/20 | 314 | 9 | 25 | 280 |
| Q2 2019/20 | 323 | 10 | 37 | 276 |
| Q3 2019/20 | 247 | 9 | 22 | 216 |
| Q4 2019/20 | 272 | 12 | 29 | 231 |
| Year - 2019/20 | 1,156 | 40 | 113 | 1,003 |

12.5 Numbers of comments received in quarter 4 were significantly greater than in previous quarters. This is likely to be the results of slight changes in recording practice rather than increases in customer contacts, but this will be reviewed over the coming months to understand this to a greater extent.

12.6 It is encouraging to see an increase in the number of compliments Shropshire Council has recorded within its customer feedback system. This had previously seen a steady pattern of slight reductions. It is hoped that this increase will continue into the next quarter.

| Period | Total Compliments | Total Comments |
|-----------------------|-------------------|----------------|
| Q4 2018/19 | 108 | 175 |
| Year - 2018/19 | 460 | 522 |
| Q1 2019/20 | 73 | 164 |
| Q2 2019/20 | 112 | 171 |
| Q3 2019/20 | 91 | 152 |
| Q4 2019/20 | 131 | 234 |
| Year - 2019/20 | 407 | 721 |

13 Conclusion

13.1 This performance report provides an update on the results achieved and the impact on delivering the outcomes for Shropshire

13.2 Performance for quarter 4 of 2019/20 has seen unprecedented changes to the delivery of services. The emphasis of many services has shifted from business as usual to being able to respond to immediate needs to ensure those most at risk are protected.

- Essential services have continued to operate with kerbside collections maintained, provision of schooling for vulnerable children and those of key workers, social care services for children and adults. IT services have enabled more than 2500 staff to work remotely to continue service delivery.
- Services have had to respond to new demands and have quickly established new processes. Community response teams have been established to provide on the ground support to communities, distribution of emergency food supplies, identification and contact of vulnerable people, handling and processing of claims for business grants and council tax support, new data

collections and reports established to respond to Government requests for local intelligence.

- The longer-term impacts of this virus and the resultant lockdown are yet to emerge. There will undoubtedly be new pressures emerging on service areas to support the recovery of people and businesses in the county. New priorities and performance measures may be required to reflect these emerging needs.

| |
|---|
| List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information) Business Plan and Financial Strategy 2018/19 – 2022/23 Corporate Plan 2018/19 |
| Cabinet Member (Portfolio Holder) Cllr Lee Chapman |
| Local Member All |
| Appendices https://shropshireperformance.inphase.com/ |

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