

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

Date: Tuesday, 12 May 2020

**Committee:**  
**Performance Management Scrutiny Committee**

**Date:** Wednesday, 20 May 2020

**Time:** 11.00 am

**Venue:** THIS IS A VIRTUAL MEETING

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

[Link for PMSC Meeting 20 May 2020 at 2pm](#)

Please note that this meeting will be made available through Microsoft Teams Live Events - your device will need to meet the minimum specification as detailed on the Microsoft website at this link: [Device Specification](#)

- You will need to download MS Teams (free) and click on the link to listen to the meeting if you are using a PC
- If using a mobile device, you will need to download the MS Teams app (free) before clicking the link
- Use the link at 11.00 am on the day of the meeting and click on 'Join as Guest'
- You may receive an error message or a request for login details if you try to gain access before 11.00 am

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

Claire Porter  
Director of Legal and Democratic Services

**Members of Performance Management Scrutiny Committee**

Claire Wild (Chair)

Joyce Barrow

Karen Calder

Roger Evans

Hannah Fraser

Alan Mosley

Cecilia Motley

Peggy Mullock

Dave Tremellen

Leslie Winwood

Your Committee Officer is: **Julie Fildes** Tel: 01743 257723

Email: [julie.fildes@shropshire.gov.uk](mailto:julie.fildes@shropshire.gov.uk)

# AGENDA

## **1 Apologies for Absence and Substitutions**

## **2 Disclosable Pecuniary Interests**

Members are reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

## **3 Minutes of the meetings held on 29 January 2020 and 11 February 2020 (Pages 1 - 12)**

To consider the Minutes of the Performance Management Scrutiny Committee meeting held on 29<sup>th</sup> January 2020 and 11 February 2020.

## **4 Public Question Time**

To receive any questions, statements or petitions from the public of which members of the public have given notice. Deadline for notification for this meeting is 2pm on Monday 18<sup>th</sup> May 2020.

## **5 Member Question Time**

To receive any questions of which members of the Council have given notice. Deadline for notification for this meeting is 4.30pm on Friday 15<sup>th</sup> May 2020.

## **6 Covid-19 Supporting Communities and Community Response**

To receive a report from the Overview and Scrutiny Officer. [Report to follow]

Contact Danial Webb Tel. 01743 258509

## **7 Signs and Banners Task and Finish Group Final Report (Pages 13 - 34)**

To consider the recommendations and findings of the Signs and Banners Task and Finish Group. [Report attached]

Contact Danial Webb Tel 01743 258509

## **8 Future Work Programme (Pages 35 - 42)**

To consider the future work programme of the Committee. [Report to follow]

Contact Danial Webb Tel 01743 258509

## SHOPSHIRE COUNCIL

### PERFORMANCE MANAGEMENT SCRUTINY COMMITTEE

**Minutes of the meeting held on 11 February 2020**

**From 11.30 am – 1.34 pm in the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND**

**Responsible Officer:** Amanda Holyoak

Email: julie.fildes@shropshire.gov.uk Tel: 01743 257723

#### **Present**

Councillor Claire Wild (Chair)

Councillors Joyce Barrow, Karen Calder, Roger Evans, Hannah Fraser, Alan Mosley, Cecilia Motley and Dave Tremellen

#### **55 Apologies for Absence and Substitutions**

Apologies were received from Councillors Peggy Mullock and Les Winwood. Councillors Paul Milner and William Parr substituted for them.

#### **56 Disclosable Pecuniary Interests**

None were declared.

#### **57 Public Question Time**

There were no public questions.

#### **58 Member Question Time**

There were no Member questions.

#### **59 Call In: Youth Support**

Members of the Committee had the following papers before them:

Youth Support Report to Cabinet 21 January

Reasons for call in of decision by the Group Leader on behalf of the Liberal Democrat Group.

Members had also been circulated with representations from a member of the public, a Shropshire Councillor, Parish and Town Councils

All the above documents are available on the webpage for the meeting.

The Leader of the Liberal Democrat Group referred to the reasons for the call in as set out in the papers before members of the Committee.

The Chair then asked the Director of Children's Services to address the Committee.

The Director set out the context within which a Member Task and Finish Group had been set up to review delivery of Youth Support, under the auspices of the Communities Overview Committee. The purpose of the Group had been to explore good practice and identify the need across Shropshire, and explore a way forward.

The Group had heard from a number of professionals and expert witnesses and developed a set of recommendations which were in line with the national direction of travel and a national review which had looked at provision of a response to increase in youth crime, exploitation and demands placed on children's social care, families and carers. The recommendations were designed to provide a response to more vulnerable children and young people, through provision of detached outreach workers who could go to where the exploiters were operating.

This would not result in removal of support from rural areas which had been raised as a concern but was about getting to and addressing the needs of young people vulnerable to criminals, meeting local needs appropriately, and sourcing resources from a wider base.

The Early Help Change Programme Manager referred to the national recommendations designed to address the rise in issues such as violence, exploitation, crime and cyber bullying through both open access and targeted provision. These issues all existed in Shropshire and a lack of co-ordination around provision of services had been identified. The Task and Finish Group had concluded that a dual approach through open access and targeted provision would be the best solution.

In response to questions from the Chair and Committee, officers explained that it had been found that

- There were good youth clubs throughout the county catering for young people and also vulnerable young people who were well supported in these settings
- However, many vulnerable young people did not attend youth clubs for a number of reasons
- A targeted outreach worker would be able to go appropriate areas and at the right times of the day
- The South of the county was particularly reliant on volunteers with limited funded provision in these areas
- Links with schools needed to be strengthened and intelligence shared with the police to protect children most at risk of exploitation
- County lines existed in most rural areas
- There was not a one size fits all solution – and the council needed to understand information provided by partners.

The Leader of the Liberal Democrat Group said that the response from children and young people already attending youth groups appeared to have been discounted by officers. This was because the consultation report stated that results were skewed by the fact that the majority of surveys for children and young people were completed as paper surveys within youth clubs.

In response, officers explained that the majority of consultation had happened with young people at youth clubs, who obviously valued what was on offer. It was more difficult to

gain responses to the consultation form those who did not attend. The consultation had been made available through TMBSS in an attempt to collect information from harder to reach children. Some of these respondents had loved open access provision, but others had expressed concerns around bullying, stress, anxiety, low mood and depression. A balance had to be achieved.

Some members of the Committee went on to comment:

- The benefits of outreach provision was not in question, but this should not be at the cost of open access provision;
- if youth clubs had to close there would eventually be an increased burden on targeted support;
- Co-ordination by Shropshire Council might be cumbersome and more onerous than was needed, particularly in areas such as Shrewsbury where provision was already in place and working well.

In response, officers agreed that some town and parish councils already did a very good job in delivering detached youth work, but co-ordination was fragmented and Shropshire Council was in a position to co-ordinate this throughout all market towns and rural areas. The issue was not just about provision in local areas but how the whole system worked together. Exchange of intelligence and information would allow target and focus exactly where it was needed at the right time.

A Member of the Committee, a member of Shrewsbury Town Council, said that the Town Council had disagreed with the proposals as it already worked closely and effectively with schools and fulfilled contracts directly with them. He expressed concern that if the small amount of funding received currently by the Town Council were removed, then it's capacity to deliver this work in schools would be challenged. Another Town Council member felt that universal application of a Youth Service provision would not be as effective as delegating funds for use in structures that already existed, rather than adding a potential layer of bureaucracy and risking duplication.

The Portfolio Holder for Children's Services said it was intended that detached youth work would enable vulnerable children to be identified and diverted into diversionary activities, through building a relationship. He reiterated that this was not an attempt to end universal youth work but would facilitate understanding of what harder to reach young people might want to do, eg music based activities, and to encourage community ownership.

Richard Parkes, Shropshire Youth Association, addressed the Committee and observed that the term 'detached youth work' was not one he recognised but what it described took a long time to develop. The Director of Children's Services confirmed that building relationships was important but said that relationships had to be established, and that detached workers would need the same view of street life that those wishing to exploit children and young people had.

In response to a member question Mr Parkes described how a successful Lottery bid sum would be spent across Shropshire and set out what SYA provided for the current Council contract in the form of DBS checks and training towards national youth work qualifications.

Mr Parkes circulated a paper from SYA to Members and in response to a question from the Chair explained that the organisation did recognise the gaps in current provision, broadly supported the direction of travel, but did not want to see any detriment to universal services. He said that if it was possible to maintain current provision through other support, that SYA would fully support the proposals. He applauded the fact that an additional year of support had been provided to allow time for alternative support to be arranged but asked that if alternative support had not been found by 31 March 2021, then more time be provided rather than closing any provision.

The Head of Early Help, Partnerships and Commissioning reported that 11 Local Joint Committees had received youth funding support, and that the majority of conversations with town and parish councils had resulted in a positive response and many had committed to Youth Support from their 2020 – 2021 budgets. The proposal for a graduated implementation would give time to ensure that commitment could be found from other town and parish councils.

Members went on to discuss the status of Local Joint Committees and the Chair of the Communities Overview Committee reported that the Portfolio Holder for Communities, Place Planning and Regulatory Services was keen for LJsCs to be absorbed into Place Plan areas. Although the constitution did reference LJsCs, the majority no longer functioned and they could not be relied upon as a vehicle for provision of future funding.

The Director confirmed that where, for example, Ludlow, Wem and Bishop's Castle Town Councils had not precepted for youth provision for 2020 – 21, Shropshire Council would continue to provide support for them, and other local councils in the same position, for that period of time during which ongoing discussions regarding arrangements for the future could be held. It would be possible to double or even treble the amount of resource that could be spent on youth provision.

The Chair of the Communities Overview Committee who had Chaired the Task and Finish Group was asked to outline the work of the Group. She reported that the Group had met on six occasions and had taken evidence from a number of witnesses including SYA, West Mercia Police and an expert in Youth Services. She explained that the Group had found that:

- Dramatic budget cuts year on year had been experienced by the Council since the formation of the Unitary Authority and at the end of the day there was not enough money to do everything the Council would want to;
- New problems were facing communities, particularly those related to serious organised crime;
- Open access youth forums were very much valued by those that used them but there was a need to provide for those who were not comfortable accessing these;
- It was critical to divert children and young people from criminals who wished to exploit them and this would help avoid them entering the care or prison systems;

The Group's recommendations were not designed to be detrimental to open access services, but intended to build provision to run alongside it. The Group had been grateful for the attendance of the Portfolio Holder at meetings so that he could understand the way the group had developed its thinking.

The Chair reported that the Task and Finish Group had originally unanimously accepted the report but that three members had subsequently said that they had concerns, particularly in relation to the Equality and Social Inclusion Impact Assessment (ESIIA).

The Leader of the Liberal Democrat Group said that although he now understood the ESIIA to have fulfilled legal requirements, he considered that the document presented to Cabinet should have indicated who had made changes to it following the consultation and that a part 2 assessment should have been carried out.

The Chair asked the Rurality and Equalities Specialist to comment on the ESIIA process. She said that she would usually recommend a second assessment following a consultation to demonstrate the evidence that had been collected and set out where it had come from. This would provide an additional opportunity to enable identification of any gaps. It was not too late to do this and a second one could be completed at this stage.

The Legal Services Manager (People), observed that from a legal perspective, the ESIIA presented to Cabinet could have made it clearer who had made amendments to it, but it was not unlawful, had not misled Cabinet and was adequate and efficient. He confirmed that it would be possible to update the document as a living document alongside progression of recommendations.

The Chair asked the Leader of the Liberal Democrat Group whether he considered his issues set out in the call in had been covered. He felt that members of Parish and Town Councils and other members of the Task and Finish Group should be permitted to speak at the meeting. He said that the majority of young people were in favour of retaining open access youth groups and the decision should be sent back to Cabinet or to Council as more information should have been made available before the decision had been made.

The Chair said she felt that all the points raised in the call in document had been addressed and allowing other to speak would extend the meeting unnecessarily, particularly as the matter related to provision across the whole of the county and not just in certain town council areas.

A member said she hoped that attention would be given to the most effective way of working in order to implement a structure that would not be onerous and be of maximum benefit and avoid any duplication and time wasted in having to pass on information.

The Director said these concerns could be looked at but she was confident that the decisions made by Cabinet would result in enhancement, not duplication or wasted time. She reiterated that there needed to be a consistent approach from Shropshire Council across the county to avoid a postcode lottery. Vulnerable children and families were spread across the whole of Shropshire, both in rural and urban areas, and an infrastructure was needed that was flexible, and facilitate a network of providers in which to direct young people into diversionary activities to help them stay safe. It was about engaging with the whole system of public sector services which together could produce a much better range of support and interventions than was possible for a single organisation.

A proposal was made that the representatives in the audience from Town and Parish Council and individual members of the Task and Finish Group be allowed to address the Committee but this was lost on being put to the Committee.

The Chair asked Mr Parkes if SYA was in favour of the Cabinet proposals and he confirmed his support, saying he had been reassured by having heard that there would be continuation of funding to the end of March 2021. He confirmed that SYA would work with Town and Parish Councils as needed in the lead up to this point.

The Director reported that a meeting regarding financing youth clubs was due to follow the meeting and confirmed the Council had committed to fund current activities in those town and parish councils who had not yet agreed to fund their own provision between now and end of March 2021. She confirmed that she did not expect these clubs to close as a result of funding being withdrawn by Shropshire Council during this period. The Liberal Democrat Group Leader expressed concern about what might happen in April 2021 if alternative support could not be found.

The Portfolio Holder for Children’s Services emphasised that maintaining the status quo would expose many vulnerable children to county lines and that there was no desire to see open access provision damaged in any way. He understood concerns expressed around potential duplication and bureaucracy but was comfortable with the model and he thanked the Task and Finish Group and officers for the work.

The Leader of the Liberal Democrat Group proposed that the meeting be adjourned in order to receive more information from Parish and Town Councils and individual members of the Task and Finish Group, but this was lost on being put to the vote.

The Chair felt that the points set out in the call in document had been addressed and it was

**RESOLVED**

To accept the recommendations in the report.

Councillor Roger Evans asked that it be recorded that he had voted against this resolution.

The meeting concluded at 1.34 pm

Signed ..... (Chairman)

Date:



# SHOPSHIRE COUNCIL

## PERFORMANCE MANAGEMENT SCRUTINY COMMITTEE

Minutes of the meeting held on 29 January 2020

2.00 - 4.22 pm in the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate,  
Shrewsbury, Shropshire, SY2 6ND

**Responsible Officer:** Julie Fildes

Email: julie.fildes@shropshire.gov.uk Tel: 01743 257723

### **Present**

Councillors Claire Wild (Chair), Roger Evans, Hannah Fraser, Alan Mosley, Cecilia Motley, Peggy Mullock, Dan Morris (Substitute) (substitute for Karen Calder), Brian Williams (Substitute) (substitute for Joyce Barrow) and Michael Wood (Substitute) (substitute for Leslie Winwood)

### **42 Apologies for Absence and Substitutions**

The Chair welcomed everyone to the meeting and advised that the usual committee clerk Julie Fildes was currently unwell and asked that the best wishes of the committee be passed to Mrs Fildes. This was endorsed by all members present.

Apologies for absence had been received from Councillors Joyce Barrow, Karen Calder, Dave Tremellen and Les Winwood.

Councillor Dan Morris substituted for Cllr Karen Calder, Councillor Brian Williams substituted for Cllr Joyce Barrow and Councillor Michael Wood substituted Cllr Les Winwood

### **43 Disclosable Pecuniary Interests**

There were no declarations of interest made.

### **44 Minutes of the meeting held on 13th November 2019**

The minutes of the meeting held on the 13<sup>th</sup> November 2019 had been circulated.

### **RESOLVED:**

That the minutes of the meeting of the Performance Management Scrutiny Committee held on the 13<sup>th</sup> November 2019 be approved as a true record and signed by the Chair.

### **45 Public Question Time**

There were no questions from members of the Public

### **46 Member Question Time**

There were no questions from Members.

With the agreement of the Committee the order in which items was taken was amended.

#### 47 **Parking Strategy 12 month review of implementation**

The report of The Director of Place had been circulated.

The Chair expressed concern and disappointment that the report had been circulated less than 24 hours before the meeting as this did not give Councillors and other interested parties enough time to consider the contents of the report. Several other Members shared her concerns and stated that this was becoming more of a problem with all committees.

The Chair proposed that the item be deferred to a meeting in April to enable a full year's figures to be included in the report. She asked that the report be published in good time prior to the meeting in order that Members and Town and Parish Councils would have enough time to consider the contents of the report.

#### **RESOLVED:**

That the Parking Strategy 12 month review of implementation report be deferred to a meeting of the Performance Management Scrutiny Committee in April.

The Chair then asked for any commented regarding the report. The following suggestions were made by Members:

- Graphic should be clearer;
- A year on year comparison should be included to allow comparison of performance and the effect on visitor numbers;
- A summary of the key findings should be included at the front of the report; and
- An index of the appendices should be included to allow easy navigation of the report.

A Member asked that the traffic regulation order referred to in appendix 2 be progressed.

The Chair invited the Deputy Mayor of Ludlow to address the meeting. He welcomed the deferral of the report as this would give the Council more time to consider the report and to formulate a full response.

#### 48 **Highways Presentation**

The Chief Executive reminded members that as a result of pressures to the overall budget caused by increases in the costs of social care the highways budget had been reduced by £10 million. He informed Members that he and Cabinet Members had been to Parliament to lobby for more funding.

The Chief Executive informed members that it was thought that the Council would receive additional money from the Pothole Fund as in previous years but that this had yet to be confirmed. A Member asked whether the Council would be required to spend the additional money in the current financial year. The Chief Executive commented that the exact conditions of the grant were currently unknown but given how close we were to the end of the financial year there would need to be the potential for some carry over.

The Chief Executive advised Members that a number of measures had been instigated to address the current problems which included: -

- A reallocation of managerial responsibilities;
- The Customer Service Centre becoming the primary point of contact for the reporting of highway faults; and
- An increase in the number of gangs operated by the contractor to ensure a quicker response to repairs.

A Member commented that in the past local highways managers had had a budget allocated to them that they could use for local works and asked whether this could be reinstated. The Chief Executive advised there was a central budget available for such works.

The Intelligence and Insight Manager gave a presentation (copy attached to the signed minutes) which gave some background on the highways issues in Shropshire

#### **49 Report of the Financial Strategy Task and Finish Group**

Members received the report of the Intelligence and Insight Manager which set out the report of the Financial Strategy Task and Finish Group.

The Intelligence and Insight Manager informed members that the Task and Finish Group had centred their work around adult and child social care and the transformation programme and commented that a future group would need to pick up topics such as climate change.

A Member commented that the increasing costs of social care must be addressed and that the County's MPs should be made aware of the problems and should be working to secure more funding from central government.

A Member commented that prevention played an important part in the reduction of spending on expensive social care and expressed concern that there would be an increase in demand because of cutting the budgets of those services which provided some of the intervention work such as the youth service, and that there was a need for figures to enable monitoring of the situation going forward.

A Member commented that the crux of the matter was that we did not get enough funding from central government and that we should be working to secure fairer funding. The Director of Finance and Governance stated that the Fairer Funding Review had been ongoing for about 4 years but had not met for the last 15 months.

He informed the Committee that the LGA and Society of County Treasurers were carrying out work on developing a case for fairer funding for Adult Social Care.

**RESOLVED:**

- i) That the Performance Management Scrutiny Committee consider the issues set out within the report and identifies topics to be included in its work programme and put forward for the other Overview and Scrutiny Committees.
- ii) That a strong cross-party representation of Shropshire Council Members, accompanied by all Shropshire MPs, should travel to Westminster to lobby the Prime Minister and Government more widely for better and fairer funding for Shropshire Council. In particular on more equitable funding through the Public Health Grant, the impact on costs of delivering services in a significantly rural area, and the pressures on Adult Social Care and Children's social care and the impact this has on other Council services.
- iii) Benchmarking information on cost and activity should be presented to Performance Management Scrutiny Committee annually [this is expected to be the meeting of the committee in January of each year].
- iv) A Financial Strategy Task and Finish Group should be in place for 2020/21 for the development of the Financial Strategy 2021-2024.
- v) That the availability and allocation of appropriate adapted housing that helps people to be independent, is reviewed by the Council on a regular basis. Thereby ensuring that need and right home are aligned, and best use of funding and resources is achieved.
- vi) Performance Management Scrutiny Committee should move on from its regular view of Digital Transformation to a focus on the Transformation of the Council, in particular on the required culture change that need to take place.
- vii) The Council needs to continue to promote the benefits of all forms of prevention for children and young people and for adults, and the pursuit funding through local partnerships such as the Sustainability and Transformation Partnership (STP) should be a priority. Prevention and investment in prevention should also be part of lobbying to Government for additional funding and support.

**50 Digital Transformation Programme Update**

Members had before them a briefing note which gave an update on progress with the Digital Transformation Programme.

The Technology and Communications Manager advised Members that the Members Portal would be going live in March, which was later then planned but would enable Councillors to receive training on all aspects of the new systems in one go. In response to a question the Technology and Communications Manager that Members would be able to obtain data at a parish level through the Members Dashboard.

## 51 **Quarter 2 Finance Report**

Members received the report of the Director of Finance, Governance and Assurance which set out the projected revenue expenditure for the financial year 2019-20 as at Quarter 2 and the capital expenditure to the end of Quarter 2.

The Director of Finance, Governance and Assurance informed the meeting that since the end of Quarter 2 there had been a significant reduction in the projected overspend primarily as a result of the spending and recruitment freeze that had been imposed.

A Member asked why the Quarter 3 reports would not be considered by Cabinet until March as in previous years it had been considered at the February Cabinet meeting. The Director of Finance, Governance and Assurance explained that this was due to the fact that the figures would not be collated in time to take them to the February Cabinet meeting which was relatively early in the month.

A Member asked what effect the recent increase in the minimum wage would have. The Director of Finance, Governance and Assurance informed the meeting that officers were currently looking at this, but early indications were that it was not outside the figures included for growth.

A Member asked whether all the required savings would be made. The Director of Finance, Governance and Assurance informed the meeting that he was confident that the predicted overspend would be reduced to manageable levels and that he was working with Directors to ensure that savings were met.

### **RESOLVED:**

That the contents of the Financial Monitoring Report – Quarter 2 2019/20 be noted.

## 52 **Quarter 2 Performance Report**

Members had before them the report of the Intelligence and Insight Manager which set out the Council's performance against its key outcomes for Quarter 2 - 2019/20

A Member expressed concern that average pupil attainment was down on previous years

A Member suggested that targets around published strategies such as climate change should be added to the Performance Portal.

### **RESOLVED:**

That the contents of the Quarter 2 Performance report 2019/20 be noted.

## 53 **Future Work Programme**

Members considered the report of the Statutory Scrutiny Officer which set out the proposed work programme for the year ahead.

Members agreed that the Finance Task and Finish Group would continue to meet and that it would consider whether any amendment to its terms of reference was required at its first meeting.

Members agreed that a Task and Finish Group to look at Highways Improvements be set up and that the Terms of reference be brought at the next meeting of the Committee for approval.

**RESOLVED:**

- i) That the content of the Work Programme be noted
- ii) That the Finance Task and Finish Group continue to meet and that it considers whether any amendments to its terms of reference are required at its first meeting.
- iii) that a Task and Finish Group to look at Highways Improvements be set up and that the Terms of Reference be brought to the next meeting of the Committee for approval.

**54 Date/Time of next meeting of the Committee**

Members noted that the next meeting of the Performance Management Scrutiny Committee would be held at 2.00pm on 18 March 2020.

Signed ..... (Chairman)

Date:



Place Overview Committee  
26 March 2020

Item

## **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 Place Overview 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 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.

<p><b>The group therefore recommends that Shropshire Council draft and consult on a policy for A boards.</b></p>
--

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 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.

<b>Local authority</b>	<b>New permit</b>	<b>renewal</b>	<b>3 year cost</b>
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
<b>Shropshire</b>	<b>213</b>	<b>111</b>	<b>435</b>

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.

<b>Local Authority</b>	<b>Charge</b>	<b>Charge for six signs for twelve months</b>
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.



<b>Performance Management Scrutiny Committee</b>	<b><u>Item</u></b>
<b>20 May 2020</b>	<b><u>Public</u></b>

## Performance Management Scrutiny Committee Work Programme

### Responsible officer

Danial Webb, overview and scrutiny officer

[danial.webb@shropshire.gov.uk](mailto:danial.webb@shropshire.gov.uk)

[01743 258509](tel:01743258509)

### 1.0 Summary

1.1 This paper presents the Performance Management Scrutiny Committee's proposed work programme for the next six months.

### 2.0 Recommendations

2.1 Committee members to:

- agree the proposed committee work programme attached as **appendix 1**
- note the current task and finish groups attached as **appendix 2**
- suggest changes to the committee work programme and
- recommend other topics to consider.

### 3.0 Background

3.1 Following the declaration of the COVID-19 pandemic, Shropshire Council initially suspended overview and scrutiny committees in common with most other local authorities. Now that the scale of the pandemic has become clearer, the council has recommenced its overview and scrutiny process, albeit with a smaller committee structure.

3.2 At present, Shropshire Council will conduct all of its non-health-related scrutiny through its Performance Management Scrutiny Committee. This committee will meet monthly in order to provide the time to carry out an extended programme of work. The Health and Social Care Scrutiny Committee will also continue to operate. Work is also underway to restart the work of the joint health scrutiny committee with Telford and Wrekin Council.

3.3 Task and finish groups will also continue as before. The committee administration of task and finish groups will now be routed through the Performance Management Scrutiny Committee, rather than their thematic committee.

3.2 A refreshed draft overview and scrutiny work programme for this committee is attached as **appendix 1**. This draft programme includes the opportunity to scrutinise various aspects of the council’s work to tackle COVID-19, as well as some of the longer-term issues arising from the impact of the pandemic. A refreshed list of current task and finish groups is attached as **appendix 2**.

#### 4.0 Next steps

4.1 Overview and scrutiny updates this report on an ongoing basis and presents it at each committee meeting. This will allow members the opportunity to contribute to its development at each committee meeting.

**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)**

All

**Local Member**

All

**Appendices**

Overview and scrutiny work programme

Overview and scrutiny task and finish groups

## **Appendix 1**

### **Draft Performance Management Scrutiny Committee work programme 2020**

#### **May 2020**

COVID 19 – Supporting communities and community response

*Signs and Banners Task and Finish Group – final report*

#### **June 2020**

COVID-19 – partnership working

Q4 Finance Report and Q4 Performance Report

*Community Transport Task and Finish Group – final report*

#### **July 2020**

COVID-19 – Financial consequences

Kier performance reporting

*Financial Strategy Task and Finish Group terms of reference*

#### **September 2020**

COVID – Recovery planning

Q1 Finance Report and Q1 Performance Report

*Road Safety Task and Finish Group – final report*

#### **October 2020**

February 2020 flooding response

#### **November 2020**

Organisational Transformation

Q2 Finance Report and Q2 Performance Report

## Appendix 2

### Current and proposed task and finish groups

Title	Objectives	Reporting to
Financial Strategy	<ul style="list-style-type: none"><li>• To understand the process and activity stages for developing the Financial Strategy 2018/19 to 2022/23 and how these translate into the Council's annual budgets</li><li>• To consider and scrutinise the proposals and emerging plans for the whole Financial Strategy and 2019/20 budget, including how they align to the four pillars. This will be through their development and their implementation, in particular for innovation and raising income.</li><li>• To consider the recommendations and areas for action identified in the Corporate Peer Challenge report relating to the Financial Strategy, and how they are being addressed.</li><li>• To consider the direct and indirect impacts, including risks, of 2019/20 budget proposals on current services and customers.</li><li>• To complete specific pieces of work to identify and work up alternatives to emerging plans, including the feasibility of any alternative proposals</li><li>• Make evidence based recommendations in relation to plans and approaches for innovation and income generation, and alternative proposals for future budget setting.</li></ul>	Performance Management Scrutiny Committee



Title	Objectives	Reporting to
Road casualty reduction	<ul style="list-style-type: none"> <li>• Understand the nature of road traffic collisions in Shropshire.</li> <li>• Understand feelings of road safety, and the effect of feeling unsafe when travelling.</li> <li>• Understand the factors that contribute to safer travel</li> <li>• Scrutinise how Shropshire Council and its partners work together to make travel safer.</li> <li>• Explore how Shropshire Council responds to new models of Government transport funding.</li> </ul>	Performance Management Scrutiny Committee
Community Transport	<ul style="list-style-type: none"> <li>• To understand how community transport operates in Shropshire, and the demand for community transport services.</li> <li>• Identify how the community transport groups, the council, and other partners can work together to provide community transport to people in Shropshire who do not have access to public or private transport.</li> </ul>	Performance Management Scrutiny Committee
Brexit	<ul style="list-style-type: none"> <li>• To consider the information brought together to develop a view for Shropshire of the possible implications of Brexit for the Shropshire economy and the achievement of the Economic Growth Strategy.</li> <li>• To identify, with the relevant officers, the key evidence and related requirements of what Shropshire would require from a future UK funding approach.</li> <li>• To make evidence based recommendations to Cabinet.</li> </ul>	Performance Management Scrutiny Committee

Title	Objectives	Reporting to
Section 106 and Community Infrastructure Levy	<ul style="list-style-type: none"> <li>• To understand how Shropshire Council currently uses Section 106, CIL and NHB and the impact that this has had</li> <li>• To understand how Section 106, CIL and NHB could be used in Shropshire to enable or encourage projects or initiatives for economic growth and prosperity</li> <li>• To learn from other places how they have used Section 106, CIL and NHB to enable or encourage projects or initiatives for economic growth and prosperity</li> <li>• To make evidence based recommendations on how Section 106, CIL and NHB could be used in Shropshire to enable or encourage projects or initiatives for economic growth and prosperity</li> </ul>	Performance Management Scrutiny
Climate Change	<ul style="list-style-type: none"> <li>• To review Shropshire Council's existing work to reduce its CO2e output.</li> <li>• To scrutinise existing council policy and practice and recommend policy changes that would support further carbon reduction.</li> <li>• To identify and evaluate opportunities to reduce spending and generate income by adopting low-carbon technology and practices.</li> </ul>	Performance Management Scrutiny Committee
Dog fouling and dangerous dogs	<ul style="list-style-type: none"> <li>• To scrutinise how the local authority tackles                             <ul style="list-style-type: none"> <li>○ dog fouling</li> <li>○ dog attacks</li> <li>○ stray dogs</li> </ul> </li> <li>• licenced dog breeding</li> </ul>	Performance Management Scrutiny Committee

<b>Title</b>	<b>Objectives</b>	<b>Reporting to</b>
Signs, banners and street furniture	<ul style="list-style-type: none"> <li>• Understand existing policies, charges and administrative arrangements</li> <li>• Scrutinise existing policy and suggest draft policy.</li> <li>• Identify opportunities to set and administer policy and licencing arrangements with town and parish councils.</li> <li>• Look at how other local authorities set and administer policy, to identify potential ways to improve arrangements in Shropshire.</li> </ul>	Performance Management Scrutiny Committee

**This page is intentionally left blank**