

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

Date: Wednesday, 22 June 2022

**Committee:**  
**Place Overview Committee**

**Date:** Thursday, 30 June 2022  
**Time:** 2.00 pm  
**Venue:** Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, ,  
Shropshire, SY2 6ND

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

**There will be some access to the meeting room for members of the press and public but this will be limited. If you wish to attend the meeting, please email [democracy@shropshire.gov.uk](mailto:democracy@shropshire.gov.uk) to check that a seat will be available for you.**

**The meeting can be viewed live via Microsoft Teams using the link below. The recording will be made available on YouTube, this will be made accessible from the web page for the meeting shortly afterwards.**

[www.shropshire.gov.uk/placeoverviewcommitteemeetingthursday30june](http://www.shropshire.gov.uk/placeoverviewcommitteemeetingthursday30june)

Tim Collard  
Assistant Director – Legal and Governance

**Members of Place Overview Committee**

Joyce Barrow (Chairman)	Dan Morris
Steve Davenport (Vice Chairman)	Pamela Moseley
Julian Dean	Peggy Mullock
Geoff Elnor	David Vasmer
Roger Evans	Paul Wynn

Your Committee Officer is:

**Sarah Townsend** Committee Officer

Tel: 01743 257721

Email: [sarah.townsend@shropshire.gov.uk](mailto:sarah.townsend@shropshire.gov.uk)

# AGENDA

## 1 Apologies for Absence

## 2 Disclosable Interests

Members are reminded that they must declare their disclosable pecuniary interests and other registrable or non-registrable interests in any matter being considered at the meeting as set out in Appendix B of the Members' Code of Conduct and consider if they should leave the room prior to the item being considered. Further advice can be sought from the Monitoring Officer in advance of the meeting.

## 3 Minutes of the Previous Meetings (Pages 1 - 2)

To consider the minutes of the Place Overview Committee meetings held on 28<sup>th</sup> April 2022 (To Follow) and 12<sup>th</sup> May 2022 (Attached).

Contact: Sarah Townsend (Tel: 01743 257721)

## 4 Public Question Time

To receive any questions or petitions from the public of which notice has been given. The deadline for notification for this meeting is 5.00 p.m. on Friday, 24<sup>th</sup> June 2022.

## 5 Member Question Time

To receive any questions of which Members of the Council have given notice. The deadline for notification for this meeting is 5.00 p.m. on Friday, 24<sup>th</sup> June 2022.

## 6 Kier Performance Reporting

To receive an update from the Head of Highways regarding KPIs, following consideration of this agenda item at the committee's last meeting. Report to follow.

Contact: Andy Wilde (Tel: 01743 255472)

**7 Planning Committee Structures (Pages 3 - 12)**

To scrutinise the findings of research commissioned by the committee into the perceived impact of the 2019 decision to restructure Shropshire Council's planning committees. (Attached).

Contact: Danial Webb (Tel: 01743 258509)

**8 Banners, Bunting, Christmas Lighting & Temporary Signage Policy Review in Shropshire (Pages 13 - 20)**

To receive an update on recommendations made by the committee's signs, banners and bunting task and finish group. (Attached).

Contact: Gary Parton (Tel: 01743 258786)

**9 Proposed Fees for Event Closures / Temporary Traffic Restriction Orders (Pages 21 - 28)**

To receive an update on proposed fees for event closures / temporary traffic restriction orders. (Attached).

Contact: Gary Parton (Tel: 01743 258786)

**10 Place Overview Committee Work Programme**

To consider the future work programme of the Committee. (To Follow).

Contact: Danial Webb (Tel: 01743 258509)

**11 Date/Time of Next Meeting of the Committee**

The Committee is scheduled to next meet on Thursday, 29<sup>th</sup> September 2022 at 2.00 p.m.



Place Overview Committee
30 June 2022
2.00 pm

Item
3
Public

**MINUTES OF THE PLACE OVERVIEW COMMITTEE MEETING HELD ON 12 MAY 2022  
MEETING HELD IN THE COUNCIL CHAMBER, SHIREHALL, ABBEY FOREGATE,  
SHREWSBURY, SY2 6ND.**

**Responsible Officer:** Sarah Townsend  
Email: sarah.townsend@shropshire.gov.uk      Tel: 01743 257721

**Present**

Councillor Joyce Barrow (Chairman)  
Councillors Paul Wynn (Vice Chairman), Steve Davenport, Julian Dean, Geoff Elner,  
Roger Evans, Paul Gill, Dan Morris, Pamela Moseley and David Vasmer

**1 Election of Chairman**

Councillors Joyce Barrow and Julian Dean were both proposed and seconded as Chairman of the Committee. On being put to the vote it was:

**RESOLVED:**

That Councillor Joyce Barrow be elected Chairman of the Place Overview Committee for the ensuing year.

**2 Apologies for absence**

There were none.

**3 Appointment of Vice-Chairman**

Councillors Steve Davenport and Julian Dean were both proposed and seconded as Vice-Chairman of the Committee. On being put to the vote it was:

**RESOLVED:**

That Councillor Steve Davenport be appointed Vice-Chairman for the ensuing year.

Signed ..... (Chairman)

Date:

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## Committee and Date

Place Overview Committee

30 June 2022

## Item

Public

## Review of planning committee structures – further research findings

### Responsible Officer

Danial Webb

Overview and scrutiny officer

danial.webb@shropshire.gov.uk

### **1.0 Summary**

1.1 This report provides further information requested by the Place Overview Committee to support its review of the decision by Shropshire Council in 2019 to reduce the number of its planning committees from three to two.

### **2.0 Recommendations**

- 2.1
- To note the report.
  - To make any recommendations to Cabinet with regards to the future structure and operation of the council's planning committees.

### **3.0 Opportunities and risks**

3.1 This report is for information and comment only.

### **4.0 Financial assessment**

4.1 There are no financial implications from this review report. However, any recommendations made by the committee would be subject to financial assessment before being presented to Cabinet or Council, such as reverting back to three planning committees and the associated costs.

## **Report**

### **5.0 Background**

5.1 Until 2019, Shropshire Council carried out its member-led planning function through three area-based planning committees. Broadly speaking these three committees covered the north of the local authority area, the south, with a third 'central' committee, covering the Shrewsbury area and outlying communities. These three committees were politically balanced within their area, which meant that each committee would have a different political balance.

5.2 On 16 May 2019 Shropshire Council officers submitted a report to Shropshire Council that recommended that it reduce the number of its planning committees

from three to two. The membership for these two committees would be politically balanced within the entire local authority area, rather than the area the committee covered. There were several reasons for the recommendation:

- Operating several planning committees risked inconsistency in decision making between committees. The report stated that officer analysis showed differences between the committees in number of applications deferred or recommendations overturned, but did not provide any evidence in the report to support this.
- Maintaining three committees was an ineffective use of resources, and that “...the same number of applications would be considered by committee as at present. “
- A two-committee system would be cheaper, with savings on officer time, travel expenses, allowances, and technical consultee hire.
- A committee covering a larger geographic area would be more likely to ‘adopt a strategic approach to the application of policy and material planning considerations’.
- Any loss of local familiarity with an area was overstated as:
  - committee members would still be drawn from the local area;
  - local members were still consulted on applications in their division; and
  - local members were unable to vote on planning applications in their division.

5.3 Council agreed to the proposals, and to ask an overview and scrutiny committee to review the impact of the changes after their implementation. The Place Overview Committee agreed to carry out this work at its meeting in November 2021.

5.4 In March 2022 the Place Overview Committee received a report from the council’s overview and scrutiny officer that provided:

- A comparison of planning committee structures in similar local authorities, including a comparison of the number of committees, how often they met, and the number of items considered at each meeting.
- A survey of local authority elected members, as well as town and parish councils, on the perceived impact of the changes to the planning committee structure.

5.5 The report demonstrated that there was no discernible pattern to how other local authorities organised their planning committee function. While some local authorities referred relatively few decisions to a single planning committee, others referred considerably more to numerous committees. The only consistency appeared to be that planning committees, when they met, tended to consider between three and six items per meeting.



- 5.6 The report also provided feedback sought from town and parish councils about the change in planning committees. Many, but not all, parish and unitary councillors argued that losing a planning committee had diluted the local knowledge that local members brought to planning committee decisions, and that this would have a negative impact on the quality of planning decisions. In the meeting, the committee discussed how this could be measured. The committee agreed that finding a way of measuring the impact of local knowledge on the quality of decision making would be difficult. The officers attending the meeting agreed that although local knowledge was undoubtedly useful, what was more important was that planning decisions were made on material planning grounds, and that decision making should be consistent across the committees.
- 5.7 The committee asked officers to determine whether there was any research into whether the local knowledge of elected members on a planning committee was a factor in the quality of planning decisions. Regrettably officers were unable to find any specific research on this.
- 5.8 The committee also discussed the interrelated issues of elected member involvement, material planning considerations and elected member training. Many of the survey responses from councillors highlighted a wish for more training on responding to planning applications. This was mostly because elected members, particularly in town and parish councils, were at times unsure about what constituted a material planning consideration that would stand up to challenge. This uncertainty sometimes resulted in frustration when objections or comments were on non-material planning grounds. Officers provide regular training for planning committee members, particularly for new members as it is essential given the importance of the decision making and right to challenge.
- 5.9 The planning scheme of delegation is a critical element of the overall process. Appendix 1 shows Shropshire Council's scheme of delegation. It states that local members can call-in an application to committee, if agreed by the relevant officer in consultation with the committee chair. Town and parish councils (as opposed to individual councillors) hold similar powers to bring an application if they form a contrary view to that of the planning officer, and if their objections could not be overcome with additional planning conditions. However, irrespective of whether a Shropshire Council councillor requested to call-in an application, or whether a town or parish council objected to the decision of a planning officers, the call-in or objection has to be made on material planning considerations. The officers attending the meeting observed that this failure to provide a meaningful objection was a frequent cause of objections and calls-in being rejected.
- 5.10 Shropshire Council's scheme of delegation merits some comparison with other local authorities, as there may be some correlation between the scheme and the number of planning decisions made by committee. Appendix 2 shows Cornwall Council's scheme of delegation. This appears to provide a lower bar for being

passed to a planning committee, for example a unitary councillor's request for a committee decision does not have to be agreed by the committee chair or relevant service manager. As noted in the previous report to the committee in March, Cornwall Council has notably more planning committees, and decides more applications by committee. However, Cornwall Council also states that it aims to determine 95% of all planning applications by its delegated process, a broadly similar figure to Shropshire Council. Appendix 3 lists Calderdale Council's scheme of delegation. This scheme has a similar proviso that any councillor call-in needs to be determined by a senior officer. This determination does not formally include the chair of planning. However, in a telephone conversation with Calderdale Council's chair of planning committee, the chair informed me that the relevant director (in practice a more junior officer) always consulted the chair as part of the decision-making process. By comparison with Shropshire, as detailed in the report to the committee on March 23 2022, Calderdale Council has only one planning committee, which meets less frequently than either of Shropshire's two councils.

- 5.11 Although the committee may reasonably conclude that a less restrictive scheme of delegation *could* result in more applications being determined by committee, it does not necessarily follow that this difference results in *better* planning decisions. To determine that is outside the scope of this report.

## **6. Planning workload and officer capacity**

- 6.1 At the last meeting, workload and capacity was raised, particularly in light of the recent identified savings for the planning service. Officers explained to members that there has been significant work over the last year to reduce the older applications in the system waiting to be determined for many years (in some cases up to 10 years). The overall number of applications waiting to be determined have been reduced by at least 35%, however, there have been no staff reductions as a consequence. The service is going through a restructure shortly, but this is to provide more capacity at the management level of the service, which is currently a pinchpoint. As posts become vacant, there will be a careful review of whether they should be replaced and there will, over time, be a reduction in the reliance of agency staff.
- 6.2 One member asked at the last meeting to have some details on number of staff each year to see if there had been a reduction. Below is a table of the number of staff in Development Management (part of planning that deals with planning applications) over the last five years. The data produced however, has been difficult to unpick as the elements of the service included in Development Management has changed, so it appears the number of staff has increased significantly. For example, in 2017 the Section 106 Obligations team was added, in 2018 Enforcement Specialists were added, in 2020 it included Business Support and Validation. The sense is that the number of officers directly determining applications has increased slightly.

## Development Management

	2016	2017	2018	2019	2020	2021	2022
<b>Post Holdings</b>	31	34	39	40	57	58	59
<b>Headcount</b>	31	34	39	40	57	58	59
<b>Full-time equivalent</b>	28.7	31.7	35.7	36.53	51.44	52.83	53.55

- 6.3 Members asked for data on the number of applications that were considered at the agenda setting meeting that didn't get on the planning committee agenda. For the year to May 2022, the following number of applications were considered.
- **Northern Committee** – 159 applications discussed, of which 51 were referred to committee, including applications which must go to committee such as staff applications.
  - **Southern Committee** – 175 applications discussed, of which were 64 referred to committee.
- 6.4 Members asked for information on appeals being allowed, particularly where there has been a member overturn. Information on appeals is already regularly reported to planning committee. It is not clear how this influences the decision on the number of committees.
- 6.5 Officers did advise that details of applications considered at the agenda setting meeting and the outcome could be circulated to all members for information.
- 6.6 There was a suggestion by officers that any changes to the number of committees should include consultation with other stakeholders, such as agents, developers and consultees.

<b>List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)</b>
Council's Scheme of Delegation
<b>Cabinet Member (Portfolio Holder)</b>
Cllr Ed Potter, Deputy Leader, Economic Growth, Regeneration and Planning
<b>Local Member</b>
All
<b>Appendices</b>
Shropshire Council scheme of delegation

Cornwall Council scheme of delegation  
Calderdale Council scheme of delegation

## Appendix 1

### Shropshire Council's planning scheme of delegation

- Applications made by, on behalf of, or relating to the property of members or officers of the council who hold politically restricted posts, or who either directly or indirectly report to the Environment group manager.
- Applications made by the council, or in relation to land owned by us, which aren't in line with statutory functions (for instance, classroom extensions etc were delegated to officers, but speculative proposals on council-owned land would not be).
- Applications accompanied by an environmental statement.
- Complex or major applications, which in the view of the Environment group manager, or the service manager with responsibility for development management, in consultation with the committee chairman or vice chairman, should be determined by the relevant planning committee.
- Member call-in: applications requested to be referred by the local member to the relevant planning committee within 21 days of electronic notification of the application, and agreed by the service manager with responsibility for development management in consultation with the committee chairman or vice chairman, to be based on material planning reasons.
- Parish and town councils: For applications where the parish council submit a view contrary to officers (approval or refusal) based upon material planning reasons, the following tests need to be met:
  - these contrary views cannot reasonably be overcome by negotiation or imposition of planning conditions; and
  - the area manager or principal planning officer, in consultation with the committee chairman or vice chairman and the local member, agrees that the parish/town council has raised material planning issues, and that the application should be determined by committee.

## **Appendix 2**

### **Cornwall Council's planning scheme of delegation**

Applications will be dealt with under delegated powers unless:

- a local Member requests in writing for a major or minor application to be considered by committee and states sound:
  - planning
  - policy and
  - other area reasons why Committee consideration is needed.
- objections have been received and Committee determination is requested by:
  - an elected Member or
  - a senior officer of the Council.
- submitted by a close relation of:
  - an elected Member or
  - a senior officer of the Council. (Delegation is still permitted if the application is refused.)
- if approved, it would be a significant departure from approved policies (Such applications may still be delegated for either approval or refusal.)

A close relation is defined as:

- spouse
- partner
- sibling
- parent
- offspring

A senior officer in Planning is defined as all officers of group leader and above in Development Management. If another officer asks for Committee determination, it must be agreed by the Service Director.

### **Appendix 3: Calderdale Council scheme of delegation**

*Planning decisions are delegated to the Director of Regeneration and Strategy with the exception of the following:*

- 1.1 The determination of applications following a written request to the Corporate Lead, Planning by a Councillor concerning an application within their ward, that an application be referred to the Planning Committee. The request must be made to the Corporate Lead, Planning and must include reason(s) for the requested referral based on material planning considerations. Applications may be determined after the conclusion of the 21 day statutory public notification period.
- 1.2. The determination of applications for development that would constitute a significant departure from the Development Plan, including a significant departure from any Local Development Framework currently in force.
- 1.3. The determination of applications for development that would be materially different from any supplementary planning guidance or planning brief approved by or on behalf of the Council
- 1.4. The determination of applications for major development which would have significant impacts on local communities
- 1.5. The approval of applications, where approval would reverse a previous decision taken by the Planning Committee.
- 1.5. The approval of applications, where approval would reverse a previous decision taken by the Planning Committee.
- 1.6. The approval of applications, where approval would conflict with an objection raised by a statutory technical consultee or internal professional advice.
- 1.7 The approval of plans for applications previously determined by the Planning Committee.
- 1.8. Where the Corporate Lead, Planning considers that the application should be referred to the Planning Committee for determination because of the significance, impact or sensitivity of the proposal.
- 1.9 The determination of applications submitted in a personal capacity by or on behalf of Councillors, the Council's Chief Officers as described in Article 12 of the Constitution, or any officer who carries out development control functions, or any legal entity in which any of the above have a controlling interest.

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**Committee and Date**

**Place Overview Committee**

**30/06/2022**

**Item**

**Banners, Bunting, Christmas lighting & temporary signage policy review in Shropshire**

**Responsible Officer**

Gary Parton. Network Co-ordination and Compliance Manager

Gary.parton@shropshire.gov.uk

01743 258786

**Banners, Bunting and Christmas lighting**

**1.0 Background and Summary**

- 1.1 The current application and approval process to display community event banners, bunting or festive lights falls within the remit of Shropshire Councils Street Works team. The team were restructured in 2013 to better align to the objectives of the "Traffic Management Act 2004" and the Shropshire Council Permit Scheme (West and Shires Permit Scheme).  
On review of existing tasks within the team the application and approval process for Banners, bunting and Christmas illuminations was highlighted as a task with minimal value in meeting the primary team objectives of "minimising disruption caused by roadworks" and was generally an administrative process with set conditions only.

Many feel that banners (sporting, recreational, charity & cultural only), bunting and Christmas lighting all add to the community experience within an area and can enhance event and general visitor attendance numbers significantly proving a valuable tool for the local economy, however they require approval under the Highways Act 1980 section 115 (<http://www.legislation.gov.uk/ukpga/1980/66/section/115E>) to confirm they fall within guidelines and policies of safety and do not hinder the aesthetics of the surrounding environment.

Current Process (<https://www.shropshire.gov.uk/roads-and-highways/road-network-management/application-forms-and-charges/banners-bunting-or-christmas-lights-on-the-highway/>)

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.

Items which are placed on or over the highway that are fixed to a non-council owned property, fence or railing require permission from the owner. The application is then assessed and given approval or refusal. A consideration of the applicant is of the load-bearing tolerances of the fixing points, council owned locations should be tested annually, and this information will be made available upon request, private properties are responsible for the maintenance and suitability of their fixing points. In this respect there exists some inconsistency in county-wide process. For example, Shrewsbury has specific, historic and approved fixing locations that are regularly tested by the Town Council - whilst other Towns and villages do not.

Recommendations from the Place Overview Committee resulted in an engagement note being issued to all Town and Parish Councils requesting consideration and feedback on a proposal to devolve process and enforcement to applicable Town and Parish Councils.

Following further consideration and discussion of received responses by the group, the final "Task and Finish Group" report of 26<sup>th</sup> March 2020 gave recommendations on pursuing a revised policy, approach and process.

The recommendations included that Shropshire Council retain the administration process and powers for permitting banners, bunting and Christmas decorations (under Highways Act 1980 Section 178 and Section 115E ) but also look to consult further with all Town and Parish Councils to include, where appropriate, provision for specific retail centres, individual towns and parishes. The committee also recommended that separate policies were created both for banners, bunting and Christmas decorations "over" and "alongside" the highway. Apologies are given to the Group that no significant progress has been made in respect of further consultation over the past 18 - month period.

## **2.0 Recommendations**

- 2.1 That the group/ officers engage and consult further with Town and Parish Councils in order to further identify "best practice", provision for specific retail centres, and any local conditions that could be included.
- 2.2 That a revised policy and process for "Banners, Bunting and Christmas Illuminations" is drafted for consideration.

## **3.0 Opportunities and risks**

- 3.1 The opportunity to utilise a broader and more detailed local knowledge retained by local parish and town councils in the decision-making process of suitable positioning and safety prerequisites necessary for load bearing fixing points and associated displays.

3.2 The opportunity to look at how other local authorities set and administer policy and 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.

3.3 The opportunity to encourage local input on defining acceptable design and content criteria based on local area aesthetics and the community sentiment of each individual service application.

3.4 The opportunity to identify an efficient and appropriate use of Council resources in regard to which service area could better deal with the administration of applications and any subsequent enforcement process..

Risk could include significant differences in proposed local approach creating difficulties in drafting a singular policy.

Could prove to be an opportunity to build further relations between Shropshire Council and parish/town councils.

A proposed administration fee could impact on event organisers.

To allow all localised authorities to develop their individual process and best practice guidance based on their communities as it is felt that a 'blanket' approach across Shropshire does not facilitate individual requirements, for example a market town will have different criteria and challenges compared to a rural village.

#### **4.0 Financial assessment**

4.1 There are currently no attached administration or enforcement fees as the process of promoting local events relating to sporting, cultural, charity and recreational activities is considered vital to maximising attendance and awareness and is to be encouraged where possible.

There is a recommendation that an appropriate fee/charge, taking into account administration costs and an agreed level of enforcement, be agreed.

#### **7.0 Conclusion**

7.1 Following the recommendations from the group further discussions and liaison has taken place with Shrewsbury Town Council (STC) regarding how to resolve the logistics of ensuring compliance to licence conditions and the management / maintenance of approved "fixing points" for overhead banners in STC's ownership, whilst also ensuring that Shropshire Council, as designated Highway Authority, retain the powers permitting banners, bunting and decorations to be installed over/along the highway.

The discussions with STC were/are as a result of contemporary logistical problems in looking to practically resolve current banner applications, rather than targeted consultation – however the vast majority of banner applications received are for one, or more, of the 3 designated fixing point locations in Shrewsbury.

Discussions have revolved around a potential dual process which would allow STC to manage applications and diary bookings via their own agreed process (hence retaining “local” control and input) whilst permission to erect under licence is retained by Shropshire Council.

Discussions are on-going with a view, if feasible and meeting previous recommendations, that any resultant “model” is highlighted for further consultation with other Town and Parish Councils on a revised Policy and Process which takes into account specific local criteria, and also aligns with service priorities and the Authority’s strategic objectives.

there is an opportunity to agree, draft and implement a revised Policy and Process which takes into account specific local criteria and a reasonable, effective and consistent county-wide enforcement process which aligns with service priorities / objectives and also the Authority’s strategic objectives and diminishing resources.

## **Temporary signage**

### **1.0 Background and Summary**

1.1 The recommendation from the “Place Overview Committee” meeting of July 2019 recommended a Task and Finish group include the current policy and process for temporary directional signing (usually for events or housing developments) in a review of all related “street scene / street clutter” issues. The current process requires an application and consent under Section 122 of the “Road Traffic Regulation Act 1984” (link <http://www.legislation.gov.uk/ukpga/1984/27/section/122> and applications and consent are currently facilitated by the Street Works team (<https://www.shropshire.gov.uk/roads-and-highways/road-network-management/application-forms-and-charges/temporary-signage-consent/>)

The application form outlines the conditions and regulations for the erection and removal of signs and indemnifies Shropshire Council against any claims arising. Conditions of consent currently are that signs promoting an event are taken down within one week of the completion of the event and that signs signposting developments can only be permitted for a period not exceeding 6 months following the sale of 80% of the development. This date needs to be agreed prior to the signs being erected.

There is a concern regarding the proliferation of such signage and with regard to the enforcement of set conditions.

The Task and Finish Group report of 26<sup>th</sup> March 2020 recommended 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 recommended that any permit scheme limits the duration of a permit to 12 months before requiring renewal.

Apologies are given to the Group that no significant progress has been made over the previous 18 month period in drafting a revised schedule of charges and policy for this activity.

## **2.0 Recommendations**

- 2.1 That officers review recommended amendments to the current policy, process and charges for this activity and submit a further briefing note/report for consideration to the group.
- 2.2 That the group review and make recommendations on the submitted briefing note/report with a view to revised processes and charges being agreed.
- 2.3 That the group advise on a feasible timeline for a revised schedule of charges to be implemented.

## **3.0 Opportunities and risk**

- 3.1 The opportunity to look at how other local authorities set and administer policy, process and enforcement in relation to possibly adopting best practice.
- 3.2 The opportunity to review and revise policy, process and enforcement in relation to a cohesive “joined-up” approach which balances the differing needs of highway users.
- 3.3 The opportunity to review the current administration fee of £102.00 per 6 month period (£97.00 extension fee)

## **4.0 Financial assessment**

- 4.1 There is a current set administration fee of £102.00 payable by applicants.
- 4.2 Proposal is for this to be increased to £225.00 per application.

## **5.0 Conclusion**

- 5.1 Following recommendations from the group a draft revised administration fee of £225.00 per application is proposed (£100.00 for a further six month extension).  
The revised charge better and accurately reflects the work required to administer the scheme effectively and allows for the recovery of officer time in carrying out 3 scheduled compliance inspections through the life of the licence (on installation, on due end date of licence and 14 days after end date to ensure compliance). For any extension this equates to two further inspections.  
There is an opportunity to simplify/clarify the current guidelines and conditions in relation to duration of a licence, the amount of signs allowed, and the location of signs on the network.

As per current conditions a maximum of 3 temporary directional signs allowed is believed reasonable. The current conditions state that the signs should not be “further than a half mile or two junctions away from the development”. The proposal is to remove this condition to aid developers and simplify compliance/interpretation.

The proposal is to limit any licence duration to 12 months (currently 6 months with an option to extend for a further 6 months if less than 80% of properties have been sold) and remove the “80% of properties being sold” clause - as this is difficult to evidence and enforce and has the potential for repeat extensions/difficulty in controlling proliferation.

A “benchmarking” exercise on fees charged and conditions applied showed a significant variance with up to £1,585 being applied down to £100 for a 12 month licence for up to six signs.

Some Authorities use “A Guide to the fees for Planning Applications” to administer a standard charge of £132.00. This may be due to this task being the responsibility of the Planning Department and not a “Highways” function. Some clarity will need to be sought prior to any agreement to revise the current charge.

<p><b>List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)</b></p> <p>There are no background papers to this report.</p>
<p><b>Cabinet Member (Portfolio Holder)</b></p> <p>Councillor Dean Carroll</p>
<p><b>Local Member</b></p> <p>All local members will be affected.</p>
<p><b>Appendices</b></p> <ul style="list-style-type: none"> <li>• Current Banners, bunting and Christmas illuminations application form with condition and specifications.</li> <li>• Current temporary signage application form with conditions and specifications.</li> </ul>

### **Conditions & regulations for the erection of temporary signs on footpaths & carriageways.**

1. That the signs shall be erected in approved suitable positions, and in every case during the progress of the work, traffic must not be impeded. Where a sign overhangs the footway, a minimum height clearance of 2.1 meters must be maintained. (2.3 meters where a cycleway is present). Similarly, there must be a minimum clearance from sign to edge of carriageway of 450mm. Signs shall not be further than a half mile or two junctions from the development and there shall be no more than three signs per development.
2. Please ensure that during erection of the signs that the needs of pedestrians, especially visually handicapped and disabled people and persons with prams or wheelchairs, are borne in mind.
3. The temporary signs must not obscure any traffic signs or signals, interfere with illumination from a streetlight or restrict motorists' visibility or be fixed to posts with regulatory traffic signs, traffic signals, warning signs or bus stops. Signs cannot be fixed to lighting columns where there are other signs present or if there are signs of rust or other structural defects. A visual inspection must take place prior to fixing and it is recommended that inspections are undertaken by an approved contractor. The maximum size of a sign on a street lighting column is 0.3m<sup>2</sup>.
4. The persons executing such works shall be responsible for all accidents and damages to either property or persons occasioned by or resulting from their operations.
5. The applicant shall indemnify Shropshire Council and provide insurance in the sum of £5,000,000 against any accidents or claims which may arise or be attributable to the presence of the signs either during the time they are being erected or taken away and while the signs are in position.
6. Signs shall not be erected or removed between the hours of 8.00 am and 6.00 pm Monday to Saturday inclusive.
7. Signs shall be in accordance with Traffic Sign Regulation Design and General Directions, 1994 Diagram 2701 Section 7, Part VIII (as outlined below) with an X height of not more than 62.5 millimeters.
8. Signs can only be permitted for a period between the commencement of work on the site sub structure to not longer than 6 months. An extension may be granted for a further 6 months if less than 80% of properties have been sold. Signs must be removed when site has matured or 80% or more have been sold. This date needs to be agreed prior to the signs being erected.
9. In the event of the applicant breaking any of the aforementioned conditions or, if the Street Works Team directs on the grounds of safety to users of the public highway, the applicant will remove all signs upon receipt of a request to do so from the Street Works Team (either verbally or in writing) within such time limit as the Street Works Team may direct.
10. ILP guidelines must be followed. Any Electrical Assets/Lighting that may be impacted by the proposed application will need to be assessed and approved by the Council for the steps that will need to be taken to assure safe working practice and continued full compliance of the Councils obligations. This will be agreed and signed off at the time of the application by all parties concerned with all costs associated with the required amendments/changes covered by the applicant. Any damage caused as part of the application will be rectified by the applicant at no cost/detriment to the Authorizing Authority. Any non-compliance of this requirement could lead to the rejection of the application and/or legal proceedings to retrieve any costs attributed to the Authority.
11. That the signs for an event are taken down within one week of the completion of the event.
12. Shropshire Council reserves the right to alter or amend these conditions at any time.

13. Shropshire Council reserves the right to remove any unauthorized signs from the public highway. (If Shropshire Council is called out to do this or to remove damaged signs in an emergency the applicant will be charged the appropriate rate for their removal) in accordance with the Highways Act 1980 Section 132.

14. A fee of £90.00 is payable per 6 months and renewal of your application should therefore be made on or before the expiry of your current application.

SCHEDULE 7 PART VIII Regulation 11(1)  
 TEMPORARY AND EMERGENCY DIRECTIONAL SIGNS



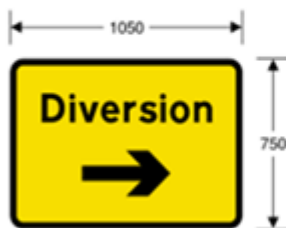
2701  
 Direction to a new housing development

Item	
1	Regulations: None
2	Directions: 13(3), 38(2)
3	Diagrams: None
4	Permitted variants: Schedule 16, items 3, 6, 15, 19, 29 The lorry symbol in diagram 804.1 may be added and reversed where appropriate
5	Illumination requirements: Schedule 17, item 9



2701.1  
 Junction ahead leading to a new housing development

Item	
1	Regulations: None
2	Directions: 13(3), 38(2)
3	Diagrams: None
4	Permitted variants: Schedule 16, items 3, 6, 12, 19, 29 The U-turn arrow shown in diagram 2111.1 may be substituted for the horizontal arrow and shall always be on the right hand side of the sign. The lorry symbol in diagram 804.1 may be added and reversed where appropriate. The lorry symbol shall face to the right when the U-turn arrow is shown on the sign
5	Illumination requirements: Schedule 17, item 9



2702  
 Start of temporary diversion route



2703  
 Direction of temporary diversion route from junction ahead







**Committee and Date**

**Place Overview Committee**

**30<sup>th</sup> June 2022**

**Item**

**Public**

**introducing a fee/charge for events on the highway involving Temporary Traffic Regulation Orders (TTRO's)**

**Responsible officer**

Gary Parton– Network Coordination and Compliance Manager

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**1.0 Summary**

1.1 A proposal to consider introducing a reasonable / defensible fee for events that take place on the highway which involve either a temporary road closure or some other form of Temporary Traffic Regulation order such as a temporary rescind of parking or parking restrictions.

**2.0 Recommendations**

2.1 For the committee to consider the proposal and offer recommendations on a revised draft policy and fee structure. Also to advise on a possible timeline to finalise a revised policy/fee structure with a view to presenting to Cabinet in 2022.

**REPORT**

**3.0 Risk assessment and opportunities appraisal**

3.1 An opportunity for a further income stream allowing assistance to fund and maintain a range of key services for Shropshire residents and those who visit the county.

3.2 Any revised charge/process would be new to regular and historical event organisers. There may be some consideration to ensuring revisions/fees are reasonable, defensible, pass Audit scrutiny and accurately reflect officers time and incurred costs.

3.3 Consideration of Town/Parish Council, community led and charitable events and an appropriate, reasonable process to reflect partnering initiatives, community engagement, Authority ethos and reputation.

**4.0 Financial implications**

4.1 Opportunity for increased income year on year.

4.2 Some community/charitable organisations may have limited budgets.

**5.0 Climate change appraisal**

5.1 None

## **6.0 Background**

- 6.1 The council has always supported events in the county, which are popular with residents and visitors. They promote active lifestyles and, in most cases, boost the local economy. However we also have challenging financial savings to deliver in 2022/23 and future years with a large structural deficit. Some commercial organisers have been achieving healthy profits from events in recent years and it seems both reasonable and appropriate to consider and apply charges for the use of the council's highways as many other local authorities do.

## **7.0 Conclusion**

- 7.1 There is now an initiative to review the current process, look to increase income and introduce a reasoned/defendable charge where appropriate to do so.

Recommendations from the previous Place Overview Committee meeting, on 24<sup>th</sup> March 2022, concluded that a fee structure should be implemented, and that this be applied to Commercial Organisations but not to 'not-for-profit' events such as Charity events and some community led events.

For a proposed fee "structure" it would be felt reasonable by Officers for any fee, at minimum, to cover / recoup the cost to the Authority of officers time involved in assessing and processing any application and also any legal/advertisement costs involved. This would also be able to demonstrate a reasoned and auditable approach to how a proposed fee is structured.

The assessment/processing and advertisement costs on this basis are equal to (on some occasions greater than) the costs involved in processing a Temporary Traffic Regulation Order (TTRO) for works by Utility companies/other Statutory Undertakers. The fee for processing a TTRO for "works purposes" currently stands at £1,650.00 per application.

A benchmarking exercise with other Authorities already charging for this service evidenced some commonality in approach – i.e. Authority's implemented a 'sliding scale' of fee depending on a 'disruption effect' and whether an event would be affecting a traffic sensitive route; a classified road; a bus route; a pedestrianised zone as opposed to an event affecting unclassified roads; footways only; non traffic sensitive routes; cul-de-sacs.

For ease of application, and in order for Shropshire to remain competitive and attractive to event organisers, Officers would propose a fee of £1,240.00 for those events deemed to be in the higher of the sliding scale and £500.00 for those events deemed to be in the lower of the sliding scale.

The £1240.00 figure represents a 25% reduction/discount on the charge levied for TTRO's for 'works purposes' and is competitive to what neighbouring Authorities are charging event organisers for the same service. The £500.00 figure represents an approximate 60% reduction from the proposed £1240.00 figure and is deemed to reflect the minimal 'disruption effect' of restrictions on lower classed roads, whilst also not exceeding the charge levied by some neighbouring Authority's for the same service.

Officers would welcome further recommendations and guidance – with a view to finalising a revised policy/fee structure to be considered by Cabinet.

<b>List of background papers:</b>  <b>Initial briefing note March 2022</b> <b>Formula for recovery of road closure costs</b>
<b>Cabinet member: Dean Carroll</b>
<b>Local member N/A</b>
<b>Appendices</b>  i. <b>Initial briefing note to Directors and Portfolio Holder</b> ii. <b>Example of potential fee structure based on named responsible officer time, legal and advertising costs currently used for TTRO's involving "works" on the highway.</b>

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## **Briefing Note on introducing a fee/charge for events on the highway involving Temporary Traffic Restriction Orders (TTRO's)**

**Gary Parton, Network Coordination and Compliance Manager 04/03/2022.**

### **Purpose:**

To gain initial feedback and comment from Leader, appropriate Directors, Portfolio Holders, on the background, considerations and proposals outlined – with a view to presenting a draft policy and fee structure to Scrutiny/Place Overview Committee for consideration and next steps.

### **Background:**

“Events” on the highway which require some form of TTRO (usually temporary road closure and/or temporary suspension of parking) include large annual shows such as Shrewsbury Flower Show, regular local Market events, fairs and festivals and sporting events. Organisers include but are not restricted to; Town & Parish Councils; private; community led and charitable organisations; television and film companies.

The reasoning for temporary road closures and other restrictions to be applied is predominantly to protect participants and attendees and to temporarily allow useable space on the highway to allow equipment and apparatus to be installed and people to attend without risk of traffic conflict.

Historically, whilst Shropshire Council have the ability and facilities to charge event organisers for the assessment, advice, and processing of the legal order if deemed necessary, the process has been largely accommodated as part of a wider ethos to assist event organisers on limited budgets and to promote events as beneficial to community engagement, increasing footfall, trade & tourism whilst raising Towns and County profile.

There is now an initiative to review this policy, look to increase income and introduce a reasoned/defendable charge where appropriate to do so.

### **Considerations**

Whilst the pandemic affected the number of events being applied for and taking place over the last two years – we are now seeing a resurgence with 34 separate events involving a TTRO planned from March to October, so far this year, and 39 Market events.

- Any revised charge/process will be new to regular and historical event organisers. There may be some consideration to ensuring revisions are reasonable, defendable, pass Audit scrutiny and accurately reflect officers time and incurred costs.
- An initial “Benchmarking” exercise with similar neighbouring authorities has evidenced that, predominantly they do impose a charge for this function although the calculations involved are varied.

- How to resolve events led or promoted by Town/Parish Councils or “Business Improvement Districts (BID’s) i.e. community or authority led.
- Consideration of either a fee waiver or “discount” for those events evidenced to be non-profit making and /or led by a charitable organisation where all or a percentage of any takings is donated to charity.
- Consideration of a sliding scale model of charge based on the “disruption effect” for each individual closure. i.e. higher charge for traffic sensitive streets and lower charge for minor roads.
- Confirmation that full consideration has been given to the “pros and cons” of any revised process. Applicable consultation has been carried out, Members are aware and agreeable to any revised process or policy and there is effective communication of any change.
- The current charge levied to process individual TTRO’s for planned “works purposes” (i.e. Public Utility / Statutory Undertakers) is £1635.00 which is based on recouping officers time, legal and advertising costs – and includes a small percentage profit element.

### **Summary**

There is currently a dedicated post of “Events & Contingency Officer” within the Street Works team who handles all applications from event organisers, offering guidance and advice. Any “Officer time” calculated charge could be based on this, plus required legal and advertising costs, or could equally be calculated on a “sliding scale” appropriate to the disruption level / type of event or none of the above - as a set figure taking into account whether the organiser is commercially, community or charity led.

Comments and advice on the initiative and considerations to review and present a revised process to Members are welcomed.

## Formula for Recovery of Road Closure Costs

ROAD CLOSURE				
Task	Miles	Time	Officer	
Application				
<b>A</b> Admin checks and process (including posts, comments allocating)		1	E&CO	
Review				
<b>B</b> Checks		2	E&CO	
<b>C</b> Diversion		3	E&CO	
<b>D</b> Mileage	65			
<b>E</b> Liaise on signage		0.5	E&CO	
<b>F</b> Log/Sharepoint		1	E&CO	
<b>G</b> Parish/ Cllr liaison		1.5	E&CO	
<b>H</b> Roadworks.org		1.5	E&CO	
<b>I</b> Site Meeting (4hrs/10sites)		0.8	E&CO	
<b>J</b> Mileage	30			
Legal				
<b>K</b> Collation and processing of list (3hours/10sites)		1.5	NM	
<b>L</b> Legal processing of order (40hours/30sites)		1.5	NM	
<b>M</b> Traffic Manager Approval		0.1	TM	
<b>N</b> Legal approval		0.25	HOL	
Site Provisions				
<b>O</b> Closure notices		1	C&DT	
<b>P</b> Inspector (30miles + 3 hours, both set up and remove)	60		IN	
<b>Q</b>		6	IN	
<b>R</b> Diversion Route when ongoing	65		IN	
<b>S</b>		3	IN	
<b>T</b> Advertising the closure				
<b>U</b> Invoicing (40hours/30sites) 15 mins		0.25	FO	
Total				
<b>V</b> Financial administration, eg reconciliation of Business World		0.40		
<b>Y</b> Overheads Allowance - 20%				
<b>Z</b> Profit Element - 10%				
<b>TOTAL</b>				
<b>ACTUAL CHARGE</b>				

Incurred Costs

PAQ 27

22/23	
Hourly rate	Total
£33.62	£33.62
£33.62	£67.24
£33.62	£100.87
	£29.25
£33.62	£16.81
£33.62	£33.62
£33.62	£50.43
£33.62	£50.43
£33.62	£26.90
	£13.50
£42.90	£64.35
£42.90	£64.35
£47.53	£4.75
£67.01	£16.75
£33.62	£33.62
	£27.00
£22.01	£132.08
	£29.25
£22.01	£66.04
	£350.00
£38.25	£9.56
£38.25	£15.30
	£247.15
	£148.29
	<b>£1,631.18</b>

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