

## COUNCIL 25<sup>TH</sup> JULY 2019

### MEMBER QUESTIONS REPORT

#### 1. Question from Councillor David Turner:

On 16<sup>th</sup> January this year several Members from the Bridgnorth area met the Leader, at which they expressed frustration on a number of fronts including the most basic highways repairs and on unfinished highways schemes. Some of those members subsequently met the Leader, the Chief Executive and the Director of Place on 18<sup>th</sup> March to reiterate their concerns. I was one of those Members and we were encouraged to list three issues which could be addressed quickly. Four months on, and those items I listed have not been addressed. I have not received a progress update since April.

The three issues in Much Wenlock – which are the tip of a very large iceberg – were:

1. Resurfacing a dangerously uneven footway in Wilmore Street (a very short street) – reported at least as early as 29<sup>th</sup> October 2017
2. The installation of the second half of a twelve feet long bollard scheme in the High Street. Four years ago, with the road closed for a day, a gang turned up to carry out the work – but brought only one of the two kerbstones with them. The other one was left in the yard at Bridgnorth where, so far as I'm aware, it still languishes, and the installation is ineffective as a result.
3. At about the same time, a fairly simple scheme to provide some disabled parking and loading bays coupled with double yellows lines in the centre of the town went to consultation twice before being agreed. The Traffic Regulations Order was signed, but little was done, it ran out of time and has not been implemented.

I have chased these repeatedly for up to four years and have received a variety of assurances but have seen no action. As indicated above there are several other outstanding issues, some of them very simple and routine, for instance:

- The Rector of Much Wenlock (or the Diocese) paid to order a roadside access mirror two years ago. It has been approved by Highways and the Diocese have undertaken to pay for it once it is installed. There have been lots of promises but no sign of the mirror.
- A three-way direction sign at a T-junction lies in a hedge at Posenhall, rusted through at the base of its pole a couple of years.
- The Methodist church direction signs, purchased by the Methodists for £360 in 2014 and installed by Shropshire Council, were removed in 2017, one having been felled by a bus. They disappeared from the highways depot a couple of years ago. Promises to replace them have not been met.
- Blocked gullies – some have not been cleared for years and in recent heavy rainfall the streets were awash. This in a town where the risk of flooding is such that the Environment Agency contributed toward £2.1m of funding for flood alleviation.

None of these concerns should be viewed as being critical of area highways managers who are managing a large workload on a very tight budget with human resources that have been slashed to the bone. There is a further long list of outstanding highways works – some capital, some revenue – in Much Wenlock.

My questions are:

1. Is Much Wenlock a unique division of Shropshire Council in having such basic work outstanding for such a long period of time?
2. Promises for completion of these works have been made and broken repeatedly. At Council on 25<sup>th</sup> July would you please give a public undertaking of completion dates?
3. I have commented at Council and elsewhere on the foolhardiness of raiding the highways budget in order to balance the budget in other areas. With the benefit of hindsight, do you agree that I was correct?

**Response** from the Portfolio Holder for Highways and Car Parks

**STEVE DAVENPORT, PORTFOLIO HOLDER:**

We maintain over 3,200 miles of highway network, plus 89,000 gullies and 19,000 street lights. In broad terms we issue over 5,000 work orders to Kier every single month. In that sense this is a huge undertaking and I would like to reassure Cllr Turner that our own teams and Kier are work extremely hard to keep our highway network open and serviceable.

In respect to each question:

1. I can confirm that as is the case in many other parts of the County there are highway projects outstanding in Much Wenlock that we simply do not have the available budget to address.  
We do however keep highway investment needs under constant review and we re-prioritise as necessary. More recently work to deliver central Government grants at short notice has also been prioritised due to grant funding conditions, such as the £7.3M from the Department of Transport that has been delivered countywide over the late winter and early spring.

Currently the demand on the network assets is higher than the available resources and required work has to be constantly re-prioritised.

2. With regards to the specific outstanding works, subject to a site meeting on Monday 15<sup>th</sup> July regarding gas replacement works with a utility provider, a permit will be required to close various roads to allow the work to be undertaken. During this road closure it is intended that the footpath will be resurfaced, improvements to gullies undertaken and road markings refreshed, and the bollard work completed, this is subject to agreement by all parties on Monday 15<sup>th</sup> July and will be confirmed. As regards the traffic scheme this will be undertaken, and a timeline will be confirmed asap.

3. A reduction in the highway's capital budget of £10M (£5M per year for 2 years) was required in order to support the Council's overall financial position. A reduction in the budget over these financial years has had the consequence that less capital schemes can be planned and delivered as an inevitable consequence. Therefore, a number of potential schemes are in abeyance until the position changes, however the support of the councils budgeted position has been required and necessary, but I and my Cabinet colleagues are keeping that position under review.

## **2. Question from Councillor David Vasmer**

I am submitting the following question to the Council meeting on July 25th:

“How many retailers in the Shrewsbury shopping centres are paying below market rents or have had rent reductions in the last eighteen months?”

**Response** from the Deputy Leader, Portfolio Holder for Assets, Economic Growth and Regeneration

### **STEVE CHARMLEY, DEPUTY LEADER, PORTFOLIO HOLDER:**

In response to the question raised for Full Council, and as set out above, due to the commercially sensitive nature of the information being requested, the Council is unable to comment or provide specific figures. I'm sure Cllr Vasmer is aware that retailing globally is going through a structural change and that is why we were keen to secure ownership of the Retail Centres to ensure we could keep Shrewsbury's retailing offer as strong and as competitive as it could be.

Needless to say upon lease renewals we balance our commercial imperatives with our vision for an active, vibrant retail centre that we can all be proud of. What I can say is that our Big Town Plan and ambitions for Shrewsbury are being very well received by the market and I'm hopeful of making some important announcements about positive commercial deals later this year.

## **3. Question from Councillor Andy Boddington:**

Utility repairs are not only the bane of motorists. They disrupt bus users and create difficulties for active travellers on foot and cycles. In many historic towns, there are limited options for diversions. Idling traffic can pollute narrow streets while vehicles wait for traffic lights.

Replacement of water, gas and electricity infrastructure is essential, along with upgrading of telecommunications. But it is a common observation that many utility roadworks have no workers on site for days. A hole is dug and a repair made by the first set of contractors. There is a wait for a second set of contractors to fill in the hole. After that, it is not uncommon for another delay before a third set of contractors arrive with tarmac. Sometimes, this is only a temporary repair, leading to later disruption.

To what extent does Shropshire Council monitor this disruption? What control does the council exert to limit the time taken for repairs? What penalties can it impose on utility companies for unnecessarily lengthy repairs?

**Response** from the Portfolio Holder for Highways and Car Parks

**STEVE DAVENPORT, PORTFOLIO HOLDER**

We have over 3,200 miles of highways and footpaths in Shropshire and consequently work by utility companies and others is a common event. Broadly speaking we deal with over 18,000 such activities each year. Shropshire Council operates the "West and Shires Permit Scheme" and employs a team of 28 officers in the "Street Works Team".

The primary role of the team is to uphold our statutory duty to manage the highway network and co-ordinate and proactively manage all activities that take place on the network. Whilst I accept it might not always seem so, our aim is to ensure that any necessary disruption is minimised as much as possible.

One of the Permit Schemes primary objectives is to (and I quote) **"to increase the efficient running of the highway network by minimising the disruption and inconvenience caused by road works and other highway events and activities through pro-active management of activities on the highway"**.

Our primary means of achieving this is to do an initial assessment the "Permit Application" submitted by the Works Promoter. We review the works description, scope and location etc. any unreasonable duration requested is challenged to ensure that the Works Promoter is allowed a reasonable period in which to safely complete their works and leave site.

In the case of Works Promoters unreasonably overrunning their agreed stay on the network Section 74 of the "New Roads and Street Works Act 1991" allows Shropshire Council to levy a daily charge of between £250 to £5,000 per day. The Street Works team has an enforcement section which includes six dedicated inspectors who are tasked with ensuring work is compliant. So far, this financial year, up until the end of June, officers have identified a total of 338 overrun days which resulted in penalties totalling £151,850 being charged.

That said, our overall objective remains for this process to act as driver for better performance, less day's occupation of the network, and less delays and disruption for the County's road users.

In all these activities the primary focus of the team, using all legislative powers available, is to ensure works take place safely, are appropriately co-ordinated and that needless disruption to road users, businesses and communities is minimised.

In my written response I have included an internet link to the recently completed Street Works web page which gives a general overview of the team and its activities: <https://www.shropshire.gov.uk/roads-and-highways/road-network-management/>

#### **4. Question from Councillor Andy Boddington:**

In December 2017, I put a motion to council calling for the chief executive to investigate the case for a community lottery. The deputy leader responded that work was already in progress. The minutes record: "On being put to the vote this motion was carried by the majority." After 18 months, what progress has been made on examining the case for a community lottery?

**Response** from the Deputy Leader, Portfolio Holder for Assets, Economic Growth and Regeneration

#### **STEVE CHARMLEY, DEPUTY LEADER, PORTFOLIO HOLDER:**

Council officers have undertaken a lot of research in respect of community lotteries since the motion was passed in December 2017. On 5<sup>th</sup> February 2019 the council hosted a meeting involving Councillor Boddington, a member of the Shropshire VCS assembly and Aylesbury District Council officers who presented their experience of running a community lottery. Aylesbury were the first local council to implement a lottery scheme in November 2016.

Aylesbury officers described how their council is responsible for application of Local Authority Lottery license from the Gambling Commission, appointing an external lottery management company, establishing the criteria for what constitutes a good causes, marketing the lottery scheme, approval of new good causes as applications are submitted on-line and authorisation of monthly cause payments and quarterly Gambling Commission submissions.

Community lottery schemes do not generate an income stream for the council. They do raise income for good causes having deducted administration and operating costs. The VCS representative raised questions regarding the impact a new lottery scheme may have on Shropshire based VCS bodies and charities who raise funds through other means. Another question raised related to the council's position in terms of promoting gambling.

Evidence suggests that local community lotteries can make a reasonable amount of money in the first year after an initial marketing campaign. Income levels, however, tend to drop off after this. Shropshire Council would need to spend quite a lot of money on marketing and would be competing with other local and national lotteries in terms of ticket sales.

I do not believe, having taking into account the concerns raised by the VCS sector, there is a case for a community lottery scheme in Shropshire

#### **5. Question from Councillor Chris Mellings:**

"In response to the motion tabled at Council in February 2019 on creating a market towns vitalisation fund for Shropshire, the Leader said whilst he supported the sentiments of the motion, its ambitions were already being undertaken by the portfolio holder for Community and Place Planning.

Market towns across Shropshire continue to face challenges. Please can the portfolio holder update Council on what actions are being taken to realise these ambitions?”

**Response** from the Portfolio Holder for: Communities, Place Planning and Regulatory Services

**GWILYM BUTLER, PORTFOLIO HOLDER:**

Following February Council in 2019, significant work has been undertaken to understand more about the current position and gathering information to support our market towns.

Shropshire Council has been working in collaboration with Town and Parish Councils and local business communities in the key market towns across Shropshire to look at Local Economic Growth Strategies for these areas. Currently 5 drafts have been produced for Oswestry, Ludlow, Market Drayton, Whitchurch and Bridgnorth and these are now with the local Members, Towns and Parishes and business communities for final comments before they are subject to Public consultation for 6 weeks at the end of August.

These documents set the growth and ambitions for the key market towns, focussing on economic sectors and areas for investments with clear actions plans for collective delivery.

If other towns would like to consider whether an economic growth strategy is something they would like to consider producing, officers are able to provide some facilitation and collaboration support to enable to local areas to produce an action plan for their area.

Considerable work is being taken to support towns across the County to focus on their strengths and work collectively to understand what they are looking to achieve for their town centre. We are also undertaking surveys of the Market towns to understand the uses, mix, occupancy and vacancy rates within these towns which will help inform future place-based work. This data will be very valuable and helpful for understanding the current position of the market towns in Shropshire.

As Members will be aware, Place Plan conversations have been taking place across the County to identify infrastructure required to support development in place plan areas. These are ‘live’ documents and can be updated on a regular basis and provide an opportunity for Members, working with Town and Parishes, to reflect the infrastructure requirements in their areas to support economic growth.

The recently published LEP Strategic Economic Plan, identifies key market towns across the LEP geography and the significant important role they play in the economic strength of the Marches. This helps to position the Marches and Shropshire to look to access any funding which may emerge from Government in the future.

Shropshire Council is also undertaking a business survey across the County targeting 600 businesses to understand their growth aspirations, requirements and any constraints and opportunities that would support them. Again, this information will help provide that clear picture of the make-up of the towns and businesses within them.

Two 'Future High Street Fund' Bids were submitted by the Council for Shrewsbury and Oswestry. We were disappointed that in the recent announcement that neither have been shortlisted as one of 50 towns and cities progressing to the next stage. The fund was significantly oversubscribed and there are some common themes in those that were successfully shortlisted, particularly high levels of deprivation and vacancy levels. We have been asked to consider future bids if there are other rounds as part of our initial feedback.

As part of that fund, Government has confirmed that £44m has been allocated to Historic England for work to support historic high streets.

The High Streets Heritage Action Zones (HSHAZ) programme is a place-based scheme designed to secure lasting improvements to historic high streets and the communities who use them. The scheme is intended to support sustainable economic and cultural growth on and around high streets and restore and enhance local historic character, making the high street an attractive, engaging and vibrant place for people to live, work and play.

Shropshire Council is looking to support two applications from Oswestry and Wem as these areas have been identified as having heritage assets in need.

## **6. Question from Councillor Chris Mellings:**

Can the Cabinet Member for Highways please give Council an update on the performance to date of the highways contract with Kier? What issues have been identified & what action is being taken to improve performance?

When will scrutiny have the opportunity to consider the contract's performance?"

**Response** from the Portfolio Holder for: Highways and Car Parks

### **STEVE DAVENPORT, PORTFOLIO HOLDER**

I can reassure Cllr Mellings that the performance of both Kier and WSP is actively managed by officers and that I take a close personal interest in that process. I'm going to ask Cllr Mellings to be slightly patient for a full answer as the performance of both contracts is due to be examined in detail by Scrutiny Committee in Autumn this year. I can reassure Cllr Mellings that all the relevant information will be forthcoming as part of that process. Scrutiny Committee will be given reports for each contract relating to the full 2018/19 financial year and representatives of both organisations along with relevant Council officers will be present.

In terms of our own services performance the Highways and Transport restructure is nearing completion of the recruitment of permanent staff into the positions we determined essential to deliver the level of service we all want and expect.

Additional further support staff have been temporarily appointed to provide capacity to further support the service (in particular where there have been periods of long-term sickness). This has provided much needed capacity especially in areas of performance, data and contract management and inspections.

Officers are working with Kier with a specific focus on how we can jointly improve services and divert resources within the existing contract to where they are needed. Some of this work has already been undertaken, examples are:

- We have diverted existing resources to increase the budget for Street Scene services this financial year
- We are negotiating a revised staffing structure with Kier aimed at providing additional supervisory staff,
- We are trialling new working practices (recently completed in Whitchurch with local Members' being supportive) which we will now be rolling out across the County.

We are working with Kier both at a local and national level, and with other Councils whom work with Kier with the joint aim of maximising the impact of both our services and outcomes as far as possible within our available resources.

I accept that we have had our challenges, but I would like to reassure all members that meaningful progress is being made and our focus is on providing as good a service as is possible across the whole of Shropshire.