



Communities
Overview Committee

16 September 2019

2.00 pm

Item

Public

**MINUTES OF THE COMMUNITIES OVERVIEW COMMITTEE MEETING HELD ON 16
SEPTEMBER 2019
2.00 - 3.55 PM**

Responsible Officer: Julie Fildes

Email: Julie.Fildes@shropshire.gov.uk Tel: 01743 257723

Present

Councillor Cecilia Motley (Leader)

Councillors Nick Hignett (Vice Chairman), Ted Clarke, Vivienne Parry, Tina Woodward
and Roy Aldcroft (Substitute) (substitute for Leslie Winwood)

9 Apologies for absence and substitutions

Apologies were received from Councillors Keith Roberts and Leslie Winwood.

Councillor Roy Aldcroft substituted for Councillor Winwood.

10 Disclosable Pecuniary Interests

None were declared.

11 Minutes of the meeting held on 10th June 2019

The Minutes of the meeting held on 10 June 2019 were confirmed as a correct record.

12 Public Question Time

There were no public questions.

13 Member Question Time

A Member Question was received from Councillor Andy Boddington in relation to Long Term Empty Properties (copy attached to the signed Minutes). It was agreed to take this question when Empty Homes was discussed (Item 15 on the Agenda)

14 Public Rights of Way

The Chairman welcomed Richard Knight, Countryside Maintenance Manager, Shona Butter, Rights of Way Mapping and Enforcement Manager, Peter Carr, P3 Volunteer and Pete Banford, South Shropshire Lead Programme Manager, Outdoor Partnerships to the meeting. She reminded the Committee that it previously considered this item at its meeting in March 2019 when the Rights of Way Mapping and Enforcement Manager and the Interim Head of Culture and Leisure had given an overview of how the service managed and maintained the Public Rights of Way network whilst highlighting the pressures and challenges for the service.

The Committee received a presentation (copy of slides attached to the signed Minutes) which covered the following areas:

- What are we responsible for?
- The existing network
- Bridges and surfaces on PROW (Public Rights of Way)
- Contracting examples
- Staffing Pressures
- Parish Paths Partnership

Members heard that Shropshire had a very large network of public rights of way with over 5,600km, making it the third largest in the Country. However, funds were short and it was a struggle to maintain this network. It was therefore hoped to produce a paper to go to Full Council seeking assistance.

Looking at their responsibility for bridges and surfaces, the Countryside Maintenance Manager highlighted a number of examples of different types of bridges that required work including cast iron, listed bridges, railway bridges, stone arches etc, along with a number of structures that required inspection by an engineer. The Countryside Maintenance Manager then gave some examples of surface repairs including along Byways Open to All traffic and bridle paths. Responsibility for the maintenance of some of these bridges and surfaces was shared with the landowner. It was confirmed that there were approximately 50 large structures on the network that required inspection with upwards of £1½m urgent work required. A capital bid was being made in order to deal with the top 30 of these.

In response to a query, the Countryside Maintenance Manager explained the difficulties in attempting to close Byways Open to All traffic to vehicles as there was a legal right for vehicular access but obviously not to deliberately cause damage. It is in the remit of the police to enforce illegal vehicular usage on closed Byways (but there are not the resources to do so). There was a legal duty on the team to maintain all rights of way.

The Committee were informed that the Outdoor Partnerships team were always looking for commercial opportunities and had an income target of £85,000. Examples were given of how income was generated, for example grounds maintenance for schools and Parish Council's etc.

In response to a query officers explained that there were 10 members of staff in the team, 2.5 of which worked full time on contracting whilst the rest dealt with the statutory rights of way work.

The Rights of Way Mapping and Enforcement Manager informed the Committee of the current staffing pressures within the mapping and enforcement team with two of their most experienced officers due to retire, which left herself, one Planning officer and one officer on maternity leave. It was confirmed that the staffing model was being looked at to ensure that the Council's statutory duty was met whilst adding value and generating income.

Turning to the Parish Paths Partnership (P3), the Rights of Way Mapping and Enforcement Manager reported that the number of volunteer hours had increased by 24% over the last four years. She gave some examples of the work undertaken by these volunteers including replacing stiles with gates, step work, plank bridges, clearance work etc.

Peter Carr, an active P3 volunteer informed the meeting about his group which was struggling as there were only two active volunteers. They were however trying to drum up more volunteers and hoped to utilise Shropshire Young Ramblers albeit only at weekends. He explained how groups could determine their own priorities, they knew the paths and routes people used, so could work out what improvements were required. They would then talk to Richard's team to agree work around the urban fringe.

He then gave some examples of the work undertaken by the Group. Mr Carr explained the multiple benefits of the groups including helping the Council to meet its statutory requirements, physical exercise, socialisation, opening up paths to the public, satisfaction of seeing people using the paths. It also had huge health and wellbeing benefits. In response to a query, it was confirmed that more staff would be required should the P3 scheme be expanded.

The Committee thanked the officers for attending the meeting and for their presentation. The team were urged to get a paper together for Cabinet bringing in all the points so that Cabinet recognised where the pressure points were. The team was extremely stretched and cabinet needed to think proactively in terms of funding streams in order to better support and link in with health and wellbeing agenda.

15 Empty Homes

The Committee received the report of Karen Collier, Regulatory Services Operations Manager – copy attached to the signed Minutes – which provided an overview of the Empty Homes work carried out by Regulatory Services including the legal powers available and a summary of the previous Scrutiny review of the function.

In response to the Member Question raised by Councillor Boddington, the Regulatory Services Operations Manager explained that the discrepancy between the Council's and the Government's long term empty property statistics was due to the Government's figures including properties which have been classed as "exempt" and the Council's figures did not include them. Exempt properties do not pay council tax

because the property is empty for a specific reason such as probate, the owner is in hospital or residential care.

The Regulatory Services Operations Manager informed the Committee that there were approximately 1800 empty properties within Shropshire, each with their own history and reasons for becoming empty eg financial/sentimental reasons. There were two aspects to empty properties; firstly, that they attract anti-social behaviour and secondly, they become a wasted resource.

She informed the Committee that empty properties were dealt with based on risk using a wide range of legal powers and she gave examples of some of the common problems associated with empty properties and the powers available to deal with them, for example:

- Unauthorised access (discretionary power)
- Nuisance to neighbouring property (statutory duty to investigate)
- Rats/mice, rubbish/overgrown garden (statutory)
- Anti-Social Behaviour (discretionary powers)

Other Council Services also had powers including Council Tax (who can charge 100% premium); Building Control can act if it is a dangerous structure; Planning can act if the amenity of an area is affected; and finally, conservation have powers to preserve listed buildings.

She confirmed that they do try to trace owners to encourage them to take action to bring the property back into use by providing advice and information in the first instance before escalating to enforcement action, however, it was not illegal to have an empty property. In certain high risk cases, the Council has the option to carry out works in default to remedy risks in accordance with legal powers and look to recover the costs, sometimes via a charge on the property.

The Regulatory Services Operations Manager then went on to highlight the escalated enforcement action that Shropshire Council could take whereby the most problematic properties could be returned back into use, and these included enforced sales, Compulsory Purchase Orders and Empty Dwelling Management Orders (see paragraphs 7.0, 8.0 and 9.0 of the report).

Turning to future challenges, the Regulatory Services Operations Manager drew Members' attention to the recommendations set out in the report and explained how the existing empty homes capital budget could be used to fund a fixed-term full-time officer as part of their approach to use all options and powers available to them to return empty properties into use.

In response to a query, the Regulatory Services Operations Manager explained why the process appeared so slow and the difficulties encountered with owners of properties if they could indeed be found.

In response to a further query, the Regulatory Services Operations Manager informed the Committee that they did share information with Council Tax on long-term empty properties, however she was not aware whether Council Tax was always collected in full for these properties.

The Regulatory Services Operations Manager answered further queries from the Committee in relation to why a Band 11 Officer was being sought for the post, how they were notified of empty properties and how section 215 (Town and Country Planning Act 1990) notices were applied.

The Regulatory Service Operations Manager explained that a Band 11 Officer was required due to the level of the post and the knowledge, experience and qualifications needed to enable the job to be undertaken.

Members expressed their support and thanked the Regulatory Services Operations Manager for her hard work.

RESOLVED:

- A. That the Regulatory Services' approach to use all powers available to address problems associated with empty properties and return them to use, in accordance with Shropshire Council's Better Regulation and Enforcement Policy be noted.
- B. That the Regulatory Services' proposal to appoint a full-time officer on a temporary two-year fixed contract funded through the existing empty homes capital budget as part of their approach to utilise all powers available to return empty properties to use be supported.
- C. That the Regulatory Services private rented sector housing work including empty homes be reflected in the Council's Housing Strategy and infrastructure required to support this to be raised through Place Plans.

16 Work Programme

The Committee received the report of the Statutory Scrutiny Officer - copy attached to the signed Minutes – which set out Overview and Scrutiny's proposed future work programme for the year ahead.

The Overview and Scrutiny Officer provided an update on existing work programme topics, as follows:

- Community Transport to be considered at the November meeting including feedback from the Task and Finish Group.

The Overview and Scrutiny Officer explained that a Work Programme Planning Session was being held in order to take stock and strategically ensure that the Overview and Scrutiny Committees covered the important and identified priorities. Following on from this, he would write the priorities up into a single report and once this had been to Scrutiny Chairs, individual work programmes would be developed for each Scrutiny Committee.

In relation to a suggested topic, the Overview and Scrutiny Officer reminded the Committee that it had considered Welfare Reform through a Task and Finish Group, they could however ask the Director of Human Resources for an update on the strategy that was recommended by the Committee.

Other topics suggested included Rural Exception Sites and Fuel Poverty. The Overview and Scrutiny Officer reported that these issues had been considered by other Scrutiny Committees. The Committee felt that Housing matters would sit more comfortably within this Committee and it was agreed for the Chairman to discuss this with the Chairman of the People Overview Committee.

17 Date/Time of next meeting

It was confirmed that the next meeting would be held at 2pm on Monday 25 November 2019.

Signed (Chairman)

Date: