

**MINUTES OF A MEETING OF THE SAFER AND STRONGER COMMUNITIES
POLICY & SCRUTINY COMMITTEE HELD AT COUNTY HALL, CHELMSFORD
ON 15 OCTOBER 2010**

Membership:

Councillors:

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| * S Walsh (Chairman) | * E Johnson |
| * J Deakin | * J Knapman |
| * T Higgins(substitute for M Fisher) | * C Pond (Vice Chairman) |
| M Garnett | * M Skeels |
| * E Hart | M Webster |
| * R Howard | * R Chambers (substitute for J Schofield) |

(* present)

Also present Councillors, J Lucas, Cabinet Member for Heritage, Culture & the Arts, and R Walters, Deputy Cabinet Member for Highways and Transportation.

Christine Sharland, Governance Officer, and Janet Mills, Committee Officer, were in attendance throughout the meeting.

The meeting commenced at 10.00 am

51. Change in Committee Membership

The Committee noted that Councillor John Schofield had replaced Councillor Kevin Bentley as a full Member of the Committee.

52. Apologies and Substitutions

The Committee Officer reported apologies from Councillors J Schofield and M Fisher, and noted two notices of substitutions as set out in the above membership.

53. Declarations of Interest

Councillor:	Personal Interest:
Councillor S. Walsh	Member Essex Police Authority
Councillor T Higgins	Member of Fair Access Group to Colchester
Councillor R. Chambers	Chairman of the Essex Police Authority

54. Minutes of the Previous Meeting

The Minutes of the meeting held on 15 September 2010 were agreed by the Committee and signed by the Chairman as a correct record subject to an amendment to show that Councillor C Pond had made a declaration of interest as the Chairman of the Local Historical Society and a Member of Loughton

Town Council/Loughton Residents Association, and not as a member of the Essex Police Authority.

55. Scrutiny Review on A Board Policy on the Publicly Maintainable Highway

The Committee considered report SSC/16/10, which set out background on the regulation and management of A Boards on the publicly maintainable highway together with three draft policy practice options: Zero Tolerance, Licensing, and Localism.

Councillor R Walters, Deputy Cabinet Member for Highways and Transportation, and Vicky Duff, Traffic and Highways Safety Manager, attended the meeting to provide an overview on the current situation on A Board regulation across Essex and answer Members' questions.

On behalf of the Cabinet Member, Councillor Walters thanked the Committee for agreeing to consider A Boards as a scrutiny review and drew the following information to Members' attention:

- There has been discussion about an Essex County Council policy on A-Boards and Street cafes for some time.
- The County Council had never been involved in any litigation related to personal injury pertaining to A-Boards.
- A balanced view should take into account the need to promote local trade, especially during times of recession, as well as the need to ensure the publicly maintainable highway was not obstructed.
- The impact of any blanket ban on A-boards would need to be considered very carefully. The Chamber of Trade consider A-Boards to be important to trade in terms of foot fall and advertising local businesses. It was claimed that there was evidence that trade had been adversely affected in one area of Essex (Brentwood), where the local authority had banned A Boards.
- As Local Planning Authorities, the District and Borough Councils have wider planning powers that could be used to regulate A Boards and the street scene, and are responsible for litter picking, environmental health and licensing.
- There were some examples where other authorities had taken steps to regulate A Boards. For example in Kent a licence was required to be displayed in the shop window, and in Devon traders needed to ensure that boards were in front of their property with a clear 1.5 metre width clear access for pedestrians. Nevertheless the cost of introducing, licensing and policing these schemes could be prohibitive. Ms Duff agreed to obtain for the Committee the costs associated with the Kent scheme.
- While the County Council does have powers to remove obstructions from the publicly maintainable highway, it was pointed out that if it adopted a policy to regulate A Boards then that policy would have to be applied unilaterally across Essex. This could be difficult given the diverse nature of the County and different characteristics of its towns

and villages, and it would be inappropriate to allow A Boards in one area and enforce restrictions in another. Therefore, in the interests of localism the Committee would have to take into account the need for some local area discretion.

- Any Guidance that is adopted must be easily interpreted.
- It was anticipated that District and Borough Councils would find it difficult to enforce a licensing scheme due to the costs involved.

During discussion Members raised the following matters for further consideration as part of the review:

- The perceived growth in the number of A-boards and other street furniture, and the implications for pedestrians particularly where streets are narrow.
- The issues that A Boards pose for disabled people. For instance aside from having to manoeuvre around an obstacle, the colour contrast and size of a board may cause additional difficulties for people with visual impairment in distinguishing an obstacle. The fact that boards are not fixed causes additional difficulties in negotiating a route that will change on a daily basis, and sometimes may interfere with other facilities designed to assist disabled people eg dropped kerbs for wheelchair users.
- Street furniture in general, of which some may belong to the County Council, may also cause an obstruction for those with visual impairment.
- The design of A-Boards eg if they are too flimsy they may fall over or if too heavy they could injure pedestrians.
- The need to consider wheelchair users and parents with children in buggies.
- The need for consistency in the regulation of A Boards so that the public understand what the situation is.
- The benefits that might accrue from A Boards in the street scene where they are well placed.

In response to a Member's question about pavement parking, the Chairman reaffirmed that parking issues were not being considered as part of this scrutiny review, and that parking issues fell within the remit of another Committee. Furthermore it was confirmed that parking on the pavement was a Police rather than County Council enforcement issue.

The Chairman thanked Councillor Walters and Ms Duff for their contribution to the meeting.

The Chairman confirmed that a questionnaire had been sent to all District Councils seeking their views on A Board regulation, and their responses would be reported to the Committee in due course. Witnesses would also be invited to address the Committee.

56. Scrutiny Review on the Local Transport Plan

The Committee considered report SSC/17/10 concerning proposals for a joint scrutiny review on the Local Transport Plan with the Economic Development and Environment Policy and Scrutiny Committee. A scoping document was attached to the report.

It was agreed that Councillors S Walsh, R Howard and C Pond should be appointed to the proposed Joint Task and Finish Group.

57. Scrutiny Review on Government Consultation 'Policing in the 21st Century: Reconnecting police and the people' (Minute 48/ September 2010)

The Committee noted report SSC/18/10 setting out the County Council's formal response to the above Government Consultation.

58. Forward Look

The Committee considered report SSC/19/10 setting out its work programme, and highlighting some proposed changes.

Members noted a proposal to review of the transfer of role and responsibilities of the County Emergency Planning Officer to the Chief Fire Officer and Chief Executive of the Essex County Fire and Rescue Service, which was set out in an attached scoping document.

59. Dates of Future Meetings

The Committee noted that its next meeting was scheduled for 19 November 2010.

60. Janet Mills, Committee Officer

The Chairman advised the Committee that it was the last meeting that Janet Mills would be attending as she was leaving the Council. In response Members extended their best wishes to Janet for the future, and thanked her for all her support to the Committee.

There being no urgent business the meeting closed at 10.55 am

Chairman