

**MINUTES OF A MEETING OF THE SAFER AND STRONGER COMMUNITIES
POLICY & SCRUTINY COMMITTEE HELD AT COUNTY HALL, CHELMSFORD
ON 10 DECEMBER 2010**

Membership:

Councillors:

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

(* present)

Also present: Councillor T Chapman, Chief Whip and Cabinet Member for Environment & Waste.

Christine Sharland, Governance Officer, and Matthew Waldie, Committee Officer, were in attendance throughout the meeting.

The meeting commenced at 10.00 am

61. Apologies and Substitutions

The Committee Officer reported apologies from Councillors J Deakin and J Schofield, and noted the notice of substitution as set out in the above membership.

62. Declarations of Interest

Councillor:	Personal Interest:
Councillor T Higgins	Member of Fair Access 2 Colchester Group
Councillor E Johnson	Member of Essex Fire Authority
Councillor M Skeels	Member of Essex Fire Authority
Councillor S Walsh	Member of Essex Fire Authority

63. Minutes of the Previous Meeting

The Minutes of the meeting held on 15 October 2010 were agreed by the Committee and signed by the Chairman as a correct record subject to an amendment to show that Councillor M Garnett had sent his apologies.

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

The Committee considered report SSC/20/10 concerning this Scrutiny Review on the regulation and management of A Boards on the publicly maintainable highway.

As part of the evidence gathering process, Phil Lee, of Fair Access 2 Colchester Group, was welcomed to the meeting and invited to give that Group's perspective on A Boards. The Group is seeking to improve the quality of life for disabled and non-disabled people in the Borough of Colchester.

Mr Lee informed the meeting that in June the Group had conducted an extensive survey of 'obstacles' in Colchester town centre, based upon a mixture of pedestrianised areas and streets open to motor vehicles. He provided the data captured for the survey. It had revealed that there were approximately 300 obstacles in the survey area, which included a majority of A Boards, together with other street furniture and retail furniture such as clothes racks. It was noted that some businesses had multiple boards on display. He described the sorts of difficulties caused for pedestrians including wheelchair users who may get trapped by obstacles and the difficulties of manoeuvring away from those obstacles, and for blind people and their guide dogs. He confirmed that the Group's intention was not to put retailers at any disadvantage, but to find some consistent, sensible approach that would enable free and safe passage to pedestrians on pavements (and access to shops) for everyone. This view was echoed by Councillor Higgins, as a fellow member of the Group.

During the course of the debate that took place, the main points that arose from the Committee's cross examination of the evidence were as follows:

- A sensible approach needs to be taken around any proposals for regulation given the diversity of opinion as to what is and is not preferable in the way that A Boards may be placed in the street. At the meeting there were several suggestions for the regulation of A Boards including:
 - All boards be restricted to within a certain distance of the premises, or even flush against the actual wall where a footway was narrow.
 - Boards should not be placed in close proximity to other obstacles, and crossing points.
 - The colour of boards should be carefully considered so that they are more easily discernible to pedestrians.
 - The construction of boards should be carefully considered eg swing mechanisms can catch clothing, and their weight may/may not be conducive to pedestrians being hurt if they collide with them so that either the A board or the individual falls over.
 - Restrict the number of boards a business may place in the highway.
 - Another requirement might be to have the siting of a board marked out on the pavement, and to a consistent pattern. This would particularly help the blind and visually impaired to build up a mental map of the pavements.

- Where town centres are being redeveloped, the needs of the disabled pedestrian should be taken into account so that any placing of street furniture does not cause undue difficulties. There was discussion about the ways that street cafes are set out and, in some cases, the use of barriers to delineate an area of tables and chairs from the through flow of pedestrian traffic. It appeared that barriers have to be put into place where a premises may be licensed to sell alcohol, and there could be some planning requirements to be adhered to.
- There is inconsistency across Essex in the way that A Boards are managed and regulated. Each District Council appears to have a different approach. Mr Lee hoped that if consistency could be achieved it would give disabled pedestrians greater confidence to visit more towns, because the way any obstacles would be placed and managed would be familiar. It would be useful if any guidance could set out good practice for local councils to refer to. The Governance Officer confirmed that a questionnaire had been sent to the twelve Essex Borough/ District Councils. Of the eight Councils that had responded, it supported the view that individual approaches were in place across the County.
- It was acknowledged that not all pavements outside shops are public highway, and may be maintained by private landowners. However, where pavements are maintained by the Highways Authority it may impose requirements upon their use. While there seemed to be some justification for the Highways Authority to take a lead on this issue, in order to achieve some consistency across the County, Members were mindful that there will be some legal considerations to be taken into account. Therefore it was agreed that legal advice would be needed on this.

At the conclusion of discussion, the Chairman thanked Mr Lee for attending the meeting.

The Committee will undertake further evidence gathering as part of this scrutiny review at a future meeting.

65. 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

The Committee noted report SSC/21/10 concerning the above transfer of the role of the County Emergency Planning Officer. It was also noted that on 18 November 2010 Councillors J Deakin, M Fisher, M Garnett, R Howard, E Johnson, and C Pond had visited the Essex County Fire and Rescue Service Headquarters at Kelvedon with the aim of learning about the new arrangements, the advantages and disadvantages associated with the new working arrangements, and the potential for future joint working.

As Councillor Chapman, Chief Whip and Cabinet Member for Environment and Waste, was present at the meeting, the Chairman invited her to address the meeting.

Councillor Chapman confirmed that Essex County Council would retain the statutory function under Civil Contingencies legislation. It would not be a case of handing over responsibility to the Fire and Rescue Service, but rather of making the most of both organisations' professional expertise. She suggested that under new governance arrangements for emergency planning, Councillors' involvement could be increased. A new body of about ten members would oversee the process, including members from both Southend and Thurrock (which are already represented under the existing arrangements).

The Committee generally welcomed the new joint working arrangements for emergency planning services in Essex, and formally noted the report.

The Chairman thanked Councillor Chapman for her attendance and confirmed Members' interest in the way that the new working arrangements are taken forward in practice.

66. Forward Look

The Committee noted report SSC/22/10 setting out the Committee's work programme to March 2011.

It was noted that the meeting scheduled for 14 March was incorrect in the programme, and should have read Friday **18 March**.

Councillor Pond suggested that the Committee should introduce general scrutiny sessions whereby Cabinet Members were invited to scheduled meetings once or twice per annum to answer Members' questions on issues within their portfolios. As this suggestion had wider ramifications for the way that scrutiny is undertaken at the County Council, Councillor Walsh confirmed he would refer the suggestion to a future meeting of the Scrutiny Board.

67. Date of Future Meetings

The Committee noted that its next meeting was scheduled for 14 January 2011.

There being no urgent business the meeting closed at 11.06 am

Chairman