

South Somerset District Council

Minutes of a meeting of the **Scrutiny Committee** held on **Tuesday 10th April 2007** in the Council Chamber, Council Offices, Brympton Way, Yeovil.

(9.30 am – 11.25 am)

Present:

Members: Rupert Cox (in the Chair)

Geoff Clarke	Sue Steele
Pat Martin	Alan Smith
Paul Robathan	

Also Present:

Tim Carroll	Leader of the Council
Patrick Palmer	

Officers:

Rina Singh	Assistant Chief Executive
Vega Sturgess	Corporate Director, Environment
Chris Cooper	Head of Streetscene
Roger Wotton	Senior Enforcement Planner
Gary Russ	Procurement and Support Services Manager
Emily McGuinness	Scrutiny Manager
Angela Cox	Committee Administrator

134. Minutes (Agenda Item 1)

The minutes of the ordinary meeting held on 13th February 2007 were approved as an accurate record and signed by the Chairman.

135. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors John Hann, Michael Lewis Kim Turner, and Martin Wale.

136. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

137. Public Question Time (Agenda Item 4)

The Chairman invited those members of the public present to speak at the time the item in which they were interested was discussed.

138. Issues arising from previous meetings (Agenda Item 5)

There were no issues arising from previous meetings.

139. Chairman's Announcements (Agenda Item 6)

The Chairman thanked all the Members for their contribution to the Scrutiny Committee over the last four years. He said that great progress had been made and that both executive and non-executive members had embraced the new scrutiny structure. He also thanked the Committee Administrator for her support and especially the Scrutiny Manager for her advice and guidance to himself and the Committee.

The Chairman informed Members that an additional urgent item for a Grant to Supporting People for Community Alarms for South Somerset Homes Tenants had been discussed at District Executive the previous week with his consent as the normal notice period could not adhered to.

140. Progress Reports on Scrutiny Commissions (Agenda Item 7)

The Scrutiny Manager circulated a briefing note, advising the Committee of the progress of the current Scrutiny Commissions.

The Chairman reported that two very well attended meetings had taken place of the Well Managed Services – Review of Village Shops and Post Offices Commission. The Commission were now working on more robust monitoring of local level knowledge, looking at which service should lead the work, and adopting a more pro-active approach to supporting village shops and post offices in terms of business support.

The Scrutiny Manager advised that a member of the Business Rates team would be available to attend future Village Shops and Post Offices Commission meetings to provide information and assistance.

The Chairman also reported that he and a fellow Commission member had met with the consultants appointed to review the Octagon Theatre. The meeting had been successful and he had been impressed at their willingness to link into the Yeovil Vision. Members of the Commission would also be meeting with Kay Allen of Somerset County Council on 13th April at 1.00p.m. to discuss the review further.

The Economic Vitality and the Environment Overview Commission – Objective 19 of the Corporate Plan - CO₂ Emissions would be reporting their findings to the June meeting of the Scrutiny Committee.

The Health and Well-being Overview Commission – Housing Advice Centre would meet again after the elections in May 2007.

Members from Worcester County Council would attend the Scrutiny Committee in June 2007 as part of SSDC's new Beacon status – Neighbourhood and Community champions: the role of the elected member.

141. Update on the Councils Procurement Strategy (Agenda Item 8)

The Procurement and Support Services Manager reported that the Procurement Strategy was now beginning to have an impact on Council purchasing. He said that a number of key milestones had been delivered through national strategies and he was now developing local Performance Indicators and efficiency targets.

In response to questions from Members, the Procurement and Support Services Manager and Assistant Chief Executive confirmed that:-

- many of the targets on the Procurement Strategy Action Plan were non-ending and continuous progress would be made on them
- that the Corporate procurement board had been established and the terms of reference had been agreed
- some training had been provided, but, he was currently trying to establish best practice and was consulting with other Local Authorities on this and so training was currently on hold until May 2007
- a number of local Performance Indicators were being developed
- the strategy was fit for purpose, robust and was aligned to support large contracts i.e. the Waste Management Contract

The Chairman asked that the Procurement and Support Services Manager return to Scrutiny Committee in 6 months to report progress on the development of local Performance Indicators.

- RESOLVED:**
1. That the report be NOTED.
 2. That a report on the progress of implementation of the Procurement Strategy and Performance Indicators be brought to the Scrutiny Committee to monitor in September 2007.

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142. SSDC Advertising Protocol (Agenda Item 9)

The Scrutiny Manager advised that the Commission had arisen from a service request that required a Members perspective on the issues faced by them under the new Town & Country Planning (Control of Advertisements) (England) regulations 2007. A detailed review process had been undertaken over two meetings and officers had drawn up a protocol from that information. The Commission had then approved the protocol and it was now presented for Scrutiny Committee's views to be incorporated into the final document for approval by District Executive.

In response to questions from Members, the Senior Enforcement Planning Officer confirmed that:-

- Telegraph poles were not included in the new regulations, but, any posters affixed to them were.
- No signs on any highway verge would have permission from the Highway Authority as they were deemed to be a distraction to drivers.
- The legislation for class 3D stated that an advertising notice for social or charitable events should not be displayed more than 28 days in advance of an event, and, should be removed within 14 days afterwards.

- He had experienced some difficulty in pursuing large national organisations for the removal of certain illegal signs as he had been unable to identify individuals within each organisation to prosecute. Also, some organisations had considerable financial backing to contest such action.
- Yeovilton Air Day would be a charitable event and so adverts had deemed consent. Local agreements had been reached with regard to other large events in the area to display off the highway at an agreed size.
- Commercial 'A' Boards outside shops should not cause an obstruction but should allow members of the public to use the pavement in complete safety.

In response to questions from members of the public, the Senior Enforcement Planning Officer confirmed that:-

- Trailer signs in fields could be prosecuted quite quickly as they were no longer exempt and therefore illegal. South Somerset held a good record on removing these signs.
- Advertising signs placed on a village green by another parish could be removed by the parish as under Schedule 2 of the legislation, the permission of the landowner must be given.
- A plain English version of the Protocol would be published on the Council's website and a copy of the new Advertising Regulations booklet would be sent to each Parish Council, when they were available.
- The relevant officers would promote understanding of the Protocol and associated legislation through Area Workshops to be held as soon as practicable following the May 2007 elections
- In the legislation, deemed consent was where a sign or advertisement could be displayed without the Council's consent – similar to permitted development in planning terms. This was set out in the new Advertising Regulations booklet.
- If SSDC followed the new legislation to the letter then all unauthorised signs and advertisements would be removed; the local protocol was developed for SSDC to take a more flexible approach.
- He would encourage the use of Parish noticeboards for advertising village events rather than telegraph poles.

Members considered each of the suggested recommendations within the Protocol and suggested several amendments which the Senior Enforcement Planning Officer and the Head of Streetscene concurred with. Members therefore agreed that the following revised Protocol be submitted to the District Executive:-

Revised Protocol

1. All signs shall be displayed in accordance with the Town & Country Planning (Control of Advertisements) (England) Regulations 2007
2. Where signs are displayed without exemption or deemed consent, consideration will be given to the expediency of taking enforcement action for the removal and / or prosecution of the offence.
3. The Development Control Service will be responsible for controlling all unauthorised signs displayed outside the confines of the highway.
4. The Streetscene Services Unit will be responsible for the control and removal of all unauthorised commercial signs within the confines of the highway, which includes pavement and verge areas.

5. The Streetscene Services Unit will be responsible for the control and removal of unauthorised signage pasted onto buildings and street furniture.
6. The display of signs relating to social and charitable events will be referred to the Development Control Service for assessment under Class 3D of the Regulations.
 - The Development Control Service will advise any offender under Class 3D of the offence and provide an opportunity to remove or reposition the signs.
 - Failure to comply with the request will be subject to consideration of enforcement action, including that of prosecution action.
 - Repeat display of signs contrary to the deemed consent class of sign will render the advertiser liable to formal action, including prosecution action.
7. In the interest of commercial viability, discretion will be given to the expediency of action over the display of commercial "A" board signs, provided they are located immediately outside the premises to which they relate, and do not cause obstruction of the pavement or endanger the safety of pedestrians.
8. Action will be taken to recover all reasonable costs incurred in the removal and storage of unauthorised signs.
9. Action will be taken to recover all reasonable costs incurred in the specialist work to remove from buildings, structures and street furniture, any pasted or painted signs and advertisements.
10. All action will be in accordance with national legislation and government advice and commensurate and proportionate to the offence.

- RESOLVED:**
1. That the Scrutiny Committee recommends the District Executive adopt the Protocol as proposed by the Overview Commission and amended by the Scrutiny Committee, in conjunction with the new Advertising Regulations booklet.
 2. That the relevant officers promote understanding of the Protocol and associated legislation through Area Workshops as soon as practicable following the May 2007 elections.
 3. That a plain English version of the Protocol be available via the Council's website along with a link to the relevant Government legislation.

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143. Review of new Scrutiny Structures (Agenda Item 10)

The Scrutiny Manager advised that following the Consultation meeting held on 19th March 2007, which was attended by 23 officers and Members, and the comments made at the Audit Committee meeting on 22nd March, several actions had been identified to retain and enhance the existing Scrutiny structure. She said:-

- there would be extensive scrutiny training for all Members in May, particularly the Scrutiny Committee Members and all newly elected Councillors would be encouraged to attend and observe at Scrutiny Committee meetings.
- Scrutiny Committee Members would prioritise the Commissions in future to better manage workloads of Members and officers.
- she was working with Democratic Services to ascertain the best Committee or Portfolio Holder to report feedback from Members on outside bodies.
- the scoping of future Scrutiny Commissions would be more detailed and specific in future in order to achieve the right conclusions.

During discussion Members made the following points:-

- Heads of Service should continue to be encouraged to attend the Scrutiny Committee training sessions
- The District Executive did take the recommendations of Scrutiny Committee seriously.
- Over 60% of all Council Members had been involved in a Scrutiny Commission during the previous year.
- Non-executive Members should get involved in Commissions that interested them and not wait for invitations to attend.

Members were in agreement with this.

RESOLVED: That the Scrutiny Committee recommend to Council that the Action Plan at Appendix 1 to the report be agreed and implemented and that:-

- That the existing Scrutiny arrangements are retained and continue to be developed in line with national best practice and emerging guidance and legislation
- That members of the Scrutiny Committee agree that based on the comments received as part of the review process, the work of the Overview Commissions will need to be actively monitored in order to more effectively manage the workloads of both members and officers. In reality, this will mean that requests for Commissions will need to be prioritised using the agreed scoring mechanism. It is anticipated that a maximum of three Commissions will be active at any one time
- There will also need to be a more robust scoping process to ensure that each review has clear aims and objectives as agreed by both Members and officers

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144. Annual Scrutiny Work Programme 2006/07 (Agenda Item 11)

Members were content to note the Scrutiny Work Programme.

RESOLVED: That the Scrutiny Work Programme 2006/07 be NOTED.

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145. Executive Forward Plan (Agenda Item 12)

The Chairman noted that the Executive Forward Plan as presented to the Scrutiny Committee in February and March had not been the most current Plan. Members noted with some concern that this could be noticed by CPA Inspectors and requested that the most up-to-date plan be presented in future.

The Chairman also noted that an additional urgent item for a Grant to Supporting People for Community Alarms for South Somerset Homes Tenants had been discussed at District Executive the previous week.

The Scrutiny Manager advised that the Street Trading Policy would be a decision for full Council.

RESOLVED: That the Executive Forward Plan be NOTED.

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146. Date of Next Meeting (Agenda Item 13)

Members noted that the next meeting of the Scrutiny Committee would take place on **Tuesday 12th June 2007 at 9.30a.m. in the Main Committee Room, Brympton Way, Yeovil.**

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Chairman