

# Minutes

## Overview and Scrutiny Committee

11<sup>th</sup> April 2018



### Present

Councillors	Present	Councillors	Present
P Barlow (Chairman)	Yes	G Maclure	Yes
Mrs. M Cunningham	Yes	Mrs. I Parker	Yes
Mrs. D Garrod	Yes	R Ramage	Yes
J Goodman	Apologies	B Rose	Yes
A Hensman	Yes	P Schwier	Yes
P Horner	Yes	C Siddall (Vice Chairman)	Apologies

#### 44 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following Declarations of Interest were made:

Councillor Mrs M Cunningham declared a Non-Pecuniary Interest in Agenda Item 5 – ‘Scrutiny Review into the Role of the Highway Authority in the Braintree District - Work Programme for 2018-19’ as the Director of a company who carries out works for Essex Highways.

#### 45 **PUBLIC QUESTION TIME**

**INFORMATION:** There were no questions asked, or statements made.

#### 46 **MINUTES**

**DECISION:** That the Minutes of the 7<sup>th</sup> March 2018 of the meeting of the Overview and Scrutiny Committee were approved as a correct record and signed by the Chairman.

#### 47 **SCRUTINY REVIEW INTO THE ROLE OF THE HIGHWAY AUTHORITY IN THE BRAINTREE DISTRICT - WORK PROGRAMME FOR 2018-19**

**INFORMATION:** This was the first evidence gathering session of the work programme for the Committee’s Scrutiny Review into the Role of the Highway Authority in the Braintree District.

The Lead Officer for the Scrutiny Review, Samir Pandya, Commercial & Business Support Manager, gave a presentation to Members introducing the Highways Authority and its relationship with Braintree District Council and gave Members the opportunity to agree

and note the work programme for the Scrutiny Review and put forward suggestions for potential areas of examination.

The presentation slides can be viewed at:

<http://braintree.cmis.uk.com/braintree/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/760/Committee/4/Default.aspx>

In response to questions raised by Members the following information was provided:

- The responsibility of parking on grass verges can be confusing. There are a numbers of locations across the District where a length of verge crosses numerous owners. It was therefore difficult to determine responsibility for an area of grass verge without a precise location. There were measures that could be put in place to act as a control mechanism such as the Highways Act on verges and an example of where this had been enforced was at White Horse Lane, Halstead. The District Council did have indications of ownership on their GI systems which was available to view.
- Funding for the maintenance of adopted roads was sourced from two areas; these were capital and revenue funding.
- Members were advised that all utility companies would require permits before any works could be carried out. Some companies would provide a work programme to Essex Highways to give advance notice of any works that needed to be carried out. It was also a requirement for companies to reinstate any signs or road markings guaranteed for three years.
- Members were reminded of the role of the North Essex Parking Partnership (NEPP). Essex County Council (ECC) delegated its powers to a partnership to take responsibility for parking restrictions and enforcement for the on-street function. The agreement was between ECC and the NEPP and the partnerships consisted of six Districts; Epping, Harlow, Uttlesford, Colchester, Braintree and Tendring.
- Members received an update on the work of the Scrutiny Review into the North Essex Parking Partnership (NEPP) following its completion. Officers were in the process of looking at parking protocol which was currently in draft form and would be reviewed by the Cabinet Portfolio Holder before being extended to Members.

Following the presentation, Members identified the following potential areas of interest to explore at future evidence gathering sessions:

- It was suggested that an officer responsible for maintenance either in the Braintree District or in a broader capacity should be invited to a future evidence gathering session, in order to gauge a clear understanding of where the revenue spend was, what defined a repair as opposed to capital works and an insight in to repair and maintenance timescales.
- It was agreed to circulate the Terms of Reference of the Local Highways Panel to Members of the Committee to help them gain a understanding of the roles and responsibility of the Local Highways Panel and its remit within the District.

- It was proposed to invite an appropriate officer to explore how the highways authority ensured, for the benefit of residents, that grass verges on new developments and estates were managed despite shared ownerships.
- It was recognised that it would be useful to speak to someone an Officer of the Highways Authority who received responses from the online tool in order to have a clear view on the process and timescales for reporting road issues.
- Members agreed that it would be worthwhile to invite a planning officer to a future meeting to gain an insight into highways from a planning perspective.
- It was considered that Members may want to invite the Cabinet Member or Deputy Cabinet Member from ECC for highways to explore potential future developments in respect of relationships and projects, with a view towards devolution and delegating work to a local level.
- It was important to understand the delegation of responsibility, and it was recognised that currently this was unclear. Members agreed that it was imperative to educate themselves on roles and responsibilities before attempting to pass information on to the public.
- It was noted that public rights of way were important to residents and it would be useful to receive and presentation on public rights of way and what the highways authority could do within the limits of their budget, as well as further information on the P3 (Parish Paths Partnership) scheme.

**DECISION:** That Members agreed the Work Programme.

**REASON FOR DECISION:** To ensure that the Scrutiny Review into role of the Highway Authority in the Braintree District is completed within the Civic Year 2018/19 and complies with the procedure rules for the Overview and Scrutiny Committee.

#### 41 **TASK AND FINISH GROUP UPDATE**

**INFORMATION:** Members were updated on the work of the Task and Finish Groups.

In terms of the outgoing Task and Finish Group Scrutiny Review into Tourism Potential in the Braintree District the final report would be considered by Full Council at its meeting on 23<sup>rd</sup> April 2018.

Members were advised that in respect of the two Task and Finish Groups for the Civic year 2018-19, the terms of reference of each of these had now been finalised and approved by the Chairman of the Overview and Scrutiny Committee in consultation with the Scrutiny Steering Board and the deadline for expressions of interest for membership of the Groups was Friday 13<sup>th</sup> April 2018. The membership of the Groups would be agreed by the Chairman of the Overview and Scrutiny Committee in consultation with the Scrutiny Steering Board. It was intended to confirm the membership of the Task and Finish Groups by the next meeting of the Overview and Scrutiny Committee being held on 10<sup>th</sup> May 2018 and Members would be updated accordingly.

43 **DECISION PLANNER**

**INFORMATION:** The Chairman reminded Members of their responsibility and capacity as Members of the Overview and Scrutiny Committee in terms of calling in items, and in doing so raised concern regarding two items on the Decision Planner in respect of iConstruct and BeWell, and felt that further due diligence and risk assessment should be carried out on these items. It was agreed by Members that the Chairman, along with officers, would informally explore these two items further to ensure that necessary precaution was considered and that Members were updated accordingly.

**DECISION:** That the Decision Planner for the period 1st May 2018 to 31st August 2018 be noted.

The meeting commenced at 7.15pm and closed at 8:50pm

Councillor P Barlow  
(Chairman)