

**CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY
COMMITTEE**

25 June 2019

Present:-

Councillors A Dewhurst (Chair), P Colthorpe (Vice-Chair), Y Atkinson, K Ball, R Bloxham, J Brook, P Crabb, A Eastman, R Edgell, I Hall, J Hook, R Radford, M Shaw and C Whitton

Apologies:-

Councillors J Berry and C Slade

Members attending in accordance with Standing Order 25

Councillor Scott

* **125** **Minutes**

RESOLVED that the Minutes of the meeting held on 26 March 2019 be signed as a correct record.

* **126** **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

* **127** **Announcements**

The Chair welcomed Mr Hipkin who was attending the meeting in his capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

* **128** **Public Participation**

There were no oral representations from Members of the Public.

* **129** **Election of Commissioning Liaison Member**

In line with the recommendations of the 'Scrutiny in a Commissioning Council' Task Group Report, the Committee was asked to select a Commissioning Liaison Member, whose role was to work closely with the relevant Cabinet Members and Chief Officers/Heads of Service, developing a fuller understanding of commissioning processes, and provide a link between Cabinet and Scrutiny on commissioning and commissioned services.

The Commissioning Scrutiny Task Group Report can be viewed here:

<http://democracy.devon.gov.uk/documents/s1830/Scrutiny%20in%20a%20Commissioning%20Council.pdf>

It was **MOVED** by Councillor Edgell, **SECONDED** by Councillor Hall and

RESOLVED that Councillors Atkinson and Ball continue as Commissioning Liaison Members for the ensuing year.

* **130** **Scrutiny Work Programme**

RESOLVED that the following topics be included in the work programme:

- Annual Work Programme review session
- Devon & Somerset Fire Service – station closures
- Climate Emergency Standing Overview Group
- Food banks and the root causes of use
- The Circular Economy

* **131** **Connecting Devon and Somerset (CDS) Broadband - update**

The Committee considered the Report of the Head of Economy, Enterprise and Skills (EES/19/4) which provided an update on the five contracts that were awarded by CDS to Gigaclear in December 2016 to deliver ultrafast broadband across Devon and Somerset.

At present all five of the Gigaclear contracts remained in default and re-design work by the company was due to complete at the end of July.

Since the last update report to Scrutiny, CDS had delivered broadband coverage to a further 3,500 premises in North Devon, working with Airband and was successfully completing a series of Community Challenge Pilots. As agreed at the last Scrutiny meeting, an update on the CDS Programme had been circulated to Members and other stakeholders last month.

CDS were engaging with the market to test options and opportunities to extend broadband coverage, including gigabit access and was working with Government in developing and rolling out its Rural Connectivity Programme.

BDUK continued to operate the Gigabit Voucher Scheme and it was reported that more than 800 voucher requests had been made across the CDS area.

Members' discussion points with Officers included:

- clarification over the Gigaclear redesign, the method of deployment and whether there were alternative business options;
- an increase in the amount of gainshare reinvested from the BT contract, which was expected to benefit a further 2,000 homes from a full fibre solution over the next few years; and
- the Community Challenge Fund engaging with local communities to co-produce a broadband solution that worked best for them with CDS support.

RESOLVED that the Committee keep a watching brief on the progress of CDS, with an update report to the September Committee following development of the Gigaclear contract at the end of July.

* **132** **Traffic Speed Task Group**

The Committee considered the Report of the Traffic Speed Task Group and the recommendations contained therein. Members expressed their thanks to all those involved in the production of the Report.

Members further commented on the positive effect of 20mph on climate change, the importance of culture change and educating communities in relation to 20mph and the role of the planning process in designing housing and communities that supported 20mph zones. It was further highlighted that some budget lines were already committed, therefore it was recognised that some works might need to be deferred and / or re-organised to accommodate the recommendations.

It was **MOVED** by Councillor Hook, **SECONDED** by Councillor Dewhirst and

RESOLVED that the Task Group Report and recommendations be commended to the Cabinet with a report on progress requested in nine months.

* **133** **Devon Permit Scheme for Road and Street Works**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/50) on the Devon Permit Scheme for Road and Street Works, a draft of which was appended to the Report. The introduction of such a Permit Scheme was designed to minimise transport disruption on the highway network associated with roadworks.

It was intended to move from the existing noticing system to a roadworks permit system in early 2020. Works promoters, including the Council, would be required to seek permission to work on the highway rather than notify their intention to do so. Permits would be charged for by the day. The scheme would cover all roads for which the Council were the Highway Authority and would be reviewed after one year.

RESOLVED that the Commissioning Liaison Members monitor progress and review after a year of implementation and report back to a future Committee.

* **134** **Highways Performance Dashboard**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/51) on the Highways Performance Dashboard, which focussed on some of the current seasonal work types that were being undertaken, namely overview of grass cutting; overview of surface dressing; environmental issues; and management of insurance claims.

Members' discussion points with Officers included:

- the number of street lights now converted to LED units at 27,000; and
- the need to involve Parish Clerks in the Planned Maintenance Schemes to coordinate works – Parish and Town Council Conferences would be taking place in the autumn.

* **135** **Maintenance of Vegetation and Drainage Adjacent to Highway**

(Councillor Scott attended in accordance with Standing Order 25(2) and spoke to this item at the invitation of the Committee)

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/52), which set out the responsibility of the Council and landowners in respect of the cleaning of ditches and maintenance of hedges adjacent to the highway, as requested at the last Committee meeting.

Many hedges grew on the edge of the highway and bordered private properties. Members were advised it was the responsibility of the adjacent landowner or occupier to properly maintain them and any trees or other vegetation the hedge contained. Landowners and occupiers were required by the Highways Act to trim any hedge next to the public highway where the growth was preventing the passage, or affecting the safety, of the highway user.

Members' discussion points with Officers included:

- holding major landowners, as well as tenant farmers, to account to maintain their lands which are adjacent to highways, including keeping hedges and ditches maintained and tidy;
- ensuring hedge cuttings were cleared by the landowner and not left on the highway for the local authority to clear away;
- the cost to landowners in clearing away and recycling any vegetation;
- the use of Pillar 2 payment scheme, as a single payment from Government to farmers for environmental projects;
- occurring problems with DCC tenant farmers as well as private landowners;
- engaging with the NFU and CLA to improve this current situation around maintaining vegetation and drainage adjacent to the Highway; and
- increasing communications from the Council's Communications and Marketing team around this issue.

It was **MOVED** by Councillor Dewhirst, **SECONDED** by Councillor Colthorpe and

RESOLVED

(a) that the relevant Cabinet Member be asked to:

- (i) where appropriate, write to Landowners to prompt them and their tenants to undertake their duties regarding maintenance and drainage adjacent to the highway;
- (ii) write to the NFU and CLA to request a meeting to discuss responsibilities with a view to improving the current situation; and
- (iii) consider inviting the NFU to the planned local conferences.

(b) that Cabinet ask the Communications team to publicise the policy and responsibilities of landowners and tenants regarding ash die back, hedge cutting and drainage.

* **136** **Treasury Management Stewardship Annual Report**

The Committee considered the Report of the County Treasurer (CT/19/59) on the Treasury Management Stewardship Annual Report 2018/19 setting out the outturn position, reviewing performance and informing Members of any key matters arising from the Council's Treasury and Debt Management activities during the 2018/19 financial year. The Strategy attached at Appendix I to the Report corrected the previous version presented to Cabinet and Council, which contained omissions.

It was **MOVED** by Councillor Dewhirst, **SECONDED** by Councillor Colthorpe and

RESOLVED that the Treasury Management Stewardship Annual Report for 2018/19 be commended to Cabinet and furthermore the corrected Treasury Management Strategy for 2019/20 be endorsed.

* **137** **Risk Register Annual Report**

The Committee considered the Report of the County Treasurer (CT/19/55) which set out the changes to risk management during 2018/19 and summarised the existing risk position and links to initial work on visual reporting via power BI. Members were urged to look at the risks in the light of the Committee's work programme.

In the areas for which this Scrutiny had a responsibility, there were 11 risks with a current score of High at the end of 2018/19, a net increase of one. During the year, 22 risks had been archived due to the ongoing application of management actions.

RESOLVED that the current risk position as shown in the Report be acknowledged and that the highest scoring risks be considered when creating future work programmes.

* **138** **Locality Budget Annual Report**

The Committee received the Joint Report of the County Treasurer and Chief Officer for Communities, Public Health, Environment and Prosperity (SC/19/1)) which, in line with the Council's 'Locality Budget Operating Principles', provided an annual statement summarising the allocations approved by Members in relation to their Locality Budgets.

Members' discussion points centred around Devon's Crowdfund pilot scheme, including the uptake and success in the first year; the process of project applications and the number of Councillors who had not spent their locality budgets.

* **139** **Items Previously Circulated**

Information previously circulated to Members since the last meeting, relating to topical developments which had been or were currently being considered by this Scrutiny Committee included:

- (a) Link to 'Scrutiny Frontiers' publication by the Centre for Public Scrutiny (25/3/19)
- (b) Slides from the Preparing for Brexit Masterclass (26/3/19)
- (c) Copy letter from the Head of Scrutiny to Cabinet Member Cllr Gilbert regarding the Connecting Devon and Somerset broadband programme (9/4/19)
- (d) Presentation and flipchart notes from Property Consultancy Members' Workshop on 11 April (24/4/19)
- (e) Scrutiny Guidance (17/4/19)

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 5.40 pm