

**Open Report on behalf of Andrew Crookham, Executive Director - Resources**

Report to:	<b>Executive</b>
Date:	<b>01 October 2019</b>
Subject:	<b>Final Report from the Roundabout Sponsorship and Advertising Scrutiny Review</b>
Decision Reference:	<b>N/A</b>
Key decision?	<b>No</b>

**Summary:**

On 15 July 2019, the Highways and Transport Scrutiny Committee approved the attached scrutiny report on Roundabout Sponsorship and Advertising for submission to the Executive. The report makes a total of four recommendations. The Executive is requested to receive the report and make arrangements for responding to the report by 1 December 2019. This is to comply with the legal requirement contained in the Local Government Act 2000 section 9FE requiring the Executive to respond within two months.

**Recommendation(s):**

- 1) That the Executive consider the Roundabout Sponsorship and Advertising Scrutiny Review final report.
- 2) That the Executive make arrangements to respond to the report within two months. The Executive is requested to ask the relevant Executive Councillor:
  - (a) to indicate in the response which recommendations have been accepted; and
  - (b) where recommendations are accepted, to bring forward an action plan for their implementation.

**Alternatives Considered:**

The Executive is legally required to respond to the report within two months. The Executive has the option to accept or not accept each of the recommendations included in the report.

**Reasons for Recommendation:**

To comply with the legislative and constitutional requirement on the Executive to consider and respond to reports from overview and scrutiny committees within two months.

**1. Background**

On 22 January 2018, the Highways and Transport Scrutiny Committee unanimously recommended that support should be sought from the Overview and Scrutiny Management Board for a Scrutiny Review Panel to be established to examine Roundabout Sponsorship and Advertising. The Overview and Scrutiny Management Board agreed on 29 March 2018 that a review on this topic should be undertaken.

The Overview and Scrutiny Management Board endorsed the terms of reference for the 'Roundabout Sponsorship and Advertising Scrutiny Review' on 30 August 2018. The purpose of the scrutiny review was to consider the current 'Sponsorship of Highway Planting' policy. The current policy dealing with the sponsorship of roundabouts (Highways and Transport 63/1/10) has been in existence since 1996. The review would consider and develop the policy to enable effective management of roundabout sponsorship and advertising in Lincolnshire.

The main lines of enquiry for the scrutiny review were as follows:

- 1) Examine the merits of commercial roundabout advertising, including reviewing current signage standards and associated road safety implications and concerns.
- 2) Explore whether the County Council wants to stimulate activity, and the level of sponsorship the Council would look to encourage and promote.
- 3) Examine the current appetite amongst district councils for sponsorship of roundabouts.
- 4) Examine whether the policy is accessible to potential sponsors and encourages businesses to sponsor roundabouts.
- 5) Explore further promoting and developing the economic and commercialisation aspect of the policy.
- 6) Examine whether sponsoring other verges could also be an option as part of this policy.

The attached report on Roundabout Sponsorship and Advertising was approved by the Highways and Transport Scrutiny Committee at its meeting on 15 July 2019. The report reflects the work of one of the Council's Scrutiny Panels, which comprised of eight non-Executive Councillors.

The Executive is invited to consider the report and assign responsibility to the relevant Executive Councillor for responding to the report. As part of its response, the Executive is requested to indicate to the Highways and Transport Scrutiny Committee which recommendations in the report are accepted. Where recommendations are accepted, there is also a request for an action plan, showing

what steps are being taken to implement the recommendations, with projected timescales, where possible. This will enable the Highways and Transport Scrutiny Committee to monitor the implementation of any actions arising from the report.

## **2. Legal Issues:**

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

There are not considered to be any direct implications for the Equality Act 2010 of the matters referred to in the report.

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

There are not considered to be any direct implications for the JSNA and the JHWS of the matters referred to in the report.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are not considered to be any direct implications for crime and disorder of the matters referred to in the report.

### **3. Conclusion**

In accordance with section 9FE of the Local Government Act 2000 this Report constitutes notice from the Highways and Transport Scrutiny Committee requiring the Executive to consider the Roundabout Sponsorship and Advertising Scrutiny Review report and to provide and publish a response to the Committee indicating what, if any, action the Executive proposes to make.

### **4. Legal Comments:**

The Report introduces the results of a scrutiny review on Roundabout Sponsorship and Advertising. The Report is submitted under section 10 of the Overview and Scrutiny Procedure Rules in the Constitution. The Report contains a notice from the Highways and Transport Scrutiny Committee under section 9FE of the Local Government Act 2000 and the Executive is required by section 9FE(5) of that Act to comply with the requirements specified in the notice.

## **5. Resource Comments:**

There are no significant financial implications arising from the recommendations in this report, i.e. for the Executive to review the report and make arrangements to respond to it. Financial implications may arise subject to the Executive Councillor subsequently accepting recommendations included in the report and the action plan that is developed. Any such implications will be dealt with, as required, through the normal budget setting process.

## **6. Consultation**

### **a) Has Local Member Been Consulted?**

N/A

### **b) Has Executive Councillor Been Consulted?**

Yes

### **c) Scrutiny Comments**

On 15 July 2019, the Highways and Transport Scrutiny Committee considered the Roundabout Sponsorship and Advertising Scrutiny Review draft report and supported the recommendations set out in the report. The Committee was satisfied that the report be submitted to the Executive on 1 October 2019, without amendment.

The Highways and Transport Scrutiny Committee made the following additional comments for consideration:

- The report was a very good report on a difficult subject.
- Support was given for the proposed countywide scheme to provide a consistent approach across the county and to cover areas where no other schemes existed.
- The main issue would be getting planning permission for the size of the signs installed on roundabouts.
- Control of the application process by the Council would provide consistency.
- The Highways Authority had the right to refuse signage on highway safety grounds.
- There was a need to avoid drivers being distracted especially at busy roundabouts. Riseholme and Carholme roundabouts in Lincoln were given as examples.

The Committee placed on record its thanks to the Scrutiny Panel and officers involved for all their hard work on this review and for producing an excellent report.

**d) Have Risks and Impact Analysis been carried out?**

N/A

**e) Risks and Impact Analysis**

N/A

**7. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Roundabout Sponsorship and Advertising Final Report

**8. Background Papers**

The background papers within Section 100D of the Local Government Act 1972 used in the preparation of this report are the Background items described in the Scrutiny Review Report.

This report was written by Tracy Johnson, Senior Scrutiny Officer, who can be contacted on 01522 552164 or [Tracy.Johnson@lincolnshire.gov.uk](mailto:Tracy.Johnson@lincolnshire.gov.uk)