



Committee and Date
COUNCIL

22 July 2010

10.00 am

Item

3(i)

Public

MINUTES

OF

MEETING OF SHROPSHIRE COUNCIL

HELD ON 22 JULY 2010
AT 10.00 AM

PRESENT:

Mr P Adams
Mrs B J Baker
Mr T Barker
Mrs J B Barrow
Mr J T Bebb
Mr M Bennett
Mr W Benyon
Mr T Biggins
Mr V Bushell JP
Mr G Butler
Mrs K D Calder
Mr S Charmley
Mrs A M Chebsey
Mr J E Clarke
Mr G L Dakin
Mr S Davenport
Mr A B Davies
Mr T Davies
Mrs P A Dee
Mr J T Durnell
Mr D W Evans
Mr R A Evans

Mr E J Everall
Mr J A Gibson
Mr J B Gillow OBE
Mr N J Hartin
Mrs E A Hartley
Mr R Huffer
Mr R Hughes
Mr V J Hunt
Mr J Hurst-Knight
Dr J E Jones
Mrs J Jones
Mr S P A Jones
Mr J M W Kenny
Mr C J Lea
Mr D G Lloyd MBE
Mr C J Mellings
Mr D J Minnery
Mr A N Mosley
Mrs C M A Motley
Mrs M R Mullock
Mrs E M Nicholls
Mr P A Nutting

Mr M J Owen JP
Mr W M Parr
Mrs E A Parsons
Mr M G Pate
Mr M T Price
Mr K Roberts
Mrs D M Shineton
Mr J Tandy
Mr M Taylor-Smith
Mrs R T D Taylor-Smith
Mr R Tindall
Mr G F Tonkinson
Mr A E Walpole
Mr S J West
Mrs C Wild
Mr B B Williams RD
Mr J M Williams
Dr M Winchester
Mr L J P Winwood
Mrs T Woodward

Contact: Richard Thomas – 01743 252725

43. APOLOGIES FOR ABSENCE

The Chief Executive reported apologies for absence had been received from the Leader, Mr K R Barrow, Mrs K Burgoyne, Mrs A Caesar-Homden, Mrs T Huffer, Mrs H M Kidd, Mr P F Phillips, Mr D W L Roberts, Mr M Whiteman, Mr M L Wood and Mr P A D Wynn.

44. DECLARATIONS OF INTEREST

The following declarations of interest were made:

- (a) Mr C J Mellings declared a personal interest in Item 14 (A Parish Charter for Shropshire) as a Member of Wem Town Council and Vice-President of the Association of Local Councils and Items 19 and 20 (Fire at Wem Industrial Estate), as the owner of an adjacent property.
- (b) Dr J E Jones declared a personal interest in Item 14 (a Parish Charter for Shropshire) as a member of Broseley Town Council.
- (c) Mr G H L Butler declared a personal interest in Item 14 (a Parish Charter for Shropshire) as a member of Cleobury Mortimer Parish Council.
- (d) Mrs C Wild declared a personal interest in Item 14 (a Parish Charter for Shropshire) as Chair of Berrington Parish Council.
- (e) Mr R A Evans declared a personal interest in Items 12 (Meeting Local Housing Needs), 13 (Shropshire Core Strategy) and 14 (a Parish Charter for Shropshire) as a member of a Rural Housing Association, a member of the Executive of the Association of Local Councils and as a member of Great Hanwood Parish Council.
- (f) Mr N J Hartin declared a personal interest in Item 12 (Meeting Local Housing Needs) as a tenant of South Shropshire Housing Association.
- (g) Mrs P A Dee declared a personal interest in Item 14 (a Parish Charter for Shropshire) as President of the Association of Parish and Town Councils and a member of Wem Town Council.
- (h) Mrs B M Shingleton declared a personal interest in Item 12 (Meeting Local Housing Needs) as a Board member of Shropshire Rural Housing Association.
- (i) Mr A N Mosley declared a personal interest in Item 12 (Meeting Local Housing Needs) as a Board member of Severnside Housing Association.
- (j) Mr T Barker declared a personal interest in Item 12 (Meeting Local Housing Needs) as a Board member of Severnside Housing Association.

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- (k) Mr M J Owen declared a personal interest in Item 12 (Meeting Local Housing Needs) as a Board member of Severnside Housing Association.
- (l) Mrs T Woodward declared a personal interest in Item 13 (Shropshire Care Strategy) as her husband worked in the field of development and social housing.
- (m) Mr J E Clarke declared a personal interest in Item 14 (A Parish Charter for Shropshire) as a member of Bayston Hill Parish Council.

45. MINUTES

RESOLVED:

That the minutes of the meeting held on 24 June 2010 be approved and confirmed as a correct record, subject to:

- (a) The words “and obtain details of the Commission’s internal review on electoral parity” being added to the Leader’s response to the first supplementary question referred to in Minute 24 (Questions from Members).
- (b) The comment contained in the first paragraph on page 19 being attributed to the proposer of the motion, Mr P F Phillips, rather than the seconder, Mrs B J Baker.

46. ANNOUNCEMENTS

(a) Chairman’s Engagements

The Chairman referred members to the list of official engagements carried out by himself and the Speaker and Vice-Chairman since the last meeting on 24 June 2010 which had been circulated at the meeting.

(b) Welcome – Mr R M Huffer

The Speaker welcomed on behalf of the Council Mr R M Huffer who had recently been elected as the new Liberal Democrat member for the Clee Division.

(c) Presentation by MYPs

The Speaker welcomed to the meeting Bridie Sedgbeer, Olivia Barber and Hannah Davies, Shropshire’s representatives on the Youth Parliament and Amy O’Shea, Jack Hughes and Nathan Marsh, members of the Council’s Speak Out Group.

Prior to them making their presentation, entitled “A Year in the Life of an MYP”, Mr V J Hunt outlined the role and benefit of the Youth Parliament and the Speaker Out Group to the Council. Their presentation, which covered a

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relationship and sex education day, events during local democracy week, the MYP elections, play partnership meetings and participation in the Leadership Board, was followed by a question and answer session. At its conclusion the Speaker thanked them for a memorable performance which was delivered with enormous confidence after which they received a standing ovation.

47. PUBLIC QUESTION TIME

The Speaker announced that no questions had been received before the deadline set in Procedural Rule 14.

48. QUESTIONS FROM MEMBERS

The Speaker announced that no questions had been received before the deadline set out in Procedural Rule 15.2.

49. RETURNING OFFICER'S REPORT

It was proposed by the Speaker and seconded by the Chairman and

RESOLVED:

That the Returning Officer's report confirming the election of Mr Richard Mark Huffer as the members for the Clee Division on 1 July 2010 be received and noted.

50. APPOINTMENT OF COMMITTEES

It was proposed by the Deputy Leader, Mrs E A Hartley and seconded by Mr T Barker, that the report, a copy of which is attached to the signed minutes and the recommendations therein, be received and agreed.

RESOLVED:

- (a) That the Council approve the allocation of seats on committees in accordance with paragraph 3.4 of the report.
- (b) That the Council notes that Mr R M Huffer will serve on the Strategic Licensing and Health Overview and Scrutiny Committees in place of Mr S P A Jones and Mr M Whiteman.
- (c) That Mr M Bennett be appointed to fill the Conservative vacancy on the Community Services Scrutiny Committee created by Mr M J Owen's appointment to the Cabinet.
- (d) That the appointment of Mr M Whiteman as Champion for the Business Sector and Mr J Hurst-Knight as the Champion for Assets be approved.

51. APPOINTMENT OF STATUTORY SCRUTINY OFFICER

It was proposed by the Deputy Leader, Mrs E A Hartley and seconded by Mr T Barker, that the report, a copy of which is attached to the signed minutes and the recommendations contained therein be received and agreed.

RESOLVED:

That the Head of Policy and Performance be designated as the Council's Statutory Scrutiny Officer.

52. ANNUAL ASSURANCE REPORT 2009/10

It was proposed by Mr B B Williams and seconded by Mr P Adams that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

In presenting the report Mr Williams enlarged on the Audit Committee's role in providing assurance and comfort that the Council's money had been committed appropriately.

He thanked the Director of Resources and her team for the essential work they undertook to protect the Council's assets. Mr C J Mellings referred to the recent retirement of Mr G Tart, the former Head of Audit, and asked that the Council place on record its thanks for the excellent way he had undertaken his duties over many years. Members concurred with these sentiments.

RESOLVED:

That the draft Annual Assurance Report for 2009/10 be accepted.

53. THE DEVELOPMENT OF PERSONAL BUDGETS FOR ADULT SOCIAL CARE IN SHROPSHIRE – AMENDMENTS TO THE EXISTING CHARGING POLICY

It was proposed by Mr S P A Jones and seconded by Mrs C M A Motley that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

Mr Jones stated that the amendment to the current policy was to facilitate the increased use of personal budgets in a manner which was consistent with the changes to the delivery of social care. Members noted that this change would provide individuals with much more involvement in the type of support provided and allow them greater flexibility to achieve the things they considered to be most important to the way they lived their lives.

Mrs E A Parsons, while recognising the potential of the initiative to improve people's lives, cautioned against raising personal expectations beyond the level which could be realised. This was a complex matter which would need to be managed with considerable sensitivity. Some people would continue to find it difficult to manage

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and there could be other important consequences for those charities and voluntary organisations.

Mrs C M A Motley thanked the Director of Community Services for the clarity and simplicity of the report. She stated that the new arrangements would give a much clearer idea of the type of services users wanted and this would enable the future arrangements to be better targeted.

RESOLVED:

That the amendments to the charging policy be approved and that these be implemented with effect from 1 August 2010.

54. MEETING LOCAL HOUSING NEEDS – SHROPSHIRE AFFORDABLE HOUSING ALLOCATION POLICY AND SCHEME : AMENDMENTS

It was proposed by Mr M T Price and seconded by Mr M Taylor-Smith that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

Mr Price stated that this was the first review of the Housing Allocation Policy following an extremely effective study by the Community Services Scrutiny Committee. He thanked the Committee and particularly its Chair, Mrs H M Kidd, and the Housing Manager, Brigid Carey for the quality of the work they had produced.

A number of members, including Mrs T Woodward, Mr R A Evans, Dr J E Jones, Mrs E M Nicholls and Mr G F Tonkinson all commented positively on the proposed policy change, which would see the wording of planning conditions/Section 106 Agreements varied to ensure that someone with a local connection had consistent priority over general housing needs. It was noted that this would have particular benefits for extended families and would counter the accusation that local people were being overlooked in favour of others from outside the immediate area.

Mr A N Mosley and Dr J E Jones also referred to the value of the alterations relating to anti-social behaviour and the emphasis on managing neighbourhoods to achieve sustainable communities. Mr Mosley said that this was a welcome improvement, as past failures had led to communities being blighted and he thanked the Portfolio Holder for the important impact that he had made to the development of the Council's housing policy.

Mr P Adams questioned the proposed policy change with regard to relationship breakdown whereby both partners would be eligible for accommodation with additional bed space for use by children of whom they had joint custody. He asked how this could be reconciled with the increasing pressure on the reducing stock of properties?

Replying, Mr Price thanked members for their comments and responded to the points raised by stating that local lettings could solve long standing neighbourhood issues and undertook to circulate the complete policy document to all members. He stated that in instances of relationship breakdown where there was joint custody of children, the Council had a duty to make suitable accommodation available to ensure that both parents could have equal access.

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RESOLVED:

That the amendment to the Shropshire Affordable Housing Allocation Policy and Scheme be adopted.

55. SHROPSHIRE CORE STRATEGY FINAL PLAN : REPORT OF REPRESENTATIONS AND PROGRESS TO SUBMISSION STAGE

It was proposed by Mr M Taylor-Smith and seconded by Mr M T Price that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

In presenting the report, Mr Taylor-Smith stated that this was a key strategic plan which drove the Council's sustainable development, economic recovery and response to climate change policies. It set out the Council's responses to the issues arising from the recently completed final plan representations stage on the core strategy, alongside consideration of the potential impact of the recent Government announcement to abolish regional special strategies. It was imperative to move quickly toward the adoption of the core strategy in order that it could replace the outdated local plans of the former district councils and so that a locally generated development plan could be established. He added that the key issues arising from the 507 representations received were set out in Annex A to the report and the objections were summarised in the changes in Appendix B.

Referring to paragraph 12(a) on page 4 of the report, Mr Taylor-Smith highlighted the amendment which read "up to 27,500 new homes if required" and pointed out that this would be responsive to local needs, while also taking account of the average number of properties built each year.

Speaking in support, Mr M T Price stated that the recent Government announcements had the potential to create more confusion than clarity. However given the nature of the local evidence, the time had come to move on and support the core strategy.

Other members, including Mr N J Hartin, Mr R A Evans and Dr M Winchester welcomed the change from "top down" to "bottom up" planning, but highlighted the serious shortage of affordable housing.

Mr P A Nutting sought further clarification in relation to the housing numbers for Shrewsbury, given its growth point status and statements in the Shrewsbury division document. Mr G L Dakin and Mrs E M Shingleton pointed to the absence of details on infrastructure, particularly electricity and sewerage provision which would not be solved by imposing an obligation on the electricity companies or seeking contributions from developers.

Reference was also made to the community infrastructure levy on page 28 of Appendix A to the report by Mrs E M Shingleton who asked what provision was being made for employment land in rural areas to provide such opportunities as "live and work" units to ensure villages remain sustainable where there was reasonable access.

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Mr B B Williams stated that he opposed the core strategy and outlined the reasons why he did not consider it appropriate to rural areas. He concluded by announcing that he would therefore make his representations to the Planning Inspector, in part because there had been insufficient scrutiny of the issues by members.

Mrs C M A Motley stated that the document illustrated the difficulties the Council had in reconciling the balance between urban and rural concerns. Nevertheless, she supported the proposed amendments and, following discussions with the Parish Councils within her Division, rejected the suggestion that development boundaries should be set for individual settlements. Despite this, she sought assurance that centering future development on hubs and clusters would not result in other areas receiving no development at all.

Replying, Mr Taylor-Smith confirmed that parish design statements would form part of the process in the future and refuted the suggestion that members had been given insufficient time to scrutinise the proposals closely. The number of representations received at 507, was the largest number ever recorded and was a tribute to members of the Council, parish and town councils and stakeholders, who would all be heavily involved in future site allocations.

He advised that the housing numbers for Shrewsbury would be part of the SAMDEV process.

On being put to the vote, the motion was carried with a large majority of members voting in favour, two members voting against and three members abstaining.

RESOLVED:

- (a) That the schedule of proposed changes for submission to the Secretary of State alongside the final plan in July for public examination later this year be approved.
- (b) That authority be delegated to the Director of Development Services, in consultation with the Portfolio Holder for Strategic Planning and Transport, to approve any further minor amendments to the schedule prior to submission.
- (c) That the Council maintains progress on the Shropshire core strategy in response to the Government's proposed abolition of regional spatial strategies and that the core strategy is submitted for examination.

56. A PARISH CHARTER FOR SHROPSHIRE

It was proposed by Mr G H L Butler and seconded by Mrs C M A Motley that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

Mr Butler explained that, following the recent Local Government reorganisation, there was a need for a new charter between the Council and the Parish and Town Councils. The draft Charter had been issued in December 2009 following its launch at the Association of Local Councils Annual Meeting. Approximately 85% of the 150 parish and town councils were members of the Association but it was intended that

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the Charter would relate to all local councils, irrespective of whether they were members.

Mr Butler stated that the design mirrored that of the compact for the voluntary sector, adding that it was not intended to make this a bureaucratic exercise involving annual monitoring. Members would be able to register any concerns through Scrutiny.

Mrs C M A Motley welcomed this attempt to strengthen relations with the parish and town councils. However, other members, including Mr N J Hartin, Dr J E Jones, Mr J E Clarke, felt that, while the content of the Charter was commendable, it was necessary to ensure that the proposed actions were delivered. They pointed to the need for trust and respect between the upper and lower tiers of Local Government, as well as the need to demonstrate how the Charter would make a meaningful difference at a local level.

Mr C J Mellings expressed disappointment that only 40 of the 150+ parish/town councils had responded to the offer to comment on the initial draft. He questioned whether this was due to past experiences leading to a jaded view and suggested that, if the Charter was to have value, performance should be monitored. Otherwise, it would soon become discredited.

Mr M Bennett said that the Charter was for all parish/town councils, not just those who were presently members of the Association of Local Councils. He had the impression that many of them were still coming to terms with the changes following the transformation of Local Government in Shropshire. There was a need to engage with them and the voluntary sector about the shape and delivery of public services in the future and in that regard those members who also sat on parish/town councils should act as the "oil" not the "grit" in the machine.

Responding, Mr Butler acknowledged the previous shortcomings, but stated that awareness raising and training sessions would be held for members and officers on the Charter and the compact during the coming months. This could be extended to the parish and town councils through the Local Joint Committees if there was sufficient demand.

RESOLVED:

That the new Shropshire Charter, attached at Appendix A to the report, be approved.

57. REGULARISATION OF PROCEDURES FOR PREMISES LICENSING

It was proposed by Mr M J Owen and seconded by Mrs R Taylor-Smith that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

Mr Owen explained that councils were able to regulate business delivering acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and/or electrolysis through a process of registration and bye-laws. Presently, there was an inconsistent regulatory framework across the county due to the former boroughs and districts adopting different by-laws. This was, effectively, a tidying up exercise which would bring consistency and end confusion for both traders and the public, as well as ensuring appropriate protection for the young and vulnerable.

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A number of members spoke in favour of the proposals.

RESOLVED:

- (a) That the provisions of the Local Government (Miscellaneous Provisions) Act 1982, Part VII, Sections 14-17 be adopted with effect from 1 September 2010.
- (b) That the model by-laws for acupuncture, tattooing, semi-permanent skin coloured, cosmetic piercing and electrolysis, as set out in Appendix 1 to the report, be adopted with effect from 1 September 2010.
- (c) That all pre-existing by-laws which regulate acupuncture, tattooing, semi-permanent skin colouring, cosmetic/ear piercing and electrolysis be revoked with effect from the date the model bye-laws (as per (b) above) came into force.

58. LICENSING OF SEXUAL ENTERTAINMENT VENUES

It was proposed by Mr M J Owen and seconded by Mr P Adams that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

Mr Owen explained that the Policing and Crime Act 2009 reclassified certain premises, such as lap dancing clubs, as sexual entertainment venues and gave councils the power to regulate them as sex establishments. If the relevant provisions were adopted, it would give local people greater say over where and how many such venues operated within their neighbourhood.

Licenses could be refused on the basis of the character of a locality, so it was unlikely that any such premises would be approved in residential areas or next to churches, schools etc. Fees were payable for such licenses and it was proposed that these should be set at the same level as currently applied to sex shops.

RESOLVED:

- (a) That in accordance with Section 2 of the Local Government (Miscellaneous) Provisions Act 1982 ("the 1982 Act") Schedule 3 to the 1982 Act, as amended by Section 27 of the Policy and Crime Act 2009, is to apply to the Council's area as from 1 September 2010.
- (b) That the licensing fee for sexual entertainment venues be as follows:-

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| Grant | £1,350 |
| Renewal | £1,350 |
| Transfer | £500 |
- (c) That the Assistant Director of Public Protection be delegated all powers under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and Section 27 of the Policing and Crime Act 2009 by means of paragraph 2(2) of Schedule 3 of that Act.
- (d) That the draft Sexual Entertainment Venues Policy, in Appendix 2 to the report, be agreed.

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59. MINOR AMENDMENTS TO THE POLICY FOR THE MANAGEMENT OF SKIDDING RESISTENCE

It was proposed by Mr M Taylor-Smith and seconded by Mr M Bennett that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

Mr N Hartin referred to the A49 and queried whether similar monitoring arrangements were undertaken by the Highways Agency. In response Mr Taylor-Smith indicated that he would look into the issue and respond direct to Mr Hartin.

RESOLVED:

- (a) That a new site classification, Category X be introduced in order to manage skidding risk on recently resurfaced roads.
- (b) That at a Category X site, an engineer shall decide upon tolerable skidding risk using local knowledge, but only when supported by a site specific risk assessment, which shall then be reviewed annually.
- (c) That sites with a low risk of skidding accidents, but which are still above nationally accepted thresholds, will not be assessed or treated.
- (d) That any further amendments to this policy be delegated to the Director of Development Services, in consultation with the Portfolio Holder.

60. LOCALITY WORKING : LOCAL JOINT COMMITTEES ANNUAL REPORT AND LOOKING FORWARD

It was proposed by Mr G H L Butler and seconded by Mr G L Dakin that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

In presenting the report, Mr Butler stated that it outlined the findings of the evaluation of Local Joint Committees after their first year of operations and proposed a way forward for an enhanced way of working over the next two years. He reported that, following discussion of the report at the Cabinet the previous day, recommendations M to S were being withdrawn, so that following further detailed discussion with those members affected, the matter could be considered again by both the Cabinet and Council before the end of November 2010.

A number of members, including Mr P Adams and Mr R Tindall, stated that the report was poorly written and sought particular clarification of the impenetrable language used in Recommendation K.

Dr J E Jones stated that she was relieved that Recommendations M to S had been withdrawn as these had caused great offence in her Division and stood in direct contrast to the statements made in the Parish Charter referred to earlier on the agenda. Personally she wished to support the initiative, but wanted considerably more information and a commitment for greater involvement for the parish/town

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council partners. This included training for those serving on Local Joint Committees that was similar to that being offered to them in relation to the Parish Charter.

Mr A N Mosley proposed by way of amendment, which was seconded by Mr J E Clarke, that the report be referred back to the appropriate Scrutiny Committee for further consideration. Mr Mosley stated that while he was personally a great supporter for Local Joint Committees and had been at the forefront on the initiative by piloting one of the very first, he was saddened by the lack of clarity over the geographical proposals, the mixed messages and confusion which were now evident.

The emphasis in the report was that members' role as community leaders was to be enhanced but there was a paucity of detail about how this would be achieved. Further, crucial information, including that relating to the delegation of resources, the processes and procedures which would be used to deliver the proposals and the level of devolution of functions was missing. This was essential given that approximately 85% of parish/town councillors had never stood in a contested election. The report therefore lacked the necessary detail and the whole subject matter required more careful consideration.

He was supported in this view by Mr N J Hartin, who suggested that the matter should be brought back to Cabinet and Council in November; Mr J M W Kenny, whose concern was that the proposed changes could lead to the wholesale abandonment of Local Joint Committees by some communities and Mr R A Evans, who reminded Council of the universal support for Local Joint Committees following their inclusion in the business case for the Unitary Council.

The Deputy Leader, Mrs A E Hartley, stated that her Group could not support referring the matter back. The subject had been discussed thoroughly by the Cabinet and, as some of the recommendations were time sensitive, any delay could adversely affect vital investment of £3 million in the market towns.

On being put to the vote the amendment was defeated, with 17 members voting in favour to 46 against.

RESOLVED:

- (a) That the public name of the Local Joint Committees be retained and that they be confirmed as the key local involvement, empowerment and governance mechanism for the Council across Shropshire.
- (b) That the Local Joint Committees be recognised as key influencers in the Council's decision making and that increased delegation of responsibility and resources to more local control be investigated and implemented over the next two years.
- (c) That the options for rapid devolution of appropriate current centrally held budgets to local decision making by elected members, in consultation with local joint committees, be investigated as a priority.
- (d) That the Local Joint Committees feed into the Council's Overview and Scrutiny system as set out in Section 8 of the report.

- (e) That grant funding procedures, appraisal processes and eligibility criteria be reviewed and streamlined and any necessary amendments to the financial regulations be implemented.
- (f) That changes to the Council's Constitution be made where necessary to reflect decisions made on this report, including changes to enable more flexibility on substitutions for parish representatives.
- (g) That a communications and involvement plan be developed with increased publicity and regular promotion of Local Joint Committees through all Council communications.
- (h) That direct support from senior management officers be phased out over the next six months and this be replaced with an "area sponsor" support role
- (i) That the function of the Community Working Team be reviewed in line with the Council's transformation programme and the outcomes of the current review of councillors community leadership role in Shropshire.
- (j) That an annual summit and twice yearly Chairman's meetings be held to share best practice and learning points as part of an ongoing evaluation and improvement of Local Joint Committee effectiveness.
- (k) That further pilots be undertaken to assess the viability for a more enhanced role for Local Joint Committees, including for example:
 - Liaison with market towns that want to engage more effectively on local regeneration activities, linked to the market town revitalisation programme;
 - Community safety and crime and disorder reduction in more vulnerable localities; and
 - Building social capital and delivering community action in support of the transformation of social care and roll out of personalised budgets.
- (l) That the Moreton Say and Adderley parishes join the Market Drayton Area Local Joint Committee with immediate effect.
- (m) That recommendation (m) to (s) in the report be withdrawn at this stage, to be brought back to Cabinet and Council following detailed discussion with impacted divisional members by the end of November 2010.

61. LEADER'S STATEMENT ON COUNCIL PROGRESS

The Speaker announced that the Leader of the Council and the Portfolio Holders for Economy and Waste and for Culture and Leisure would present their statements for their individual responsibilities. Following each presentation, members' questions would be put and answered orally after which the questioner would have the opportunity of a supplementary question which would also receive an oral reply where possible.

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(a) Statement from the Leader

The Speaker then invited the Deputy Leader, Mrs E A Hartley, to present the Leader's Statement on Council progress, a copy of which is attached to the signed minutes.

After presenting the report, the Deputy Leader explained that the Cabinet had been working hard at identifying where the proposed cuts in service would have to be made. Already £10m of savings had been identified but a further £47m of savings needed to be made during the next three years, details of which would be announced after September. These would include a new deal for staff and a 20% reduction in management costs.

(i) The Speaker then invited Mr N J Hartin to put the following question:

"Given the statements in Paras 5 & 6 of the Leaders statement on the involvement of the Cabinet & senior management team & indeed staff through the Transformation process in looking at the way services can be run in future given the challenging budgetary situation ahead, can the Leader inform Council how it is intended that all elected members from outside Cabinet will be able to take part fully in setting Council Priorities?"

The Leader replied:

"It is the job the Leader and the Cabinet to review in depth all the options for cutting out spending as a Council and to examine the implications of these for the services offered to local people. As we do this, we will take into account the views of local people and will make recommendations to full Council, where appropriate, which will provide an opportunity for all members to be involved. These recommendations and other Cabinet decisions are also open to Scrutiny by members who can, in turn, recommend that the Cabinet looks at alternative approaches.

I know that my Group will not shrink from making firm and effective decisions to deal with the effects of the financial chaos left, unfortunately, by the Labour government, without adding to the task burdens of local people. That is what we have been elected to do and I expect all other members to help us deal with this major task successfully over the next few years."

(ii) The Speaker then invited Mr C J Mellings to put the following question:

"The scale of the budget reductions facing the Council is unprecedented. How does the Leader intend to (a) assess the impact of and (b) ensure fairness in the reductions that have to be made? "

The Leader replied:

"As part of its in depth examination of options for budget reductions, the Cabinet has asked senior officer of the Council to clarify the implications for local people of any changes in the scope of standard of the services and support we offer them. The Cabinet will also look at the cumulative affect of these decisions on particular groups within our local communities, as we make them.

I assume that members in Scrutiny will also want to pick up this aspect of our budget preparations for the next three years. My Group remains committed to providing a reliable, good quality “no frills” approach, which has removed waste, duplication, bureaucracy and unnecessary costs so as to focus our resources on the front line.”

(b) Statement by the Portfolio Holder for Economy and Waste

The Speaker invited the Portfolio Holder for Economy and Waste, Mr M G Owen, to present his statement which was then followed by questions.

- (i) The Speaker invited Mr T Barker to put the following question to the Portfolio Holder:

“Shropshire is very much the County of business entrepreneurs and of small business as the document “Spotlight on the Shropshire Economy” published in draft this month shows. Very many of these small businesses are more properly described as “micro-businesses” being sole traders in a wide variety of sectors from agriculture and consumer services to business advice and other professional service providers.

With the imminent demise of the Regional Development Agency, Advantage West Midlands, (which will be replaced by a Local Enterprise Partnership (LEP) in which the Local Authorities will have a key guiding role), can the portfolio holder confirm that the entrepreneurs who run these micro businesses will be directly involved in the running of the LEP and included in the ongoing consultations leading up to its formation?”

The Portfolio Holder replied:

“Councils and Business Leaders have been jointly invited to submit proposals to form Local Enterprise Partnerships by Government. The Local Enterprise Partnerships will be jointly run by Local Government and the Business Community. It is expected that they will take on some of the roles of the RDAs and may be able to access funding. For Shropshire it is proposed that our Local Enterprise Partnership will cover Shropshire, Herefordshire and Telford and Wrekin, the shadow board will be made up of the 3 chairs of the Business Boards and the 3 portfolio holders for economy from the three councils. It will then have a high profile business leader as an independent chair. Therefore to answer your question yes micro businesses will be directly involved as Shropshire Business Board has on it business owners of small businesses and representatives of the Federation of Small Businesses and Shropshire Enterprise Partnership.

Consultations include a survey which has gone out to 4800 businesses in Shropshire including micro-businesses. The same survey has also gone out to 2000 business members of the Federation of Small Businesses the majority of who are sole traders. It has also gone out through Shropshire Enterprise Partnership to 570 home based businesses.

- Note that we are only submitting an expression of interest at this stage.

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- The time scale is very tight as bids need to be in by 6th of September but Government ministers have asked to see bids as soon as possible to influence the white paper due out in October.
- This will only be first stage we will then have to work up a full business case during the autumn and will involve businesses including micro businesses in all this development.
- Funding may come from existing RDA contracts or from bids to the new Regional Growth Fund.”

(ii) The Speaker invited Mrs P A Dee to put for following question:

“Is there any possibility that a ban can be implemented/or looked into countywide to stop “uninvited callers” i.e. Peddlers - door to door sales persons etc. I am not including charities like the British Legion Poppy Appeal or the yearly Christian Aid collection etc., just those who sell products on the door step or in some instances those who try to persuade people to take out loans.

I was in London last week and noted the signs I have included with this question defining “No Cold Calling Zones”. There have been quite a few people call on Wem householders of late. I was contacted by a pensioner who felt he had been coerced into buying from a young man who was practically begging him to buy something. This is a pressure that people should not be subjected to in their own homes whatever their age.

I spoke to the Chairman of Wem Senior Club and asked if he thought that his members would support such a move and he thought that they would. Parish and Town Councils should be asked for their opinions on behalf of their residents. This hopefully should ensure that we reach as many people as possible.”

The Portfolio Holder replied:

“No Cold Calling Zones do not have any legal basis, but they have been successful in a number of areas where they have provided reassurance to householders and initially at least led to a reduction in doorstep incidents.

The basic premise is that where there is justification within an area, and where a community wants a zone, signage would be placed around the routes in and out of the zone. Generally, smaller zones are more effective, but they could in theory cover a larger area. The signs may deter doorstep callers, but in the event that they do not, a householder can ring the number on the signs and contact the responsible body (often Trading Standards or Consumer Direct). The householder may then receive advice, or an officer may undertake a rapid response in person.

You will note that the zones are somewhat of a misnomer - they do not prohibit doorstep trader traders who legally ply their wares. They will however potentially Trading Standards alert to traders who are acting illegally.

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We have previously considered creating a NCCZ in Wem, following a request by Chris Mellings, but our database did not suggest that either the whole of Wem, or a particular part of it, had a raised level of rogue traders. Indeed, Wem remains relatively quiet on this front, according to our intelligence. To create a zone without sufficient justification would risk legal action from door to door traders, many of whom are, or would claim to be, reputable."

(iii) The Speaker invited Mr R A Evans to put the following question:

Page 2 of the report headed Economic Development and the Key Issues section.

Re the statement made in the second bullet point

AWM review of all contracted projects which will probably see claw back of various funds.

"From this am I right to conclude that contracted projects entered into by Shropshire Council will now have their funding removed whilst others are to have previously agreed funding clawed back. Assuming this to be correct, can the portfolio holder inform us what projects are being reviewed, or likely to be reviewed and which of these can be cancelled with out any loss being incurred by this council. If any money already spent is to be clawed back where will this come from. Will any local jobs will be lost?"

The Portfolio Holder replied:

"AWM is currently reviewing projects under contract in response to budget cuts. The projects under review FOR Shropshire Council are:

- Shropshire Tourism Business Grant
- Competitiveness through Collaboration – Marches Environmental Technology Network.
- Shropshire & Telford Destination Underpinning Programme
- RE: Think Energy 2 – not yet contracted
- Shropshire Connections to Opportunities – not yet contracted
- Shropshire Food Enterprise Centre – completed.
- Bridgnorth Employment Land

Those projects that had been approved but not yet contracted with are unlikely to progress. So we believe that this applies to Re-Think Energy 2 and to Connections to Opportunities.

The budgets for current projects such as the Tourism Business Grant Scheme and the Destination Management Programme will be cut, however

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money that has already been spent or we are obliged to spend, in terms of grant payments to Tourism businesses, will not be clawed back.

The review by AWM is not yet complete therefore the extent of the budget cuts has not yet been determined. It is anticipated that a decision by AWM will be confirmed over the next two weeks. We are expecting a letter to confirm.”

- (iv) The Speaker invited Mr R A Evans to put the following question:

“Can the portfolio holder inform us how many establishments were checked for food hygiene since Shropshire Council was formed, how was this split around the county and what percentage of all food establishments was this?”

The future of the Food Standards Agency is under review. Food safety responsibilities will remain with the Agency, but food standards and nutrition will move to Defra and the DoH respectively.”

The Portfolio Holder replied:

“Food establishments in Shropshire are risk assessed and inspected in line with statutory guidance and inspection frequencies are determined with reference to this risk. The risk, in this case, is the risk of the business causing incidents of food poisoning. High risk premises are inspected twice annually, with inspection frequencies diminishing with lower risk. In total 3200 food establishments have been identified within the food hygiene inspection programme, of which 1000 of the lowest risk are dealt with through methods other than inspection.

In 2009/10, 1350 food hygiene inspections were carried out. There was an even geographical spread of inspections, with decisions being taken on the risk posed by the establishment rather than the location of the business. Approximately 42% of all food establishments were inspected in 2009/10. Of those establishments that were programmed to be inspected officers achieved 100% of High Risk premises, 87% Medium Risk and 77% of Low Risk.”

- (v) The Speaker then invited Mr C J Mellings to put the following question who in doing so, indicated that in view of the time remaining he would be happy to receive written replies to his submitted questions on broadband and waste collection issues.

“Within 2 weeks of a report being considered by Scrutiny, there was a further fire at Kingpin on Wem Industrial Estate. Will the Portfolio Holder recognise the serious concerns of local people with regard to the operation of this facility and does it not highlight the urgent need to deal with the issues raised? What progress is being made on implementing the Scrutiny Committee's recommendations?”

The Portfolio Holder replied:

“In respect of the specific issue relating to the fire at Kingpin, following the fire a multi-agency meeting was held to review the site activities. An agreed intervention plan has now commenced with joint formal actions from Shropshire Council, the Health & Safety Executive and the Environment

Agency which require a full review of site operations and in particular the storage of rubber materials and associated fire hazard. This action will require formal response from the company and a further multi-agency site meeting is programmed for 25 August 2010 to specifically review the company's risk assessment and management plan.

Following consideration of the original Kingpin fire report by Scrutiny, initial internal discussions had taken place to identify the current data held and the opportunities for working with partners to collate the existing data on potentially hazardous installations in Shropshire. Subsequently there have been meetings with Shropshire Fire & Rescue, the Health & Safety Executive and the Environment Agency to discuss the mechanism for identifying sites of potential concern and to consider the opportunities for shared working to facilitate regular inspections and assessment of these sites. This work is now on-going."

(vi) The Speaker then invited Mr T Davies to put the following question:

"The Food Enterprise Centre on Battlefield is running under capacity. It has a capacity of approximately 12 but currently has only 2 occupants and 1 pending. How much are the running costs of the empty properties? Each small unit (1500 sq ft) at the Food Enterprise Centre costs £631.44 per year."

The Portfolio Holder replied:

"Each large unit (3000 sq ft) at the Food Enterprise Centre costs £1700.00 per year. As there are currently 9 units unoccupied - 5 small units and 4 large units the total cost per year is £9,957:

- The Food Enterprise Centre cost £7.5 million; the Council obtained £6 million in grant funding from Advantage West Midlands (AWM) to build it.
- It is the largest single AWM investment in Shropshire
- It is the West Midlands regional food centre and totally unique in the region.
- The target is to get it 80% occupied within 12 months
- The Centre has only been fully opened with Heart of England Fine Foods (HEFF) managing it since February 2010.
- Achieved two tenants in units and a 3rd signing the lease within 5 months
- At the moment empty units are exempt from business rates but from 1st April 2011 it is possible that they will become payable

Statement from the Portfolio Holder for Culture and Leisure

The Speaker then invited the Portfolio Holder for Culture and Leisure, Mr S F Charmley, to present his statement after which he answered questions:

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- (vii) The Speaker invited Mr C J Mellings to put the following question:

“Following discussions with Shropshire Council, Wem Town Council & Teme Leisure have entered into an arrangement to re-open Wem Swimming Centre. Now that the free swimming programme has ceased, what further support can Shropshire Council provide to maintain a sustainable future for public swimming in Wem ? “

The Portfolio Holder replied:

“Shropshire Council in the last twelve months has been providing advice, guidance and support to the Wem Town Council in terms of both its existing and future swimming provision in the town. For example, Shropshire Council was able to broker the meeting with Team Leisure which has brought the successful conclusion of Team Leisure taking on the management of Wem Swimming Pool.

Shropshire Council is disappointed that the free swimming initiative is coming to an end although it recognises the difficult economic climate that we are currently in. The Council, by way of financial support, is preparing to offer £4,500 per annum towards the overall running of Wem Swimming Pool and will continue to provide professional officer support and guidance to the operation, should it be required.”

Mr Mellings thanked the Portfolio Holder and the Officers for their support and announced that he was looking to form an advisory group which he hoped the Council would be able to give its support on the future.

The Speaker announced that with the time allotted having been exceeded, the final question from Mrs B J Barker, would receive a written response.

62. REPORT OF THE SCRUTINY COMMITTEES

The Chairman of the Strategic Overview and Scrutiny Committee, Mr T Barker, presented the report, a copy of which is attached to the signed minutes, on the work of each of the Council's Overview and Scrutiny Committees.

RESOLVED:

That, the report of the Scrutiny Committees and the individual Scrutiny Statements attached thereon, be noted.

63. MOTIONS

- (a) The following motion was received from Mr A N Mosley:

“Council notes:

That the increase in VAT from 17.5% to 20% announced in the Government's June Budget will fall hardest on those least able to afford it.

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That the increase in VAT will lead to higher prices for goods and services; will have a disproportionate impact on pensioners and other low income groups; and will have a severe impact on businesses, charities and community groups in Shropshire.

That the effect of the increase in VAT, when taken with other measures in the Budget, will be unfair to pensioners, who have not had a compensatory increase in other benefits and allowances.

That the way the VAT increase will affect pensioners and other low income groups runs counter to the Government's Coalition Agreement statement on 20 May 2010 that it would "ensure that fairness is at the heart of those decisions so that all those most in need are protected."

That the Institute of Fiscal Studies has stated the VAT increase was not "unavoidable," as the Chancellor of the Exchequer said in his Budget speech.

Council resolves:

To write directly to the Chancellor of the Exchequer raising concerns about the impact of the proposed VAT increase on pensioners, other vulnerable groups and businesses in Shropshire.

To call on the Members of Parliament representing Shropshire to stand up for Shropshire pensioners, businesses and wider community, to voice their opposition to this unfair increase in VAT and to vote against it in Parliament.

Speaking to the motion, Mr Mosley explained that VAT was unfair and regressive and it would have a cumulative effect on the most vulnerable groups in society. Consequently, the impact of the spending cuts would be greatest on those who were currently users of vital public services. Evidence pointed to the richest 10% paying £1 in every £25 of expenditure in VAT, whereas the poorest 10% paid £1 in every £7 spent on VAT.

Seconding the motion, Mr J Tandy emphasised the impact of the increase in VAT of the vulnerable and needy in society and added that this was why the former Labour government had intended to impose a 1% rise in national insurance contributions so as to spread the effect more widely."

An amendment, which was proposed by Mr N J Hartin, was ruled out of order because its effect was to negate the original motion.

Mr R A Evans then proposed by way of second amendment, which was duly seconded by Mrs E A Hartley, the following:

"That Council resolves:

- (i) To write directly to the Chancellor of the Exchequer raising concerns about the impact of the proposed VAT increase on pensions, other vulnerable groups and business in Shropshire.
- (ii) It notes with regret the new coalition government discovered that the outgoing Labour government had left the public finances in a catastrophic state and much worse than they had previously admitted.

- (iii) Notes this public deficit is the second largest in Europe and is equivalent to £22,400 for every man, woman and child in the UK. Also notes the outgoing Chief Secretary to the Treasury, Labour MP, Liam Burn left a note stating “Dear Chief Secretary, I am afraid there is no money. Kind regards – and good luck! Liam.
- (iv) Council welcomes the measures in the budget protecting the poor and vulnerable including:
- Nearly 1 million low earners taken out of tax altogether with more to follow;
 - £2 billion extra child tax credit to tackle poverty;
 - Help for pensioners with the restoration of the earnings link that Labour had 13 years to restore, but failed;
 - A 10% increase in capital gains tax for to earners; and
 - A new tax on banks.
- (v) Council further welcomes the new Government’s freeing of councils from unnecessary and wasteful bureaucracy, including the ending of the comprehensive area assessment and believes the resources now freed up from the inspection regime can be used to more effectively align frontline services to reflect the priorities of local people.

Responding, Mr Mosley said that he was grateful that the first part of the original motion had been incorporated into the amendment.

On being put to the vote, the amendment was carried with a large majority voting in favour to three members voting against.

- (b) The following motion was received from Mr J M W Kenny:

“This Council supports the campaign to retain Shrewsbury County Court and asks the Chief Executive and Leader of Council to write to the Minister of Justice advising him that this Council is against the closure of the County Court in Shrewsbury and to include the following reasons:

The County Town has a population of some 70,000 serving an administrative area of almost 300,000 people

Within the County Town and County of Shropshire there are some of the worst pockets of social disadvantage in the country

The County Town is more readily accessible to those in Shropshire than Telford with all major roads and railways leading to the County Town

Closure of the court will be detrimental to the vulnerable and needy

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Closure of this court will have a detrimental effect on the local economy with many businesses dependent on the court going elsewhere.

An alternative home for the County Court In Shrewsbury could be the underused Magistrates Court in Shrewsbury.

In any event no closure should take place until satisfactory explorations in delivering justice through the use of technology have been carried out and consulted on.

Speaking in support, Mr Kenny explained that this was a complex matter which affected not just the retention of the County Court but also the Magistrates' Courts in Oswestry, Market Drayton and Ludlow. However his principal concern remained the retention of the County Court, in the County town, because of the negative effects its removal would have on the accessibility to justice. Further, if the County Court was to move to Telford, it would see the long term transference of professional legal and para legal services and reduce the opportunity for employment in these fields over the longer term.

Other options existed which included relocating the County Court to the presently underused Shrewsbury Magistrates' Courts buildings. Or, should that prove to be impractical, then to the Employment Tribunal Offices at Prospect House, Shrewsbury.

Finally, he reminded members that the deadline for responses to the consultation of the proposed closures from 15 September 2010 and urged all members to respond to retain the Shrewsbury County Court.

Seconding the motion, Mrs B Baker referred to the unhelpful consequences closure of the Shrewsbury County Court would have on vulnerable users as well as voluntary agencies including the CAB.

Mr M Taylor-Smith proposed by way of amendment, which was duly seconded by Mr M Bennett, the following:

"That the following words be added after "Shrewsbury County Court" in the first sentence:

and local community concerns in respect of the proposed loss of County and Magistrates' Courts, across Shropshire.

That the words "County Court in Shrewsbury" following "against the closure of the" be deleted and replaced with:

County and Magistrates' courts in Shropshire

That the following words be added before "the County town":

The demography and geography of Shropshire present particular challenges in the delivery of public services. The centralisation of the justice function will inevitably mean that those attending courts will have to travel further distances, and in many cases it will be impossible to use public transport to arrive at a venue in time for scheduled cases to be heard.

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Justice delayed is justice denied, but it is equally important to ensure public confidence in the system, and it should be accessible and based so far as possible in areas that people relate to.

That the paragraph beginning The County Town be amended to read:

“In respect of the County town, Shrewsbury has a population of some 70,000 including some of the worst pockets of social disadvantage in the country. Closure of the court will be detrimental to the vulnerable and needy and have a detrimental effect on the local economy with many businesses dependent on the court going elsewhere.

No closures should take place unless or until all other options for a publicly acceptable alternatives for delivering justice in Shropshire have been explored and consulted on.”

Speaking to the amendment, Mr Taylor-Smith said that this supported the prime motion but included the three local Magistrates courts which were also under threat.

The amendment was also support by Mr J E Clarke, who considered access to the civil courts to be the bedrock of a civilised society and felt that to require vulnerable people to travel to Telford would impose a serious deterrent on access to justice. Further, the proposal to close the Magistrates' court was a repeat of the threat announced in 1995 which the former Labour government rescinded in 1997. Secondly, the amendment partly excluded the reference to “electronic means” which was to be applauded.

Mr A N Mosley said the case to retain the Shrewsbury County Court was well made as this was a vital service for people whose lives were often in crisis.

Replying, Mr Kenny said he was unhappy with the amendment, mainly because it was not possible to protect all of the courts.

On being put to the vote, the amendment was carried with a substantial majority voting in favour, one member voting against and nine abstaining.

RESOLVED:

This Council supports the campaign to retain Shrewsbury County Court *and local community concerns in respect of the proposed loss of County and Magistrates' Courts across Shropshire*, and asks the Chief Executive and Leader of Council to write to the Minister of Justice advising him that this Council is against the closure of the County and Magistrates courts in Shropshire and to include the following reasons:

1. The demography and geography of Shropshire present particular challenges in the delivery of public services. The centralisation of the justice function will inevitably mean that those attending courts will have to travel further distances, and in many cases it will be impossible to use public transport to arrive at a venue in time for scheduled cases to be heard.

2. Justice delayed is justice denied, but it is equally important to ensure public confidence in the system, and it should be accessible and based so far as possible in areas that people relate to.
3. In respect of the County Town, Shrewsbury has a population of some 70,000 including some of the worst pockets of social disadvantage in the country. Closure of the court will be detrimental to the vulnerable and needy and have a detrimental effect on the local economy with many businesses dependent on the court going elsewhere.
4. No closures should take place unless or until all other options for a publicly acceptable alternatives for delivering justice in Shropshire have been explored and consulted on.

(c) The following motion was received from Mr G H L Butler:

Race Online 2012

Access to the internet is increasingly becoming an essential part of life – to access information, stay in touch, buy goods and services and for entertainment. Around 10 million people in the UK have never been online. 4 million of these are among the most socially excluded in society. So many of the people who have the most to gain from the internet – whether to overcome isolation, save money or access essential services – are the ones who are missing out most.

Race Online 2012 is a national campaign, led by Martha Lane Fox – the Government's UK Digital Champion – to improve the chances of these 10 million people and to achieve as near 100% UK online population as possible by 2012. This would have obvious benefits for people who are helped to get on line but also an estimated £22 Bn saving to the UK economy, including by reducing the costs of accessible key public services and helping the private sector services and helping the private sector reach new markets

The campaign is looking for 10,000 organisations from the private, public and voluntary sector to sign up as supporters and commit to at least one action to help make this vision a reality. So far 8 Councils including Westminster City Council, Lancashire County Council and Staffordshire County Council have joined up with pledges ranging from running more internet taster sessions in their community to working with technical providers to improve online access. Many high profile major, and more local private sector companies have also joined up including Sky and Google.

Shropshire Council is firmly committed to improving the chances of residents to access a high quality internet connection, and through Telly Talk and Broadplace sites, giving online access to key local services for people who are otherwise digitally excluded. In signing up to Race Online 2012 we can reaffirm our commitments to:

- Provide informal, friendly, accessible IT learning opportunities through our Broadplaces network and through 300 community based volunteers

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- Working with other public and private sector partners to seek to improve broadband access throughout Shropshire”.

We should also commit afresh to:

- Joining up IT learning provision across the county so people can easily find their nearest learning opportunity, using Libraries, visitor information and customer service points.
- Explore option with locally based IT shops to provide basis IT learning vouchers with every PC they sell.

Mr Butler announced, that subject to the consent of his seconder, he wished to withdraw the motion.

(The meeting ended at 2.55 p.m.)

CHAIRMAN :

DATED :